

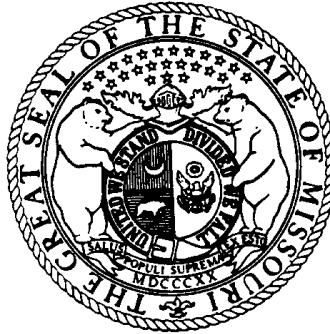
*Ninety-Sixth General Assembly*

# Index

## Journals of the Senate and House

*of the*

**STATE OF MISSOURI**



**2011**

### **FIRST REGULAR SESSION**

January 5, 2011 to May 26, 2011

### **FIRST EXTRAORDINARY SESSION**

September 6, 2011 to October 25, 2011

### **VETO SESSION**

September 14, 2011

*Compiled under the direction of the  
Secretary of the Senate and Chief Clerk of the House*

In compliance with Section 2.080, RSMo 2000



## Missouri General Assembly

### USER ADVISORY

This Index is for use with the bound version of the Journals of the Senate and House, First Regular Session, First Extraordinary Session and Veto Session, 96th General Assembly, State of Missouri.

The Journals are printed daily by the Senate and House. Corrections made in a daily journal subsequent to the printing of the Journal may be located by examining the "corrections" heading in this index.

The bound sets of Senate and House Journals constitute the official version of the Journals and take precedence over other versions which might be available electronically or otherwise.

Journal page numbers are given only in the numerical listing of SENATE BILLS INTRODUCED and HOUSE BILLS INTRODUCED. When using the TRULY AGREED TO and the CLASSIFIED INDEX, please refer to the numerical listing for journal page numbers.

Bill authors are not listed for substitute bills.

In the CLASSIFIED INDEX, bill captions (listed under SUBJECT) have been revised to take into account changes that occurred after introduction. Bills are classified in this portion of the index by the last version acted upon.

### AUTHORITY FOR PUBLICATION

**2.080.** 1. Copies of the journals of the proceedings of each house of the general assembly shall be compiled under the superintendence and direction of the secretary of the senate and chief clerk of the house, in such number as may be determined to be necessary by the committee on legislative research, to be distributed as directed by the committee. After each session of the general assembly, the secretary of the senate and chief clerk of the house shall examine and correct the proof sheets of the journals of their respective chambers and prepare a table of the errata, if any errors have been made, and shall prepare an index of the journals. The secretary of the senate and chief clerk of the house shall develop and use a common indexing system for the journals.

2. Copies of the journals may be printed and bound into books, may be microphotographed, or may otherwise be copied so as to preserve the record of proceedings and to facilitate the use and storage of the journals.

**2.091.** The secretary of the senate and chief clerk of the house shall deliver, upon request, one copy of the journal of their respective chambers to the judge of any court of record, any member of either house of the general assembly, the head of any state department, bureau or state institution, the state university, the Missouri state historical society and any public library in the state, two copies of each to the law library association of St. Louis, and three copies of each to the Library of Congress at Washington, D.C. The remaining copies shall be preserved, subject to the orders of the general assembly.

# CONTENTS

---

## Ninety-Sixth General Assembly

### First Regular Session

	Page
Truly Agreed To And Finally Passed Legislation	
Signed by the Governor .....	1
Vetoed by the Governor .....	7
Senate Legislation Introduced	
Bills .....	8
Concurrent Resolutions .....	31
Joint Resolutions .....	32
House Legislation Introduced	
Bills .....	33
Concurrent Resolutions .....	95
Joint Resolutions .....	97
Conference Committees - Requests, Motions and Reports .....	100
Classified Index Keywords .....	104
Classified Index .....	106
Senate Index .....	364
House Index .....	402

### First Extraordinary Session

Truly Agreed To And Finally Passed Legislation	
Signed by the Governor .....	500
Senate Legislation Introduced	
Bills .....	500
House Legislation Introduced	
Bills .....	501
Joint Resolutions .....	501
Classified Index Keywords .....	501
Classified Index .....	503
Senate Index .....	511
House Index .....	518

### Veto Session

Senate Index .....	519
House Index .....	519

### Abbreviations are as follows:

SB .....	Senate Bill
HB .....	House Bill
SCR .....	Senate Concurrent Resolution
HCR .....	House Concurrent Resolution
SJR .....	Senate Joint Resolution
HJR .....	House Joint Resolution
SS .....	Senate Substitute
SCS .....	Senate Committee Substitute
HCS .....	House Committee Substitute
CCR .....	Conference Committee Report
CCS .....	Conference Committee Substitute

---

# TRULY AGREED TO AND FINALLY PASSED LEGISLATION

## FIRST REGULAR SESSION

### LEGISLATION SIGNED BY THE GOVERNOR

#### SENATE BILLS

No.	Author	Subject
SCS SB 19		Phases-out the corporate franchise tax over a five year period
SB 36	Lembke	Allows employees of certain employers to take a leave of absence for civil air patrol emergency service duty or counter narcotics missions
SB 38	Wright-Jones	Establishes a prostate cancer pilot program to provide screening, referral services, treatment and outreach
CCS HCS SB 48		Modifies provisions relating to utilities
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SS SB 55		Classifies sawmills and planing mills as agricultural and horticultural property for tax purposes
HCS SCS SB 57		Requires courts to transfer certain cases upon the request of the public administrator and specifies that certain political subdivision associations are not required to solicit competitive bids when procuring risk coverages
CCS HCS SB 59		Modifies provisions regarding judicial procedures
HCS SS#2 SCS SB 62		Modifies provisions relating to health care providers
SS SCS SB 65		Modifies provisions relating to abortion with respect to viability
SCS SB 68		Authorizes the issuance of subpoenas for the production of records by the General Assembly
CCS SS SCS SB 70		Modifies provisions relating to the Missouri Family Trust
HCS SB 77		Expands the types of directional signs which may be erected within highway right-of-ways and creates numerous memorial highway designations
CCS SCS SB 81		Modifies provisions relating to education
SB 83	Pearce	Allows for the sale of deficiency waiver addendums and other similar products with respect to certain loan transactions
HCS#2 SB 96		Conveys certain property owned by the state
HCS#2 SB 97		Conveys certain property owned by the state
SB 101	Parson	Creates requirements for contractors who perform home exterior and roof work
SCS SB 108		Extends the expiration date concerning the installation of fire sprinklers in certain home dwellings to December 31, 2019 and modifies adoption by a political subdivision of certain residence codes
SS SCS SBs 113 & 95		Modifies the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act



No.	Author	Subject
CCS HCS#2 SCS SB 117		Modifies provisions of law regarding the collection of taxes
HCS SS SCS SB 132		Modifies motor vehicle extended service contracts law, amends surplus lines insurance law, establishes a limited-lines insurance license to sell portable electronics insurance, and modifies the retaliatory tax law
CCS HCS SS SB 135		Modifies provisions pertaining to environmental protection
HCS SB 161		Modifies provisions relating to agriculture
SB 165	Goodman	Extends the sunset on the Basic Civil Legal Services Fund
CCS HCS SB 173		Modifies provisions of law relating to transportation and infrastructure
SB 180	Kraus	Designates certain state recognized days, weeks, and months
HCS SB 187		Modifies the laws regarding nuisances and junkyards
HCS SCS SB 213		Modifies what information is required in a petition for guardianship for a minor or an incapacitated person, adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act and modifies procedures for ordering autopsies
CCS HCS SS SB 226		Modifies provisions relating to emergency services
SB 237	Schaefer	Requires that the September 1996 Supreme Court standards for representation by guardians ad litem be updated
SS SB 238		Creates a presumption that certain infectious diseases are duty-related for the purposes of firefighters' disability and death benefits
CCS#2 HCS SB 250		Requires sexual assault offenders to complete certain programs prior to being eligible for parole and prohibits them from living near child care facilities
CCS HCS SB 284		Modifies the disciplinary authority of the Board of Pharmacy, defines the term legend drug for the purpose of certain pharmacy statutes, and grants exemption from sales tax for certain medical equipment and drugs
SS SB 306		Modifies laws relating to the administration of credit unions
SS#2 SCS SB 320		Modifies provisions relating to domestic violence
HCS SB 325		Modifies various laws relating to professional registration
HCS SS SCS SB 351		Modifies provisions relating to adoption records
CCS#2 HCS SCS SB 356		Modifies provisions pertaining to agriculture
HCS SCS SB 366		Creates Missouri cooperative associations and modifies the law relating to the conversion of certain business organizations

## SENATE CONCURRENT RESOLUTIONS

No.	Author	Subject
SCR 1	Ridgeway	Disapproves a final order of rule making by the Public Service Commission regarding Electric Utility Renewable Energy Standard Requirements
SCR 11	Wright-Jones	Asks the Governor to recognize every third week in June as Diabetic Peripheral Neuropathy Week

**SENATE JOINT RESOLUTIONS**

No.	Author	Subject
HCS#2 SJR 2		Allows enabling legislation for advance voting and photographic identification for voting

**HOUSE BILLS**

No.	Author	Subject
HCS HB 1		Appropriates money to the Board of Fund Commissioners
CCS SCS HCS HB 2		Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education
CCS SCS HCS HB 3		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education
CCS SCS HCS HB 4		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation
CCS SCS HCS HB 5		Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety
CCS SCS HCS HB 6		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation
CCS SCS HCS HB 7		Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial R
CCS SCS HCS HB 8		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety
CCS SCS HCS HB 9		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections
CCS SCS HCS HB 10		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, Board of Public Buildings, and Department of Health and Senior Services
CCS SCS HCS HB 11		Appropriates money for the expenses, grants, and distributions of the Department of Social Services
CCS SCS HCS HB 12		Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly
CCS SCS HCS HB 13		Appropriates money for real property leases and related services
SCS HCS HB 14		Appropriates money for supplemental purposes
HB 15	Silvey	Appropriates money for supplemental purposes for the Department of Elementary and Secondary Education
SCS HCS HB 17		Appropriates money for capital improvement and other purposes as provided in Article IV, Section 28
SCS HCS HB 18		Appropriates money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities
SCS HCS HB 21		Appropriates money for capital improvement projects involving maintenance, repair, replacement, and improvement of state buildings and facilities
SCS HCS HB 22		Appropriates money for planning and capital improvement projects and land improvements or acquisitions and transfers money among certain funds
SCS HCS HB 38		Increases the work-off rate for city prisoners and requires certain administrative officials of jails or detention facilities to notify specified law enforcement of an escape of certain specified felons
SS SCS HCS HB 45		Changes the laws regarding the Big Government Get Off My Back Act which provides an income tax deduction for certain small businesses that create new full-time jobs

No.	Author	Subject
HB 68	Scharnhorst	Prohibits a political subdivision from imposing a fine or penalty on the owner of a pay telephone on the owner's property for a call made to an emergency telephone service from the pay telephone
HCS HB 70		Changes the compensation and mileage allowance for certain members of a county highway commission
SS SCS HCS HB 73 & 47		Requires certain applicants for and recipients of Temporary Assistance for Needy Families Program benefits to be tested for illegal drug use and the benefit card to include a photo of the recipient or payee
HCS HB 83		Specifies that an agreement to operate or share an automated teller machine cannot prohibit the owner or operator of the machine from imposing an access fee or surcharge on foreign bank transactions
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
CCS SCS HB 101		Changes the laws regarding liquor control
HB 109	Wells	Repeals the provisions allowing the State Treasurer to invest in any linked deposit for specified purposes only for certain time periods
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HCS HB 136		Allows the spouse of certain active military members to be eligible for unemployment benefits and to receive a temporary courtesy license to practice his or her occupation or profession in this state
SS SCS HB 137		Repeals the authority of certain state university boards to convey or transfer property without authorization from the General Assembly and authorizes the Governor to convey certain state properties
CCS SCS HB 142		Changes the laws regarding political subdivisions
SCS HB 149		Removes the expiration and termination dates for the provisions which allow an individual or corporation to designate part of a tax refund to the Missouri Military Family Relief Fund
HB 151	Kelly	Authorizes an individual or corporation to designate all or a portion of his or her income tax refund to the Organ Donor Program or to send a separate check with the payment of his or her taxes
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
SS SCS HCS HB 163		Changes the laws regarding unemployment compensation and makes Missouri eligible to receive extended federal unemployment benefit funds
HCS HB 174		Changes the composition of the Coordinating Board for Higher Education, the University of Missouri Board of Curators, and the Missouri State University Board of Governors
HB 182	Gray	Designates the first Friday in March as "Dress in Blue for Colon Cancer Awareness Day"
HB 183	Silvey	Changes the laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City
SCS HB 186		Changes the laws regarding county officers
HB 190	Ruzicka	Authorizes divisions within the Department of Natural Resources to receive funds to be placed in a revolving fund for the purpose of cash transactions involving the sale of items made by the divisions
HCS HB 197		Requires the Department of Health and Senior Services to post on its web site resources relating to umbilical cord blood
HB 199	Kelley	Specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment
HB 204	Hoskins	Allows a resident who is on active military duty to renew his or her expired driver's license without a complete examination if the renewal is made within a specified time from discharge or residency

No.	Author	Subject
SS HCS HB 213	Dugger	Specifies that no abortion of a viable, unborn child can be performed or induced except in certain specified situations
SCS HCS HB 214		Changes the laws regarding human trafficking
HB 217		Allows an election authority to use an electronic voter identification system or electronic signature pad to verify voter identification information at any polling place
HCS HB 220		Specifies that the ordering of a report or an inspection alone will not constitute selecting or engaging a person regarding a real estate licensee's immunity from liability for certain expert statements
HCS HB 223 & 231		Establishes the Nursing Education Incentive Program and authorizes a nonrenewable advanced placement grant to certain recipients of financial aid under the A+ Schools or Access Missouri programs
HB 229	Curls	Changes the laws regarding the Public School Retirement System of Kansas City
HCS HB 250		Changes the laws regarding water well regulations
HB 260	Cox	Repeals and re-enacts provisions regarding the Uniform Interstate Family Support Act to be consistent with the changes adopted by the National Conference of Commissioners on Uniform State Laws
SS SCS HCS HB 265		Changes the laws regarding professional registration
SCS HB 270		Changes the laws regarding health insurance benefits for state employees
SS SCS HB 282		Changes the laws regarding public employee retirement
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
SCS HCS HB 300, 334 & 387		Establishes the Interscholastic Youth Sports Brain Injury Prevention Act which requires the Department of Health and Senior Services to develop guidelines on the risk of concussion and brain injury
SCS HB 307 & HB 812		Allows the Department of Revenue to issue specified special license plates for any vehicle except an apportioned motor vehicle or a commercial motor vehicle in excess of 18,000 pounds gross weight
HCS HB 315		Changes the provisions of the Revised Statutes of Missouri that have been enacted in more than one bill so that there is only one version of a statute
SS HCS HB 338		Specifies that a telecommunications company may elect to be exempt from certain rules if giving written notice to the Missouri Public Service Commission
SS HB 339		Changes the laws regarding telecommunications as they relate to the carrier of last resort obligations
HB 340	Klippenstein	Allows counties of any classification to erect and maintain a jail or holding cell facility at a site other than the county seat and changes the laws regarding the circuit court in Cape Girardeau County
SCS HCS HB 344		Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program
HCS HB 354		Exempts a qualified plug-in electric drive vehicle from the state's motor vehicle emissions inspection program
HB 358		Changes the laws regarding the Police Retirement System of St. Louis
SCS HB 388		Removes the provisions requiring the Department of Health and Senior Services to provide information to physicians to give to breast implantation patients regarding advantages, disadvantages, and risks
HCS HB 407	Leara	Prohibits a person from preparing or issuing a certificate of insurance form unless it has been filed with the Department of Insurance, Financial Institutions and Professional Registration

No.	Author	Subject
SCS HCS HB 412	Burlison	Changes the laws regarding pharmacies
HB 423		Authorizes Missouri to adopt the provisions of the Health Care Compact to improve health care policy by returning the authority to regulate health care to the state legislatures
SS SCS HCS HB 431		Changes the laws regarding foster care and adoption and establishes the Missouri State Foster Care and Adoption Board and a task force on foster care recruitment, licensing, and retention
CCS SS HB 458		Changes the laws regarding agriculture
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
SS SCS HCS HB 470 & 429		Changes the laws regarding the nonresident entertainer and professional athletic team member income tax
HB 499	Wells	Adds certain licensed professional counselors to the list of persons who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
SCS HCS HB 506		Changes the laws regarding property tax levies
HB 550	Day	Changes the laws regarding notice of liens on motor vehicles, trailers, watercraft, and manufactured homes
SCS HCS HB 552		Requires the State Board of Pharmacy to establish rules governing the standard of care for pharmacies dispensing blood clotting therapies
SS SCS HCS HB 555		Changes the laws regarding health care
HCS HB 557		Allows the Mental Health Earnings Fund to be used for the deposit of revenue received from the proceeds of any sales and services from Mental Health First Aid USA
SCS HCS HB 578		Allows the state or any political subdivision or agency of the state to transfer ownership of used tires, scrap tires, or tire shred to a private entity for disposal or recycling under certain conditions
SCS HB 591		Authorizes the Missouri Dental Board to issue a limited teaching license to a dentist employed as an instructor in an accredited dental school located in this state
SS SCS HCS HB 604		Establishes a task force on foster care recruitment, licensing, and retention and the Missouri State Foster Care and Adoption Board and changes the laws regarding parental rights, foster care, and adoption
SCS HCS HB 631		Authorizes a person or corporation to designate a tax refund to the Developmental Disabilities Waiting List Equity Trust Fund and the American Red Cross Fund
SCS HCS HB 641		Changes the laws regarding controlled substances
SS#2 HB 648		Changes the laws regarding individuals with disabilities
SCS HB 661	Carter	Changes the laws regarding debt adjusters
SS SCS HCS HB 664		Changes the laws regarding benefits for a fire fighter incurring an infectious disease in the line of duty and the Firemen's Retirement System of St. Louis
HB 667		Establishes two prostate cancer pilot programs to fund screening and treatment services and to provide education to men residing in the state
HB 675		Requires every elected or appointed coroner, deputy coroner, and assistant to the coroner to complete the annually required educational training within six months of his or her election or appointment
SCS HB 737	Largent	Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment
HB 749		Designates April as "Child Abuse Prevention Month" and designates the "blue ribbon" as the official state symbol for child abuse prevention
	Lasater	

No.	Author	Subject
HB 795	Kelley	Designates the second Friday in March as "Missouri School Read-In Day"
HB 798, HB 141, HB 153, HCS HB 363, HB 415, HB 813		Renames the Heroes Way Interstate Interchange Designation Program as the Heroes Way Interchange Designation Program and designates several memorial highways and bridges

## HOUSE CONCURRENT RESOLUTIONS

No.	Author	Subject
HCR 37	Franklin	Recognition of every third week in June as Diabetic Peripheral Neuropathy Week

## LEGISLATION VETOED BY THE GOVERNOR

### SENATE BILLS

No.	Author	Subject
HCS#2 SB 3		Establishes photo identification requirements for voting and requirements for advance voting
HCS SS SB 118		Modifies provisions relating to loans available for sprinkler system requirements in long-term care facilities and to a definition in the long-term care facilities chapter
HCS SCS SB 163		Modifies the composition of the Coordinating Board for Higher Education, Board of Curators of the University of Missouri and the governing board of Missouri State University
SCS SB 188		Modifies the law relating to the Missouri Human Rights Act and employment discrimination
HCS SB 220		Modifies liens for certain design professionals and the statute of limitations for actions against land surveyors
CCS HCS SB 282		Modifies numerous laws relating to elections

### HOUSE BILLS

No.	Author	Subject
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
CCS SS HCS HB 193		Changes the composition of Congressional districts based on the 2010 census
SCS HB 209		Changes the laws regarding county nuisance abatement ordinances, junkyards, and private nuisance actions
SCS HCS HB 256		Extends the expiration date of the provisions regarding the Basic Civil Legal Services Fund from December 31, 2012, to December 31, 2018
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HCS HB 465		Changes the laws regarding the Division of Credit Unions within the Department of Insurance, Financial Institutions and Professional Registration
HB 484	Faith	Establishes the Missouri State Transit Assistance Program to provide state financial assistance to defray the operating and capital costs incurred by public mass transportation service providers
SCS HB 1008		Allows the Highways and Transportation Commission to enter into infrastructure improvement agreements to reimburse funds advanced for the benefit of a county, political subdivision, or private entity

**INTRODUCED SENATE BILLS**

<b>SB No.</b>	<b>Author</b>	<b>Subject</b>	<b>Page Reference</b>
1	Ridgeway	Bars employers from requiring employees to engage in or cease engaging in certain labor practices	S9, 85, 283, 298, 448
2	Ridgeway	Requires the Missouri Consolidated Health Care Board to offer high deductible plans that meet certain annual deductibles and other standards	S9, 85
3	Stouffer	Establishes photo identification requirements for voting	S9, 85, 233-234, 253-259, 260, 282-283, H397, 402, 521, 589, 673, 1237, 1269, 1619, 1665, 1833-1836, S1337, 1525, 1676-1677, H2239, S2097-2098, H2711-2712, S2099
4	Stouffer	Repeals the Puppy Mill Cruelty Prevention Act	S9, 85
5	Stouffer	Requires drug testing for work-eligible TANF applicants and recipients based upon reasonable suspicion	S9, 85, 233
6	Goodman	Enacts provisions relating to faith-based community health centers	S9, 85
7	Goodman	Creates the "TANF Child Protection and Drug Free Home Act" regarding drug testing for work-eligible TANF applicants and recipients	S9, 85, 233, 245
8	Goodman	Restricts co-employee liability in workers' compensation cases	S9, 85, 180, 196, 217-218, 219, 225-226, 380-381, 454-457, 464, 487-488, H701, 707, 811, 1205, 1620, 1749-1750, S1252, 1290, H1797, 1944, S1356, 1357, H1967, 1968, S1478, H2247-2248, S1972, H2576, 2578, S1975, 1976, H2582, 2585, S1998-1999, H2631
9	Rupp	Modifies the state do-not-call list and creates "paid for by" requirements for political phone calls	S9, 85, 493, 558, 559, 574, 651, H1174, 1184, 1619
10	Rupp	Denies unemployment benefits for those with outstanding overpayment penalties	S9, 85, 493, 558
11	McKenna	Prohibits all drivers, regardless of age, from text messaging while operating motor vehicles	S9, 85, 159, 175-180, 186, 195
12	Pearce	Modifies the elementary and secondary education foundation formula	S10, 85
13	Pearce	Requires the Joint Committee on Education to oversee a task force on teacher compensation and effectiveness	S10, 85, 283, 298-300, 311, 327-328, H457, 465, 811
14	Pearce	Establishes procedures for the transfer of students from an unaccredited school district to an accredited school district in the same or an adjoining county	S10, 85, 813
15	Lembke	Allows full deductibility of federal taxes for state income tax purposes	S10, 85
16	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations	S10, 85
17	Lembke	Requires the Department of Health and Senior Services to make available resources relating to umbilical cord blood	S10, 85, 433, 464, 479, 489, H701, 707, 811, 1265, 2170, 2406-2421, S1868-1878

SB No.	Author	Subject	Page Reference
18	Schmitt	Caps corporate franchise taxes at two million dollars	S10, 85, 181, 196, 210, 282
19	Schmitt	Phases-out the corporate franchise tax over a five year period	S10, 85, 181, 196-204, 210, 217, 245, 253, H371, 378, 521, 590, 839, 916, 1141-1144, S636-637, 747, 750, H1304, S752-753, 1060-1061
20	Wright-Jones	Modifies the compulsory attendance age for the St. Louis City School District so that students must attend school from five years of age to eighteen years of age	S10, 85
21	Wright-Jones	Requires kindergarten attendance at the start of the school year for children who turn age five at any time during the calendar year	S10, 85
22	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards	S10, 85
23	Keaveny	Allows the City of St. Louis to control its police force without state intervention	S10-11, 85, 345, 408-409
24	Keaveny	Increases the fine for seat belt violations from \$10 to \$50	S11, 86
25	Schaaf	Authorizes Andrew and Buchanan Counties to enact nuisance abatement ordinances	S11, 86, 494, 575-576
26	Wasson	Allows for the issuance of Nixa Education Foundation and Combat Action special license plates	S11, 86, 540, 604, 605, 637, 721-722, H1296, 1304, 1619, 1794, 2170, 2422-2431, S1884-1894
27	Brown	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation	S11, 86
28	Brown	Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle	S11, 86, 283, 297
29	Brown	Modifies the authority of the Board of Pharmacy with regard to certain drugs used in veterinary medicine	S11, 86, 435, 556-557, 574, 650-651, H1174, 1184, 1235, 1417, 1794, 1796, 1833, 2084-2117, 2118-2131, S1568-1621, 1639, H2192, S1673, 1674, H2204, S1676
30	Chappelle-Nadal	Increases the penalty for the crime of harassment	S11, 86
31	Chappelle-Nadal	Reduces from 45 to 20 the different types of beer that must be served by certain restaurant bars in order to serve 32 or more ounces of beer for off-premise consumption	S11, 86
32	Chappelle-Nadal	Prohibits a workforce development agency from knowingly omitting from any bidding process an entity with whom it has a contract	S11, 86
33	Stouffer	Repeals a provision of law which requires the Department of Transportation to submit to binding arbitration in negligence actions	S11, 86, 180, 196, 209, 217, 323, 324, H457, 465, 811, 1305
34	Stouffer	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation	S11-12, 86
35	Lembke	Modifies provisions relating to child support when there is equal parenting time	S12, 86



SB No.	Author	Subject	Page Reference
36	Lembke	Allows employees of certain employers to take a leave of absence for civil air patrol emergency service duty or counter narcotics missions	S12, 86, 234, 248-249, 435, 556, 631-632, 643, 678-679, H1207, 1213, 1619, 1857, 2170, 2431-2433, S1894, 2097-2098, H2711-2712, S2099
37	Lembke	Establishes the "Students First Interscholastic Athletics Act" to allow each student of high school age the opportunity to seek to participate in interscholastic athletics	S12, 86, 434, 471
38	Wright-Jones	Establishes a prostate cancer pilot program to provide screening, referral services, treatment and outreach	S12, 86, 329, 345, 362, 373, H505, 510, 811, 1265, 1858, 2234-2235, S1709, 2097-2098, H2711-2712, S2099
39	Wright-Jones	Modifies provisions relating to hospital patient safety	S12, 86
40	Wright-Jones	Allows certain medical consultants who contract with the Department of Social Services and the Department of Mental Health to be covered by the State Legal Expense Fund	S12, 86
41	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program	S12, 86
42	Chappelle-Nadal	Increases resource limits for medical assistance eligibility	S12, 86
43	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents	S12, 86
44	Wright-Jones	Requires health carriers to devote a certain percentage of health insurance premiums to be used for the payment of health care services	S12, 86, 1207
45	Wright-Jones	Requires official motor vehicle inspection and emission stations to have liability insurance to cover any possible damages to a vehicle during an inspection	S12, 86, 813
46	Wright-Jones	Allows elected officials to be excused from jury duty during their term of office	S13, 86
47	Wright-Jones	Modifies the law relating to minority and women's business enterprises	S13, 86
48	Wright-Jones	Prohibits public utilities from requiring a deposit from certain delinquent customers	S13, 86, 663, 688, 772-773, 777, 779, 809-810, H1432, 1439, 1619, 1794, 2048, 2170, 2255, 2443-2452, S1905-1913, 1914, H2469, S1920, H2470, 2480, S1925, H2586, S1984-1986, H2604, 2621-2623, S2011, 2097-2098, H2711-2712, S2099
49	Wright-Jones	Creates special rules for the formation of transportation development districts to operate mass transportation systems	S13, 86
50	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities	S13, 86
51	Cunningham	Requires public libraries to adopt policies on the placement of books and other materials that are obscene or pornographic for minors	S13, 124
52	Cunningham	Requires county assessors to consider market factors in determining value of real property for tax purposes	S13, 124, 732, 772

SB No.	Author	Subject	Page Reference
53	Cunningham	Adds automated phone calls to the types of calls prohibited to people who sign up on the state do-not-call list	<b>S13</b> , 124
54	Cunningham	Creates the Amy Hestir Student Protection Act	<b>S13</b> , 124, 435, 554-556, 574, 643, 649-650, <b>H1175</b> , 1184, 1235, 1649, 2245, 2255, 2454-2455, <b>S1913</b> , 2097-2098, <b>H2711-2712</b> , <b>S2099</b>
55	Brown	Classifies sawmills and planning mills as agricultural and horticultural property for tax purposes	<b>S13</b> , 124, 330, 399, 417-418, 419, 425, 486-487, <b>H701</b> , 707, 753, 907, 1620, 1750-1751, <b>S1290</b> , 2097-2098, <b>H2711-2712</b> , <b>S2099</b>
56	Rupp	Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting	<b>S13</b> , 124
57	Callahan	Requires courts to transfer certain cases upon the request of the public administrator	<b>S13-14</b> , 124, 283, 538, <b>H817</b> , 823, 839, 1266, 1651, 1840-1842, <b>S1342</b> , 1352-1353, <b>H1943</b> , <b>S2097-2098</b> , <b>H2711-2712</b> , <b>S2099</b>
58	Stouffer	Modifies various provisions relating to the regulation of household goods movers	<b>S14</b> , 125, 283, 291-292, 297, 326-327, <b>H458</b> , 465, 811, 1295, 1620, 1751-1781
59	Keaveny	Modifies the Uniform Trust Code	<b>S14</b> , 125, 493, 558, 574, 649, <b>H1175</b> , 1184, 1235, 1428, 1794, 2057-2066, <b>S1516-1523</b> , 1525, <b>H2118</b> , 2148, <b>S1568</b> , 1621, <b>H2155</b> , <b>S1627</b> , 1688-1690, <b>H2244</b> , 2248, 2555-2556, <b>S1972</b> , 2097-2098, <b>H2711-2712</b> , <b>S2099</b>
60	Keaveny	Modifies provisions of law regarding power of attorneys, the Uniform Trust Code, and the Uniform Principal and Income Act	<b>S14</b> , 125, 493, 558, 574, 648-649, <b>H1175</b> , 1184, 1235, 1429, 1858, 1857, 1877, 2243-2244, 2264-2277, <b>S1737-1747</b> , 1816, <b>H2405</b> , 2406, <b>S1865</b> , 1866, <b>H2433</b> , 2435, <b>S1884</b>
61	Keaveny	Requires that one of three commissioners appointed in condemnation cases in St. Louis City, St. Louis County, and Jackson County be a real estate broker or appraiser	<b>S14</b> , 125, 234, 236, 248, 387, 400, 410, 430, <b>H593</b> , 602, 670, 1649, 1794, 2018-2025, <b>S1486-1492</b> , 1525, <b>H2118</b> , 2131, <b>S1546</b> , <b>H2155</b> , <b>S1627</b> , 1967, <b>H2576</b>
62	Schaaf	Allows providers to include any retrieval fee for outsourced records storage service in the fee for release of medical records	<b>S14</b> , 125, 433, 468-469, 474, 494, 536, <b>H818</b> , 823, 839, 1417, 2170, 2639-2641, <b>S2005-2008</b> , <b>H2645</b> , <b>S2097-2098</b> , <b>H2711-2712</b> , <b>S2099</b>
63	Mayer	Prohibits large water consumers from taking water outside of the Southeast Missouri Regional Water District if such activity interferes with certain others' use of the water	<b>S14</b> , 125, 330, 347, 389, 419, 420, 432, <b>H593</b> , 602, 670, 1430

SB No.	Author	Subject	Page Reference
64	Parson	Prohibits beer manufacturers from having any interest in liquor wholesalers	S14, 125
65	Mayer	Modifies provisions relating to abortion with respect to viability	S14, 125, 434, 471, 515-516, 528, 529, 643-644, H1175, 1184, 1235, 1650, 1858, 1857, 1877, 2455-2457, S1913, 2097-2098, H2711-2712, S2099
66	Stouffer	WITHDRAWN	S14
67	Cunningham	Prohibits school districts from joining certain statewide activities associations	S14, 125
68	Mayer	Authorizes the issuance of subpoenas for the production of records by the General Assembly	S14, 125, 148, 158, 159, 171-172, H265, 273, 368, 754, 781, 1260, 1439-1595, S821-1060, 1208, H1681, 1683-1684, S1226, 2097-2098, H2711-2712, S2099
69	Schaefer	Modifies provisions relating to children who are victims of pornographic offenses	S14-15, 125
70	Schaefer	Modifies provisions relating to the Missouri Family Trust	S15, 125, 493, 558, 575, 576, 586, 654-655, H1175, 1184, 1236, 1429, 2048, 2345-2348, S1822-1826, 1898, H2457, 2458, S1913, 1914, H2469, 2480, S1925, H2586-2587, S1983-1984, H2604, 2624-2625, S2011, 2097-2098, H2711-2712, S2099
71	Parson	Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission	S15, 125, 234, 248, 283, 291, 297, 325-326, H458, 465, 811, 1171, 1794, 2074-2078, S1530-1533, 1751
72	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws	S15, 125, 435, 556, 574
73	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute fines to local school districts	S15, 125
74	Kraus	Requires drug testing for work-eligible TANF applicants and recipients based upon reasonable cause	S15, 125, 233
75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics	S15, 125
76	Schaaf	Prohibits insurers from denying reimbursement for providing diagnostic imaging services based solely on the specialty or professional board certification of a licensed physician	S16, 125
77	Stouffer	Expands the types of directional signs which may be erected and maintained within highway right-of-ways	S16, 125, 283, 292, 329, 345, 362-363, 373-374, H505, 510, 811, 1266, 2171, 2452-2453, S1913, 1990-1991, H2604, S2097-2098, H2711-2712, S2099
78	Brown	Extends the sunset on the military family relief fund income tax check-off from August 28, 2011, to December 31, 2017	S16, 125

SB No.	Author	Subject	Page Reference
79	Justus	Establishes the Missouri Science and Innovation Reinvestment Act	S62, 125, 494
80	Justus	Extends the sunset provision of the MO RX prescription drug program to 2016	S62, 125, 732
81	Pearce	Modifies provisions relating to fine arts education	S62, 125, 388, 403, 435, 554, 574, 647-648, H1175, 1184, 1236, 2170, 2171, 2458-2469, S1914-1920, 1925, H2527, 2533, 2534, S1959, 1960, H2576, 2587, S1994-1996, H2604, 2636-2639, S2014, 2097-2098, H2711-2712, S2099
82	Pearce	Removes an expiration date of August 28, 2011 on state universities being able to convey land without authorization from the General Assembly and requires that such conveyances be done at fair market value	S62, 125, 541
83	Pearce	Allows for the sale of deficiency waiver addendums and other similar products with respect to certain loan transactions	S62, 125, 234, 248, 329, 345, 362-363, 374, H505, 510, 811, 1171, 1651, 1842-1843, S1342, 2097-2098, H2711-2712, S2099
84	Wright-Jones	Modifies law relating to voter registration and election offenses	S62-63, 125, 812
85	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served	S63, 125
86	Lembke	Repeals the Certificate of Need Law	S63, 125
87	Parson	Removes the requirement that certain otherwise unlawful uses of a weapon be reasonably associated with, or necessary to, fulfill a person's official duties in order to be lawful	S63, 125
88	Schaaf	Removes an expiration date of August 28, 2011 on state universities being able to convey land without authorization from the General Assembly and requires that such conveyances be done at fair market value	S67, 125, 541, 676
89	Lembke	Abolishes the state public defender system and requires circuit courts to provide legal defense for indigents	S67, 125
90	Dempsey	Modifies provisions relating to the administration of health care benefits by the Missouri Consolidated Health Care Plan	S73, 125, 540, 577-579, 586, 605, 643, 654, H1176, 1184, 1236, 1650, 1858, 1857, 1877
91	Engler	Modifies funeral protest provisions	S73, 126
92	Schaaf	Requires director of the Department of Insurance to prescribe by rule uniform application forms for group health insurance policies	S73, 126
93	Kraus	Waives Secretary of State fees for new businesses and requires business licenses to be issued within sixty days	S73, 126
94	Munzlinger	Provides loan assistance programs to businesses for energy efficiency improvements	S78, 126
95	Munzlinger	Modifies the Puppy Mill Cruelty Prevention Act	S79, 126, 234

SB No.	Author	Subject	Page Reference
96	Engler	Conveys certain state property to St. Francois County and to Habitat for Humanity of St. Francois County, Inc	S79, 126, 284, 539-540, H817, 823, 839, 1266, 1418, 1428, 1651, 1843-1844, 1856-1857, S1343, 1348-1349, H1943, S2097-2098, H2711-2712, S2099
97	Engler	Conveys certain property owned by the state to the city of Farmington	S79, 126, 283-284, 538-539, H817, 823, 839, 1266, 1418, 1428, 1794, 2079-2081, S1533-1534, 1967-1968, H2583, S2097-2098, H2711-2712, S2099
98	Schaaf	Prohibits agreements between health carriers and health care providers from containing Most Favored Nation Clauses	S79, 126
99	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education	S79, 126
100	Stouffer	Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program	S79, 126, 540, 604, 605-606, 633, 637, 721, 722-723, H1296, 1304, 2047, 2048, 2436, 2443, 2646-2704, S2014-2094
101	Parson	Creates requirements for contractors who perform home exterior and roof work	S79, 126, 329-330, 345, 361, 366, 376, H505, 510, 811, 907, 1419, 1788-1789, S1302, 2097-2098, H2711-2712, S2099
102	Green	Specifies that work certificates will permit the employment of children fourteen or fifteen years of age	S79, 126
103	Green	Bars employers from requiring employees to disclose user names or passwords	S79, 126
104	Green	Regulates the operation of certain cranes	S79, 126
105	Green	Creates an advance voting system for elections	S79, 126
106	Green	Allows persons who have been awarded the combat action badge to obtain "COMBAT ACTION" specialized license plates	S79, 126, 540
107	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees	S80, 126
108	Schmitt	Removes the expiration date for provisions of law concerning the installation of fire sprinklers in certain dwellings	S80, 126, 259, 266-267, 284, 325, H458, 465, 521, 722, 839, 916-917, S636, 747, 750, H1304, S752-753, 1224
109	Crowell	Bars employers from requiring employees to engage in or cease engaging in certain labor practices	S91, 126
110	Crowell	Prohibits the state minimum wage from exceeding the federal minimum wage	S91, 126
111	Schaaf	Requires health carriers to provide Internet access to its standard fee schedules and prohibits carriers from refusing to contract with providers willing to meet certain provider participation terms and co	S91, 126
112	Kraus	Gives immunity from civil or criminal liability to persons reporting suspected child abuse to proper authorities	S91, 126

SB No.	Author	Subject	Page Reference
113	Parson	Modifies the Puppy Mill Cruelty Prevention Act	S91, 126, 234, 266, 411-412, 418, 426, 431-432, H593, 602, 606, 907, 1206, 1248-1251, S717, 747, 750, H1304, S752-753, 1192
114	Justus	Provides that certain aliens will receive in-state tuition at college and universities that meet certain requirements	S91, 126
115	Justus	Modifies provisions relating to the Public School Retirement System of Kansas City	S91, 126
116	Justus	Updates the Uniform Interstate Family Support Act	S91, 126, 434, 449, 493, 558, 574, 647, H1176, 1184, 1236, 1429
117	Engler	Allows the imposition of a hospital district sales tax in lieu of a property tax to fund certain hospital districts	S91, 126, 540, 604, 605, 655-656, H1176, 1184, 1236, 1428, 1795, 2047, 2048, 2170, 2177, 2351-2387, S1827-1865, 1866, H2434, 2435, S1894-1895, H2458, 2588, S1986-1988, H2604, 2631-2634, S2012, 2097-2098, H2711-2712, S2099
118	Stouffer	Modifies provisions relating to loans available for sprinkler system requirements in long-term care facilities	S91, 126, 492, 557, 574, 646-647, H1176, 1184, 1427, 1650, 1795, 2081-2083, S1545-1546, 1750-1751, H2405, S2097-2098, H2711-2712, S2099
119	Schaefer	Assigns certain characteristics to the treatment of conservation easements under the law	S97, 126, 736
120	Stouffer	Modifies various provisions relating to billboards	S98, 126, 388, 400, 692
121	Stouffer	Specifies how duty-related death benefits are funded for the Missouri Local Government Employees' Retirement System	S98, 126
122	Schaaf	Requires insured to only pay usual and customary retail price of a prescription drug where the retail price is less than the applicable co-payment	S98, 126, 540, 579, 633, 663, 668, 1198, H1688, 1694, 1857
123	Keaveny	Allows foreign language immersion charter schools to enroll four-year-old children	S98, 127
124	Keaveny	Requires children in the St. Louis City School District to attend school at age five	S98, 127
125	Keaveny	Modifies the law relating to title loans	S98, 127
126	Wasson	Prohibits the MO HealthNet Division from discriminating between licensed marital family therapists and licensed professional counselors	S98, 160
127	Chappelle-Nadal	Requires certain public officials and certain staff members of the executive branch and legislature to submit to drug tests	S98, 160
128	Lembke	Allows the mayor of the City of St. Louis to be a charter school sponsor	S98, 160
129	Lembke	Exempts the St. Louis City School District from the requirement that an unaccredited school district pay tuition and transportation for students who attend an accredited school under certain circumstances	S98, 160

SB No.	Author	Subject	Page Reference
130	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early	S98, 160, 389, 418, 463
131	Rupp	Exempts qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program	S99, 160, 388, 403, 433, 469, 479, 490-491, H701, 707, 811, 1266
132	Rupp	Modifies the law with respect to the sale of motor vehicle extended service contracts	S99, 160, 662, 677-678, 686, 726, H1296, 1304, 1619, 1710, 1858, 2256-2264, S1730-1737, 1963-1965, H2583, S2097-2098, H2711-2712, S2099
133	Rupp	Authorizes an additional design-build contract for the improvement of the bridge on US40/I-64 located in St. Louis County and St. Charles County	S99, 160, 329, 345, 372, 381, 387, H525, 532, 811, 1295
134	Rupp	Outlines the parental rights of individuals with disabilities in termination of parental rights cases	S99, 160
135	Schaefer	Modifies provisions pertaining to the storage and dispensing of motor fuel and extends the expiration date to August 28, 2017 for environmental laws relating to dry-cleaning facilities	S105, 160, 388, 401, 412, 418, 426, 430-431, H594, 602, 811, 1295, 1419, 1789-1792, S1302-1303, 1347, H1943, 1945, S1357, 1358, H1968, 2078, S1478, H2249, S1727-1729, H2405, 2607-2609, S2097-2098, H2711-2712, S2099
136	Schaaf	Prohibits hospitals from requiring physicians to agree to make patient referrals as a condition of receiving medical staff privileges	S105, 160
137	Brown	Modifies provisions relating to health care professional identification badges	S105, 160
138	Keaveny	Creates the Nonhuman Primate Act	S105, 160
139	Crowell	Subjects all state tax credits to appropriation	S105, 160
140	Crowell	Repeals provisions of the Missouri property tax credit which allow renters to receive the property tax credit for rent constituting taxes paid	S105, 160
141	Crowell	Prohibits the receipt of tax credits by campaign contributors	S105, 160
142	Crowell	Restricts the membership, employment, and business relationships of the Missouri Development Finance Board and the Missouri Housing Development Commission	S106, 160
143	Crowell	Prohibits the approval of new applications under the Missouri Downtown and Rural Stimulus Act after August 28, 2011	S106, 160
144	Crowell	Places a one year moratorium on the authorization of certain tax credits	S106, 160
145	Dempsey	Requires the auditor of any county with a charter form of government to take an annual inventory of county property with an original value of \$1,000 or more, rather than \$250	S106, 160, 330, 347, 389, 419, 463-464, 467, 488, H701, 707, 811, 1266, 1651, 1845-1856, 1877-1943, S1359-1455, 1486, H2078, 2079, S1530, 1534, H2155, S1628, H2588-2589
146	Schmitt	Creates individual and corporate income tax deductions for business income	S106, 160

SB No.	Author	Subject	Page Reference
147	Schaefer	Requires school districts to include certain information in their school accountability report cards	S123, 160, 454, 457-458, 494, 559, 574, 645-646, H1176, 1184, 1236, 1685
148	Schaefer	Requires reimbursement amounts paid by health carriers to licensed physical therapists to be uniform regardless of the setting or venue in which the health care services are rendered	S123, 160
149	Schaaf	Modifies the laws regarding the testimony of physicians as expert witnesses in lawsuits against physicians for improper health care	S123, 160
150	Munzlinger	Allows regulated hand fishing for carp and catfish in June and July on certain waterways	S123, 160, 737
151	Callahan	Specifies that risk coverages procured by certain political subdivision associations shall not require the solicitation of competitive bids	S123-124, 160
152	Crowell	Modifies provisions of the retirement plan of the Police Retirement System of St. Louis	S127, 160
153	Schaaf	Requires health carriers to establish or otherwise utilize web-based estimating systems so that consumers can obtain health care cost estimates and compute other related health care costs	S131, 160
154	Schaaf	Caps the amount of the reduced monthly benefit that certain members of LAGERS who choose to receive a partial lump sum payment may receive	S131, 160
155	Rupp	Modifies provisions of Missouri's real property tax increment allocation redevelopment act	S131, 160, 732, 772
156	Rupp	Provides that suspended sentences may not be granted in statutory rape and sodomy cases	S131-132, 160
157	Schaefer	Changes the laws regarding child abuse	S132, 160
158	Keaveny	Extends the expiration date to December 31, 2015, for certain clean water public notice requirements and clean water permit fees charged by the Department of Natural Resources	S132, 161
159	Cunningham	Modifies the law governing liens on motor vehicles, trailers, vessels, outboard motors, and aircrafts	S132, 161
160	Cunningham	Allows any winery, distiller, manufacturer, wholesaler, or brewer to provide liquor samples on certain licensed retail premises for tasting purposes	S132, 161
161	Munzlinger	Allows the Missouri Agricultural and Small Business Development Authority to provide loan guarantees for loans to agribusinesses	S132, 161, 284, 292, 330, 400, 419, 425, 486, H701, 707, 811, 1170, 1419, 1628-1637, S1135-1146, 1147-1149, H1644, S1150, H1644, S1153, 1192
162	Munzlinger	Creates the Farm-to-Table Advisory Board	S132, 161, 389, 464, 468, 479, 491-492, H702, 707, 811, 1170, 1296, 1792, 1858, 1857, 1877, 2277-2298, S1759-1775
163	Pearce	Modifies the composition of the Board of Curators of the University of Missouri and the governing board of Missouri State University	S141, 161, 389, 418-419, 425, 485-486, H702, 707, 811, 1293, 1419, 1822-1824, S1320, 1347-1348, H1943, S2097-2098, H2712, S2099
164	Pearce	Establishes the Missouri Science, Technology, Engineering, and Mathematics Initiative within the Department of Higher Education	S141, 161



SB No.	Author	Subject	Page Reference
165	Goodman	Extends the sunset on the Basic Civil Legal Services Fund	S141, 161, 434, 449, 493, 558, 574, 645, H1177, 1184, 1205, 1266, 1651, 1844-1845, S1342-1343, 2097-2098, H2712, S2099
166	Goodman	Requires title agencies and title agents to maintain a physical place of business in Missouri as a condition of licensure	S142, 161, 329, 345, 362-363, 374-375, H505, 510, 811
167	Goodman	Allows the Department of Revenue to issue special event motor vehicle auction licenses to applicants auctioning certain vehicles	S142, 161
168	Crowell	WITHDRAWN	S142, 147
169	Crowell	Requires drug screening and testing for TANF applicants and recipients	S142, 161, 233
170	Crowell	Specifies that defined benefit retirement plans are required to submit quarterly reports on their investment performance to the Joint Committee on Public Employee Retirement	S142, 161
171	Crowell	Modifies provisions relating to private probation services	S142, 161
172	Crowell	Modifies the State Legal Expense Fund	S142, 161
173	Dixon	Requires the Joint Committee on Missouri's Promise to develop long-term strategies and plans relating to developing a modern infrastructure and transportation system	S142, 161, 388, 400, 419, 425, 484-485, H702, 707, 811, 1295, 1419, 1809-1822, S1303-1320, 1326, H1862, 1944, S1356, 1357, H1968, S1478, 1748-1750, H2406, 2436-2437, 2574-2576, S1975, 2097-2098, H2712, S2099
174	Dempsey	Allows cities, towns and villages in St. Charles County to seek voter approval to impose a fee for water line repairs	S142, 161, 284, 300, 311, 327, H458, 465, 670, 1596
175	Munzlinger	Modifies restrictions on the use of organized labor on public contract projects	S146, 161, 306, 434, 471, 513
176	Munzlinger	Modifies Missouri's prevailing wage law	S146, 161, 434, 471
177	Brown	Updates statute about Department of Mental Health investigative reports before the Administrative Hearing Commission	S146, 161, 492, 557-558, 574, 644-645, H1177, 1184, 1236, 1650, 2245, 2256, 2472-2500, S1935-1958, 1959, H2543, S1960, H2548, S1963, 1965, H2577, 2589-2590
178	Brown	Requires a person who performs certain surgical tasks to have certain training and continuing education	S146, 161
179	Brown	Allows the board of aldermen in fourth-class cities to provide, by ordinance, for the appointment of city marshal	S146, 161
180	Kraus	Designates certain state recognized days, weeks, and months	S146, 161, 328, 345, 362-363, 375-376, H505, 510, 811, 1295, 2048, 2348-2349, S1826, 2097-2098, H2712, S2099
181	Stouffer	Reinstates the Motorist Insurance Identification Database program which expired on June 30, 2007	S146, 161
182	Ridgeway	Expands the amount of employees and functions of the small business regulatory fairness board	S146, 161

SB No.	Author	Subject	Page Reference
183	Ridgeway	Modifies current law regarding certain prohibited uses of social security numbers to include the partial use of social security numbers	S147, 161
184	Wright-Jones	Allows the Special Administrative Board governing the St. Louis City School District to sponsor charter schools under certain circumstances	S147, 161, 541
185	Purgason	Imposes a sunset upon all tax credit programs not currently subject to a sunset provision	S147, 161
186	Crowell	Makes it optional for the circuit court and circuit clerk in Cape Girardeau County to hold court and maintain certain offices in both Jackson and Cape Girardeau	S147, 161
187	Lager	Modifies the laws regarding nuisances and junkyards	S147, 161, 284, 308-311, 323, 345-346, H476, 483, 521, 1792, 1795, 2025-2027, S1492, 1685-1686, H2712, S1721, H2264, S1721, 1878
188	Lager	Modifies the law relating to the Missouri Human Rights Act and employment discrimination	S147, 161, 330, 364, 365, 372, 378-380, 381, 386, 426, 427, H594, 602, 670, 837, 1206, 1251-1260, S717, 747, 750, H1304, S752-753, 1222-1223
189	Schmitt	Modifies provisions of the Missouri Quality Jobs Act to allow benefits for projects located within dormant manufacturing plant zones	S154, 204, 494, 575
190	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel	S154, 204
191	Pearce	Establishes the Caring for Missourians Program to provide grants to eligible Missouri public higher education institutions that maintain certain nursing programs	S154, 204
192	Pearce	Requires the Department of Mental Health to develop a continuing professional education curriculum relating to eating disorders	S154-155, 204
193	Pearce	Allows Cass County to establish municipal county courts	S155, 204
194	Pearce	Allows Cass County to enact nuisance abatement ordinances	S155, 204
195	Stouffer	Requires driver's licenses and nondriver's licenses issued to persons who are not United States citizens to contain a notation that the holder of such license is not a citizen of the United States	S155, 204
196	Cunningham	Restricts co-employee liability in workers' compensation cases	S155, 204
197	Ridgeway	Bars employers from requiring employees to engage in or cease engaging in certain labor practices	S155, 204
198	Crowell	Repeals the estate tax	S155, 204
199	Crowell	Modifies the state do-not-call list by allowing cell phone numbers on the list and banning certain automated calls	S155, 204
200	Crowell	Modifies the ability of state educational institutions to issue bonds and incur debt	S155, 204, 435, 556
201	Crowell	Modifies provisions of the state deferred compensation plan	S155, 204
202	Crowell	Requires authorization for certain labor unions to withhold fees from paychecks or make political contributions	S155, 204, 434, 471, 602-604, 605, 643, 656-657, H1177, 1184, 1373, 1619, 1795, 2235-2239, 2240-2243, S1709-1712, 1974

SB No.	Author	Subject	Page Reference
203	Schmitt	Creates a tax credit to attract sporting events to the state	S155, 205, 389, 419, 528
204	Dempsey	Reauthorizes the pregnancy resource center tax credit	S162, 205, 328, 345, 605, 633, 637
205	Stouffer	Creates an advance voting system for primary and general elections	S174-175, 205
206	Purgason	Bars employers from requiring employees to engage in or cease engaging in certain labor practices	S175, 205, 283
207	Lager	Repeals the requirement that the Missouri Energy Task Force must meet at least once annually to review progress	S175, 205, 388, 401, 410, 429, H594, 602, 811, 1267, 1419, 1619, 1833, 1839, 1975-2010
208	Lager	Removes any requirement that a telecommunications company must file tariffs and exempts compliance with certain state regulations when federal regulations exist	S175, 205, 493, 558
209	Lager	Modifies telecommunications provisions relating to carrier of last resort obligations	S175, 205, 493, 558
210	Lembke	Modifies provisions of law requiring certain political subdivisions to revise property tax rates	S175, 205, 283
211	Lembke	Modifies how damages are assessed in certain lawsuits	S175, 205
212	Lembke	Requires the department of transportation to establish minimal yellow light change interval times for traffic-control devices	S175, 205
213	Schaefer	Modifies what information is required in a petition for guardianship for a minor or an incapacitated person and adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act	S185, 234, 541, 605, 631, 643, 679, H1208, 1213, 1619, 1858, 2245, 2500-2502, S1958, 1992-1993, H2604, S2097-2098, H2712, S2099
214	Schaaf	Prohibits restrictive physician employment contracts	S185, 234
215	Schaaf	Requires health carriers to credential health care professionals within 60 calendar days of receipt of complete application	S185, 234
216	Schaaf	Requires school boards to work with the Brain Injury Association of Missouri and Missouri State High School Activities Association to develop guidelines on youth athlete concussions and brain injuries	S185, 234
217	Richard	Creates state and local sales and use tax exemptions for data storage centers	S185, 234, 494
218	Wasson	Moves Taney County to its own judicial circuit and specifies that the 38th Judicial Circuit will only be made up of Christian County	S185-186, 234
219	Wasson	Allows owners of automated teller machines to charge access fees to those with bank accounts in foreign countries	S186, 234, 329, 347, 387-388, 400, 410, 428-429, H594, 602, 811, 1171, 1419, 1824-1825, S1320-1321
220	Wasson	Modifies liens for certain design professionals	S186, 235, 434, 471, 479, 489-490, H702, 707, 811, 1266, 1419, 1826-1828, S1321-1323, 1357, H1968, 1973, S1478, 1485, H2078, 2155, S1627, 1729-1730, H2406, S2097-2098, H2712, S2099
221	Cunningham	Establishes damage caps for Human Rights Act cases and workers's compensation discrimination cases	S186, 235

SB No.	Author	Subject	Page Reference
222	Cunningham	Modifies the child labor laws	S186, 235
223	Mayer	Allows certain public library districts to seek voter approval for a sales tax to fund libraries within such districts	S186, 235, 736
224	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight	S186, 235
225	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities	S208, 235
226	Engler	Allows members of an ambulance district board of directors to be subject to recall from office	S208-209, 235, 329, 347, 433, 469, 508, 509, 537-538, H818, 823, 1170, 1416, 1795, 1796, 1833, 2027-2033, S1492-1499, 1525, H2118, S1525, H2118, 2131, S1546, 1621, H2155, S1627, H2406, S1747-1748, H2437, 2610-2611, S2010-2011, 2097-2098, H2712, S2099
227	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants	S209, 235
228	Pearce	Modifies the composition of the board of directors of the Kansas City School District	S209, 235, 541, 630
229	Pearce	Requires insurer to provide coverage for eating disorders	S209, 235
230	Lager	Allows the state and political subdivisions to give scrap tires to businesses when the cost is less than other methods of disposal	S209, 235, 663, 688, 694, 699, 730, H1296, 1304, 1619, 2048, 2245, 2256
231	Lager	Prohibits a political subdivision from restricting a firefighter from running for public office and engaging in other political activities	S209, 235, 494, 575, 586, 653
232	Crowell	Repeals authority of certain cities to enforce zoning regulations up to two miles outside city limits	S209, 235
233	Parson	Requires health carriers to reimburse licensed athletic trainers in the same manner as other providers are reimbursed	S209, 235
234	Dempsey	Creates an income tax dependency exemption for stillborn children	S209, 235
235	Schaefer	Extends the sunsets on certain provider taxes	S215, 235
236	Schaefer	Establishes provisions regarding pharmacy services	S215, 235
237	Schaefer	Requires that the September 1996 Supreme Court standards for representation by guardians ad litem be updated	S216, 235, 433, 449, 541, 605, 657, H1177, 1184, 1236, 1650, 1795, 2147-2148, S1568, 2097-2098, H2712, S2099
238	Schmitt	Creates a presumption that certain infectious diseases are duty-related for the purposes of firefighters' disability and death benefits	S216, 235, 662, 676, 689, 694, 728-729, H1296, 1304, 1619, 1684, 1858, 2298-2306, S1751-1755, 1866, H2434, 2603-2604, S2010, 2097-2098, H2712, S2099
239	Justus	Prohibits discrimination based upon a person's sexual orientation	S216, 235
240	Justus	Changes the requirements for school anti-bullying policies	S216, 235

SB No.	Author	Subject	Page Reference
241	Brown	Creates a state and local sales and use tax exemptions for captive wildlife	S216, 235, 492, 558, 632, 643, 679-680, H1208, 1213, 1619
242	Cunningham	Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship	S216, 235, 434, 471, 528-529
243	Cunningham	Establishes the "Sharing of Services and Increasing Efficiencies Act" to allow school districts and other entities to achieve efficiencies	S216, 235, 330, 364, 372, 381, 386-387, H526, 532, 811, 1685, 1795, 1796, 2057
244	Green	Revises provisions relating to the renamed Missouri Brain Injury Advisory Council	S216, 235
245	Lembke	Provides that physician services currently covered under MO HealthNet include services provided by chiropractors in accordance with the chiropractic practice act	S216, 235
246	Lamping	Creates a tax credit for investments in technology-based early stage Missouri companies	S216, 235, 494
247	Pearce	Modifies the elementary and secondary education funding formula	S216, 235, 435, 508-509, 700
248	Parson	Establishes the Proof of Concept Business Finance Program	S226, 235
249	McKenna	Creates the "Political Subdivision Construction Bidding Standards Act"	S226, 235
250	Kehoe	Requires sexual assault offenders to complete certain programs prior to being eligible for parole or conditional release	S226, 236, 434, 470-471, 479, 488-489, H702, 707, 811, 1428, 1795, 2131-2147, S1546-1568, 1627, H2192, S1673, 1674, H2204, S1676, H2438, S1965-1966, H2577, 2612-2613, S2011, 2097-2098, H2712, S2099
251	Kehoe	Changes the classification of certain watercraft from personal property to real property for property tax purposes	S227, 236
252	Kehoe	Modifies provisions of the qualified research expense tax credit program	S227, 236, 494
253	Callahan	Modifies provisions relating to summer school attendance	S231, 284, 736
254	Stouffer	Modifies Missouri's drunk driving law to comply with federal law for purposes of transportation funding	S231, 284, 388, 400, 632, 643, 668, 721, 723, H1297, 1304, 1619, 1857, 2048, 2349-2351, S1826-1827, 1959, H2543, 2548, S1960, 1963, H2577, 2590
255	Keaveny	Institutes campaign contributions limits and designates city and country committees as political party committees for the purposes of campaign finance	S231, 285
256	Kraus	Repeals certain tax credit programs	S231, 285
257	Kraus	Modifies provisions of the Low-Income Housing Tax Credit Program	S231, 285
258	Kraus	Relating to the historic preservation tax credit program	S231, 285
259	Kraus	Subjects certain tax credit programs to sunsets	S231, 285
260	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone	S232, 285, 733

SB No.	Author	Subject	Page Reference
261	Goodman	Removes the element of good cause from the crime of nonsupport	S232, 285
262	Goodman	Requires health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications	S232, 285
263	Green	Requires pawnbrokers to photograph anybody selling jewelry, gold, or silver and to complete a form for such transactions	S232, 285
264	Rupp	Changes congressional districts	S232, 285, 597, 676
265	Rupp	Creates the Advanced Placement Incentive Grant	S232, 285
266	Dempsey	Designates the director of elections as the election authority in charter counties that do not have a board of election commissioners or a county clerk	S232, 285
267	Schaaf	Requires hospitals to annually administer, or make available to be administered, immunizations against the influenza virus to certain hospital employees	S241, 285
268	Stouffer	Increases the statutory award amount for Alzheimer's disease research projects funded by the University of Missouri Board of Curators	S241, 285, 541, 630, 643, 680-681, H1208, 1213, 1619
269	Brown	Modifies provisions relating to the formation and auditing of joint municipal utility commissions	S241, 285
270	Kraus	Modifies the dates available for public elections	S241, 285, 733, 772, 777-778, 779, 810, H1432, 1439, 1619, 1684, 1795, 1796, 1833, 2148-2154, 2155-2159, S1628-1638, 1673, H2204, 2227, 2234, S1684, 1685, H2713, 2591, S1920-1921
271	Kraus	Modifies provisions of the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City	S241, 285
272	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses	S242, 285
273	Lembke	Modifies provision of the Firemen's Retirement System of St. Louis	S242, 285
274	Lembke	Allows landlords to apportion charges to tenants for water and sewer utility service	S242, 285
275	Lembke	Allows certain retirees who are part of LAGERS to authorize the board to deduct certain insurance premiums from their benefits	S242, 285
276	Schaefer	Allows state agencies to charge a surcharge for accepting credit and debit cards	S242, 285
277	Lager	Modifies the law with respect to how municipalities and the legal system treats the lawful use of motor vehicles on public roads	S252, 285
278	Munzlinger	Modifies the laws regarding certain private nuisance actions	S252, 285, 389, 464, 633
279	Schmitt	Provides tax incentives for job creation and retention and capital investment	S252, 285
280	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report	S252, 285, 433, 469, 522-523
281	Kraus	Requires the cumulative state and local tax rate to be printed on sales receipts	S265, 285, 1207

SB No.	Author	Subject	Page Reference
282	Engler	Moves the presidential primary from February to March	S265, 285, 388, 403, 433, 469, 471-474, 494, 536-537, H818, 823, 839, 1293, 1419, 1828-1832, 1836-1839, S1337-1342, 1347, H1943, 1944-1945, S1357, 1358, H1968, 2079, S1478, 1686-1688, H2244, 2249-2250, 2605-2607, S2010, 2097-2098, H2712, S2099
283	Munzlinger	Allows motor vehicles hauling agricultural products to exceed state weight limits by up to ten percent during harvest period	S265, 285
284	Wasson	Modifies the disciplinary authority of the Board of Pharmacy and defines the term legend drug for the purpose of certain pharmacy statutes	S265, 285, 388, 400, 410, 427-428, H594, 602, 811, 1293, 1795, 1796, 1833, 2159-2170, S1638, 1673-1674, H2204, 2227, S1684, 1685, H2713, 2240, S1709, H2591-2592, S1927-1929, H2527, 2618-2620, S2011, 2097-2098, H2712, S2099
285	McKenna	Removes Lincoln's birthday as a state holiday	S265, 285
286	McKenna	Creates the Task Force on the Prevention of Sexual Abuse of Children	S266, 285, 541, 606-630, 663, 668, 721, 724-725, H1297, 1304, 1619
287	Ridgeway	Creates a liquor license for wine shops to allow them to serve alcohol on Sundays	S266, 286
288	Ridgeway	Creates a state and local sales and use tax exemption for all fees paid to any place of amusement, entertainment, or recreation	S266, 286
289	Lembke	Prohibits smoking or use of tobacco products in state correctional centers	S266, 286
290	Lembke	Modifies the law that limits indemnity agreements in construction work contracts	S266, 286
291	Pearce	Modifies provisions relating to charter schools	S271, 332, 541, 633, 703-716
292	Schaaf	Requires presidential and vice presidential candidates to show valid birth certificates	S271, 332
293	Schaaf	Makes authorizations for allocations of nonresident entertainer and athlete income tax revenues perpetual	S271, 332
294	Keaveny	Modifies provisions relating to charter schools	S271, 332, 541
295	Keaveny	Amends laws relating to unsecured loans of \$500 or less	S271, 332
296	Schmitt	Establishes the Compete Missouri Training Program	S271, 332
297	Munzlinger	Modifies laws governing how residents of Missouri and other states may purchase rifles and shotguns outside their resident states	S271, 332
298	Munzlinger	Lowers the minimum age for an applicant of a concealed carry endorsement from twenty-three to twenty-one	S271, 332
299	Munzlinger	Requires the Department of Conservation to compensate for damage caused by wild elk	S271, 332, 541, 676
300	Munzlinger	Allows the use of handguns during the muzzleloader portion of firearms deer season	S271, 332, 663, 692, 694, 727-728, H1297, 1304, 1373

SB No.	Author	Subject	Page Reference
301	Mayer	Creates the Missouri Homeowners Mutual Insurance Company for the purpose of providing homeowners insurance coverage	S272, 332
302	Engler	Subjects 383 malpractice associations to stricter insurance regulations	S290, 332
303	Engler	Modifies disciplinary and administrative procedures for professions and businesses licensed under the Division of Professional Registration, including those licensed by the Board of Registration f	S290, 332
304	Rupp	Establishes rules and procedures that allow guaranty associations and receivers to elect to succeed to the rights of an insolvent insurer with respect to certain reinsurance contracts	S290, 332
305	Parson	Creates record-keeping requirements for certain buyers of plastic bulk merchandising containers	S290, 332
306	Wasson	Modifies laws relating to the administration of credit unions	S291, 332, 433, 469, 479, 491, H702, 707, 753, 1171, 1419, 1839-1840, S1342, 2097-2098, H2712, S2099
307	Justus	Allows Kansas City to collect an additional fourteen dollars in municipal ordinance violation cases	S291, 332
308	Nieves	Specifies how the courts may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries	S291, 332
309	Kehoe	Allows certain ambulance and fire protection to seek voter approval for a sales tax to fund such districts	S291, 332
310	Justus	Modifies provisions relating to lead licensing	S296, 332
311	Pearce	Repeals the sunset provision for the Children's Vision Examination Program	S296, 332
312	Keaveny	Modifies provision relating to administrative child support orders	S296, 332
313	Schaaf	Repeals certain requirements for board members of tourism community enhancement districts	S296, 332
314	Chappelle-Nadal	Creates a crime for employers who divulge certain personal information of employees and customers	S296, 332
315	Chappelle-Nadal	Bars discriminatory employers from receiving public works contracts and requires employers to provide cause to terminated employees	S296, 332
316	McKenna	Creates a four day work week for state employees	S296, 332
317	Stouffer	Exempts securities issued by agricultural cooperative corporations from state security registration requirements	S297, 333
318	Dixon	Requires voter registration application forms to be distributed from Conservation offices and permit vendors authorized to issue resident hunting and fishing permits	S297, 333
319	Dixon	Allows debts owed to ambulance service providers to be collected from income tax refunds and lottery winnings of patients	S297, 333
320	Lamping	Modifies provisions relating to domestic violence	S297, 333, 662, 676-677, 699, 716, 721, 808-809, H1432, 1439, 1619, 1684, 1795, 1796, 1833, 2033-2034, S1516, 2097-2098, H2712, S2099
321	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities	S307, 390



SB No.	Author	Subject	Page Reference
322	Schaefer	Extends the sunsets on certain provider taxes	S307, 390, 435, 556, 579-585, 675, 686, 700-701, H1269, 1273, 1305, 1416, 1795, 1796, 1833, 2034-2046, S1499-1516, 1525, H2118, 2131, S1546, H2155, S1627
323	Schaefer	Requires the Auditor to conduct a one-time comparative audit of selected state agencies	S307, 390, 492, 558, 631, 643, 668, 721, 723-724, H1297, 1304, 1619, 1710, 1795, 1796, 1877, 2227-2233, S1684-1685, 2004, 2005, H2645-2646, S2014
324	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates	S307, 390
325	Wasson	Requires boards, commissions, committees, councils, or offices to notify a licensee's employer of a change in the licensee's license status	S307, 390, 662, 676, 686, 725-726, H1297, 1304, 1373, 1651, 1858, 2083, 2306-2310, S1756-1759, 1817, 1818-1820, H2434, S2097-2098, H2712, S2099
326	Wasson	Authorizes a peer review process for architects, landscape architects, land surveyors, and engineers, including providing for immunity from liability and prohibiting the disclosure of certain doc	S307, 390, 733, 772
327	Richard	Modifies penalties for multiple violations of air or water pollution laws by recycling companies that convert animal parts into petroleum	S307, 391
328	Goodman	Allows corporate board members to consent to certain actions by electronic transmission	S307, 391
329	Nieves	Allows students to enroll in another school district or charter school for purposes of attending virtual courses or programs	S307, 391, 735
330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building	S307, 391
331	Lamping	Modifies the human trafficking provisions	S307-308, 391, 540
332	Justus	Modifies provisions relating to sexual education	S308, 391
333	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care	S321, 391
334	Schaaf	Requires MO HealthNet managed care organizations to provide to the MO HealthNet Division all utilization, access, and spending data for the cost of care per covered participant	S321, 391
335	Schaaf	Allows public disclosure of department of revenue records regarding the number of cigarettes sold annually by tobacco product manufacturers	S321, 391
336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds	S321, 391
337	Munzlinger	Removes the requirement that the Department of Agriculture must publish the list of livestock brands in a book format	S321, 391, 663, 691-692, 694, 728, H1297, 1304, 1619, 1792, 2245
338	Lager	Modifies requirements of the Supreme Court to accumulate and review certain types of cases	S321, 391
339	Rupp	Establishes "Sam Pratt's Law" and "Nathan's Law" and modifies provisions relating to child care providers	S321, 391

SB No.	Author	Subject	Page Reference
340	Wasson	Modifies licensing requirements for funeral directors, embalmers, and funeral establishments	S321, 391, 733, 772, 779, 810-811, <b>H1432</b> , 1439, 1619
341	Nieves	Modifies the use of the Capitol complex grounds by non-public entities	S321, 391
342	Justus	Requires school districts to implement criteria for the enrollment and educational success of foster care children	S321, 391
343	Wright-Jones	Creates the crimes of assault of an employee of a mass transit system while in the scope of his or her duties in the first, second, and third degree	S321-322, 391
344	Wright-Jones	Requires health insurance policies to cover ultrasound screenings where mammograms demonstrate dense breast tissue	S322, 391
345	Wright-Jones	Creates the Council on Digital Inclusion	S322, 391
346	Wright-Jones	Creates the Medical Harm Disclosure Act	S322, 391
347	Wright-Jones	Requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution	S322, 391
348	Wright-Jones	Enacts the Prevention First Act	S322, 391
349	Ridgeway	Abolishes the sentencing advisory commission	S322, 391
350	Dixon	Requires the sunset of all administrative rules proposed, adopted or amended after August 28, 2011, and allows an agency to repromulgate a rule that is set to sunset	S322, 391
351	Lamping	Modifies provisions relating to adoption records	S322, 391, 540, 577, 586, 653-654, <b>H1177</b> , 1184, 1236, 1711, 1858, 2310-2313, <b>S1775</b> , 1962-1963, <b>H2577</b> , <b>S2097-2098</b> , <b>H2712</b> , <b>S2099</b>
352	Engler	Creates a mental health assessment pilot program for criminal offenders	S322, 391
353	Engler	Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers in the same manner as the highway patrol currently sells surplus vehicles	S342, 391, 736
354	Schaaf	Adds bath salts to the list of schedule I controlled substances	S342, 391
355	Schaaf	Modifies provisions regarding gubernatorial appointments	S342, 391
356	Munzlinger	Modifies provisions pertaining to grain dealers and grain warehouses	S342, 391, 494, 576, 586, 652-653, <b>H1177</b> , 1184, 1236, 1619, 1857, 1859, 1877, 2313-2322, <b>S1776-1779</b> , 1866, <b>H2434</b> , 2435, <b>S1894</b> , 1895, <b>H2458</b> , <b>S1925</b> , <b>H2527</b> , 2543-2544, <b>S1960</b> , <b>H2548</b> , 2577, 2592, <b>S1973</b> , 1988-1990, <b>H2605</b> , 2613-2617, <b>S2011</b> , 2097-2098, <b>H2712</b> , <b>S2099</b>
357	Munzlinger	Classifies hydroelectric power generating equipment as tangible personal property for property tax purpose	S342, 391
358	Wasson	Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and allows the committee for professional counselors to require certain education	S342, 391

SB No.	Author	Subject	Page Reference
359	Lager	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities	S342, 392
360	Lager	Creates a county water supply lake authority in Sullivan County	S342, 392, 663, 690-691, 694, 729-730, H1298, 1304, 1427, 1685, 1859, 2322-2343, S1783-1802
361	Justus	Modifies requirements for notifying tenants of foreclosures, authorizes certain damages for forcible entry, and requires certain damages for withholding security deposits	S342, 392
362	Justus	Allows for the establishment of domestic violence fatality review panels	S343, 392
363	Justus	Modifies provisions relating to crime	S343, 392
364	Pearce	Authorizes the establishment of parks, trails and greenways districts in certain counties	S343, 392
365	Goodman	Allows \$9,999 in an irrevocable trust for certain funeral expenses to not be considered an asset when determining eligibility for public assistance	S343, 392
366	Goodman	Creates Missouri cooperative associations	S343, 392, 540-541, 605, 606, 633, 658-659, H1178, 1184, 1264, 1416, 1620, 1665-1668, S1208-1210, 1236-1237, H1782, S2097-2098, H2712, S2099
367	Nieves	Enacts the interstate Health Care Compact in which member states pledge to improve health care policy by returning the authority to regulate health care to the states	S343, 392
368	Stouffer	Transfers land survey duties from the Department of Natural Resources to the Department of Agriculture	S343, 392, 494, 576-577, 586, 651-652, H1178, 1184, 1857
369	Cunningham	Establishes procedures for resident pupils of an unaccredited school district to enroll in another school in the same or an adjoining county	S343, 392, 521-522, 577
370	Cunningham	Creates a scholarship program for resident pupils of an unaccredited school district to enroll in a different school	S343, 392, 521-522
371	Cunningham	Allows a lapsed school district to be divided and attached to adjoining accredited school districts	S343, 392
372	Cunningham	Modifies provisions relating to teacher contracts and establishes the Teacher Continuing Contract Act	S343, 392
373	Dempsey	Modifies the law relating to workers' compensation	S344, 392
374	Parson	Establishes qualifications and appointment procedures for county recorders where the offices of the court clerk and recorder of deeds are separate	S344, 392
375	Parson	Modifies provisions of the master settlement agreement regarding the refund of escrow payments	S344, 392
376	Parson	Modifies laws relating to the provision of natural gas utility service	S344, 392
377	Parson	Extends the sunset on rolling stock tax credits	S344, 392
378	Kehoe	Modifies law regarding commissions' authority to enter into additional design-build contracts	S344, 392

SB No.	Author	Subject	Page Reference
379	Kehoe	Restricts the time to file a products liability claim and when a manufacturer or seller of a product may be liable	S344, 392
380	Green	Requires the state treasurer to transfer the balance in any fund in excess of 200% of the previous fiscal year's expenditures into the state general revenue fund	S344, 392
381	Dixon	Allows a circuit judge to assess certain costs when the criminal case is dismissed and the criminal defendant consents	S344, 392
382	Chappelle-Nadal	Licenses clinical laboratory personnel	S344, 392
383	Richard	Modifies provisions of law authorizing a sales and use tax exemption for manufacturing	S344, 392
384	Schaefer	Authorizes a civil cause of action against pharmacy benefit managers	S357, 392
385	Munzlinger	Imposes an additional admission fee for excursion gambling boat licensees to fund veterans' commission capital improvements	S357, 392
386	Richard	Directs dealer plate fees to the Motor Vehicle Commission Fund and increases the temporary permit fee from \$7.50 to \$9.50	S357, 392
387	Wasson	Allows for release on electronic monitoring for people who can afford to pay the costs associated with the monitoring	S357, 392, 662, 677, 686, 726-727, H1298, 1304, 1619, 1858
388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils	S357-358, 392
389	McKenna	Modifies the laws regarding concealed carry permits for Missouri residents	S358, 392
390	Schmitt	Authorizes tax incentives to encourage foreign trade	S358, 392, 494, 574
391	Lager	Requires the school board of each school district and charter school to establish an evaluation system for teachers and teaching	S358, 393, 736
392	Rupp	Amends surplus lines insurance law to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRA)	S358, 393, 734
393	Goodman	Modifies provisions relating to the Family Care Safety Registry	S358, 393
394	Goodman	Modifies the human trafficking provisions	S358, 393, 540, 553, 604-605, 657-658, H1178, 1184, 1619
395	Goodman	Modifies provisions governing the regulation of the bail bond industry by the Department of Insurance	S358, 393
396	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act	S358, 393
397	Cunningham	Requires certification for certain contractors who work on fire sprinkler systems	S358, 393
398	Kraus	Allows public school principals to opt out of the election authority designation that their school be used as a polling place	S358-359, 393
399	Kraus	Modifies provisions relating to the crime of failure to return leased or rented property	S359, 393, 1207
400	Kraus	Modifies provisions regarding the crime of sexual contact with a student while on public school property	S359, 393, 734
401	Lamping	Modifies the law relating to debt adjusters	S359, 393
402	Kehoe	Requires window stickers to show current motor vehicle registration instead of license plate tabs	S359, 393
403	Nieves	Modifies provisions pertaining to the filing of appeals regarding decisions made by environmental commissions	S359, 393, 734

SB No.	Author	Subject	Page Reference
404	Ridgeway	Allows certain state employees to receive a lump sum payment for the present value of a deferred annuity	S359, 393
405	Ridgeway	Changes the requirements for background screenings of long-term care professionals	S359, 393
406	Crowell	Allows certain cost recovery by electric companies for energy generation and requires utilities to pay an assessment for the Office of Public Counsel	S359, 393
407	Crowell	Provides sufficient funding to continue the MO RX prescription drug program	S359, 393
408	Crowell	Extends the MO RX prescription drug plan until August 28, 2014	S359, 393, 732, 772
409	Crowell	Changes state transportation aid to school districts from a categorical add-on to part of the state aid calculation	S359-360, 393
410	Crowell	Requires MOSERS and MPERS to transfer funds between the retirement systems when service is transferred between the systems	S360, 393
411	Crowell	Allows employees of the Missouri Development Finance Board to join the Missouri State Employees' Retirement System and places a moratorium on certain tax credits	S360, 393
412	Crowell	Modifies the State Auditor authority to examine audits of the MODOT and Highway Patrol Employees' Retirement System (MPERS) and the Missouri State Employees' Retirement System (MOSERS) to allow the Aud	S360, 393
413	Crowell	Modifies the state auditor authority to examine audits of the Public School Retirement System to allow the auditor to audit the system	S360, 393
414	Crowell	Allows the state auditor to audit any state or local public employees retirement system	S360, 393
415	Crowell	Makes it a class C felony for a person on probation for a felony offense to knowingly possess a firearm	S360, 393
416	Crowell	Exempts United States attorneys who have completed the firearms safety training course required to obtain a conceal carry endorsement from certain otherwise unlawful uses of a weapon	S360, 393
417	Crowell	Modifies the law relating to the Second Injury Fund	S360, 393
418	Chappelle-Nadal	Establishes a paper ballot as the official ballot	S363, 437
419	Kraus	Modifies the law currently prohibiting Kansas City police officers from participating in some political activities	S363, 437
420	Mayer	Modifies the operation and maintenance of the second injury fund	S363, 437, 541, 606
421	Pearce	Bar felons from holding public office	S363, 437
422	Lager	Modifies the state's renewable energy standard	S363, 437
423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources	S363, 437
424	Cunningham	Requires an informal hearing before the Secretary of State in certain instances	S364, 437
425	Goodman	Adds provisions to the crime of receiving stolen property relating to offenses in which the value of property or services is an element of the crime	S364, 437, 733
426	Lamping	Requires certain landlords to hold security deposits in federally insured accounts, separate from the landlord's own funds	S364, 437
427	Lamping	Repeals state and local use taxes	S364, 437

SB No.	Author	Subject	Page Reference
428	Ridgeway	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility	S366, 437
429	Ridgeway	Requires the Department of Health and Senior Services to issue recommendations on adequate nurse staffing levels in certain health care facilities	S366, 437
430	Mayer	Modifies the law relating to Workers' Compensation	S366, 437
431	Munzlinger	Creates a state do-not-mail list for consumers who do not wish to receive solicitations from direct mail marketers	S366, 437
432	Munzlinger	Regulates contingency-fee contracts between state entities and private attorneys	S366, 437
433	Kraus	Modifies the law relating to deeds of trust	S366, 437

## INTRODUCED SENATE CONCURRENT RESOLUTIONS

SCR No.	Author	Subject	Page Reference
1	Ridgeway	Disapproves a final order of rule making by the Public Service Commission regarding Electric Utility Renewable Energy Standard Requirements	S16-17, 69, 100, 135-136, H224-225, 233, 237, 246, 276, S180, 186, H298, S187, 286
2	Schaaf	Urges the Department of Natural Resources to educate the public about light pollution	S17, 69
3	Lembke	Disapproves the salary recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials	S61, 69
4	Crowell	Requires the Board of Public Buildings to reassign rooms in the State Capitol to the General Assembly that are currently assigned to the Office of Administration	S61-62, 69
5	Justus	Ratifies the Equal Rights Amendment to the United States Constitution	S141, 148
6	Munzlinger	Urges the U.S. Department of Agriculture to quickly deregulate genetically-engineered alfalfa without conditions	S145-146, 158
7	Dempsey	Authorizes the employment of an independent certified public accountant or certified public accounting firm pursuant to Section 21.760, RSMo	S154, 171, 390, 471, H700, 811, 1295, 1794, 2535-2536, S1959
8	Rupp	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities	S210, 217, 390, 630-631, H1150-1151, 1235
9	Rupp	Rescinds Missouri's 1983 call for a constitutional convention	S210-211, 217
10	Cunningham	Urges Congress to adopt an amendment to the U.S. Constitution that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures	S240-241, 253
11	Wright-Jones	Asks the Governor to recognize every third week in June as Diabetic Peripheral Neuropathy Week	S270-271, 291, 686, 811-812, H1431, 1438, 1618, 2047-2048, 2170, 2534-2535, S1959, 2098, H2711, S2099
12	Schaaf	Urges the MO HealthNet Division to pursue the feasibility of implementing a program to assess chronic disease management of stroke prevention in atrial fibrillation	S505-506, 521, 1211, 1244-1245, H1782, 1857, 2170, 2245, 2536-2537, S1959

SCR No.	Author	Subject	Page Reference
13	Lembke	Urges Congress to prohibit the Environmental Protection Agency from regulating greenhouse gas emissions	S535-536, 559

## INTRODUCED SENATE JOINT RESOLUTIONS

SJR No.	Author	Subject	Page Reference
1	Ridgeway	Replaces all taxes on income with a sales and use tax	S15, 127
2	Stouffer	Allows enabling legislation for advance voting and photographic identification for voting	S15, 127, 233, 245-247, 266, 284, 322, 324-325, H457, 465, 521, 673, 1236, 1268, 1618, 1665, 1694-1696, S1237, 1524-1525, H2078, S2097-2098, H2711, S2099
3	Goodman	Requires the Attorney General to seek appropriate relief against actions of the federal government when directed by the Governor, General Assembly, or a petition of the voters	S15, 127
4	Lembke	WITHDRAWN	S15
5	Chappelle-Nadal	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation	S15, 127
6	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board	S16, 127
7	Lembke	Proposes a constitutional amendment to create term limits for all statewide elected officials	S16, 127
8	Kraus	Requires refunds to taxpayers when state revenues grow by five percent or more	S16, 127
9	Engler	Allows enabling legislation for photographic identification for voting	S67, 127
10	Lembke	Lowers the number of State Representatives from 163 to 103	S67, 127, 494, 559, 574, 808, H1432, 1439, 1618
11	Munzlinger	Asserts the right of Missourians to hunt and fish	S80, 127, 435, 557
12	Green	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives	S80, 127, 732-733, 772, 778-779, 784, 1198-1199, H1688, 1694, 2712
13	Justus	Requires referenda and initiative petitions to be signed by 5% and 8% of the voters in each congressional district	S132, 161
14	Schaaf	Allows the Department of Revenue to receive its actual costs in collecting highway-related taxes and fees unbridled by the current 3 percent constitutional cap	S147, 161
15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government	S209, 236, 493-494, 558, 575, 778
16	Goodman	Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion	S232, 286, 736
17	Lembke	Modifies the selection process for certain judgeships and the composition of judicial nominating commissions	S242, 286, 1152

SJR No.	Author	Subject	Page Reference
18	Munzlinger	Amends the Constitution to require the development and sale of a veterans lottery ticket	S297, 333
19	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county	S297, 333
20	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations	S297, 333
21	Lembke	Proposes a constitutional amendment to put a question on the ballot in the City of St. Louis regarding the city's governance	S308, 393
22	Parson	Provides that a member of the General Assembly shall vacate his or her office if such member leaves the state during a legislative session for the purpose of avoiding any official duty or vote	S344, 393

## INTRODUCED HOUSE BILLS

HB No.	Author	Subject	Page Reference
1	Silvey	Appropriates money to the Board of Fund Commissioners	H345, 356, 634, 697, 712, 713, 745, 764-765, S523-524, 546, 749, 784-785, H1419, 1595, S1067, H1665, 1737
2	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education	H345, 356, 634, 697, 712, 713, 741-742, 745, 765-766, S524, 546, 749, 785-786, H1419, 1610, S1069, 1071, H1616, 1618, S1098, H1862-1863, 1946-1947, S1358-1359, S1456-1457, H1966, 2710-2711, S2098-2099, H2711
3	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education	H345, 356, 635, 697, 712, 713-715, 736, 745, 736-745, 766-767, S524, 546, 749, 786-787, H1420, 1610, S1069-1070, 1071, H1616, 1618, S1098, H1863, H1948-1949, S1359, S1457-1459, H1966, 2710-2711, S2098-2099, H2711
4	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation	H345, 356, 635, 697, 712, 714-716, 745, 767-768, S524, 546, 749, 788-789, H1420, 1610, S1070, 1071, H1616, 1618, S1098-1099, H1864, H1950-1951, S1455, 1459-1461, H1966, H2710-2711, S2098-2099, H2711



HB No.	Author	Subject	Page Reference
5	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety	<b>H</b> 345, 356, 635, 697, 712, 716-718, 737-738, 743, 745, 768-769, <b>S</b> 525, 546, 749, 789-790, <b>H</b> 1420, 1610, <b>S</b> 1070, 1071, <b>H</b> 1616, 1618, <b>S</b> 1099, <b>H</b> 1864-1865, 1952-1953, <b>S</b> 1455-1456, 1461-1463, <b>H</b> 1966, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
6	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation	<b>H</b> 345, 356, 635, 697, 712, 718-719, 745, 769-770, <b>S</b> 525-526, 546, 749, 790-792, <b>H</b> 1420, 1610, <b>S</b> 1070, 1071, <b>H</b> 1616, 1618, <b>S</b> 1099, <b>H</b> 1865, 1954-1955, <b>S</b> 1456, 1463-1464, <b>H</b> 1972, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
7	Silvey	Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial Relations	<b>H</b> 346, 356, 635, 697, 712, 719, 745, 770-771, <b>S</b> 526, 546, 749, 792-793, <b>H</b> 1421, 1610, <b>S</b> 1070, 1071, <b>H</b> 1617, 1618, <b>S</b> 1099, <b>H</b> 1866, 1956-1957, <b>S</b> 1464-1465, 1465-1467, <b>H</b> 1972, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
8	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety	<b>H</b> 346, 356, 635, 697, 712, 719-720, 746, 771-772, <b>S</b> 526, 546, 749, 793-794, <b>H</b> 1421, 1611, <b>S</b> 1070, 1071, <b>H</b> 1617, 1618, <b>S</b> 1099, <b>H</b> 1866-1867, 1958-1959, <b>S</b> 1465, 1467, 1467-1468, <b>H</b> 1972, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
9	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections	<b>H</b> 346, 356, 635, 698, 712, 720, 746, 772-773, <b>S</b> 526, 546, 749, 794-795, <b>H</b> 1421, 1611, <b>S</b> 1070, 1071, <b>H</b> 1617, 1618, <b>S</b> 1099, <b>H</b> 1867, 1960-1961, <b>S</b> 1465, 1468-1470, <b>H</b> 1972, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
10	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, Board of Public Buildings, and Department of Health and Senior Services	<b>H</b> 346, 356, 635, 698, 712, 716, 718, 720-721, 746, 773-774, <b>S</b> 527, 546, 750, 795-796, <b>H</b> 1421-1422, 1611, <b>S</b> 1070, 1071, <b>H</b> 1617, 1618, <b>S</b> 1099, <b>H</b> 1868, 1962-1963, <b>S</b> 1465, 1470-1472, <b>H</b> 1972, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711

HB No.	Author	Subject	Page Reference
11	Silvey	Appropriates money for the expenses, grants, and distributions of the Department of Social Services	<b>H</b> 346, 356, 635, 698, 712-713, 736, 736-737, 738, 746, 774-775, <b>S</b> 527, 546, 750, 796-798, <b>H</b> 1422, 1611-1612, <b>S</b> 1070, 1071, <b>H</b> 1617, 1618, <b>S</b> 1099, <b>H</b> 1868-1869, 1964-1965, <b>S</b> 1472, 1472-1474, <b>H</b> 1973, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
12	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly	<b>H</b> 346, 356, 635, 698, 713, 738, 738-741, 742-743, 743-744, 746, 775-776, <b>S</b> 527, 546, 750, 798-799, <b>H</b> 1422, 1612, <b>S</b> 1070-1071, 1072, <b>H</b> 1617, 1618, <b>S</b> 1099, <b>H</b> 1869, 1968-1970, <b>S</b> 1472, 1474-1476, <b>H</b> 1973, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
13	Silvey	Appropriates money for real property leases and related services	<b>H</b> 347, 356, 635, 698, 713, 744, 746, 776-777, <b>S</b> 528, 546, 750, 799-800, <b>H</b> 1422, 1612, <b>S</b> 1071, 1072, <b>H</b> 1618, <b>S</b> 1099, <b>H</b> 1870, 1970-1972, <b>S</b> 1476-1477, <b>H</b> 1973, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
14	Silvey	Appropriates money for supplemental purposes	<b>H</b> 264, 273, 284, 332, 369, 416, 444-445, <b>S</b> 330-331, 345, 389, 688, 751-752, <b>H</b> 1305, 1315-1316, <b>S</b> 779, <b>H</b> 1595, <b>S</b> 1067, <b>H</b> 1665, 1738
15	Silvey	Appropriates money for supplemental purposes for the Department of Elementary and Secondary Education	<b>H</b> 264, 273, 284, 333, 369, 416, 445-446, <b>S</b> 331, 345, 389, 688, 753, <b>H</b> 1305, 1595, 1665, <b>S</b> 1067, <b>H</b> 1738
17	Silvey	Appropriates money for capital improvement and other purposes as provided in Article IV, Section 28	<b>H</b> 1174, 1183, 1204, 1264, 1417, 1613, 1668-1669, <b>S</b> 1210, 1216, 1237, 1290-1292, <b>H</b> 1796, 2010-2012, <b>S</b> 1486, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
18	Silvey	Appropriates money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities	<b>H</b> 1174, 1183, 1204, 1264, 1417, 1613, 1669-1670, <b>S</b> 1210-1211, 1216, 1237, 1293-1295, <b>H</b> 1832, 2012-2014, <b>S</b> 1486, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
21	Silvey	Appropriates money for capital improvement projects involving maintenance, repair, replacement, and improvement of state buildings and facilities	<b>H</b> 1174, 1183, 1204, 1265, 1417, 1613, 1670-1671, <b>S</b> 1211, 1216, 1238, 1292-1293, <b>H</b> 1796, 2014-2015, <b>S</b> 1486, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711

HB No.	Author	Subject	Page Reference
22	Silvey	Appropriates money for planning and capital improvement projects and land improvements or acquisitions and transfers money among certain funds	<b>H</b> 1174, 1183, 1204, 1265, 1418, 1614, 1671-1672, <b>S</b> 1211, 1216, 1238, 1323-1324, <b>H</b> 1859, 2016-2017, <b>S</b> 1486, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
26	Jones (63)	Changes voter reauthorization on city earnings taxes from every five years to every 20 years	<b>H</b> 20, 71, 367
27	Sater	Authorizes an income tax credit to any taxpayer who donates cash or food to a senior citizen services center	<b>H</b> 20, 71, 809
28	Sater	Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug	<b>H</b> 20, 71, 198, 589, 723, 779-780, 847-848, 906, 916, 1161-1163, <b>S</b> 665, 737
29	Sater	Establishes the Volunteer Health Services Act which allows a licensed health care provider to render volunteer professional health care services for a sponsoring organization	<b>H</b> 20, 71, 198, 418, 572, 605, 692, <b>S</b> 507, 546
30	Sater	Allows a law enforcement officer to request that certain property used to secure personal credit loans from pawnbrokers not be sold for 10 days of the request	<b>H</b> 20, 71, 198
31	Sater	Establishes the Senior Services Growth and Development Program to provide additional funding for senior services in the state by imposing a surcharge on certain health insurance premiums	<b>H</b> 20, 71, 450
32	Sater	Allows the State Registrar to issue a heritage birth certificate	<b>H</b> 20, 71, 342, 589, 723, 839, 853-854, <b>S</b> 586, 667
33	Sater	Requires a motor vehicle driver, when overtaking a bicycle, to pass safety at a distance of not less than three feet	<b>H</b> 20, 71, 245
34	Sater	Requires the Department of Social Services to apply for a federal waiver to modify the eligibility requirements for the Missouri Temporary Assistance for Needy Families (TANF) Program	<b>H</b> 20, 71, 450
35	Sater	Increases the rent deposit or security deposit that a landlord may demand from two months' rent to three months' rent	<b>H</b> 20, 71, 198
36	Sater	Specifies that farm machinery and equipment as it relates to exemptions for sales tax will include certain all-terrain vehicles	<b>H</b> 20, 71, 245
37	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant	<b>H</b> 20, 71, 308
38	Pace	Increases the work-off rate for city prisoners and requires certain administrative officials of jails or detention facilities to notify specified law enforcement of an escape of certain specified felons	<b>H</b> 20, 71, 245, 521, 572, 698, 794-795, <b>S</b> 543, 666, 1345, 1679, <b>H</b> 2239, <b>H</b> 2572-2573, <b>S</b> 1976, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office	<b>H</b> 20, 71, 519
40	Lampe	Changes the laws regarding the identification, assessment, and education of children with autism spectrum disorder	<b>H</b> 20, 71, 342
41	Lampe	Expands the Amber Alert System to include missing endangered persons, specifies the criteria for being a missing endangered person, and changes the system's name to the Amber Alert and Silver Alert System	<b>H</b> 20, 71, 245

HB No.	Author	Subject	Page Reference
42	Loehner	Requires an electrical corporation to pay a surcharge of one-tenth of one cent per kilowatt hour on all nuclear energy produced in the state and sold out of its service territory	H20, 71, 198
43	Conway (27)	Adds the counties of Andrew and Buchanan to the list of counties authorized to enact nuisance abatement ordinances regarding the condition of real property	H20, 71, 342
44	Lampe	Requires the Revisor of Statutes to make all copies of laws, resolutions, and constitutional measures available electronically to the public and eliminates the printing of certain state documents	H21, 71, 198
45	Hoskins (121)	Changes the laws regarding the Big Government Get Off My Back Act which provides an income tax deduction for certain small businesses that create new full-time jobs	H21, 71, 85, 142, 155, 170-173, 190, 197-198, S133-134, 291, 662, 682, 721, 754-758, H1305-1306, 1642-1643, S1171, H2710-2711, S2098-2099, H2711
46	Diehl	Changes the laws regarding fire sprinkler system installations	H21, 71, 198, 277, 299, 322-323, 341, S242-243, 437
47	Cookson	Requires certain recipients of Temporary Assistance for Needy Families Program benefits to be tested for the illegal use of controlled substances	H21, 71, 85, 141
48	Cookson	Exempts motor fuel used to operate school buses transporting students for educational purposes from the motor fuel tax and requires the establishment of a uniform and simplified rule for all exemptions	H21, 71, 198
49	Meadows	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Stan 'The Man' Musial Mississippi River Expressway Bridge"	H21, 71, 1231
50	Taylor	Eliminates the tax on a one-time early distribution from certain annuities or retirement plans when the distribution does not exceed 20% of the total balance of the account	H21, 71, 308
51	Taylor	Authorizes a \$2 surcharge to be collected in all criminal cases involving a state traffic law violation to be disbursed equally for law enforcement and fire safety training	H21, 71, 519
52	Ellinger	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement	H21, 71, 342
53	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated speed enforcement system to enforce speeding violations except in a school, construction, or work zone	H21, 71, 367
54	Dugger	Repeals the provision that requires a political party's emblem to be printed on an election ballot above the party caption	H21, 71, 198, 502
55	Sater	Authorizes a state and local sales and use tax exemption for over-the-counter or nonprescription drugs which are prescribed by a practitioner and certain medical equipment, supplies, or devices	H21, 71, 199
56	Brown (50)	Authorizes a tax credit for employers who hire certain high school students for summer employment	H21, 71, 199
57	Brown (50)	Establishes the Missouri Commission on Prevention and Management of Obesity	H21, 71, 809
58	Brown (50)	Establishes the Missouri and Midwest High-Speed Rail Commission Act and the Missouri and Midwest High-Speed Rail Commission	H21, 71, 199

HB No.	Author	Subject	Page Reference
59	Brown (50)	Requires the State Board of Education to establish a coordinated health program board to develop a program on the prevention of student obesity, cardiovascular disease, and type II diabetes	H21, 71, 809
60	Nolte	Limits the increase in assessed valuation of residential property by the percentage of increase in the federal Social Security benefits for the elderly and disabled who own and live in their principal residence	H21, 71, 199
61	Nolte	Prohibits the state minimum wage from exceeding the federal minimum wage and specifies that every employer must pay each employee receiving gratuities as compensation a wage of \$3.63 per hour	H22, 71, 154, 344, 369, 483-486, 516-518, S402, 496, 662, 688
62	Nolte	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry	H22, 71, 154
63	Curls	Prohibits any employee of a seller of cigarettes or tobacco products who is younger than 18 years of age from selling cigarettes or tobacco products in the course of his or her employment	H22, 71, 519
64	Curls	Changes the laws regarding unclaimed and abandoned property	H22, 71, 245
65	Curls	Requires the Department of Corrections to establish the Shock Time for Felony Probationers Program to give courts an alternative to imposing a sentence for nonviolent offenders who have violated their probation	H22, 71, 342
66	Curls	Allows the court to suspend imposition of an adult sentence in cases where there is dual jurisdiction and the offender has been transferred from juvenile court to a court of general jurisdiction	H22, 71, 342
67	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services	H22, 71, 809
68	Scharnhorst	Prohibits a political subdivision from imposing a fine or penalty on the owner of a pay telephone on the owner's property for a call made to an emergency telephone service from the pay telephone	H22, 71, 245, 538, 572, 698, 795-796, S543, 666, 1345, 1680, H2243, 2710-2711, S2098-2099, H2711
69	Jones (89)	Allows for a special license plate for a member of the International Conference of Police Chaplains who has completed the requirements for basic certification as a police chaplain	H22, 71, 809
70	Phillips	Changes the compensation and mileage allowance for certain members of a county highway commission	H22, 71, 342, 671, 723, 839, 854-855, S586-587, 667, 1151, 1201-1202, H1685, 2710-2711, S2098-2099, H 2711
71	Nasheed	Allows the City of St. Louis to establish and maintain a municipal police force completely under the city's authority	H22, 71, 154, 190, 222, 387-392, 415-416, S311, 437, 662, 688, 1526-1529, 1545, 1621-1622, 1929-1930
72	Torpey	Prohibits statewide elected officials or members of the General Assembly elected for their first term in office on or after November 2, 2010, from acting, serving, or registering as a lobbyist	H22, 71, 519

HB No.	Author	Subject	Page Reference
73	Brandom	Requires certain applicants for and recipients of Temporary Assistance for Needy Families Program benefits to be tested for illegal drug use and the benefit card to include a photo of the recipient or payee	<b>H22</b> , 71, 85, 141, 155, 233-236, 237, 246, 259, <b>S180</b> , 291, 732, 751, 808, 1062-1067, 1198, 1199-1200, <b>H1685-1687</b> , 2192-2196, <b>S1675-1676</b> , <b>H2710-2711</b> , <b>S2098-2099</b> , <b>H2711</b>
74	Curls	Specifies that certain felons will be eligible for federal food stamp program benefits	<b>H22</b> , 71, 668
75	Curls	Authorizes expungement of certain criminal records including convictions for nonviolent felonies and misdemeanor, municipal, or traffic offenses	<b>H22</b> , 71, 245
76	Nolte	Changes the laws regarding the corporate franchise tax	<b>H23</b> , 71, 154, 333, 369, 466-470, 486, 502, 511-512, <b>S401</b> , 495
77	Nolte	Reduces over a five-year period the annual corporate franchise tax rate from one-forty-fourth of 1% until no tax is imposed beginning January 1, 2016	<b>H23</b> , 71, 199
78	Nolte	Authorizes an income tax exemption for the business income of any individual or corporation to be phased-in over five years until the exemption is 50% of the taxpayer's Missouri taxable business income	<b>H23</b> , 71, 199
79	Nolte	Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents	<b>H23</b> , 71, 199, 637, 723, 839, 855-856, <b>S587</b> , 667
80	Nolte	Changes when tax statements must be mailed in all counties of the first classification from at least 30 days to at least 45 days before the delinquent date	<b>H23</b> , 71, 199
81	Nolte	Exempts new vehicles assembled and sold in Missouri on or after January 1, 2011, from state sales and use taxes	<b>H23</b> , 71, 199
82	Nolte	Defines "small modular reactors" and allows energy produced by these reactors to be used to meet the Renewable Energy Standard percentage requirements for investor-owned electric utilities	<b>H23</b> , 71, 245
83	Nolte	Specifies that an agreement to operate or share an automated teller machine cannot prohibit the owner or operator of the machine from imposing an access fee or surcharge on foreign bank transactions	<b>H23</b> , 71, 199, 404, 473, 573, 622-623, <b>S465</b> , 545, 812, <b>S1092-1093</b> , <b>H1652</b> , 2710-2711, <b>S2098-2099</b> , <b>H2711</b>
84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program	<b>H23</b> , 71, 342
85	McGhee	Authorizes an income tax credit for taxpayers who use processed biomass engineered fiber fuel	<b>H23</b> , 71, 245
86	McGhee	Authorizes corporations or unincorporated associations to be represented in small claims court by their president or vice-president for any claim of \$500 or less for certain actions to remove a tenant	<b>H23</b> , 71, 199
87	McGhee	Provides an annual 2% pay increase in Fiscal Year 2013 through Fiscal Year 2015 for non-custodial employees in certain divisions of the Department of Corrections	<b>H23</b> , 71, 367
88	Gatschenberger	Allows a public administrator to file a petition to transfer a case to another county and requires the court to transfer the case if certain requirements are met and the receiving county consents to the transfer	<b>H23</b> , 71, 199, 554, 723, 839, 856-857, <b>S587</b> , 667

HB No.	Author	Subject	Page Reference
89	Pollock	Changes the laws regarding natural resources	H23, 71, 245, 369, 572, 605-606, 634, 670, 689-691, S507, 546, 1207, 1226, 1346, 1353-1354, 1723-1727, H2388-2390, 2545-2547, S1973, H2710-2711, S2098-2099, H2711
90	Scharnhorst	Prohibits a political subdivision from adopting an ordinance, rule, or code that would require mandatory installation of a sprinkler system in new residential construction	H23, 71, 199
91	Nolte	Specifies that an employer and his or her employees will not be liable for any injury or death for which compensation is recoverable under provisions of the Workers' Compensation Law	H23, 71, 154, 246, 264, 366
92	Molendorp	Authorizes school districts to enter into design-build contracts for construction projects	H23, 71, 199
93	Shively	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state	H23, 71, 450
94	Dugger	Repeals the Puppy Mill Cruelty Prevention Act passed as Proposition B by voters in November 2010	H24, 71, 199
95	Dugger	Allows certain municipalities to cancel nonpartisan elections when there are the same number of candidates as open offices	H24, 71, 199
96	Flanigan	Imposes penalties for persistent violations of air or water pollution laws by recycling companies that convert animal parts into petroleum	H24, 71, 245
97	Ruzicka	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control	H24, 71, 245
98	Ruzicka	Extends from June 30, 2011, to December 31, 2015, the 50-cent fee that is collected on the retail sale of a lead-acid battery as well as the fees for any hazardous waste generated	H24, 71, 342, 522, 572, 698, 796-798, S543, 666
99	Loehner	Exempts all shelters, pounds, kennels, pet shops, facilities, dealers, and breeders licensed under specified statutes prior to November 2, 2011, from the provisions of the Puppy Mill Cruelty Prevention Act	H24, 71, 199
100	Loehner	Affirms the right of Missouri citizens to raise livestock in a humane manner without the state imposing an undue burden on their owners	H24, 71, 199, 332, 723
101	Loehner	Changes the laws regarding liquor control	H24, 71, 199, 671, 723, 839, 857-858, S587, 667, 1152, 1328-1331, H1859-1861, 1972, S1478, 1485-1486, H2078, 2079, S1530, 1534, H2154, 2246, 2529-2531, S1959, 1960-1962, H2576, 2710-2711, S2098-2099, H2711
102	Nance	Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016	H24, 71, 199
103	Nance	Allows the Department of Conservation, in collaboration with the Department of Natural Resources, to establish a program for good forestry management	H24, 71, 284

HB No.	Author	Subject	Page Reference
104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation	<b>H24</b> , 71, 245
105	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue	<b>H24</b> , 71, 199
106	Sater	Prohibits a sheltered workshop's board of directors from holding in reserve any general operating moneys in excess of one year's estimated annual general operating costs with certain specified exceptions	<b>H24</b> , 71, 342
107	Smith (150)	Requires special elections to fill certain vacancies in the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer	<b>H24</b> , 71, 199, 298, 333, 429-430, 435, 444, 448-449, <b>S331</b> , 495
108	Smith (150)	Changes the laws regarding contributions to political action committees	<b>H24</b> , 71, 199, 344, 406, 435, 473, 511, 532-533, <b>S402</b> , 496, 734-735, 767, 769-770, <b>H1373</b> -1374
109	Wells	Repeals the provisions allowing the State Treasurer to invest in any linked deposit for specified purposes only for certain time periods	<b>H24</b> , 71, 199, 404, 473, 573, 623-625, <b>S465</b> , 545, 812, 1100, <b>H1652</b> , 2710-2711, <b>S2098</b> -2099, <b>H2711</b>
110	Zerr	Requires noninvasive vascular laboratories to be accredited by the Intersocietal Commission for the Accreditation of Vascular Laboratories or the American College of Radiology	<b>H85</b> , 91, 284
111	Cox	Changes the laws regarding judicial procedures	<b>H85</b> , 91, 199, 537, 838, 1187-1194, 1277, <b>S738</b> , 751, 1344, 1672, 1899-1904, 2004-2005, 2008-2009, <b>H2644</b> , 2704-2706, <b>S2094</b> , <b>H2710</b> -2711, <b>S2098</b> -2099, <b>H2711</b>
112	Day	Classifies certain sawmills and planing mills as agricultural and horticultural property instead of commercial property for property taxation purposes	<b>H86</b> , 91, 199, 369, 473, 535-536, 582-583, <b>S436</b> , 496, 813, 1200
113	Day	Lowers the age at which a person can obtain a concealed carry endorsement from 23 to 21 years of age if the person is a member of the armed forces	<b>H86</b> , 91, 199, 521
114	Day	Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle	<b>H86</b> , 91, 199
115	Schad	Specifies that the Department of Conservation will have ownership and title to all wild elk in Missouri and will be financially responsible for any damage caused by wild elk	<b>H86</b> , 91, 245, 589, 723
116	Flanigan	Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies	<b>H86</b> , 91, 199, 405, 453, 496-499, 513-514, <b>S401</b> , 495, 732, 751, 808, 1072, 1154-1171, 1173-1191, 1226-1227, <b>H1711</b> -1735, 2343-2344, <b>S1803</b> , 1816, <b>H2390</b> , 2406, <b>S1827</b>
117	Ellinger	Establishes requirements for environmentally sustainable construction for certain state-funded buildings	<b>H86</b> , 91, 1231



HB No.	Author	Subject	Page Reference
118	Peters-Baker	Requires local law enforcement agencies and other government agencies serving ex parte orders of protection to enter the data into the Missouri Uniform Law Enforcement System (MULES) within 24 hours	H86, 91, 342, 472, 572, 698, 798-799, S544, 666
119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program	H86, 91, 342
120	Schoeller	Changes the laws regarding infrastructure replacement surcharges for water corporations	H86, 91, 342
121	Dugger	Changes the laws regarding elections	H86, 91, 342, 589, 1172
122	Webber	Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration	H86, 91, 450
123	Riddle	Prohibits the sales tax on firearms or ammunition from being levied at a higher rate than for any sales tax or other excise tax charged on any sporting goods or equipment or any hunting equipment	H86, 91, 284, 521
124	Riddle	Allows an electrical company to recover from ratepayers the costs associated with early site development for certain electrical generation facilities	H86, 91, 199
125	Riddle	Allows a resident of Missouri to purchase a firearm in any state and a resident of any state to purchase a firearm in Missouri if he or she conforms to certain laws	H87, 91, 284, 521
126	Barnes	Requires the state to give a prompt written notification to all affected state employees and specified county and city officials in certain situations when the state decides upon a mass layoff	H87, 91, 199
127	Barnes	Specifies that any partial term served by a member of the Sheriffs' Retirement System who is elected sheriff at a special election will be counted as serving an entire term when calculating benefits	H87, 91, 199, 404, 474, 573, 679-680, S495, 546
128	Barnes	Requires the respondent in a suit filed by a city, county, or state in which the entity prevails to pay the city, county, or state the amount of the deposit that would have been awarded as a judgment	H87, 91, 245
129	Barnes	Prohibits a juvenile or family court from using the fact that a natural parent chose not to abort a child when determining to take, continue, or fail to terminate jurisdiction over another child	H92, 100, 199
130	Barnes	Changes the laws regarding guardianship of an incapacitated person and authorizes Missouri to enter into the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act	H92, 100, 245
131	Cox	Changes the laws regarding the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act	H92, 100, 199, 403, 523, 618-622
132	Still	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans	H92, 100, 450
133	Brandom	Specifies that employers subject to certain workers' compensation provisions must be liable to furnish compensation for injury or death of an employee by occupational disease	H92, 100, 154
134	Nasheed	Specifies that the practice of cosmetology cannot include hair braiding and prohibits any person from engaging in hair braiding without being registered with the state and paying a fee	H92, 100, 308

HB No.	Author	Subject	Page Reference
135	Nolte	Extends from no later than 10 years to no later than 20 years the time period in which bonds and other similar instruments which have been authorized to fund the Unemployment Compensation Fund must mature	H92, 100, 245
136	Day	Allows the spouse of certain active military members to be eligible for unemployment benefits and to receive a temporary courtesy license to practice his or her occupation or profession in this state	H93, 100, 199, 369, 406, 499-500, 515, S401, 496, 812, 1101, H1652, 2710-2711, S2098-2099, H2711
137	Thomson	Repeals the authority of certain state university boards to convey or transfer property without authorization from the General Assembly and authorizes the Governor to convey certain state properties	H93, 100, 199, 405, 474, 573, 625-626, S465, 545, 813, 1132-1133, 1146-1147, 1226, 1227-1228, H1735-1736, 2204-2207, S1683, H2710-2711, S2098-2099, H2711
138	Thomson	Establishes the School Construction Act which exempts the construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval	H93, 100, 199, 722, 1172, 1696-1697, 2071-2073, S1530, 1639
139	Smith (150)	Requires the Office of Administration to maintain public school, county, municipal government accountability information and the Governor's travel information on the Missouri Accountability Portal	H93, 100, 154, 298, 333, 427-428, 435, 444, 446-447, S331, 437, 1345, 1524
140	Black	Establishes Susie's Law which prohibits any child younger than 18 years of age from riding as a passenger on any machinery or heavy equipment not manufactured for passengers	H93, 100, 245
141	Black	Renames the Heroes Way Interstate Interchange Designation Program to the Heroes Way Interchange Designation Program and expands the program to include state-numbered highway interchanges	H93, 100, 245, 405, 723, 839, 858-859, S587, 667, 733
142	Gatschenberger	Changes the laws regarding political subdivisions	H93, 100, 199, 435, 474, 573, 626-627, S466, 545, 736, 758, 748, 1072-1091, H1652-1658, 1945, S1357, H1966, 1968, S1478, H1973, 2247, 2527-2529, S1958, 1968-1969, H2579, 2710-2711, S2098-2099, H2711
143	Schoeller	Changes the laws regarding hotline calls reporting suspected child abuse and neglect to the Children's Division within the Department of Social Services	H93, 100, 245, 589, 723, 839, 859-860, S587-588, 667, 1150, 1200
144	Schoeller	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for payments made on a loan obtained to repair certain flood damage to the taxpayer's premises	H93, 100, 367
145	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity	H93, 100, 450
146	Schoeller	Requires licensed chiropractors to be reimbursed under the MO HealthNet Program for providing services currently covered and within the scope of chiropractic practice	H93, 100, 342
147	Cauthorn	Requires the Commissioner of the Office of Administration or other state purchasing agent to buy forest products, bricks, or aluminum produced in Missouri with certain exceptions	H133, 141, 284
148	Nance	Prohibits a residential contractor from advertising or promising to pay or rebate all or any portion of an insurance deductible as an inducement to the sale of goods or services	H133, 141, 199, 379

HB No.	Author	Subject	Page Reference
149	Day	Removes the expiration and termination dates for the provisions which allow an individual or corporation to designate part of a tax refund to the Missouri Military Family Relief Fund	<b>H</b> 133, 141, 199, 405, 474, 573, 627-628, <b>S</b> 466, 545, 812, 1101-1102, <b>H</b> 1658, 2190-2191, <b>S</b> 1673, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
150	Webber	Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours	<b>H</b> 133, 141, 1231
151	Kelly (24)	Authorizes an individual or corporation to designate all or a portion of his or her income tax refund to the Organ Donor Program or to send a separate check with the payment of his or her taxes	<b>H</b> 133, 141, 199, 406, 474, 573, 628-629, <b>S</b> 466, 545, 1343, 1524, 1779, 1781-1782, <b>H</b> 2390, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
152	Kelly (24)	Decreases the individual income tax rate, eliminates corporate income tax, authorizes a sales tax on taxable services, and authorizes the Department of Revenue to establish a sales tax rebate program	<b>H</b> 133, 141, 245
153	Black	Designates a portion of State Highway 8 in St. Francois County as the "Ferlin Huskey Highway"	<b>H</b> 134, 141, 245, 405, 474, 573, 629-630, <b>S</b> 466, 545, 733
154	Black	Changes the laws regarding the Department of Corrections	<b>H</b> 134, 141, 154, 403
155	Black	Requires a coroner to notify the prosecuting attorney of the proper county instead of an associate circuit judge when he or she completes an inquisition regarding a death by a felonious act	<b>H</b> 134, 141, 245
156	Black	Establishes Sam Pratt's Law which authorizes the Department of Health and Senior Services to prohibit unlicensed child care providers from continuing to provide services if there are pending criminal charges	<b>H</b> 134, 141, 154
157	Faith	Prohibits municipal employment contracts from exceeding two years and specifies that, upon resignation or termination of a contract, no employee can receive a payout of more than six months' pay	<b>H</b> 134, 141, 199
158	Barnes	Adds an action for injurious falsehood to the two-year statute of limitations	<b>H</b> 134, 141, 343
159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases	<b>H</b> 134, 141, 343
160	Brandom	Requires co-employees to be released from liability for negligence in performing the nondelegable duty of an employer to provide a safe workplace when the negligence contributes to injury or death	<b>H</b> 134, 141, 154
161	Cox	Changes the laws regarding certain taxes imposed by political subdivisions	<b>H</b> 134, 141, 199, 672, 1173, 1404-1408, 1608, <b>S</b> 1069, 1238, 1346, 1680-1681, <b>H</b> 2243, 2537-2539, <b>S</b> 1960, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
162	Fisher	Changes the laws regarding workers' compensation liability	<b>H</b> 134, 141, 154, 246, 264, 307-308, 340, <b>S</b> 242, 380

HB No.	Author	Subject	Page Reference
163	Fisher	Changes the laws regarding unemployment compensation and makes Missouri eligible to receive extended federal unemployment benefit funds	H134, 141, 190, 209, 237, 260-263, 274-275, S180, 291, 329, 360-361, 376, 463, 659-661, 674-675, H1206-1207, 1220-1224, S694, H1244, S700, H1244, 1269
164	Franz	Changes the age when the juvenile court will have jurisdiction over a child involving a state or local traffic violation from a child up to 15 1/2 years of age to a child up to 15 years of age	H134, 141, 1231
165	Franz	Requires the Missouri Supreme Court standards from September 17, 1996, regarding representation of children by guardians ad litem to be updated	H134, 141, 1231
166	Brandom	Designates the day after Thanksgiving each year as "Native American Day"	H134, 141, 1231
167	Nolte	Requires Missouri driver's license examinations to only be administered in English	H134, 141, 154, 379, 406, 536, 551-553, 565-566, 585-586, S436, 496, 1345, 1677
168	Nolte	Requires any driver's license, commercial driver's license, non-driver's license, or instruction permit issued to a noncitizen who is lawfully present in the U. S. to include a noncitizen status emblem	H135, 141, 199
169	Nolte	Allows public schools to offer courses in ballroom dance which will be treated as a qualified fine arts and a physical education activity for academic credit	H135, 141, 199
170	Nolte	Specifies that an employer subject to certain workers' compensation provisions must be liable to furnish compensation for injury or death of an employee by occupational disease	H135, 141, 154
171	Ruzicka	Allows certain third class cities to cancel any primary election for the office of mayor and councilman	H135, 141, 199, 403, 474, 573, 630-631, S466, 545
172	Ruzicka	Specifies that certain funds placed in an irrevocable trust for funeral services will not be considered an asset when determining eligibility and benefits under certain public assistance programs	H135, 141, 519
173	Koenig	Prohibits limiting the investment of funds by the board of the Missouri Higher Education Savings Program to a specified grouping or list of investment vehicles	H135, 141, 199
174	Thomson	Changes the composition of the Coordinating Board for Higher Education, the University of Missouri Board of Curators, and the Missouri State University Board of Governors	H142, 148, 200, 393, 474, 533-535, 581-582, S435-436, 496, 663, 688, 689-690, H1237, 1290-1292, S751, H1304, S753, H1304, 1739
175	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the senior citizens property tax credit, commonly known as circuit breaker	H142, 148, 809
176	McNeil	Creates the crime of caller identification spoofing when a person places a call knowingly inserting false information into a caller identification system to mislead, defraud, or deceive	H142, 148, 809
177	McNeil	Prohibits political subdivisions from using an automated speed enforcement system to enforce speeding violations within 500 feet of any speed limit sign reducing the limit except in special school zones	H142, 148, 367
178	Nasheed	Authorizes the expungement of certain criminal records	H142, 148, 1231

HB No.	Author	Subject	Page Reference
179	Nasheed	Raises the compulsory school attendance age to 18 in all school districts unless the student has successfully completed 16 credits towards high school graduation	<b>H</b> 142, 148, 308
180	Nasheed	Authorizes an election authority to establish a procedure allowing registered voters to provide an email address to receive information in conjunction with the conduct of elections	<b>H</b> 142, 148, 308
181	Nasheed	Increases the excise tax on cigarettes from 17 cents to 33 cents per pack of 20 cigarettes to be deposited, less a 3% collection fee, into the General Revenue Fund	<b>H</b> 142, 148, 1231
182	Walton Gray	Designates the first Friday in March as "Dress in Blue for Colon Cancer Awareness Day"	<b>H</b> 143, 148, 308, 697, 723, 839, 860-861, <b>S</b> 588, 667, 731, 758, 748, 773-774 <b>H</b> 1374, 1595, <b>S</b> 1067, <b>H</b> 1665, 2049
183	Silvey	Changes the laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City	<b>H</b> 143, 148, 200, 404, 572, 698, 799-800, <b>S</b> 544, 666, 1208, 1536, 1817, <b>H</b> 2390, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
184	Dugger	Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids	<b>H</b> 143, 148, 284, 435, 474, 573, 631-632, <b>S</b> 466-467, 545, 1346, 1782-1783, <b>H</b> 2390, 2550-2552, <b>S</b> 1973, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
185	Loehner	Renames the Joint Committee on Urban Farming to the Joint Committee on Urban Agriculture and changes the expiration date of the provisions regarding the committee to January 1, 2013	<b>H</b> 143, 148, 668
186	Entlicher	Changes the laws regarding county officers	<b>H</b> 143, 148, 200, 403, 474, 573, 632-633, <b>S</b> 467, 545, 736, 748-749, 758, 1091-1092, <b>H</b> 1658, 2188-2189, <b>S</b> 1673, <b>H</b> 2710-2711, <b>S</b> 2098-2099 <b>H</b> 2711
187	Conway (27)	Repeals the provision that requires a political party's emblem to be printed on an election ballot above the party caption	<b>H</b> 143, 148, 245, 502, 572, 698, 800-801, <b>S</b> 544, 666
188	Molendorp	Adds Cass County to the list of counties authorized to enact nuisance abatement ordinances regarding the condition of real property	<b>H</b> 143, 148, 450
189	Ruzicka	Repeals the provision which prohibits expanded polypropylene coolers from being on or within 50 feet of any river in this state except for certain specified rivers and areas	<b>H</b> 143, 148, 200, 404, 474, 573, 633-634, <b>S</b> 467, 545
190	Ruzicka	Authorizes divisions within the Department of Natural Resources to receive funds to be placed in a revolving fund for the purpose of cash transactions involving the sale of items made by the divisions	<b>H</b> 143, 148, 200, 405, 474, 573, 634, 652-653, <b>S</b> 474, 545, 1152, <b>S</b> 1326-1327, <b>H</b> 1862, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
191	Ruzicka	Authorizes the State Treasurer to deposit all moneys in the State Park Earnings Fund in any qualified depository of the state and requires these deposits to be secured in a manner provided by law	<b>H</b> 143, 148, 200
192	Jones (89)	Changes the laws regarding environmental protection programs	<b>H</b> 143, 148, 200, 607, 723, 835-836, 906, 916, 1157-1159, <b>S</b> 664-665, 737

HB No.	Author	Subject	Page Reference
193	Diehl	Changes the composition of Congressional districts based on the 2010 census	<b>H</b> 155, 163, 200, 851, 918-1136, 1145-1146, <b>S</b> 637, 668, 674, 686, 702-703, 716-717, <b>H</b> 1275, <b>S</b> 750, 788, <b>H</b> 1412, <b>S</b> 796, 800, <b>H</b> 1422, 1644-1647, <b>S</b> 1171-1173, <b>H</b> 1648, <b>S</b> 1192, <b>H</b> 1648, -1739, 1805-1807, <b>S</b> 1325-1326, <b>H</b> 1862
194	Molendorp	Authorizes Cass County to establish a county municipal court	<b>H</b> 155, 163, 450
195	Koenig	Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to allow the teaching of scientific theories of biological or chemical evolution	<b>H</b> 155, 163, 1231
196	Jones (63)	Extends the expiration date on the provisions regarding the Missouri Rx Plan from August 28, 2011, to August 28, 2016	<b>H</b> 155, 163, 200, 418
197	Jones (63)	Requires the Department of Health and Senior Services to post on its web site resources relating to umbilical cord blood	<b>H</b> 156, 163, 343, 570, 723, 839, 861-862, <b>S</b> 588, 667, 1150, 1200, <b>H</b> 1687, 2210-2211 <b>S</b> 1683, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
198	Denison	Designates December 25 of each year as "Christmas Day"	<b>H</b> 156, 163, 245
199	Kelley (126)	Specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment	<b>H</b> 156, 163, 284, 472, 723, 839, 862-863, <b>S</b> 588, 667, 1151, 1202, <b>H</b> 1687, 2710-2711, <b>S</b> 2098-2099 <b>H</b> 2711
200	Kelley (126)	Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate	<b>H</b> 156, 163, 367, 1416, 1794, 2634
201	Sater	Authorizes the MO HealthNet Division to implement a statewide dental delivery system to ensure recipient participation and access to providers of dental services under MO HealthNet	<b>H</b> 156, 163, 245
202	Hoskins (121)	Specifies that for two years the daily expense allowance for members of the General Assembly will be the same as the rate in effect on September 30, 2010, and cannot be increased	<b>H</b> 156, 163, 367
203	Hoskins (121)	Adds professional therapy dogs to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled individual	<b>H</b> 156, 163, 200
204	Hoskins (121)	Allows a resident who is on active military duty to renew his or her expired driver's license without a complete examination if the renewal is made within a specified time from discharge or residency	<b>H</b> 156, 163, 200, 405, 474, 573, 653-654, <b>S</b> 474, 545, 733, 765, <b>S</b> 1206-1207, <b>H</b> 1680, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
205	Elmer	Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law and establishes the Whistleblower Protection Act	<b>H</b> 156, 163, 200, 357, 393, 430-434, 449-450, <b>S</b> 331-332, 495
206	Meadows	Specifies that a business entity or employer who knowingly hires an illegal immigrant to perform work within the state will be subject to a \$50,000 fine in addition to any other penalty provided by law	<b>H</b> 156, 163, 1231
207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone	<b>H</b> 156, 163, 368

HB No.	Author	Subject	Page Reference
208	Meadows	Prohibits certain persons from being appointed to the Regional Taxicab Commission, removes the requirement that four of the members be chosen from the industry, and establishes an advisory committee	<b>H</b> 156, 163, 368
209	Guernsey	Changes the laws regarding county nuisance abatement ordinances, junkyards, and private nuisance actions	<b>H</b> 157, 163, 200, 289, 333, 416-417, 428, 447-448, <b>S</b> 331, 495, 663, 689, 691, 692-694, <b>H</b> 1238, 1289-1290, <b>S</b> 750-751 <b>H</b> 1304, <b>S</b> 753, <b>H</b> 1304, <b>H</b> 1740-1741
210	Molendorp	Changes the laws regarding the board of directors of public water supply districts	<b>H</b> 157, 163, 450
211	Koenig	Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law	<b>H</b> 157, 163, 200, 837, 1173, 1215-1217, 1281, <b>S</b> 739, 751
212	Thomson	Changes the laws regarding the annual certification fee that a proprietary school must pay	<b>H</b> 157, 163, 285, 837, 1418
213	Jones (89)	Specifies that no abortion of a viable, unborn child can be performed or induced except in certain specified situations	<b>H</b> 157, 163, 200, 379, 453, 566-568, 602-604, 606, 615, 682-684, <b>S</b> 506, 546, 1674, 1714, 1779, 1897, 1898-1899, <b>H</b> 2469, 2560-2563, <b>S</b> 1975, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
214	Zerr	Changes the laws regarding human trafficking	<b>H</b> 157, 163, 200, 379, 406, 500-502, 515-516, <b>S</b> 402, 496, 1151, 1204-1205, 1687, <b>H</b> 2199-2200, <b>S</b> 1676, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
215	Gatschenberger	Allows a resident of Missouri to purchase a firearm in any state, increases to five years the period that a concealed carry endorsement is valid, and lowers the age to obtain an endorsement to 21 years	<b>H</b> 157, 163, 200, 521
216	Barnes	Prohibits the Missouri Public Service Commission from approving any tariff of an electrical corporation that establishes a single customer class if the customer is an aluminum smelting facility	<b>H</b> 164, 169, 2712
217	Dugger	Allows an election authority to use an electronic voter identification system or electronic signature pad to verify voter identification information at any polling place	<b>H</b> 164, 169, 200, 403, 474, 573, 656-657, <b>S</b> 475, 545, 812, 1102-1103, <b>H</b> 1658, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
218	Cox	Allows a senior judge or senior commissioner to elect to forgo his or her regular salary and receive only the minimum wage during times of budget stress	<b>H</b> 164, 169, 200
219	Kelly (24)	Changes the laws regarding background checks for school employees	<b>H</b> 164, 169, 200
220	Smith (150)	Specifies that the ordering of a report or an inspection alone will not constitute selecting or engaging a person regarding a real estate licensee's immunity from liability for certain expert statements	<b>H</b> 164, 169, 200, 538, 724, 839, 863-864, <b>S</b> 588, 667, 812, 1103-1128, <b>H</b> 1658, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
221	McNary	Specifies that an employer or his or her employee will not be liable for any injury or death for which compensation is recoverable under the provisions regarding workers' compensation	<b>H</b> 164, 169, 246

HB No.	Author	Subject	Page Reference
222	Schneider	Increases the number of years before certain newly constructed residential property is assessed for property taxation from the second year to the fourth year following the year construction was completed	<b>H164</b> , 169, 246
223	Wallingford	Establishes the Nursing Education Incentive Program and authorizes a nonrenewable advanced placement grant to certain recipients of financial aid under the A+ Schools or Access Missouri programs	<b>H164</b> , 169, 343, 522, 838, 1194-1195, 1231, 1274, 1278, <b>S739</b> , 751, 1674, 1897-1898, <b>H2457</b> , 2710-2711, <b>S2098-2099</b> , <b>H2711</b>
224	Allen	Prohibits the MO HealthNet Division from discriminating between a licensed marital and family therapist and a licensed professional counselor when establishing rules for payment of services	<b>H164</b> , 169, 200
225	Brandom	Adds blunt wraps to the list of items in the definition of "drug paraphernalia" as it relates to the regulation of drugs	<b>H164</b> , 169, 200, 459
226	Richardson	Removes the 10-year limitation that an outstanding obligation under a financial agreement between the Board of Unemployment Fund Financing and a lender can continue	<b>H164</b> , 169, 200
227	Wyatt	Specifies that the Missouri Supreme Court child support guidelines must require income documentation and changes the provisions regarding child support when the parents have joint physical custody	<b>H164</b> , 169, 246
228	Schoeller	Changes the laws regarding billboards	<b>H190</b> , 197, 343
229	Curls	Changes the laws regarding the Public School Retirement System of Kansas City	<b>H190</b> , 197, 285, 404, 523, 607, 661-662, <b>S476</b> , 545, 736, 758, 748, 1072, <b>H1615</b> , 2710-2711, <b>S2098-2099</b> , <b>H2711</b> ,
230	Davis	Changes the laws regarding the Missouri Uniform Trust Code	<b>H190</b> , 197, 1231
231	Thomson	Requires the Department of Higher Education to make available a nonrenewable advanced placement grant of \$500 to certain recipients of financial aid under the A+ Schools or Access Missouri programs	<b>H190</b> , 197, 285, 522
232	Thomson	Extends eligibility for the A+ Schools Program to Missouri public high school students who have an expected family contribution to college expenses at a level determined by the Department of Higher Education	<b>H190</b> , 197, 285
233	Lant	Changes the laws regarding unlawful picketing or protesting of a funeral	<b>H190</b> , 197, 246, 379
234	Kander	Requires law enforcement agencies maintaining the Missouri Uniform Law Enforcement System (MULES) to include certain child custody and visitation information when entering an order of protection	<b>H190</b> , 197, 343
235	Kelly (24)	Prohibits the Department of Revenue from selling or disclosing certain driver record information	<b>H190</b> , 197, 200
236	Kelly (24)	Extends the expiration date of various federal reimbursement allowances from September 30, 2011, to September 30, 2016	<b>H191</b> , 197, 216, 310
237	Zimmerman	Changes the laws regarding ethics, lobbying, and campaign contributions	<b>H191</b> , 197, 1231
238	Kander	Allows a spouse of an active member of the United States Armed Forces or reservist on active duty to be eligible for unemployment benefits if accompanying the military spouse in the event of a military move	<b>H191</b> , 197, 368



HB No.	Author	Subject	Page Reference
239	Kander	Establishes the Veteran Workforce Act which requires the Office of Administration to develop rules and regulations ensuring a uniform hiring preference for veterans, disabled veterans, and their spouses	<b>H</b> 191, 197, 343, 637
240	Fallert	Requires anyone requesting 50 or more voter registration applications to provide certain information to the Office of the Secretary of State	<b>H</b> 191, 197, 246
241	Fallert	Allows a person employed by a public school for 17 hours or less per week to work at another public school if the total does not exceed 17 but cannot be combined to establish eligibility for retirement	<b>H</b> 191, 197, 246, 486
242	Fallert	Prohibits any person, except law enforcement and emergency personnel, from climbing on or standing or working atop any tanker trailer stopped along a highway unless proper safety precautions are taken	<b>H</b> 191, 197, 285
243	Still	Changes the composition of the University of Missouri Board of Curators	<b>H</b> 191, 197, 809
244	Still	Changes the composition of the University of Missouri Board of Curators	<b>H</b> 191, 197, 809
245	Newman	Allows voters to cast advance ballots	<b>H</b> 191, 197, 343
246	Shively	Revises the definition of "dollar-value modifier" for school funding formula purposes by setting it at a value of 1.0 for all districts	<b>H</b> 191, 197, 368
247	Kelley (126)	Creates the crime of false identification to a law enforcement officer	<b>H</b> 191, 197, 285
248	McNeil	Authorizes an income tax deduction for 100% of tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college	<b>H</b> 191, 197, 285
249	Fitzwater	Designates April 30 of each year as "Vietnam Veterans Day"	<b>H</b> 192, 197, 668
250	Cox	Changes the laws regarding water well regulations	<b>H</b> 192, 197, 285, 405, 474, 573, 654-656, <b>S</b> 474-475, 545, 1152, 1327, <b>H</b> 1862, 2599, <b>S</b> 1994, 2000, <b>H</b> 2645, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
251	Cox	Specifies that tax credits for qualified film production projects will expire December 31, 2011	<b>H</b> 192, 197, 368
252	Cox	Establishes the Business Premises Safety Act	<b>H</b> 192, 197, 285, 537, 572, 647-648, 686-687, <b>S</b> 507, 546
253	Cox	Changes the laws regarding judicial procedures	<b>H</b> 192, 197, 285, 837
254	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account	<b>H</b> 192, 197, 285
255	Cox	Establishes the Private Attorney Retention Act which specifies the procedures state agencies or agents must follow when retaining a lawyer or law firm to perform legal services under certain conditions	<b>H</b> 192, 197, 285
256	Cox	Extends the expiration date of the provisions regarding the Basic Civil Legal Services Fund from December 31, 2012, to December 31, 2018	<b>H</b> 192, 197, 285, 418, 724, 839, 864-865, <b>S</b> 588-589, 667, 1151, 1202-1203, <b>H</b> 1688, 2197-2198, <b>S</b> 1676, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711

HB No.	Author	Subject	Page Reference
257	Cox	Repeals the provisions regarding the Sentencing Advisory Commission	<b>H</b> 192, 197, 285, 537, 1173, 1218, 1283, <b>S</b> 740, 751
258	Cox	Prohibits beer brewers or manufacturers from having any interest in the license, business, assets, or corporate stock of a liquor wholesaler with certain exceptions	<b>H</b> 192, 197, 285
259	Cox	Authorizes a public body to close certain foster care licensure data and requires the Division of Family Services to prepare a detailed report of specific information obtained in the licensure process	<b>H</b> 192, 197, 285, 589, 724, 839, 865-866, <b>S</b> 589, 667
260	Cox	Repeals and re-enacts provisions regarding the Uniform Interstate Family Support Act to be consistent with the changes adopted by the National Conference of Commissioners on Uniform State Laws	<b>H</b> 192, 197, 285, 554, 724, 839, 866-867, <b>S</b> 589, 667, 1151, 1203-1204, <b>H</b> 1688, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
261	Barnes	Removes the requirement that a decision regarding placing a teacher on leave must consider the teacher's seniority	<b>H</b> 192, 197, 1231
262	Smith (150)	Establishes the Foreign Health Insurance Purchase Act which allows Missouri residents to purchase or enroll in a health insurance policy or health benefit plan that is licensed in certain other states	<b>H</b> 192, 197, 200
263	Weter	Revises the monthly retirement allowance reduction for certain retirees of the Missouri Local Government Employees' Retirement System electing a partial lump-sum distribution	<b>H</b> 202, 208, 246, 404, 572, 698, 801-802, <b>S</b> 544, 667
264	Nolte	Changes the laws regarding the Manufacturing Jobs Act	<b>H</b> 202, 208, 343, 453, 724, 839, 867-868, <b>S</b> 589, 667
265	Smith (150)	Changes the laws regarding professional registration	<b>H</b> 202, 208, 246, 538, 724, 839, 868-869, <b>S</b> 589-590, 667, 1344, 1646-1671, 1921, 1929, <b>H</b> 2502-2519, 2570-2571, <b>S</b> 1975, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
266	Smith (150)	Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways	<b>H</b> 202, 208, 246, 417, 523, 547, 547-549, 568, 583-584, <b>S</b> 436, 496
267	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings	<b>H</b> 202, 208, 450
268	Lasater	Prohibits any person or business from engaging in blasting, excavating, or mining within one mile of a business or residential area	<b>H</b> 202, 208, 439
269	Molendorp	Adds certain not-for-profit organizations to the term "public entity" as it relates to tort immunity and limits the state's liability in tort claims involving motor vehicles and dangerous conditions	<b>H</b> 202, 208, 450
270	Burlison	Changes the laws regarding health insurance benefits for state employees	<b>H</b> 202, 208, 343, 636, 724, 839, 869-870, <b>S</b> 590, 667, 731-732, 751, 808, 1061-1062, <b>H</b> 1615-1616, 2186-2187, <b>S</b> 1673, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
271	Burlison	Lowers the age at which a person can obtain a concealed carry endorsement from 23 to 21 years of age	<b>H</b> 202, 208, 285, 521

HB No.	Author	Subject	Page Reference
272	Kirkton	Increases the number of members on the MO HealthNet Oversight Committee from 18 to 19 by adding a licensed or registered nurse who cares for participants in the MO HealthNet Program	<b>H</b> 202, 208, 343, 435, 724, 839, 870-871, <b>S</b> 590, 667
273	Allen	Defines "cyberbullying" as it relates to the antibullying policy that school districts must adopt and establishes specific requirements for each school district in implementing the policy	<b>H</b> 202, 208, 246
274	Bahr	Changes the laws regarding unlawful picketing or protesting of a funeral	<b>H</b> 202, 208, 246, 379
275	Franz	Specifies certain employee rights as they relate to labor organizations	<b>H</b> 202, 208, 2712
276	Franz	Changes the laws regarding unlawful picketing or protesting of a funeral	<b>H</b> 202, 208, 246, 379, 406, 470-471, 483, 512-513, <b>S</b> 401, 495
277	Franz	Requires the local offices and resident hunting and fishing permit vendors of the Department of Conservation to make a voter registration application form available to a resident permit applicant	<b>H</b> 202, 208, 246
278	McNeil	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement	<b>H</b> 203, 208, 343
279	Solon	Increases, from \$15,000 to \$125,000, the amount of equity in a homestead that can be exempt from attachment in a bankruptcy proceeding when the person is 62 years of age or older	<b>H</b> 203, 208, 285
280	Frederick	Prohibits a health carrier or benefit plan from denying reimbursement for providing diagnostic imaging services based solely on the licensed physician's specialty or professional board certification	<b>H</b> 203, 208, 246
281	Kelley (126)	Changes the laws regarding the Puppy Mill Cruelty Prevention Act	<b>H</b> 203, 208, 285
282	Franz	Changes the laws regarding public employee retirement	<b>H</b> 203, 208, 246, 404, 523, 607, 662-663, <b>S</b> 476, 546, 1150, 1200, 1350-1351, 1357-1358, <b>H</b> 1966-1967, 2219-2220, <b>S</b> 1683, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
283	Rowland	Requires proof of identity and proof of United States citizenship for the office of President and Vice President to be submitted with the other required certification documents to the Secretary of State	<b>H</b> 203, 208, 343
284	McNary	Changes the type of cooler, from expanded polypropylene to expanded polystyrene, that a person is not allowed to possess on or within 50 feet of any river except for certain specified rivers and areas	<b>H</b> 203, 208, 285
285	Fitzwater	Classifies certain sawmills and planing mills as agricultural and horticultural property instead of commercial property for property taxation purposes	<b>H</b> 209, 216, 369
286	Barnes	Authorizes a check-off box for the newly created American Red Cross Trust Fund to be added to the individual and corporate income tax forms and allows for a separate check donation with tax payment	<b>H</b> 209, 216, 343
287	Brandom	Changes the laws regarding health care professional identification badges to include the employee's name, title, recent photograph, and the name of the health care facility or organization	<b>H</b> 209, 216, 285, 538, 573, 698, 802-803, <b>S</b> 544, 667

HB No.	Author	Subject	Page Reference
288	Lair	Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court	<b>H209</b> , 216, 1231
289	Lair	Specifies that no person will be eligible to run or to be selected to fill a vacancy for the office of county sheriff unless he or she holds a valid peace officer license	<b>H209</b> , 216, 1231
290	Gatschenberger	Changes the laws regarding political subdivisions	<b>H209</b> , 216, 308, 1685
291	Denison	Requires window stickers to show current motor vehicle registration instead of license plate tabs	<b>H209</b> , 216, 368, 672, 838, 916, 1148, 1184, 1185-1186, <b>S681</b> , 737
292	Schneider	Prohibits state certified and state licensed real estate appraisers from using a property's foreclosure price as a comparable property when developing an appraisal	<b>H209</b> , 216, 246
293	Schneider	Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months	<b>H209</b> , 216, 519
294	Riddle	Changes the laws regarding firearms, ammunition, and concealed carry endorsements	<b>H210</b> , 216, 285, 521, 573, 648-649, 649-652, 684-686, <b>S506</b> , 546, 1151, 1231-1232, 1721-1722, <b>H2391</b> , 2641-2644, <b>S2014</b> , <b>H2710</b> -2711, <b>S2098</b> -2099, <b>H2711</b>
295	Hinson	Specifies that any infectious disease which causes a condition of impaired health resulting in a disability or death of certain fire fighters will be presumed to have been incurred in the line of duty	<b>H210</b> , 216, 343
296	Curls	Establishes the Contract for Deed Act regarding transactions involving an executory contract for the conveyance of real property	<b>H210</b> , 216, 1231
297	Riddle	Revises the crime of abuse of a child to include knowingly inflicting cruel or excessive punishment upon a child younger than 17 years of age or knowingly causing physical injury by any means	<b>H210</b> , 216, 343
298	Fitzwater	Authorizes the governing body of any hospital district in Iron County to impose, upon voter approval, a local sales tax of up to 1% in lieu of a property tax to fund the hospital district	<b>H210</b> , 216, 668
299	Lichtenegger	Allows the Land Reclamation Commission to deny a mining permit if the affected land is within one mile of a school, child care facility, church, nursing home, public building, or cemetery	<b>H223</b> , 233, 451
300	Gatschenberger	Establishes the Interscholastic Youth Sports Brain Injury Prevention Act which requires the Department of Health and Senior Services to develop guidelines on the risk of concussion and brain injury	<b>H223</b> , 233, 343, 570, 1205, 1263-1264, 1288, <b>S750</b> , 814, 1674, 1813-1814, <b>H2391</b> , 2552-2554, <b>S1973</b> , <b>H2710</b> -2711, <b>S2098</b> -2099, <b>H2711</b>
301	Talboy	Changes the laws regarding midwifery	<b>H223</b> , 233, 285
302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process	<b>H223</b> , 233, 285
303	Day	Changes the laws regarding members of the military, military spouses, and veterans	<b>H223</b> , 233, 246, 637, 1173
304	Black	Authorizes an income tax credit for certain public safety officers	<b>H223</b> , 233, 285

HB No.	Author	Subject	Page Reference
305	Gatschenberger	Establishes the 2011 State Employee Retirement Incentive Program	<b>H223</b> , 233, 343, 672, 1173, 1219-1220, 1284-1285
306	Gatschenberger	Prohibits a person from using a hand-held electronic wireless communications device while operating a motor vehicle within a construction zone with certain exceptions	<b>H223</b> , 233, 343
307	Gatschenberger	Allows the Department of Revenue to issue specified special license plates for any vehicle except an apportioned motor vehicle or a commercial motor vehicle in excess of 18,000 pounds gross weight	<b>H223</b> , 233, 343, 591, 724, 839, 871-872, <b>S590</b> , 667, 733, 765, 768-769, <b>H1374</b> , 2179-2181, <b>S1673</b> , <b>H2710</b> -2711, <b>S2098</b> -2099, <b>H2711</b>
308	Black	Prohibits an offender in the custody of the Department of Corrections from making a false report against any department employee for the purpose of implicating an employee in a crime	<b>H223</b> , 233, 1231
309	Black	Creates the Law Enforcement Safety Fund and authorizes a \$7 surcharge in certain criminal cases to fund a contribution system for certain law enforcement employees	<b>H223</b> , 233, 1231
310	Gatschenberger	Establishes the State Authority and Federal Tax Fund Act and reasserts the state's authority under the Tenth Amendment to the United States Constitution	<b>H223</b> , 233, 451
311	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors	<b>H223</b> , 233, 343
312	Gatschenberger	Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received	<b>H223</b> , 233, 343
313	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act	<b>H224</b> , 233, 368
314	Wells	Repeals a school district's authority to set policies that allow the use of tobacco products in certain school areas and prohibits smoking and use of tobacco products on all school property and school buses	<b>H224</b> , 233, 343
315	McNary	Changes the provisions of the Revised Statutes of Missouri that have been enacted in more than one bill so that there is only one version of a statute	<b>H224</b> , 233, 246, 403, 523, 607, 663-664, <b>S476</b> -478, 546, 1151, 1232-1234, <b>H1736</b> , 2710-2711, <b>S2098</b> -2099, <b>H2711</b>
316	Kelly (24)	Changes the laws regarding the collection of money owed the state and establishes the State Debt Collections Act	<b>H224</b> , 233, 246, 405
317	Colona	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance	<b>H237</b> , 243, 451
318	Brandom	Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue	<b>H237</b> , 243, 451
319	Fisher	Changes the laws regarding contracts for public construction projects which are funded in any amount with public funds	<b>H237</b> , 243, 285
320	Fisher	Changes the laws regarding Missouri's prevailing wage as it relates to public works construction	<b>H237</b> , 243, 285
321	Walton Gray	Designates July 3 of each year as "Organ Donor Recognition Day"	<b>H237</b> , 243, 343

HB No.	Author	Subject	Page Reference
322	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink on the premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.	H237, 243, 343
323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan	H238, 243, 343
324	Walton Gray	Specifies that a state employee who works 10-hour days and 40 hours per week is not required to take two hours of vacation leave for paid holidays	H238, 243, 451
325	Cauthorn	Allows a person to hand fish for catfish or carp during June and July within all Missouri waters open for hook-and-line fishing of these fish	H238, 243, 2712
326	Burlison	Prohibits state licensed professional counselors from being taxed or made liable to pay any municipal or corporation tax or license fee for the privilege of practicing the profession	H238, 243, 285
327	Wallingford	Removes the requirement that the circuit court in Cape Girardeau must hold court and maintain an office of the probate division in the courthouses in Jackson and Cape Girardeau but allows them to do so	H238, 243, 343, 672, 724, 839, 872-873, S590, 667
328	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs	H238, 243, 343
329	Diehl	Establishes an advance voting period and requires a voter to present an approved form of personal identification to vote at an election	H238, 243, 285, 379, 406
330	Franz	Allows an applicant registering any property-carrying commercial vehicle weighing 12,000 pounds or more to request and be issued two license plates for the vehicle	H238, 243, 285
331	Franz	Requires all federally licensed firearm dealers to waive the National Instant Criminal Background Check System requirement for a purchaser who possesses a valid concealed carry endorsement	H238, 243, 285
332	Franz	Expands the Puppy Mill Cruelty Prevention Act to apply to humane societies and exempts shelters, pounds, kennels, pet shops, dealers, facilities, and breeders licensed prior to November 2, 2011	H238, 243, 285
333	Shumake	Allows religious books to be used in public schools in certain situations as long as they are used in a manner that does not violate the Establishment Clause of the United States Constitution	H238, 243, 343
334	Barnes	Requires the development and implementation of an interscholastic athletic head injury safety training program by the 2012-2013 school year	H238, 243, 343, 570
335	Burlison	Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes	H238, 243, 343
336	Burlison	Authorizes an income tax credit for the eligible costs of bringing certain sporting events to Missouri	H238, 243, 343, 569, 724, 847, 1160-1161, S665, 737, 1152, 1249
337	Wells	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting	H239, 243, 451, 694

HB No.	Author	Subject	Page Reference
338	Pollock	Specifies that a telecommunications company may elect to be exempt from certain rules if giving written notice to the Missouri Public Service Commission	<b>H</b> 239, 243, 285, 405, 474, 573, 657-658, <b>S</b> 475, 545, 734, 766, 1351-1352, <b>H</b> 1943, 2215-2216, <b>S</b> 1683, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
339	Pollock	Changes the laws regarding telecommunications as they relate to the carrier of last resort obligations	<b>H</b> 239, 243, 285, 380, 523, 549-551, 584-585, <b>S</b> 436, 496, 734, 766-767, 1203, 1205-1206, <b>H</b> 1680-1681, 1681-1683, <b>H</b> 2099, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
340	Klippenstein	Allows counties of any classification to erect and maintain a jail or holding cell facility at a site other than the county seat and changes the laws regarding the circuit court in Cape Girardeau County	<b>H</b> 247, 258, 343, 521, 573, 698, 803-805, <b>S</b> 545, 667, 1152, 1249-1251, <b>H</b> 1797, 2212-2214, <b>S</b> 1683, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
341	Riddle	Repeals the provisions regarding the filing of a petition for the removal of a disqualification for certain individuals from purchasing, possessing, or transferring a firearm and establishes new provisions	<b>H</b> 247, 258, 343
342	Still	Increases the excise tax on cigarettes from 17 cents to \$1.17 per pack of 20 cigarettes upon voter approval	<b>H</b> 247, 258, 1231
343	Still	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 12.5 cents per pack per year for eight years until the excise tax on cigarettes reaches \$1.17 per pack	<b>H</b> 247, 258, 1231
344	Guernsey	Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program	<b>H</b> 247, 258, 451, 537, 573, 698, 805-806, <b>S</b> 564, 667, 1675, 1934, <b>H</b> 2543, 2565-2567, <b>S</b> 1975, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
345	Guernsey	Allows the Missouri Agricultural and Small Business Development Authority to make loan guarantees to certain agribusinesses under the Agricultural Product Utilization and Business Development Loan Program	<b>H</b> 247, 258, 451
346	Guernsey	Exempts the sale of captive wildlife and the sale of feed for captive wildlife from state and local sales and use taxes	<b>H</b> 247, 258, 451
347	Kirkton	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application	<b>H</b> 247, 258, 343
348	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay	<b>H</b> 247, 258, 343
349	Newman	Changes the laws regarding equal employment practices	<b>H</b> 247, 258, 368
350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program	<b>H</b> 248, 258, 368
351	McNeil	Allows an election authority to randomly select individuals from a cross-section of voter registrations to serve as election judges if there is a shortage of election judges in the authority's jurisdiction	<b>H</b> 248, 258, 1231
352	Wallingford	Establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education	<b>H</b> 248, 258, 451

HB No.	Author	Subject	Page Reference
353	Wyatt	Requires an insurance producer's license to be suspended, revoked, or denied issuance or renewal if the producer fails to pay personal property taxes, county real estate taxes, or income taxes	<b>H</b> 248, 258, 343, 488
354	Faith	Exempts a qualified plug-in electric drive vehicle from the state's motor vehicle emissions inspection program	<b>H</b> 248, 258, 451, 636, 724, 839, 914, <b>S</b> 636, 668, 733, 764-765 <b>H</b> 1374, 1595, <b>S</b> 1067, <b>H</b> 1665 2049
355	Faith	Requires every applicant for a motorcycle license or endorsement to show proof that he or she has successfully completed an approved motorcycle training course	<b>H</b> 248, 258, 1232
356	Phillips	Expands the crime of making a false declaration with the purpose to mislead a public servant in the performance of his or her duty	<b>H</b> 248, 258, 343
357	Leara	Changes the laws regarding enhanced enterprise zones	<b>H</b> 248, 258, 343, 824, 1173, 1230, 1286-1287, <b>S</b> 740, 751
358	Leara	Changes the laws regarding the Police Retirement System of St. Louis	<b>H</b> 248, 258, 343, 404, 523, 607, 664-665, <b>S</b> 478, 546, 663, 688-689, <b>H</b> 1238, 1304, <b>S</b> 753, <b>H</b> 1304, 1741
359	Leara	Establishes the Payday Loan Protection Act regarding unsecured loans of \$500 or less, commonly known as payday loans	<b>H</b> 248, 258, 451
360	Leara	Allows a retiree of the Missouri Local Government Employees' Retirement System to have health insurance or long-term care insurance premiums deducted from his or her retirement allowance	<b>H</b> 248, 258, 343, 404, 523, 607, 665-666, <b>S</b> 478, 546
361	Leara	Establishes the Missouri Firearms Freedom Act	<b>H</b> 248, 258, 343, 379, 573, 668, 693, <b>S</b> 508, 546, 1152, 1234
362	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return	<b>H</b> 248, 258, 343
363	Colona	Designates a portion of Interstate 44 in the City of St. Louis as the "Officer David Haynes Memorial Highway"	<b>H</b> 248, 258, 343, 436, 475, 573, 658-659, <b>S</b> 475, 545, 733
364	Parkinson	Changes the determination of a defendant's liability in a tort action for damages by specifying that the liability of each defendant for compensatory or punitive damages must be several and cannot be joint	<b>H</b> 248, 258, 308, 393, 673, 1265, 1295
365	Funderburk	Changes the laws regarding unlawful picketing or protesting of a funeral	<b>H</b> 249, 258, 1232
366	Silvey	Changes the laws regarding economic development	<b>H</b> 249, 258, 285, 824, 1173, 1384-1395, 1395, 1416, 1601, 1606, <b>S</b> 1068-1069, 1238, 1346, 1524
367	Meadows	Establishes provisions regulating amateur unarmed combat competitions	<b>H</b> 249, 258, 343
368	Meadows	Requires the Missouri Veterans Commission to issue an identification card to each veteran in the state who applies and provides proof of his or her military service	<b>H</b> 249, 258, 343
369	Gatschenberger	Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of water lines due to failure	<b>H</b> 249, 258, 309, 570, 724, 839, 873-874, <b>S</b> 590-591, 667



HB No.	Author	Subject	Page Reference
370	Carter	Establishes two prostate cancer pilot programs to fund prostate cancer screening and treatment services and to provide education to men residing in the state	H249, 258, 1232
371	Fitzwater	Establishes minimum salary requirements for all corrections officers and supervisors	H249, 258, 668
372	Smith (150)	Requires a school district offering federal Title I education services to offer the same services to students who would be eligible if their family income wasn't above the qualifying level	H264, 273, 343
373	Faith	Authorizes an officer designated as the director of elections in a charter county to be the election authority if the county does not have a board of election commissioners	H264, 273, 1232
374	Barnes	Establishes the Missouri False Claims Act	H264, 273, 368
375	Zimmerman	Allows any registered voter who is eligible to vote in a particular election to do so by absentee ballot without being required to state a reason	H264, 273, 668
376	Zimmerman	Expands the No-call List to include cell phone numbers, prohibits sending unsolicited faxes or text messages, and prohibits using automatic dialing announcing devices in certain situations	H265, 273, 1232
377	Zimmerman	Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions	H265, 273, 668
378	Zimmerman	Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees	H265, 273, 1232
379	Zimmerman	Changes the laws regarding the use of paper ballot cards at elections	H265, 273, 1232
380	Zimmerman	Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor	H265, 273, 1232
381	Zimmerman	Allows any political subdivision to conduct ranked-choice voting in certain elections	H265, 273, 1232
382	Zimmerman	Allows any registered voter who is eligible to vote in a particular election to do so by absentee ballot without being required to state a reason	H265, 273, 668
383	Pace	Changes the laws regarding assault and tampering crimes against public workers and judicial officers	H278, 284, 309
384	Black	Requires a person incarcerated for a sexual assault offense to successfully complete all treatment, education, and rehabilitation programs prior to being eligible for parole or conditional release	H278, 284, 344
385	Faith	Extends the expiration date for an income tax credit for a contribution to a pregnancy resource center to August 28, 2023	H278, 284, 451
386	Nance	Increases the amount in controversy from less than \$3,000 to less than \$5,000 for a case where the judge of a small claims court will have original jurisdiction	H278, 284, 451
387	Wyatt	Establishes the Youth Athlete Brain Injury Prevention Act	H278, 284, 344, 570
388	Burlison	Removes the provisions requiring the Department of Health and Senior Services to provide information to physicians to give to breast implantation patients regarding advantages, disadvantages, and risks	H278, 284, 344, 636, 724, 839, 874-875, S591, 667, 731, 758, 748, 774-775, H1375, 2182-2183, S1673, H2710-2711, S2098-2099, H2711

HB No.	Author	Subject	Page Reference
389	Holsman	Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of grantees	H278, 284, 1232
390	Holsman	Establishes the KidCare Co-op Program, a public option, nonprofit health insurance cooperative, to provide affordable health insurance to children through 18 years of age	H278, 284, 1232
391	Holsman	Adds home nursing visits for newborn infants including follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program	H278, 284, 1232
392	White	Establishes the Adult Health Care Consent Act which provides for a priority of persons who can make health care decisions for an individual who is unable to consent to his or her own health care	H286, 289, 368
393	Jones (89)	Establishes the Parent Empowerment and Choice Act or the Parent Trigger Act which allows parents under certain circumstances to invoke interventions for a struggling school	H286, 289, 344
394	Cookson	Allows the owner of a property-carrying commercial motor vehicle to request and be issued two license plates	H286, 289, 344
395	Cookson	Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more	H286, 289, 344
396	Diehl	Removes the provision specifying that the \$4 surcharge assessed in certain criminal cases will not be collected from any person who has pled guilty and paid a fine through the central violations bureau	H286, 289, 451
397	Diehl	Changes the laws regarding failure to timely pay a sales representative his or her earned sales commissions	H286, 289, 451
398	Diehl	Changes the laws regarding powers of attorney, the Missouri Uniform Trust Code, and the Uniform Principal and Income Act	H286, 289, 519, 837
399	Diehl	Changes the laws regarding the Missouri Uniform Trust Code	H286, 289, 519
400	Diehl	Changes the laws regarding the imposition of a transient guest tax	H286, 289, 451
401	Diehl	Changes the laws regarding unclaimed property	H286, 289, 368, 537, 607, 754, 838
402	Diehl	Increases the extent of acreage authorized for a lien on property to secure payment for work performed by an architect, engineer, land surveyor, landscape architect, or well digger	H286, 289, 451, 671, 724, 839, 875-876, S591, 667, 1345, 1677
403	Brandom	Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises	H289, 297, 451, 1172
404	Weter	Changes the laws regarding security deposits of renters	H290, 297, 344
405	Crawford	Changes the laws regarding the Puppy Mill Cruelty Prevention Act	H290, 297, 344
406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction	H290, 297, 344
407	Wieland	Prohibits a person from preparing or issuing a certificate of insurance form unless it has been filed with the Department of Insurance, Financial Institutions and Professional Registration	H290, 297, 344, 636, 838, 1215, 1280, S739, 751, 1344, 1645-1646, H2201, 2710-2711, S2098-2099, H2711

HB No.	Author	Subject	Page Reference
408	Koenig	Reduces the corporate income tax rate from 6.25% to 3.125%, authorizes an additional sales tax of .494%, and eliminates the corporate franchise tax beginning January 1, 2013	H290, 297, 344, 538
409	Koenig	Establishes a defined contribution plan in the Missouri Public School Retirement System for any new employee who first becomes a member on or after July 1, 2013	H290, 297, 344
410	Loehner	Allows superintendents or school principals to make case-by-case decisions when re-admitting certain students who have been expelled from school	H290, 297, 344
411	Wyatt	Requires the Department of Mental Health to develop a transition plan for services of a resident of a state developmental disabilities facility to the most appropriate living setting	H299, 306, 344, 522, 573, 616, 617-618, 852, 906, 916, 1164-1166
412	Smith (150)	Changes the laws regarding pharmacies	H299, 306, 344, 522, 724, 839, 876-877, S591, 667, 1344, 1640-1645, 1974-1975, H2579-2582, 2626-2628, S2011 H2710-2711, S2098-2099, H2711
413	Keeney	Expands the crime of making a false declaration with the purpose to mislead a public servant in the performance of his or her duty	H299, 306, 344, 694
414	Richardson	Requires a title agency or agent to have a physical place of business in Missouri substantially devoted to conducting the title insurance business or be employed by a licensed title insurer or agency	H299, 306, 368
415	Richardson	Designates a portion of U. S. Highway 67 in Butler County as the "Missouri State Highway Patrol Sergeant David May Memorial Highway"	H299, 306, 368, 436, 475, 573, 659-660, S475, 545, 733
416	Richardson	Authorizes certain public library districts to impose, upon voter approval, a sales tax of up to one-half of one cent for the operation and maintenance of the public libraries in the district	H299, 306, 368
417	Richardson	Allows any person having a parent/child relationship with a minor child who is not the biological or legal parent to petition the court for custody and visitation rights	H299, 306, 344
418	Walton Gray	Establishes the Sickle Cell Disease Task Force to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs	H299, 306, 451
419	Stream	Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children	H310, 321, 368
420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders	H310, 321, 451
421	Stream	Requires the Department of Mental Health to develop a transition plan for services of a resident of a state developmental disabilities facility to the most appropriate living setting	H310, 321, 344, 522
422	Scharnhorst	Requires certain employers to grant a leave of absence to workers performing civil air patrol emergency service duty or counter narcotics missions	H310, 321, 1232
423	Burlison	Authorizes Missouri to adopt the provisions of the Health Care Compact to improve health care policy by returning the authority to regulate health care to the state legislatures	H310, 321, 344, 570, 607, 750-753, 777-779, 793-794, S543, 666, 732, 764, 1147, H1644, H2710-2711, S2098-2099, H2711

HB No.	Author	Subject	Page Reference
424	Funderburk	Designates the day after Thanksgiving Day until midnight December 26 of each year as the "Christmas Season" in Missouri	<b>H</b> 310, 321, 1232
425	Funderburk	Authorizes an income tax dependency exemption deduction for a stillborn child for the taxable year in which the child was born	<b>H</b> 310, 321, 451
426	Sifton	Prohibits an insurer from requiring any waiting period for health insurance coverage for maternity benefits and requires coverage to begin immediately from the effective date of the policy or plan	<b>H</b> 310, 321, 344
427	Barnes	Changes the laws regarding adoption records	<b>H</b> 310, 321, 368
428	Cauthorn	Requires all facility plans submitted to the Department of Natural Resources as part of the permitting process for all environmental programs to be certified by a licensed professional engineer	<b>H</b> 310, 321, 451
429	McGhee	Removes the December 31, 2015 expiration date of the nonresident entertainer and professional athletic team income tax	<b>H</b> 311, 321, 378, 570
430	Burlison	Changes the laws regarding transportation	<b>H</b> 311, 321, 344, 672, 838, 1195-1204, 1274-1275, <b>S</b> 738, 751, 1344, 1671, 1681-1682, 1690-1709, 1779, 1779-1780, <b>H</b> 2392-2398, 2421, <b>S</b> 1878, <b>H</b> 2433, 2455, <b>S</b> 1904-1905, 1925, <b>H</b> 2480, <b>S</b> 1925, <b>H</b> 2519, 2584, 2599-2601, <b>S</b> 1994, 1996-1998, <b>H</b> 2631, 2710-2711, <b>S</b> 2098-2099 <b>H</b> 2711
431	Franz	Changes the laws regarding foster care and adoption and establishes the Missouri State Foster Care and Adoption Board and a task force on foster care recruitment, licensing, and retention	<b>H</b> 311, 321, 344, 417, 521, 573, 615-616, 668, 670, 688-689, <b>S</b> 507, 546, 1343, 1524, 1779, 1780-1781, <b>H</b> 2398, 2548-2550, <b>S</b> 1973, <b>H</b> 2710-2711, <b>S</b> 2098-2099 <b>H</b> 2711
432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance	<b>H</b> 311, 321, 451
433	Kander	Changes the classification of certain human trafficking crimes and establishes fines and prison terms for the crimes	<b>H</b> 311, 321, 451
434	Nolte	Requires co-employees to be released from liability for negligence in performing the nondelegable duty of an employer to provide a safe workplace when the negligence contributes to injury or death	<b>H</b> 311, 321, 344, 406, 523, 747-749, 777, 790-792, <b>S</b> 542, 666
435	Wyatt	Authorizes any county of the third classification to impose, upon voter approval, a special road rock fund tax on agricultural and horticultural property	<b>H</b> 311, 321, 1232
436	Fitzwater	Allows Iron County by adoption of an order or ordinance to hold a nonpartisan election for the office of sheriff	<b>H</b> 311, 321, 668
437	McNary	Allows each representative and senator to employ one legislator assistant, instead of one stenographer or secretary, during any session of a general assembly	<b>H</b> 311, 321, 368
438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places	<b>H</b> 311, 321, 451
439	Nolte	Allows an individual to have an outside the hospital do-not-resuscitate order documented with a symbol placed on his or her driver's license to indicate the existence of the order	<b>H</b> 311, 321, 1232

HB No.	Author	Subject	Page Reference
440	Nolte	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet	H311, 321, 368
441	Nolte	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control	H311, 321, 368
442	Franz	Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri	H311, 321, 344, 437, 475, 573, 660-661, S475-476, 545, 813, 1129-1132, 1245-1249
443	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates	H311, 321, 809
444	McNeil	Requires the Governor when selecting appointees to state boards, commissions, committees, and councils to ensure that the membership reflects racial and gender equity based on population if possible	H312, 321, 809
445	Molendorp	Prohibits any person from smoking or using tobacco products in any area or on the grounds of a state correctional facility	H333, 339, 368
446	Thomson	Changes the laws regarding the state school funding formula	H333, 339, 368, 1171, 1794
447	Funderburk	Changes the laws regarding the Real Property Tax Increment Allocation Redevelopment Act	H333, 339, 587
448	Lair	Creates a funding mechanism for survivor benefits when a member of the Missouri Local Government Employees' Retirement System dies as a result of a duty-related injury or disease	H333, 339, 368, 538, 724, 839, 877-878, S591, 667
449	Sater	Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards	H333, 339, 368
450	Allen	Requires the emblem-use authorization fee for a Breast Cancer Awareness special license plate to be paid to Winning Women and replaces "MISSOURI WOMEN'S COUNCIL" with "WINNING WOMEN"	H334, 339, 451
451	Kirkton	Requires a mortgage value disclosure statement to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed	H334, 339, 451
452	Hodges	Requires health insurance coverage for the diagnosis and treatment of infertility	H334, 339, 1232
453	Hodges	Prohibits reductions in county officials' salaries when a county changes classification until the current official leaves office	H334, 339, 1232
454	Hodges	Specifies that any person who gratuitously and in good faith renders any service to another individual cannot be civilly or criminally liable for any act or omission with certain specified exceptions	H334, 339, 1232
455	Hodges	Requires every public school district to screen its students for Sensory Processing Disorder before the end of first grade and again before the end of third grade	H334, 339, 1232
456	Hodges	Adds a law enforcement officer of a fourth class city to the list of officers who are authorized to arrest and hold in custody any person of whom the officer is in fresh pursuit	H334, 339, 1232

HB No.	Author	Subject	Page Reference
457	Hodges	Specifies that certain provisions regarding the distribution of a controlled substance were enacted to create a safe zone around certain areas and serve as an enhancement of the punishment	<b>H334</b> , 339, 1232
458	Lochner	Changes the laws regarding agriculture	<b>H334</b> , 339, 368, 502, 725, 833, 1155-1156, <b>S664</b> , 737, 1346, 1804-1813, <b>H2398</b> -2404, 2421, <b>S1905</b> , 1914, <b>H2469</b> , 2480, <b>S1925</b> , <b>H2584</b> -2585, 2601-2602, <b>S1999</b> -2000, 2000-2002, <b>H2645</b> , 2710-2711, <b>S2098</b> -2099, <b>H2711</b>
459	Denison	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Jerry F. Costello - William 'Bill' Clay Sr. Veterans Memorial Bridge"	<b>H334</b> , 339, 344, 473, 523, 607, 666-667, <b>S478</b> , 546
460	Lampe	Changes the laws regarding bullying in schools	<b>H334</b> , 339, 809
461	Pollock	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant	<b>H334</b> , 339, 451
462	Pollock	Repeals the provisions requiring the Missouri Energy Task Force to reconvene at least one time a year and issue an annual status report to the Governor and General Assembly	<b>H334</b> , 339, 451, 522, 573, 698, 806-807, <b>S565</b> , 667, 1207, 1353, 2009-2010
463	McNary	Changes the laws regarding virtual schools	<b>H334</b> , 339, 368
464	McNary	Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils	<b>H335</b> , 339, 368, 537, 838, 1262-1263, 1287, <b>S740</b> -741, 751, 1344, 1538-1545, 1921-1924, 1925-1927, <b>H2519</b> -2527, 2568-2569, <b>S1975</b> , <b>H2710</b> -2711, <b>S2098</b> -2099, <b>H2711</b>
465	Wells	Changes the laws regarding the Division of Credit Unions within the Department of Insurance, Financial Institutions and Professional Registration	<b>H335</b> , 339, 368, 472, 523, 607, 667-668, <b>S478</b> -479, 546, 813, 1128-1129, <b>H1658</b> , 2710-2711, <b>S2098</b> -2099, <b>H2711</b>
466	Schoeller	Allows an employer or labor organization to obtain political contributions through a payroll deduction if the employee or member consents to the contribution in writing annually	<b>H335</b> , 339, 356, 1172, 1205, 1382-1384
467	Diehl	Establishes the Missouri Science and Innovation Reinvestment Act	<b>H347</b> , 356, 357
468	Diehl	Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act	<b>H347</b> , 356, 357, 670, 725, 905-906, 1166-1167, <b>S665</b> -666, 737
469	Franz	Changes the laws regarding the Missouri Family Trust	<b>H347</b> , 356, 1232
470	Funderburk	Changes the laws regarding the nonresident entertainer and professional athletic team member income tax	<b>H347</b> , 356, 378, 570, 725, 837, 846-847, 1159-1160, <b>S665</b> , 737, 1345, 1677-1679, 1722-1723, <b>H2404</b> -2405, 2541-2542, <b>S1973</b> , <b>H2710</b> -2711, <b>S2098</b> -2099, <b>H2711</b>
471	Aull	Allows an exception for the 2010-2011 school year regarding the laws for school make-up days due to inclement weather	<b>H347</b> , 356, 368

HB No.	Author	Subject	Page Reference
472	Torpey	Designates "Walk & Bike to School Month," "Walk & Bike to School Day," "Missouri Bicycle Month," and "Bike to Work Day," and "Bike to Work Week" in Missouri	H347, 356, 451
473	Jones (63)	Changes the laws regarding charter schools and establishes the Missouri Charter Public School Commission	H347, 356, 368, 569, 781, 1146-1148, 1317-1318, 1320-1325, 1416, 1428, 1626-1628, S1133, 1238, 1713, 1714, 1779, 1970-1972
474	Denison	Designates the regal fritillary as the official state butterfly	H347, 356, 368
475	Funderburk	Changes the laws regarding health care quality data standardization and transparency and establishes criteria for programs of insurers to compare the quality and cost efficiency of health care providers	H347, 356, 357, 537, 607, 777, 781, 790, 792-793, S543, 666
476	Funderburk	Establishes the Students First Interscholastic Athletics Act which requires every high school age student to have the opportunity to participate in interscholastic athletics	H348, 356, 451
477	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation an unlawful discriminatory practice	H348, 356, 587
478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state	H348, 356, 451
479	Brown (50)	Increases the annual cap on the tax credits certified for qualified film production projects from \$4.5 million to \$10 million	H348, 356, 1232
480	Brown (50)	Reduces the minimum number of acres required for an eligible project area in the Distressed Areas Land Assemblage Tax Credit Program	H348, 356, 1232
481	Brown (50)	Requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing a city or neighborhood street in Kansas City in an appropriate crosswalk	H348, 356, 1232
482	Lichtenegger	Requires certain health spas and fitness facilities to have at least one automated external defibrillator and an employee on staff during hours of operation properly trained in cardiopulmonary resuscitation	H348, 356, 587
483	Cox	Requires any entity performing or assisting in certain abortions or counseling a woman to have an abortion to file an annual report regarding moneys received under the federal Public Health Service Act	H348, 356, 451
484	Faith	Establishes the Missouri State Transit Assistance Program to provide state financial assistance to defray the operating and capital costs incurred by public mass transportation service providers	H348, 356, 451, 636, 725, 839, 915-916, S636, 668, 1344, 1671, 1896, H2457, 2710-2711, S2098-2099, H2711
485	Curls	Changes the notice requirement to a tenant in a foreclosure action from 10 business days to 90 days	H348, 356, 1232
486	Curls	Allows a prevailing tenant in a forcible entry action to recover all damages caused by the landlord's exclusion of the tenant from the premises	H348, 356, 1232
487	Curls	Allows organizations with temporary possession of certain property the additional options of filing a petition for a sheriff's deed or a court administrator's deed	H348, 356, 1232
488	Gatschenberger	Requires driver's license examinations to only be administered in English and establishes a \$15 fee for an applicant to take the written portion of the examination	H348, 356, 451

HB No.	Author	Subject	Page Reference
489	Gatschenberger	Requires the Department of Transportation to establish minimal yellow light change interval times for traffic-control devices	H348, 356, 451
490	Diehl	Prohibits a political subdivision from requiring any party to file a certificate of value with a deed or other instrument at the time of the sale or conveyance of real property	H349, 356, 368, 553, 725
491	Diehl	Changes the requirements regarding when funds can be released from escrow accounts under the Tobacco Master Settlement Agreement	H349, 356, 451, 722, 1268, 1318
492	Franz	Requires written authorization by a public employee before a labor union can withhold any dues, fees, or political contribution from the employee's paycheck	H349, 356, 357
493	Wieland	Requires the Commissioner of the Office of Administration to develop a statewide system or to contract with a third party to allow all state agencies and departments to accept electronic payments	H349, 356, 519
494	Schupp	Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights	H349, 356, 451
495	Jones (117)	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle	H357, 366, 451
496	Jones (117)	Allows licensed veterinarians to administer or prescribe legend drugs for use in animals and changes the membership of an advisory committee of the Board of Pharmacy regarding drug distributors	H357, 366, 451
497	Schieffer	Authorizes any city, town, or village in Lincoln County to annex areas along a road or highway for up to two miles from its existing boundaries	H357, 366, 1232
498	Wallingford	Repeals the authority of certain constitutional charter cities to adopt and enforce regulations governing zoning, planning, subdividing, and building in certain areas	H357, 366, 451
499	Wells	Adds certain licensed professional counselors to the list of persons who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle	H357, 366, 519, 636, 725, 839, 878-879, S591-592, 668, 1150-1151, 1200-1201, H1688, 2710-2711, S2098-2099, H2711
500	Colona	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles	H357, 366, 809
501	Cauthorn	Allows wireless telephone users to be added to the No-call List and revises the definition of "telephone solicitation" to include voice, facsimile, graphic imaging, or data communication	H357, 366, 451
502	Hubbard	Specifies that criminal nonsupport will be a class D felony if the total arrearage is in excess of \$10,000 and allows a person to expunge a criminal nonsupport conviction if certain conditions are met	H358, 366, 368
503	Dugger	Repeals a provision requiring a presidential primary to be held in February in any year a presidential election is held and sets the primary to be held in March of each presidential election year	H358, 366, 403, 553, 573, 698, 807-808, S565, 667
504	Silvey	Changes the laws regarding domestic violence and orders of protection	H358, 366, 537, 1373, 1619, 1697-1699, 1795, 1833, 2069, S1529, 1639



HB No.	Author	Subject	Page Reference
505	Kelly (24)	Changes the laws regarding domestic violence and orders of protection	H358, 366, 451, 1373
506	Fuhr	Changes the laws regarding property tax levies	H369, 378, 538, 725, 839, 879-880, S592, 668, 1674, 1814, 1930-1934, H2531-2533, 2564-2565, S1975, H2710-2711, S2098-2099, H2711
507	Carter	Specifies that health plans providing services for conditions within the scope of practice of athletic trainers may not deny reimbursement to a licensed athletic trainer if reimbursable to another provider	H369, 378, 451, 526
508	Carter	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health	H370, 378, 526
509	Carter	Specifies that certain felons must be eligible for food stamp program benefits	H370, 378, 668
510	Wyatt	Requires a court to order sexually transmitted disease testing of certain defendants within one week of the date the prosecuting or circuit attorney filed the motion requesting it	H370, 378, 1232
511	Nasheed	Establishes the Every Child Can Learn Act which requires all St. Louis City public schools to use a response-to-intervention tiered approach to reading instruction for certain struggling students	H370, 378, 451
512	Lair	Creates the crime of unlawfully intercepting computer and electronic communication device information	H370, 378, 1232
513	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog	H370, 378, 451, 637, 725, 839, 880-881, S592, 668
514	McNeil	Changes the laws regarding the attendance of a pupil from an unaccredited school district	H370, 378, 809
515	Wallingford	Establishes the Embryo Transfer Act which authorizes the legal relinquishment and subsequent transfer of human embryos	H370, 378, 452
516	Ellinger	Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty cases	H370, 378, 587
517	Ellinger	Changes the laws regarding clemency in death penalty cases	H370, 378, 1232
518	Schupp	Designates a portion of Interstate 40/64 in St. Louis County as the "Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway"	H370, 378, 668
519	Curls	Revises the definition of "rehabilitation" as it relates to abandoned housing to include demolition	H370, 378, 1232
520	Schupp	Authorizes a sales tax exemption for educational or fitness class fees paid to any health club, athletic club, exercise club, fitness club, or other similar club or facility	H370, 378, 452
521	Wells	Allows an ambulance district board member to be recalled from office by petition of the registered voters	H370, 378, 452
522	Rizzo	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans, and allows the Attorney General to maintain an action to enforce compliance	H371, 378, 452

HB No.	Author	Subject	Page Reference
523	Molendorp	Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts	H371, 378, 519, 907, 1205, 1408-1409, 1609, S1069, 1238, 1345, 1677
524	Molendorp	Changes the laws regarding the regulation of bail bond agents	H371, 378, 1232
525	Molendorp	Establishes requirements regarding certain contracts reinsuring life or health insurance policies or annuities which are covered under the Insurers Supervision, Rehabilitation and Liquidation Act	H371, 378, 452, 554, 725, 839, 881-882, S592, 668, 1345, 1677
526	Weter	Prohibits anyone from practicing as a surgical technologist in a health care facility unless he or she has met specified requirements	H371, 378, 452
527	Cookson	Requires the Department of Transportation to conduct a study regarding the safety impact of putting four-foot shoulders on all two-lane U. S. highways in Missouri	H371, 378, 587
528	Jones (117)	Requires a health care provider to provide medical records within 15 business days of a request	H371, 378, 452
529	Carter	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "William Lacy 'Bill' Clay Sr. Mississippi River Expressway Bridge"	H371, 378, 1232
530	Kander	Establishes the Public Fraud Prevention Act	H380, 387, 452
531	Conway (14)	Changes the laws regarding the Unfair Trade Practice Act by adding unfair solicitation methods for selling Medicare insurance products to the list of unfair insurance practices	H380, 387, 452
532	Cauthorn	Prohibits a school from making up any missed day due to inclement weather by scheduling school on a public holiday	H380, 387, 452
533	Newman	Changes the laws regarding taxation	H380, 387, 1232
534	Leara	Changes the laws regarding the distribution of the St. Louis County sales tax	H380, 387, 519, 754
535	Leara	Changes the laws regarding the circulation of initiative and referendum petitions	H380, 387, 587
536	Leara	Authorizes the banking institution tax credit to be taken against a financial institution's annual franchise tax if the institution is a limited liability company or a limited liability partnership	H380, 387, 587
537	Leara	Requires the sheriff or chief of police to execute, within 15 business days, all documents required under federal law by an applicant for the purchase or transfer of a firearm with certain exceptions	H380, 387, 587
538	Hubbard	Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison	H380, 387, 452
539	Hubbard	Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers	H380, 387, 452
540	Schneider	Creates the crime of practicing medicine while intoxicated	H381, 387, 452
541	McManus	Extends the income tax credit for donations to a food pantry from August 28, 2011, to August 28, 2015	H381, 387, 452
542	Bernskoetter	Authorizes any ambulance district formed after August 28, 2011, to impose, upon voter approval, a sales tax of up to 0.5% in lieu of a property tax to fund the district	H381, 387, 452

HB No.	Author	Subject	Page Reference
543	Fitzwater	Requires the Department of Elementary and Secondary Education to develop standards for professional improvement plans for teachers and principals	<b>H</b> 381, 387, 587
544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers	<b>H</b> 381, 387, 452
545	Schieber	Exempts the City of Riverside from the requirement that a member of the board of a tourism community enhancement district be a resident, own property, be employed, or operate a business within the district	<b>H</b> 381, 387, 452, 591, 725, 839, 882-883, <b>S</b> 592, 668, 1152, 1251
546	Diehl	Requires the Missouri Housing Development Commission's executive director or chief executive officer to reside within 40 miles of Jefferson City	<b>H</b> 381, 387, 392, 553, 607, 780-781, 848-851, 1163-1164, <b>S</b> 665, 737
547	McNeil	Changes the laws regarding health insurance premium rate reviews by the Department of Insurance, Financial Institutions and Professional Registration	<b>H</b> 381, 387, 519
548	Jones (117)	Changes the laws regarding the compensatory time, vacation leave, and mass layoff notification of state employees	<b>H</b> 381, 387, 452, 673, 725, 839, 883-884, <b>S</b> 592-593, 668
549	Bahr	Prohibits the use of global positioning systems or other technology to monitor the mileage traveled by any motor vehicle in order to impose any mileage tax	<b>H</b> 394, 402, 452
550	Day	Changes the laws regarding liens and encumbrances on motor vehicles, trailers, watercraft, and manufactured homes	<b>H</b> 394, 402, 452, 694, 725, 839, 852-853, <b>S</b> 586, 667, 813, 1129, <b>H</b> 1658, 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
551	Schieffer	Adds bath salts to the list of Schedule I controlled substances	<b>H</b> 394, 402, 519
552	Molendorp	Requires the State Board of Pharmacy to establish rules governing the standard of care for pharmacies dispensing blood clotting therapies	<b>H</b> 394, 402, 587, 1237, 1418, 1638, 1675-1676, <b>S</b> 1225, 1347, 1712-1713, 1969-1970, <b>H</b> 2576, 2629-2630, <b>S</b> 2012, <b>H</b> 2710-2711, <b>S</b> 2098-2099, <b>H</b> 2711
553	Nance	Establishes the Missouri Home Inspectors Professional Competency and Financial Responsibility Act	<b>H</b> 394, 402, 587
554	Loehner	Specifies that acts of animal husbandry for compensation are not prohibited or required to be performed by a veterinarian	<b>H</b> 394, 402, 452
555	Grisamore	Changes the laws regarding health care	<b>H</b> 394, 402, 452, 637, 838, 1245-1248, 1264, 1274, 1285-1286, <b>S</b> 740, 751, 1821, 1866, 1921, 1993, 2002-2004, <b>H</b> 2645, <b>H</b> 2707-2708, 2710-2711, <b>S</b> 2098-2099, 2094, <b>H</b> 2711
556	Grisamore	Designates October as "Disability History and Awareness Month" in all public schools and requires each school board to annually provide instruction on the topic during the month	<b>H</b> 394, 402, 452, 637, 725, 839, 884-885, <b>S</b> 593, 668, 731, 748, 758, 774
557	Grisamore	Allows the Mental Health Earnings Fund to be used for the deposit of revenue received from the proceeds of any sales and services from Mental Health First Aid USA	<b>H</b> 394, 402, 452, 637, 725, 839, 885-886, <b>S</b> 593, 668, 732, 758, 748, 775-776, <b>H</b> 1375, 1595, 1665, <b>S</b> 1067, <b>H</b> 1665, <b>H</b> 2050
558	Grisamore	Adds comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairments to the list of services covered under MO HealthNet benefits	<b>H</b> 394, 402, 452

HB No.	Author	Subject	Page Reference
559	Grisamore	Changes the laws regarding accessible electronic text material use in elementary and secondary schools	H394, 402, 452
560	Grisamore	Requires all new signs erected beginning August 28, 2011, relating to disabled parking to contain the words "Accessible Parking" and to not contain "Handicap Parking" or "Handicapped Parking"	H394, 402, 452, 637, 725, 839, 886-887, S593, 668
561	Grisamore	Increases the membership of the MO HealthNet Oversight Committee by adding one licensed mental health professional who cares for participants	H394, 402, 452, 637, 725, 839, 887-888, S593, 668
562	Grisamore	Changes the laws regarding the Missouri Children's Services Commission and establishes the Missouri Task Force on Prematurity and Infant Mortality	H394, 402, 452, 637, 1173, 1327, 1602-1603, S1068, 1238, 1344-1345, 1672, 1814-1816, 1817-1818
563	Grisamore	Adds prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet	H394, 402, 452
564	Grisamore	Authorizes a sales and use tax exemption for machinery, equipment, and computers used by certain data center and server farm facilities and establishes the Missouri Advantage Act	H394, 402, 452
565	Denison	Specifies that any person who makes a report of suspected child abuse to the proper authorities will be immune from civil and criminal liability	H395, 402, 452
566	Denison	Establishes the Political Subdivision Construction Bidding Standards Act	H395, 402, 452
567	Elmer	Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County	H395, 402, 519
568	Elmer	Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer	H395, 402, 519
569	Shively	Requires a prepaid wireless service supplier to collect a 50-cent monthly fee from its customers for 911 emergency communications service	H395, 402, 1232
570	Lampe	Requires a school district to include in its annual accountability report card whether it has a state-approved gifted education program and the percentage and number of students currently being served	H395, 402, 809
571	Faith	Reduces the maximum penalty that can be charged on delinquent county property taxes	H395, 402, 452
572	Pollock	Adds bath salts to the list of Schedule I controlled substances	H395, 402, 668
573	Kirkton	Requires every health carrier to file all of its health insurance premium rate information with the Department of Insurance, Financial Institutions and Professional Registration before applying the rate	H395, 402, 452
574	Aull	Requires an insurer to obtain approval from the Department of Insurance, Financial Institutions and Professional Registration before changing any insurance premium rate by 15% or more	H395, 402, 1232
575	Aull	Changes the laws regarding the Joint Committee on Education's review of the Commissioner of Education's proposed expenditures on statewide areas of critical need for learning and development	H395, 402, 1232
576	Aull	Creates the School Safety and School Violence Prevention Fund to be used to establish a statewide center for school safety and school violence prevention	H395, 402, 1232

HB No.	Author	Subject	Page Reference
577	Aull	Requires the certification of school food service directors and menu planners in public and private schools which receive funding through the federal school lunch program	H395, 402, 1232
578	Thomson	Allows the state or any political subdivision or agency of the state to transfer ownership of used tires, scrap tires, or tire shred to a private entity for disposal or recycling under certain conditions	H395, 402, 452, 522, 573, 698, 808-809, S565, 667, 1207, 1354-1355, H1967, H2217-2218, S1683, H2710-2711, S2098-2099, H 2711
579	Frederick	Changes the laws regarding health care	H395, 402, 452, 812, 1173, 1327-1371, 1416, 1602, 1604-1605, S1068, 1238
580	Frederick	Allows a health care provider to include any retrieval fee charged by a contracted outsourced records storage service in the fee charged to a patient for a copy of his or her medical records	H395, 402, 452
581	Oxford	Establishes the Missouri Earned Income Tax Credit Act which authorizes an individual income tax credit equal to 20% of any earned income tax credit claimed by the taxpayer on his or her federal income tax return	H396, 402, 452
582	Oxford	Establishes smaller class sizes for school districts in St. Louis City and St. Louis County than the minimum and desirable standards of the Department of Elementary and Secondary Education	H396, 402, 452
583	Oxford	Changes the laws regarding quality early childhood care	H396, 402, 452
584	Oxford	Prohibits a lender from imposing a fine, fee, or penalty for the prepayment of any loan and repeals the provision allowing a prepayment fee to be charged on a second mortgage loan	H396, 402, 452
585	Oxford	Changes the laws regarding actions against a person for conduct or speech at a public hearing or meeting	H396, 402, 452
586	Stream	Requires the Department of Mental Health to develop a continuing professional education curriculum on eating disorders	H396, 402, 587
587	Aull	Changes the laws regarding the notice of the relocation of a child by the custodial parent	H396, 402, 1232
588	Cookson	Requires a statewide athletic organization that has a public school district as a member to publish an annual report regarding the impact of concussions and head injuries on student athletes	H396, 402, 519
589	Ruzicka	Increases the penalty for making a false report if the crime which was falsely reported was a felony	H407, 415, 452
590	Harris	Specifies that the common law doctrine of adverse possession cannot apply in the state of Missouri and repeals certain provisions regarding the statute of limitations for an adverse possession action	H407, 415, 452
591	Lichtenegger	Authorizes the Missouri Dental Board to issue a limited teaching license to a dentist employed as an instructor in an accredited dental school located in this state	H407, 415, 452, 694, 838, 1214, 1279, S739, 751, 1343, 1537-1538, H2154, 2223-2224, S1683, H2710-2711, S2098-2099, H 2711
592	Gatschenberger	Changes the laws regarding unlawful picketing or protesting of a funeral	H407, 415, 452
593	Gatschenberger	Requires each voter to affix the proper postage before returning an absentee ballot by mail	H407, 415, 453

HB No.	Author	Subject	Page Reference
594	Richardson	Changes the laws regarding the possession, manufacture, transport, repair, or sale of weapons	H407, 415, 1232
595	Schieffer	Changes from six months to 60 days the period of time that a temporary motorcycle permit is valid	H407, 415, 453
596	Schieffer	Prohibits the sales tax on firearms or ammunition from being levied at a higher rate than the sales tax or other excise tax charged on any sporting goods or equipment or any hunting equipment	H407, 415, 453
597	Pollock	Establishes the Private Landowner Protection Act which allows for the creation and enforcement of conservation easements to protect the environment and preserve certain historical or cultural property	H407, 415, 668, 1295, 1418, 1638, 1677-1678, S1225, 1347
598	Schad	Changes the laws regarding the Missouri Propane Education and Research Council	H407, 415, 668
599	Schad	Removes the requirement that the crime of sexual contact with a student be committed while on public school property	H407, 415, 668
600	Schad	Changes the laws regarding public safety	H407, 415, 519, 694, 1295, 1396-1404, 1416, 1602, 1607, S1069, 1238, 1674, 1714, 1921, 1934
601	Schad	Exempts the sale of feed for captive wildlife from state and local sales and use taxes	H407, 415, 587
602	Schad	Changes the laws regarding the lapse of a school district when it has been unaccredited by the State Board of Education for two successive school years	H407, 415, 587
603	Schupp	Establishes Nathan's Law which changes the laws regarding child care facilities	H407, 415, 453
604	Long	Establishes a task force on foster care recruitment, licensing, and retention and the Missouri State Foster Care and Adoption Board and changes the laws regarding parental rights and foster care placements	H419, 427, 453, 538, 726, 839, 888-889, S593-594, 668, 1344, 1671-1672, H2201, 2220-2222, S1683, H2710-2711, S2098-2099, H 2711
605	Schieffer	Changes the laws regarding the sales tax collection on motor vehicles by certain motor vehicle dealers	H419, 427, 519
606	Schoeller	Lowers the maximum award of punitive damages to the greater of \$250,000 or two times the net amount of the judgment	H419, 427, 753
607	Franz	Specifies that health plans providing services for conditions within the scope of practice of athletic trainers may not deny reimbursement to a licensed athletic trainer if reimbursable to another provider	H419, 427, 453
608	Meadows	Requires new parking lots and parking lots being restriped to designate a certain number of lift van accessible only parking spaces with at least one having an access aisle	H419, 427, 809
609	Molendorp	Establishes the Show-Me Health Insurance Exchange Act	H419, 427, 519, 707, 781, 813, 838, 1155, 1187, 1276, S738, 751, 1151, 1231, 1535
610	Molendorp	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles	H419, 427, 809
611	Holsman	Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for designated military training areas	H419, 427, 587

HB No.	Author	Subject	Page Reference
612	Holsman	Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education	H419, 427, 1232
613	Holsman	Establishes the Renewable Energy Act and repeals the Renewable Energy Standard enacted by Proposition C in 2008	H419, 427, 453, 1150, 1418, 1702-1710
614	Holsman	Prohibits a higher education institution from charging a Missouri resident who is a full-time student a tuition rate that exceeds the amount charged when the student first enrolled for the next five years	H419, 427, 1232
615	Holsman	Establishes the Civil Disaster Response Corps to be available for call-up by the Governor or General Assembly in the event of a state emergency	H419, 427, 1232
616	Holsman	Authorizes a one-year tax credit of up to \$1 per watt of energy produced to any industrial generator operating a new system producing an output between 25,000 and 100,000 kilowatts of renewable energy	H420, 427, 1233
617	Holsman	Requires any school district designated as unaccredited or provisionally accredited to meet certain attendance requirements	H420, 427, 587
618	Holsman	Authorizes a state income tax deduction of up to \$500 to a taxpayer for the cost of school supplies and books he or she purchased to home school a child	H420, 427, 1233
619	Holsman	Prohibits a professional sports team or franchise with a home stadium in Missouri from receiving certain state public funds if a broadcast of a home game is blacked out for any reason	H420, 427, 1233
620	Holsman	Changes the laws regarding controlled substances as they relate to industrial hemp	H420, 427, 1233
621	Holsman	Requires a student wanting to drop out of high school to attend a dropout prevention seminar	H420, 427, 1233
622	Holsman	Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences	H420, 427, 1233
623	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense	H420, 427, 668
624	McNeil	Prohibits corporal punishment from being administered in any public school and removes provisions specifying that certain spanking in a school is not to be considered abuse	H420, 427, 809
625	Nichols	Requires at least two of three commissioners appointed in condemnation cases in St. Louis City, St. Louis County, and Jackson County to be real estate brokers or appraisers	H420, 427, 453
626	Solon	Establishes the Senior Citizens Protection Act which exempts from attachment or execution the primary residence of a person 62 years of age or older, who is retired or may retire, from any forced sale	H420, 427, 453, 489
627	Curls	Allows a candidate committee to purchase tickets, membership dues, meals, advertising, and other similar items from a political action committee if it is related to education or service in office	H420, 427, 1233
628	Dieckhaus	Changes the laws regarding teacher contracts and establishes the Teacher Continuing Contract Act	H420, 427, 435
629	Cierpiot	Changes the laws regarding the dates of public elections	H420, 427, 453
630	Grisamore	Establishes the Missouri Task Force on Prematurity and Infant Mortality	H420, 427, 519, 638, 726, 839, 889-890, S594, 668

HB No.	Author	Subject	Page Reference
631	Grisamore	Authorizes a person or corporation to designate a tax refund to the Developmental Disabilities Waiting List Equity Trust Fund and the American Red Cross Fund	H420, 427, 519, 638, 726, 839, 890-891, S594, 668, 732, 758, 748, 775, 776-777, H1375, 2184-2185, S1673, H2710-2711, S2098-2099, H2711
632	Frederick	Establishes the Prescription Drug Monitoring Program Act to monitor the prescribing and dispensing of controlled substances	H421, 427, 588
633	Ruzicka	Establishes the Agritourism Promotion Act which allows for the registration of any person who is engaged in a business which provides agritourism activities in this state	H421, 427, 519
634	Ruzicka	Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs involved in the prosecution	H421, 427, 519
635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty	H421, 427, 519
636	Oxford	Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims	H421, 427, 453
637	Oxford	Changes the laws regarding the Missouri individual income tax	H421, 427, 453
638	Funderburk	Replaces the Motorist Insurance Identification Database Act with the Insured Vehicle Identification Network Act to track insured motorists, identify uninsured motorists, and maintain a statewide database	H421, 427, 520
639	McNary	Requires each school district to establish a comprehensive program for student academic progression	H421, 427, 435
640	Neth	Creates the class four election offense of electioneering which involves the refusal, upon the request of any person, to remove certain political materials inside or with 250 feet of a polling place	H421, 427, 1233
641	Franz	Changes the laws regarding controlled substances	H421, 427, 453, 537, 726, 833-835, 1156-1157, S664, 737, 1151, 1228-1231, H1736, 2208-2209, S1683, H2710-2711, S2098-2099, H 2711
642	Cookson	Limits reimbursement for summer school to the attendance hours of students exclusively on academic areas of study based on core subjects at the relevant grade levels	H421, 427, 588
643	May	Changes the laws regarding criminal nonsupport and allows for expungement of a person's record under certain conditions	H437, 443, 520, 1149, 1205
644	Schieffer	Prohibits a person or business from misrepresenting its geographic location by using a fictitious or assumed business name in a telephone directory or advertisement	H437, 443, 520
645	Schieffer	Authorizes a city or county to impose, upon voter approval, an additional tax of up to 75 cents per month on alternative telecommunications connections for 911 emergency telephone service	H437, 443, 809
646	Scharnhorst	Allows the Department of Revenue to disclose information to the public regarding the annual number of cigarettes sold by each tobacco product manufacturer	H437, 443, 1233



HB No.	Author	Subject	Page Reference
647	Schneider	Allows a contractor to contract with a title insurer, agency, or agent authorized to conduct business as an escrow agent in lieu of requiring a bond for certain public works contracts	H437, 443, 588
648	Montecillo	Changes the laws regarding individuals with disabilities	H437-438, 443, 453, 638, 726, 839, 891-892, S594, 668, 1152, 1234-1236, 1535-1536, H2154, 2225-2226, S1683, H2710-2711, S2098-2099, H2711
649	McGhee	Establishes the Developmental Disability Care Provider Tax Credit Program and extends the expiration date of several specified tax credits	H438, 443, 520, 1265
650	McGhee	Requires the Board of Probation and Parole to review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole	H438, 443, 1169
651	Curls	Changes the membership of the Missouri Housing Development Commission	H438, 443, 1233
652	Riddle	Expands the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction or work zone, or probation and parole officer to include a health care worker	H438, 443, 588
653	Cauthorn	Changes the laws regarding noxious weeds	H438, 443, 520
654	Fitzwater	Designates March 26 of each year as "Veterans of Operation Iraq/Enduring Freedom Day"	H438, 443, 588
655	Lampe	Designates a portion of U. S. Highway 160 in Greene County as the "Rabbi Ernest I. Jacob Memorial Highway" and repeals the designation of "Rabbi Abraham Joshua Heschel Memorial Highway" in Greene County	H438, 443, 453, 522, 838
656	Brandom	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans	H438, 443, 453, 754, 1173, 1218, 1224-1226, 1244-1245, 1313-1314, S771, 814
657	Allen	Requires the State Auditor to conduct a one-time comparative audit of at least five but no more than 10 of the largest state agencies to review fiscal practices and to identify cost-saving measures	H438, 443, 520, 694, 838
658	Schatz	Reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription to be known as the Meth Lab Elimination Act	H438-439, 443, 520, 1293, 1620, 1700-1702, 1783-1784, 2047, 2057, 2067-2069, S1529, 1639
659	Denison	Authorizes the St. Louis Metropolitan Sewer District to enter into a design-build contract for a construction project exceeding \$1 million	H454, 465, 520
660	Rizzo	Allows certain cities to create, maintain, and make public a list of the names of individuals who have pled guilty to or been found guilty of patronizing prostitution	H454, 465, 520, 754
661	Wells	Changes the laws regarding debt adjusters	H454, 465, 520, 754, 1173, 1318, 1409-1410, S800, 814, 1343, 1537, 1866-1867, H2433, H2557-2558, S2099, 2710-2711, S2098-2099, H2711
662	Bernskoetter	Requires the Missouri Housing Development Commission to maintain its headquarters in Jefferson City and prohibits it from leasing or purchasing real estate in any county other than Cole County	H454, 465, 520

HB No.	Author	Subject	Page Reference
663	Ruzicka	Requires, instead of allows, the \$2 surcharge in certain criminal cases to be assessed and collected and allows it to also be used to develop information sharing	H454, 465, 588
664	Leara	Changes the laws regarding fire fighter benefits for an infectious disease incurred in the line of duty and the Firemen's Retirement System of St. Louis	H455, 465, 520, 722, 1173, 1372-1373, 1603-1604, S1068, 1238, 1346, 1783, 1803, H2405, 2470-2472, S1925, H2710-2711, S2098-2099, H2711
665	Leara	Changes the laws regarding a member of the Firemen's Retirement System of St. Louis who retires because of accidental disability	H455, 465, 520
666	Bernskoetter	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide bariatric coverage for individuals under the plan	H455, 465, 520
667	Carter	Establishes two prostate cancer pilot programs to fund screening and treatment services and to provide education to men residing in the state	H455, 465, 520, 636, 726, 839, 892-893, S594, 668, 1343, 1536, 1896-1897, H2457, 2710-2711, S2098-2099, H 2711
668	Meadows	Changes the laws regarding the licensure of funeral directors and embalmers	H455, 465, 1233
669	Molendorp	Changes the laws regarding health care	H455, 465, 588, 1417
670	Hough	Establishes the Compete Missouri Program and the Compete Missouri Training Program within the Department of Economic Development	H455, 465, 520
671	Molendorp	Authorizes additional powers to a community improvement district	H455, 465, 588
672	Dugger	Allows the board of aldermen in a fourth class city to provide by ordinance that the city marshal be appointed instead of elected	H455, 465, 1233
673	Largent	Authorizes the presentation of a Missouri National Guard Overseas Training Ribbon, a Missouri National Guard State Partnership Program Ribbon, and the Order of Minuteman Award	H455, 465, 520, 637, 726, 839, 893-894, S595, 668
674	Largent	Extends the expiration date for tax credits allowed against a freight line company's property taxes for eligible expenses incurred on qualified rolling stock in Missouri to August 28, 2020	H455, 465, 520
675	Largent	Requires every elected or appointed coroner, deputy coroner, and assistant to the coroner to complete the annually required educational training within six months of his or her election or appointment	H455, 465, 520, 672, 726, 839, 894-895, S595, 668, 1346, S1803-1804, H2405, 2710-2711, S2098-2099, H2711
676	Wells	Prohibits a health carrier from denying coverage for a refill of prescription eye drops under certain conditions	H455, 465, 520
677	Wells	Removes the June 30, 2012 expiration date of the provisions requiring every child enrolling in kindergarten or first grade in a public school to receive one comprehensive vision examination	H456, 465, 520, 694, 838, 1136, 1167-1168, S666, 737
678	Schatz	Changes the laws regarding excavation notification centers	H456, 465, 520, 673, 726, 839, 895-896, S595, 668
679	Rowland	Allows a school district to transfer unrestricted funds from the capital projects fund to the incidental fund under certain conditions	H456, 465, 520

HB No.	Author	Subject	Page Reference
680	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge	H456, 465, 588
681	Walton Gray	Specifies that the provisions requiring a partisan election and conducting a party primary prior to a general election will not apply to a candidate for school board or fire district office	H456, 465, 1233
682	McNeil	Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders	H456, 465, 520
683	Peters-Baker	Changes the laws regarding the Safe Place for Newborns Act by increasing the number of days that a parent can relinquish physical custody of a newborn without being prosecuted	H456, 465, 520
684	Peters-Baker	Allows a temporary exemption from the proof of lawful presence requirement for a victim of domestic violence who is applying for a driver's license or instruction permit	H456, 465, 520
685	Richardson	Renames the Missouri Certificate of Need Law as the Missouri Long-term Care Certificate of Need law and limits the provisions of the law to only apply to long-term care facilities and services	H456, 465, 1233
686	Richardson	Changes the laws regarding the denial of a mining permit	H456, 465, 668, 1265, 1418
687	Brandom	Establishes the Missouri Homeowners Mutual Insurance Company Act to provide homeowners and renters physical and personal property coverage	H456, 465, 520
688	Pollock	Changes the laws regarding property taxes and energy	H456, 465, 668, 1267, 1418
689	Still	Allows a person to pay the \$25 emblem-use fee to the Missouri State Humane Association for a I'm Pet Friendly special license plate at the time of registration for deposit in the Missouri Pet Spay-Neuter Fund	H457, 465, 520
690	Bahr	Changes the laws regarding immunizations for children	H457, 465, 669
691	Schad	Creates the crime of endangerment of emergency personnel or emergency responder and requires a court to assess certain fines for certain traffic violations in an active emergency zone	H457, 465, 588
692	Schad	Requires the Missouri Supreme Court when reviewing any case in which the death penalty is imposed to determine whether the sentence is excessive or disproportionate to the penalty in similar cases	H457, 465, 588
693	Schad	Revises the punishment for the crime of receiving stolen property	H457, 465, 588
694	Barnes	Repeals a provision requiring a presidential primary to be held in February in any year a presidential election is held and sets the primary to be held in June	H475, 483, 1233
695	Frederick	Allows the Division of School Improvement to ensure that each regional professional development center in the state provides professional development education assistance for fine arts	H475, 483, 588
696	Gosen	Changes the laws regarding contracts for public or private construction work	H475, 483, 520
697	Smith (150)	Specifies that any administrative rule proposed, adopted, or amended by a state agency after August 28, 2011, must automatically terminate six years after its effective date	H475, 483, 520, 694, 838, 1214-1215, 1282, S739, 751, 1343, 1536-1537, 1821-1822, 1982-1983, H2604

HB No.	Author	Subject	Page Reference
698	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions	H475, 483, 520
699	Colona	Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark	H475, 483, 520
700	Colona	Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2014	H475, 483, 520
701	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer	H476, 483, 520
702	Colona	Removes the provision limiting the annual surcharge paid by employers to the Second Injury Fund to 3% of the employer's workers' compensation net deposits, premiums, or assessments	H476, 483, 520
703	Colona	Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment	H476, 483, 809
704	Curls	Changes the laws regarding inadequate and deficient housing as it relates to landlord-tenant actions	H476, 483, 1233
705	Curls	Changes the laws regarding the Missouri low-income housing tax credit	H476, 483, 1233
706	Zerr	Specifies that any owner or operator of pipelines transporting petroleum or natural gas who fails to maintain an easement for a period of 10 years will be deemed to have abandoned the easement	H476, 483, 588
707	Brown (50)	Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to effective use and provide specified benefits	H476, 483, 809, 1428, 1651, 1787, 2070-2071, S1530, 1639
708	Curtman	Changes the laws regarding violations of the public policy of Missouri when decisions are based on foreign law or legal code	H476, 483, 520, 813, 1206, 1319, 1411-1412, S801, 814, 1727, 1973-1974
709	Nichols	Removes the requirement that a municipality must hold an election in nonpartisan elections when there are the same number of candidates as open offices	H487, 496, 588
710	Nichols	Changes the laws regarding a dissolution petition for a community improvement district	H487, 496, 520
711	McDonald	Changes the laws regarding utilities	H487, 496, 520, 697, 1237
712	Webb	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax	H487, 496, 588
713	Phillips	Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions	H487, 496, 520
714	Cauthorn	Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual	H487, 496, 669
715	White	Specifies certain employee rights as they relate to labor organizations	H488, 496, 588
716	Wyatt	Establishes the Capital Green Program, requirements for environmentally sustainable construction for state-funded buildings, and the Renewable Energy Pilot Program for State Parks	H488, 496, 588, 1205, 1418

HB No.	Author	Subject	Page Reference
717	Zerr	Changes the laws regarding automated external defibrillators	H488, 496, 588
718	Marshall	Repeals the Missouri Limited Liability Company Act and establishes the Revised Uniform Limited Liability Company Act as proposed by the National Conference of Commissioners on Uniform State Laws	H488, 496, 669
719	Higdon	Requires one cent from the six cent fee that is deposited into the Missouri Wine and Grape Fund to be deposited into the newly created Division of Alcohol and Tobacco Control Enforcement Fund	H488, 496, 669
720	Parkinson	Establishes the Transparency in Private Attorney Contracts Act	H488, 496, 1169, 1596, 1794
721	Schneider	Requires a lending institution purchasing property at a foreclosure sale and selling the property in an amount that exceeds the purchase price to apply excess amount to any deficiencies or judgments	H488, 496, 520, 1169
722	Schneider	Changes the laws regarding the responsibility for the payment of past due water and sewer services and on the termination of service for past due water and sewer services	H488, 496, 520
723	Kratky	Allows for the cancellation of an election to fill a vacancy in the General Assembly under certain specified conditions	H503, 510, 588
724	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she knowingly possesses a firearm while also in possession of a specified amount of a controlled substance	H503, 510, 588
725	Kratky	Prohibits certain persons who plead guilty to or have been found guilty of a felony violation of certain weapons offenses from receiving a suspended imposition of sentence	H503, 510, 588
726	Kratky	Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility	H503, 510, 588
727	Kratky	Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm	H503, 510, 588
728	McManus	Prohibits the manufacture, sale, or distribution of certain products and containers having certain levels of bisphenol-A	H503, 510, 669
729	McManus	Requires a scrap metal dealer purchasing catalytic converters or a person refining platinum from catalytic converters to keep a record of each purchase and restricts the number that they can buy per day	H503, 510, 669
730	McManus	Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage	H503, 510, 669
731	Parkinson	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry	H503, 510, 520, 590, 607, 647, 687-688, S507, 546
732	Brandom	Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding professions and businesses regulated by the Division of Professional Registration	H503, 510, 520, 1149, 1418, 1638-1641, 1697, 1795, 1877, 2066-2067, S1523-1524, 1639
733	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits	H503, 510, 588

HB No.	Author	Subject	Page Reference
734	Brandom	Reduces the annual cumulative amount of tax credits that can be authorized for donations to a food pantry from \$2 million to \$1 million and extends the expiration date to August 28, 2020	H503, 510, 520
735	Hough	Requires a municipality to allow at least one street to be used by commercial vehicles to access any state highway and prohibits a civil action for the legal use a motor vehicle on a public street	H503, 510, 588
736	McCaherty	Establishes the Paperless Documents and Forms Act which requires the Department of Revenue to develop and implement a method of providing to the public all department documents and forms electronically	H504, 510, 588
737	Redmon	Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment	H504, 510, 520, 754, 839, 1136-1141, 1168-1169, S666, 737, 1207-1208, 1355-1356, H1967, 2201, S1676, S1681 H2243, S1709, 1712, H2405, 2597-2598, S1994, H2710-2711, S2098-2099, H2711
738	Nasheed	Requires each school district to ensure that every student develops a personal plan of study prior to the end of the student's eighth grade year	H504, 510, 520, 636, 726, 839, 896-897, S595, 668, 736, 758, 748, 776
739	Nance	Expands the Amber Alert System to include missing endangered adults, specifies the criteria for being a missing endangered adult, and changes the system's name to Amber Alert and Silver Alert System	H504, 510, 669
740	Funderburk	Clarifies the current exemptions from sales and use tax by defining "manufacturing, processing, compounding, mining, or producing" to include testing, installing, calibrating, maintaining, and repairing	H504, 510, 520, 672, 1794
741	Bernskoetter	Adds an eligible energy-saving enterprise to the list of entities that are eligible to receive a linked deposit loan	H504, 510, 809, 1266, 1418, 2634
742	Wyatt	Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council	H504, 510, 588, 1205, 1295
743	Lauer	Expands the crime of sexual contact with a student to include sexual contact made while not on public school property and adds an elected official of the district to the list of persons to whom it applies	H504, 510, 669
744	Brown (85)	Changes the two-year reassessment cycle for real property from every other year to every six years beginning January 1, 2012, and ending on or before December 31, 2016	H504, 510, 521
745	Brown (85)	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat	H504, 510, 521
746	Brown (85)	Authorizes a check-off box for the newly created Puppy Protection Trust Fund to be added to the individual and corporate income tax forms and allows for a separate check donation with a tax payment	H504, 510, 521, 634, 726, 839, 897-898, S595, 668
747	Pollock	Changes the laws regarding the renewable energy standards enacted by Proposition C in 2008	H504, 510, 521
748	Cross	Specifies that a tenant of residential property who intentionally leaves without paying all current and past rent will be guilty of a class A misdemeanor	H524, 532, 606

HB No.	Author	Subject	Page Reference
749	Lasater	Designates April as "Child Abuse Prevention Month" and designates the "blue ribbon" as the official state symbol for child abuse prevention	H524, 532, 588, 670, 726, 839, 898-899, S595-596, 668, 731, 759, 747-748, 767, H1375, 1595, S1067, H1665, 2050
750	Hinson	Allows the Commissioner of the Office of Administration, upon voter approval, to increase the wireless fee per telephone user from not to exceed 50 cents to not to exceed 75 cents per month	H524, 532, 669
751	Kratky	Establishes the Clinical Laboratory Science Practice Act	H524, 532, 669
752	Torpey	Changes the laws regarding the compulsory school attendance of certain students	H524, 532, 588
753	Wallingford	Authorizes the Board of Regents of Southeast Missouri State University to convey university property located in the City of Cape Girardeau to the Cape Area Habitat for Humanity	H524, 532, 669
754	Jones (63)	Designates the month of May each year as "Lupus Awareness Month"	H524, 532, 669
755	Leach	Specifies that any moneys generated by the Spinal Cord Injury Fund or granted by the University of Missouri Board of Curators for research programs not be used for abortion or human cloning research	H524, 532, 588
756	Grisamore	Allows an exception for the 2010-2011 school year regarding the laws for school make-up days due to inclement weather	H524, 532, 1233
757	Fitzwater	Authorizes the Governor to convey certain state property located in St. Francois County at the Southeast Missouri Mental Health Center to the City of Farmington	H524, 532, 669
758	Fitzwater	Authorizes the Governor to convey certain state properties in the City of Farmington to St. Francois County and to Habitat for Humanity of St. Francois County, Inc.	H525, 532, 669
759	Dieckhaus	Prohibits the voluntary or involuntary annexation of a parcel of property under certain circumstances	H525, 532, 1233
760	Johnson	Adds a member of a fire department who works full-time as a fire investigator to the list of individuals who are exempt from the prohibition on carrying a concealed firearm under certain conditions	H525, 532, 1233
761	Denison	Allows landlords to charge lessees separately for water and sewer usage	H525, 532, 588
762	Schad	Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication	H525, 532, 669
763	Stream	Changes the laws regarding enrollment options for students from school districts that have been declared unaccredited	H525, 532, 588
764	Webb	Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities to during the school day and week to the extent possible	H525, 532, 588
765	Aull	Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,073	H525, 532, 669
766	Aull	Places a cap on summer school average daily attendance reimbursement when the school funding formula is underfunded	H525, 532, 669

HB No.	Author	Subject	Page Reference
767	Bahr	Allows the Department of Revenue and the Office of Administration to jointly enter into a reciprocal agreement with the United States government or any other state for the collection and offset of debts	H525, 532, 588
768	Bahr	Prohibits the application of a foreign law in a contract if doing so would violate a right guaranteed under the Missouri Constitution or the United States Constitution	H525, 532, 1233
769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal	H539, 545, 588
770	Smith (71)	Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees	H539, 545, 588
771	Curls	Creates the Foster Care and Adoptive Parents Recruitment and Retention Fund and establishes the Foster Care and Adoptive Parents Recruitment and Retention Fund Board	H539, 545, 1233
772	Peters-Baker	Allows Kansas City to assess additional court costs of up to \$14 per case for each municipal ordinance violation	H539, 545, 588
773	Gosen	Changes the laws regarding the regulation of surplus lines insurance to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010	H539, 545, 588, 907, 1206, 1637-1638, 1672-1674, S1224-1225, 1346
774	Korman	Specifies the distribution of any unexpended state appropriations at the end of a fiscal year by a state department, agency, or office	H539, 545, 809
775	Wyatt	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility	H539, 545, 1233
776	Leara	Changes the laws regarding the Police Retirement System of St. Louis	H539, 545, 588
777	Denison	Requires any person younger than 16 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft	H539, 545, 588
778	Riddle	Allows certain persons to carry concealed firearms in the State Capitol Building or at a meeting of the General Assembly if they have a valid concealed carry endorsement	H539, 545, 588
779	Hummel	Adds the costs of environmental insurance premiums and the backfill of areas where contaminated soil excavation occurs to the list of expenses that qualify for a remediation tax credit	H539, 545, 1233
780	Oxford	Establishes the Good Jobs First Act which provides development subsidies to certain corporations	H539, 545, 809
781	Torpey	Increases the penalty for child molestation in the first degree when the victim is a child younger than 13 years of age to a class A felony	H555, 565, 809
782	Cauthorn	Designates the month of May as "Motorcycle Awareness Month"	H555, 565, 810
783	Berry	Requires \$2 from every business registration fee collected by the Secretary of State to be deposited into the Missouri Small Business Development Centers Fund	H556, 565, 588
784	Riddle	Prohibits the disclosure of personal information contained in motor vehicle and driver registration records regarding any state or federal judge or drug court commissioner or his or her family members	H556, 565, 1233
785	Riddle	Specifies that any action to recover damages in a products liability claim must be commenced within 10 years after the date the product that caused the alleged damage was first placed into commerce	H556, 565, 1204



HB No.	Author	Subject	Page Reference
786	Franklin	Gives preference in the awarding of a fee office contract to a tax exempt organization whose primary administrative office is in the same county or legislative district as the fee office	H556, 565, 722
787	Wells	Changes the laws regarding early distributions from certain annuities or retirement plans, the Missouri Higher Education Saving Program, and residential mortgage loan brokers	H556, 565, 588, 811, 1296, 1638, 1674-1675, S1225, 1347
788	Fisher	Changes the laws regarding workers' compensation and the Second Injury Fund	H556, 565, 588
789	Johnson	Authorizes a state and local sales and use tax exemption for specified farm products sold at a farmers' market	H556, 565, 1233
790	Marshall	Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit	H556, 565, 669
791	Marshall	Changes the laws regarding DNA profiling analysis	H556, 565, 669
792	Marshall	Authorizes the State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers as well as vehicles	H556, 565, 669
793	Nance	Requires the Department of Social Services to establish an administrative renewal process for a child eligible for MO HealthNet or State Children's Health Insurance Program benefits	H556, 565, 1169
794	Spreng	Specifies the conditions when storm water runoff will be considered to flow to a sewer maintained by the Metropolitan St. Louis Sewer District for purposes of charging the property owner a storm water fee	H556, 565, 588
795	Kelley (126)	Designates the second Friday in March as "Missouri School Read-In Day"	H557, 565, 588, 670, 726, 839, 899-900, S596, 668, 731, 759, 748, 767-768, H1375, 1595, S1067, H1665, 2051
796	Schupp	Changes the laws regarding the Fair Ballot Access Act by repealing the provision which requires a petition to form a new political party to contain the name of a resident of each Congressional district	H557, 565, 669
797	Korman	Transfers all powers, duties, and functions of the Land Survey Program within the Department of Natural Resources to the Department of Agriculture	H557, 565, 669
798	Brown (85)	Renames the Heroes Way Interstate Interchange Designation Program as the Heroes Way Interchange Designation Program and designates several memorial highways and bridges	H557, 565, 589, 672, 726, 839, 900-901, S596, 668, 733, 765-766, H1375, 2178-2179, S1673, H2710-2711, S2098-2099, H2711
799	Carlson	Repeals all provisions allowing for and related to the death penalty, dissolves the Capital Litigation Division, and creates the Cold Case Investigation Revolving Fund	H557, 565, 810
800	Stream	Prohibits spanking from being used in a public school on any student with an individualized education plan who is receiving special education services	H557, 565, 810
801	Nichols	Establishes the Uniform Planned Community Act which specifies the requirements for creating, governing, managing, and terminating planned community developments	H574, 580, 640
802	McCaherty	Revises the crime of property damage in the first degree to include damaging a motor vehicle while making entry into it to steal or when the damage occurs while committing the crime within the vehicle	H574, 580, 669

HB No.	Author	Subject	Page Reference
803	Hughes	Removes the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole	H574, 580, 810
804	Hughes	Increases, from no later than 15 days to no later than 60 days, after a child's birth that the father has to file an action to establish paternity prior to an adoption or file with Putative Father Registry	H574, 580, 810
805	Hughes	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation	H574, 580, 810
806	Hughes	Establishes the Economic Development Grant Program to allow a company to reopen a closed manufacturing factory	H574, 580, 810
807	Hughes	Makes it an improper employment practice for an employer to refuse to hire or to discharge, reduce compensation, or modify any condition of a person's employment based on his or her credit score or history	H574, 580, 810
808	Hughes	Requires all food or food products sold in Missouri which are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals	H574, 580, 810
809	Hughes	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts	H574, 580, 810
810	Hughes	Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly	H574, 580, 810
811	Talboy	Changes the laws regarding motor vehicle extended service contracts	H574, 580, 810, 1171, 1418
812	Brattin	Allows for a special "Cass County - The Burnt District" license plate	H574, 580, 589, 672, 726, 839, 901-902, S596, 668, 733
813	Dugger	Designates the bridge carrying State Route E over State Route 60 in Wright County as the "Pvt Ova A. Kelley Medal of Honor Memorial Bridge"	H574, 580, 589, 672, 727, 839, 902-903, S596, 668, 733
814	McDonald	Designates a portion of Interstate 70 from the eastern city limits of Independence west to the Kansas state line as the "Truman/Eisenhower Presidential Highway" contingent on Kansas making a designation	H574, 580, 669
815	Scharnhorst	Requires each county to publish a financial statement that includes detailed compensation information, all extra duty compensation, employee benefits, and the county budget	H574, 580, 1233
816	Parkinson	Requires all purchases made with Temporary Assistance for Needy Families benefits by a recipient in this state to be limited to in-state purchases only	H574, 580, 1169
817	Wyatt	Requires all purchases made with Temporary Assistance for Needy Families benefits by a recipient in this state to be limited to in-state purchases only	H574, 580, 1169
818	Denison	Changes the laws regarding transportation	H575, 580, 669, 1149
819	Denison	Authorizes the Department of Revenue to use technology to make processes for filing certain forms and sending certain notifications more efficient	H575, 580, 1233
820	Denison	Changes the laws regarding commercial driver's licenses	H575, 580, 669
821	Bernskoetter	Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers	H575, 580, 810

HB No.	Author	Subject	Page Reference
822	McGhee	Requires a title company or escrow agent holding escrow funds to notify all parties involved in the transaction within five days of receipt of any costs to hold, disperse, or return the funds	H575, 580, 1233
823	Ruzicka	Specifies that any moneys remaining in the State Park Earnings Fund at the end of the biennium must not revert to the credit of the General Revenue Fund	H575, 580, 669
824	Cookson	Changes the laws regarding the transient guest tax in Carter County	H575, 580, 589
825	Fallert	Prohibits the assessment of any penalty or the issuance of a ticket for failing to renew a motor vehicle registration prior to the last day of the month following the expiration of the registration period	H575, 580, 589, 673, 727, 839, 903-904, S596-597, 668
826	Schad	Prohibits a person from making, continuing, or allowing to be made or continued any noise that can be heard on the Lake of the Ozarks from exceeding a certain decibel level during certain hours	H575, 580, 1233
827	Allen	Expands the dental services a dental hygienist may perform without the supervision of a dentist and provides for MO HealthNet reimbursement of the services	H575, 580, 669
828	Fisher	Changes the laws regarding prevailing wages	H591, 602, 669, 722, 1173, 1325-1327, 1413-1415, S801, 814
829	Weter	Changes the laws regarding bullying in schools	H591, 602, 669
830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias	H591, 602, 1233
831	Houghton	Establishes the Do-Not-Offer Statewide Registry Act which requires the creation of a database of elderly Missouri residents who object to receiving direct mail marketing	H591, 602, 669
832	Wright	Changes the laws regarding the Missouri State Board of Accountancy by prohibiting the board from receiving any revenue from the General Revenue Fund or any of its costs to be incurred by the state	H592, 602, 669
833	Funderburk	Specifies that a statement offering a coupon, sales price, rebate, or discount for an alcoholic beverage will be legal in advertising as long as the final retail price is not below the wholesale cost	H592, 602, 1233
834	Lampe	Prohibits a member of the General Assembly from being eligible to receive a retirement benefit based on his or her service as a member of the General Assembly beginning January 1, 2013	H592, 602, 810
835	Lampe	Requires a child in the St. Louis City School District, except for a child who is intending to be home schooled, to be enrolled in a public, private, parochial, or parish school by five years of age	H592, 602, 810
836	Scharnhorst	Requires the Division of Special Education to develop a program to provide ombudsman services to children and families regarding special education programs and services	H592, 602, 810
837	Brattin	Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged 50 cents per visit	H592, 602, 669
838	Brattin	Establishes Chloe's Law which, subject to appropriations, requires the newborn screening requirements to include pulse oximetry screenings	H592, 602, 669

HB No.	Author	Subject	Page Reference
839	Holsman	Establishes the Capital Green Program to provide funding to the state for energy efficiency improvements to certain state buildings and for geothermal, wind, and solar energy resources	H592, 602, 753
840	Jones (117)	Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone	H592, 602, 694, 781, 839, 1136, 1148, 1184, 1186-1187, S681, 737, 1674, 1714
841	Fitzwater	Allows any person with a valid concealed carry endorsement to openly carry firearms on or about his or her person or in a vehicle regardless of any other state law or local ordinance	H592, 602, 1233
842	Conway (27)	Designates the exercise commonly known as "jumping jacks" as the official state exercise	H592, 602, 669
843	Conway (27)	Authorizes the City of St. Joseph to impose, upon voter approval, a sales tax of up to 0.5% for the operation of public safety departments	H592, 602, 669
844	Denison	Requires all children over 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri	H593, 602, 2712
845	Curtman	Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance	H593, 602, 1233
846	Wieland	Authorizes the governing body of any city or county to enter into design-build project contracts for neighborhood improvement districts	H593, 602, 810
847	Guernsey	Exempts any security issued by an agricultural cooperative corporation operated as an agricultural cooperative association from state security registration requirements under certain conditions	H593, 602, 669
848	Fitzwater	Changes the composition of the University of Missouri Board of Curators	H593, 602, 810
849	Cookson	Changes the laws regarding the required number of days and hours in a school calendar and the earliest opening and latest closing day of a school year	H607, 614, 1233
850	Diehl	Establishes the Missouri Cooperative Associations Act which allows a cooperative to be formed and organized to conduct or promote any lawful business or purpose for the mutual welfare of its members	H607, 614, 1233
851	Cross	Requires the parent or guardian of any person younger than 18 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of the facility	H607, 614, 669
852	Fitzwater	Establishes a special license plate for the Rocky Mountain Elk Foundation	H607, 614, 728
853	Nance	Authorizes the City of Excelsior Springs to impose, upon voter approval, a retail sales tax of up to 1% for the purpose of funding a community center and retiring any bonds issued for funding the center	H608, 614, 1233
854	McGeoghegan	Requires the Department of Revenue to establish a database of emergency contact persons for an individual who is issued a driver's license, instruction permit, or identification card	H608, 614, 810
855	Johnson	Creates the Parents as Teachers Advancement Fund	H608, 614, 1233
856	Dugger	Changes the laws regarding initiative and referendum petitions	H608, 614, 694, 753, 839

HB No.	Author	Subject	Page Reference
857	Stream	Requires a person convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution	H638, 647, 810
858	Hampton	Prohibits large water users from transporting water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user	H638, 647, 669
859	Ellinger	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 12.5 cents per pack per year for eight years until the excise tax on cigarettes reaches \$1.17 per pack	H638, 647, 1233
860	Hinson	Changes the laws regarding intoxication-related traffic offenses in order for Missouri to comply with federal law for the purpose of receiving transportation funding	H638, 647, 669
861	Zerr	Revises the definition of "economic activity taxes" as it relates to a retail establishment that relocates within the same metropolitan area under the Real Property Tax Increment Allocation Redevelopment Act	H638, 647, 669
862	Brown (50)	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state	H638, 647, 810
863	Frederick	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application	H638, 647, 839
864	Kander	Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission	H638, 647, 810
865	Johnson	Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year	H673, 679, 1169
866	Newman	Changes the laws regarding domestic violence	H673, 679, 1233
867	Barnes	Establishes the Missouri Biosciences Eminent Scholars Program	H673, 679, 1233
868	Meadows	Changes the laws regarding certain highway lane usage	H673, 679, 810
869	Meadows	Establishes the Fair Fare Passenger Safety Act of 2011 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device	H674, 679, 810
870	Smith (71)	Changes the laws regarding school course materials and instruction relating to human sexuality and sexually transmitted diseases	H674, 679, 1169
871	Fitzwater	Specifies that any state employee performance review, if conducted, must be done by the employer or supervisor	H674, 679, 810
872	Houghton	Establishes the Transparency in Private Attorney Contracts Act	H674, 679, 810
873	Wyatt	Establishes the Missouri Sustainable Local Food Policy Council for the purpose of building a local food economy	H674, 679, 1233
874	Grisamore	Changes the laws regarding ex parte orders and orders of protection	H674, 679, 810, 1373
875	Marshall	Changes the laws regarding political activities of a member of the Kansas City Police Department	H698, 707, 1169
876	Fisher	Revises the definition of "construction" as it relates to prevailing wages on public works projects and abrogates the ruling in Utility Service Co., Inc. v. the Department of Labor and Industrial Relations	H698, 707, 1169

HB No.	Author	Subject	Page Reference
877	Berry	Requires an electric utility to accept electricity produced from a customer who operates an electric generating facility in the service area of the utility	H698, 707, 1169
878	Smith (150)	Changes the laws regarding the filing of an emergency rule by the Board of Trustees of the Missouri Consolidated Health Care Plan	H698, 707, 810
879	Franz	Changes the laws regarding the direct rollover provisions of the County Employees' Retirement System	H698, 707, 1233
880	Atkins	Authorizes a state and local sales and use tax exemption for certain drugs which are prescribed by a practitioner; certain medical equipment, supplies, and devices; and eyeglasses	H699, 707, 810
881	Atkins	Establishes the Missouri Radon Certification Program to certify and register providers of radon services	H699, 707, 810
882	Atkins	Creates the crime of practicing medicine while intoxicated	H699, 707, 810
883	Largent	Requires certain specified crime scene photographs or video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law	H699, 707, 1169
884	Diehl	Specifies that the circuit clerks in the 22nd and 28th judicial circuits and the circuit clerk for Scott County must be appointed by the majority of their respective circuit and associate circuit judges	H699, 707, 1233
885	Koenig	Allows a seller to advertise that the required sales tax will be assumed or absorbed into the price of the property sold or the services rendered if the amount of the tax is separately stated	H699, 707, 1169, 1431
886	Gatschenberger	Requires all purchases and withdrawals made with Temporary Assistance for Needy Families benefits by a recipient in this state to be limited to in-state purchases and withdrawals only	H699, 707, 1233
887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives	H699, 707, 1233
888	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant	H699, 707, 1233
889	Gatschenberger	Changes the laws regarding political subdivisions	H699, 707, 1266, 1620, 1685
890	Franz	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans	H699, 707, 810
891	Parkinson	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for all income earned as a temporary election staff member	H699, 707, 1169
892	Talboy	Changes the laws regarding student athlete agents	H699, 707, 1234
893	Richardson	Changes the laws regarding workers' compensation and the Second Injury Fund	H699, 707, 753, 1268, 1418
894	Long	Changes the laws regarding midwifery	H699, 707, 1169
895	Hampton	Designates a portion of State Highway 25 in the counties of Dunklin and Stoddard as the "Representative Otto Bean Memorial Highway"	H699, 707, 810
896	McCaherty	Specifies that certain spouses of Missouri State Employees' Retirement System members will be ineligible to receive a retirement allowance upon the dissolution of the member's marriage	H700, 707, 810
897	Jones (63)	Changes the laws regarding high-risk or alternative charter schools	H700, 707, 1234

HB No.	Author	Subject	Page Reference
898	Smith (71)	Establishes the Council on Digital Inclusion	H700, 707, 1234
899	Colona	Changes the laws regarding the state's health care utilization review process to comply with federal laws and regulations	H700, 707, 810
900	McGhee	Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"	H700, 707, 1234
901	Talboy	Prohibits the issuance of a tax credit under certain programs for an otherwise qualifying job under certain circumstances when the jobs are relocated from a contiguous state	H727, 735, 906
902	Neth	Specifies that any person who makes a report of suspected child abuse to the proper authorities will be immune from civil and criminal liability	H727, 735, 1234
903	Stream	Requires schools to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator and makes the instruction part of the high school graduation requirements	H727, 735, 1169
904	Loehner	Removes the requirement that the Department of Agriculture publish the list of all livestock brands in a book format and requires that information to be made available on a public web site	H727, 735, 810
905	Zerr	Specifies that certain expenses for the rehabilitation of an historic structure incurred prior to the approval of a historic structures rehabilitation tax credit may be deemed qualified expenses	H727, 735, 1234
906	Torpey	Prohibits any person operating a school bus who is transporting children at the time from using a hand-held electronic wireless communications device	H727, 735, 810
907	Webber	Authorizes the school board of the Columbia Public School District to impose, upon voter approval, an additional annual real property tax to fund early childhood education programs	H727, 735, 1234
908	Berry	Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area	H754, 764, 810, 1294
909	Higdon	Changes the laws regarding a landowner's liability relating to an individual trespassing on the owner's land	H754, 764, 1169
910	Atkins	Requires all employers and business entities to enroll and actively participate in a federal work authorization program	H755, 764, 810
911	Webber	Authorizes a check-off box for the Missouri Veterans' Medical Research Trust Fund to be added to the individual and corporate income tax forms and allows for a separate donation to be sent in with the taxes	H755, 764, 1234
912	McCaherty	Designates a portion of State Highway 30 in Jefferson County as the "SFC Wm. Brian Woods, Jr. Memorial Highway"	H755, 764, 810
913	Carter	Changes the laws regarding the crimes of trafficking drugs in the first and second degree	H755, 764, 1169
914	Grisamore	Requires a licensed audiologist or a person fitting a hearing instrument to provide a customer with a purchase agreement verifying that the customer has been informed about certain information	H755, 764, 1169
915	Parkinson	Specifies that any person who fails to provide proof of motor vehicle financial responsibility will have the vehicle he or she is operating impounded until valid proof is provided and all fees are paid	H755, 764, 1169
916	Houghton	Allows for a special license plate for a member of the National Wild Turkey Federation	H755, 764, 1234

HB No.	Author	Subject	Page Reference
917	Hinson	Requires all fire protection districts and municipal fire departments in St. Louis County to consolidate into one fire district upon the approval of the voters of the county	H755, 764, 810
918	Solon	Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contact with a single-source provider of trash collection in certain cities, towns, and villages	H755, 764, 810
919	Schupp	Specifies who qualifies as a voter in an election for directors of a community improvement district board	H755, 764, 1234
920	Walton Gray	Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score	H755, 764, 1234
921	Aull	Changes school funding formula phase-in percentages and allows up to 2% of the weighted average daily attendance for summer school attendance during phase-in period if the formula is underfunded	H755, 764, 1234
922	Still	Requires each circuit court in every county to establish a residential mortgage foreclosure mediation negotiation program to achieve a mutually agreeable resolution to a mortgage foreclosure action	H755, 764, 1234
923	Pollock	Establishes requirements for the taking of real property by adverse possession	H755, 764, 1234
924	Nolte	Extends the issuance of job retention tax credits and authorizes economic incentives for job retention projects within high-risk metropolitan statistical areas	H755, 764, 823, 1294, 1418
925	Riddle	Prohibits a municipality from restricting breast-feeding of a child or expressing breast milk, excludes the conduct from any sexual offense, and excuses a nursing mother from jury duty upon request	H755, 764, 1234
926	Bernskoetter	Authorizes the Governor to convey certain state properties	H782, 790, 810
927	McDonald	Requires a court to assess a surcharge of up to 6% in each criminal proceeding if authorized by the municipal or county government where the violation occurred	H782, 790, 1169
928	Schoeller	Allows Greene County, upon approval by the county commission, to charge an additional \$5 surcharge to any party filing a civil case	H782, 790, 1234
929	Ellinger	Allows an economic development tax board to increase the number of members of the board	H782, 784
930	Oxford	Eliminates the state income tax deduction for federal income tax liability beginning January 1, 2012	H782, 790, 1234
931	Johnson	Establishes a funeral demonstration zone, creates the Family Funeral Victimization Fund, and makes it unlawful for a person to demonstrate in a funeral demonstration zone without obtaining a permit	H782, 790, 1169
932	Torpey	Exempts any vehicle not registered in this state from the requirements regarding vision-reducing material or window tinting applied to a motor vehicle's windshield or window	H782, 790, 810
933	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product	H782, 790, 1234
934	Shively	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance	H782, 790, 1234



HB No.	Author	Subject	Page Reference
935	Johnson	Requires out-of-state persons or groups who wish to protest a funeral in this state pay, prior to the protest, a \$25,000 fee to local law enforcement agency in area where the protest will be held	H782, 790, 1169
936	Aull	Adds an independent two-year college accredited by the Higher Learning Commission that offers officer candidate training to the list of institutions where a student may use A+ School Program reimbursement	H782, 790, 1234
937	Meadows	Requires certain preneed funeral contract sellers and providers to designate the location where all records and contracts are located	H782, 790, 1234
938	Meadows	Specifies that, beginning July 1, 2012, certain specified building codes will be deemed the official state codes	H782, 790, 1234
939	Dieckhaus	Creates procedures for open enrollment of public school students across school district boundary lines	H783, 790, 1234
940	Nichols	Establishes the Common Interest Owners Bill of Rights Act	H783, 790, 810
941	Johnson	Increases the penalty for certain identity theft crimes	H783, 790, 1234
942	Johnson	Increases the tax credit for adopting a special needs child from up to \$10,000 to up to \$25,000 and authorizes a tax credit for nonrecurring adoption expenses for any child adopted	H783, 790, 1234
943	Johnson	Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment	H783, 790, 1169
944	Johnson	Lowers the required age for a person to be eligible for a senior citizens property tax credit, commonly known as circuit breaker	H783, 790, 1234
945	Carter	Adds a motor vehicle owned by a licensed funeral establishment and used exclusively for funeral services to the list of vehicles that are exempt from the motor carrier provisions of Chapter 390, RSMo	H783, 790, 1169
946	Guernsey	Changes the laws regarding grain dealers and grain warehouses	H783, 790, 1234
947	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding	H783, 790, 1234
948	Holsman	Creates the crimes of abuse of the Internet, criminal defamation, and failure to comply with a search warrant seeking computer-related identifying information	H783, 790, 1169
949	Ellinger	Increases from five to seven or nine the number of members on a city economic development tax board	H783, 790, 1170
950	Scharnhorst	Requires a health insurer to reimburse any entity or group that is supervised by a licensed psychologist for providing applied behavior analysis services to children with autism spectrum disorders	H783, 790, 1170
951	Johnson	Reduces the corporate income tax rate for a company that creates a specified number of jobs	H783, 790, 1170
952	Korman	Allows certain municipalities to cancel nonpartisan elections when there are the same number of candidates as open offices	H783, 790, 1234
953	Cauthorn	Exempts the sale of any accessories and upgrades to farm machinery and equipment, freight charges on exempt items, and fabrication labor from the state and local sales and use taxes	H783, 790, 1170

HB No.	Author	Subject	Page Reference
954	Franz	Specifies that a full-time employee of the Missouri Development Finance Board will be a state employee and a member of the Missouri State Employees' Retirement System	H783, 790, 1234
955	Franz	Requires an assessor to use any nationally recognized motor vehicle valuation guide to determine the assessed valuation of a used motor vehicle for personal property taxation	H783, 790, 1234
956	Shively	Specifies that time spent in jail, prison, or custody for a subsequent offense because of a detainer will not be credited toward service of a sentence of imprisonment for the original offense	H783, 790, 1234
957	Barnes	Establishes the Ratepayer Fairness Act which allows an aluminum smelting facility to keep any special utility rate at the ratepayer class as long as it employs 200 employees	H813, 823, 2712
958	Burlison	Extends the income tax credit for a person who makes a contribution to a child advocacy center, a crisis care center, or an entity funded from the Court Appointed Special Advocate Fund to August 28, 2018	H813, 823, 1234
959	Pollock	Prohibits any person who has pled guilty or nolo contendere to or has been found guilty of specified offenses from election or appointment to certain city offices in a third or fourth class city	H813, 823, 1234
960	Ruzicka	Specifies that the statute of limitations will be two years for a class A misdemeanor and one year for a class B or class C misdemeanor instead of one year for any misdemeanor	H813, 823, 1234
961	Atkins	Allows a rotation list to be used by law enforcement when requesting wrecker or towing services and requires a towing company to remove debris from the road when responding to an accident	H814, 823, 1170
962	Kratky	Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence	H814, 823, 1234
963	Fitzwater	Allows for a special license plate for a member of the Rocky Mountain Elk Foundation	H814, 823, 1234
964	Aull	Changes the laws regarding school district annexation petitions	H814, 823, 1234
965	Fallert	Adds automotive lubricants to the fuels that the Department of Agriculture is authorized to regulate	H814, 818
966	Funderburk	Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions	H814, 823, 1234
967	Smith (150)	Changes the appellate procedures for an issue initially decided by the Missouri Public Service Commission	H814, 823, 839
968	Schad	Changes the classification of certain new watercraft from personal property to residential property for property taxation purposes	H814, 823, 1170
969	Franklin	Changes the laws regarding the establishment of a law enforcement district under the Missouri Law Enforcement District Act	H814, 823, 1234
970	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri	H814, 823, 1234
971	Johnson	Establishes the Missouri Jobs for Education Program	H814, 823, 1170
972	Johnson	Allows private web site development companies to be awarded contracts to operate the Internet web sites of the Department of Economic Development	H814, 823, 1170
973	Korman	Authorizes a state sales and use tax exemption on all retail sales of any "Made in USA" product except motor vehicles for a seven-day period in July 2012 and July 2013	H814, 823, 1234

HB No.	Author	Subject	Page Reference
974	Hough	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act	H814, 823, 1170
975	Curtman	Establishes the Small Business and Entrepreneurial Growth Act to provide assistance for the expansion of certain small businesses	H814, 823, 1234
976	Johnson	Authorizes a reduction in the corporate income tax rate from 6.25% until the rate is eliminated based on the total of state sales and use tax collected in a fiscal year	H814, 823, 1234
977	Johnson	Requires a wholesale motor vehicle auction to provide a title at the time of purchase and changes the laws regarding a licensed dealer's hours of operations and the dealer's official telephone number	H814, 823, 1234
978	Carter	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health	H814, 823, 1234
979	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the state sales and use tax by .25%	H815, 823, 906, 1431
980	Leach	Requires a school district to have a policy regarding the placement of twins and other multiple-birth siblings	H815, 823, 1170
981	Leach	Requires twins or other multiple-birth siblings to be placed in the same classroom if the parent or legal guardian makes a timely request	H815, 823, 1170
982	Jones (117)	Restricts the authority of radiology benefit managers to deny diagnostic testing ordered and recommended by a licensed physician	H815, 823, 1234
983	Meadows	Prohibits a person who is not lawfully present in the United States from bringing a claim or seeking legal or equitable relief in a court of this state	H815, 823, 1235
984	Meadows	Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products	H815, 823, 1235
985	Anders	Revises the laws restricting the residency of a sexual offender	H815, 823, 1170
986	Wallingford	Establishes the Missouri Employment Work Pass Program to assist unemployed persons in obtaining employment and to encourage small businesses to hire unemployed persons	H815, 823, 1235
987	Rowland	Establishes the Common Interest Owners Bill of Rights Act	H815, 823, 1170
988	Wieland	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance	H815, 823, 2712
989	Webber	Establishes the Missouri Commission on Workforce Preparedness within the Department of Economic Development to study how higher education is meeting the needs of Missouri employers	H815, 823, 1235
990	Fallert	Adds automotive lubricants to the list of petroleum products regulated by the Department of Agriculture	H815, 823, 1170
991	Lichtenegger	Changes the laws regarding mechanic's liens on residential real property	H815, 823, 1235
992	May	Designates June of each year as "Bone Marrow Awareness Month"	H815, 823, 1170

HB No.	Author	Subject	Page Reference
993	Meadows	Specifies that Jefferson County cannot adopt any charter provision or any order or ordinance that prohibits the county from contracting out the county's probation services with a private entity	H815, 823, 1235
994	McNary	Changes the laws regarding school accreditation	H816, 823, 1204
995	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety	H816, 823, 1235
996	Harris	Establishes the Common Interest Owners Bill of Rights Act	H816, 823, 1170
997	Kirkton	Changes the laws regarding child support for higher education	H816, 823, 1235
998	Kirkton	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding	H816, 823, 1235
999	Schad	Changes the laws regarding sexual offender registration	H816, 823, 1170, 1428, 1651, 1784-1787, 1973-1974, S1486, 1639
1000	Diehl	Changes the composition of Congressional districts based on the 2010 census	H816, 823, 1235
1001	Diehl	Changes the composition of Congressional districts based on the 2010 census	H816, 823, 1235
1002	Talboy	Requires the Missouri Lottery Commission to establish a statewide video lottery terminal network	H816, 823, 1170
1003	Hampton	Revises the laws regarding private nuisances when it originates from property used for farming, agriculture, crop, or animal production purposes and when a court must visit an alleged affected property	H816, 823, 1170
1004	Lampe	Repeals several obsolete provisions regarding education	H816, 823, 1235
1005	Lampe	Changes the laws regarding education	H816, 823, 1235
1006	Schatz	Establishes the Joint Committee on Renewable Technology and Industrial Onsite Energy Generation	H816, 823, 1170
1007	Long	Removes the provisions which require non-merit state agencies to adopt dismissal procedures similar to those for merit employees	H816, 823, 1235
1008	Long	Allows the Highways and Transportation Commission to enter into infrastructure improvement agreements to reimburse funds advanced for the benefit of a county, political subdivision, or private entity	H816, 823, 907, 1206, 1319, 1410-1411, S801, 814, 1344, 1671, 1720, H2405, 2539-2541, S1960, H2710-2711, S2098-2099, H2711
1009	Marshall	Prohibits any department or political subdivision of the state from contracting any liability of the state in excess of \$1 million in any one-year period without the consent of the General Assembly	H816, 823, 1235
1010	Bahr	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act	H817, 823, 1235, 1710
1011	Hughes	Requires the Department of Conservation to establish areas across the state to be designated as six-month hunting seasons for certain animals	H817, 823, 1170
1012	Hughes	Requires the Secretary of State to annually air commercials and publish items in newspapers designed to educate the public on elected government and the democratic process	H817, 823, 1235

HB No.	Author	Subject	Page Reference
1013	Hughes	Requires any food or food product sold in Missouri which contains a hormone growth substance or any product or by-product of any genetically manipulated material to be labeled with that information	H817, 823, 1235
1014	Hughes	Requires the establishment of a pilot project to implement a medical malpractice court and removes a provision regarding the limitation on noneconomic damages in an action against a health care provider	H817, 823, 1235
1015	Hughes	Requires the accusing party in a dispute arising against a farmer for unauthorized use of intellectual property based on discovery of alien seed to submit to a dispute resolution before filing a court action	H817, 823, 1235
1016	Hughes	Establishes the Middle Class Reinvestment Act	H817, 823, 1235
1017	Oxford	Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis	H817, 823, 1235
1018	Kander	Changes the laws regarding mortgage foreclosures by requiring a preforeclosure notice which contains information regarding foreclosure alternatives	H824, 832, 1170
1019	Diehl	Requires a distressed municipality in St. Louis County to provide a minimum level of public services	H824, 832, 1235
1020	Barnes	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide coverage for temporomandibular joint disorder (TMJ) for plan participants	H824, 832, 1235
1021	Nolte	Requires a telecommunications company to provide caller location information in certain emergency situations	H824, 832, 1235
1022	Nolte	Specifies that any person who manufactures an article or a product while using stolen or misappropriated information technology will be deemed to engage in an unfair act under certain specified conditions	H824, 832, 1235
1023	Kelly (24)	Increases, upon voter approval, the excise tax on cigarettes from 17 cents to 98 cents per pack of 20 cigarettes	H824, 832, 1235
1024	Korman	Allows any drug court commissioner in the 12th Judicial Circuit to hear a civil or criminal case that would otherwise be assigned to an associate circuit judge in the circuit under certain situations	H824, 832, 1235
1025	Diehl	Specifies that the circuit clerk in the 22nd Judicial Circuit must be appointed by a majority of the circuit and associate circuit judges of the circuit	H824, 832, 1235
1026	Kirkton	Expands the mental health insurance parity requirements under the Mental Health and Chemical Dependency Insurance Act to include all policies or contracts providing long-term disability benefits	H824, 832, 1235
1027	Grisamore	Adds prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet	H825, 832, 1170
1028	Hough	Requires the Department of Economic Development to establish the Compete Missouri Training Program	H825, 832, 1235

## INTRODUCED HOUSE CONCURRENT RESOLUTIONS

HCR No.	Author	Subject	Page Reference
1	Jones (89)	Joint Session to receive State of the State, Message from Governor Jay Nixon, Wednesday, January 19, 2011, at 7:00p.m.	<b>H18, S52, 73, H135, S80, H157, 175, S106</b>
2	Jones (89)	Joint Session to receive a message from Chief Justice William Ray Price, Jr., Wednesday, February 2, 2011, at 10:30a.m.	<b>H18-19, S52-53, 74 H135, S80, H158</b>
3	Scharnhorst	Submits to United States Congress a proposed federal balanced budget amendment to the United States Constitution	<b>H19, 71, 198, 309, 369, 435, 465-466, S346-347, 360</b>
4	Flanigan	Establishes the Missouri State Capitol Building Centennial Commission for the purpose of seeking funding sources for the preservation, improvement, expansion, and renovation of the Capitol Building	<b>H85, 90, 245</b>
5	Smith (150)	Disapproves and suspends a proposed amendment to 4CSR 240-20.100 regarding the Electric Utility Renewable Energy Standards Requirements	<b>H85, 90, 154, 200-201</b>
6	Allen	Urges the Secretary of the Interior to add Grant's Farm in St. Louis County as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site	<b>H71, 198</b>
7	Walton Gray	Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans	<b>H100, 342, 436-437, 473, 832, S568-569, 605</b>
8	Allen	Recognizes the important services provided by professional school nurses and strongly urges school districts to recognize their dedication and valuable role by compensating them as like-degreed professionals.	<b>H100, 342</b>
9	Barnes	Submits an official application by the State of Missouri for the calling of a federal amendment convention	<b>H133, 141, 154, 277, 299, 366-367, 1416</b>
10	Nolte	Urges United States Congress to immediately repeal the Government Pension Offset and Windfall Elimination Provision of the Social Security Act	<b>H100, 1230</b>
11	Nolte	Urges United States Congress to designate the Liberty Memorial at the National World War I Museum in Kansas City as the National World War I Memorial	<b>H100, 198, 472-473, 523, 832, S567-568, 605, 813, 1243-1244, H1781</b>
12	Rowland	Claims sovereignty for the State of Missouri under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government	<b>H148, 245</b>
13	Wyatt	Strongly supports the selection of Kirksville, Missouri, as the site for A.T. Still University's new School of Dentistry and Oral Health	<b>H148, 245</b>
14	Jones (89)	Designates February 6, 2011, as "Ronald Reagan Day" in Missouri in honor of the 100th anniversary of the birth of our 40th President of the United States	<b>H148, 1230</b>
15	Brown (50)	Designates November 13, 2011, as "Buck O'Neil Day" in Missouri in honor of the first African-American coach in Major League Baseball	<b>H169, 245, 590-591, 722, 832, S565-566, 605, 735, 1243 H1781</b>
16	Nolte	Urges the President of the United States and Congress to lift tariffs on die cast magnesium alloys to prevent die cast companies from going out of business	<b>H197, 342</b>
17	Schieffer	Urges the United States Congress to support a comprehensive plan for flood control on the Upper Mississippi River Basin	<b>H197, 402, 568-569, 722, 832, S569-570, 605</b>
18	Parkinson	Disapproves the salary recommendations of the Citizen's Commission on Compensation for Elected Officials	<b>H201, 208, 216</b>

HCR No.	Author	Subject	Page Reference
19	Gatschenberger	Submits an official application by the State of Missouri for the calling of a convention for proposing amendments to the United States Constitution	<b>H222</b> , 232, 245, 392-393, 406, 904, 1416
20	Walton Gray	Designates April 2011 as "Donate Life Month" in Missouri	<b>H232</b> , 342
21	Walton Gray	Designates May 2011 as "Colon Cancer Awareness Month" in Missouri	<b>H232</b> , 342
22	Fallert	Strongly urges the federal Department of Homeland Security and Congress to increase the level of enforcement of illegal immigration, especially the hiring of unauthorized workers	<b>H243</b> , 342
23	Faith	Declares support for Complete Streets policies and urges their adoption at all levels of government regarding the shared use of our roads and highways by motorists, bicyclists and walkers	<b>H258</b> , 342, 570-572, 1172, 1215, <b>S686</b> -687, 701, 1331, 1895-1896, <b>H2457</b>
24	Jones (89)	Joint Session Wednesday, February 9, 2011, 2:00pm, for the State of the Judiciary message from the Honorable William Ray Price, Jr., Chief Justice of the State of Missouri	<b>H298</b> , <b>S204</b> , 208, <b>H312</b> , 324, <b>S217</b> , <b>H324</b> , <b>S225</b>
25	Walton Gray	Designates the week of May 8 - 14, 2011, as "Sickle Cell Awareness Week" in the State of Missouri	<b>H297</b> , 450
26	Walton Gray	Designates August 1, 2011, as "Minority Organ Donor Awareness Day" in Missouri	<b>H297</b> , 450
27	Walton Gray	Designates December 17, 2011, as "American Red Cross Minority Blood Drive Day" in Missouri	<b>H297</b> , 450
28	Nolte	Endorses an observer status for Taiwan in the International Civil Aviation Organization	<b>H306</b> , 450, 1171-1172, 1651
29	Conway (27)	Designates November 11, 2011, as "Vietnam Veterans Day" in Missouri to be observed in conjunction with Veterans Day	<b>H321</b> , 668
30	Frederick	Urges the Governor and Attorney General to send a letter to the President of the United States expressing the urgency of resolving the constitutionality of the federal health care reform act	<b>H339</b> , 450, 812, 837, 913, <b>S633</b> -634, 682
31	Cookson	Calls on the United States Congress to allocate at least 40% of the Land and Water Conservation Fund moneys to the State Assistance program for state and local capital parks projects	<b>H356</b> , 587, 694-695, 837, 913, <b>S634</b> -635, 682
32	Bernskoetter	Establishes a Joint Interim Committee on State Employee Wages to address the need to increase Missouri's ranking as 50th worst in the nation in state employee compensation	<b>H366</b> , 519, 1267-1268, 1417, 1628, <b>S1133</b> -1134, 1208, 1682, 1867-1868, <b>H2433</b> , 2558-2560, <b>S1973</b>
33	Davis	Designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice of service men and women who have given their lives in the line of duty	<b>H378</b> , 450, 486-487, 523, 832, <b>S566</b> , 605
34	Hampton	Urges the United States Forest Service to amend or rescind the Travel Management Rule which restricts motor vehicle access in Mark Twain National Forest	<b>H414</b> , 519, 554-555, 723, 832, <b>S567</b> , 605, 813-814, 1244, <b>H1781</b>
35	Oxford	Requests the Adjutant General of the Missouri National Guard to establish a voluntary reporting program for Missouri National Guard members and veterans who have been exposed to depleted uranium	<b>H414</b> , 450
36	Oxford	Urges the State of Missouri to recognize the yellow with three stripes heritage and freedom flag as the official flag of the Vietnamese-American community	<b>H414</b> , 450
37	Franklin	Recognition of every third week in June as Diabetic Peripheral Neuropathy Week	<b>H418</b> , 426, 587, 670-671, 838, 1261-1262, <b>S737</b> -738, 751, 1331, 1895, <b>H2457</b> , 2710, <b>S2099</b> , <b>H2710</b>

HCR No.	Author	Subject	Page Reference
38	Cierpiot	Supports the relocation of the ABC Heart of America Education Trust's trade and technical school from Mission, Kansas to Kansas City, Missouri	H426, 450, 1236, 1417
39	Leara	Urges the Secretary of the Interior to add Grant's Farm in St. Louis County as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site	H443, 519, 696-697, 838, 913, S635-636, 682, 1682, 1868, H2433
40	McNeil	Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution	H454, 464, 1230
41	Parkinson	Encourages every school district in Missouri to promote and include trap shooting as a high school sport	H482, 1230, 1595-1596, 1651
42	Funderburk	Urges the United States Congress to prohibit the Environmental Protection Agency from regulating greenhouse gas emissions or to take action on climate change	H495, 519, 1148-1149, 1205, 1312, S770-771, 784, 1331, 1867, H2433
43	Smith (71)	Urges United States Congress to address the pervasiveness of sickle cell trait and disease and the need to increase public awareness of the available programs and screenings	H532, 587
44	Barnes	Urges the United States Congress to propose a constitutional amendment under Article V of the United States Constitution for ratification by the states regarding state sovereignty	H580, 1230
45	Pollock	Urges the President of the United States and the United States Congress to uphold and defend the federal Defense of Marriage Act	H580, 809
46	Nolte	Recognizes Kansas City as host of FUTURALLIA KC 2011 event for small and medium business leaders	H580, 809, 1293-1294, 1417, 1628, S1134-1135, 1208
47	Kelley (126)	Designates October 3, 2011, as "Missouri Animal Agriculture Day"	H602, 668
48	Schatz	Strongly urges the United States Congress to support the Pea Ridge Mine in the extraction of thorium and the development of refineries for thorium power plants	H646, 809, 1429-1430, 1651, 2634-2636, S2012-2013
49	Atkins	Urges United States Congress to restore the Glass-Steagall law to regulate the banking system and prevent commercial banks from engaging in financial speculation	H678, 1230
50	Higdon	Requests the Department of Health and Senior Services to assess chronic disease management of stroke prevention in atrial fibrillation	H678, 1231
51	Oxford	Urges the United States Congress to enact the Improved and Expanded Medicare for All Act	H764, 1231
52	Brown (85)	Requires the Missouri Gaming Commission to make annual accounting reports of public safety moneys retained by home dock cities and counties from the taxes levied on adjusted gross receipts of excursion	H813, 823, 1231
53	Rowland	Strongly urges Congress and the Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs in this country	H1243, 1649, 1792-1793, 1858, 2636, S2013-2014

## INTRODUCED HOUSE JOINT RESOLUTIONS

HJR No.	Author	Subject	Page Reference
1	Allen	Proposes a constitutional amendment prohibiting a bill from being introduced unless accompanied by a memo detailing its title, purpose, summary of sections, constitutional authority, and fiscal impact	H19, 71, 1231



HJR No.	Author	Subject	Page Reference
2	McGhee	Proposes a constitutional amendment guaranteeing a citizen's right to pray and worship on public property and reaffirming a citizen's right to choose any or no religion	H19, 71, 198, 403, 473, 546, 553, 568, 586-587, S436-437, 496, 813, 1093, 1198, 1200, S1639-1640, H2201, 2710, S2098-2099, H2710
3	Loehner	Proposes a constitutional amendment affirming the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on their owners	H19, 71, 198, 453, 723, 836-837, 906, 916, 1184-1185, S681, 737, 1346, 1524, 1779, 1804
4	Barnes	Proposes a constitutional amendment preventing the proposed compensation schedule from the Commission on Compensation for Elected Officials from including any increase in certain circumstances	H85, 91, 1231
5	Pollock	Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods	H142, 148, 245, 418, 473, 1218, 1264, 1274, 1314-1315, S771, 814
6	Cierpiot	Proposes a constitutional amendment guaranteeing the right of individuals to vote by secret ballot	H155, 163, 198, 406, 473, 604-605, 634, 670, 680-681, S495, 546, 1152, 1192, 1226, 1249
7	Hoskins (121)	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 103 beginning with the 98th General Assembly	H155, 163, 342
8	Koenig	Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services	H155, 163, 198, 555, 673, 904-905, 1226-1230
9	Kelly (24)	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education facility improvements, construction, landscaping, and land or building purchases	H163, 169, 450
10	Barnes	Proposes a constitutional amendment repealing the prohibition against state funds being used to support any religion or religious school and specifies that parents have the right to choose any school	H163, 169, 245
11	Burlison	Proposes a constitutional amendment prohibiting appropriations in any fiscal year from exceeding certain limits	H201, 208, 284
12	Burlison	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 103 beginning with the 98th General Assembly	H201, 208, 342
13	Black	Proposes a constitutional amendment reducing the number of members of the House of Representatives to 120 and increasing the number of members of the Senate to 40	H222, 232, 342
14	Cox	Proposes a constitutional amendment changing the laws regarding elections by authorizing provisions relating to advance voting, voter identification, and absentee voting	H237, 243, 284, 379, 406
15	Ruzicka	Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources	H247, 258, 342, 591, 1417
16	Dugger	Proposes a constitutional amendment changing the number of voter signatures that are required to place an initiative petition or a referendum on a ballot	H264, 273, 342, 1293, 1417, 1615, 1649, 1665, 1676-1677, S1225, 1346, 1930, 1935, 1982, 1993-1994
17	Smith (150)	Proposes a constitutional amendment establishing the Freedom in Agriculture Act which guarantees the right of Missourians to grow crops, hunt and fish wildlife, and raise animals in a humane manner	H285, 289, 308, 522

HJR No.	Author	Subject	Page Reference
18	Cox	Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increases the number of candidates it nominates to the Governor for certain judicial vacancies	H310, 321, 450
19	Kirkton	Proposes a constitutional amendment transferring initial responsibility for Congressional and legislative redistricting from a Congressional committee to a state demographer	H333, 339, 1231
20	Sifton	Proposes a constitutional amendment changing the laws regarding the repeal or modification of a statutory provision of a referendum passed by voters	H357, 366, 1231
21	Sifton	Proposes a constitutional amendment changing the laws regarding the repeal or modification of a statutory provision of a referendum passed by voters	H357, 366, 450
22	Cauthorn	Proposes a constitutional amendment reauthorizing the Department of Conservation sales and use tax until an election in 2022 or at a special election called by the Governor and every 10 years thereafter	H380, 387, 2712
23	Leara	Proposes a constitutional amendment changing the number of signatures required on an initiative petition proposing an amendment to the Missouri Constitution or on a referendum to change a state law	H380, 387, 587
24	Aull	Proposes a constitutional amendment specifying who can participate in the operation of a bingo game	H393, 402, 1231
25	Aull	Proposes a constitutional amendment raising the allowable level of bonded indebtedness for a school district from 15% to 20% of the value of taxable tangible property in the district	H393, 402, 1231
26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government	H393, 402, 519
27	Brattin	Proposes a constitutional amendment specifying that the right of every citizen to possess, purchase ammunition, and any parts or articles for the proper functioning of arms must not be infringed	H418, 427, 450, 1265, 1417, 1614-1615, 1649, 1665, 1678-1680, S1225-1226, 1347
28	Walton Gray	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate	H419, 427, 1231
29	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans Commission Capital Improvement Trust Fund	H419, 427, 450, 487, 572, 616, 618, 668, 670, 681-682, S495, 546, 1150, 1192, 1226, 1228
30	Wyatt	Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability	H437, 443, 587
31	Wells	Proposes a constitutional amendment prohibiting a state court from using any international law or Sharia law	H454, 465, 519
32	Colona	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate	H475, 483, 519, 1265
33	Crawford	Proposes a constitutional amendment requiring any office of a senator or representative to be deemed vacated if the member removes himself or herself from the state during session to avoid an official vote	H475, 483, 519
34	Nasheed	Proposes a constitutional amendment prohibiting anyone elected to the General Assembly after November 1, 2008, from serving more than 12 years in any one house nor more than 24 years total in both houses	H487, 495, 1231

HJR No.	Author	Subject	Page Reference
35	Schad	Proposes a constitutional amendment requiring any office of a senator or representative to be deemed vacated if the member removes himself or herself from the state during session to avoid an official vote	H523, 532, 1231
36	Kander	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 99 beginning with the 98th General Assembly	H555, 565, 1231
37	Hughes	Proposes a constitutional amendment repealing legislative term limits	H813, 823, 1231
38	Barnes	Proposes a constitutional amendment allowing the General Assembly to provide financial assistance to students to pay for elementary and secondary education at any accredited school they select	H824, 832, 1231

## COMMITTEE, CONFERENCE – REQUESTS, MOTIONS AND REPORTS

### HCS SS No. 2 SCS SB 8

Senate requests House recede or grant ..... S1290 H1797  
House refuses to recede and grants conference .. H1944 S1356  
Senate conferees appointed: Goodman, Crowell, Pearce, Callahan and Green ..... S1357 H1967  
House conferees appointed: Fisher, Nolte, Richardson, Meadows and McManus ..... H1968 S1478  
Senate offers and adopts CCR No. 2 ..... S1998-1999 H2631  
Senate Third Read and Passed CCS No. 2 ..... S1999 H2631  
House submits CCR No.2 ..... H2585

### HCS SCS SB 29

Senate requests House recede or grant conference S1639 H2192  
House refuses to recede and grants conference .. H2192 S1673  
Senate conferees appointed: Brown, Dempsey, Crowell, Justus and Keaveny ..... S1674 H2204  
House conferees appointed: Jones (117), Wells, Frederick, Talboy and Swinger ..... H2204 S1676

### CCS HCS SB 48

Senate requests House recede or grant conference ..... S1914  
..... H2469  
House refuses to recede and grants conference .. H2469 S1920  
Senate conferees appointed: Wright-Jones, Green, Lager, Schaefer and Dixon ..... S1920 H2470  
House conferees appointed: Pollock, Smith (150), Schad, Hummel and Webb ..... H2480 S1925  
House submits CCR ..... H2586  
Senate offers and adopts CCR ..... S1984-1985 H2604  
Senate Third Read and Passed CCS ..... 1985-1986 H2604  
House adopts CCR ..... H2621 S2011  
House Third Read and Passed CCS ..... H2622 S2011

### CCS SCS HCS SB 59

Senate requests House recede or grant conference ..... S1525  
..... H2118  
House refuses to recede and grants conference .. H2148 S1568  
Senate conferees appointed: Keaveny, Goodman, Crowell, Ridgeway and Justus ..... S1621 H2155  
House conferees appointed: Diehl, Cox, Jones (117), McManus and Kelly (24) ..... H2155 S1627  
Senate offers and adopts CCR ..... S1688-1689 H2244  
Senate Third Read and Passed CCS ..... S1689-1690 H2244  
House submits CCR ..... H2248  
House adopts CCR ..... H2255 S1972  
House Third Read and Passed CCS ..... H2256 S1972

### HCS SCS SB 60

Senate request House recede or grant conference ..... S1816  
..... H2405  
House refuses to recede and grants conference .. H2406 S1865  
Senate conferees appointed: Keaveny, Justus, Rup, Schaefer and

Lamping ..... S1866 H2433  
House conferees appointed: Cox, Elmer, Barnes, Kelly (24) and Carlson ..... H2435 S1884

### HCS SB 61

Senate request House recede or grant conference ..... S1525  
..... H2118  
House refuses to recede and grants conference .. H2131 S1546  
House conferees appointed: Diehl, Cox, Richardson, Nasheed and Hubbard ..... H2576 S1627  
Senate dissolved conference ..... S1967 H2576

### CCS SS SCS SB 70

Senate requests House recede or grant conference ..... S1898  
..... H2457  
House refuses to recede and grants conference .. H2458 S1913  
Senate conferees appointed: Schaefer, Brown, Richard, Keaveny and Green ..... S1914 H2469  
House conferees appointed: Franz, Houghton, Gosen, Oxford and Carlson ..... H2480 S1925  
Senate offers and adopts CCR ..... S1983-1984 H2604  
Senate Third Read and Passed CCS ..... S1984 H2604  
House submits CCR ..... H2586-2587  
House adopts CCR ..... H2624 S2011  
House Third Read and Passed CCS ..... H2625 S2011

### CCS SCS SB 81

Senate requests House recede or grant conference ..... S1925  
..... H2527  
House refuses to recede and grants conference .. H2533 S1959  
House conferees appointed: Frederick, Funderburk, Stream, Carter and Aull ..... H2534 S1959  
Senate conferees appointed: Pearce, Kehoe, Brown, Callahan and Keaveny ..... S1960 H2576  
Senate offers and adopts CCR ..... S1994-1995 H2604  
Senate Third Read and Passed CCS ..... S1995-1996 H2604  
House submits CCR ..... H2587  
House adopts CCR ..... H2636-2637 S2014  
House Third Read and Passed CCS ..... H2637-2638 S2014

### CCS HCS No. 2 SCS SB 117

Senate requests House recede or grant conference ..... S1866  
..... H2434  
House refuses to recede and grants conference .. H2434-2435  
..... S1894  
House conferees appointed: Flanigan, Keeney, Fitzwater, Hummel and Kelly (24) ..... H2435 S1895  
Senate conferees appointed: Engler, Crowell, Schmitt, Justus and Chappelle-Nadal ..... S1895 H2458  
Senate offers and adopts CCR ..... S1986-1987 H2604  
Senate Third Read and Passed CCS ..... S1987-1988 H2604  
House submits CCR ..... H2588

House adopts CCR ..... H2631-2632 S2012  
House Third Read and Passed CCS ..... H2632-2633 S2012

**CCS HCS SS SB 135**

Senate requests House recede or grant conference ..... S1347  
..... H1943  
House refuses to recede and grants conference .. H1945 S1357  
Senate conferees appointed: Schaefer, Lager, Munzlinger, Justus  
and Green ..... S1358 H2078  
House conferees appointed: Jones (89), Ruzicka, Pollock,  
Holsman, and Brown (50) ..... H1968 S1478  
Senate offers and adopts CCR ..... S1727-1728 H2405  
Senate Third Read and Passed CCS ..... S1728-1729 H2405  
House submits CCR ..... H2249  
House adopts CCR ..... H2607 S2010  
House Third Read and Passed CCS ..... H2608 S2010

**HCS SB 145**

Senate requests House recede or grant conference ..... S1486  
..... H2078  
House refuses to recede and grants conference .. H2079 S1530  
Senate conferees appointed: Dempsey, Brown, Rupp, Callahan  
and Green ..... S1534 H2155  
House conferees appointed: Gatschenberger, Schneider, Diehl,  
Hummel and McManus ..... H2155 S1627-1628  
House submits CCR ..... H2588-2589

**CCS HCS SB 173**

Senate requests House recede or grant conference ..... S1326  
..... H1862  
House refuses to recede and grants conference .. H1944 S1356  
Senate conferees appointed: Dixon, Stouffer, Rupp, Callahan and  
Justus ..... S1357 H1968  
House conferees appointed: Cierpiot, Long, Smith (150), Fallert  
and Casey ..... H1968 S1478  
Senate offers and adopts CCR ..... S1748-1749 H2406  
Senate Third Read and Passed CCS ..... S1749-1750 H2406  
House submits CCR ..... H2436-2437  
House adopts CCR ..... H2574-2575 S1975  
House Third Read and Passed CCS ..... H2575-2576 S1975

**HCS SCS SB 177**

Senate requests House recede or grant conference ..... S1959  
..... H2543  
House refuses to recede and grants conference .. H2543 S1960  
House conferees appointed: Frederick, Allen, Wells, Carter and  
Colona ..... H2548 S1963  
Senate conferees appointed: Brown, Schaaf, Schaefer, Callahan  
and Green ..... S1965 H2577  
House submits CCR ..... H2589-2590

**HCS SB 220**

Senate requests House to recede or grant conference ... S1357  
..... H1968  
House refuses to recede and grants conference .. H1973 S1478  
Senate conferees appointed: Wasson, Richard, Parson, Callahan  
and Justus ..... S1485 H2078  
House conferees appointed: Diehl, Elmer, Korman, Kelly (24) and  
Carlson ..... H2155 S1627  
Senate dissolved conference ..... S1729 H

**CCS HCS SS SB 226**

Senate requests House recede or grant conference ..... S1525  
..... H2118  
House refuses to recede and grants conference .. H2131 S1546  
Senate conferees appointed: Engler, Dixon, Parson, Callahan and  
Keaveny ..... S1621 H2155  
House conferees appointed: Franz, Bernskoetter, Hough, Sifton  
and Schupp ..... H2155 S1627  
Senate offers and adopts CCR ..... S1747-1748 H2406  
Senate Third Read and Passed CCS ..... 1748 H2406  
House submits CCR ..... H2437  
House adopts CCR ..... H2610 S2010-2011  
House Third Read and Passed CCS ..... H2611 S2010-2011

**CCS No. 2 HCS SB 250**

Senate requests House recede or grant conference ..... S1627  
..... H2192  
House refuses to recede and grants conference .. H2192 S1673  
Senate conferees appointed: Kehoe, Goodman, Engler, Callahan  
and Keaveny ..... S1674 H2204  
House conferees appointed: Schad, Cierpiot, Higdon, Colona and  
Swearingen ..... H2204 S1676  
Senate offers and adopts CCR No. 2 ..... S1965-1966 H2577  
Senate Third Read and Passed CCS No. 2 .. S1966-1967 H2577  
House submits CCR ..... H2438  
House adopts CCR ..... H2612 S2011  
House Third Read and Passed CCS No. 2 ..... H2613 S2011

**HCS SS SCS SB 254**

Senate requests House recede or grant conference ..... S1959  
..... H2543  
House refuses to recede and grants conference .. H2543 S1960  
Senate conferees appointed: Stouffer, Kehoe, Engler, McKenna  
and Wright-Jones ..... S1963 H2577  
House conferees appointed: Cox, Elmer, Barnes, Colona and  
Carlson ..... H2548 S1963  
House submits CCR ..... H2590

**HCS SCS SB 270**

Senate requests House recede or grant conference ..... S1673  
..... H2204  
House refuses to recede and grants conference .. H2227 S1684  
House conferees appointed: Dugger, Wells, Smith (150), Conway  
(27) and Newman ..... H2234 S1684  
Senate conferees appointed: Kraus, Engler, Cunningham, Justus  
and Wright-Jones ..... S1685 H2713  
Senate offers CCR ..... S1920  
Senate defeats CCR ..... S1921  
House submits CCR ..... H2591

**CCS HCS SB 282**

Senate requests House recede or grant conference ..... S1347  
..... H1943  
House refuses to recede and grants conference .. H1944 S1357  
Senate conferees appointed: Engler, Wasson, Richard, Justus and  
Wright-Jones ..... S1358 H2079  
House conferees appointed: Dugger, Smith (150), Cox, Conway  
(27) and Newman ..... H1968 S1478  
Senate offers and adopts CCR ..... S1686-1687 H2244  
Senate Third Read and Passed CCS ..... S1687-1688 H2244  
House submits CCR ..... H2249-2250  
House adopts CCR ..... H2605-2606 S2010  
House Third Read and Passed CCS ..... H2606-2607 S2010

**CCS HCS SB 284**

Senate requests House recede or grant conference ..... S1673-1674 H2204  
House refuses to recede and grants conference .. H2227 S1684  
Senate conferees appointed: Wasson, Parson, Richard, Callahan  
and Curls ..... S1685 H2713  
House conferees appointed: Sater, Smith (150), Weter, Jones (63)  
and Swinger ..... H2240 S1709  
Senate offers and adopts CCR ..... S1927-1928 H2527  
Senate Third Read and Passed CCS ..... S1928-1929 H2527  
House submits CCR ..... H2591-2592  
House adopts CCR ..... H2618 S2011  
House Third Read and Passed CCS ..... H2619 S2011

**HCS SB 322**

Senate requests House recede or grant conference ..... S1525  
..... H2118  
House refuses to recede and grants conference .. H2131 S1546  
House conferees appointed: Silvey, Stream, Flanigan, Kelly (24)  
and Carter ..... H2155 S1627

**CCS No. 2 HCS SCS SB 356**

Senate requests House recede or grant conference ..... S1866  
..... H2434

House refuses to recede and grants conference .. **H2434 S1894**  
 House conferees appointed: Loehner, Schad, Wright, Holzman and Harris ..... **H2435 S1894**  
 Senate conferees appointed: Munzlinger, Parson, Brown, Callahan and Justus ..... **S1895 H2458**  
 Senate offers and adopts CCR No. 2 ..... **S1988-1989 H2605**  
 Senate Third Read and Passed CCS No. 2 ... 1989-1990 **H2605**  
 House submits CCR No.2 ..... **H2592**  
 House adopts CCR No.2 ..... **H2615 S2011**  
 House Third Read and Passed CCS No.2 ..... **H2616 S2011**

**CCS SCS HCS HB 2**

House requests Senate recede or grant conference ..... **H1610**  
 ..... **S1069**  
 Senate refuses to recede and grants conference .. **S1071 H1616**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1616**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and Nasheed ..... **H1618 S1098**  
 House submits CCR ..... **H1862-1863**  
 House adopts CCR ..... **H1946 S1358-1359**  
 House Third Read and Passed CCS ..... **H1947 S1358-1359**  
 Senate offers and adopts CCR ..... **S1456-1457 H1966**  
 Senate Third Read and Passed CCS ..... **S1457 H1966**

**CCS SCS HCS HB 3**

House requests Senate recede or grant conference ..... **H1610**  
 ..... **S1069-1070**  
 Senate refuses to recede and grants conference .. **S1071 H1616**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1616**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and Kelly(24) ..... **H1618 S1098**  
 House submits CCR ..... **H1863**  
 House adopts CCR ..... **H1948 S1359**  
 House Third Read and Passed CCS ..... **H1949 S1359**  
 Senate offers and adopts CCR ..... **S1457-1458 H1966**  
 Senate Third Read and Passed CCS ..... **S1458-1459 H1966**

**CCS SCS HCS HB 4**

House requests Senate recede or grant conference ..... **H1610**  
 ..... **S1070**  
 Senate refuses to recede and grants conference .. **S1071 H1616**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1616**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and Kelly(24) ..... **H1618 S1098-1099**  
 House submits CCR ..... **H1864**  
 House adopts CCR ..... **H1950 S1455**  
 House Third Read and Passed CCS ..... **H1951 S1455**  
 Senate offers and adopts CCR ..... **S1459-1460 H1966**  
 Senate Third Read and Passed CCS ..... **S1460-1461 H1966**

**CCS SCS HCS HB 5**

House requests Senate recede or grant conference ..... **H1610**  
 ..... **S1070**  
 Senate refuses to recede and grants conference .. **S1071 H1616**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1616**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and Kelly (24) ..... **H1618 S1099**  
 House submits CCR ..... **H1864**  
 House adopts CCR ..... **H1952 S1455-1456**  
 House Third Read and Passed CCS ..... **H1953 S1455-1456**  
 Senate offers and adopts CCR ..... **S1461-1462 H1966**  
 Senate Third Read and Passed CCS ..... **S1462-1463 H1966**

**CCS SCS HCS HB 6**

House requests Senate recede or grant conference ..... **H1610**  
 ..... **S1070**  
 Senate refuses to recede and grants conference .. **S1071 H1616**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1616**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and

Kelly (24) ..... **H1618 S1099**  
 House submits CCR ..... **H1865**  
 House adopts CCR ..... **H1954 S1456**  
 House Third Read and Passed CCS ..... **H1955 S1456**  
 Senate offers and adopts CCR ..... **S1463-1464 H1972**  
 Senate Third Read and Passed CCS ..... **S1464 H1972**

**CCS SCS HCS HB 7**

House requests Senate recede or grant conference ..... **H1610**  
 ..... **S1070**  
 Senate refuses to recede and grants conference .. **S1071 H1617**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1617**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and Kelly (24) ..... **H1618 S1099**  
 House submits CCR ..... **H1866**  
 House adopts CCR ..... **H1956 S1464-1465**  
 House Third Read and Passed CCS ..... **H1957 S1464-1465**  
 Senate offers and adopts CCR ..... **S1465-1466 H1972**  
 Senate Third Read and Passed CCS ..... **S1466-1467 H1972**

**CCS SCS HCS HB 8**

House requests Senate recede or grant conference ..... **H1611**  
 ..... **S1070**  
 Senate refuses to recede and grants conference .. **S1071 H1617**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1617**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and Kelly (24) ..... **H1618 S1099**  
 House submits CCR ..... **H1866**  
 House adopts CCR ..... **H1958 S1465**  
 House Third Read and Passed CCS ..... **H1959 S1465**  
 Senate offers and adopts CCR ..... **S1467-1468 H1972**  
 Senate Third Read and Passed CCS ..... **S1468 H1972**

**CCS SCS HCS HB 9**

House requests Senate recede or grant conference ..... **H1611**  
 ..... **S1070**  
 Senate refuses to recede and grants conference .. **S1071 H1617**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1617**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and Kelly(24) ..... **H1618 S1099**  
 House submits CCR ..... **H1867**  
 House adopts CCR ..... **H1960 S1465**  
 House Third Read and Passed CCS ..... **H1961 S1465**  
 Senate offers and adopts CCR ..... **S1469 H1972**  
 Senate Third Read and Passed CCS ..... **S1469-1470 H1972**

**CCS SCS HCS HB 10**

House requests Senate recede or grant conference ..... **H1611**  
 ..... **S1070**  
 Senate refuses to recede and grants conference .. **S1071 H1617**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1617**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and Kelly (24) ..... **H1618 S1099**  
 House submits CCR ..... **H1868**  
 House adopts CCR ..... **H1962 S1465**  
 House Third Read and Passed CCS ..... **H1963 S1465**  
 Senate offers and adopts CCR ..... **S1470-1471 H1972**  
 Senate Third Read and Passed CCS ..... **S1471-1472 H1972**

**CCS SCS HCS HB 11**

House requests Senate recede or grant conference ..... **H1612**  
 ..... **S1070**  
 Senate refuses to recede and grants conference .. **S1071 H1617**  
 Senate conferees appointed: Schaefer, Rupp, Pearce, Green and Curls ..... **S1071 H1617**  
 House conferees appointed: Silvey, Stream, Flanigan, Lampe and Kelly (24) ..... **H1618 S1099**  
 House submits CCR ..... **H1868**  
 House adopts CCR ..... **H1964 S1472**  
 House Third Read and Passed CCS ..... **H1965 S1472**

Senate offers and adopts CCR ..... S1472-1473 H1973  
Senate Third Read and Passed CCS ..... S1473-1474 H1973

**CCS SCS HCS HB 12**

House requests Senate recede or grant conference ..... H1612  
..... S1070  
Senate refuses to recede and grants conference .. S1071 H1617  
Senate conferees appointed: Schaefer, Rupp, Pearce, Green and  
Curls ..... S1072 H1617  
House conferees appointed: Silvey, Stream, Flanigan, Lampe and  
Kelly (24) ..... H1618 S1099  
House submits CCR ..... H1869  
House adopts CCR ..... H1968-1969 S1472  
House Third Read and Passed CCS ..... H1969-1970 S1472  
Senate offers and adopts CCR ..... S1474-1475 H1973  
Senate Third Read and Passed CCS ..... S1475-1476 H1973

**CCS SCS HCS HB 13**

House requests Senate recede or grant conference ..... H1612  
..... S1071  
Senate refuses to recede and grants conference .. S1071 H1618  
Senate conferees appointed: Schaefer, Rupp, Pearce, Green and  
Curls ..... S1072 H1618  
House conferees appointed: Silvey, Stream, Flanigan, Lampe and  
Kelly (24) ..... H1618 S1099  
House submits CCR ..... H1870  
House adopts CCR ..... H1970-1971 S1476  
House Third Read and Passed CCS ..... H1971-1972 S1476  
Senate offers and adopts CCR ..... S1476-1477 H1973  
Senate Third Read and Passed CCS ..... S1477 H1973

**CCS SCS HB 101**

House requests Senate recede or grant conference ..... H1972  
..... S1478  
Senate refuses to recede and grants conference .... S1485-1486  
..... H2078  
House conferees appointed: Loehner, Fitzwater, Johnson, Quinn  
and Talboy ..... S1530 H2079  
Senate conferees appointed: Cunningham, Ridgeway, Lembke,  
Justus and McKenna ..... S1534 H2154  
House submits CCR ..... H2246  
House adopts CCR ..... H2529-2530 S1959  
House Third Read and Passed CCS ..... H2530-2531 S1959  
Senate offers and adopts CCR ..... S1960-1961 H2576  
Senate Third Read and Passed CCS ..... S1961-1962 H2576

**SS SCS HCS HBs 116 & 316**

House requests Senate recede or grant conference  
..... H2343-2344 S1803  
Senate refuses to recede and grants conference .. S1803 H2390  
Senate conferees appointed: Purgason, Schmitt, Lager, Callahan  
and Chappelle-Nadal ..... S1816 H2390  
House conferees appointed: Flanigan, Diehl, Jones (117), Kelly  
(24) and Talboy ..... H2406 S1827

**CCS SCS HB 142**

House requests Senate recede or grant conference ..... H1945  
..... S1357  
Senate refuses to recede and grants conference .. S1357 H1966  
Senate conferees appointed: Dempsey, Mayer, Parson, McKenna  
and Curls ..... S1478 H1973  
House conferees appointed: Gatschenberger, Diehl, Lauer, Quinn,

and Taylor ..... H1968 S1478  
House submits CCR ..... H2247  
House adopts CCR ..... H2527-2528 S1958  
House Third Read and Passed CCS ..... H2528-2529 S1958  
Senate offers and adopts CCR ..... S1968-1969 H2579  
Senate Third Read and Passed CCS ..... S1969 H2579

**CCS SS HCS HB 193**

House requests Senate recede or grant conference ..... H1275  
..... S750  
Senate refuses to recede and grants conference .... S788 H1412  
Senate conferees appointed: Rupp, Crowell, Lager, Callahan and  
Wright-Jones ..... S796 H1422  
House conferees appointed: Diehl, Cox, Loehner, Hubbard and  
Nasheed ..... H1412 S800  
House submits CCR ..... H1644-1645  
House adopts CCR ..... H1646 S1171  
House Third Read and Passed CCS ..... H1647 S1171  
Senate offers and adopts CCR ..... S1171-1172 H1648  
Senate Third Read and Passed CCS ..... S1172-1173 H1648

**CCS SS SCS HCS HB 430**

House requests Senate recede or grant conference ..... H2421  
..... S1878  
Senate refuses to recede and grants conference .. S1878 H2433  
Senate conferees appointed: Stouffer, Wasson, Richard, McKenna  
and Justus ..... S1878 H2433  
House conferees appointed: Burlison, Schoeller, Denison, Ellinger  
and Jones (63) ..... H2455 S1905  
House conferee replacement: Schupp to replace Ellinger  
..... H2480 S1925  
House submits CCR ..... H2584  
House adopts CCR ..... H2599-2600 S1994  
House Third Read and Passed CCS ..... H2600-2601 S1994  
Senate offers and adopts CCR ..... S1996-1997 H2631  
Senate Third Read and Passed CCS ..... S1997-1998 H2631

**CCS SS HB 458**

House requests Senate recede or grant conference ..... H2421  
..... S1905  
Senate refuses to recede and grants conference .. S1914 H2469  
Senate conferees appointed: Brown, Munzlinger, Schaefer,  
Callahan and Justus ..... S1914 H2469  
House conferees appointed: Loehner, Klippenstein, Entlicher,  
Aull and Shively ..... H2480 S1925  
House submits CCR ..... H2584-2585  
House adopts CCR ..... H2601-2602 S2000  
House Third Read and Passed CCS ..... H2602 S2000  
Senate offers and adopts CCR ..... S2000-2001 H2645  
Senate Third Read and Passed CCS ..... S2001-2002 H2645

**SCS HB 737**

House requests Senate recede or grant conference ..... H2201  
..... S1676  
Senate refuses to recede and grants conference .. S1681 H2243  
House conferees appointed: Redmon, Funderburk, Houghton,  
Holsman and Quinn ..... H2243 S1709  
Senate conferees appointed: Lager, Munzlinger, Pearce, Callahan  
and Curls ..... S1712 H2405  
House dissolved conference ..... H2597 S1994

# CLASSIFIED INDEX KEYWORDS

## A

Abortion  
Accountants  
Administration, Office of  
Administrative Law  
Administrative Rules  
Agriculture and Animals  
Agriculture Dept.  
AIDS  
Aircraft and Airports  
Alcohol  
Ambulances and Ambulance  
    Districts  
Annexation  
Appropriations  
Architects  
Arts and Humanities  
Attorney General, State  
Attorneys  
Auditor, State  
Autism

## B

Banks and Financial Institutions  
Bingo  
Boards, Commissions,  
    Committees, Councils  
Boats and Watercraft  
Bonds-Bail  
Bonds-General Obligation and  
    Revenue  
Bonds-Surety  
Buses  
Business and Commerce

## C

Campaign Finance  
Capital Improvements  
Cemeteries  
Certificate of Need  
Charities  
Children and Minors  
Chiropractors  
Circuit Clerk  
Cities, Towns and Villages  
Civil Procedure  
Civil Rights  
Commercial Code  
Compacts  
Conservation Dept.  
Constitutional Amendments  
Construction and Building  
    Codes  
Consumer Protection  
Contracts and Contractors

Cooperatives  
Corporations  
Corrections Dept.  
Cosmetology  
Counties  
County Government  
County Officials  
Courts  
Courts, Juvenile  
Credit and Bankruptcy  
Credit Unions  
Crimes and Punishment  
Criminal Procedure

## D

Dairies and Dairy Products  
Dentists  
Disabilities  
Domestic Relations  
Drainage and Levee Districts  
Drugs and Controlled  
    Substances  
Drunk Driving/Boating

## E

Easements and Conveyances  
Economic Development  
Economic Development Dept.  
Education, Elementary and  
    Secondary  
Education, Higher  
Education, Proprietary  
Elderly  
Elections  
Elementary and Secondary  
    Education Dept.  
Emblems  
Emergencies  
Eminent Domain and  
    Condemnation  
Employees-Employers  
Employment Security  
Energy  
Engineers  
Enterprise Zones  
Entertainment, Sports and  
    Amusements  
Environmental Protection  
Estates, Wills and Trusts  
Ethics  
Evidence  
Excavation

## F

Fairs

Family Law  
Family Services Division  
Federal-State Relations  
Fees  
Fire Protection  
Firearms and Fireworks  
Fishing and Hunting  
Funerals and Funeral Directors

## G

Gambling  
General Assembly  
Governor & Lt. Governor  
Guardians

## H

Health Care  
Health Care Professionals  
Health Dept.  
Health, Public  
Higher Education Dept.  
Highway Patrol  
Historic Preservation  
Holidays  
Horse Racing  
Hospitals  
Housing

## I

Identity Theft and Protection  
Immigration  
Insurance-Automobile  
Insurance-General  
Insurance-Life  
Insurance-Medical  
Insurance-Property  
Insurance Dept.  
Internet, World-Wide Web &  
    E-Mail  
Interstate Cooperation

## J

Jackson County  
Judges  
Juries

## K

Kansas City

## L

Labor and Industrial Relations  
    Dept.  
Labor and Management  
Lakes, Rivers and Waterways

Landlords and Tenants  
Law Enforcement Officers and  
Agencies  
Liability  
Libraries and Archives  
Licenses-Driver's  
Licenses-Liquor and Beer  
Licenses-Misc  
Licenses-Motor Vehicle  
Licenses-Professional  
Liens  
Lobbying  
Lotteries

## M

Manufactured Housing  
Marriage and Divorce  
Medicaid  
Medical Procedures and  
Personnel  
Mental Health  
Mental Health Dept.  
Merchandising Practices  
Merit System  
Military Affairs  
Mining and Oil and Gas  
Production  
Minorities  
Mortgages and Deeds  
Motels and Hotels  
Motor Carriers  
Motor Fuel  
Motor Vehicles  
Museums

## N

National Guard  
Natural Resources Dept.  
Newspapers and Publications  
Notary Public  
Nurses  
Nursing and Boarding Homes

## O

Optometry

## P

Parks and Recreation

Pawnbrokers  
Pharmacy  
Physical Therapists  
Physicians  
Planning and Zoning  
Political Parties  
Political Subdivisions  
Prisons and Jails  
Probation and Parole  
Property, Real and Personal  
Psychologists  
Public Assistance  
Public Buildings  
Public Officers  
Public Records, Public Meetings  
Public Safety Dept.  
Public Service Commission

## R

Railroads  
Redistricting  
Religion  
Retirement-Local Government  
Retirement-Schools  
Retirement-State  
Retirement Systems and  
Benefits-General  
Revenue Dept.  
Revision Bills  
Roads and Highways

## S

Saint Louis  
Saint Louis County  
Salaries  
Savings and Loan  
Science and Technology  
Search and Seizure  
Secretary of State  
Securities  
Sewers and Sewer Districts  
Sexual Offenses  
Social Services Dept.  
Soil Conservation  
Sovereign or Official Immunity  
State Departments  
State Employees  
State Tax Commission

Suicide  
Sunshine Law  
Surveyors

## T

Tax Credits  
Taxation and Revenue-General  
Taxation and Revenue-Income  
Taxation and Revenue-  
Inheritance  
Taxation and Revenue-Property  
Taxation and Revenue-Sales and  
Use  
Teachers  
Telecommunications  
Television  
Terrorism  
Tobacco Products  
Tourism  
Transportation  
Transportation Dept.  
Treasurer, State  
Trees and Other Plants

## U

Unemployment Compensation  
Uniform Laws  
Urban Redevelopment  
Utilities

## V

Veterans  
Veterinarians  
Victims of Crime  
Vital Statistics

## W

Waste-Hazardous  
Waste-Radioactive  
Waste- Solid  
Water Patrol  
Water Resources and Water  
Districts  
Weapons  
Weights and Measures  
Workers Compensation



**CLASSIFIED INDEX**

(Bills are classified by the last version acted on)

No.	Author	Subject
<b>ABORTION</b>		
SS SCS SB 65		Modifies provisions relating to abortion with respect to viability
SB 204	Dempsey	Reauthorizes the pregnancy resource center tax credit
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 348	Wright-Jones	Enacts the Prevention First Act
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HCS HB 28		Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug
HB 129	Barnes	Prohibits a juvenile or family court from using the fact that a natural parent chose not to abort a child when determining to take, continue, or fail to terminate jurisdiction over another child
SS HCS HB 213		Specifies that no abortion of a viable, unborn child can be performed or induced except in certain specified situations
HB 328	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 483	Cox	Requires any entity performing or assisting in certain abortions or counseling a woman to have an abortion to file an annual report regarding moneys received under the federal Public Health Service Act
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
<b>ACCOUNTANTS</b>		
HB 832	Wright	Changes the laws regarding the Missouri State Board of Accountancy by prohibiting the board from receiving any revenue from the General Revenue Fund or any of its costs to be incurred by the state
<b>ADMINISTRATION, OFFICE OF</b>		
SB 22	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
SB 47	Wright-Jones	Modifies the law relating to minority and women's business enterprises
SB 119	Schaefer	Assigns certain characteristics to the treatment of conservation easements under the law
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
SB 172	Crowell	Modifies the State Legal Expense Fund
SB 316	McKenna	Creates a four day work week for state employees
SB 345	Wright-Jones	Creates the Council on Digital Inclusion
SCS SB 368		Transfers land survey duties from the Department of Natural Resources to the Department of Agriculture
SB 380	Green	Requires the state treasurer to transfer the balance in any fund in excess of 200% of the previous fiscal year's expenditures into the state general revenue fund
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SCR 4	Crowell	Requires the Board of Public Buildings to reassign rooms in the State Capitol to the General Assembly that are currently assigned to the Office of Administration

No.	Author	Subject
HB 117	Ellinger	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 126	Barnes	Requires the state to give a prompt written notification to all affected state employees and specified county and city officials in certain situations when the state decides upon a mass layoff
HB 139	Smith	Requires the Office of Administration to maintain public school and county and municipal government accountability information and the Governor's travel information on the Missouri Accountability Portal
HB 147	Cauthorn	Requires the Commissioner of the Office of Administration or other state purchasing agent to buy forest products, bricks, or aluminum produced in Missouri with certain exceptions
HB 190	Ruzicka	Authorizes divisions within the Department of Natural Resources to receive funds to be placed in a revolving fund for the purpose of cash transactions involving the sale of items made by the divisions
HB 267	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HCS HB 303 & 239		Changes the laws regarding members of the military, military spouses, and veterans
SCS HCS HB 344		Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program
HB 442	Franz	Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
HB 492	Franz	Requires written authorization by a public employee before a labor union can withhold any dues, fees, or political contribution from the employee's paycheck
HB 493	Wieland	Requires the Commissioner of the Office of Administration to develop a statewide system or to contract with a third party to allow all state agencies and departments to accept electronic payments
HCS HB 548		Changes the laws regarding the compensatory time, vacation leave, and mass layoff notification of state employees
HB 559	Grisamore	Changes the laws regarding accessible electronic text material use in elementary and secondary schools
HB 700	Colona	Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2014
HCS HB 716		Establishes the Capital Green Program, requirements for environmentally sustainable construction for state-funded buildings, and the Renewable Energy Pilot Program for State Parks
HB 750	Hinson	Allows the Commissioner of the Office of Administration, upon voter approval, to increase the wireless fee per telephone user from not to exceed 50 cents to not to exceed 75 cents per month
HB 767	Bahr	Allows the Department of Revenue and the Office of Administration to jointly enter into a reciprocal agreement with the United States government or any other state for the collection and offset of debts
HB 809	Hughes	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 815	Scharnhorst	Requires each county to publish a financial statement that includes detailed compensation information, all extra duty compensation, employee benefits, and the county budget
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HB 898	Smith	Establishes the Council on Digital Inclusion

No.	Author	Subject
HJR 9	Kelly	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education facility improvements, construction, landscaping, and land or building purchases
HJR 11	Burlison	Proposes a constitutional amendment prohibiting appropriations in any fiscal year from exceeding certain limits
HJR 18	Cox	Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increases the number of candidates it nominates to the Governor for certain judicial vacancies
<b>ADMINISTRATIVE LAW</b>		
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
HCS SCS SB 177		Modifies provisions relating to public health policies
SB 272	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses
SB 303	Engler	Modifies disciplinary and administrative procedures for professions and businesses licensed under the Division of Professional Registration, including those licensed by the Board of Registration for the Healing Arts
SB 312	Keaveny	Modifies provision relating to administrative child support orders
SB 315	Chappelle-Nadal	Bars discriminatory employers from receiving public works contracts and requires employers to provide cause to terminated employees
SB 350	Dixon	Requires the sunset of all administrative rules proposed, adopted or amended after August 28, 2011, and allows an agency to repromulgate a rule that is set to sunset
SB 403	Nieves	Modifies provisions pertaining to the filing of appeals regarding decisions made by environmental commissions
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SS SCS HCS HB 265		Changes the laws regarding professional registration
HB 574	Aull	Requires an insurer to obtain approval from the Department of Insurance, Financial Institutions and Professional Registration before changing any insurance premium rate by 15% or more
SS SCS HCS HB 697		Specifies that any administrative rule proposed, adopted, or amended by a state agency after August 28, 2011, must automatically terminate six years after its effective date
HCS HB 732		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding professions and businesses regulated by the Division of Professional Registration
HB 769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HCS HB 811		Changes the laws regarding motor vehicle extended service contracts
HB 887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives
<b>ADMINISTRATIVE RULES</b>		
SB 350	Dixon	Requires the sunset of all administrative rules proposed, adopted or amended after August 28, 2011, and allows an agency to repromulgate a rule that is set to sunset
SCR 1	Ridgeway	Disapproves a final order of rule making by the Public Service Commission regarding Electric Utility Renewable Energy Standard Requirements
SS SCS HCS HB 45		Changes the laws regarding the Big Government Get Off My Back Act which provides an income tax deduction for certain small businesses that create new full-time jobs
SS HCS HB 338		Specifies that a telecommunications company may elect to be exempt from certain rules if giving written notice to the Missouri Public Service Commission

No.	Author	Subject
SCS HCS HB 552		Requires the State Board of Pharmacy to establish rules governing the standard of care for pharmacies dispensing blood clotting therapies
SS SCS HCS HB 697		Specifies that any administrative rule proposed, adopted, or amended by a state agency after August 28, 2011, must automatically terminate six years after its effective date
HB 878	Smith	Changes the laws regarding the filing of an emergency rule by the Board of Trustees of the Missouri Consolidated Health Care Plan
HCR 5	Smith	Disapproves and suspends a proposed amendment to 4CSR 240-20.100 regarding the Electric Utility Renewable Energy Standards Requirements
HCS HJR 17		Proposes a constitutional amendment establishing the Freedom in Agriculture Act which guarantees the right of Missourians to grow crops, hunt and fish wildlife, and raise animals in a humane manner
<b>AGRICULTURE AND ANIMALS</b>		
SB 4	Stouffer	Repeals the Puppy Mill Cruelty Prevention Act
SS SB 55		Classifies sawmills and planing mills as agricultural and horticultural property for tax purposes
HCS SB 63		Modifies provisions pertaining to utilities
SS SCS SBs 113 & 95		Modifies the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
SB 138	Keaveny	Creates the Nonhuman Primate Act
HCS SB 161		Modifies provisions relating to agriculture
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
HCS SB 187		Modifies the laws regarding nuisances and junkyards
SB 190	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel
SB 241	Brown	Creates a state and local sales and use tax exemptions for captive wildlife
SB 256	Kraus	Repeals certain tax credit programs
SB 259	Kraus	Subjects certain tax credit programs to sunsets
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SCS SB 299		Requires the Department of Conservation to compensate for damage caused by wild elk
SCS SB 300		Allows the use of centerfire handguns during the muzzleloader portion of firearms deer season
SB 317	Stouffer	Exempts securities issued by agricultural cooperative corporations from state security registration requirements
SB 327	Richard	Modifies penalties for multiple violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
HCS SCS SB 337		Modifies provisions pertaining to agriculture
CCS#2 HCS SCS SB 356		Modifies provisions pertaining to agriculture
SCR 6	Munzlinger	Urges the U.S. Department of Agriculture to quickly deregulate genetically-engineered alfalfa without conditions
SCS SJR 11		Asserts the right of Missourians to hunt and fish

No.	Author	Subject
HB 36	Sater	Specifies that farm machinery and equipment as it relates to exemptions for sales tax will include certain all-terrain vehicles
HB 85	McGhee	Authorizes an income tax credit for taxpayers who use processed biomass engineered fiber fuel
HB 94	Dugger	Repeals the Puppy Mill Cruelty Prevention Act passed as Proposition B by voters in November 2010
HB 96	Flanigan	Imposes penalties for persistent violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
HB 99	Loehner	Exempts all shelters, pounds, kennels, pet shops, facilities, dealers, and breeders licensed under specified statutes prior to November 2, 2011, from the provisions of the Puppy Mill Cruelty Prevention Act
HCS HB 100		Affirms the right of Missouri citizens to raise livestock in a humane manner without the state imposing an undue burden on their owners
HB 103	Nance	Allows the Department of Conservation, in collaboration with the Department of Natural Resources, to establish a program for good forestry management
SCS HCS HB 112 & 285		Classifies certain sawmills and planing mills as agricultural and horticultural property instead of commercial property for property taxation purposes
HB 115	Schad	Specifies that the Department of Conservation will have ownership and title to all wild elk in Missouri and will be financially responsible for any damage caused by wild elk
HCS HB 131		Changes the laws regarding the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
HB 185	Loehner	Renames the Joint Committee on Urban Farming to the Joint Committee on Urban Agriculture and changes the expiration date of the provisions regarding the committee to January 1, 2013
HB 203	Hoskins	Adds professional therapy dogs to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled individual
SS SCS HB 209		Changes the laws regarding county nuisance abatement ordinances, junkyards, and private nuisance actions
HCS HB 266		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HB 281	Kelley	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
HB 332	Franz	Expands the Puppy Mill Cruelty Prevention Act to apply to humane societies and exempts shelters, pounds, kennels, pet shops, dealers, facilities, and breeders licensed prior to November 2, 2011
SCS HCS HB 344		Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program
HB 345	Guernsey	Allows the Missouri Agricultural and Small Business Development Authority to make loan guarantees to certain agribusinesses under the Agricultural Product Utilization and Business Development Loan Program
HB 346	Guernsey	Exempts the sale of captive wildlife and the sale of feed for captive wildlife from state and local sales and use taxes
HB 405	Crawford	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
CCS SS HB 458		Changes the laws regarding agriculture
HB 474	Denison	Designates the regal fritillary as the official state butterfly
HB 496	Jones	Allows licensed veterinarians to administer or prescribe legend drugs for use in animals and changes the membership of an advisory committee of the Board of Pharmacy regarding drug distributors
HB 513	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog

No.	Author	Subject
HB 554	Loehner	Specifies that acts of animal husbandry for compensation are not prohibited or required to be performed by a veterinarian
HB 601	Schad	Exempts the sale of feed for captive wildlife from state and local sales and use taxes
HB 620	Holsman	Changes the laws regarding controlled substances as they relate to industrial hemp
HB 633	Ruzicka	Establishes the Agritourism Promotion Act which allows for the registration of any person who is engaged in a business which provides agritourism activities in this state
HB 653	Cauthorn	Changes the laws regarding noxious weeds
HB 693	Schad	Revises the punishment for the crime of receiving stolen property
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 746	Brown	Authorizes a check-off box for the newly created Puppy Protection Trust Fund to be added to the individual and corporate income tax forms and allows for a separate check donation with a tax payment
HB 789	Johnson	Authorizes a state and local sales and use tax exemption for specified farm products sold at a farmers' market
HB 808	Hughes	Requires all food or food products sold in Missouri which are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HB 847	Guernsey	Exempts any security issued by an agricultural cooperative corporation operated as an agricultural cooperative association from state security registration requirements under certain conditions
HB 873	Wyatt	Establishes the Missouri Sustainable Local Food Policy Council for the purpose of building a local food economy
HB 904	Loehner	Removes the requirement that the Department of Agriculture publish the list of all livestock brands in a book format and requires that information to be made available on a public web site
HB 938	Meadows	Specifies that, beginning July 1, 2012, certain specified building codes will be deemed the official state codes
HB 946	Guernsey	Changes the laws regarding grain dealers and grain warehouses
HB 953	Cauthorn	Exempts the sale of any accessories and upgrades to farm machinery and equipment, freight charges on exempt items, and fabrication labor from the state and local sales and use taxes
HB 1003	Hampton	Revises the laws regarding private nuisances when it originates from property used for farming, agriculture, crop, or animal production purposes and when a court must visit an alleged affected property
HB 1011	Hughes	Requires the Department of Conservation to establish areas across the state to be designated as six-month hunting seasons for certain animals
HB 1013	Hughes	Requires any food or food product sold in Missouri which contains a hormone growth substance or any product or by-product of any genetically manipulated material to be labeled with that information
HB 1015	Hughes	Requires the accusing party in a dispute arising against a farmer for unauthorized use of intellectual property based on discovery of alien seed to submit to a dispute resolution before filing a court action
HCR 47	Kelley	Designates October 3, 2011, as "Missouri Animal Agriculture Day"
HCS HJR 3		Proposes a constitutional amendment affirming the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on their owners
HJR 15	Ruzicka	Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources

No.	Author	Subject
HCS HJR 17		Proposes a constitutional amendment establishing the Freedom in Agriculture Act which guarantees the right of Missourians to grow crops, hunt and fish wildlife, and raise animals in a humane manner
		<b>AGRICULTURE DEPT.</b>
SB 4	Stouffer	Repeals the Puppy Mill Cruelty Prevention Act
SS SCS SBs 113 & 95		Modifies the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
CCS HCS SS SB 135		Modifies provisions pertaining to environmental protection
SB 138	Keaveny	Creates the Nonhuman Primate Act
HCS SB 161		Modifies provisions relating to agriculture
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
HCS SCS SB 337		Modifies provisions pertaining to agriculture
CCS#2 HCS SCS SB 356		Modifies provisions pertaining to agriculture
SCS SB 368		Transfers land survey duties from the Department of Natural Resources to the Department of Agriculture
SCR 6	Munzlinger	Urges the U.S. Department of Agriculture to quickly deregulate genetically-engineered alfalfa without conditions
HCS HB 192		Changes the laws regarding environmental protection programs
SCS HCS HB 344		Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program
CCS SS HB 458		Changes the laws regarding agriculture
HB 633	Ruzicka	Establishes the Agritourism Promotion Act which allows for the registration of any person who is engaged in a business which provides agritourism activities in this state
HB 653	Cauthorn	Changes the laws regarding noxious weeds
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 746	Brown	Authorizes a check-off box for the newly created Puppy Protection Trust Fund to be added to the individual and corporate income tax forms and allows for a separate check donation with a tax payment
HB 797	Korman	Transfers all powers, duties, and functions of the Land Survey Program within the Department of Natural Resources to the Department of Agriculture
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HB 873	Wyatt	Establishes the Missouri Sustainable Local Food Policy Council for the purpose of building a local food economy
HB 904	Loehner	Removes the requirement that the Department of Agriculture publish the list of all livestock brands in a book format and requires that information to be made available on a public web site
HB 946	Guernsey	Changes the laws regarding grain dealers and grain warehouses

No.	Author	Subject
HB 965	Fallert	Adds automotive lubricants to the fuels that the Department of Agriculture is authorized to regulate (Withdrawn)
HB 990	Fallert	Adds automotive lubricants to the list of petroleum products regulated by the Department of Agriculture
<b>AIDS</b>		
HB 510	Wyatt	Requires a court to order sexually transmitted disease testing of certain defendants within one week of the date the prosecuting or circuit attorney filed the motion requesting it
<b>AIRCRAFT AND AIRPORTS</b>		
HCS SCS SB 131		Makes numerous changes to provisions relating to the regulation of transportation
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
HB 422	Scharnhorst	Requires certain employers to grant a leave of absence to workers performing civil air patrol emergency service duty or counter narcotics missions
HCS HB 818		Changes the laws regarding transportation
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HCR 28	Nolte	Endorses an observer status for Taiwan in the International Civil Aviation Organization
<b>ALCOHOL</b>		
SB 31	Chappelle-Nadal	Reduces from 45 to 20 the different types of beer that must be served by certain restaurant bars in order to serve 32 or more ounces of beer for off-premise consumption
SB 64	Parson	Prohibits beer manufacturers from having any interest in liquor wholesalers
SB 160	Cunningham	Allows any winery, distiller, manufacturer, wholesaler, or brewer to provide liquor samples on certain licensed retail premises for tasting purposes
SB 287	Ridgeway	Creates a liquor license for wine shops to allow them to serve alcohol on Sundays
CCS SCS HB 101		Changes the laws regarding liquor control
HB 199	Kelley	Specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment
HB 258	Cox	Prohibits beer brewers or manufacturers from having any interest in the license, business, assets, or corporate stock of a liquor wholesaler with certain exceptions
HB 322	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink on the premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 395	Cookson	Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 540	Schneider	Creates the crime of practicing medicine while intoxicated
HB 623	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense
HB 719	Higdon	Requires one cent from the six cent fee that is deposited into the Missouri Wine and Grape Fund to be deposited into the newly created Division of Alcohol and Tobacco Control Enforcement Fund
HB 833	Funderburk	Specifies that a statement offering a coupon, sales price, rebate, or discount for an alcoholic beverage will be legal in advertising as long as the final retail price is not below the wholesale cost
HB 882	Atkins	Creates the crime of practicing medicine while intoxicated



No.	Author	Subject
<b>AMBULANCES AND AMBULANCE DISTRICTS</b>		
CCS HCS SS SB 226		Modifies provisions relating to emergency services
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 309	Kehoe	Allows certain ambulance and fire protection districts to seek voter approval for a sales tax to fund such districts
SB 319	Dixon	Allows debts owed to ambulance service providers to be collected from income tax refunds and lottery winnings of patients
HCS HB 121		Changes the laws regarding elections
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
HCS HB 236		Extends the expiration date of various federal reimbursement allowances from September 30, 2011, to September 30, 2016
HB 269	Molendorp	Adds certain not-for-profit organizations to the term "public entity" as it relates to tort immunity and limits the state's liability in tort claims involving motor vehicles and dangerous conditions
HB 304	Black	Authorizes an income tax credit for certain public safety officers
HB 312	Gatschenberger	Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions
HB 495	Jones	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 521	Wells	Allows an ambulance district board member to be recalled from office by petition of the registered voters
HB 542	Bernskoetter	Authorizes any ambulance district formed after August 28, 2011, to impose, upon voter approval, a sales tax of up to 0.5% in lieu of a property tax to fund the district
HB 745	Brown	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat
<b>ANNEXATION</b>		
HB 759	Dieckhaus	Prohibits the voluntary or involuntary annexation of a parcel of property under certain circumstances
HCS#2 HB 889		Changes the laws regarding political subdivisions
HB 964	Aull	Changes the laws regarding school district annexation petitions
<b>APPROPRIATIONS</b>		
SB 139	Crowell	Subjects all state tax credits to appropriation
SB 248	Parson	Establishes the Proof of Concept Business Finance Program
SB 272	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses
SB 380	Green	Requires the state treasurer to transfer the balance in any fund in excess of 200% of the previous fiscal year's expenditures into the state general revenue fund
SCR 3	Lembke	Disapproves the salary recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials
SJR 20	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations

No.	Author	Subject
HCS HB 1		Appropriates money to the Board of Fund Commissioners
CCS SCS HCS HB 2		Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education
CCS SCS HCS HB 3		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education
CCS SCS HCS HB 4		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation
CCS SCS HCS HB 5		Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety
CCS SCS HCS HB 6		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation
CCS SCS HCS HB 7		Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial R
CCS SCS HCS HB 8		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety
CCS SCS HCS HB 9		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections
CCS SCS HCS HB 10		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, Board of Public Buildings, and Department of Health and Senior Services
CCS SCS HCS HB 11		Appropriates money for the expenses, grants, and distributions of the Department of Social Services
CCS SCS HCS HB 12		Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly
CCS SCS HCS HB 13		Appropriates money for real property leases and related services
SS SCS HCS HB 14		Appropriates money for supplemental purposes
HB 15	Silvey	Appropriates money for supplemental purposes for the Department of Elementary and Secondary Education
SCS HCS HB 17		Appropriates money for capital improvement and other purposes as provided in Article IV, Section 28
SCS HCS HB 18		Appropriates money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities
SCS HCS HB 21		Appropriates money for capital improvement projects involving maintenance, repair, replacement, and improvement of state buildings and facilities
SCS HCS HB 22		Appropriates money for planning and capital improvement projects and land improvements or acquisitions and transfers money among certain funds
HB 87	McGhee	Provides an annual 2% pay increase in Fiscal Year 2013 through Fiscal Year 2015 for non-custodial employees in certain divisions of the Department of Corrections
HCS HB 446		Changes the laws regarding the state school funding formula
HB 774	Korman	Specifies the distribution of any unexpended state appropriations at the end of a fiscal year by a state department, agency, or office
HJR 11	Burlison	Proposes a constitutional amendment prohibiting appropriations in any fiscal year from exceeding certain limits
<b>ARCHITECTS</b>		
HCS SCS SB 133		Modifies the law with respect to highway design-build project contracts and sewer district design-build contracts

No.	Author	Subject
HCS SB 220		Modifies liens for certain design professionals and the statute of limitations for actions against land surveyors
SB 326	Wasson	Authorizes a peer review process for architects, landscape architects, land surveyors, and engineers, including providing for immunity from liability and prohibiting the disclosure of certain documents and testimony
HB 92	Molendorp	Authorizes school districts to enter into design-build contracts for construction projects
HB 402	Diehl	Increases the extent of acreage authorized for a lien on property to secure payment for work performed by an architect, engineer, land surveyor, landscape architect, or well digger
HB 568	Elmer	Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
<b>ARTS AND HUMANITIES</b>		
HB 169	Nolte	Allows public schools to offer courses in ballroom dance which will be treated as a qualified fine arts and a physical education activity for academic credit
HB 251	Cox	Specifies that tax credits for qualified film production projects will expire December 31, 2011
HB 333	Shumake	Allows religious books to be used in public schools in certain situations as long as they are used in a manner that does not violate the Establishment Clause of the United States Constitution
HB 479	Brown	Increases the annual cap on the tax credits certified for qualified film production projects from \$4.5 million to \$10 million
HB 695	Frederick	Allows the Division of School Improvement to ensure that each regional professional development center in the state provides professional development education assistance for fine arts
HB 712	Webb	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
<b>ATTORNEY GENERAL, STATE</b>		
SS SB 9		Modifies the state do-not-call list and creates "paid for by" requirements for political phone calls
SB 53	Cunningham	Adds automated phone calls to the types of calls prohibited to people who sign up on the state do-not-call list
HCS SB 63		Modifies provisions pertaining to utilities
SB 72	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws
SB 75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 101	Parson	Creates requirements for contractors who perform home exterior and roof work
SB 172	Crowell	Modifies the State Legal Expense Fund
SB 183	Ridgeway	Modifies current law regarding certain prohibited uses of social security numbers to include the partial use of social security numbers
SB 199	Crowell	Modifies the state do-not-call list by allowing cell phone numbers on the list and banning certain automated calls
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance
SB 305	Parson	Creates record-keeping requirements for certain buyers of plastic bulk merchandising containers
SS#2 SCS SB 320		Modifies provisions relating to domestic violence
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SCS SBs 394 & 331		Modifies the human trafficking provisions

No.	Author	Subject
SB 417	Crowell	Modifies the law relating to the Second Injury Fund
SB 431	Munzlinger	Creates a state do-not-mail list for consumers who do not wish to receive solicitations from direct mail marketers
SB 432	Munzlinger	Regulates contingency-fee contracts between state entities and private attorneys
SJR 3	Goodman	Requires the Attorney General to seek appropriate relief against actions of the federal government when directed by the Governor, General Assembly, or a petition of the voters
SJR 4	Lembke	WITHDRAWN
SJR 7	Lembke	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office
HB 72	Torpey	Prohibits statewide elected officials or members of the General Assembly elected for their first term in office on or after November 2, 2010, from acting, serving, or registering as a lobbyist
HB 107	Smith	Requires special elections to fill certain vacancies in the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer
SCS HCS HB 214		Changes the laws regarding human trafficking
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 374	Barnes	Establishes the Missouri False Claims Act
HB 376		Expands the No-call List to include cell phone numbers, prohibits sending unsolicited faxes or text messages, and prohibits using automatic dialing announcing devices in certain situations
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance
HB 501	Cauthorn	Allows wireless telephone users to be added to the No-call List and revises the definition of "telephone solicitation" to include voice, facsimile, graphic imaging, or data communication
HB 516	Ellinger	Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty cases
HB 522	Rizzo	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans, and allows the Attorney General to maintain an action to enforce compliance
HB 530	Kander	Establishes the Public Fraud Prevention Act
HB 700	Colona	Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2014
HB 720	Parkinson	Establishes the Transparency in Private Attorney Contracts Act
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 778	Riddle	Allows certain persons to carry concealed firearms in the State Capitol Building or at a meeting of the General Assembly if they have a valid concealed carry endorsement
HB 788	Fisher	Changes the laws regarding workers' compensation and the Second Injury Fund
HB 831	Houghton	Establishes the Do-Not-Offer Statewide Registry Act which requires the creation of a database of elderly Missouri residents who object to receiving direct mail marketing
HCS HB 856		Changes the laws regarding initiative and referendum petitions

No.	Author	Subject
HB 858	Hampton	Prohibits large water users from transporting water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user
HB 872	Houghton	Establishes the Transparency in Private Attorney Contracts Act
HB 892	Talboy	Changes the laws regarding student athlete agents
HCS HB 893		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1022	Nolte	Specifies that any person who manufactures an article or a product while using stolen or misappropriated information technology will be deemed to engage in an unfair act under certain specified conditions
<b>ATTORNEYS</b>		
SB 165	Goodman	Extends the sunset on the Basic Civil Legal Services Fund
SB 237	Schaefer	Requires that the September 1996 Supreme Court standards for representation by guardians ad litem be updated
SB 307	Justus	Allows Kansas City to collect an additional fourteen dollars in municipal ordinance violation cases
SB 432	Munzlinger	Regulates contingency-fee contracts between state entities and private attorneys
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HCS HB 136		Allows the spouse of certain active military members to be eligible for unemployment benefits and to receive a temporary courtesy license to practice his or her occupation or profession in this state
HCS HB 253 & 398		Changes the laws regarding judicial procedures
HB 254	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 255	Cox	Establishes the Private Attorney Retention Act which specifies the procedures state agencies or agents must follow when retaining a lawyer or law firm to perform legal services under certain conditions
SCS HB 256		Extends the expiration date of the provisions regarding the Basic Civil Legal Services Fund from December 31, 2012, to December 31, 2018
HB 288	Lair	Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HB 392	White	Establishes the Adult Health Care Consent Act which provides for a priority of persons who can make health care decisions for an individual who is unable to consent to his or her own health care
HB 516	Ellinger	Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty cases
HB 700	Colona	Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2014
HB 720	Parkinson	Establishes the Transparency in Private Attorney Contracts Act
HB 772		Allows Kansas City to assess additional court costs of up to \$14 per case for each municipal ordinance violation
HB 872	Houghton	Establishes the Transparency in Private Attorney Contracts Act
<b>AUDITOR, STATE</b>		
SB 75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics

No.	Author	Subject
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance
SB 269	Brown	Modifies provisions relating to the formation and auditing of joint municipal utility commissions
SCS SB 323		Requires the Auditor to conduct a one-time comparative audit of selected state agencies
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SB 412	Crowell	Modifies the State Auditor's authority to examine audits of the MODOT and Highway Patrol Employees' Retirement System (MPERS) and the Missouri State Employees' Retirement System (MOSERS) to allow the Auditor to audit the systems
SB 413	Crowell	Modifies the State Auditor's authority to examine audits of the Public School Retirement System to allow the auditor to audit the system
SB 414	Crowell	Allows the state auditor to audit any state or local public employees' retirement system
SCR 7	Dempsey	Authorizes the employment of an independent certified public accountant or certified public accounting firm pursuant to Section 21.760, RSMo
SJR 4	Lembke	WITHDRAWN
SJR 7	Lembke	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office
HB 72	Torpey	Prohibits statewide elected officials or members of the General Assembly elected for their first term in office on or after November 2, 2010, from acting, serving, or registering as a lobbyist
HB 107	Smith	Requires special elections to fill certain vacancies in the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance
HCS HB 657		Requires the State Auditor to conduct a one-time comparative audit of at least five but no more than 10 of the largest state agencies to review fiscal practices and to identify cost-saving measures
HB 778	Riddle	Allows certain persons to carry concealed firearms in the State Capitol Building or at a meeting of the General Assembly if they have a valid concealed carry endorsement
HCS HB 856		Changes the laws regarding initiative and referendum petitions
<b>AUTISM</b>		
HB 40	Lampe	Changes the laws regarding the identification, assessment, and education of children with autism spectrum disorder
HB 362	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HB 950	Scharnhorst	Requires a health insurer to reimburse any entity or group that is supervised by a licensed psychologist for providing applied behavior analysis services to children with autism spectrum disorders

No.	Author	Subject
<b>BANKS AND FINANCIAL INSTITUTIONS</b>		
SB 71	Parson	Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission and modifies other provisions relating to housing and real estate
SB 83	Pearce	Allows for the sale of deficiency waiver addendums and other similar products with respect to certain loan transactions
SB 94	Munzlinger	Provides loan assistance programs to businesses for energy efficiency improvements
HCS SCS SB 219		Allows owners of automated teller machines to charge access fees to those with bank accounts in foreign countries and gambling boats to accept credit instruments
SB 259	Kraus	Subjects certain tax credit programs to sunsets
SB 263	Green	Requires pawnbrokers to photograph anybody selling jewelry, gold, or silver and to complete a form for such transactions
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 295	Keaveny	Amends laws relating to unsecured loans of \$500 or less
SCS SB 340		Modifies licensing requirements for funeral directors, embalmers, and funeral establishments and certain requirements for preneed funeral contracts
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SB 401	Lamping	Modifies the law relating to debt adjusters
HCS HB 76		Changes the laws regarding the corporate franchise tax
HCS HB 83		Specifies that an agreement to operate or share an automated teller machine cannot prohibit the owner or operator of the machine from imposing an access fee or surcharge on foreign bank transactions
HB 132	Still	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 144	Schoeller	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for payments made on a loan obtained to repair certain flood damage to the taxpayer's premises
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 345	Guernsey	Allows the Missouri Agricultural and Small Business Development Authority to make loan guarantees to certain agribusinesses under the Agricultural Product Utilization and Business Development Loan Program
HB 451	Kirkton	Requires a mortgage value disclosure statement to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
HB 522	Rizzo	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans, and allows the Attorney General to maintain an action to enforce compliance
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents
HB 536	Leara	Authorizes the banking institution tax credit to be taken against a financial institution's annual franchise tax if the institution is a limited liability company or a limited liability partnership
HB 584	Oxford	Prohibits a lender from imposing a fine, fee, or penalty for the prepayment of any loan and repeals the provision allowing a prepayment fee to be charged on a second mortgage loan
HB 656	Brandom	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans

No.	Author	Subject
HB 721	Schneider	Requires a lending institution purchasing property at a foreclosure sale and selling the property in an amount that exceeds the purchase price to apply excess amount to any deficiencies or judgments
HB 741	Bernskoetter	Adds an eligible energy-saving enterprise to the list of entities that are eligible to receive a linked deposit loan
HB 810	Hughes	Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly
HB 890	Franz	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 922	Still	Requires each circuit court in every county to establish a residential mortgage foreclosure mediation negotiation program to achieve a mutually agreeable resolution to a mortgage foreclosure action
HB 1018	Kander	Changes the laws regarding mortgage foreclosures by requiring a preforeclosure notice which contains information regarding foreclosure alternatives
HCR 49	Atkins	Urges Congress to restore the Glass-Steagall law to regulate the banking system and prevent commercial banks from engaging in financial speculation
HCS HJR 8		Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services
<b>BINGO</b>		
HJR 24	Aull	Proposes a constitutional amendment specifying who can participate in the operation of a bingo game
<b>BOARDS, COMMISSIONS, COMMITTEES, COUNCILS</b>		
SCS SB 14		Establishes procedures for the transfer of students from an unaccredited school district to an accredited school district in the same or an adjoining county
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 71	Parson	Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission and modifies other provisions relating to housing and real estate
CCS SCS SB 81		Modifies provisions relating to education
SCS SBs 88 & 82		Removes an expiration date of August 28, 2011 on state universities being able to convey land, except in fee simple, without authorization from the General Assembly and requires that such conveyances be done at fair market value
SB 89	Lembke	Abolishes the state public defender system and requires circuit courts to provide legal defense for indigents
SB 99	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education
SB 129	Lembke	Exempts the St. Louis City School District from the requirement that an unaccredited school district pay tuition and transportation for students who attend an accredited school under certain circumstances
SB 142	Crowell	Restricts the membership, employment, and business relationships of the Missouri Development Finance Board and the Missouri Housing Development Commission
HCS SB 147		Modifies provisions relating to education
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
HCS SCS SB 163		Modifies the composition of the Coordinating Board for Higher Education, Board of Curators of the University of Missouri and the governing board of Missouri State University
SB 170	Crowell	Specifies that defined benefit retirement plans are required to submit quarterly reports on their investment performance to the Joint Committee on Public Employee Retirement



No.	Author	Subject
SB 182	Ridgeway	Expands the amount of employees and functions of the small business regulatory fairness board
SB 191	Pearce	Establishes the Caring for Missourians Program to provide grants to eligible Missouri public higher education institutions that maintain certain nursing programs
SB 192	Pearce	Requires the Department of Mental Health to develop a continuing professional education curriculum relating to eating disorders
SB 200	Crowell	Modifies the ability of state educational institutions to issue bonds and incur debt
SB 203	Schmitt	Creates a tax credit to attract sporting events to the state
HCS SB 207		Modifies provisions pertaining to energy and property taxation
SB 216	Schaaf	Requires school boards to work with the Brain Injury Association of Missouri and Missouri State High School Activities Association to develop guidelines on youth athlete concussions and brain injuries
SB 228	Pearce	Modifies the composition of the board of directors of the Kansas City School District
SB 240	Justus	Changes the requirements for school anti-bullying policies
SCS SB 242		Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship
HCS SB 243		Modifies provisions relating to educational resources and services
SB 257	Kraus	Modifies provisions of the Low-Income Housing Tax Credit Program
CCS HCS SB 284		Modifies the disciplinary authority of the Board of Pharmacy, defines the term legend drug for the purpose of certain pharmacy statutes, and grants exemption from sales tax for certain medical equipment and drugs
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SCS SBs 291, 184 & 294		Modifies provisions relating to charter schools
SB 303	Engler	Modifies disciplinary and administrative procedures for professions and businesses licensed under the Division of Professional Registration, including those licensed by the Board of Registration for the Healing Arts
SB 313	Schaaf	Repeals certain requirements for board members of tourism community enhancement districts
HCS SB 325		Modifies various laws relating to professional registration
SB 326	Wasson	Authorizes a peer review process for architects, landscape architects, land surveyors, and engineers, including providing for immunity from liability and prohibiting the disclosure of certain documents and testimony
SCS SB 340		Modifies licensing requirements for funeral directors, embalmers, and funeral establishments and certain requirements for preneed funeral contracts
SB 345	Wright-Jones	Creates the Council on Digital Inclusion
SB 355	Schaaf	Modifies provisions regarding gubernatorial appointments
SB 358	Wasson	Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and allows the committee for professional counselors to require certain education or training in diagnostic skills
SB 364	Pearce	Authorizes the establishment of parks, trails and greenways districts in certain counties
SCS SBs 369 & 370		Establishes procedures for resident pupils of an unaccredited school district to enroll in another school in the same or an adjoining county
SB 371	Cunningham	Allows a lapsed school district to be divided and attached to adjoining accredited school districts
SB 372	Cunningham	Modifies provisions relating to teacher contracts and establishes the Teacher Continuing Contract Act

No.	Author	Subject
SB 382	Chappelle-Nadal	Licenses clinical laboratory personnel
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SB 391	Lager	Requires the school board of each school district and charter school to establish an evaluation system for teachers and teaching
SB 397	Cunningham	Requires certification for certain contractors who work on fire sprinkler systems
SB 407	Crowell	Provides sufficient funding to continue the MO RX prescription drug plan
SCS SBs 408 & 80		Extends the MO RX prescription drug plan until August 28, 2014
SCR 4	Crowell	Requires the Board of Public Buildings to reassign rooms in the State Capitol to the General Assembly that are currently assigned to the Office of Administration
SJR 17	Lembke	Modifies the selection process for certain judgeships and the composition of judicial nominating commissions
SJR 21	Lembke	Proposes a constitutional amendment to put a question on the ballot in the City of St. Louis regarding the city's governance
HB 40	Lampe	Changes the laws regarding the identification, assessment, and education of children with autism spectrum disorder
HB 57	Brown	Establishes the Missouri Commission on Prevention and Management of Obesity
HB 58	Brown	Establishes the Missouri and Midwest High-Speed Rail Commission Act and the Missouri and Midwest High-Speed Rail Commission
HCS HB 70		Changes the compensation and mileage allowance for certain members of a county highway commission
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
HB 97	Ruzicka	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HB 106	Sater	Prohibits a sheltered workshop's board of directors from holding in reserve any general operating moneys in excess of one year's estimated annual general operating costs with certain specified exceptions
HB 110	Zerr	Requires noninvasive vascular laboratories to be accredited by the Intersocietal Commission for the Accreditation of Vascular Laboratories or the American College of Radiology
HB 134	Nasheed	Specifies that the practice of cosmetology cannot include hair braiding and prohibits any person from engaging in hair braiding without being registered with the state and paying a fee
HB 135	Nolte	Extends from no later than 10 years to no later than 20 years the time period in which bonds and other similar instruments which have been authorized to fund the Unemployment Compensation Fund must mature
HB 138	Thomson	Establishes the School Construction Act which exempts the construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
HB 173	Koenig	Prohibits limiting the investment of funds by the board of the Missouri Higher Education Savings Program to a specified grouping or list of investment vehicles
HCS HB 174		Changes the composition of the Coordinating Board for Higher Education, the University of Missouri Board of Curators, and the Missouri State University Board of Governors

No.	Author	Subject
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HB 185	Loehner	Renames the Joint Committee on Urban Farming to the Joint Committee on Urban Agriculture and changes the expiration date of the provisions regarding the committee to January 1, 2013
HCS HB 192		Changes the laws regarding environmental protection programs
HB 195	Koenig	Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to allow the teaching of scientific theories of biological or chemical evolution
HB 208	Meadows	Prohibits certain persons from being appointed to the Regional Taxicab Commission, removes the requirement that four of the members be chosen from the industry, and establishes an advisory committee
HB 210	Molendorp	Changes the laws regarding the board of directors of public water supply districts
HCS HB 212		Changes the laws regarding the annual certification fee that a proprietary school must pay
HB 217	Dugger	Allows an election authority to use an electronic voter identification system or electronic signature pad to verify voter identification information at any polling place
HCS HB 223 & 231		Establishes the Nursing Education Incentive Program and authorizes a nonrenewable advanced placement grant to certain recipients of financial aid under the A+ Schools or Access Missouri programs
HB 226	Richardson	Removes the 10-year limitation that an outstanding obligation under a financial agreement between the Board of Unemployment Fund Financing and a lender can continue
HB 243	Still	Changes the composition of the University of Missouri Board of Curators
HB 244	Still	Changes the composition of the University of Missouri Board of Curators
HB 255	Cox	Establishes the Private Attorney Retention Act which specifies the procedures state agencies or agents must follow when retaining a lawyer or law firm to perform legal services under certain conditions
HB 257	Cox	Repeals the provisions regarding the Sentencing Advisory Commission
HB 261	Barnes	Removes the requirement that a decision regarding placing a teacher on leave must consider the teacher's seniority
SS SCS HCS HB 265		Changes the laws regarding professional registration
HB 272	Kirkton	Increases the number of members on the MO HealthNet Oversight Committee from 18 to 19 by adding a licensed or registered nurse who cares for participants in the MO HealthNet Program
HCS HB 290		Changes the laws regarding political subdivisions
HB 299	Lichtenegger	Allows the Land Reclamation Commission to deny a mining permit if the affected land is within one mile of a school, child care facility, church, nursing home, public building, or cemetery
HB 301	Talboy	Changes the laws regarding midwifery
HB 309	Black	Creates the Law Enforcement Safety Fund and authorizes a \$7 surcharge in certain criminal cases to fund a contribution system for certain law enforcement employees
HB 311	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HCS HB 329		Establishes an advance voting period and requires a voter to present an approved form of personal identification to vote at an election
SCS HCS HB 344		Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program
HB 345	Guernsey	Allows the Missouri Agricultural and Small Business Development Authority to make loan guarantees to certain agribusinesses under the Agricultural Product Utilization and Business Development Loan Program

No.	Author	Subject
HB 349	Newman	Changes the laws regarding equal employment practices
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions
HB 368	Meadows	Requires the Missouri Veterans Commission to issue an identification card to each veteran in the state who applies and provides proof of his or her military service
HB 373		Authorizes an officer designated as the director of elections in a charter county to be the election authority if the county does not have a board of election commissioners
SCS HCS HB 412		Changes the laws regarding pharmacies
HB 418	Walton Gray	Establishes the Sickle Cell Disease Task Force to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs
HB 423	Burlison	Authorizes Missouri to adopt the provisions of the Health Care Compact to improve health care policy by returning the authority to regulate health care to the state legislatures
SS SCS HCS HB 431		Changes the laws regarding foster care and adoption and establishes the Missouri State Foster Care and Adoption Board and a task force on foster care recruitment, licensing, and retention
HB 441	Nolte	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HB 443	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 444	McNeil	Requires the Governor when selecting appointees to state boards, commissions, committees, and councils to ensure that the membership reflects racial and gender equity based on population if possible
HB 447	Funderburk	Changes the laws regarding the Real Property Tax Increment Allocation Redevelopment Act
HB 450	Allen	Requires the emblem-use authorization fee for a Breast Cancer Awareness special license plate to be paid to Winning Women and replaces "MISSOURI WOMEN'S COUNCIL" with "WINNING WOMEN"
HB 455	Hodges	Requires every public school district to screen its students for Sensory Processing Disorder before the end of first grade and again before the end of third grade
CCS SS HB 458		Changes the laws regarding agriculture
SCS HB 462		Repeals the provisions requiring the Missouri Energy Task Force to reconvene at least one time a year and issue an annual status report to the Governor and General Assembly
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
HB 467	Diehl	Establishes the Missouri Science and Innovation Reinvestment Act
HCS HB 468		Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act
HB 469	Franz	Changes the laws regarding the Missouri Family Trust
HCS HB 473		Changes the laws regarding charter schools and establishes the Missouri Charter Public School Commission
HB 479	Brown	Increases the annual cap on the tax credits certified for qualified film production projects from \$4.5 million to \$10 million
HB 494	Schupp	Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights
HB 496	Jones	Allows licensed veterinarians to administer or prescribe legend drugs for use in animals and changes the membership of an advisory committee of the Board of Pharmacy regarding drug distributors

No.	Author	Subject
HB 498	Wallingford	Repeals the authority of certain constitutional charter cities to adopt and enforce regulations governing zoning, planning, subdividing, and building in certain areas
HB 517	Ellinger	Changes the laws regarding clemency in death penalty cases
HB 521	Wells	Allows an ambulance district board member to be recalled from office by petition of the registered voters
SCS HCS HB 545		Exempts the City of Riverside from the requirement that a member of the board of a tourism community enhancement district be a resident, own property, be employed, or operate a business within the district
HCS HB 546		Requires the Missouri Housing Development Commission's executive director or chief executive officer to reside within 40 miles of Jefferson City
HB 553	Nance	Establishes the Missouri Home Inspectors Professional Competency and Financial Responsibility Act
SS SCS HCS HB 555		Changes the laws regarding health care
HB 561	Grisamore	Increases the membership of the MO HealthNet Oversight Committee by adding one licensed mental health professional who cares for participants
SCS HCS HB 562		Changes the laws regarding the Missouri Children's Services Commission and establishes the Missouri Task Force on Prematurity and Infant Mortality
HB 569	Shively	Requires a prepaid wireless service supplier to collect a 50-cent monthly fee from its customers for 911 emergency communications service
HCS HB 579		Changes the laws regarding health care
HB 586	Stream	Requires the Department of Mental Health to develop a continuing professional education curriculum on eating disorders
SCS HB 591		Authorizes the Missouri Dental Board to issue a limited teaching license to a dentist employed as an instructor in an accredited dental school located in this state
HB 598	Schad	Changes the laws regarding the Missouri Propane Education and Research Council
SS SCS HCS HB 604		Establishes a task force on foster care recruitment, licensing, and retention and the Missouri State Foster Care and Adoption Board and changes the laws regarding parental rights, foster care, and adoption
SCS HCS#2 HB 609		Establishes the Show-Me Health Insurance Exchange Act
HB 611	Holsman	Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for designated military training areas
HB 627		Allows a candidate committee to purchase tickets, membership dues, meals, advertising, and other similar items from a political action committee if it is related to education or service in office
HCS HB 630		Establishes the Missouri Task Force on Prematurity and Infant Mortality
HB 651		Changes the membership of the Missouri Housing Development Commission
HB 662	Bernskoetter	Requires the Missouri Housing Development Commission to maintain its headquarters in Jefferson City and prohibits it from leasing or purchasing real estate in any county other than Cole County
HB 666	Bernskoetter	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide bariatric coverage for individuals under the plan
HB 670	Hough	Establishes the Compete Missouri Program and the Compete Missouri Training Program within the Department of Economic Development
HB 678	Schatz	Changes the laws regarding excavation notification centers
HCS HB 688		Changes the laws regarding property taxes and energy

No.	Author	Subject
SS SCS HCS HB 697		Specifies that any administrative rule proposed, adopted, or amended by a state agency after August 28, 2011, must automatically terminate six years after its effective date
HB 700	Colona	Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2014
HCS HB 711		Changes the laws regarding utilities
HB 717	Zerr	Changes the laws regarding automated external defibrillators
HCS HB 732		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding professions and businesses regulated by the Division of Professional Registration
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 745	Brown	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat
HB 751	Kratky	Establishes the Clinical Laboratory Science Practice Act
HB 769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 771		Creates the Foster Care and Adoptive Parents Recruitment and Retention Fund and establishes the Foster Care and Adoptive Parents Recruitment and Retention Fund Board
HB 809	Hughes	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HB 832	Wright	Changes the laws regarding the Missouri State Board of Accountancy by prohibiting the board from receiving any revenue from the General Revenue Fund or any of its costs to be incurred by the state
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HB 848	Fitzwater	Changes the composition of the University of Missouri Board of Curators
HB 862	Brown	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 873	Wyatt	Establishes the Missouri Sustainable Local Food Policy Council for the purpose of building a local food economy
HB 878	Smith	Changes the laws regarding the filing of an emergency rule by the Board of Trustees of the Missouri Consolidated Health Care Plan
HB 887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives
HB 894	Long	Changes the laws regarding midwifery
HB 898	Smith	Establishes the Council on Digital Inclusion
HB 917	Hinson	Requires all fire protection districts and municipal fire departments in St. Louis County to consolidate into one fire district upon the approval of the voters of the county
HB 929	Ellinger	Allows an economic development tax board to increase the number of members of the board (Withdrawn)
HB 937	Meadows	Requires certain preneed funeral contract sellers and providers to designate the location where all records and contracts are located
HB 938	Meadows	Specifies that, beginning July 1, 2012, certain specified building codes will be deemed the official state codes

No.	Author	Subject
HB 940	Nichols	Establishes the Common Interest Owners Bill of Rights Act
HB 947	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 949	Ellinger	Increases from five to seven or nine the number of members on a city economic development tax board
HB 954	Franz	Specifies that a full-time employee of the Missouri Development Finance Board will be a state employee and a member of the Missouri State Employees' Retirement System
HB 978	Carter	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health
HB 987	Rowland	Establishes the Common Interest Owners Bill of Rights Act
HB 989	Webber	Establishes the Missouri Commission on Workforce Preparedness within the Department of Economic Development to study how higher education is meeting the needs of Missouri employers
HB 995	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HB 996	Harris	Establishes the Common Interest Owners Bill of Rights Act
HB 998	Kirkton	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1002	Talboy	Requires the Missouri Lottery Commission to establish a statewide video lottery terminal network
HB 1006	Schatz	Establishes the Joint Committee on Renewable Technology and Industrial Onsite Energy Generation
HB 1017	Oxford	Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis
HB 1020	Barnes	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide coverage for temporomandibular joint disorder (TMJ) for plan participants
HB 1028	Hough	Requires the Department of Economic Development to establish the Compete Missouri Training Program
HCR 18	Parkinson	Disapproves the salary recommendations of the Citizen's Commission on Compensation for Elected Officials
HCR 28	Nolte	Endorses an observer status for Taiwan in the International Civil Aviation Organization
HCR 52	Brown	Requires the Missouri Gaming Commission to make annual accounting reports of public safety moneys retained by home dock cities and counties from the taxes levied on adjusted gross receipts of excursion
HJR 18	Cox	Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increases the number of candidates it nominates to the Governor for certain judicial vacancies
<b>BOATS AND WATERCRAFT</b>		
SB 251	Kehoe	Changes the classification of certain watercraft from personal property to real property for property tax purposes
SB 353	Engler	Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers in the same manner as the highway patrol currently sells surplus vehicles
HB 395	Cookson	Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 440	Nolte	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet

No.	Author	Subject
HB 550	Day	Changes the laws regarding notice of liens on motor vehicles, trailers, watercraft, and manufactured homes
SCS HCS HB 600, 337 & 413		Changes the laws regarding public safety
HB 777	Denison	Requires any person younger than 16 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft
HB 790	Marshall	Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
HB 792	Marshall	Authorizes the State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers as well as vehicles
HB 968	Schad	Changes the classification of certain new watercraft from personal property to residential property for property taxation purposes
<b>BONDS - BAIL</b>		
SB 395	Goodman	Modifies provisions governing the regulation of the bail bond industry by the Department of Insurance
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents
<b>BONDS - GENERAL OBLIGATION AND REVENUE</b>		
SB 200	Crowell	Modifies the ability of state educational institutions to issue bonds and incur debt
HCS SS SB 360		Modifies provisions relating to rural community development
HB 135	Nolte	Extends from no later than 10 years to no later than 20 years the time period in which bonds and other similar instruments which have been authorized to fund the Unemployment Compensation Fund must mature
HB 687	Brandom	Establishes the Missouri Homeowners Mutual Insurance Company Act to provide homeowners and renters physical and personal property coverage
HJR 9	Kelly	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education facility improvements, construction, landscaping, and land or building purchases
HJR 25	Aull	Proposes a constitutional amendment raising the allowable level of bonded indebtedness for a school district from 15% to 20% of the value of taxable tangible property in the district
<b>BONDS - SURETY</b>		
CCS#2 HCS SCS SB 356		Modifies provisions pertaining to agriculture
HB 92	Molendorp	Authorizes school districts to enter into design-build contracts for construction projects
HB 647	Schneider	Allows a contractor to contract with a title insurer, agency, or agent authorized to conduct business as an escrow agent in lieu of requiring a bond for certain public works contracts
SCS HB 661		Changes the laws regarding debt adjusters
HB 946	Guernsey	Changes the laws regarding grain dealers and grain warehouses
<b>BUSES</b>		
HB 48	Cookson	Exempts motor fuel used to operate school buses transporting students for educational purposes from the motor fuel tax and requires the establishment of a uniform and simplified rule for all exemptions
HB 219	Kelly	Changes the laws regarding background checks for school employees



No.	Author	Subject
HB 314	Wells	Repeals a school district's authority to set policies that allow the use of tobacco products in certain school areas and prohibits smoking and use of tobacco products on all school property and school buses
HCS HB 818		Changes the laws regarding transportation
HB 906	Torpey	Prohibits any person operating a school bus who is transporting children at the time from using a hand-held electronic wireless communications device
<b>BUSINESS AND COMMERCE</b>		
SB 31	Chappelle-Nadal	Reduces from 45 to 20 the different types of beer that must be served by certain restaurant bars in order to serve 32 or more ounces of beer for off-premise consumption
HCS SB 63		Modifies provisions pertaining to utilities
SB 93	Kraus	Waives Secretary of State fees for new businesses and requires business licenses to be issued within sixty days
SB 94	Munzlinger	Provides loan assistance programs to businesses for energy efficiency improvements
SS SCS SBs 113 & 95		Modifies the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
CCS HCS SS SB 135		Modifies provisions pertaining to environmental protection
SB 158	Keaveny	Extends the expiration date to December 31, 2015, for certain clean water public notice requirements and clean water permit fees charged by the Department of Natural Resources
HCS SB 161		Modifies provisions relating to agriculture
SB 182	Ridgeway	Expands the amount of employees and functions of the small business regulatory fairness board
SB 183	Ridgeway	Modifies current law regarding certain prohibited uses of social security numbers to include the partial use of social security numbers
HCS SCS SB 230		Modifies provisions pertaining to natural resources
SB 248	Parson	Establishes the Proof of Concept Business Finance Program
SB 263	Green	Requires pawnbrokers to photograph anybody selling jewelry, gold, or silver and to complete a form for such transactions
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 281	Kraus	Requires the cumulative state and local tax rate to be printed on sales receipts
SB 287	Ridgeway	Creates a liquor license for wine shops to allow them to serve alcohol on Sundays
SB 295	Keaveny	Amends laws relating to unsecured loans of \$500 or less
SB 296	Schmitt	Establishes the Compete Missouri Training Program
SB 297	Munzlinger	Modifies laws governing how residents of Missouri and other states may purchase rifles and shotguns outside their resident states
SB 305	Parson	Creates record-keeping requirements for certain buyers of plastic bulk merchandising containers
SB 317	Stouffer	Exempts securities issued by agricultural cooperative corporations from state security registration requirements
SB 327	Richard	Modifies penalties for multiple violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
CCS#2 HCS SCS SB 356		Modifies provisions pertaining to agriculture

No.	Author	Subject
HCS SCS SB 366		Creates Missouri cooperative associations and modifies the law relating to the conversion of certain business organizations
SB 379	Kehoe	Restricts the time to file a products liability claim and when a manufacturer or seller of a product may be liable
SB 383	Richard	Modifies provisions of law authorizing a sales and use tax exemption for manufacturing
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SB 399	Kraus	Modifies provisions relating to the crime of failure to return leased or rented property
SB 401	Lamping	Modifies the law relating to debt adjusters
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SB 424	Cunningham	Requires an informal hearing before the Secretary of State in certain instances
SB 431	Munzlinger	Creates a state do-not-mail list for consumers who do not wish to receive solicitations from direct mail marketers
HB 30	Sater	Allows a law enforcement officer to request that certain property used to secure personal credit loans from pawnbrokers not be sold for 10 days of the request
SS SCS HCS HB 45		Changes the laws regarding the Big Government Get Off My Back Act which provides an income tax deduction for certain small businesses that create new full-time jobs
HB 63		Prohibits any employee of a seller of cigarettes or tobacco products who is younger than 18 years of age from selling cigarettes or tobacco products in the course of his or her employment
HB 67	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HCS HB 76		Changes the laws regarding the corporate franchise tax
HB 78	Nolte	Authorizes an income tax exemption for the business income of any individual or corporation to be phased-in over five years until the exemption is 50% of the taxpayer's Missouri taxable business income
HCS HB 83		Specifies that an agreement to operate or share an automated teller machine cannot prohibit the owner or operator of the machine from imposing an access fee or surcharge on foreign bank transactions
HB 94	Dugger	Repeals the Puppy Mill Cruelty Prevention Act passed as Proposition B by voters in November 2010
HB 96	Flanigan	Imposes penalties for persistent violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
HB 98	Ruzicka	Extends from June 30, 2011, to December 31, 2015, the 50-cent fee that is collected on the retail sale of a lead-acid battery as well as the fees for any hazardous waste generated
HB 99	Loehner	Exempts all shelters, pounds, kennels, pet shops, facilities, dealers, and breeders licensed under specified statutes prior to November 2, 2011, from the provisions of the Puppy Mill Cruelty Prevention Act
SCS HCS HB 112 & 285		Classifies certain sawmills and planing mills as agricultural and horticultural property instead of commercial property for property taxation purposes
HB 119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program
HB 124	Riddle	Allows an electrical company to recover from ratepayers the costs associated with early site development for certain electrical generation facilities
HCS HB 131		Changes the laws regarding the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
HB 132	Still	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 133	Brandom	Specifies that employers subject to certain workers' compensation provisions must be liable to furnish compensation for injury or death of an employee by occupational disease

No.	Author	Subject
HB 145	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 156	Black	Establishes Sam Pratt's Law which authorizes the Department of Health and Senior Services to prohibit unlicensed child care providers from continuing to provide services if there are pending criminal charges
HB 206	Meadows	Specifies that a business entity or employer who knowingly hires an illegal immigrant to perform work within the state will be subject to a \$50,000 fine in addition to any other penalty provided by law
HB 225	Brandom	Adds blunt wraps to the list of items in the definition of "drug paraphernalia" as it relates to the regulation of drugs (Withdrawn)
HB 251	Cox	Specifies that tax credits for qualified film production projects will expire December 31, 2011
HB 252	Cox	Establishes the Business Premises Safety Act
HB 258	Cox	Prohibits beer brewers or manufacturers from having any interest in the license, business, assets, or corporate stock of a liquor wholesaler with certain exceptions
HB 264	Nolte	Changes the laws regarding the Manufacturing Jobs Act
HB 268	Lasater	Prohibits any person or business from engaging in blasting, excavating, or mining within one mile of a business or residential area (Withdrawn)
HB 278	McNeil	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
HB 281	Kelley	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
HB 293	Schneider	Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
HCS HB 303 & 239		Changes the laws regarding members of the military, military spouses, and veterans
HB 332	Franz	Expands the Puppy Mill Cruelty Prevention Act to apply to humane societies and exempts shelters, pounds, kennels, pet shops, dealers, facilities, and breeders licensed prior to November 2, 2011
HB 345	Guernsey	Allows the Missouri Agricultural and Small Business Development Authority to make loan guarantees to certain agribusinesses under the Agricultural Product Utilization and Business Development Loan Program
HB 357	Leara	Changes the laws regarding enhanced enterprise zones
HB 359	Leara	Establishes the Payday Loan Protection Act regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 361	Leara	Establishes the Missouri Firearms Freedom Act
HCS HB 366		Changes the laws regarding economic development
HB 376		Expands the No-call List to include cell phone numbers, prohibits sending unsolicited faxes or text messages, and prohibits using automatic dialing announcing devices in certain situations
HB 397	Diehl	Changes the laws regarding failure to timely pay a sales representative his or her earned sales commissions
HCS HB 401		Changes the laws regarding unclaimed property
HB 405	Crawford	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
HB 414	Richardson	Requires a title agency or agent to have a physical place of business in Missouri substantially devoted to conducting the title insurance business or be employed by a licensed title insurer or agency
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders

No.	Author	Subject
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 442	Franz	Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
HB 477	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation an unlawful discriminatory practice
HB 479	Brown	Increases the annual cap on the tax credits certified for qualified film production projects from \$4.5 million to \$10 million
HB 482	Lichtenegger	Requires certain health spas and fitness facilities to have at least one automated external defibrillator and an employee on staff during hours of operation properly trained in cardiopulmonary resuscitation
HB 500	Colona	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 520	Schupp	Authorizes a sales tax exemption for educational or fitness class fees paid to any health club, athletic club, exercise club, fitness club, or other similar club or facility
HB 522	Rizzo	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans, and allows the Attorney General to maintain an action to enforce compliance
HB 605	Schieffer	Changes the laws regarding the sales tax collection on motor vehicles by certain motor vehicle dealers
HB 644	Schieffer	Prohibits a person or business from misrepresenting its geographic location by using a fictitious or assumed business name in a telephone directory or advertisement
HB 656	Brandom	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
SCS HB 661		Changes the laws regarding debt adjusters
HB 726	Kratky	Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility
HB 728	McManus	Prohibits the manufacture, sale, or distribution of certain products and containers having certain levels of bisphenol-A
HB 741	Bernskoetter	Adds an eligible energy-saving enterprise to the list of entities that are eligible to receive a linked deposit loan
HB 783	Berry	Requires \$2 from every business registration fee collected by the Secretary of State to be deposited into the Missouri Small Business Development Centers Fund
HB 785	Riddle	Specifies that any action to recover damages in a products liability claim must be commenced within 10 years after the date the product that caused the alleged damage was first placed into commerce
HB 808	Hughes	Requires all food or food products sold in Missouri which are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals
HB 809	Hughes	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 831	Houghton	Establishes the Do-Not-Offer Statewide Registry Act which requires the creation of a database of elderly Missouri residents who object to receiving direct mail marketing
HB 833	Funderburk	Specifies that a statement offering a coupon, sales price, rebate, or discount for an alcoholic beverage will be legal in advertising as long as the final retail price is not below the wholesale cost
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HB 845	Curtman	Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance

No.	Author	Subject
HB 847	Guernsey	Exempts any security issued by an agricultural cooperative corporation operated as an agricultural cooperative association from state security registration requirements under certain conditions
HB 850	Diehl	Establishes the Missouri Cooperative Associations Act which allows a cooperative to be formed and organized to conduct or promote any lawful business or purpose for the mutual welfare of its members
HB 851	Cross	Requires the parent or guardian of any person younger than 18 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of the facility
HB 858	Hampton	Prohibits large water users from transporting water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user
HB 890	Franz	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 933	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HB 946	Guernsey	Changes the laws regarding grain dealers and grain warehouses
HB 951	Johnson	Reduces the corporate income tax rate for a company that creates a specified number of jobs
HB 971	Johnson	Establishes the Missouri Jobs for Education Program
HB 975	Curtman	Establishes the Small Business and Entrepreneurial Growth Act to provide assistance for the expansion of certain small businesses
HB 977	Johnson	Requires a wholesale motor vehicle auction to provide a title at the time of purchase and changes the laws regarding a licensed dealer's hours of operations and the dealer's official telephone number
HB 986	Wallingford	Establishes the Missouri Employment Work Pass Program to assist unemployed persons in obtaining employment and to encourage small businesses to hire unemployed persons
HB 1013	Hughes	Requires any food or food product sold in Missouri which contains a hormone growth substance or any product or by-product of any genetically manipulated material to be labeled with that information
HB 1022	Nolte	Specifies that any person who manufactures an article or a product while using stolen or misappropriated information technology will be deemed to engage in an unfair act under certain specified conditions
HB 1028	Hough	Requires the Department of Economic Development to establish the Compete Missouri Training Program
<b>CAMPAIGN FINANCE</b>		
SB 75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 141	Crowell	Prohibits the receipt of tax credits by campaign contributors
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance
HCS HB 108		Changes the laws regarding contributions to political action committees
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance
HB 466	Schoeller	Allows an employer or labor organization to obtain political contributions through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 492	Franz	Requires written authorization by a public employee before a labor union can withhold any dues, fees, or political contribution from the employee's paycheck
HB 627		Allows a candidate committee to purchase tickets, membership dues, meals, advertising, and other similar items from a political action committee if it is related to education or service in office

No.	Author	Subject
HB 947	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 998	Kirkton	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
<b>CAPITAL IMPROVEMENTS</b>		
HB 120	Schoeller	Changes the laws regarding infrastructure replacement surcharges for water corporations
HB 267	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 647	Schneider	Allows a contractor to contract with a title insurer, agency, or agent authorized to conduct business as an escrow agent in lieu of requiring a bond for certain public works contracts
HB 679	Rowland	Allows a school district to transfer unrestricted funds from the capital projects fund to the incidental fund under certain conditions
HB 839	Holsman	Establishes the Capital Green Program to provide funding to the state for energy efficiency improvements to certain state buildings and for geothermal, wind, and solar energy resources
HB 846	Wieland	Authorizes the governing body of any city or county to enter into design-build project contracts for neighborhood improvement districts
HB 876	Fisher	Revises the definition of "construction" as it relates to prevailing wages on public works projects and abrogates the ruling in Utility Service Co., Inc. v. the Department of Labor and Industrial Relations
HCR 4	Flanigan	Establishes the Missouri State Capitol Building Centennial Commission for the purpose of seeking funding sources for the preservation, improvement, expansion, and renovation of the Capitol Building
<b>CEMETERIES</b>		
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
<b>CERTIFICATE OF NEED</b>		
SB 86	Lembke	Repeals the Certificate of Need Law
HB 685	Richardson	Renames the Missouri Certificate of Need Law as the Missouri Long-term Care Certificate of Need law and limits the provisions of the law to only apply to long-term care facilities and services
<b>CHARITIES</b>		
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS HB 29		Establishes the Volunteer Health Services Act which allows a licensed health care provider to render volunteer professional health care services for a sponsoring organization
HCS HB 250		Changes the laws regarding water well regulations
HB 269	Molendorp	Adds certain not-for-profit organizations to the term "public entity" as it relates to tort immunity and limits the state's liability in tort claims involving motor vehicles and dangerous conditions
HB 286	Barnes	Authorizes a check-off box for the newly created American Red Cross Trust Fund to be added to the individual and corporate income tax forms and allows for a separate check donation with tax payment
HB 293	Schneider	Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
HB 322	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink on the premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 385		Extends the expiration date for an income tax credit for a contribution to a pregnancy resource center to August 28, 2023

No.	Author	Subject
HB 541	McManus	Extends the income tax credit for donations to a food pantry from August 28, 2011, to August 28, 2015
HCS HB 649		Establishes the Developmental Disability Care Provider Tax Credit Program and extends the expiration date of several specified tax credits
HB 715	White	Specifies certain employee rights as they relate to labor organizations
HB 734	Brandom	Reduces the annual cumulative amount of tax credits that can be authorized for donations to a food pantry from \$2 million to \$1 million and extends the expiration date to August 28, 2020
HB 775	Wyatt	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
HJR 24	Aull	Proposes a constitutional amendment specifying who can participate in the operation of a bingo game
<b>CHILDREN AND MINORS</b>		
SB 35	Lembke	Modifies provisions relating to child support when there is equal parenting time
SB 41	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
SB 69	Schaefer	Modifies provisions relating to children who are victims of pornographic offenses
SB 102	Green	Specifies that work certificates will permit the employment of children fourteen or fifteen years of age
SB 112	Kraus	Gives immunity from civil or criminal liability to persons reporting suspected child abuse to proper authorities
SB 116	Justus	Updates the Uniform Interstate Family Support Act
SB 134	Rupp	Outlines the parental rights of individuals with disabilities in termination of parental rights cases
HCS SB 147		Modifies provisions relating to education
SB 156	Rupp	Provides that suspended sentences may not be granted in statutory rape and sodomy cases
SB 157	Schaefer	Changes the laws regarding child abuse
SB 222	Cunningham	Modifies the child labor laws
SB 234	Dempsey	Creates an income tax dependency exemption for stillborn children
HCS SB 243		Modifies provisions relating to educational resources and services
SB 261	Goodman	Removes the element of good cause from the crime of nonsupport
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 311	Pearce	Repeals the sunset provision for the Children's Vision Examination Program
SB 312	Keaveny	Modifies provision relating to administrative child support orders
SB 332	Justus	Modifies provisions relating to sexual education
SB 339	Rupp	Establishes "Sam Pratt's Law" and "Nathan's Law" and modifies provisions relating to child care providers

No.	Author	Subject
SB 342	Justus	Requires school districts to implement criteria for the enrollment and educational success of foster care children
SB 348	Wright-Jones	Enacts the Prevention First Act
HCS SS SCS SB 351		Modifies provisions relating to adoption records
SB 393	Goodman	Modifies provisions relating to the Family Care Safety Registry
SCS SB 400		Modifies provisions regarding the crime of sexual contact with a student while on public school property
HCS HB 32		Allows the State Registrar to issue a heritage birth certificate
HB 34	Sater	Requires the Department of Social Services to apply for a federal waiver to modify the eligibility requirements for the Missouri Temporary Assistance for Needy Families (TANF) Program
HB 40	Lampe	Changes the laws regarding the identification, assessment, and education of children with autism spectrum disorder
HB 41	Lampe	Expands the Amber Alert System to include missing endangered persons, specifies the criteria for being a missing endangered person, and changes the system's name to the Amber Alert and Silver Alert System
HB 56	Brown	Authorizes a tax credit for employers who hire certain high school students for summer employment
HB 57	Brown	Establishes the Missouri Commission on Prevention and Management of Obesity
HB 59	Brown	Requires the State Board of Education to establish a coordinated health program board to develop a program on the prevention of student obesity, cardiovascular disease, and type II diabetes
HB 63		Prohibits any employee of a seller of cigarettes or tobacco products who is younger than 18 years of age from selling cigarettes or tobacco products in the course of his or her employment
HB 66		Allows the court to suspend imposition of an adult sentence in cases where there is dual jurisdiction and the offender has been transferred from juvenile court to a court of general jurisdiction
HB 67	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
SS SCS HCS HB 73 & 47		Requires certain applicants for and recipients of Temporary Assistance for Needy Families Program benefits to be tested for illegal drug use and the benefit card to include a photo of the recipient or payee
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HB 114	Day	Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle
HB 129	Barnes	Prohibits a juvenile or family court from using the fact that a natural parent chose not to abort a child when determining to take, continue, or fail to terminate jurisdiction over another child
HB 140	Black	Establishes Susie's Law which prohibits any child younger than 18 years of age from riding as a passenger on any machinery or heavy equipment not manufactured for passengers
HCS HB 143		Changes the laws regarding hotline calls reporting suspected child abuse and neglect to the Children's Division within the Department of Social Services
HB 156	Black	Establishes Sam Pratt's Law which authorizes the Department of Health and Senior Services to prohibit unlicensed child care providers from continuing to provide services if there are pending criminal charges
HB 164	Franz	Changes the age when the juvenile court will have jurisdiction over a child involving a state or local traffic violation from a child up to 15 1/2 years of age to a child up to 15 years of age
HB 165	Franz	Requires the Missouri Supreme Court standards from September 17, 1996, regarding representation of children by guardians ad litem to be updated



No.	Author	Subject
HB 178	Nasheed	Authorizes the expungement of certain criminal records
HB 179	Nasheed	Raises the compulsory school attendance age to 18 in all school districts unless the student has successfully completed 16 credits towards high school graduation
HCS HB 212		Changes the laws regarding the annual certification fee that a proprietary school must pay
SCS HCS HB 214		Changes the laws regarding human trafficking
HB 219	Kelly	Changes the laws regarding background checks for school employees
HB 227	Wyatt	Specifies that the Missouri Supreme Court child support guidelines must require income documentation and changes the provisions regarding child support when the parents have joint physical custody
HB 232	Thomson	Extends eligibility for the A+ Schools Program to Missouri public high school students who have an expected family contribution to college expenses at a level determined by the Department of Higher Education
HB 234	Kander	Requires law enforcement agencies maintaining the Missouri Uniform Law Enforcement System (MULES) to include certain child custody and visitation information when entering an order of protection
HCS HB 259		Authorizes a public body to close certain foster care licensure data and requires the Division of Family Services to prepare a detailed report of specific information obtained in the licensure process
HB 260	Cox	Repeals and re-enacts provisions regarding the Uniform Interstate Family Support Act to be consistent with the changes adopted by the National Conference of Commissioners on Uniform State Laws
HB 273	Allen	Defines "cyberbullying" as it relates to the antibullying policy that school districts must adopt and establishes specific requirements for each school district in implementing the policy
HB 297	Riddle	Revises the crime of abuse of a child to include knowingly inflicting cruel or excessive punishment upon a child younger than 17 years of age or knowingly causing physical injury by any means
SCS HCS HB 300, 334 & 387		Establishes the Interscholastic Youth Sports Brain Injury Prevention Act which requires the Department of Health and Senior Services to develop guidelines on the risk of concussion and brain injury
HB 301	Talboy	Changes the laws regarding midwifery
HB 314	Wells	Repeals a school district's authority to set policies that allow the use of tobacco products in certain school areas and prohibits smoking and use of tobacco products on all school property and school buses
HB 317	Colona	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program
HB 362	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HB 372	Smith	Requires a school district offering federal Title I education services to offer the same services to students who would be eligible if their family income wasn't above the qualifying level
HB 385		Extends the expiration date for an income tax credit for a contribution to a pregnancy resource center to August 28, 2023
HB 389	Holsman	Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of grantees
HB 390	Holsman	Establishes the KidCare Co-op Program, a public option, nonprofit health insurance cooperative, to provide affordable health insurance to children through 18 years of age

No.	Author	Subject
HB 391	Holsman	Adds home nursing visits for newborn infants including follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HB 393	Jones	Establishes the Parent Empowerment and Choice Act or the Parent Trigger Act which allows parents under certain circumstances to invoke interventions for a struggling school
HB 410	Loehner	Allows superintendents or school principals to make case-by-case decisions when re-admitting certain students who have been expelled from school
HB 417	Richardson	Allows any person having a parent/child relationship with a minor child who is not the biological or legal parent to petition the court for custody and visitation rights
HB 419	Stream	Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children
HB 425	Funderburk	Authorizes an income tax dependency exemption deduction for a stillborn child for the taxable year in which the child was born
HB 427	Barnes	Changes the laws regarding adoption records
SS SCS HCS HB 431		Changes the laws regarding foster care and adoption and establishes the Missouri State Foster Care and Adoption Board and a task force on foster care recruitment, licensing, and retention
HB 433	Kander	Changes the classification of certain human trafficking crimes and establishes fines and prison terms for the crimes
HB 440	Nolte	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 455	Hodges	Requires every public school district to screen its students for Sensory Processing Disorder before the end of first grade and again before the end of third grade
HB 460	Lampe	Changes the laws regarding bullying in schools
HB 472	Torpey	Designates "Walk & Bike to School Month," "Walk & Bike to School Day," "Missouri Bicycle Month," and "Bike to Work Day," and "Bike to Work Week" in Missouri
HCS HB 473		Changes the laws regarding charter schools and establishes the Missouri Charter Public School Commission
HB 476	Funderburk	Establishes the Students First Interscholastic Athletics Act which requires every high school age student to have the opportunity to participate in interscholastic athletics
HB 502	Hubbard	Specifies that criminal nonsupport will be a class D felony if the total arrearage is in excess of \$10,000 and allows a person to expunge a criminal nonsupport conviction if certain conditions are met
HCS HB 504, 505 & 874		Changes the laws regarding domestic violence and orders of protection
HB 511	Nasheed	Establishes the Every Child Can Learn Act which requires all St. Louis City public schools to use a response-to-intervention tiered approach to reading instruction for certain struggling students
HB 514	McNeil	Changes the laws regarding the attendance of a pupil from an unaccredited school district
HB 515	Wallingford	Establishes the Embryo Transfer Act which authorizes the legal relinquishment and subsequent transfer of human embryos
HB 539	Hubbard	Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers
SS SCS HCS HB 555		Changes the laws regarding health care
SCS HCS HB 562		Changes the laws regarding the Missouri Children's Services Commission and establishes the Missouri Task Force on Prematurity and Infant Mortality
HB 565	Denison	Specifies that any person who makes a report of suspected child abuse to the proper authorities will be immune from civil and criminal liability
HB 583	Oxford	Changes the laws regarding quality early childhood care

No.	Author	Subject
HB 587	Aull	Changes the laws regarding the notice of the relocation of a child by the custodial parent
HB 599	Schad	Removes the requirement that the crime of sexual contact with a student be committed while on public school property
HB 603	Schupp	Establishes Nathan's Law which changes the laws regarding child care facilities
SS SCS HCS HB 604		Establishes a task force on foster care recruitment, licensing, and retention and the Missouri State Foster Care and Adoption Board and changes the laws regarding parental rights, foster care, and adoption
HCS HB 630		Establishes the Missouri Task Force on Prematurity and Infant Mortality
HCS HB 643		Changes the laws regarding criminal nonsupport and allows for expungement of a person's record under certain conditions
SS#2 HB 648		Changes the laws regarding individuals with disabilities
HCS HB 649		Establishes the Developmental Disability Care Provider Tax Credit Program and extends the expiration date of several specified tax credits
HB 677	Wells	Removes the June 30, 2012 expiration date of the provisions requiring every child enrolling in kindergarten or first grade in a public school to receive one comprehensive vision examination
HB 680	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 683		Changes the laws regarding the Safe Place for Newborns Act by increasing the number of days that a parent can relinquish physical custody of a newborn without being prosecuted
HB 690	Bahr	Changes the laws regarding immunizations for children
HB 743	Lauer	Expands the crime of sexual contact with a student to include sexual contact made while not on public school property and adds an elected official of the district to the list of persons to whom it applies
HB 749	Lasater	Designates April as "Child Abuse Prevention Month" and designates the "blue ribbon" as the official state symbol for child abuse prevention
HB 771		Creates the Foster Care and Adoptive Parents Recruitment and Retention Fund and establishes the Foster Care and Adoptive Parents Recruitment and Retention Fund Board
HB 777	Denison	Requires any person younger than 16 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft
HB 781	Torpey	Increases the penalty for child molestation in the first degree when the victim is a child younger than 13 years of age to a class A felony
HB 793	Nance	Requires the Department of Social Services to establish an administrative renewal process for a child eligible for MO HealthNet or State Children's Health Insurance Program benefits
HB 804	Hughes	Increases, from no later than 15 days to no later than 60 days, after a child's birth that the father has to file an action to establish paternity prior to an adoption or file with Putative Father Registry
HB 836	Scharnhorst	Requires the Division of Special Education to develop a program to provide ombudsman services to children and families regarding special education programs and services
HB 838	Brattin	Establishes Chloe's Law which, subject to appropriations, requires the newborn screening requirements to include pulse oximetry screenings
HB 844	Denison	Requires all children over 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri
HB 851	Cross	Requires the parent or guardian of any person younger than 18 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of the facility
HB 855	Johnson	Creates the Parents as Teachers Advancement Fund

No.	Author	Subject
HB 887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives
HB 902	Neth	Specifies that any person who makes a report of suspected child abuse to the proper authorities will be immune from civil and criminal liability
HB 906	Torpey	Prohibits any person operating a school bus who is transporting children at the time from using a hand-held electronic wireless communications device
HB 925	Riddle	Prohibits a municipality from restricting breast-feeding of a child or expressing breast milk, excludes the conduct from any sexual offense, and excuses a nursing mother from jury duty upon request
HB 942	Johnson	Increases the tax credit for adopting a special needs child from up to \$10,000 to up to \$25,000 and authorizes a tax credit for nonrecurring adoption expenses for any child adopted
HB 958	Burlison	Extends the income tax credit for a person who makes a contribution to a child advocacy center, a crisis care center, or an entity funded from the Court Appointed Special Advocate Fund to August 28, 2018
HB 980	Leach	Requires a school district to have a policy regarding the placement of twins and other multiple-birth siblings
HB 981	Leach	Requires twins or other multiple-birth siblings to be placed in the same classroom if the parent or legal guardian makes a timely request
HB 985	Anders	Revises the laws restricting the residency of a sexual offender
HB 995	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HB 997	Kirkton	Changes the laws regarding child support for higher education
HCS HB 999		Changes the laws regarding sexual offender registration
HJR 10	Barnes	Proposes a constitutional amendment repealing the prohibition against state funds being used to support any religion or religious school and specifies that parents have the right to choose any school
<b>CHIROPRACTORS</b>		
SB 245	Lembke	Provides that physician services currently covered under MO HealthNet include services provided by chiropractors in accordance with the chiropractic practice act
HB 146	Schoeller	Requires licensed chiropractors to be reimbursed under the MO HealthNet Program for providing services currently covered and within the scope of chiropractic practice
HCS HB 669		Changes the laws regarding health care
<b>CIRCUIT CLERK</b>		
SB 186	Crowell	Makes it optional for the circuit court and circuit clerk in Cape Girardeau County to hold court and maintain certain offices in both Jackson and Cape Girardeau
HB 327	Wallingford	Removes the requirement that the circuit court in Cape Girardeau must hold court and maintain an office of the probate division in the courthouses in Jackson and Cape Girardeau but allows them to do so
<b>CITIES, TOWNS AND VILLAGES</b>		
SB 16	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations
SCS SB 108		Modifies provisions concerning the installation of fire sprinklers in certain dwellings
CCS HCS#2 SCS SB 117		Modifies provisions of law regarding certain taxes imposed by political subdivisions
SB 143	Crowell	Prohibits the approval of new applications under the Missouri Downtown and Rural Stimulus Act after August 28, 2011
SCS SB 155		Modifies provisions of Missouri's Real Property Tax Increment Allocation Redevelopment Act

No.	Author	Subject
HCS SB 174		Modifies provisions relating to political subdivisions
SB 179	Brown	Allows the board of aldermen in fourth-class cities to provide, by ordinance, for the appointment of a city marshal
SB 193	Pearce	Allows Cass County to establish municipal county courts
SB 203	Schmitt	Creates a tax credit to attract sporting events to the state
SS SB 231		Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 232	Crowell	Repeals the authority of certain cities to enforce zoning regulations up to two miles outside city limits
SB 249	McKenna	Creates the "Political Subdivision Construction Bidding Standards Act"
SB 269	Brown	Modifies provisions relating to the formation and auditing of joint municipal utility commissions
SB 277	Lager	Modifies the law with respect to how municipalities and the legal system treats the lawful use of motor vehicles on public roads
SB 288	Ridgeway	Creates a state and local sales and use tax exemption for all fees paid to any place of amusement, entertainment, or recreation
SB 313	Schaaf	Repeals certain requirements for board members of tourism community enhancement districts
HCS SS SB 360		Modifies provisions relating to rural community development
SB 364	Pearce	Authorizes the establishment of parks, trails and greenways districts in certain counties
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SB 411	Crowell	Allows employees of the Missouri Development Finance Board to join the Missouri State Employees' Retirement System and places a moratorium on certain tax credits
SB 427	Lamping	Repeals state and local use taxes
SJR 19	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
HB 26	Jones	Changes voter reauthorization on city earnings taxes from every five years to every 20 years
SCS HCS HB 38		Increases the work-off rate for city prisoners and requires certain administrative officials of jails or detention facilities to notify specified law enforcement of an escape of certain specified felons
HCS HB 46		Changes the laws regarding fire sprinkler system installations
HB 53	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated speed enforcement system to enforce speeding violations except in a school, construction, or work zone
SS HB 71		Allows the City of St. Louis to establish and maintain a municipal police force completely under the city's authority
HB 90	Scharnhorst	Prohibits a political subdivision from adopting an ordinance, rule, or code that would require mandatory installation of a sprinkler system in new residential construction
HB 95	Dugger	Allows certain municipalities to cancel nonpartisan elections when there are the same number of candidates as open offices
HB 104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation
HB 105	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue

No.	Author	Subject
HB 126	Barnes	Requires the state to give a prompt written notification to all affected state employees and specified county and city officials in certain situations when the state decides upon a mass layoff
HB 128	Barnes	Requires the respondent in a suit filed by a city, county, or state in which the entity prevails to pay the city, county, or state the amount of the deposit that would have been awarded as a judgment
HB 139	Smith	Requires the Office of Administration to maintain public school and county and municipal government accountability information and the Governor's travel information on the Missouri Accountability Portal
HB 145	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 157		Prohibits municipal employment contracts from exceeding two years and specifies that, upon resignation or termination of a contract, no employee can receive a payout of more than six months' pay
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
HB 171	Ruzicka	Allows certain third class cities to cancel any primary election for the office of mayor and councilman
HB 177	McNeil	Prohibits political subdivisions from using an automated speed enforcement system to enforce speeding violations within 500 feet of any speed limit sign reducing the limit except in speical school zones
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HB 207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone
HB 228	Schoeller	Changes the laws regarding billboards
HB 278	McNeil	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
HB 326	Burlison	Prohibits state licensed professional counselors from being taxes or made liable to pay any municipal or corporation tax or license fee for the privilege of practicing the profession
HB 335	Burlison	Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HCS HB 366		Changes the laws regarding economic development
HCS HB 369		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of water lines due to failure
HB 381		Allows any political subdivision to conduct ranked-choice voting in certain elections
HB 400	Diehl	Changes the laws regarding the imposition of a transient guest tax
HB 406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 447	Funderburk	Changes the laws regarding the Real Property Tax Increment Allocation Redevelopment Act

No.	Author	Subject
HB 456	Hodges	Adds a law enforcement officer of a fourth class city to the list of officers who are authorized to arrest and hold in custody any person of whom the officer is in fresh pursuit
HB 480	Brown	Reduces the minimum number of acres required for an eligible project area in the Distressed Areas Land Assemblage Tax Credit Program
HB 497	Schieffer	Authorizes any city, town, or village in Lincoln County to annex areas along a road or highway for up to two miles from its existing boundaries
HB 498	Wallingford	Repeals the authority of certain constitutional charter cities to adopt and enforce regulations governing zoning, planning, subdividing, and building in certain areas
SCS HCS HB 545		Exempts the City of Riverside from the requirement that a member of the board of a tourism community enhancement district be a resident, own property, be employed, or operate a business within the district
HB 635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty
HB 672	Dugger	Allows the board of aldermen in a fourth class city to provide by ordinance that the city marshal be appointed instead of elected
HB 681	Walton Gray	Specifies that the provisions requiring a partisan election and conducting a party primary prior to a general election will not apply to a candidate for school board or fire district office
HB 709	Nichols	Removes the requirement that a municipality must hold an election in nonpartisan elections when there are the same number of candidates as open offices
HCS HB 711		Changes the laws regarding utilities
HB 722	Schneider	Changes the laws regarding the responsibility for the payment of past due water and sewer services and on the termination of service for past due water and sewer services
HB 735	Hough	Requires a municipality to allow at least one street to be used by commercial vehicles to access any state highway and prohibits a civil action for the legal use a motor vehicle on a public street
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 745	Brown	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat
HB 751	Kratky	Establishes the Clinical Laboratory Science Practice Act
HB 759	Dieckhaus	Prohibits the voluntary or involuntary annexation of a parcel of property under certain circumstances
HB 769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 841	Fitzwater	Allows any person with a valid concealed carry endorsement to openly carry firearms on or about his or her person or in a vehicle regardless of any other state law or local ordinance
HB 846	Wieland	Authorizes the governing body of any city or county to enter into design-build project contracts for neighborhood improvement districts
HB 853	Nance	Authorizes the City of Excelsior Springs to impose, upon voter approval, a retail sales tax of up to 1% for the purpose of funding a community center and retiring any bonds issued for funding the center
HB 861	Zerr	Revises the definition of "economic activity taxes" as it relates to a retail establishment that relocates within the same metropolitan area under the Real Property Tax Increment Allocation Redevelopment Act
HCS#2 HB 889		Changes the laws regarding political subdivisions
HB 918	Solon	Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with a single-source provider of trash collection in certain cities, towns, and villages

No.	Author	Subject
HB 925	Riddle	Prohibits a municipality from restricting breast-feeding of a child or expressing breast milk, excludes the conduct from any sexual offense, and excuses a nursing mother from jury duty upon request
HB 949	Ellinger	Increases from five to seven or nine the number of members on a city economic development tax board
HB 952	Korman	Allows certain municipalities to cancel nonpartisan elections when there are the same number of candidates as open offices
HB 959	Pollock	Prohibits any person who has pled guilty or nolo contendere to or has been found guilty of specified offenses from election or appointment to certain city offices in a third or fourth class city
HB 1019	Diehl	Requires a distressed municipality in St. Louis County to provide a minimum level of public services
<b>CIVIL PROCEDURE</b>		
SB 33	Stouffer	Repeals a provision of law which requires the Department of Transportation to submit to binding arbitration in negligence actions
HCS SS SCS SB 58		Modifies various provisions relating to the regulation of transportation
SCS SB 68		Authorizes the issuance of subpoenas for the production of records by the General Assembly
SB 69	Schaefer	Modifies provisions relating to children who are victims of pornographic offenses
SB 149	Schaaf	Modifies the laws regarding the testimony of physicians as expert witnesses in lawsuits against physicians for improper health care
HCS SB 187		Modifies the laws regarding nuisances and junkyards
SB 211	Lembke	Modifies how damages are assessed in certain lawsuits
HCS SCS SB 213		Modifies what information is required in a petition for guardianship for a minor or an incapacitated person, adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act and modifies procedures for ordering autopsies
SB 277	Lager	Modifies the law with respect to how municipalities and the legal system treats the lawful use of motor vehicles on public roads
SB 278	Munzlinger	Modifies the laws regarding certain private nuisance actions
SB 308	Nieves	Specifies how the courts may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
SB 326	Wasson	Authorizes a peer review process for architects, landscape architects, land surveyors, and engineers, including providing for immunity from liability and prohibiting the disclosure of certain documents and testimony
SB 379	Kehoe	Restricts the time to file a products liability claim and when a manufacturer or seller of a product may be liable
SB 384	Schaefer	Authorizes a civil cause of action against pharmacy benefit managers
HB 35	Sater	Increases the rent deposit or security deposit that a landlord may demand from two months' rent to three months' rent
HB 75		Authorizes expungement of certain criminal records including convictions for nonviolent felonies and misdemeanor, municipal, or traffic offenses
HB 86	McGhee	Authorizes corporations or unincorporated associations to be represented in small claims court by their president or vice-president for any claim of \$500 or less for certain actions to remove a tenant
HB 96	Flanigan	Imposes penalties for persistent violations of air or water pollution laws by recycling companies that convert animal parts into petroleum



No.	Author	Subject
HB 128	Barnes	Requires the respondent in a suit filed by a city, county, or state in which the entity prevails to pay the city, county, or state the amount of the deposit that would have been awarded as a judgment
HB 132	Still	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 158	Barnes	Adds an action for injurious falsehood to the two-year statute of limitations
HB 178	Nasheed	Authorizes the expungement of certain criminal records
HB 200	Kelley	Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
HCS HB 205		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law and establishes the Whistleblower Protection Act
HB 234	Kander	Requires law enforcement agencies maintaining the Missouri Uniform Law Enforcement System (MULES) to include certain child custody and visitation information when entering an order of protection
SCS HB 256		Extends the expiration date of the provisions regarding the Basic Civil Legal Services Fund from December 31, 2012, to December 31, 2018
HB 349	Newman	Changes the laws regarding equal employment practices
HB 364	Parkinson	Changes the determination of a defendant's liability in a tort action for damages by specifying that the liability of each defendant for compensatory or punitive damages must be several and cannot be joint
HB 374	Barnes	Establishes the Missouri False Claims Act
HB 402	Diehl	Increases the extent of acreage authorized for a lien on property to secure payment for work performed by an architect, engineer, land surveyor, landscape architect, or well digger
HB 417	Richardson	Allows any person having a parent/child relationship with a minor child who is not the biological or legal parent to petition the court for custody and visitation rights
HB 454	Hodges	Specifies that any person who gratuitously and in good faith renders any service to another individual cannot be civilly or criminally liable for any act or omission with certain specified exceptions
HB 486		Allows a prevailing tenant in a forcible entry action to recover all damages caused by the landlord's exclusion of the tenant from the premises
HB 497	Schieffer	Authorizes any city, town, or village in Lincoln County to annex areas along a road or highway for up to two miles from its existing boundaries
HCS HB 504, 505 & 874		Changes the laws regarding domestic violence and orders of protection
HB 515	Wallingford	Establishes the Embryo Transfer Act which authorizes the legal relinquishment and subsequent transfer of human embryos
HB 530	Kander	Establishes the Public Fraud Prevention Act
HB 680	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
SCS HB 708		Changes the laws regarding violations of the public policy of Missouri when decisions are based on foreign law or legal code
HB 785	Riddle	Specifies that any action to recover damages in a products liability claim must be commenced within 10 years after the date the product that caused the alleged damage was first placed into commerce
HB 948	Holsman	Creates the crimes of abuse of the Internet, criminal defamation, and failure to comply with a search warrant seeking computer-related identifying information
HB 1003	Hampton	Revises the laws regarding private nuisances when it originates from property used for farming, agriculture, crop, or animal production purposes and when a court must visit an alleged affected property

No.	Author	Subject
HB 1010	Bahr	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HB 1024	Korman	Allows any drug court commissioner in the 12th Judicial Circuit to hear a civil or criminal case that would otherwise be assigned to an associate circuit judge in the circuit under certain situations
<b>CIVIL RIGHTS</b>		
SB 239	Justus	Prohibits discrimination based upon a person's sexual orientation
HCS HB 205		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law and establishes the Whistleblower Protection Act
HCS HB 276, 233 & 274		Changes the laws regarding unlawful picketing or protesting of a funeral
HB 365	Funderburk	Changes the laws regarding unlawful picketing or protesting of a funeral
HB 433	Kander	Changes the classification of certain human trafficking crimes and establishes fines and prison terms for the crimes
HB 477	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation an unlawful discriminatory practice
HCR 40	McNeil	Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution
HJR 2	McGhee	Proposes a constitutional amendment guaranteeing a citizen's right to pray and worship on public property and reaffirming a citizen's right to choose any or no religion
<b>COMPACTS</b>		
SB 347	Wright-Jones	Requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency
SB 367	Nieves	Enacts the interstate Health Care Compact in which member states pledge to improve health care policy by returning the authority to regulate health care to the states
HB 423	Burlison	Authorizes Missouri to adopt the provisions of the Health Care Compact to improve health care policy by returning the authority to regulate health care to the state legislatures
HB 791	Marshall	Changes the laws regarding DNA profiling analysis
HB 857	Stream	Requires a person convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution
HB 974	Hough	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
<b>CONSERVATION DEPT.</b>		
SB 150	Munzlinger	Allows regulated hand fishing for carp and catfish in June and July on certain waterways
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SCS SB 299		Requires the Department of Conservation to compensate for damage caused by wild elk
SCS SB 300		Allows the use of centerfire handguns during the muzzleloader portion of firearms deer season
SB 318	Dixon	Requires voter registration application forms to be distributed from Conservation offices and permit vendors authorized to issue resident hunting and fishing permits
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
SS SCR 8		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities

No.	Author	Subject
SCS SJR 11		Asserts the right of Missourians to hunt and fish
HB 103	Nance	Allows the Department of Conservation, in collaboration with the Department of Natural Resources, to establish a program for good forestry management
HB 115	Schad	Specifies that the Department of Conservation will have ownership and title to all wild elk in Missouri and will be financially responsible for any damage caused by wild elk
HCS HB 613		Establishes the Renewable Energy Act and repeals the Renewable Energy Standard enacted by Proposition C in 2008
HB 1011	Hughes	Requires the Department of Conservation to establish areas across the state to be designated as six-month hunting seasons for certain animals
HJR 22	Cauthorn	Proposes a constitutional amendment reauthorizing the Department of Conservation sales and use tax until an election in 2022 or at a special election called by the Governor and every 10 years thereafter
<b>CONSTITUTIONAL AMENDMENTS</b>		
SCR 5	Justus	Ratifies the Equal Rights Amendment to the United States Constitution
SCR 9	Rupp	Rescinds Missouri's 1983 call for a constitutional convention
SCR 10	Cunningham	Urges Congress to adopt an amendment to the U.S. Constitution that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures
SJR 1	Ridgeway	Replaces all taxes on income with a sales and use tax
HCS#2 SJR 2		Allows enabling legislation for advance voting and photographic identification for voting
SJR 3	Goodman	Requires the Attorney General to seek appropriate relief against actions of the federal government when directed by the Governor, General Assembly, or a petition of the voters
SJR 4	Lembke	WITHDRAWN
SJR 5	Chappelle-Nadal	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation
SJR 6	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board
SJR 7	Lembke	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 8	Kraus	Requires refunds to taxpayers when state revenues grow by five percent or more
SJR 9	Engler	Allows enabling legislation for photographic identification for voting
SJR 10	Lembke	Lowers the number of State Representatives from 163 to 103
SCS SJR 11		Asserts the right of Missourians to hunt and fish
SJR 12	Green	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives
SJR 13	Justus	Requires referenda and initiative petitions to be signed by 5% and 8% of the voters in each congressional district
SJR 14	Schaaf	Allows the Department of Revenue to receive its actual costs in collecting highway-related taxes and fees unbridled by the current 3 percent constitutional cap
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SCS SJR 16		Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion
SJR 17	Lembke	Modifies the selection process for certain judgeships and the composition of judicial nominating commissions
SJR 18	Munzlinger	Amends the Constitution to require the development and sale of a veterans lottery ticket

No.	Author	Subject
SJR 19	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
SJR 20	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations
SJR 21	Lembke	Proposes a constitutional amendment to put a question on the ballot in the City of St. Louis regarding the city's governance
SJR 22	Parson	Provides that a member of the General Assembly shall vacate his or her office if such member leaves the state during a legislative session for the purpose of avoiding any official duty or vote
HCS HB 329		Establishes an advance voting period and requires a voter to present an approved form of personal identification to vote at an election
HCR 3	Scharnhorst	Submits to Congress a proposed federal balanced budget amendment to the United States Constitution
HCR 9	Barnes	Submits an official application by the State of Missouri for the calling of a federal amendment convention
HCR 19	Gatschenberger	Submits an official application by the State of Missouri for the calling of a convention for proposing amendments to the United States Constitution
HCR 40	McNeil	Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution
HCR 44	Barnes	Urges the United States Congress to propose a constitutional amendment under Article V of the United States Constitution for ratification by the states regarding state sovereignty
HJR 1	Allen	Proposes a constitutional amendment prohibiting a bill from being introduced unless accompanied by a memo detailing its title, purpose, summary of sections, constitutional authority, and fiscal impact
HJR 2	McGhee	Proposes a constitutional amendment guaranteeing a citizen's right to pray and worship on public property and reaffirming a citizen's right to choose any or no religion
HCS HJR 3		Proposes a constitutional amendment affirming the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on their owners
HJR 4	Barnes	Proposes a constitutional amendment preventing the proposed compensation schedule from the Commission on Compensation for Elected Officials from including any increase in certain circumstances
HCS HJR 5		Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods
HJR 6	Cierpiot	Proposes a constitutional amendment guaranteeing the right of individuals to vote by secret ballot
HJR 7	Hoskins	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 103 beginning with the 98th General Assembly
HCS HJR 8		Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services
HJR 9	Kelly	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education facility improvements, construction, landscaping, and land or building purchases
HJR 10	Barnes	Proposes a constitutional amendment repealing the prohibition against state funds being used to support any religion or religious school and specifies that parents have the right to choose any school
HJR 11	Burlison	Proposes a constitutional amendment prohibiting appropriations in any fiscal year from exceeding certain limits
HJR 12	Burlison	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 103 beginning with the 98th General Assembly
HJR 13	Black	Proposes a constitutional amendment reducing the number of members of the House of Representatives to 120 and increasing the number of members of the Senate to 40

No.	Author	Subject
HJR 14	Cox	Proposes a constitutional amendment changing the laws regarding elections by authorizing provisions relating to advance voting, voter identification, and absentee voting
HJR 15	Ruzicka	Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources
SCS HCS HJR 16		Proposes a constitutional amendment changing the number of voter signatures that are required to place an initiative petition or a referendum on a ballot
HCS HJR 17		Proposes a constitutional amendment establishing the Freedom in Agriculture Act which guarantees the right of Missourians to grow crops, hunt and fish wildlife, and raise animals in a humane manner
HJR 18	Cox	Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increases the number of candidates it nominates to the Governor for certain judicial vacancies
HJR 19	Kirkton	Proposes a constitutional amendment transferring initial responsibility for Congressional and legislative redistricting from a Congressional committee to a state demographer
HJR 20	Sifton	Proposes a constitutional amendment changing the laws regarding the repeal or modification of a statutory provision of a referendum passed by voters
HJR 21	Sifton	Proposes a constitutional amendment changing the laws regarding the repeal or modification of a statutory provision of a referendum passed by voters
HJR 22	Cauthorn	Proposes a constitutional amendment reauthorizing the Department of Conservation sales and use tax until an election in 2022 or at a special election called by the Governor and every 10 years thereafter
HJR 23	Leara	Proposes a constitutional amendment changing the number of signatures required on an initiative petition proposing an amendment to the Missouri Constitution or on a referendum to change a state law
HJR 24	Aull	Proposes a constitutional amendment specifying who can participate in the operation of a bingo game
HJR 25	Aull	Proposes a constitutional amendment raising the allowable level of bonded indebtedness for a school district from 15% to 20% of the value of taxable tangible property in the district
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HJR 27	Brattin	Proposes a constitutional amendment specifying that the right of every citizen to possess, purchase ammunition, and any parts or articles for the proper functioning of arms must not be infringed
HJR 28	Walton Gray	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 29	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans Commission Capital Improvement Trust Fund
HJR 30	Wyatt	Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
HJR 31	Wells	Proposes a constitutional amendment prohibiting a state court from using any international law or Sharia law
HJR 32	Colona	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 33	Crawford	Proposes a constitutional amendment requiring any office of a senator or representative to be deemed vacated if the member removes himself or herself from the state during session to avoid an official vote
HJR 34	Nasheed	Proposes a constitutional amendment prohibiting anyone elected to the General Assembly after November 1, 2008, from serving more than 12 years in any one house nor more than 24 years total in both houses

No.	Author	Subject
HJR 35	Schad	Proposes a constitutional amendment requiring any office of a senator or representative to be deemed vacated if the member removes himself or herself from the state during session to avoid an official vote
HJR 36	Kander	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 99 beginning with the 98th General Assembly
HJR 37	Hughes	Proposes a constitutional amendment repealing legislative term limits
HJR 38	Barnes	Proposes a constitutional amendment allowing the General Assembly to provide financial assistance to students to pay for elementary and secondary education at any accredited school they select
<b>CONSTRUCTION AND BUILDING CODES</b>		
SB 22	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
SB 104	Green	Regulates the operation of certain cranes
SCS SB 108		Modifies provisions concerning the installation of fire sprinklers in certain dwellings
SB 193	Pearce	Allows Cass County to establish municipal county courts
SB 232	Crowell	Repeals the authority of certain cities to enforce zoning regulations up to two miles outside city limits
SB 397	Cunningham	Requires certification for certain contractors who work on fire sprinkler systems
HCS HB 46		Changes the laws regarding fire sprinkler system installations
HB 90	Scharnhorst	Prohibits a political subdivision from adopting an ordinance, rule, or code that would require mandatory installation of a sprinkler system in new residential construction
HB 117	Ellinger	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 138	Thomson	Establishes the School Construction Act which exempts the construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HCS HB 148		Prohibits a residential contractor from advertising or promising to pay or rebate all or any portion of an insurance deductible as an inducement to the sale of goods or services
HB 222	Schneider	Increases the number of years before certain newly constructed residential property is assessed for property taxation from the second year to the fourth year following the year construction was completed
HB 267	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 311	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 319	Fisher	Changes the laws regarding contracts for public construction projects which are funded in any amount with public funds
HB 320	Fisher	Changes the laws regarding Missouri's prevailing wage as it relates to public works construction
HB 553	Nance	Establishes the Missouri Home Inspectors Professional Competency and Financial Responsibility Act
HB 566	Denison	Establishes the Political Subdivision Construction Bidding Standards Act
HB 696	Gosen	Changes the laws regarding contracts for public or private construction work
HB 704		Changes the laws regarding inadequate and deficient housing as it relates to landlord-tenant actions
HCS HB 716		Establishes the Capital Green Program, requirements for environmentally sustainable construction for state-funded buildings, and the Renewable Energy Pilot Program for State Parks

No.	Author	Subject
HB 769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HCS HB 828		Changes the laws regarding prevailing wages
HB 876	Fisher	Revises the definition of "construction" as it relates to prevailing wages on public works projects and abrogates the ruling in <i>Utility Service Co., Inc. v. the Department of Labor and Industrial Relations</i>
HB 881	Atkins	Establishes the Missouri Radon Certification Program to certify and register providers of radon services
HB 938	Meadows	Specifies that, beginning July 1, 2012, certain specified building codes will be deemed the official state codes
<b>CONSUMER PROTECTION</b>		
SS SB 9		Modifies the state do-not-call list and creates "paid for by" requirements for political phone calls
SB 53	Cunningham	Adds automated phone calls to the types of calls prohibited to people who sign up on the state do-not-call list
HCS SB 63		Modifies provisions pertaining to utilities
SB 101	Parson	Creates requirements for contractors who perform home exterior and roof work
SB 183	Ridgeway	Modifies current law regarding certain prohibited uses of social security numbers to include the partial use of social security numbers
SB 199	Crowell	Modifies the state do-not-call list by allowing cell phone numbers on the list and banning certain automated calls
SB 208	Lager	Removes any requirement that a telecommunications company must file tariffs and exempts compliance with certain state regulations when federal regulations exist
SB 295	Keaveny	Amends laws relating to unsecured loans of \$500 or less
SB 431	Munzlinger	Creates a state do-not-mail list for consumers who do not wish to receive solicitations from direct mail marketers
HB 30	Sater	Allows a law enforcement officer to request that certain property used to secure personal credit loans from pawnbrokers not be sold for 10 days of the request
HB 67	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 94	Dugger	Repeals the Puppy Mill Cruelty Prevention Act passed as Proposition B by voters in November 2010
HB 99	Loehner	Exempts all shelters, pounds, kennels, pet shops, facilities, dealers, and breeders licensed under specified statutes prior to November 2, 2011, from the provisions of the Puppy Mill Cruelty Prevention Act
HCS HB 131		Changes the laws regarding the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
HB 132	Still	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 134	Nasheed	Specifies that the practice of cosmetology cannot include hair braiding and prohibits any person from engaging in hair braiding without being registered with the state and paying a fee
HCS HB 148		Prohibits a residential contractor from advertising or promising to pay or rebate all or any portion of an insurance deductible as an inducement to the sale of goods or services
HB 176	McNeil	Creates the crime of caller identification spoofing when a person places a call knowingly inserting false information into a caller identification system to mislead, defraud, or deceive
HB 211	Koenig	Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law
HCS HB 250		Changes the laws regarding water well regulations

No.	Author	Subject
HB 252	Cox	Establishes the Business Premises Safety Act
HB 279	Solon	Increases, from \$15,000 to \$125,000, the amount of equity in a homestead that can be exempt from attachment in a bankruptcy proceeding when the person is 62 years of age or older
HB 281	Kelley	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
HB 313	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 332	Franz	Expands the Puppy Mill Cruelty Prevention Act to apply to humane societies and exempts shelters, pounds, kennels, pet shops, dealers, facilities, and breeders licensed prior to November 2, 2011
HB 359	Leara	Establishes the Payday Loan Protection Act regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 376		Expands the No-call List to include cell phone numbers, prohibits sending unsolicited faxes or text messages, and prohibits using automatic dialing announcing devices in certain situations
HB 405	Crawford	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
HB 449	Sater	Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards
HCS HB 475		Changes the laws regarding health care quality data standardization and transparency and establishes criteria for programs of insurers to compare the quality and cost efficiency of health care providers
HB 501	Cauthorn	Allows wireless telephone users to be added to the No-call List and revises the definition of "telephone solicitation" to include voice, facsimile, graphic imaging, or data communication
HB 522	Rizzo	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans, and allows the Attorney General to maintain an action to enforce compliance
HB 553	Nance	Establishes the Missouri Home Inspectors Professional Competency and Financial Responsibility Act
HB 626	Solon	Establishes the Senior Citizens Protection Act which exempts from attachment or execution the primary residence of a person 62 years of age or older, who is retired or may retire, from any forced sale (Withdrawn)
HB 831	Houghton	Establishes the Do-Not-Offer Statewide Registry Act which requires the creation of a database of elderly Missouri residents who object to receiving direct mail marketing
HB 899	Colona	Changes the laws regarding the state's health care utilization review process to comply with federal laws and regulations
HB 984	Meadows	Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
HB 1022	Nolte	Specifies that any person who manufactures an article or a product while using stolen or misappropriated information technology will be deemed to engage in an unfair act under certain specified conditions
<b>CONTRACTS AND CONTRACTORS</b>		
SB 32	Chappelle-Nadal	Prohibits a workforce development agency from knowingly omitting from any bidding process an entity with whom it has a contract
SB 40	Wright-Jones	Allows certain medical consultants who contract with the Department of Social Services and the Department of Mental Health to be covered by the State Legal Expense Fund
SB 47	Wright-Jones	Modifies the law relating to minority and women's business enterprises
SB 101	Parson	Creates requirements for contractors who perform home exterior and roof work
SB 175	Munzlinger	Modifies restrictions on the use of organized labor on public contract projects
SB 214	Schaaf	Prohibits restrictive physician employment contracts
SB 249	McKenna	Creates the "Political Subdivision Construction Bidding Standards Act"



No.	Author	Subject
SB 290	Lembke	Modifies the law that limits indemnity agreements in construction work contracts
SB 308	Nieves	Specifies how the courts may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
SB 315	Chappelle-Nadal	Bars discriminatory employers from receiving public works contracts and requires employers to provide cause to terminated employees
SCS SB 340		Modifies licensing requirements for funeral directors, embalmers, and funeral establishments and certain requirements for preneed funeral contracts
SB 397	Cunningham	Requires certification for certain contractors who work on fire sprinkler systems
SB 432	Munzlinger	Regulates contingency-fee contracts between state entities and private attorneys
HB 92	Molendorp	Authorizes school districts to enter into design-build contracts for construction projects
HB 117	Ellinger	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 144	Schoeller	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for payments made on a loan obtained to repair certain flood damage to the taxpayer's premises
HB 147	Cauthorn	Requires the Commissioner of the Office of Administration or other state purchasing agent to buy forest products, bricks, or aluminum produced in Missouri with certain exceptions
HCS HB 148		Prohibits a residential contractor from advertising or promising to pay or rebate all or any portion of an insurance deductible as an inducement to the sale of goods or services
HB 157		Prohibits municipal employment contracts from exceeding two years and specifies that, upon resignation or termination of a contract, no employee can receive a payout of more than six months' pay
HB 255	Cox	Establishes the Private Attorney Retention Act which specifies the procedures state agencies or agents must follow when retaining a lawyer or law firm to perform legal services under certain conditions
SS SCS HCS HB 265		Changes the laws regarding professional registration
HB 293	Schneider	Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
HB 296		Establishes the Contract for Deed Act regarding transactions involving an executory contract for the conveyance of real property
HCS HB 303 & 239		Changes the laws regarding members of the military, military spouses, and veterans
HB 311	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 319	Fisher	Changes the laws regarding contracts for public construction projects which are funded in any amount with public funds
HB 320	Fisher	Changes the laws regarding Missouri's prevailing wage as it relates to public works construction
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HCS HB 336		Authorizes an income tax credit for the eligible costs of bringing certain sporting events to Missouri
HB 442	Franz	Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
HCS HB 473		Changes the laws regarding charter schools and establishes the Missouri Charter Public School Commission

No.	Author	Subject
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 515	Wallingford	Establishes the Embryo Transfer Act which authorizes the legal relinquishment and subsequent transfer of human embryos
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 525	Molendorp	Establishes requirements regarding certain contracts reinsuring life or health insurance policies or annuities which are covered under the Insurers Supervision, Rehabilitation and Liquidation Act
HB 566	Denison	Establishes the Political Subdivision Construction Bidding Standards Act
HB 647	Schneider	Allows a contractor to contract with a title insurer, agency, or agent authorized to conduct business as an escrow agent in lieu of requiring a bond for certain public works contracts
HB 659	Denison	Authorizes the St. Louis Metropolitan Sewer District to enter into a design-build contract for a construction project exceeding \$1 million
SCS HB 661		Changes the laws regarding debt adjusters
HB 696	Gosen	Changes the laws regarding contracts for public or private construction work
SCS HB 708		Changes the laws regarding violations of the public policy of Missouri when decisions are based on foreign law or legal code
HB 720	Parkinson	Establishes the Transparency in Private Attorney Contracts Act
HB 768	Bahr	Prohibits the application of a foreign law in a contract if doing so would violate a right guaranteed under the Missouri Constitution or the United States Constitution
HB 769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 786	Franklin	Gives preference in the awarding of a fee office contract to a tax exempt organization whose primary administrative office is in the same county or legislative district as the fee office
HB 809	Hughes	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HCS HB 811		Changes the laws regarding motor vehicle extended service contracts
HB 846	Wieland	Authorizes the governing body of any city or county to enter into design-build project contracts for neighborhood improvement districts
HB 872	Houghton	Establishes the Transparency in Private Attorney Contracts Act
HB 892	Talboy	Changes the laws regarding student athlete agents
HB 910	Atkins	Requires all employers and business entities to enroll and actively participate in a federal work authorization program
HB 918	Solon	Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with a single-source provider of trash collection in certain cities, towns, and villages
HB 937	Meadows	Requires certain preneed funeral contract sellers and providers to designate the location where all records and contracts are located
HB 940	Nichols	Establishes the Common Interest Owners Bill of Rights Act
HB 972	Johnson	Allows private web site development companies to be awarded contracts to operate the Internet web sites of the Department of Economic Development
HB 987	Rowland	Establishes the Common Interest Owners Bill of Rights Act
HB 991	Lichtenegger	Changes the laws regarding mechanic's liens on residential real property

No.	Author	Subject
HB 993	Meadows	Specifies that Jefferson County cannot adopt any charter provision or any order or ordinance that prohibits the county from contracting out the county's probation services with a private entity
HB 996	Harris	Establishes the Common Interest Owners Bill of Rights Act
HB 1002	Talboy	Requires the Missouri Lottery Commission to establish a statewide video lottery terminal network
<b>COOPERATIVES</b>		
SB 317	Stouffer	Exempts securities issued by agricultural cooperative corporations from state security registration requirements
HCS SCS SB 366		Creates Missouri cooperative associations and modifies the law relating to the conversion of certain business organizations
HB 847	Guernsey	Exempts any security issued by an agricultural cooperative corporation operated as an agricultural cooperative association from state security registration requirements under certain conditions
HB 850	Diehl	Establishes the Missouri Cooperative Associations Act which allows a cooperative to be formed and organized to conduct or promote any lawful business or purpose for the mutual welfare of its members
HB 877	Berry	Requires an electric utility to accept electricity produced from a customer who operates an electric generating facility in the service area of the utility
<b>CORPORATIONS</b>		
SB 15	Lembke	Allows full deductibility of federal taxes for state income tax purposes
SCS SB 18		Places a cap on corporate franchise taxes
SCS SB 19		Places a cap on corporated franchise taxes and phases-out the corporate franchise tax over a five-year period
SB 146	Schmitt	Creates individual and corporate income tax deductions for business income
SB 248	Parson	Establishes the Proof of Concept Business Finance Program
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 317	Stouffer	Exempts securities issued by agricultural cooperative corporations from state security registration requirements
SB 328	Goodman	Allows corporate board members to consent to certain actions by electronic transmission
HB 42	Loehner	Requires an electrical corporation to pay a surcharge of one-tenth of one cent per kilowatt hour on all nuclear energy produced in the state and sold out of its service territory
HCS HB 76		Changes the laws regarding the corporate franchise tax
HB 77	Nolte	Reduces over a five-year period the annual corporate franchise tax rate from one-forty-fourth of 1% until no tax is imposed beginning January 1, 2016
HB 78	Nolte	Authorizes an income tax exemption for the business income of any individual or corporation to be phased-in over five years until the exemption is 50% of the taxpayer's Missouri taxable business income
HB 86	McGhee	Authorizes corporations or unincorporated associations to be represented in small claims court by their president or vice-president for any claim of \$500 or less for certain actions to remove a tenant
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
HB 119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program
HB 120	Schoeller	Changes the laws regarding infrastructure replacement surcharges for water corporations

No.	Author	Subject
HB 152	Kelly	Decreases the individual income tax rate, eliminates corporate income tax, authorizes a sales tax on taxable services, and authorizes the Department of Revenue to establish a sales tax rebate program
HB 216	Barnes	Prohibits the Missouri Public Service Commission from approving any tariff of an electrical corporation that establishes a single customer class if the customer is an aluminum smelting facility
HB 264	Nolte	Changes the laws regarding the Manufacturing Jobs Act
HB 326	Burlison	Prohibits state licensed professional counselors from being taxed or made liable to pay any municipal or corporation tax or license fee for the privilege of practicing the profession
HCS HB 401		Changes the laws regarding unclaimed property
HCS HB 403		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises
HCS HB 408		Reduces the corporate income tax rate from 6.25% to 3.125%, authorizes an additional sales tax of .494%, and eliminates the corporate franchise tax beginning January 1, 2013
SCS HB 462		Repeals the provisions requiring the Missouri Energy Task Force to reconvene at least one time a year and issue an annual status report to the Governor and General Assembly
HB 467	Diehl	Establishes the Missouri Science and Innovation Reinvestment Act
HB 533	Newman	Changes the laws regarding taxation
HB 536	Leara	Authorizes the banking institution tax credit to be taken against a financial institution's annual franchise tax if the institution is a limited liability company or a limited liability partnership
HCS HB 711		Changes the laws regarding utilities
HB 718	Marshall	Repeals the Missouri Limited Liability Company Act and establishes the Revised Uniform Limited Liability Company Act as proposed by the National Conference of Commissioners on Uniform State Laws
HB 780	Oxford	Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 847	Guernsey	Exempts any security issued by an agricultural cooperative corporation operated as an agricultural cooperative association from state security registration requirements under certain conditions
HB 951	Johnson	Reduces the corporate income tax rate for a company that creates a specified number of jobs
HB 957	Barnes	Establishes the Ratepayer Fairness Act which allows an aluminum smelting facility to keep any special utility rate at the ratepayer class as long as it employs 200 employees
HB 976	Johnson	Authorizes a reduction in the corporate income tax rate from 6.25% until the rate is eliminated based on the total of state sales and use tax collected in a fiscal year
HCS HJR 8		Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services
<b>CORRECTIONS DEPT.</b>		
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
SB 171	Crowell	Modifies provisions relating to private probation services
CCS#2 HCS SB 250		Requires sexual assault offenders to complete certain programs prior to being eligible for parole and prohibits them from living near child care facilities
SB 289	Lembke	Prohibits smoking or use of tobacco products in state correctional centers
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 363	Justus	Modifies provisions relating to crime

No.	Author	Subject
HB 65		Requires the Department of Corrections to establish the Shock Time for Felony Probationers Program to give courts an alternative to imposing a sentence for nonviolent offenders who have violated their probation
HB 87	McGhee	Provides an annual 2% pay increase in Fiscal Year 2013 through Fiscal Year 2015 for non-custodial employees in certain divisions of the Department of Corrections
HCS HB 154		Changes the laws regarding the Department of Corrections
HB 200	Kelley	Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
HB 302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process
HB 308	Black	Prohibits an offender in the custody of the Department of Corrections from making a false report against any department employee for the purpose of implicating an employee in a crime
SCS HCS HB 344		Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program
HB 371	Fitzwater	Establishes minimum salary requirements for all corrections officers and supervisors
HB 384	Black	Requires a person incarcerated for a sexual assault offense to successfully complete all treatment, education, and rehabilitation programs prior to being eligible for parole or conditional release
HB 445	Molendorp	Prohibits any person from smoking or using tobacco products in any area or on the grounds of a state correctional facility
HB 517	Ellinger	Changes the laws regarding clemency in death penalty cases
HB 538	Hubbard	Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison
HB 539	Hubbard	Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers
HCS HB 716		Establishes the Capital Green Program, requirements for environmentally sustainable construction for state-funded buildings, and the Renewable Energy Pilot Program for State Parks
HB 733	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HB 837	Brattin	Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged 50 cents per visit
HB 956	Shively	Specifies that time spent in jail, prison, or custody for a subsequent offense because of a detainer will not be credited toward service of a sentence of imprisonment for the original offense
HCS HB 999		Changes the laws regarding sexual offender registration
<b>COSMETOLOGY</b>		
HB 134	Nasheed	Specifies that the practice of cosmetology cannot include hair braiding and prohibits any person from engaging in hair braiding without being registered with the state and paying a fee
<b>COUNTIES</b>		
SCS SB 25		Modifies and adopts provisions relating to nuisances
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
HCS SB 61		Enacts various provisions relating to local government

No.	Author	Subject
SB 85	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
SB 89	Lembke	Abolishes the state public defender system and requires circuit courts to provide legal defense for indigents
SCS SB 108		Modifies provisions concerning the installation of fire sprinklers in certain dwellings
SCS SB 155		Modifies provisions of Missouri's Real Property Tax Increment Allocation Redevelopment Act
SB 168	Crowell	WITHDRAWN
SB 186	Crowell	Makes it optional for the circuit court and circuit clerk in Cape Girardeau County to hold court and maintain certain offices in both Jackson and Cape Girardeau
SB 193	Pearce	Allows Cass County to establish municipal county courts
SB 194	Pearce	Allows Cass County to enact nuisance abatement ordinances
SB 218	Wasson	Moves Taney County to its own judicial circuit and specifies that the 38th Judicial Circuit will only be made up of Christian County
SB 224	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight
SS SB 231		Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 232	Crowell	Repeals the authority of certain cities to enforce zoning regulations up to two miles outside city limits
SB 249	McKenna	Creates the "Political Subdivision Construction Bidding Standards Act"
SB 266	Dempsey	Designates the director of elections as the election authority in charter counties that do not have a board of election commissioners or a county clerk
SB 288	Ridgeway	Creates a state and local sales and use tax exemption for all fees paid to any place of amusement, entertainment, or recreation
SB 309	Kehoe	Allows certain ambulance and fire protection districts to seek voter approval for a sales tax to fund such districts
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
HCS SCS SB 337		Modifies provisions pertaining to agriculture
HCS SS SB 360		Modifies provisions relating to rural community development
SB 363	Justus	Modifies provisions relating to crime
SB 364	Pearce	Authorizes the establishment of parks, trails and greenways districts in certain counties
SB 374	Parson	Establishes qualifications and appointment procedures for certain county officers
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SB 427	Lamping	Repeals state and local use taxes
SS SCR 8		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SJR 19	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
HB 43	Conway	Adds the counties of Andrew and Buchanan to the list of counties authorized to enact nuisance abatement ordinances regarding the condition of real property
HCS HB 46		Changes the laws regarding fire sprinkler system installations

No.	Author	Subject
HB 53	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated speed enforcement system to enforce speeding violations except in a school, construction, or work zone
HB 60	Nolte	Limits the increase in assessed valuation of residential property by the percentage of increase in the federal Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 80	Nolte	Changes when tax statements must be mailed in all counties of the first classification from at least 30 days to at least 45 days before the delinquent date
HB 88	Gatschenberger	Allows a public administrator to file a petition to transfer a case to another county and requires the court to transfer the case if certain requirements are met and the receiving county consents to the transfer
HB 90	Scharnhorst	Prohibits a political subdivision from adopting an ordinance, rule, or code that would require mandatory installation of a sprinkler system in new residential construction
HB 104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation
HB 126	Barnes	Requires the state to give a prompt written notification to all affected state employees and specified county and city officials in certain situations when the state decides upon a mass layoff
HB 128	Barnes	Requires the respondent in a suit filed by a city, county, or state in which the entity prevails to pay the city, county, or state the amount of the deposit that would have been awarded as a judgment
HB 145	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
HB 177	McNeil	Prohibits political subdivisions from using an automated speed enforcement system to enforce speeding violations within 500 feet of any speed limit sign reducing the limit except in special school zones
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HB 188	Molendorp	Adds Cass County to the list of counties authorized to enact nuisance abatement ordinances regarding the condition of real property
HB 194	Molendorp	Authorizes Cass County to establish a county municipal court
HB 200	Kelley	Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
HB 207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone
SS SCS HB 209		Changes the laws regarding county nuisance abatement ordinances, junkyards, and private nuisance actions
HB 228	Schoeller	Changes the laws regarding billboards
HB 278	McNeil	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
HB 288	Lair	Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court

No.	Author	Subject
HB 289	Lair	Specifies that no person will be eligible to run or to be selected to fill a vacancy for the office of county sheriff unless he or she holds a valid peace officer license
HB 327	Wallingford	Removes the requirement that the circuit court in Cape Girardeau must hold court and maintain an office of the probate division in the courthouses in Jackson and Cape Girardeau but allows them to do so
HB 335	Burlison	Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HB 340	Klippenstein	Allows counties of any classification to erect and maintain a jail or holding cell facility at a site other than the county seat and changes the laws regarding the circuit court in Cape Girardeau County
HCS HB 366		Changes the laws regarding economic development
HB 373		Authorizes an officer designated as the director of elections in a charter county to be the election authority if the county does not have a board of election commissioners
HB 381		Allows any political subdivision to conduct ranked-choice voting in certain elections
HB 396	Diehl	Removes the provision specifying that the \$4 surcharge assessed in certain criminal cases will not be collected from any person who has pled guilty and paid a fine through the central violations bureau
HB 400	Diehl	Changes the laws regarding the imposition of a transient guest tax
HB 406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction
HB 435	Wyatt	Authorizes any county of the third classification to impose, upon voter approval, a special road rock fund tax on agricultural and horticultural property
HB 436	Fitzwater	Allows Iron County by adoption of an order or ordinance to hold a nonpartisan election for the office of sheriff
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 447	Funderburk	Changes the laws regarding the Real Property Tax Increment Allocation Redevelopment Act
HB 453	Hodges	Prohibits reductions in county officials' salaries when a county changes classification until the current official leaves office
HB 480	Brown	Reduces the minimum number of acres required for an eligible project area in the Distressed Areas Land Assemblage Tax Credit Program
HB 567	Elmer	Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County
HB 571		Reduces the maximum penalty that can be charged on delinquent county property taxes
HB 635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty
HB 667	Carter	Establishes two prostate cancer pilot programs to fund screening and treatment services and to provide education to men residing in the state
HB 681	Walton Gray	Specifies that the provisions requiring a partisan election and conducting a party primary prior to a general election will not apply to a candidate for school board or fire district office
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 745	Brown	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat
HB 751	Kratky	Establishes the Clinical Laboratory Science Practice Act



No.	Author	Subject
HB 769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 815	Scharnhorst	Requires each county to publish a financial statement that includes detailed compensation information, all extra duty compensation, employee benefits, and the county budget
HB 824	Cookson	Changes the laws regarding the transient guest tax in Carter County
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HB 846	Wieland	Authorizes the governing body of any city or county to enter into design-build project contracts for neighborhood improvement districts
HB 879	Franz	Changes the laws regarding the direct rollover provisions of the County Employees' Retirement System
HB 884	Diehl	Specifies that the circuit clerks in the 22nd and 28th judicial circuits and the circuit clerk for Scott County must be appointed by the majority of their respective circuit and associate circuit judges
HB 904	Loehner	Removes the requirement that the Department of Agriculture publish the list of all livestock brands in a book format and requires that information to be made available on a public web site
HCS HB 908		Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area
HB 922	Still	Requires each circuit court in every county to establish a residential mortgage foreclosure mediation negotiation program to achieve a mutually agreeable resolution to a mortgage foreclosure action
HB 928	Schoeller	Allows Greene County, upon approval by the county commission, to charge an additional \$5 surcharge to any party filing a civil case
HB 949	Ellinger	Increases from five to seven or nine the number of members on a city economic development tax board
HB 993	Meadows	Specifies that Jefferson County cannot adopt any charter provision or any order or ordinance that prohibits the county from contracting out the county's probation services with a private entity
<b>COUNTY GOVERNMENT</b>		
SB 16	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations
SCS SB 25		Modifies and adopts provisions relating to nuisances
HCS SB 61		Enacts various provisions relating to local government
HCS SB 90		Modifies various provisions regarding benefits provided by the state health care plan, rules promulgated by certain county health center boards, and the capping of non-covered dental and optometric services
HCS SB 145		Modifies provisions relating to political subdivisions
SB 193	Pearce	Allows Cass County to establish municipal county courts
SB 194	Pearce	Allows Cass County to enact nuisance abatement ordinances
SB 224	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight
SS SB 231		Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 266	Dempsey	Designates the director of elections as the election authority in charter counties that do not have a board of election commissioners or a county clerk
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds

No.	Author	Subject
SB 374	Parson	Establishes qualifications and appointment procedures for certain county officers
SJR 19	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
HB 43	Conway	Adds the counties of Andrew and Buchanan to the list of counties authorized to enact nuisance abatement ordinances regarding the condition of real property
HCS HB 70		Changes the compensation and mileage allowance for certain members of a county highway commission
HB 90	Scharnhorst	Prohibits a political subdivision from adopting an ordinance, rule, or code that would require mandatory installation of a sprinkler system in new residential construction
HB 139	Smith	Requires the Office of Administration to maintain public school and county and municipal government accountability information and the Governor's travel information on the Missouri Accountability Portal
CCS SCS HB 142		Changes the laws regarding political subdivisions
HB 155	Black	Requires a coroner to notify the prosecuting attorney of the proper county instead of an associate circuit judge when he or she completes an inquisition regarding a death by a felonious act
HB 194	Molendorp	Authorizes Cass County to establish a county municipal court
HB 207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone
HB 373		Authorizes an officer designated as the director of elections in a charter county to be the election authority if the county does not have a board of election commissioners
HB 406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction
HB 635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty
HB 653	Cauthorn	Changes the laws regarding noxious weeds
HB 815	Scharnhorst	Requires each county to publish a financial statement that includes detailed compensation information, all extra duty compensation, employee benefits, and the county budget
HB 993	Meadows	Specifies that Jefferson County cannot adopt any charter provision or any order or ordinance that prohibits the county from contracting out the county's probation services with a private entity
<b>COUNTY OFFICIALS</b>		
SB 52	Cunningham	Requires county assessors to consider market factors in determining the value of real property for tax purposes
HCS SCS SB 57		Requires courts to transfer certain cases upon the request of the public administrator and specifies that certain political subdivision associations are not required to solicit competitive bids when procuring risk coverages
SB 85	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
SB 87	Parson	Removes the requirement that certain otherwise unlawful uses of a weapon be reasonably associated with, or necessary to, fulfill a person's official duties in order to be lawful
HCS SB 145		Modifies provisions relating to political subdivisions
SB 194	Pearce	Allows Cass County to enact nuisance abatement ordinances
SS SB 231		Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 266	Dempsey	Designates the director of elections as the election authority in charter counties that do not have a board of election commissioners or a county clerk

No.	Author	Subject
SB 374	Parson	Establishes qualifications and appointment procedures for certain county officers
SB 416	Crowell	Exempts United States attorneys who have completed the firearms safety training course required to obtain a conceal carry endorsement from certain otherwise unlawful uses of a weapon
SB 428	Ridgeway	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
HCS HB 70		Changes the compensation and mileage allowance for certain members of a county highway commission
HB 80	Nolte	Changes when tax statements must be mailed in all counties of the first classification from at least 30 days to at least 45 days before the delinquent date
HB 88	Gatschenberger	Allows a public administrator to file a petition to transfer a case to another county and requires the court to transfer the case if certain requirements are met and the receiving county consents to the transfer
HB 95	Dugger	Allows certain municipalities to cancel nonpartisan elections when there are the same number of candidates as open offices
HCS HB 121		Changes the laws regarding elections
HB 127	Barnes	Specifies that any partial term served by a member of the Sheriffs' Retirement System who is elected sheriff at a special election will be counted as serving an entire term when calculating benefits
HB 155	Black	Requires a coroner to notify the prosecuting attorney of the proper county instead of an associate circuit judge when he or she completes an inquisition regarding a death by a felonious act
HB 180	Nasheed	Authorizes an election authority to establish a procedure allowing registered voters to provide an email address to receive information in conjunction with the conduct of elections
SCS HB 186		Changes the laws regarding county officers
HB 245	Newman	Allows voters to cast advance ballots
HB 254	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 288	Lair	Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HB 289	Lair	Specifies that no person will be eligible to run or to be selected to fill a vacancy for the office of county sheriff unless he or she holds a valid peace officer license
HCS HB 329		Establishes an advance voting period and requires a voter to present an approved form of personal identification to vote at an election
HB 351	McNeil	Allows an election authority to randomly select individuals from a cross-section of voter registrations to serve as election judges if there is a shortage of election judges in the authority's jurisdiction
HB 373		Authorizes an officer designated as the director of elections in a charter county to be the election authority if the county does not have a board of election commissioners
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions
HB 379		Changes the laws regarding the use of paper ballot cards at elections
HB 436	Fitzwater	Allows Iron County by adoption of an order or ordinance to hold a nonpartisan election for the office of sheriff
HB 451	Kirkton	Requires a mortgage value disclosure statement to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 453	Hodges	Prohibits reductions in county officials' salaries when a county changes classification until the current official leaves office

No.	Author	Subject
HB 490	Diehl	Prohibits a political subdivision from requiring any party to file a certificate of value with a deed or other instrument at the time of the sale or conveyance of real property
HB 521	Wells	Allows an ambulance district board member to be recalled from office by petition of the registered voters
HB 675	Largent	Requires every elected or appointed coroner, deputy coroner, and assistant to the coroner to complete the annually required educational training within six months of his or her election or appointment
HCS#2 HB 889		Changes the laws regarding political subdivisions
HB 955	Franz	Requires an assessor to use any nationally recognized motor vehicle valuation guide to determine the assessed valuation of a used motor vehicle for personal property taxation
<b>COURTS</b>		
SB 35	Lembke	Modifies provisions relating to child support when there is equal parenting time
HCS SCS SB 57		Requires courts to transfer certain cases upon the request of the public administrator and specifies that certain political subdivision associations are not required to solicit competitive bids when procuring risk coverages
HCS SB 61		Enacts various provisions relating to local government
SB 85	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
SB 89	Lembke	Abolishes the state public defender system and requires circuit courts to provide legal defense for indigents
SB 116	Justus	Updates the Uniform Interstate Family Support Act
SB 149	Schaaf	Modifies the laws regarding the testimony of physicians as expert witnesses in lawsuits against physicians for improper health care
SB 156	Rupp	Provides that suspended sentences may not be granted in statutory rape and sodomy cases
SB 168	Crowell	WITHDRAWN
SB 171	Crowell	Modifies provisions relating to private probation services
SB 186	Crowell	Makes it optional for the circuit court and circuit clerk in Cape Girardeau County to hold court and maintain certain offices in both Jackson and Cape Girardeau
SB 193	Pearce	Allows Cass County to establish municipal county courts
HCS SCS SB 213		Modifies what information is required in a petition for guardianship for a minor or an incapacitated person, adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act and modifies procedures for ordering autopsies
SB 218	Wasson	Moves Taney County to its own judicial circuit and specifies that the 38th Judicial Circuit will only be made up of Christian County
SB 225	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities
SB 227	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants
SB 237	Schaefer	Requires that the September 1996 Supreme Court standards for representation by guardians ad litem be updated
SB 239	Justus	Prohibits discrimination based upon a person's sexual orientation
SB 261	Goodman	Removes the element of good cause from the crime of nonsupport
SB 307	Justus	Allows Kansas City to collect an additional fourteen dollars in municipal ordinance violation cases
SB 308	Nieves	Specifies how the courts may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries

No.	Author	Subject
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
SB 338	Lager	Modifies requirements of the Supreme Court to accumulate and review certain types of cases
SB 349	Ridgeway	Abolishes the sentencing advisory commission
HCS SS SCS SB 351		Modifies provisions relating to adoption records
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 363	Justus	Modifies provisions relating to crime
SB 381	Dixon	Allows a circuit judge to assess certain costs when the criminal case is dismissed and the criminal defendant consents
SB 384	Schaefer	Authorizes a civil cause of action against pharmacy benefit managers
HCS SCS SB 387		Allows for release on electronic monitoring for people who can afford to pay the costs associated with the monitoring
SB 395	Goodman	Modifies provisions governing the regulation of the bail bond industry by the Department of Insurance
SB 403	Nieves	Modifies provisions pertaining to the filing of appeals regarding decisions made by environmental commissions
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 51	Taylor	Authorizes a \$2 surcharge to be collected in all criminal cases involving a state traffic law violation to be disbursed equally for law enforcement and fire safety training
HB 66		Allows the court to suspend imposition of an adult sentence in cases where there is dual jurisdiction and the offender has been transferred from juvenile court to a court of general jurisdiction
HB 75		Authorizes expungement of certain criminal records including convictions for nonviolent felonies and misdemeanor, municipal, or traffic offenses
HB 86	McGhee	Authorizes corporations or unincorporated associations to be represented in small claims court by their president or vice-president for any claim of \$500 or less for certain actions to remove a tenant
HB 88	Gatschenberger	Allows a public administrator to file a petition to transfer a case to another county and requires the court to transfer the case if certain requirements are met and the receiving county consents to the transfer
HB 105	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 128	Barnes	Requires the respondent in a suit filed by a city, county, or state in which the entity prevails to pay the city, county, or state the amount of the deposit that would have been awarded as a judgment
HB 130	Barnes	Changes the laws regarding guardianship of an incapacitated person and authorizes Missouri to enter into the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act
CCS SCS HB 142		Changes the laws regarding political subdivisions
HB 155	Black	Requires a coroner to notify the prosecuting attorney of the proper county instead of an associate circuit judge when he or she completes an inquisition regarding a death by a felonious act
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases

No.	Author	Subject
HB 165	Franz	Requires the Missouri Supreme Court standards from September 17, 1996, regarding representation of children by guardians ad litem to be updated
HB 178	Nasheed	Authorizes the expungement of certain criminal records
HB 194	Molendorp	Authorizes Cass County to establish a county municipal court
HB 199	Kelley	Specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment
HCS HB 205		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law and establishes the Whistleblower Protection Act
SCS HCS HB 214		Changes the laws regarding human trafficking
HB 227	Wyatt	Specifies that the Missouri Supreme Court child support guidelines must require income documentation and changes the provisions regarding child support when the parents have joint physical custody
HB 254	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 257	Cox	Repeals the provisions regarding the Sentencing Advisory Commission
HB 288	Lair	Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HB 302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process
HB 327	Wallingford	Removes the requirement that the circuit court in Cape Girardeau must hold court and maintain an office of the probate division in the courthouses in Jackson and Cape Girardeau but allows them to do so
HB 340	Klippenstein	Allows counties of any classification to erect and maintain a jail or holding cell facility at a site other than the county seat and changes the laws regarding the circuit court in Cape Girardeau County
HB 341	Riddle	Repeals the provisions regarding the filing of a petition for the removal of a disqualification for certain individuals from purchasing, possessing, or transferring a firearm and establishes new provisions
HB 364	Parkinson	Changes the determination of a defendant's liability in a tort action for damages by specifying that the liability of each defendant for compensatory or punitive damages must be several and cannot be joint
HB 386	Nance	Increases the amount in controversy from less than \$3,000 to less than \$5,000 for a case where the judge of a small claims court will have original jurisdiction
HCS HB 403		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises
HB 417	Richardson	Allows any person having a parent/child relationship with a minor child who is not the biological or legal parent to petition the court for custody and visitation rights
HCS HB 504, 505 & 874		Changes the laws regarding domestic violence and orders of protection
HB 510	Wyatt	Requires a court to order sexually transmitted disease testing of certain defendants within one week of the date the prosecuting or circuit attorney filed the motion requesting it
HB 516	Ellinger	Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty cases
HB 517	Ellinger	Changes the laws regarding clemency in death penalty cases
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents

No.	Author	Subject
HB 567	Elmer	Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County
HB 585	Oxford	Changes the laws regarding actions against a person for conduct or speech at a public hearing or meeting
HB 606	Schoeller	Lowers the maximum award of punitive damages to the greater of \$250,000 or two times the net amount of the judgment
HB 625	Nichols	Requires at least two of three commissioners appointed in condemnation cases in St. Louis City, St. Louis County, and Jackson County to be real estate brokers or appraisers
HB 634	Ruzicka	Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs involved in the prosecution
HCS HB 643		Changes the laws regarding criminal nonsupport and allows for expungement of a person's record under certain conditions
HB 663	Ruzicka	Requires, instead of allows, the \$2 surcharge in certain criminal cases to be assessed and collected and allows it to also be used to develop information sharing
HB 692	Schad	Requires the Missouri Supreme Court when reviewing any case in which the death penalty is imposed to determine whether the sentence is excessive or disproportionate to the penalty in similar cases
HB 704		Changes the laws regarding inadequate and deficient housing as it relates to landlord-tenant actions
SCS HB 708		Changes the laws regarding violations of the public policy of Missouri when decisions are based on foreign law or legal code
HB 727	Kratky	Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 768	Bahr	Prohibits the application of a foreign law in a contract if doing so would violate a right guaranteed under the Missouri Constitution or the United States Constitution
HB 772		Allows Kansas City to assess additional court costs of up to \$14 per case for each municipal ordinance violation
HB 799	Carlson	Repeals all provisions allowing for and related to the death penalty, dissolves the Capital Litigation Division, and creates the Cold Case Investigation Revolving Fund
HB 884	Diehl	Specifies that the circuit clerks in the 22nd and 28th judicial circuits and the circuit clerk for Scott County must be appointed by the majority of their respective circuit and associate circuit judges
HB 922	Still	Requires each circuit court in every county to establish a residential mortgage foreclosure mediation negotiation program to achieve a mutually agreeable resolution to a mortgage foreclosure action
HB 927	McDonald	Requires a court to assess a surcharge of up to 6% in each criminal proceeding if authorized by the municipal or county government where the violation occurred
HB 928	Schoeller	Allows Greene County, upon approval by the county commission, to charge an additional \$5 surcharge to any party filing a civil case
HB 956	Shively	Specifies that time spent in jail, prison, or custody for a subsequent offense because of a detainer will not be credited toward service of a sentence of imprisonment for the original offense
HB 967	Smith	Changes the appellate procedures for an issue initially decided by the Missouri Public Service Commission
HB 983	Meadows	Prohibits a person who is not lawfully present in the United States from bringing a claim or seeking legal or equitable relief in a court of this state
HB 1003	Hampton	Revises the laws regarding private nuisances when it originates from property used for farming, agriculture, crop, or animal production purposes and when a court must visit an alleged affected property

No.	Author	Subject
HB 1014	Hughes	Requires the establishment of a pilot project to implement a medical malpractice court and removes a provision regarding the limitation on noneconomic damages in an action against a health care provider
HB 1024	Korman	Allows any drug court commissioner in the 12th Judicial Circuit to hear a civil or criminal case that would otherwise be assigned to an associate circuit judge in the circuit under certain situations
HB 1025	Diehl	Specifies that the circuit clerk in the 22nd Judicial Circuit must be appointed by a majority of the circuit and associate circuit judges of the circuit
HJR 18	Cox	Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increases the number of candidates it nominates to the Governor for certain judicial vacancies
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HJR 31	Wells	Proposes a constitutional amendment prohibiting a state court from using any international law or Sharia law
<b>COURTS, JUVENILE</b>		
HCS SS SCS SB 351		Modifies provisions relating to adoption records
HB 66		Allows the court to suspend imposition of an adult sentence in cases where there is dual jurisdiction and the offender has been transferred from juvenile court to a court of general jurisdiction
HB 129	Barnes	Prohibits a juvenile or family court from using the fact that a natural parent chose not to abort a child when determining to take, continue, or fail to terminate jurisdiction over another child
HB 164	Franz	Changes the age when the juvenile court will have jurisdiction over a child involving a state or local traffic violation from a child up to 15 1/2 years of age to a child up to 15 years of age
HB 427	Barnes	Changes the laws regarding adoption records
HCS HB 504, 505 & 874		Changes the laws regarding domestic violence and orders of protection
<b>CREDIT AND BANKRUPTCY</b>		
CCS HCS SB 59		Modifies provisions regarding judicial procedures
HB 30	Sater	Allows a law enforcement officer to request that certain property used to secure personal credit loans from pawnbrokers not be sold for 10 days of the request
HB 37	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HB 109	Wells	Repeals the provisions allowing the State Treasurer to invest in any linked deposit for specified purposes only for certain time periods
HB 132	Still	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 135	Nolte	Extends from no later than 10 years to no later than 20 years the time period in which bonds and other similar instruments which have been authorized to fund the Unemployment Compensation Fund must mature
HB 279	Solon	Increases, from \$15,000 to \$125,000, the amount of equity in a homestead that can be exempt from attachment in a bankruptcy proceeding when the person is 62 years of age or older
HB 292	Schneider	Prohibits state certified and state licensed real estate appraisers from using a property's foreclosure price as a comparable property when developing an appraisal
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan



No.	Author	Subject
HB 345	Guernsey	Allows the Missouri Agricultural and Small Business Development Authority to make loan guarantees to certain agribusinesses under the Agricultural Product Utilization and Business Development Loan Program
HB 359	Leara	Establishes the Payday Loan Protection Act regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 399	Diehl	Changes the laws regarding the Missouri Uniform Trust Code
HB 461	Pollock	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HB 522	Rizzo	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans, and allows the Attorney General to maintain an action to enforce compliance
HB 584	Oxford	Prohibits a lender from imposing a fine, fee, or penalty for the prepayment of any loan and repeals the provision allowing a prepayment fee to be charged on a second mortgage loan
HB 626	Solon	Establishes the Senior Citizens Protection Act which exempts from attachment or execution the primary residence of a person 62 years of age or older, who is retired or may retire, from any forced sale (Withdrawn)
HB 656	Brandom	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
SCS HB 661		Changes the laws regarding debt adjusters
HB 721	Schneider	Requires a lending institution purchasing property at a foreclosure sale and selling the property in an amount that exceeds the purchase price to apply excess amount to any deficiencies or judgments
HB 807	Hughes	Makes it an improper employment practice for an employer to refuse to hire or to discharge, reduce compensation, or modify any condition of a person's employment based on his or her credit score or history
HB 810	Hughes	Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly
HB 890	Franz	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 920	Walton Gray	Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score
HB 1018	Kander	Changes the laws regarding mortgage foreclosures by requiring a preforeclosure notice which contains information regarding foreclosure alternatives
<b>CREDIT UNIONS</b>		
HCS SCS SB 219		Allows owners of automated teller machines to charge access fees to those with bank accounts in foreign countries and gambling boats to accept credit instruments
SS SB 306		Modifies laws relating to the administration of credit unions
SB 401	Lamping	Modifies the law relating to debt adjusters
HCS HB 83		Specifies that an agreement to operate or share an automated teller machine cannot prohibit the owner or operator of the machine from imposing an access fee or surcharge on foreign bank transactions
HB 132	Still	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 144	Schoeller	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for payments made on a loan obtained to repair certain flood damage to the taxpayer's premises
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HCS HB 465		Changes the laws regarding the Division of Credit Unions within the Department of Insurance, Financial Institutions and Professional Registration

No.	Author	Subject
HB 810	Hughes	Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly
<b>CRIMES AND PUNISHMENT</b>		
SB 30	Chappelle-Nadal	Increases the penalty for the crime of harassment
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
SB 69	Schaefer	Modifies provisions relating to children who are victims of pornographic offenses
SB 91	Engler	Modifies funeral protest provisions
SS SCS SBs 113 & 95		Modifies the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
SB 138	Keaveny	Creates the Nonhuman Primate Act
SB 156	Rupp	Provides that suspended sentences may not be granted in statutory rape and sodomy cases
SB 157	Schaefer	Changes the laws regarding child abuse
SB 227	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants
CCS#2 HCS SB 250		Requires sexual assault offenders to complete certain programs prior to being eligible for parole and prohibits them from living near child care facilities
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 261	Goodman	Removes the element of good cause from the crime of nonsupport
SB 263	Green	Requires pawnbrokers to photograph anybody selling jewelry, gold, or silver and to complete a form for such transactions
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 305	Parson	Creates record-keeping requirements for certain buyers of plastic bulk merchandising containers
SS#2 SCS SB 320		Modifies provisions relating to domestic violence
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SB 338	Lager	Modifies requirements of the Supreme Court to accumulate and review certain types of cases
SB 343	Wright-Jones	Creates the crimes of assault of an employee of a mass transit system while in the scope of his or her duties in the first, second, and third degree
SB 349	Ridgeway	Abolishes the sentencing advisory commission
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 354	Schaaf	Adds bath salts to the list of schedule I controlled substances
SB 362	Justus	Allows for the establishment of domestic violence fatality review panels
SB 363	Justus	Modifies provisions relating to crime
HCS SCS SB 387		Allows for release on electronic monitoring for people who can afford to pay the costs associated with the monitoring
SCS SBs 394 & 331		Modifies the human trafficking provisions

No.	Author	Subject
SB 396	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act
SB 399	Kraus	Modifies provisions relating to the crime of failure to return leased or rented property
SCS SB 400		Modifies provisions regarding the crime of sexual contact with a student while on public school property
SB 415	Crowell	Makes it a class C felony for a person on probation for a felony offense to knowingly possess a firearm
SCS SB 425		Specifies when the crime of receiving stolen property is a felony offense
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HCS HB 28		Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug
SCS HCS HB 38		Increases the work-off rate for city prisoners and requires certain administrative officials of jails or detention facilities to notify specified law enforcement of an escape of certain specified felons
HB 51	Taylor	Authorizes a \$2 surcharge to be collected in all criminal cases involving a state traffic law violation to be disbursed equally for law enforcement and fire safety training
HB 62	Nolte	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 65		Requires the Department of Corrections to establish the Shock Time for Felony Probationers Program to give courts an alternative to imposing a sentence for nonviolent offenders who have violated their probation
HB 67	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 74		Specifies that certain felons will be eligible for federal food stamp program benefits
HB 75		Authorizes expungement of certain criminal records including convictions for nonviolent felonies and misdemeanor, municipal, or traffic offenses
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
HB 93	Shively	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state
HB 94	Dugger	Repeals the Puppy Mill Cruelty Prevention Act passed as Proposition B by voters in November 2010
HB 99	Loehner	Exempts all shelters, pounds, kennels, pet shops, facilities, dealers, and breeders licensed under specified statutes prior to November 2, 2011, from the provisions of the Puppy Mill Cruelty Prevention Act
HB 105	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HCS HB 121		Changes the laws regarding elections
HCS HB 131		Changes the laws regarding the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
HB 140	Black	Establishes Susie's Law which prohibits any child younger than 18 years of age from riding as a passenger on any machinery or heavy equipment not manufactured for passengers
HCS HB 154		Changes the laws regarding the Department of Corrections

No.	Author	Subject
HB 156	Black	Establishes Sam Pratt's Law which authorizes the Department of Health and Senior Services to prohibit unlicensed child care providers from continuing to provide services if there are pending criminal charges
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases
HB 176	McNeil	Creates the crime of caller identification spoofing when a person places a call knowingly inserting false information into a caller identification system to mislead, defraud, or deceive
HB 177	McNeil	Prohibits political subdivisions from using an automated speed enforcement system to enforce speeding violations within 500 feet of any speed limit sign reducing the limit except in special school zones
HB 178	Nasheed	Authorizes the expungement of certain criminal records
HB 199	Kelley	Specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment
HB 203	Hoskins	Adds professional therapy dogs to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled individual
SS SCS HB 209		Changes the laws regarding county nuisance abatement ordinances, junkyards, and private nuisance actions
SS HCS HB 213		Specifies that no abortion of a viable, unborn child can be performed or induced except in certain specified situations
SCS HCS HB 214		Changes the laws regarding human trafficking
HB 240	Fallert	Requires anyone requesting 50 or more voter registration applications to provide certain information to the Office of the Secretary of State
HB 247	Kelley	Creates the crime of false identification to a law enforcement officer
HCS HB 253 & 398		Changes the laws regarding judicial procedures
HB 254	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 257	Cox	Repeals the provisions regarding the Sentencing Advisory Commission
HB 273	Allen	Defines "cyberbullying" as it relates to the antibullying policy that school districts must adopt and establishes specific requirements for each school district in implementing the policy
HB 275	Franz	Specifies certain employee rights as they relate to labor organizations
HCS HB 276, 233 & 274		Changes the laws regarding unlawful picketing or protesting of a funeral
HB 281	Kelley	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
HB 297	Riddle	Revises the crime of abuse of a child to include knowingly inflicting cruel or excessive punishment upon a child younger than 17 years of age or knowingly causing physical injury by any means
HB 308	Black	Prohibits an offender in the custody of the Department of Corrections from making a false report against any department employee for the purpose of implicating an employee in a crime
HB 309	Black	Creates the Law Enforcement Safety Fund and authorizes a \$7 surcharge in certain criminal cases to fund a contribution system for certain law enforcement employees

No.	Author	Subject
HB 328	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 332	Franz	Expands the Puppy Mill Cruelty Prevention Act to apply to humane societies and exempts shelters, pounds, kennels, pet shops, dealers, facilities, and breeders licensed prior to November 2, 2011
HB 356	Phillips	Expands the crime of making a false declaration with the purpose to mislead a public servant in the performance of his or her duty
HB 365	Funderburk	Changes the laws regarding unlawful picketing or protesting of a funeral
HB 383	Pace	Changes the laws regarding assault and tampering crimes against public workers and judicial officers
HB 395	Cookson	Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 396	Diehl	Removes the provision specifying that the \$4 surcharge assessed in certain criminal cases will not be collected from any person who has pled guilty and paid a fine through the central violations bureau
HB 405	Crawford	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
HB 433	Kander	Changes the classification of certain human trafficking crimes and establishes fines and prison terms for the crimes
HB 456	Hodges	Adds a law enforcement officer of a fourth class city to the list of officers who are authorized to arrest and hold in custody any person of whom the officer is in fresh pursuit
HB 457	Hodges	Specifies that certain provisions regarding the distribution of a controlled substance were enacted to create a safe zone around certain areas and serve as an enhancement of the punishment
HB 502	Hubbard	Specifies that criminal nonsupport will be a class D felony if the total arrearage is in excess of \$10,000 and allows a person to expunge a criminal nonsupport conviction if certain conditions are met
HB 509	Carter	Specifies that certain felons must be eligible for food stamp program benefits
HB 510	Wyatt	Requires a court to order sexually transmitted disease testing of certain defendants within one week of the date the prosecuting or circuit attorney filed the motion requesting it
HB 512	Lair	Creates the crime of unlawfully intercepting computer and electronic communication device information
HB 516	Ellinger	Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty cases
HB 517	Ellinger	Changes the laws regarding clemency in death penalty cases
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents
HB 535	Leara	Changes the laws regarding the circulation of initiative and referendum petitions
HB 540	Schneider	Creates the crime of practicing medicine while intoxicated
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers
HB 551	Schieffer	Adds bath salts to the list of Schedule I controlled substances
HB 553	Nance	Establishes the Missouri Home Inspectors Professional Competency and Financial Responsibility Act
HB 572	Pollock	Adds bath salts to the list of Schedule I controlled substances
HB 589	Ruzicka	Increases the penalty for making a false report if the crime which was falsely reported was a felony
HB 592	Gatschenberger	Changes the laws regarding unlawful picketing or protesting of a funeral

No.	Author	Subject
HB 594	Richardson	Changes the laws regarding the possession, manufacture, transport, repair, or sale of weapons
HB 599	Schad	Removes the requirement that the crime of sexual contact with a student be committed while on public school property
SCS HCS HB 600, 337 & 413		Changes the laws regarding public safety
HB 606	Schoeller	Lowers the maximum award of punitive damages to the greater of \$250,000 or two times the net amount of the judgment
HB 620	Holsman	Changes the laws regarding controlled substances as they relate to industrial hemp
HB 623	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense
HB 634	Ruzicka	Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs involved in the prosecution
HB 640	Neth	Creates the class four election offense of electioneering which involves the refusal, upon the request of any person, to remove certain political materials inside or with 250 feet of a polling place
SCS HCS HB 641		Changes the laws regarding controlled substances
HCS HB 643		Changes the laws regarding criminal nonsupport and allows for expungement of a person's record under certain conditions
HB 650	McGhee	Requires the Board of Probation and Parole to review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 652	Riddle	Expands the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction or work zone, or probation and parole officer to include a health care worker
HB 658	Schatz	Reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription to be known as the Meth Lab Elimination Act
HCS HB 660		Allows certain cities to create, maintain, and make public a list of the names of individuals who have pled guilty to or been found guilty of patronizing prostitution
SCS HB 661		Changes the laws regarding debt adjusters
HB 691	Schad	Creates the crime of endangerment of emergency personnel or emergency responder and requires a court to assess certain fines for certain traffic violations in an active emergency zone
HB 692	Schad	Requires the Missouri Supreme Court when reviewing any case in which the death penalty is imposed to determine whether the sentence is excessive or disproportionate to the penalty in similar cases
HB 693	Schad	Revises the punishment for the crime of receiving stolen property
HB 715	White	Specifies certain employee rights as they relate to labor organizations
HB 725	Kratky	Prohibits certain persons who plead guilty to or have been found guilty of a felony violation of certain weapons offenses from receiving a suspended imposition of sentence
HB 729	McManus	Requires a scrap metal dealer purchasing catalytic converters or a person refining platinum from catalytic converters to keep a record of each purchase and restricts the number that they can buy per day
HCS HB 732		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding professions and businesses regulated by the Division of Professional Registration
HB 743	Lauer	Expands the crime of sexual contact with a student to include sexual contact made while not on public school property and adds an elected official of the district to the list of persons to whom it applies

No.	Author	Subject
HB 748	Cross	Specifies that a tenant of residential property who intentionally leaves without paying all current and past rent will be guilty of a class A misdemeanor
HB 751	Kratky	Establishes the Clinical Laboratory Science Practice Act
HB 760	Johnson	Adds a member of a fire department who works full-time as a fire investigator to the list of individuals who are exempt from the prohibition on carrying a concealed firearm under certain conditions
HB 770	Smith	Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
HB 781	Torpey	Increases the penalty for child molestation in the first degree when the victim is a child younger than 13 years of age to a class A felony
HB 791	Marshall	Changes the laws regarding DNA profiling analysis
HB 799	Carlson	Repeals all provisions allowing for and related to the death penalty, dissolves the Capital Litigation Division, and creates the Cold Case Investigation Revolving Fund
HB 802	McCaherty	Revises the crime of property damage in the first degree to include damaging a motor vehicle while making entry into it to steal or when the damage occurs while committing the crime within the vehicle
HB 805	Hughes	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HCS HB 818		Changes the laws regarding transportation
HB 826	Schad	Prohibits a person from making, continuing, or allowing to be made or continued any noise that can be heard on the Lake of the Ozarks from exceeding a certain decibel level during certain hours
HB 851	Cross	Requires the parent or guardian of any person younger than 18 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of the facility
HCS HB 856		Changes the laws regarding initiative and referendum petitions
HB 866	Newman	Changes the laws regarding domestic violence
HB 868	Meadows	Changes the laws regarding certain highway lane usage
HB 881	Atkins	Establishes the Missouri Radon Certification Program to certify and register providers of radon services
HB 882	Atkins	Creates the crime of practicing medicine while intoxicated
HB 887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives
HB 892	Talboy	Changes the laws regarding student athlete agents
HB 894	Long	Changes the laws regarding midwifery
HB 913	Carter	Changes the laws regarding the crimes of trafficking drugs in the first and second degree
HB 931	Johnson	Establishes a funeral demonstration zone, creates the Family Funeral Victimization Fund, and makes it unlawful for a person to demonstrate in a funeral demonstration zone without obtaining a permit
HB 933	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HB 935	Johnson	Requires out-of-state persons or groups who wish to protest a funeral in this state pay, prior to the protest, a \$25,000 fee to local law enforcement agency in area where the protest will be held
HB 941	Johnson	Increases the penalty for certain identity theft crimes
HB 947	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding

No.	Author	Subject
HB 948	Holsman	Creates the crimes of abuse of the Internet, criminal defamation, and failure to comply with a search warrant seeking computer-related identifying information
HB 956	Shively	Specifies that time spent in jail, prison, or custody for a subsequent offense because of a detainer will not be credited toward service of a sentence of imprisonment for the original offense
HB 959	Pollock	Prohibits any person who has pled guilty or nolo contendere to or has been found guilty of specified offenses from election or appointment to certain city offices in a third or fourth class city
HB 960	Ruzicka	Specifies that the statute of limitations will be two years for a class A misdemeanor and one year for a class B or class C misdemeanor instead of one year for any misdemeanor
HCS HB 979 & 885		Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the state sales and use tax by .25%
HB 985	Anders	Revises the laws restricting the residency of a sexual offender
HB 986	Wallingford	Establishes the Missouri Employment Work Pass Program to assist unemployed persons in obtaining employment and to encourage small businesses to hire unemployed persons
HB 998	Kirkton	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HCS HB 999		Changes the laws regarding sexual offender registration
HB 1002	Talboy	Requires the Missouri Lottery Commission to establish a statewide video lottery terminal network
HB 1009	Marshall	Prohibits any department or political subdivision of the state from contracting any liability of the state in excess of \$1 million in any one-year period without the consent of the General Assembly
HB 1010	Bahr	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HCS HJR 3		Proposes a constitutional amendment affirming the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on their owners
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
<b>CRIMINAL PROCEDURE</b>		
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
SB 227	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants
SB 381	Dixon	Allows a circuit judge to assess certain costs when the criminal case is dismissed and the criminal defendant consents
HB 62	Nolte	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 66		Allows the court to suspend imposition of an adult sentence in cases where there is dual jurisdiction and the offender has been transferred from juvenile court to a court of general jurisdiction
HB 254	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 257	Cox	Repeals the provisions regarding the Sentencing Advisory Commission
HB 309	Black	Creates the Law Enforcement Safety Fund and authorizes a \$7 surcharge in certain criminal cases to fund a contribution system for certain law enforcement employees



No.	Author	Subject
HB 396	Diehl	Removes the provision specifying that the \$4 surcharge assessed in certain criminal cases will not be collected from any person who has pled guilty and paid a fine through the central violations bureau
HB 510	Wyatt	Requires a court to order sexually transmitted disease testing of certain defendants within one week of the date the prosecuting or circuit attorney filed the motion requesting it
HB 516	Ellinger	Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty cases
HB 517	Ellinger	Changes the laws regarding clemency in death penalty cases
HB 606	Schoeller	Lowers the maximum award of punitive damages to the greater of \$250,000 or two times the net amount of the judgment
HB 650	McGhee	Requires the Board of Probation and Parole to review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 692	Schad	Requires the Missouri Supreme Court when reviewing any case in which the death penalty is imposed to determine whether the sentence is excessive or disproportionate to the penalty in similar cases
HB 700	Colona	Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2014
HB 725	Kratky	Prohibits certain persons who plead guilty to or have been found guilty of a felony violation of certain weapons offenses from receiving a suspended imposition of sentence
HB 803	Hughes	Removes the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole
HB 805	Hughes	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 941	Johnson	Increases the penalty for certain identity theft crimes
HB 956	Shively	Specifies that time spent in jail, prison, or custody for a subsequent offense because of a detainer will not be credited toward service of a sentence of imprisonment for the original offense
HB 960	Ruzicka	Specifies that the statute of limitations will be two years for a class A misdemeanor and one year for a class B or class C misdemeanor instead of one year for any misdemeanor
<b>DAIRIES AND DAIRY PRODUCTS</b>		
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
<b>DENTISTS</b>		
HCS SB 325		Modifies various laws relating to professional registration
HB 201	Sater	Authorizes the MO HealthNet Division to implement a statewide dental delivery system to ensure recipient participation and access to providers of dental services under MO HealthNet
SS SCS HCS HB 555		Changes the laws regarding health care
SCS HB 591		Authorizes the Missouri Dental Board to issue a limited teaching license to a dentist employed as an instructor in an accredited dental school located in this state
HCS HB 669		Changes the laws regarding health care
HB 827	Allen	Expands the dental services a dental hygienist may perform without the supervision of a dentist and provides for MO HealthNet reimbursement of the services
HCR 13	Wyatt	Strongly supports the selection of Kirksville, Missouri, as the site for A.T. Still University's new School of Dentistry and Oral Health

No.	Author	Subject
<b>DISABILITIES</b>		
SB 56	Rupp	Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting
CCS SS SCS SB 70		Modifies provisions relating to the Missouri Family Trust
HCS#2 SCS SB 100		Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
SB 134	Rupp	Outlines the parental rights of individuals with disabilities in termination of parental rights cases
SCS SB 188		Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 221	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases
SB 244	Green	Revises provisions relating to the renamed Missouri Brain Injury Advisory Council
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SCS SBs 408 & 80		Extends the MO RX prescription drug plan until August 28, 2014
HB 40	Lampe	Changes the laws regarding the identification, assessment, and education of children with autism spectrum disorder
HB 60	Nolte	Limits the increase in assessed valuation of residential property by the percentage of increase in the federal Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 102	Nance	Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
HB 106	Sater	Prohibits a sheltered workshop's board of directors from holding in reserve any general operating moneys in excess of one year's estimated annual general operating costs with certain specified exceptions
HCS HB 154		Changes the laws regarding the Department of Corrections
HB 203	Hoskins	Adds professional therapy dogs to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled individual
HCS HB 205		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law and establishes the Whistleblower Protection Act
HCS HB 236		Extends the expiration date of various federal reimbursement allowances from September 30, 2011, to September 30, 2016
HB 295	Hinson	Specifies that any infectious disease which causes a condition of impaired health resulting in a disability or death of certain fire fighters will be presumed to have been incurred in the line of duty
SCS HCS HB 300, 334 & 387		Establishes the Interscholastic Youth Sports Brain Injury Prevention Act which requires the Department of Health and Senior Services to develop guidelines on the risk of concussion and brain injury
HB 302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process
HCS HB 329		Establishes an advance voting period and requires a voter to present an approved form of personal identification to vote at an election
HB 341	Riddle	Repeals the provisions regarding the filing of a petition for the removal of a disqualification for certain individuals from purchasing, possessing, or transferring a firearm and establishes new provisions

No.	Author	Subject
HB 362	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HB 392	White	Establishes the Adult Health Care Consent Act which provides for a priority of persons who can make health care decisions for an individual who is unable to consent to his or her own health care
HCS HB 411 & 421		Requires the Department of Mental Health to develop a transition plan for services of a resident of a state developmental disabilities facility to the most appropriate living setting
HB 418	Walton Gray	Establishes the Sickle Cell Disease Task Force to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs
HB 448	Lair	Creates a funding mechanism for survivor benefits when a member of the Missouri Local Government Employees' Retirement System dies as a result of a duty-related injury or disease
HB 455	Hodges	Requires every public school district to screen its students for Sensory Processing Disorder before the end of first grade and again before the end of third grade
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
HB 469	Franz	Changes the laws regarding the Missouri Family Trust
HB 477	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation an unlawful discriminatory practice
HB 495	Jones	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 513	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers
SS SCS HCS HB 555		Changes the laws regarding health care
HCS HB 556		Designates October as "Disability History and Awareness Month" in all public schools and requires each school board to annually provide instruction on the topic during the month
HB 558	Grisamore	Adds comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairments to the list of services covered under MO HealthNet benefits
HB 559	Grisamore	Changes the laws regarding accessible electronic text material use in elementary and secondary schools
HB 560	Grisamore	Requires all new signs erected beginning August 28, 2011, relating to disabled parking to contain the words "Accessible Parking" and to not contain "Handicap Parking" or "Handicapped Parking"
HB 563	Grisamore	Adds prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet
HCS HB 579		Changes the laws regarding health care
SS SCS HCS HB 604		Establishes a task force on foster care recruitment, licensing, and retention and the Missouri State Foster Care and Adoption Board and changes the laws regarding parental rights, foster care, and adoption
HB 608	Meadows	Requires new parking lots and parking lots being restriped to designate a certain number of lift van accessible only parking spaces with at least one having an access aisle
SCS HCS HB 631		Authorizes a person or corporation to designate a tax refund to the Developmental Disabilities Waiting List Equity Trust Fund and the American Red Cross Fund

No.	Author	Subject
SS#2 HB 648		Changes the laws regarding individuals with disabilities
HCS HB 649		Establishes the Developmental Disability Care Provider Tax Credit Program and extends the expiration date of several specified tax credits
HB 702	Colona	Removes the provision limiting the annual surcharge paid by employers to the Second Injury Fund to 3% of the employer's workers' compensation net deposits, premiums, or assessments
HB 726	Kratky	Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility
HB 733	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 739	Nance	Expands the Amber Alert System to include missing endangered adults, specifies the criteria for being a missing endangered adult, and changes the system's name to Amber Alert and Silver Alert System
HB 800	Stream	Prohibits spanking from being used in a public school on any student with an individualized education plan who is receiving special education services
HB 836	Scharnhorst	Requires the Division of Special Education to develop a program to provide ombudsman services to children and families regarding special education programs and services
HB 914	Grisamore	Requires a licensed audiologist or a person fitting a hearing instrument to provide a customer with a purchase agreement verifying that the customer has been informed about certain information
HB 942	Johnson	Increases the tax credit for adopting a special needs child from up to \$10,000 to up to \$25,000 and authorizes a tax credit for nonrecurring adoption expenses for any child adopted
HB 950	Scharnhorst	Requires a health insurer to reimburse any entity or group that is supervised by a licensed psychologist for providing applied behavior analysis services to children with autism spectrum disorders
HB 1016	Hughes	Establishes the Middle Class Reinvestment Act
HJR 30	Wyatt	Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
<b>DOMESTIC RELATIONS</b>		
SB 35	Lembke	Modifies provisions relating to child support when there is equal parenting time
SB 116	Justus	Updates the Uniform Interstate Family Support Act
SB 261	Goodman	Removes the element of good cause from the crime of nonsupport
SS#2 SCS SB 320		Modifies provisions relating to domestic violence
SB 362	Justus	Allows for the establishment of domestic violence fatality review panels
HB 118		Requires local law enforcement agencies and other government agencies serving ex parte orders of protection to enter the data into the Missouri Uniform Law Enforcement System (MULES) within 24 hours
HB 129	Barnes	Prohibits a juvenile or family court from using the fact that a natural parent chose not to abort a child when determining to take, continue, or fail to terminate jurisdiction over another child
HCS HB 143		Changes the laws regarding hotline calls reporting suspected child abuse and neglect to the Children's Division within the Department of Social Services
HB 224	Allen	Prohibits the MO HealthNet Division from discriminating between a licensed marital and family therapist and a licensed professional counselor when establishing rules for payment of services
HB 227	Wyatt	Specifies that the Missouri Supreme Court child support guidelines must require income documentation and changes the provisions regarding child support when the parents have joint physical custody

No.	Author	Subject
HB 234	Kander	Requires law enforcement agencies maintaining the Missouri Uniform Law Enforcement System (MULES) to include certain child custody and visitation information when entering an order of protection
HCS HB 259		Authorizes a public body to close certain foster care licensure data and requires the Division of Family Services to prepare a detailed report of specific information obtained in the licensure process
HB 392	White	Establishes the Adult Health Care Consent Act which provides for a priority of persons who can make health care decisions for an individual who is unable to consent to his or her own health care
HB 417	Richardson	Allows any person having a parent/child relationship with a minor child who is not the biological or legal parent to petition the court for custody and visitation rights
HB 502	Hubbard	Specifies that criminal nonsupport will be a class D felony if the total arrearage is in excess of \$10,000 and allows a person to expunge a criminal nonsupport conviction if certain conditions are met
HCS HB 504, 505 & 874		Changes the laws regarding domestic violence and orders of protection
HB 515	Wallingford	Establishes the Embryo Transfer Act which authorizes the legal relinquishment and subsequent transfer of human embryos
HCS HB 643		Changes the laws regarding criminal nonsupport and allows for expungement of a person's record under certain conditions
HB 684		Allows a temporary exemption from the proof of lawful presence requirement for a victim of domestic violence who is applying for a driver's license or instruction permit
HB 866	Newman	Changes the laws regarding domestic violence
HB 997	Kirkton	Changes the laws regarding child support for higher education
<b>DRAINAGE AND LEVEE DISTRICTS</b>		
SS SCR 8		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
<b>DRUGS AND CONTROLLED SUBSTANCES</b>		
SCS SBs 7, 5, 74 & 169		Creates the "TANF Child Protection and Drug Free Home Act" regarding drug testing for work-eligible TANF applicants and recipients
HCS SCS SB 29		Modifies various provisions of law regarding the licensing of certain professions
SB 104	Green	Regulates the operation of certain cranes
SB 127	Chappelle-Nadal	Requires certain public officials and certain staff members of the executive branch and legislature to submit to drug tests
SB 227	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants
CCS HCS SB 284		Modifies the disciplinary authority of the Board of Pharmacy, defines the term legend drug for the purpose of certain pharmacy statutes, and grants exemption from sales tax for certain medical equipment and drugs
HCS SB 325		Modifies various laws relating to professional registration
SB 354	Schaaf	Adds bath salts to the list of schedule I controlled substances
HCS HB 28		Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug
HB 55	Sater	Authorizes a state and local sales and use tax exemption for over-the-counter or nonprescription drugs which are prescribed by a practitioner and certain medical equipment, supplies, or devices

No.	Author	Subject
SS SCS HCS HB 73 & 47		Requires certain applicants for and recipients of Temporary Assistance for Needy Families Program benefits to be tested for illegal drug use and the benefit card to include a photo of the recipient or payee
HB 74		Specifies that certain felons will be eligible for federal food stamp program benefits
HB 196	Jones	Extends the expiration date on the provisions regarding the Missouri Rx Plan from August 28, 2011, to August 28, 2016
HB 328	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 348	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions
HB 457	Hodges	Specifies that certain provisions regarding the distribution of a controlled substance were enacted to create a safe zone around certain areas and serve as an enhancement of the punishment
HB 496	Jones	Allows licensed veterinarians to administer or prescribe legend drugs for use in animals and changes the membership of an advisory committee of the Board of Pharmacy regarding drug distributors
HB 509	Carter	Specifies that certain felons must be eligible for food stamp program benefits
HB 540	Schneider	Creates the crime of practicing medicine while intoxicated
HB 551	Schieffer	Adds bath salts to the list of Schedule I controlled substances
HB 572	Pollock	Adds bath salts to the list of Schedule I controlled substances
HB 620	Holsman	Changes the laws regarding controlled substances as they relate to industrial hemp
HB 632	Frederick	Establishes the Prescription Drug Monitoring Program Act to monitor the prescribing and dispensing of controlled substances
SCS HCS HB 641		Changes the laws regarding controlled substances
HB 658	Schatz	Reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription to be known as the Meth Lab Elimination Act
HB 698	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 724	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she knowingly possesses a firearm while also in possession of a specified amount of a controlled substance
HB 727	Kratky	Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 882	Atkins	Creates the crime of practicing medicine while intoxicated
HB 913	Carter	Changes the laws regarding the crimes of trafficking drugs in the first and second degree
HB 1024	Korman	Allows any drug court commissioner in the 12th Judicial Circuit to hear a civil or criminal case that would otherwise be assigned to an associate circuit judge in the circuit under certain situations
<b>DRUNK DRIVING/BOATING</b>		
HCS SS SCS SB 254		Modifies Missouri's law relating to intoxicated-related traffic offenses
HB 199	Kelley	Specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment

No.	Author	Subject
HB 395	Cookson	Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HB 623	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense
HB 860	Hinson	Changes the laws regarding intoxication-related traffic offenses in order for Missouri to comply with federal law for the purpose of receiving transportation funding
<b>EASEMENTS AND CONVEYANCES</b>		
SCS SBs 88 & 82		Removes an expiration date of August 28, 2011 on state universities being able to convey land, except in fee simple, without authorization from the General Assembly and requires that such conveyances be done at fair market value
HCS#2 SB 96		Conveys certain property owned by the state
HCS#2 SB 97		Conveys certain property owned by the state
SB 119	Schaefer	Assigns certain characteristics to the treatment of conservation easements under the law
SS SCS HB 137		Repeals the authority of certain state university boards to convey or transfer property without authorization from the General Assembly and authorizes the Governor to convey certain state properties
HCS HB 290		Changes the laws regarding political subdivisions
HB 296		Establishes the Contract for Deed Act regarding transactions involving an executory contract for the conveyance of real property
CCS SS HB 458		Changes the laws regarding agriculture
HB 490	Diehl	Prohibits a political subdivision from requiring any party to file a certificate of value with a deed or other instrument at the time of the sale or conveyance of real property
HCS HB 597		Establishes the Private Landowner Protection Act which allows for the creation and enforcement of conservation easements to protect the environment and preserve certain historical or cultural property
HB 706	Zerr	Specifies that any owner or operator of pipelines transporting petroleum or natural gas who fails to maintain an easement for a period of 10 years will be deemed to have abandoned the easement
HB 753	Wallingford	Authorizes the Board of Regents of Southeast Missouri State University to convey university property located in the City of Cape Girardeau to the Cape Area Habitat for Humanity
HB 757	Fitzwater	Authorizes the Governor to convey certain state property located in St. Francois County at the Southeast Missouri Mental Health Center to the City of Farmington
HB 758	Fitzwater	Authorizes the Governor to convey certain state properties in the City of Farmington to St. Francois County and to Habitat for Humanity of St. Francois County, Inc.
HB 926	Bernskoetter	Authorizes the Governor to convey certain state properties
<b>ECONOMIC DEVELOPMENT</b>		
SB 32	Chappelle-Nadal	Prohibits a workforce development agency from knowingly omitting from any bidding process an entity with whom it has a contract
SB 139	Crowell	Subjects all state tax credits to appropriation
SB 143	Crowell	Prohibits the approval of new applications under the Missouri Downtown and Rural Stimulus Act after August 28, 2011
SCS SB 155		Modifies provisions of Missouri's Real Property Tax Increment Allocation Redevelopment Act

No.	Author	Subject
SB 182	Ridgeway	Expands the amount of employees and functions of the small business regulatory fairness board
SCS SBs 189, 217, 246, 252 & 79		Modifies provisions of the Missouri Quality Jobs Act to allow benefits for projects located within dormant manufacturing plant zones
SB 224	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight
SB 248	Parson	Establishes the Proof of Concept Business Finance Program
SB 256	Kraus	Repeals certain tax credit programs
SB 259	Kraus	Subjects certain tax credit programs to sunsets
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 296	Schmitt	Establishes the Compete Missouri Training Program
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SB 411	Crowell	Allows employees of the Missouri Development Finance Board to join the Missouri State Employees' Retirement System and places a moratorium on certain tax credits
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
HB 264	Nolte	Changes the laws regarding the Manufacturing Jobs Act
HCS HB 290		Changes the laws regarding political subdivisions
HCS HB 336		Authorizes an income tax credit for the eligible costs of bringing certain sporting events to Missouri
HB 345	Guernsey	Allows the Missouri Agricultural and Small Business Development Authority to make loan guarantees to certain agribusinesses under the Agricultural Product Utilization and Business Development Loan Program
HB 357	Leara	Changes the laws regarding enhanced enterprise zones
HCS HB 366		Changes the laws regarding economic development
HB 447	Funderburk	Changes the laws regarding the Real Property Tax Increment Allocation Redevelopment Act
HB 467	Diehl	Establishes the Missouri Science and Innovation Reinvestment Act
HCS HB 468		Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act
HB 480	Brown	Reduces the minimum number of acres required for an eligible project area in the Distressed Areas Land Assemblage Tax Credit Program
HB 519		Revises the definition of "rehabilitation" as it relates to abandoned housing to include demolition
HB 564	Grisamore	Authorizes a sales and use tax exemption for machinery, equipment, and computers used by certain data center and server farm facilities and establishes the Missouri Advantage Act
HB 670	Hough	Establishes the Compete Missouri Program and the Compete Missouri Training Program within the Department of Economic Development
HB 671	Molendorp	Authorizes additional powers to a community improvement district
HB 710	Nichols	Changes the laws regarding a dissolution petition for a community improvement district



No.	Author	Subject
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment
HB 780	Oxford	Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 806	Hughes	Establishes the Economic Development Grant Program to allow a company to reopen a closed manufacturing factory
HB 846	Wieland	Authorizes the governing body of any city or county to enter into design-build project contracts for neighborhood improvement districts
HB 861	Zerr	Revises the definition of "economic activity taxes" as it relates to a retail establishment that relocates within the same metropolitan area under the Real Property Tax Increment Allocation Redevelopment Act
HB 873	Wyatt	Establishes the Missouri Sustainable Local Food Policy Council for the purpose of building a local food economy
HCS HB 908		Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area
HB 919	Schupp	Specifies who qualifies as a voter in an election for directors of a community improvement district board
HB 924	Nolte	Extends the issuance of job retention tax credits and authorizes economic incentives for job retention projects within high-risk metropolitan statistical areas
HB 929	Ellinger	Allows an economic development tax board to increase the number of members of the board (Withdrawn)
HB 943	Johnson	Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment
HB 949	Ellinger	Increases from five to seven or nine the number of members on a city economic development tax board
HB 971	Johnson	Establishes the Missouri Jobs for Education Program
HB 975	Curtman	Establishes the Small Business and Entrepreneurial Growth Act to provide assistance for the expansion of certain small businesses
HB 1028	Hough	Requires the Department of Economic Development to establish the Compete Missouri Training Program
<b>ECONOMIC DEVELOPMENT DEPT.</b>		
SB 139	Crowell	Subjects all state tax credits to appropriation
SB 143	Crowell	Prohibits the approval of new applications under the Missouri Downtown and Rural Stimulus Act after August 28, 2011
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 296	Schmitt	Establishes the Compete Missouri Training Program
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SB 411	Crowell	Allows employees of the Missouri Development Finance Board to join the Missouri State Employees' Retirement System and places a moratorium on certain tax credits

No.	Author	Subject
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
SCS HCS HB 344		Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
HB 564	Grisamore	Authorizes a sales and use tax exemption for machinery, equipment, and computers used by certain data center and server farm facilities and establishes the Missouri Advantage Act
HB 670	Hough	Establishes the Compete Missouri Program and the Compete Missouri Training Program within the Department of Economic Development
HB 780	Oxford	Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 806	Hughes	Establishes the Economic Development Grant Program to allow a company to reopen a closed manufacturing factory
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HB 905	Zerr	Specifies that certain expenses for the rehabilitation of an historic structure incurred prior to the approval of a historic structures rehabilitation tax credit may be deemed qualified expenses
HB 972	Johnson	Allows private web site development companies to be awarded contracts to operate the Internet web sites of the Department of Economic Development
HB 989	Webber	Establishes the Missouri Commission on Workforce Preparedness within the Department of Economic Development to study how higher education is meeting the needs of Missouri employers
HB 1028	Hough	Requires the Department of Economic Development to establish the Compete Missouri Training Program
<b>EDUCATION, ELEMENTARY AND SECONDARY</b>		
SB 12	Pearce	Modifies the elementary and secondary education foundation formula
SS SCS SB 13		Requires the Joint Committee on Education to oversee a task force on teacher compensation and effectiveness
SCS SB 14		Establishes procedures for the transfer of students from an unaccredited school district to an accredited school district in the same or an adjoining county
SB 20	Wright-Jones	Modifies the compulsory attendance age for the St. Louis City School District so that students must attend school from five years of age to eighteen years of age
SB 21	Wright-Jones	Requires kindergarten attendance at the start of the school year for children who turn age five at any time during the calendar year
SCS SB 37		Establishes the "Students First Interscholastic Activities Act" to allow each student of high school age the opportunity to seek to participate in interscholastic activities.
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 67	Cunningham	Prohibits school districts from joining certain statewide activities associations
CCS SCS SB 81		Modifies provisions relating to education
SB 99	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education
SB 123	Keaveny	Allows foreign language immersion charter schools to enroll four-year-old children

No.	Author	Subject
SB 124	Keaveny	Requires children in the St. Louis City School District to attend school at age five
SB 128	Lembke	Allows the mayor of the City of St. Louis to be a charter school sponsor
SB 129	Lembke	Exempts the St. Louis City School District from the requirement that an unaccredited school district pay tuition and transportation for students who attend an accredited school under certain circumstances
SCS SB 130		Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
HCS SB 147		Modifies provisions relating to education
SB 164	Pearce	Establishes the Missouri Science, Technology, Engineering, and Mathematics Initiative within the Department of Higher Education
SB 192	Pearce	Requires the Department of Mental Health to develop a continuing professional education curriculum relating to eating disorders
SB 210	Lembke	Modifies provisions of law requiring certain political subdivisions to revise property tax rates
SB 216	Schaaf	Requires school boards to work with the Brain Injury Association of Missouri and Missouri State High School Activities Association to develop guidelines on youth athlete concussions and brain injuries
SB 222	Cunningham	Modifies the child labor laws
SB 228	Pearce	Modifies the composition of the board of directors of the Kansas City School District
SB 240	Justus	Changes the requirements for school anti-bullying policies
SCS SB 242		Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship
HCS SB 243		Modifies provisions relating to educational resources and services
SB 247	Pearce	Modifies the elementary and secondary education funding formula
SCS SB 253		Modifies provisions relating to summer school attendance
SB 265	Rupp	Creates the Advanced Placement Incentive Grant
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SCS SBs 291, 184 & 294		Modifies provisions relating to charter schools
SB 311	Pearce	Repeals the sunset provision for the Children's Vision Examination Program
SB 329	Nieves	Allows students to enroll in another school district or charter school for purposes of attending virtual courses or programs
SB 332	Justus	Modifies provisions relating to sexual education
SB 342	Justus	Requires school districts to implement criteria for the enrollment and educational success of foster care children
SB 345	Wright-Jones	Creates the Council on Digital Inclusion
SCS SBs 369 & 370		Establishes procedures for resident pupils of an unaccredited school district to enroll in another school in the same or an adjoining county
SB 371	Cunningham	Allows a lapsed school district to be divided and attached to adjoining accredited school districts
SB 372	Cunningham	Modifies provisions relating to teacher contracts and establishes the Teacher Continuing Contract Act
SB 391	Lager	Requires the school board of each school district and charter school to establish an evaluation system for teachers and teaching

No.	Author	Subject
SB 409	Crowell	Changes state transportation aid to school districts from a categorical add-on to part of the state aid calculation
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SCS SJR 16		Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion
HB 40	Lampe	Changes the laws regarding the identification, assessment, and education of children with autism spectrum disorder
HB 42	Loehner	Requires an electrical corporation to pay a surcharge of one-tenth of one cent per kilowatt hour on all nuclear energy produced in the state and sold out of its service territory
HB 59	Brown	Requires the State Board of Education to establish a coordinated health program board to develop a program on the prevention of student obesity, cardiovascular disease, and type II diabetes
HB 92	Molendorp	Authorizes school districts to enter into design-build contracts for construction projects
HB 138	Thomson	Establishes the School Construction Act which exempts the construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HB 139	Smith	Requires the Office of Administration to maintain public school and county and municipal government accountability information and the Governor's travel information on the Missouri Accountability Portal
HB 169	Nolte	Allows public schools to offer courses in ballroom dance which will be treated as a qualified fine arts and a physical education activity for academic credit
HB 179	Nasheed	Raises the compulsory school attendance age to 18 in all school districts unless the student has successfully completed 16 credits towards high school graduation
HB 195	Koenig	Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to allow the teaching of scientific theories of biological or chemical evolution
HB 219	Kelly	Changes the laws regarding background checks for school employees
HB 232	Thomson	Extends eligibility for the A+ Schools Program to Missouri public high school students who have an expected family contribution to college expenses at a level determined by the Department of Higher Education
HB 241	Fallert	Allows a person employed by a public school for 17 hours or less per week to work at another public school if the total does not exceed 17 but cannot be combined to establish eligibility for retirement
HB 246	Shively	Revises the definition of "dollar-value modifier" for school funding formula purposes by setting it at a value of 1.0 for all districts
HB 261	Barnes	Removes the requirement that a decision regarding placing a teacher on leave must consider the teacher's seniority
HB 273	Allen	Defines "cyberbullying" as it relates to the antibullying policy that school districts must adopt and establishes specific requirements for each school district in implementing the policy
SCS HCS HB 300, 334 & 387		Establishes the Interscholastic Youth Sports Brain Injury Prevention Act which requires the Department of Health and Senior Services to develop guidelines on the risk of concussion and brain injury
HB 314	Wells	Repeals a school district's authority to set policies that allow the use of tobacco products in certain school areas and prohibits smoking and use of tobacco products on all school property and school buses
HB 333	Shumake	Allows religious books to be used in public schools in certain situations as long as they are used in a manner that does not violate the Establishment Clause of the United States Constitution
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program

No.	Author	Subject
HB 362	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HB 372	Smith	Requires a school district offering federal Title I education services to offer the same services to students who would be eligible if their family income wasn't above the qualifying level
HB 389	Holsman	Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of grantees
HB 393	Jones	Establishes the Parent Empowerment and Choice Act or the Parent Trigger Act which allows parents under certain circumstances to invoke interventions for a struggling school
HB 409	Koenig	Establishes a defined contribution plan in the Missouri Public School Retirement System for any new employee who first becomes a member on or after July 1, 2013
HB 410	Loehner	Allows superintendents or school principals to make case-by-case decisions when re-admitting certain students who have been expelled from school
HB 419	Stream	Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HCS HB 446		Changes the laws regarding the state school funding formula
HB 455	Hodges	Requires every public school district to screen its students for Sensory Processing Disorder before the end of first grade and again before the end of third grade
HB 460	Lampe	Changes the laws regarding bullying in schools
HB 463	McNary	Changes the laws regarding virtual schools
HB 471	Aull	Allows an exception for the 2010-2011 school year regarding the laws for school make-up days due to inclement weather
HCS HB 473		Changes the laws regarding charter schools and establishes the Missouri Charter Public School Commission
HB 476	Funderburk	Establishes the Students First Interscholastic Athletics Act which requires every high school age student to have the opportunity to participate in interscholastic athletics
SCS HCS HB 506		Changes the laws regarding property tax levies
HB 511	Nasheed	Establishes the Every Child Can Learn Act which requires all St. Louis City public schools to use a response-to-intervention tiered approach to reading instruction for certain struggling students
HB 514	McNeil	Changes the laws regarding the attendance of a pupil from an unaccredited school district
HB 532	Cauthorn	Prohibits a school from making up any missed day due to inclement weather by scheduling school on a public holiday
HB 543	Fitzwater	Requires the Department of Elementary and Secondary Education to develop standards for professional improvement plans for teachers and principals
SS SCS HCS HB 555		Changes the laws regarding health care
HCS HB 556		Designates October as "Disability History and Awareness Month" in all public schools and requires each school board to annually provide instruction on the topic during the month
HB 559	Grisamore	Changes the laws regarding accessible electronic text material use in elementary and secondary schools
HB 570	Lampe	Requires a school district to include in its annual accountability report card whether it has a state-approved gifted education program and the percentage and number of students currently being served

No.	Author	Subject
HB 575	Aull	Changes the laws regarding the Joint Committee on Education's review of the Commissioner of Education's proposed expenditures on statewide areas of critical need for learning and development
HB 576	Aull	Creates the School Safety and School Violence Prevention Fund to be used to establish a statewide center for school safety and school violence prevention
HB 577	Aull	Requires the certification of school food service directors and menu planners in public and private schools which receive funding through the federal school lunch program
HB 582	Oxford	Establishes smaller class sizes for school districts in St. Louis City and St. Louis County than the minimum and desirable standards of the Department of Elementary and Secondary Education
HB 583	Oxford	Changes the laws regarding quality early childhood care
HB 586	Stream	Requires the Department of Mental Health to develop a continuing professional education curriculum on eating disorders
HB 588	Cookson	Requires a statewide athletic organization that has a public school district as a member to publish an annual report regarding the impact of concussions and head injuries on student athletes
HB 599	Schad	Removes the requirement that the crime of sexual contact with a student be committed while on public school property
HB 602	Schad	Changes the laws regarding the lapse of a school district when it has been unaccredited by the State Board of Education for two successive school years
HB 612	Holsman	Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HB 617	Holsman	Requires any school district designated as unaccredited or provisionally accredited to meet certain attendance requirements
HB 618	Holsman	Authorizes a state income tax deduction of up to \$500 to a taxpayer for the cost of school supplies and books he or she purchased to home school a child
HB 621	Holsman	Requires a student wanting to drop out of high school to attend a dropout prevention seminar
HB 624	McNeil	Prohibits corporal punishment from being administered in any public school and removes provisions specifying that certain spanking in a school is not to be considered abuse
HB 628	Dieckhaus	Changes the laws regarding teacher contracts and establishes the Teacher Continuing Contract Act
HB 639	McNary	Requires each school district to establish a comprehensive program for student academic progression
HB 642	Cookson	Limits reimbursement for summer school to the attendance hours of students exclusively on academic areas of study based on core subjects at the relevant grade levels
HB 677	Wells	Removes the June 30, 2012 expiration date of the provisions requiring every child enrolling in kindergarten or first grade in a public school to receive one comprehensive vision examination
HB 679	Rowland	Allows a school district to transfer unrestricted funds from the capital projects fund to the incidental fund under certain conditions
HB 690	Bahr	Changes the laws regarding immunizations for children
HB 717	Zerr	Changes the laws regarding automated external defibrillators
SCS HB 738		Requires each school district to ensure that every student develops a personal plan of study prior to the end of the student's eighth grade year
HB 743	Lauer	Expands the crime of sexual contact with a student to include sexual contact made while not on public school property and adds an elected official of the district to the list of persons to whom it applies
HB 752	Torpey	Changes the laws regarding the compulsory school attendance of certain students
HB 756	Grisamore	Allows an exception for the 2010-2011 school year regarding the laws for school make-up days due to inclement weather

No.	Author	Subject
HB 763	Stream	Changes the laws regarding enrollment options for students from school districts that have been declared unaccredited
HB 764	Webb	Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities to during the school day and week to the extent possible
HB 765	Aull	Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,073
HB 766	Aull	Places a cap on summer school average daily attendance reimbursement when the school funding formula is underfunded
HB 795	Kelley	Designates the second Friday in March as "Missouri School Read-In Day"
HB 800	Stream	Prohibits spanking from being used in a public school on any student with an individualized education plan who is receiving special education services
HB 829	Weter	Changes the laws regarding bullying in schools
HB 835	Lampe	Requires a child in the St. Louis City School District, except for a child who is intending to be home schooled, to be enrolled in a public, private, parochial, or parish school by five years of age
HB 836	Scharnhorst	Requires the Division of Special Education to develop a program to provide ombudsman services to children and families regarding special education programs and services
HB 849	Cookson	Changes the laws regarding the required number of days and hours in a school calendar and the earliest opening and latest closing day of a school year
HB 855	Johnson	Creates the Parents as Teachers Advancement Fund
HB 870	Smith	Changes the laws regarding school course materials and instruction relating to human sexuality and sexually transmitted diseases
HB 873	Wyatt	Establishes the Missouri Sustainable Local Food Policy Council for the purpose of building a local food economy
HB 897	Jones	Changes the laws regarding high-risk or alternative charter schools
HB 898	Smith	Establishes the Council on Digital Inclusion
HB 903	Stream	Requires schools to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator and makes the instruction part of the high school graduation requirements
HB 907	Webber	Authorizes the school board of the Columbia Public School District to impose, upon voter approval, an additional annual real property tax to fund early childhood education programs
HB 921	Aull	Changes school funding formula phase-in percentages and allows up to 2% of the weighted average daily attendance for summer school attendance during phase-in period if the formula is underfunded
HB 939	Dieckhaus	Creates procedures for open enrollment of public school students across school district boundary lines
HB 949	Ellinger	Increases from five to seven or nine the number of members on a city economic development tax board
HB 964	Aull	Changes the laws regarding school district annexation petitions
HB 980	Leach	Requires a school district to have a policy regarding the placement of twins and other multiple-birth siblings
HB 981	Leach	Requires twins or other multiple-birth siblings to be placed in the same classroom if the parent or legal guardian makes a timely request
HB 994	McNary	Changes the laws regarding school accreditation
HB 1004	Lampe	Repeals several obsolete provisions regarding education
HB 1005	Lampe	Changes the laws regarding education

No.	Author	Subject
HB 1016	Hughes	Establishes the Middle Class Reinvestment Act
HB 1017	Oxford	Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis
HCR 41	Parkinson	Encourages every school district in Missouri to promote and include trap shooting as a high school sport
HJR 2	McGhee	Proposes a constitutional amendment guaranteeing a citizen's right to pray and worship on public property and reaffirming a citizen's right to choose any or no religion
HJR 10	Barnes	Proposes a constitutional amendment repealing the prohibition against state funds being used to support any religion or religious school and specifies that parents have the right to choose any school
HJR 25	Aull	Proposes a constitutional amendment raising the allowable level of bonded indebtedness for a school district from 15% to 20% of the value of taxable tangible property in the district
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HJR 38	Barnes	Proposes a constitutional amendment allowing the General Assembly to provide financial assistance to students to pay for elementary and secondary education at any accredited school they select
<b>EDUCATION, HIGHER</b>		
SCS SBs 88 & 82		Removes an expiration date of August 28, 2011 on state universities being able to convey land, except in fee simple, without authorization from the General Assembly and requires that such conveyances be done at fair market value
SB 114	Justus	Provides that certain aliens will receive in-state tuition at college and universities that meet certain requirements
SCS SB 130		Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
HCS SB 147		Modifies provisions relating to education
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
HCS SCS SB 163		Modifies the composition of the Coordinating Board for Higher Education, Board of Curators of the University of Missouri and the governing board of Missouri State University
SB 164	Pearce	Establishes the Missouri Science, Technology, Engineering, and Mathematics Initiative within the Department of Higher Education
SB 191	Pearce	Establishes the Caring for Missourians Program to provide grants to eligible Missouri public higher education institutions that maintain certain nursing programs
SB 200	Crowell	Modifies the ability of state educational institutions to issue bonds and incur debt
SB 265	Rupp	Creates the Advanced Placement Incentive Grant
SB 268	Stouffer	Increases the statutory award amount for Alzheimer's disease research projects funded by the University of Missouri Board of Curators
SB 329	Nieves	Allows students to enroll in another school district or charter school for purposes of attending virtual courses or programs
SB 345	Wright-Jones	Creates the Council on Digital Inclusion
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SCS SJR 16		Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion
HB 109	Wells	Repeals the provisions allowing the State Treasurer to invest in any linked deposit for specified purposes only for certain time periods



No.	Author	Subject
SS SCS HB 137		Repeals the authority of certain state university boards to convey or transfer property without authorization from the General Assembly and authorizes the Governor to convey certain state properties
HB 173	Koenig	Prohibits limiting the investment of funds by the board of the Missouri Higher Education Savings Program to a specified grouping or list of investment vehicles
HCS HB 174		Changes the composition of the Coordinating Board for Higher Education, the University of Missouri Board of Curators, and the Missouri State University Board of Governors
HCS HB 223 & 231		Establishes the Nursing Education Incentive Program and authorizes a nonrenewable advanced placement grant to certain recipients of financial aid under the A+ Schools or Access Missouri programs
HB 243	Still	Changes the composition of the University of Missouri Board of Curators
HB 244	Still	Changes the composition of the University of Missouri Board of Curators
HB 248	McNeil	Authorizes an income tax deduction for 100% of tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college
HB 352	Wallingford	Establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
HCS HB 473		Changes the laws regarding charter schools and establishes the Missouri Charter Public School Commission
HB 494	Schupp	Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights
HB 559	Grisamore	Changes the laws regarding accessible electronic text material use in elementary and secondary schools
HCS HB 579		Changes the laws regarding health care
HB 614	Holsman	Prohibits a higher education institution from charging a Missouri resident who is a full-time student a tuition rate that exceeds the amount charged when the student first enrolled for the next five years
HB 682	McNeil	Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders
HB 703	Colona	Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 755	Leach	Specifies that any moneys generated by the Spinal Cord Injury Fund or granted by the University of Missouri Board of Curators for research programs not be used for abortion or human cloning research
HCS HB 787		Changes the laws regarding early distributions from certain annuities or retirement plans, the Missouri Higher Education Saving Program, and residential mortgage loan brokers
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HB 844	Denison	Requires all children over 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri
HB 848	Fitzwater	Changes the composition of the University of Missouri Board of Curators
HB 867	Barnes	Establishes the Missouri Biosciences Eminent Scholars Program
HB 892	Talboy	Changes the laws regarding student athlete agents
HB 898	Smith	Establishes the Council on Digital Inclusion

No.	Author	Subject
HB 936	Aull	Adds an independent two-year college accredited by the Higher Learning Commission that offers officer candidate training to the list of institutions where a student may use A+ School Program reimbursement
HB 971	Johnson	Establishes the Missouri Jobs for Education Program
HB 989	Webber	Establishes the Missouri Commission on Workforce Preparedness within the Department of Economic Development to study how higher education is meeting the needs of Missouri employers
HB 997	Kirkton	Changes the laws regarding child support for higher education
HB 1028	Hough	Requires the Department of Economic Development to establish the Compete Missouri Training Program
HCR 13	Wyatt	Strongly supports the selection of Kirksville, Missouri, as the site for A.T. Still University's new School of Dentistry and Oral Health
HJR 9	Kelly	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education facility improvements, construction, landscaping, and land or building purchases
<b>EDUCATION, PROPRIETARY</b>		
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SB 296	Schmitt	Establishes the Compete Missouri Training Program
HCS HB 212		Changes the laws regarding the annual certification fee that a proprietary school must pay
HB 301	Talboy	Changes the laws regarding midwifery
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents
HB 526	Weter	Prohibits anyone from practicing as a surgical technologist in a health care facility unless he or she has met specified requirements
<b>ELDERLY</b>		
SB 43	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
SB 86	Lembke	Repeals the Certificate of Need Law
SB 140	Crowell	Repeals provisions of the Missouri property tax credit which allow renters to receive the property tax credit for rent constituting taxes paid
HCS SCS SB 213		Modifies what information is required in a petition for guardianship for a minor or an incapacitated person, adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act and modifies procedures for ordering autopsies
SB 405	Ridgeway	Changes the requirements for background screenings of long-term care professionals
SB 407	Crowell	Provides sufficient funding to continue the MO RX prescription drug plan
SCS SBs 408 & 80		Extends the MO RX prescription drug plan until August 28, 2014
HB 27	Sater	Authorizes an income tax credit to any taxpayer who donates cash or food to a senior citizen services center
HB 31	Sater	Establishes the Senior Services Growth and Development Program to provide additional funding for senior services in the state by imposing a surcharge on certain health insurance premiums
HB 41	Lampe	Expands the Amber Alert System to include missing endangered persons, specifies the criteria for being a missing endangered person, and changes the system's name to the Amber Alert and Silver Alert System

No.	Author	Subject
HB 60	Nolte	Limits the increase in assessed valuation of residential property by the percentage of increase in the federal Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 102	Nance	Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
HB 175	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the senior citizens property tax credit, commonly known as circuit breaker
HCS HB 205		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law and establishes the Whistleblower Protection Act
HB 279	Solon	Increases, from \$15,000 to \$125,000, the amount of equity in a homestead that can be exempt from attachment in a bankruptcy proceeding when the person is 62 years of age or older
HCS HB 329		Establishes an advance voting period and requires a voter to present an approved form of personal identification to vote at an election
HB 360	Leara	Allows a retiree of the Missouri Local Government Employees' Retirement System to have health insurance or long-term care insurance premiums deducted from his or her retirement allowance
HB 370	Carter	Establishes two prostate cancer pilot programs to fund prostate cancer screening and treatment services and to provide education to men residing in the state
HB 380		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 477	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation an unlawful discriminatory practice
HB 531	Conway	Changes the laws regarding the Unfair Trade Practice Act by adding unfair solicitation methods for selling Medicare insurance products to the list of unfair insurance practices
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers
HB 739	Nance	Expands the Amber Alert System to include missing endangered adults, specifies the criteria for being a missing endangered adult, and changes the system's name to Amber Alert and Silver Alert System
HB 831	Houghton	Establishes the Do-Not-Offer Statewide Registry Act which requires the creation of a database of elderly Missouri residents who object to receiving direct mail marketing
HB 934	Shively	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 944	Johnson	Lowers the required age for a person to be eligible for a senior citizens property tax credit, commonly known as circuit breaker
HB 988	Wieland	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1026	Kirkton	Expands the mental health insurance parity requirements under the Mental Health and Chemical Dependency Insurance Act to include all policies or contracts providing long-term disability benefits
HJR 30	Wyatt	Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
<b>ELECTIONS</b>		
HCS#2 SB 3		Establishes photo identification requirements for voting and requirements for advance voting
SS SB 9		Modifies the state do-not-call list and creates "paid for by" requirements for political phone calls
HCS SB 61		Enacts various provisions relating to local government

No.	Author	Subject
SB 75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 84	Wright-Jones	Modifies law relating to voter registration and election offenses
SB 105	Green	Creates an advance voting system for elections
SB 179	Brown	Allows the board of aldermen in fourth-class cities to provide, by ordinance, for the appointment of a city marshal
SB 205	Stouffer	Creates an advance voting system for primary and general elections
SB 225	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities
CCS HCS SS SB 226		Modifies provisions relating to emergency services
SB 228	Pearce	Modifies the composition of the board of directors of the Kansas City School District
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance
SCS SB 264		Establishes new congressional districts
SB 266	Dempsey	Designates the director of elections as the election authority in charter counties that do not have a board of election commissioners or a county clerk
HCS SCS SB 270		Modifies various provisions relating to public elections
CCS HCS SB 282		Modifies numerous laws relating to elections
SB 292	Schaaf	Requires presidential and vice presidential candidates to show valid birth certificates
SB 318	Dixon	Requires voter registration application forms to be distributed from Conservation offices and permit vendors authorized to issue resident hunting and fishing permits
SB 374	Parson	Establishes qualifications and appointment procedures for certain county officers
SB 398	Kraus	Allows public school principals to opt out of the election authority designation that their school be used as a polling place
SB 418	Chappelle-Nadal	Establishes a paper ballot as the official ballot
SB 421	Pearce	Bars felons from holding public office
HCS#2 SJR 2		Allows enabling legislation for advance voting and photographic identification for voting
SJR 3	Goodman	Requires the Attorney General to seek appropriate relief against actions of the federal government when directed by the Governor, General Assembly, or a petition of the voters
SJR 4	Lembke	WITHDRAWN
SJR 7	Lembke	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 9	Engler	Allows enabling legislation for photographic identification for voting
SJR 10	Lembke	Lowers the number of State Representatives from 163 to 103
SJR 12	Green	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives
SJR 13	Justus	Requires referenda and initiative petitions to be signed by 5% and 8% of the voters in each congressional district
HB 26	Jones	Changes voter reauthorization on city earnings taxes from every five years to every 20 years
HB 95	Dugger	Allows certain municipalities to cancel nonpartisan elections when there are the same number of candidates as open offices

No.	Author	Subject
HB 107	Smith	Requires special elections to fill certain vacancies in the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer
HCS HB 108		Changes the laws regarding contributions to political action committees
HCS HB 121		Changes the laws regarding elections
HB 171	Ruzicka	Allows certain third class cities to cancel any primary election for the office of mayor and councilman
HB 180	Nasheed	Authorizes an election authority to establish a procedure allowing registered voters to provide an email address to receive information in conjunction with the conduct of elections
HCS HB 187 & 54		Repeals the provision that requires a political party's emblem to be printed on an election ballot above the party caption
HB 217	Dugger	Allows an election authority to use an electronic voter identification system or electronic signature pad to verify voter identification information at any polling place
HB 240	Fallert	Requires anyone requesting 50 or more voter registration applications to provide certain information to the Office of the Secretary of State
HB 245	Newman	Allows voters to cast advance ballots
HCS HB 253 & 398		Changes the laws regarding judicial procedures
HB 277	Franz	Requires the local offices and resident hunting and fishing permit vendors of the Department of Conservation to make a voter registration application form available to a resident permit applicant
HB 283	Rowland	Requires proof of identity and proof of United States citizenship for the office of President and Vice President to be submitted with the other required certification documents to the Secretary of State
HB 288	Lair	Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HB 289	Lair	Specifies that no person will be eligible to run or to be selected to fill a vacancy for the office of county sheriff unless he or she holds a valid peace officer license
HCS HB 329		Establishes an advance voting period and requires a voter to present an approved form of personal identification to vote at an election
HB 351	McNeil	Allows an election authority to randomly select individuals from a cross-section of voter registrations to serve as election judges if there is a shortage of election judges in the authority's jurisdiction
HB 373		Authorizes an officer designated as the director of elections in a charter county to be the election authority if the county does not have a board of election commissioners
HB 375		Allows any registered voter who is eligible to vote in a particular election to do so by absentee ballot without being required to state a reason
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions
HB 379		Changes the laws regarding the use of paper ballot cards at elections
HB 381		Allows any political subdivision to conduct ranked-choice voting in certain elections
HB 382		Allows any registered voter who is eligible to vote in a particular election to do so by absentee ballot without being required to state a reason
HB 436	Fitzwater	Allows Iron County by adoption of an order or ordinance to hold a nonpartisan election for the office of sheriff
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state

No.	Author	Subject
HB 503	Dugger	Repeals a provision requiring a presidential primary to be held in February in any year a presidential election is held and sets the primary to be held in March of each presidential election year
HB 521	Wells	Allows an ambulance district board member to be recalled from office by petition of the registered voters
HB 535	Leara	Changes the laws regarding the circulation of initiative and referendum petitions
HB 593	Gatschenberger	Requires each voter to affix the proper postage before returning an absentee ballot by mail
HB 627		Allows a candidate committee to purchase tickets, membership dues, meals, advertising, and other similar items from a political action committee if it is related to education or service in office
HB 629	Cierpiot	Changes the laws regarding the dates of public elections
HB 635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty
HB 640	Neth	Creates the class four election offense of electioneering which involves the refusal, upon the request of any person, to remove certain political materials inside or with 250 feet of a polling place
HB 672	Dugger	Allows the board of aldermen in a fourth class city to provide by ordinance that the city marshal be appointed instead of elected
HB 681	Walton Gray	Specifies that the provisions requiring a partisan election and conducting a party primary prior to a general election will not apply to a candidate for school board or fire district office
HB 694	Barnes	Repeals a provision requiring a presidential primary to be held in February in any year a presidential election is held and sets the primary to be held in June
HB 699	Colona	Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark
HB 709	Nichols	Removes the requirement that a municipality must hold an election in nonpartisan elections when there are the same number of candidates as open offices
HB 723	Kratky	Allows for the cancellation of an election to fill a vacancy in the General Assembly under certain specified conditions
HB 796	Schupp	Changes the laws regarding the Fair Ballot Access Act by repealing the provision which requires a petition to form a new political party to contain the name of a resident of each Congressional district
HCS HB 856		Changes the laws regarding initiative and referendum petitions
HB 884	Diehl	Specifies that the circuit clerks in the 22nd and 28th judicial circuits and the circuit clerk for Scott County must be appointed by the majority of their respective circuit and associate circuit judges
HB 891	Parkinson	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for all income earned as a temporary election staff member
HB 919	Schupp	Specifies who qualifies as a voter in an election for directors of a community improvement district board
HB 947	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 952	Korman	Allows certain municipalities to cancel nonpartisan elections when there are the same number of candidates as open offices
HB 959	Pollock	Prohibits any person who has pled guilty or nolo contendere to or has been found guilty of specified offenses from election or appointment to certain city offices in a third or fourth class city
HB 964	Aull	Changes the laws regarding school district annexation petitions
HB 969	Franklin	Changes the laws regarding the establishment of a law enforcement district under the Missouri Law Enforcement District Act

No.	Author	Subject
HB 974	Hough	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
HB 998	Kirkton	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1025	Diehl	Specifies that the circuit clerk in the 22nd Judicial Circuit must be appointed by a majority of the circuit and associate circuit judges of the circuit
HJR 6	Cierpiot	Proposes a constitutional amendment guaranteeing the right of individuals to vote by secret ballot
HJR 14	Cox	Proposes a constitutional amendment changing the laws regarding elections by authorizing provisions relating to advance voting, voter identification, and absentee voting
HJR 15	Ruzicka	Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources
SCS HCS HJR 16		Proposes a constitutional amendment changing the number of voter signatures that are required to place an initiative petition or a referendum on a ballot
HJR 20	Sifton	Proposes a constitutional amendment changing the laws regarding the repeal or modification of a statutory provision of a referendum passed by voters
HJR 21	Sifton	Proposes a constitutional amendment changing the laws regarding the repeal or modification of a statutory provision of a referendum passed by voters
HJR 22	Cauthorn	Proposes a constitutional amendment reauthorizing the Department of Conservation sales and use tax until an election in 2022 or at a special election called by the Governor and every 10 years thereafter
HJR 23	Leara	Proposes a constitutional amendment changing the number of signatures required on an initiative petition proposing an amendment to the Missouri Constitution or on a referendum to change a state law
<b>ELEMENTARY AND SECONDARY EDUCATION DEPT.</b>		
SB 12	Pearce	Modifies the elementary and secondary education foundation formula
SS SCS SB 13		Requires the Joint Committee on Education to oversee a task force on teacher compensation and effectiveness
SCS SB 14		Establishes procedures for the transfer of students from an unaccredited school district to an accredited school district in the same or an adjoining county
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
CCS SCS SB 81		Modifies provisions relating to education
SB 99	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education
CCS HCS#2 SCS SB 117		Modifies provisions of law regarding certain taxes imposed by political subdivisions
SCS SB 130		Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
HCS SB 147		Modifies provisions relating to education
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
SB 192	Pearce	Requires the Department of Mental Health to develop a continuing professional education curriculum relating to eating disorders
SB 240	Justus	Changes the requirements for school anti-bullying policies
SCS SB 242		Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship

No.	Author	Subject
HCS SB 243		Modifies provisions relating to educational resources and services
SB 247	Pearce	Modifies the elementary and secondary education funding formula
SCS SB 253		Modifies provisions relating to summer school attendance
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SCS SBs 291, 184 & 294		Modifies provisions relating to charter schools
SB 329	Nieves	Allows students to enroll in another school district or charter school for purposes of attending virtual courses or programs
SB 342	Justus	Requires school districts to implement criteria for the enrollment and educational success of foster care children
SCS SBs 369 & 370		Establishes procedures for resident pupils of an unaccredited school district to enroll in another school in the same or an adjoining county
SB 371	Cunningham	Allows a lapsed school district to be divided and attached to adjoining accredited school districts
SB 372	Cunningham	Modifies provisions relating to teacher contracts and establishes the Teacher Continuing Contract Act
SB 393	Goodman	Modifies provisions relating to the Family Care Safety Registry
SB 409	Crowell	Changes state transportation aid to school districts from a categorical add-on to part of the state aid calculation
HB 40	Lampe	Changes the laws regarding the identification, assessment, and education of children with autism spectrum disorder
HB 59	Brown	Requires the State Board of Education to establish a coordinated health program board to develop a program on the prevention of student obesity, cardiovascular disease, and type II diabetes
HB 195	Koenig	Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to allow the teaching of scientific theories of biological or chemical evolution
HB 219	Kelly	Changes the laws regarding background checks for school employees
HB 232	Thomson	Extends eligibility for the A+ Schools Program to Missouri public high school students who have an expected family contribution to college expenses at a level determined by the Department of Higher Education
HB 314	Wells	Repeals a school district's authority to set policies that allow the use of tobacco products in certain school areas and prohibits smoking and use of tobacco products on all school property and school buses
SCS HCS HB 344		Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program
HB 460	Lampe	Changes the laws regarding bullying in schools
HB 543	Fitzwater	Requires the Department of Elementary and Secondary Education to develop standards for professional improvement plans for teachers and principals
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers
SS SCS HCS HB 555		Changes the laws regarding health care
HCS HB 556		Designates October as "Disability History and Awareness Month" in all public schools and requires each school board to annually provide instruction on the topic during the month
HB 570	Lampe	Requires a school district to include in its annual accountability report card whether it has a state-approved gifted education program and the percentage and number of students currently being served



No.	Author	Subject
HB 575	Aull	Changes the laws regarding the Joint Committee on Education's review of the Commissioner of Education's proposed expenditures on statewide areas of critical need for learning and development
HB 576	Aull	Creates the School Safety and School Violence Prevention Fund to be used to establish a statewide center for school safety and school violence prevention
HB 577	Aull	Requires the certification of school food service directors and menu planners in public and private schools which receive funding through the federal school lunch program
HB 582	Oxford	Establishes smaller class sizes for school districts in St. Louis City and St. Louis County than the minimum and desirable standards of the Department of Elementary and Secondary Education
HB 586	Stream	Requires the Department of Mental Health to develop a continuing professional education curriculum on eating disorders
HB 602	Schad	Changes the laws regarding the lapse of a school district when it has been unaccredited by the State Board of Education for two successive school years
HB 612	Holsman	Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HB 617	Holsman	Requires any school district designated as unaccredited or provisionally accredited to meet certain attendance requirements
HB 621	Holsman	Requires a student wanting to drop out of high school to attend a dropout prevention seminar
HB 624	McNeil	Prohibits corporal punishment from being administered in any public school and removes provisions specifying that certain spanking in a school is not to be considered abuse
HB 639	McNary	Requires each school district to establish a comprehensive program for student academic progression
HB 642	Cookson	Limits reimbursement for summer school to the attendance hours of students exclusively on academic areas of study based on core subjects at the relevant grade levels
HB 695	Frederick	Allows the Division of School Improvement to ensure that each regional professional development center in the state provides professional development education assistance for fine arts
HB 752	Torpey	Changes the laws regarding the compulsory school attendance of certain students
HB 756	Grisamore	Allows an exception for the 2010-2011 school year regarding the laws for school make-up days due to inclement weather
HB 763	Stream	Changes the laws regarding enrollment options for students from school districts that have been declared unaccredited
HB 764	Webb	Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities to during the school day and week to the extent possible
HB 765	Aull	Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,073
HB 766	Aull	Places a cap on summer school average daily attendance reimbursement when the school funding formula is underfunded
HB 800	Stream	Prohibits spanking from being used in a public school on any student with an individualized education plan who is receiving special education services
HB 829	Weter	Changes the laws regarding bullying in schools
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HB 836	Scharnhorst	Requires the Division of Special Education to develop a program to provide ombudsman services to children and families regarding special education programs and services
HB 849	Cookson	Changes the laws regarding the required number of days and hours in a school calendar and the earliest opening and latest closing day of a school year

No.	Author	Subject
HB 855	Johnson	Creates the Parents as Teachers Advancement Fund
HB 870	Smith	Changes the laws regarding school course materials and instruction relating to human sexuality and sexually transmitted diseases
HB 897	Jones	Changes the laws regarding high-risk or alternative charter schools
HB 903	Stream	Requires schools to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator and makes the instruction part of the high school graduation requirements
HB 921	Aull	Changes school funding formula phase-in percentages and allows up to 2% of the weighted average daily attendance for summer school attendance during phase-in period if the formula is underfunded
HB 936	Aull	Adds an independent two-year college accredited by the Higher Learning Commission that offers officer candidate training to the list of institutions where a student may use A+ School Program reimbursement
HB 939	Dieckhaus	Creates procedures for open enrollment of public school students across school district boundary lines
HB 994	McNary	Changes the laws regarding school accreditation
HB 1004	Lampe	Repeals several obsolete provisions regarding education
HB 1005	Lampe	Changes the laws regarding education
HB 1017	Oxford	Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis
<b>EMBLEMS</b>		
HB 69	Jones	Allows for a special license plate for a member of the International Conference of Police Chaplains who has completed the requirements for basic certification as a police chaplain
HB 79	Nolte	Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HCS HB 121		Changes the laws regarding elections
HB 168	Nolte	Requires any driver's license, commercial driver's license, non-driver's license, or instruction permit issued to a noncitizen who is lawfully present in the U. S. to include a noncitizen status emblem
HB 450	Allen	Requires the emblem-use authorization fee for a Breast Cancer Awareness special license plate to be paid to Winning Women and replaces "MISSOURI WOMEN'S COUNCIL" with "WINNING WOMEN"
HCS HB 459		Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Jerry F. Costello - William 'Bill' Clay Sr. Veterans Memorial Bridge"
HB 474	Denison	Designates the regal fritillary as the official state butterfly
HB 749	Lasater	Designates April as "Child Abuse Prevention Month" and designates the "blue ribbon" as the official state symbol for child abuse prevention
HB 842	Conway	Designates the exercise commonly known as "jumping jacks" as the official state exercise
<b>EMERGENCIES</b>		
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HB 68	Scharnhorst	Prohibits a political subdivision from imposing a fine or penalty on the owner of a pay telephone on the owner's property for a call made to an emergency telephone service from the pay telephone
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions

No.	Author	Subject
HCS HB 290		Changes the laws regarding political subdivisions
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions
HB 422	Scharnhorst	Requires certain employers to grant a leave of absence to workers performing civil air patrol emergency service duty or counter narcotics missions
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HB 482	Lichtenegger	Requires certain health spas and fitness facilities to have at least one automated external defibrillator and an employee on staff during hours of operation properly trained in cardiopulmonary resuscitation
HB 495	Jones	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 513	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 569	Shively	Requires a prepaid wireless service supplier to collect a 50-cent monthly fee from its customers for 911 emergency communications service
HB 615	Holsman	Establishes the Civil Disaster Response Corps to be available for call-up by the Governor or General Assembly in the event of a state emergency
HB 645	Schieffer	Authorizes a city or county to impose, upon voter approval, an additional tax of up to 75 cents per month on alternative telecommunications connections for 911 emergency telephone service
HB 691	Schad	Creates the crime of endangerment of emergency personnel or emergency responder and requires a court to assess certain fines for certain traffic violations in an active emergency zone
HB 717	Zerr	Changes the laws regarding automated external defibrillators
HB 730	McManus	Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage
HB 745	Brown	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat
HB 750	Hinson	Allows the Commissioner of the Office of Administration, upon voter approval, to increase the wireless fee per telephone user from not to exceed 50 cents to not to exceed 75 cents per month
HB 843	Conway	Authorizes the City of St. Joseph to impose, upon voter approval, a sales tax of up to 0.5% for the operation of public safety departments
HB 854	McGeoghegan	Requires the Department of Revenue to establish a database of emergency contact persons for an individual who is issued a driver's license, instruction permit, or identification card
HB 903	Stream	Requires schools to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator and makes the instruction part of the high school graduation requirements
HB 1021	Nolte	Requires a telecommunications company to provide caller location information in certain emergency situations
<b>EMINENT DOMAIN AND CONDEMNATION</b>		
HCS SB 61		Enacts various provisions relating to local government
HCS SS SB 360		Modifies provisions relating to rural community development

No.	Author	Subject
HB 625	Nichols	Requires at least two of three commissioners appointed in condemnation cases in St. Louis City, St. Louis County, and Jackson County to be real estate brokers or appraisers
<b>EMPLOYEES - EMPLOYERS</b>		
SCS SBs 1 & 206		Bars employers from requiring employees to engage in or cease engaging in certain labor practices
CCS#2 HCS SS#2 SCS SB 8		Restricts co-employee liability in workers' compensation cases
SB 27	Brown	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation
SB 34	Stouffer	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation
SB 36	Lembke	Allows employees of certain employers to take a leave of absence for civil air patrol emergency service duty or counter narcotics missions
SB 102	Green	Specifies that work certificates will permit the employment of children fourteen or fifteen years of age
SB 103	Green	Bars employers from requiring employees to disclose user names or passwords
SB 109	Crowell	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SB 110	Crowell	Prohibits the state minimum wage from exceeding the federal minimum wage
SB 176	Munzlinger	Modifies Missouri's prevailing wage law
SB 183	Ridgeway	Modifies current law regarding certain prohibited uses of social security numbers to include the partial use of social security numbers
SCS SB 188		Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 196	Cunningham	Restricts co-employee liability in workers' compensation cases
SB 197	Ridgeway	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
HCS SS SB 202		Requires authorization for certain labor unions to withhold fees from paychecks to make political contributions
SB 221	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases
SB 222	Cunningham	Modifies the child labor laws
SS SB 231		Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SB 296	Schmitt	Establishes the Compete Missouri Training Program
SB 314	Chappelle-Nadal	Creates a crime for employers who divulge certain personal information of employees and customers
SB 315	Chappelle-Nadal	Bars discriminatory employers from receiving public works contracts and requires employers to provide cause to terminated employees
SB 316	McKenna	Creates a four day work week for state employees
HCS SB 325		Modifies various laws relating to professional registration
SCS SB 420		Modifies the operation and maintenance of the second injury fund
SB 430	Mayer	Modifies the law relating to Workers' Compensation

No.	Author	Subject
HB 37	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HB 56	Brown	Authorizes a tax credit for employers who hire certain high school students for summer employment
HCS HB 61		Prohibits the state minimum wage from exceeding the federal minimum wage and specifies that every employer must pay each employee receiving gratuities as compensation a wage of \$3.63 per hour
HB 63		Prohibits any employee of a seller of cigarettes or tobacco products who is younger than 18 years of age from selling cigarettes or tobacco products in the course of his or her employment
HB 64		Changes the laws regarding unclaimed and abandoned property
HB 87	McGhee	Provides an annual 2% pay increase in Fiscal Year 2013 through Fiscal Year 2015 for non-custodial employees in certain divisions of the Department of Corrections
HCS HB 91		Specifies that an employer and his or her employees will not be liable for any injury or death for which compensation is recoverable under provisions of the Workers' Compensation Law
HB 126	Barnes	Requires the state to give a prompt written notification to all affected state employees and specified county and city officials in certain situations when the state decides upon a mass layoff
HB 132	Still	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 133	Brandom	Specifies that employers subject to certain workers' compensation provisions must be liable to furnish compensation for injury or death of an employee by occupational disease
HB 138	Thomson	Establishes the School Construction Act which exempts the construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HB 157		Prohibits municipal employment contracts from exceeding two years and specifies that, upon resignation or termination of a contract, no employee can receive a payout of more than six months' pay
HB 160	Brandom	Requires co-employees to be released from liability for negligence in performing the nondelegable duty of an employer to provide a safe workplace when the negligence contributes to injury or death
HB 162	Fisher	Changes the laws regarding workers' compensation liability
HB 170	Nolte	Specifies that an employer subject to certain workers' compensation provisions must be liable to furnish compensation for injury or death of an employee by occupational disease
HCS HB 205		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law and establishes the Whistleblower Protection Act
HB 206	Meadows	Specifies that a business entity or employer who knowingly hires an illegal immigrant to perform work within the state will be subject to a \$50,000 fine in addition to any other penalty provided by law
HB 219	Kelly	Changes the laws regarding background checks for school employees
HB 221	McNary	Specifies that an employer or his or her employee will not be liable for any injury or death for which compensation is recoverable under the provisions regarding workers' compensation
HB 238	Kander	Allows a spouse of an active member of the United States Armed Forces or reservist on active duty to be eligible for unemployment benefits if accompanying the military spouse in the event of a military move
HB 241	Fallert	Allows a person employed by a public school for 17 hours or less per week to work at another public school if the total does not exceed 17 but cannot be combined to establish eligibility for retirement
HB 264	Nolte	Changes the laws regarding the Manufacturing Jobs Act
SS SCS HCS HB 265		Changes the laws regarding professional registration

No.	Author	Subject
HB 275	Franz	Specifies certain employee rights as they relate to labor organizations
HCS HB 287		Changes the laws regarding health care professional identification badges to include the employee's name, title, recent photograph, and the name of the health care facility or organization
HB 308	Black	Prohibits an offender in the custody of the Department of Corrections from making a false report against any department employee for the purpose of implicating an employee in a crime
HB 309	Black	Creates the Law Enforcement Safety Fund and authorizes a \$7 surcharge in certain criminal cases to fund a contribution system for certain law enforcement employees
HB 310	Gatschenberger	Establishes the State Authority and Federal Tax Fund Act and reasserts the state's authority under the Tenth Amendment to the United States Constitution
HB 320	Fisher	Changes the laws regarding Missouri's prevailing wage as it relates to public works construction
HB 348	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 349	Newman	Changes the laws regarding equal employment practices
HB 351	McNeil	Allows an election authority to randomly select individuals from a cross-section of voter registrations to serve as election judges if there is a shortage of election judges in the authority's jurisdiction
HB 359	Leara	Establishes the Payday Loan Protection Act regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 397	Diehl	Changes the laws regarding failure to timely pay a sales representative his or her earned sales commissions
HB 409	Koenig	Establishes a defined contribution plan in the Missouri Public School Retirement System for any new employee who first becomes a member on or after July 1, 2013
HB 422	Scharnhorst	Requires certain employers to grant a leave of absence to workers performing civil air patrol emergency service duty or counter narcotics missions
HB 434	Nolte	Requires co-employees to be released from liability for negligence in performing the nondelegable duty of an employer to provide a safe workplace when the negligence contributes to injury or death
HB 437	McNary	Allows each representative and senator to employ one legislator assistant, instead of one stenographer or secretary, during any session of a general assembly
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 448	Lair	Creates a funding mechanism for survivor benefits when a member of the Missouri Local Government Employees' Retirement System dies as a result of a duty-related injury or disease
HB 461	Pollock	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HB 466	Schoeller	Allows an employer or labor organization to obtain political contributions through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 467	Diehl	Establishes the Missouri Science and Innovation Reinvestment Act
HCS HB 468		Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act
HB 492	Franz	Requires written authorization by a public employee before a labor union can withhold any dues, fees, or political contribution from the employee's paycheck
HB 525	Molendorp	Establishes requirements regarding certain contracts reinsuring life or health insurance policies or annuities which are covered under the Insurers Supervision, Rehabilitation and Liquidation Act
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers

No.	Author	Subject
SCS HCS#2 HB 609		Establishes the Show-Me Health Insurance Exchange Act
HB 635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty
HB 701	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 702	Colona	Removes the provision limiting the annual surcharge paid by employers to the Second Injury Fund to 3% of the employer's workers' compensation net deposits, premiums, or assessments
HB 703	Colona	Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 715	White	Specifies certain employee rights as they relate to labor organizations
HB 788	Fisher	Changes the laws regarding workers' compensation and the Second Injury Fund
HB 807	Hughes	Makes it an improper employment practice for an employer to refuse to hire or to discharge, reduce compensation, or modify any condition of a person's employment based on his or her credit score or history
HCS HB 828		Changes the laws regarding prevailing wages
HB 871	Fitzwater	Specifies that any state employee performance review, if conducted, must be done by the employer or supervisor
HCS HB 893		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 910	Atkins	Requires all employers and business entities to enroll and actively participate in a federal work authorization program
HB 986	Wallingford	Establishes the Missouri Employment Work Pass Program to assist unemployed persons in obtaining employment and to encourage small businesses to hire unemployed persons
HB 989	Webber	Establishes the Missouri Commission on Workforce Preparedness within the Department of Economic Development to study how higher education is meeting the needs of Missouri employers
HB 1028	Hough	Requires the Department of Economic Development to establish the Compete Missouri Training Program
HJR 6	Cierpiot	Proposes a constitutional amendment guaranteeing the right of individuals to vote by secret ballot
<b>EMPLOYMENT SECURITY</b>		
SB 10	Rupp	Denies unemployment benefits for those with outstanding overpayment penalties
SB 27	Brown	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation
SB 34	Stouffer	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation
SS SCS HCS HB 163		Changes the laws regarding unemployment compensation and makes Missouri eligible to receive extended federal unemployment benefit funds
HB 226	Richardson	Removes the 10-year limitation that an outstanding obligation under a financial agreement between the Board of Unemployment Fund Financing and a lender can continue
<b>ENERGY</b>		
SB 22	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
SB 50	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
HCS SB 63		Modifies provisions pertaining to utilities
SB 94	Munzlinger	Provides loan assistance programs to businesses for energy efficiency improvements

No.	Author	Subject
SB 190	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel
HCS SB 207		Modifies provisions pertaining to energy and property taxation
SB 321	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
SB 357	Munzlinger	Classifies hydroelectric power generating equipment as tangible personal property for property tax purpose
SB 359	Lager	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
SB 376	Parson	Modifies laws relating to the provision of natural gas utility service
SB 406	Crowell	Allows certain cost recovery by electric companies for energy generation and requires utilities to pay an assessment for the Office of Public Counsel
SB 422	Lager	Modifies the state's renewable energy standard
SCR 1	Ridgeway	Disapproves a final order of rule making by the Public Service Commission regarding Electric Utility Renewable Energy Standard Requirements
SCR 13	Lembke	Urges Congress to prohibit the Environmental Protection Agency from regulating greenhouse gas emissions
HB 42	Loehner	Requires an electrical corporation to pay a surcharge of one-tenth of one cent per kilowatt hour on all nuclear energy produced in the state and sold out of its service territory
HB 82	Nolte	Defines "small modular reactors" and allows energy produced by these reactors to be used to meet the Renewable Energy Standard percentage requirements for investor-owned electric utilities
HB 85	McGhee	Authorizes an income tax credit for taxpayers who use processed biomass engineered fiber fuel
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
HB 117	Ellinger	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program
HB 120	Schoeller	Changes the laws regarding infrastructure replacement surcharges for water corporations
HB 124	Riddle	Allows an electrical company to recover from ratepayers the costs associated with early site development for certain electrical generation facilities
HB 216	Barnes	Prohibits the Missouri Public Service Commission from approving any tariff of an electrical corporation that establishes a single customer class if the customer is an aluminum smelting facility
HB 267	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HCS HB 354		Exempts a qualified plug-in electric drive vehicle from the state's motor vehicle emissions inspection program
HCS HB 366		Changes the laws regarding economic development
SCS HB 462		Repeals the provisions requiring the Missouri Energy Task Force to reconvene at least one time a year and issue an annual status report to the Governor and General Assembly
HB 598	Schad	Changes the laws regarding the Missouri Propane Education and Research Council
HCS HB 613		Establishes the Renewable Energy Act and repeals the Renewable Energy Standard enacted by Proposition C in 2008
HB 616	Holsman	Authorizes a one-year tax credit of up to \$1 per watt of energy produced to any industrial generator operating a new system producing an output between 25,000 and 100,000 kilowatts of renewable energy



No.	Author	Subject
HB 622	Holsman	Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences
HB 671	Molendorp	Authorizes additional powers to a community improvement district
HCS HB 688		Changes the laws regarding property taxes and energy
HB 706	Zerr	Specifies that any owner or operator of pipelines transporting petroleum or natural gas who fails to maintain an easement for a period of 10 years will be deemed to have abandoned the easement
HCS HB 716		Establishes the Capital Green Program, requirements for environmentally sustainable construction for state-funded buildings, and the Renewable Energy Pilot Program for State Parks
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment
HB 741	Bernskoetter	Adds an eligible energy-saving enterprise to the list of entities that are eligible to receive a linked deposit loan
HB 747	Pollock	Changes the laws regarding the renewable energy standards enacted by Proposition C in 2008
HB 839	Holsman	Establishes the Capital Green Program to provide funding to the state for energy efficiency improvements to certain state buildings and for geothermal, wind, and solar energy resources
HB 877	Berry	Requires an electric utility to accept electricity produced from a customer who operates an electric generating facility in the service area of the utility
HB 957	Barnes	Establishes the Ratepayer Fairness Act which allows an aluminum smelting facility to keep any special utility rate at the ratepayer class as long as it employs 200 employees
HB 965	Fallert	Adds automotive lubricants to the fuels that the Department of Agriculture is authorized to regulate (Withdrawn)
HB 1006	Schatz	Establishes the Joint Committee on Renewable Technology and Industrial Onsite Energy Generation
HCR 48	Schatz	Strongly urges the United States Congress to support the Pea Ridge Mine in the extraction of thorium and the development of refineries for thorium power plants
<b>ENGINEERS</b>		
HCS SB 220		Modifies liens for certain design professionals and the statute of limitations for actions against land surveyors
SB 326	Wasson	Authorizes a peer review process for architects, landscape architects, land surveyors, and engineers, including providing for immunity from liability and prohibiting the disclosure of certain documents and testimony
HB 92	Molendorp	Authorizes school districts to enter into design-build contracts for construction projects
HB 352	Wallingford	Establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education
HB 402	Diehl	Increases the extent of acreage authorized for a lien on property to secure payment for work performed by an architect, engineer, land surveyor, landscape architect, or well digger
HB 428	Cauthorn	Requires all facility plans submitted to the Department of Natural Resources as part of the permitting process for all environmental programs to be certified by a licensed professional engineer
HB 568	Elmer	Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
<b>ENTERPRISE ZONES</b>		
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment

No.	Author	Subject
<b>ENTERTAINMENT, SPORTS AND AMUSEMENTS</b>		
SB 203	Schmitt	Creates a tax credit to attract sporting events to the state
SB 288	Ridgeway	Creates a state and local sales and use tax exemption for all fees paid to any place of amusement, entertainment, or recreation
SB 293	Schaaf	Makes authorizations for allocations of nonresident entertainer and athlete income tax revenues perpetual
HB 33	Sater	Requires a motor vehicle driver, when overtaking a bicycle, to pass safety at a distance of not less than three feet
HB 49	Meadows	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Stan 'The Man' Musial Mississippi River Expressway Bridge"
HB 169	Nolte	Allows public schools to offer courses in ballroom dance which will be treated as a qualified fine arts and a physical education activity for academic credit
HB 277	Franz	Requires the local offices and resident hunting and fishing permit vendors of the Department of Conservation to make a voter registration application form available to a resident permit applicant
HB 293	Schneider	Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
SCS HCS HB 300, 334 & 387		Establishes the Interscholastic Youth Sports Brain Injury Prevention Act which requires the Department of Health and Senior Services to develop guidelines on the risk of concussion and brain injury
HB 322	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink on the premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 325	Cauthorn	Allows a person to hand fish for catfish or carp during June and July within all Missouri waters open for hook-and-line fishing of these fish
HCS HB 336		Authorizes an income tax credit for the eligible costs of bringing certain sporting events to Missouri
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions
SS SCS HCS HB 470 & 429		Changes the laws regarding the nonresident entertainer and professional athletic team member income tax
HB 472	Torpey	Designates "Walk & Bike to School Month," "Walk & Bike to School Day," "Missouri Bicycle Month," and "Bike to Work Day," and "Bike to Work Week" in Missouri
HB 476	Funderburk	Establishes the Students First Interscholastic Athletics Act which requires every high school age student to have the opportunity to participate in interscholastic athletics
HB 482	Lichtenegger	Requires certain health spas and fitness facilities to have at least one automated external defibrillator and an employee on staff during hours of operation properly trained in cardiopulmonary resuscitation
HB 520	Schupp	Authorizes a sales tax exemption for educational or fitness class fees paid to any health club, athletic club, exercise club, fitness club, or other similar club or facility
HB 588	Cookson	Requires a statewide athletic organization that has a public school district as a member to publish an annual report regarding the impact of concussions and head injuries on student athletes
HB 596	Schieffer	Prohibits the sales tax on firearms or ammunition from being levied at a higher rate than the sales tax or other excise tax charged on any sporting goods or equipment or any hunting equipment
HB 607	Franz	Specifies that health plans providing services for conditions within the scope of practice of athletic trainers may not deny reimbursement to a licensed athletic trainer if reimbursable to another provider
HB 619	Holsman	Prohibits a professional sports team or franchise with a home stadium in Missouri from receiving certain state public funds if a broadcast of a home game is blacked out for any reason

No.	Author	Subject
HB 712	Webb	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 764	Webb	Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities to during the school day and week to the extent possible
HB 790	Marshall	Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
HB 852	Fitzwater	Establishes a special license plate for the Rocky Mountain Elk Foundation (Withdrawn)
HB 853	Nance	Authorizes the City of Excelsior Springs to impose, upon voter approval, a retail sales tax of up to 1% for the purpose of funding a community center and retiring any bonds issued for funding the center
HB 892	Talboy	Changes the laws regarding student athlete agents
HB 916	Houghton	Allows for a special license plate for a member of the National Wild Turkey Federation
HB 963	Fitzwater	Allows for a special license plate for a member of the Rocky Mountain Elk Foundation
HCR 41	Parkinson	Encourages every school district in Missouri to promote and include trap shooting as a high school sport
HCS HJR 5		Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods
HCS HJR 17		Proposes a constitutional amendment establishing the Freedom in Agriculture Act which guarantees the right of Missourians to grow crops, hunt and fish wildlife, and raise animals in a humane manner
<b>ENVIRONMENTAL PROTECTION</b>		
SB 22	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
CCS HCS SS SB 135		Modifies provisions pertaining to environmental protection
SB 158	Keaveny	Extends the expiration date to December 31, 2015, for certain clean water public notice requirements and clean water permit fees charged by the Department of Natural Resources
HCS SCS SB 230		Modifies provisions pertaining to natural resources
SB 259	Kraus	Subjects certain tax credit programs to sunsets
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 327	Richard	Modifies penalties for multiple violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
HCS SS SB 360		Modifies provisions relating to rural community development
SB 403	Nieves	Modifies provisions pertaining to the filing of appeals regarding decisions made by environmental commissions
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SS SCR 8		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 13	Lembke	Urges Congress to prohibit the Environmental Protection Agency from regulating greenhouse gas emissions
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 42	Loehner	Requires an electrical corporation to pay a surcharge of one-tenth of one cent per kilowatt hour on all nuclear energy produced in the state and sold out of its service territory

No.	Author	Subject
HB 82	Nolte	Defines "small modular reactors" and allows energy produced by these reactors to be used to meet the Renewable Energy Standard percentage requirements for investor-owned electric utilities
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
HB 96	Flanigan	Imposes penalties for persistent violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
HB 97	Ruzicka	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HB 98	Ruzicka	Extends from June 30, 2011, to December 31, 2015, the 50-cent fee that is collected on the retail sale of a lead-acid battery as well as the fees for any hazardous waste generated
HB 103	Nance	Allows the Department of Conservation, in collaboration with the Department of Natural Resources, to establish a program for good forestry management
HB 117	Ellinger	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 189	Ruzicka	Repeals the provision which prohibits expanded polypropylene coolers from being on or within 50 feet of any river in this state except for certain specified rivers and areas
HCS HB 192		Changes the laws regarding environmental protection programs
HB 211	Koenig	Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law
HB 267	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 284	McNary	Changes the type of cooler, from expanded polypropylene to expanded polystyrene, that a person is not allowed to possess on or within 50 feet of any river except for certain specified rivers and areas
HCS HB 354		Exempts a qualified plug-in electric drive vehicle from the state's motor vehicle emissions inspection program
HB 428	Cauthorn	Requires all facility plans submitted to the Department of Natural Resources as part of the permitting process for all environmental programs to be certified by a licensed professional engineer
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 449	Sater	Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards
CCS SS HB 458		Changes the laws regarding agriculture
SCS HCS HB 578		Allows the state or any political subdivision or agency of the state to transfer ownership of used tires, scrap tires, or tire shred to a private entity for disposal or recycling under certain conditions
HCS HB 597		Establishes the Private Landowner Protection Act which allows for the creation and enforcement of conservation easements to protect the environment and preserve certain historical or cultural property
HB 611	Holsman	Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for designated military training areas
HB 622	Holsman	Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences
HB 671	Molendorp	Authorizes additional powers to a community improvement district
HCS HB 716		Establishes the Capital Green Program, requirements for environmentally sustainable construction for state-funded buildings, and the Renewable Energy Pilot Program for State Parks

No.	Author	Subject
HB 729	McManus	Requires a scrap metal dealer purchasing catalytic converters or a person refining platinum from catalytic converters to keep a record of each purchase and restricts the number that they can buy per day
HB 747	Pollock	Changes the laws regarding the renewable energy standards enacted by Proposition C in 2008
HB 779	Hummel	Adds the costs of environmental insurance premiums and the backfill of areas where contaminated soil excavation occurs to the list of expenses that qualify for a remediation tax credit
HB 839	Holsman	Establishes the Capital Green Program to provide funding to the state for energy efficiency improvements to certain state buildings and for geothermal, wind, and solar energy resources
HB 1006	Schatz	Establishes the Joint Committee on Renewable Technology and Industrial Onsite Energy Generation
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
<b>ESTATES, WILLS AND TRUSTS</b>		
CCS HCS SB 59		Modifies provisions regarding judicial procedures
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
CCS SS SCS SB 70		Modifies provisions relating to the Missouri Family Trust
SB 198	Crowell	Repeals the estate tax
SB 365	Goodman	Allows \$9,999 in an irrevocable trust for certain funeral expenses to not be considered an asset when determining eligibility for public assistance
HB 88	Gatschenberger	Allows a public administrator to file a petition to transfer a case to another county and requires the court to transfer the case if certain requirements are met and the receiving county consents to the transfer
HB 130	Barnes	Changes the laws regarding guardianship of an incapacitated person and authorizes Missouri to enter into the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act
HB 230	Davis	Changes the laws regarding the Missouri Uniform Trust Code
HCS HB 253 & 398		Changes the laws regarding judicial procedures
HB 399	Diehl	Changes the laws regarding the Missouri Uniform Trust Code
CCS SS HB 458		Changes the laws regarding agriculture
HB 469	Franz	Changes the laws regarding the Missouri Family Trust
HB 937	Meadows	Requires certain preneed funeral contract sellers and providers to designate the location where all records and contracts are located
<b>ETHICS</b>		
SS SB 9		Modifies the state do-not-call list and creates "paid for by" requirements for political phone calls
SB 75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 141	Crowell	Prohibits the receipt of tax credits by campaign contributors
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance
HB 39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office
HB 72	Torpey	Prohibits statewide elected officials or members of the General Assembly elected for their first term in office on or after November 2, 2010, from acting, serving, or registering as a lobbyist

No.	Author	Subject
HB 145	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 864	Kander	Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HB 947	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 998	Kirkton	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
<b>EVIDENCE</b>		
SB 149	Schaaf	Modifies the laws regarding the testimony of physicians as expert witnesses in lawsuits against physicians for improper health care
SB 227	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants
HB 283	Rowland	Requires proof of identity and proof of United States citizenship for the office of President and Vice President to be submitted with the other required certification documents to the Secretary of State
HB 356	Phillips	Expands the crime of making a false declaration with the purpose to mislead a public servant in the performance of his or her duty
HB 417	Richardson	Allows any person having a parent/child relationship with a minor child who is not the biological or legal parent to petition the court for custody and visitation rights
HB 427	Barnes	Changes the laws regarding adoption records
HB 512	Lair	Creates the crime of unlawfully intercepting computer and electronic communication device information
HB 516	Ellinger	Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty cases
SS#2 HB 648		Changes the laws regarding individuals with disabilities
HB 791	Marshall	Changes the laws regarding DNA profiling analysis
HB 883	Largent	Requires certain specified crime scene photographs or video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 948	Holsman	Creates the crimes of abuse of the Internet, criminal defamation, and failure to comply with a search warrant seeking computer-related identifying information
<b>EXCAVATION</b>		
HB 678	Schatz	Changes the laws regarding excavation notification centers
HB 779	Hummel	Adds the costs of environmental insurance premiums and the backfill of areas where contaminated soil excavation occurs to the list of expenses that qualify for a remediation tax credit
<b>FAIRS</b>		
SB 288	Ridgeway	Creates a state and local sales and use tax exemption for all fees paid to any place of amusement, entertainment, or recreation
<b>FAMILY LAW</b>		
SB 35	Lembke	Modifies provisions relating to child support when there is equal parenting time

No.	Author	Subject
SB 116	Justus	Updates the Uniform Interstate Family Support Act
SB 134	Rupp	Outlines the parental rights of individuals with disabilities in termination of parental rights cases
SB 261	Goodman	Removes the element of good cause from the crime of nonsupport
SB 312	Keaveny	Modifies provision relating to administrative child support orders
HCS SS SCS SB 351		Modifies provisions relating to adoption records
HB 118		Requires local law enforcement agencies and other government agencies serving ex parte orders of protection to enter the data into the Missouri Uniform Law Enforcement System (MULES) within 24 hours
HB 129	Barnes	Prohibits a juvenile or family court from using the fact that a natural parent chose not to abort a child when determining to take, continue, or fail to terminate jurisdiction over another child
HCS HB 143		Changes the laws regarding hotline calls reporting suspected child abuse and neglect to the Children's Division within the Department of Social Services
HB 164	Franz	Changes the age when the juvenile court will have jurisdiction over a child involving a state or local traffic violation from a child up to 15 1/2 years of age to a child up to 15 years of age
HB 227	Wyatt	Specifies that the Missouri Supreme Court child support guidelines must require income documentation and changes the provisions regarding child support when the parents have joint physical custody
HB 260	Cox	Repeals and re-enacts provisions regarding the Uniform Interstate Family Support Act to be consistent with the changes adopted by the National Conference of Commissioners on Uniform State Laws
HB 417	Richardson	Allows any person having a parent/child relationship with a minor child who is not the biological or legal parent to petition the court for custody and visitation rights
HB 427	Barnes	Changes the laws regarding adoption records
HB 502	Hubbard	Specifies that criminal nonsupport will be a class D felony if the total arrearage is in excess of \$10,000 and allows a person to expunge a criminal nonsupport conviction if certain conditions are met
HCS HB 504, 505 & 874		Changes the laws regarding domestic violence and orders of protection
SS SCS HCS HB 555		Changes the laws regarding health care
HB 587	Aull	Changes the laws regarding the notice of the relocation of a child by the custodial parent
SS SCS HCS HB 604		Establishes a task force on foster care recruitment, licensing, and retention and the Missouri State Foster Care and Adoption Board and changes the laws regarding parental rights, foster care, and adoption
SS#2 HB 648		Changes the laws regarding individuals with disabilities
HB 680	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 804	Hughes	Increases, from no later than 15 days to no later than 60 days, after a child's birth that the father has to file an action to establish paternity prior to an adoption or file with Putative Father Registry
HB 997	Kirkton	Changes the laws regarding child support for higher education
<b>FAMILY SERVICES DIVISION</b>		
SB 112	Kraus	Gives immunity from civil or criminal liability to persons reporting suspected child abuse to proper authorities
SB 261	Goodman	Removes the element of good cause from the crime of nonsupport

No.	Author	Subject
HB 34	Sater	Requires the Department of Social Services to apply for a federal waiver to modify the eligibility requirements for the Missouri Temporary Assistance for Needy Families (TANF) Program
HCS HB 143		Changes the laws regarding hotline calls reporting suspected child abuse and neglect to the Children's Division within the Department of Social Services
HCS HB 259		Authorizes a public body to close certain foster care licensure data and requires the Division of Family Services to prepare a detailed report of specific information obtained in the licensure process
<b>FEDERAL - STATE RELATIONS</b>		
SB 72	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws
SB 85	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
SB 367	Nieves	Enacts the interstate Health Care Compact in which member states pledge to improve health care policy by returning the authority to regulate health care to the states
SCR 5	Justus	Ratifies the Equal Rights Amendment to the United States Constitution
SS SCR 8		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 9	Rupp	Rescinds Missouri's 1983 call for a constitutional convention
SCR 10	Cunningham	Urges Congress to adopt an amendment to the U.S. Constitution that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures
SCR 13	Lembke	Urges Congress to prohibit the Environmental Protection Agency from regulating greenhouse gas emissions
SJR 3	Goodman	Requires the Attorney General to seek appropriate relief against actions of the federal government when directed by the Governor, General Assembly, or a petition of the voters
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SS SCS HCS HB 45		Changes the laws regarding the Big Government Get Off My Back Act which provides an income tax deduction for certain small businesses that create new full-time jobs
HCS HB 61		Prohibits the state minimum wage from exceeding the federal minimum wage and specifies that every employer must pay each employee receiving gratuities as compensation a wage of \$3.63 per hour
SS SCS HCS HB 163		Changes the laws regarding unemployment compensation and makes Missouri eligible to receive extended federal unemployment benefit funds
HCS HB 236		Extends the expiration date of various federal reimbursement allowances from September 30, 2011, to September 30, 2016
HB 310	Gatschenberger	Establishes the State Authority and Federal Tax Fund Act and reasserts the state's authority under the Tenth Amendment to the United States Constitution
HB 331	Franz	Requires all federally licensed firearms dealers to waive the National Instant Criminal Background Check System requirement for a purchaser who possesses a valid concealed carry endorsement
HB 361	Leara	Establishes the Missouri Firearms Freedom Act
HB 372	Smith	Requires a school district offering federal Title I education services to offer the same services to students who would be eligible if their family income wasn't above the qualifying level
HB 423	Burlison	Authorizes Missouri to adopt the provisions of the Health Care Compact to improve health care policy by returning the authority to regulate health care to the state legislatures
HB 503	Dugger	Repeals a provision requiring a presidential primary to be held in February in any year a presidential election is held and sets the primary to be held in March of each presidential election year
HB 533	Newman	Changes the laws regarding taxation



No.	Author	Subject
SCS HCS#2 HB 609		Establishes the Show-Me Health Insurance Exchange Act
HB 694	Barnes	Repeals a provision requiring a presidential primary to be held in February in any year a presidential election is held and sets the primary to be held in June
HB 731	Parkinson	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 747	Pollock	Changes the laws regarding the renewable energy standards enacted by Proposition C in 2008
HB 767	Bahr	Allows the Department of Revenue and the Office of Administration to jointly enter into a reciprocal agreement with the United States government or any other state for the collection and offset of debts
HCS HB 773		Changes the laws regarding the regulation of surplus lines insurance to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010
HB 820	Denison	Changes the laws regarding commercial driver's licenses
HB 860	Hinson	Changes the laws regarding intoxication-related traffic offenses in order for Missouri to comply with federal law for the purpose of receiving transportation funding
HB 899	Colona	Changes the laws regarding the state's health care utilization review process to comply with federal laws and regulations
HB 910	Atkins	Requires all employers and business entities to enroll and actively participate in a federal work authorization program
HB 930	Oxford	Eliminates the state income tax deduction for federal income tax liability beginning January 1, 2012
HB 965	Fallert	Adds automotive lubricants to the fuels that the Department of Agriculture is authorized to regulate (Withdrawn)
HB 974	Hough	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
HB 1000	Diehl	Changes the composition of Congressional districts based on the 2010 census
HB 1010	Bahr	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HCR 3	Scharnhorst	Submits to Congress a proposed federal balanced budget amendment to the United States Constitution
HCR 9	Barnes	Submits an official application by the State of Missouri for the calling of a federal amendment convention
HCR 10	Nolte	Urges Congress to immediately repeal the Government Pension Offset and Windfall Elimination Provision of the Social Security Act
HCR 11	Nolte	Urges Congress to designate the Liberty Memorial at the National World War I Museum in Kansas City as the National World War I Memorial
HCR 12	Rowland	Claims sovereignty for the State of Missouri under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government
HCR 19	Gatschenberger	Submits an official application by the State of Missouri for the calling of a convention for proposing amendments to the United States Constitution
HCR 30	Frederick	Urges the Governor and Attorney General to send a letter to the President of the United States expressing the urgency of resolving the constitutionality of the federal health care reform act
HCR 31	Cookson	Calls on the United States Congress to allocate at least 40% of the Land and Water Conservation Fund moneys to the State Assistance program for state and local capital parks projects
HCR 34	Hampton	Urges the United States Forest Service to amend or rescind the Travel Management Rule which restricts motor vehicle access in Mark Twain National Forest

No.	Author	Subject
HCR 36	Oxford	Urges the State of Missouri to recognize the yellow with three stripes heritage and freedom flag as the official flag of the Vietnamese-American community
HCR 43	Smith	Urges Congress to address the pervasiveness of sickle cell trait and disease and the need to increase public awareness of the available programs and screenings
HCR 44	Barnes	Urges the United States Congress to propose a constitutional amendment under Article V of the United States Constitution for ratification by the states regarding state sovereignty
HCR 45	Pollock	Urges the President of the United States and the United States Congress to uphold and defend the federal Defense of Marriage Act
HCR 53	Rowland	Strongly urges Congress and the Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs in this country
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
<b>FEEs</b>		
SB 93	Kraus	Waives Secretary of State fees for new businesses and requires business licenses to be issued within sixty days
CCS HCS SS SB 135		Modifies provisions pertaining to environmental protection
SB 158	Keaveny	Extends the expiration date to December 31, 2015, for certain clean water public notice requirements and clean water permit fees charged by the Department of Natural Resources
HCS SB 174		Modifies provisions relating to political subdivisions
HCS SCS SB 219		Allows owners of automated teller machines to charge access fees to those with bank accounts in foreign countries and gambling boats to accept credit instruments
SB 276	Schaefer	Allows state agencies to charge a surcharge for accepting credit and debit cards
SB 381	Dixon	Allows a circuit judge to assess certain costs when the criminal case is dismissed and the criminal defendant consents
HCS SCS SB 387		Allows for release on electronic monitoring for people who can afford to pay the costs associated with the monitoring
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SB 432	Munzlinger	Regulates contingency-fee contracts between state entities and private attorneys
HB 31	Sater	Establishes the Senior Services Growth and Development Program to provide additional funding for senior services in the state by imposing a surcharge on certain health insurance premiums
HCS HB 32		Allows the State Registrar to issue a heritage birth certificate
HB 42	Loehner	Requires an electrical corporation to pay a surcharge of one-tenth of one cent per kilowatt hour on all nuclear energy produced in the state and sold out of its service territory
SS SCS HCS HB 45		Changes the laws regarding the Big Government Get Off My Back Act which provides an income tax deduction for certain small businesses that create new full-time jobs
HB 51	Taylor	Authorizes a \$2 surcharge to be collected in all criminal cases involving a state traffic law violation to be disbursed equally for law enforcement and fire safety training
HB 67	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 69	Jones	Allows for a special license plate for a member of the International Conference of Police Chaplains who has completed the requirements for basic certification as a police chaplain
HB 75		Authorizes expungement of certain criminal records including convictions for nonviolent felonies and misdemeanor, municipal, or traffic offenses
HCS HB 83		Specifies that an agreement to operate or share an automated teller machine cannot prohibit the owner or operator of the machine from imposing an access fee or surcharge on foreign bank transactions

No.	Author	Subject
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
HB 97	Ruzicka	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HB 98	Ruzicka	Extends from June 30, 2011, to December 31, 2015, the 50-cent fee that is collected on the retail sale of a lead-acid battery as well as the fees for any hazardous waste generated
CCS SCS HB 101		Changes the laws regarding liquor control
HB 105	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program
HB 120	Schoeller	Changes the laws regarding infrastructure replacement surcharges for water corporations
HB 124	Riddle	Allows an electrical company to recover from ratepayers the costs associated with early site development for certain electrical generation facilities
HB 128	Barnes	Requires the respondent in a suit filed by a city, county, or state in which the entity prevails to pay the city, county, or state the amount of the deposit that would have been awarded as a judgment
HB 134	Nasheed	Specifies that the practice of cosmetology cannot include hair braiding and prohibits any person from engaging in hair braiding without being registered with the state and paying a fee
HB 140	Black	Establishes Susie's Law which prohibits any child younger than 18 years of age from riding as a passenger on any machinery or heavy equipment not manufactured for passengers
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases
HCS HB 192		Changes the laws regarding environmental protection programs
HB 194	Molendorp	Authorizes Cass County to establish a county municipal court
HB 202	Hoskins	Specifies that for two years the daily expense allowance for members of the General Assembly will be the same as the rate in effect on September 30, 2010, and cannot be increased
HB 210	Molendorp	Changes the laws regarding the board of directors of public water supply districts
HCS HB 212		Changes the laws regarding the annual certification fee that a proprietary school must pay
HB 216	Barnes	Prohibits the Missouri Public Service Commission from approving any tariff of an electrical corporation that establishes a single customer class if the customer is an aluminum smelting facility
HB 228	Schoeller	Changes the laws regarding billboards
HB 235	Kelly	Prohibits the Department of Revenue from selling or disclosing certain driver record information
HCS HB 236		Extends the expiration date of various federal reimbursement allowances from September 30, 2011, to September 30, 2016
HB 248	McNeil	Authorizes an income tax deduction for 100% of tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college
HB 254	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 255	Cox	Establishes the Private Attorney Retention Act which specifies the procedures state agencies or agents must follow when retaining a lawyer or law firm to perform legal services under certain conditions

No.	Author	Subject
HB 275	Franz	Specifies certain employee rights as they relate to labor organizations
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
SCS HB 307 & HB 812		Allows the Department of Revenue to issue specified special license plates for any vehicle except an apportioned motor vehicle or a commercial motor vehicle in excess of 18,000 pounds gross weight
HB 309	Black	Creates the Law Enforcement Safety Fund and authorizes a \$7 surcharge in certain criminal cases to fund a contribution system for certain law enforcement employees
HB 322	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink on the premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 326	Burlison	Prohibits state licensed professional counselors from being taxed or made liable to pay any municipal or corporation tax or license fee for the privilege of practicing the profession
HB 330	Franz	Allows an applicant registering any property-carrying commercial vehicle weighing 12,000 pounds or more to request and be issued two license plates for the vehicle
HB 359	Leara	Establishes the Payday Loan Protection Act regarding unsecured loans of \$500 or less, commonly known as payday loans
HCS HB 369		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of water lines due to failure
HB 374	Barnes	Establishes the Missouri False Claims Act
HB 390	Holsman	Establishes the KidCare Co-op Program, a public option, nonprofit health insurance cooperative, to provide affordable health insurance to children through 18 years of age
HB 394	Cookson	Allows the owner of a property-carrying commercial motor vehicle to request and be issued two license plates
HB 396	Diehl	Removes the provision specifying that the \$4 surcharge assessed in certain criminal cases will not be collected from any person who has pled guilty and paid a fine through the central violations bureau
HB 404	Weter	Changes the laws regarding security deposits of renters
HB 433	Kander	Changes the classification of certain human trafficking crimes and establishes fines and prison terms for the crimes
HB 441	Nolte	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HB 450	Allen	Requires the emblem-use authorization fee for a Breast Cancer Awareness special license plate to be paid to Winning Women and replaces "MISSOURI WOMEN'S COUNCIL" with "WINNING WOMEN"
SCS HB 462		Repeals the provisions requiring the Missouri Energy Task Force to reconvene at least one time a year and issue an annual status report to the Governor and General Assembly
HB 466	Schoeller	Allows an employer or labor organization to obtain political contributions through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 488	Gatschenberger	Requires driver's license examinations to only be administered in English and establishes a \$15 fee for an applicant to take the written portion of the examination
HB 492	Franz	Requires written authorization by a public employee before a labor union can withhold any dues, fees, or political contribution from the employee's paycheck
HB 500	Colona	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 514	McNeil	Changes the laws regarding the attendance of a pupil from an unaccredited school district

No.	Author	Subject
HB 520	Schupp	Authorizes a sales tax exemption for educational or fitness class fees paid to any health club, athletic club, exercise club, fitness club, or other similar club or facility
HB 522	Rizzo	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans, and allows the Attorney General to maintain an action to enforce compliance
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents
HB 528	Jones	Requires a health care provider to provide medical records within 15 business days of a request
HB 538	Hubbard	Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers
HB 569	Shively	Requires a prepaid wireless service supplier to collect a 50-cent monthly fee from its customers for 911 emergency communications service
HCS HB 579		Changes the laws regarding health care
HB 580	Frederick	Allows a health care provider to include any retrieval fee charged by a contracted outsourced records storage service in the fee charged to a patient for a copy of his or her medical records
HB 593	Gatschenberger	Requires each voter to affix the proper postage before returning an absentee ballot by mail
HB 610	Molendorp	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 614	Holsman	Prohibits a higher education institution from charging a Missouri resident who is a full-time student a tuition rate that exceeds the amount charged when the student first enrolled for the next five years
HB 633	Ruzicka	Establishes the Agritourism Promotion Act which allows for the registration of any person who is engaged in a business which provides agritourism activities in this state
HB 634	Ruzicka	Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs involved in the prosecution
HB 656	Brandom	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
SCS HB 661		Changes the laws regarding debt adjusters
HB 663	Ruzicka	Requires, instead of allows, the \$2 surcharge in certain criminal cases to be assessed and collected and allows it to also be used to develop information sharing
HB 689	Still	Allows a person to pay the \$25 emblem-use fee to the Missouri State Humane Association for a I'm Pet Friendly special license plate at the time of registration for deposit in the Missouri Pet Spay-Neuter Fund
HB 702	Colona	Removes the provision limiting the annual surcharge paid by employers to the Second Injury Fund to 3% of the employer's workers' compensation net deposits, premiums, or assessments
HB 719	Higdon	Requires one cent from the six cent fee that is deposited into the Missouri Wine and Grape Fund to be deposited into the newly created Division of Alcohol and Tobacco Control Enforcement Fund
HB 722	Schneider	Changes the laws regarding the responsibility for the payment of past due water and sewer services and on the termination of service for past due water and sewer services
HB 750	Hinson	Allows the Commissioner of the Office of Administration, upon voter approval, to increase the wireless fee per telephone user from not to exceed 50 cents to not to exceed 75 cents per month
HB 783	Berry	Requires \$2 from every business registration fee collected by the Secretary of State to be deposited into the Missouri Small Business Development Centers Fund

No.	Author	Subject
HB 791	Marshall	Changes the laws regarding DNA profiling analysis
HB 794	Spreng	Specifies the conditions when storm water runoff will be considered to flow to a sewer maintained by the Metropolitan St. Louis Sewer District for purposes of charging the property owner a storm water fee
HB 803	Hughes	Removes the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole
HCS HB 811		Changes the laws regarding motor vehicle extended service contracts
HB 837	Brattin	Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged 50 cents per visit
HB 872	Houghton	Establishes the Transparency in Private Attorney Contracts Act
HCS#2 HB 889		Changes the laws regarding political subdivisions
HB 890	Franz	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 905	Zerr	Specifies that certain expenses for the rehabilitation of an historic structure incurred prior to the approval of a historic structures rehabilitation tax credit may be deemed qualified expenses
HB 927	McDonald	Requires a court to assess a surcharge of up to 6% in each criminal proceeding if authorized by the municipal or county government where the violation occurred
HB 928	Schoeller	Allows Greene County, upon approval by the county commission, to charge an additional \$5 surcharge to any party filing a civil case
HB 931	Johnson	Establishes a funeral demonstration zone, creates the Family Funeral Victimization Fund, and makes it unlawful for a person to demonstrate in a funeral demonstration zone without obtaining a permit
HB 935	Johnson	Requires out-of-state persons or groups who wish to protest a funeral in this state pay, prior to the protest, a \$25,000 fee to local law enforcement agency in area where the protest will be held
HB 938	Meadows	Specifies that, beginning July 1, 2012, certain specified building codes will be deemed the official state codes
HB 963	Fitzwater	Allows for a special license plate for a member of the Rocky Mountain Elk Foundation
HB 991	Lichtenegger	Changes the laws regarding mechanic's liens on residential real property
HB 1002	Talboy	Requires the Missouri Lottery Commission to establish a statewide video lottery terminal network
<b>FIRE PROTECTION</b>		
SCS SB 108		Modifies provisions concerning the installation of fire sprinklers in certain dwellings
CCS HCS SS SB 226		Modifies provisions relating to emergency services
SS SB 231		Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SS SB 238		Creates a presumption that certain infectious diseases are duty-related for the purposes of firefighters' disability and death benefits
SB 273	Lembke	Modifies provision of the Firemen's Retirement System of St. Louis
SB 309	Kehoe	Allows certain ambulance and fire protection districts to seek voter approval for a sales tax to fund such districts
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SB 397	Cunningham	Requires certification for certain contractors who work on fire sprinkler systems
HCS HB 46		Changes the laws regarding fire sprinkler system installations
HB 51	Taylor	Authorizes a \$2 surcharge to be collected in all criminal cases involving a state traffic law violation to be disbursed equally for law enforcement and fire safety training

No.	Author	Subject
HB 90	Scharnhorst	Prohibits a political subdivision from adopting an ordinance, rule, or code that would require mandatory installation of a sprinkler system in new residential construction
SS SCS HB 282		Changes the laws regarding public employee retirement
HCS HB 290		Changes the laws regarding political subdivisions
HB 295	Hinson	Specifies that any infectious disease which causes a condition of impaired health resulting in a disability or death of certain fire fighters will be presumed to have been incurred in the line of duty
HB 304	Black	Authorizes an income tax credit for certain public safety officers
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
SCS HCS HB 600, 337 & 413		Changes the laws regarding public safety
HB 635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty
SS SCS HCS HB 664		Changes the laws regarding benefits for a fire fighter incurring an infectious disease in the line of duty and the Firemen's Retirement System of St. Louis
HB 665	Leara	Changes the laws regarding a member of the Firemen's Retirement System of St. Louis who retires because of accidental disability
HB 745	Brown	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat
HB 769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 843	Conway	Authorizes the City of St. Joseph to impose, upon voter approval, a sales tax of up to 0.5% for the operation of public safety departments
HB 917	Hinson	Requires all fire protection districts and municipal fire departments in St. Louis County to consolidate into one fire district upon the approval of the voters of the county
HB 938	Meadows	Specifies that, beginning July 1, 2012, certain specified building codes will be deemed the official state codes
<b>FIREARMS AND FIREWORKS</b>		
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
SB 87	Parson	Removes the requirement that certain otherwise unlawful uses of a weapon be reasonably associated with, or necessary to, fulfill a person's official duties in order to be lawful
SB 297	Munzlinger	Modifies laws governing how residents of Missouri and other states may purchase rifles and shotguns outside their resident states
SB 298	Munzlinger	Lowers the minimum age for an applicant of a concealed carry endorsement from twenty-three to twenty-one
SCS SB 300		Allows the use of centerfire handguns during the muzzleloader portion of firearms deer season
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SB 389	McKenna	Modifies the laws regarding concealed carry permits for Missouri residents
SB 415	Crowell	Makes it a class C felony for a person on probation for a felony offense to knowingly possess a firearm
SB 416	Crowell	Exempts United States attorneys who have completed the firearms safety training course required to obtain a conceal carry endorsement from certain otherwise unlawful uses of a weapon

No.	Author	Subject
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 252	Cox	Establishes the Business Premises Safety Act
HCS HB 253 & 398		Changes the laws regarding judicial procedures
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
HB 331	Franz	Requires all federally licensed firearms dealers to waive the National Instant Criminal Background Check System requirement for a purchaser who possesses a valid concealed carry endorsement
HB 341	Riddle	Repeals the provisions regarding the filing of a petition for the removal of a disqualification for certain individuals from purchasing, possessing, or transferring a firearm and establishes new provisions
HB 361	Leara	Establishes the Missouri Firearms Freedom Act
HB 537	Leara	Requires the sheriff or chief of police to execute, within 15 business days, all documents required under federal law by an applicant for the purchase or transfer of a firearm with certain exceptions
HB 594	Richardson	Changes the laws regarding the possession, manufacture, transport, repair, or sale of weapons
HB 596	Schieffer	Prohibits the sales tax on firearms or ammunition from being levied at a higher rate than the sales tax or other excise tax charged on any sporting goods or equipment or any hunting equipment
HB 724	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she knowingly possesses a firearm while also in possession of a specified amount of a controlled substance
HB 725	Kratky	Prohibits certain persons who plead guilty to or have been found guilty of a felony violation of certain weapons offenses from receiving a suspended imposition of sentence
HB 727	Kratky	Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 760	Johnson	Adds a member of a fire department who works full-time as a fire investigator to the list of individuals who are exempt from the prohibition on carrying a concealed firearm under certain conditions
HB 778	Riddle	Allows certain persons to carry concealed firearms in the State Capitol Building or at a meeting of the General Assembly if they have a valid concealed carry endorsement
HCS HB 818		Changes the laws regarding transportation
HB 841	Fitzwater	Allows any person with a valid concealed carry endorsement to openly carry firearms on or about his or her person or in a vehicle regardless of any other state law or local ordinance
HB 866	Newman	Changes the laws regarding domestic violence
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HJR 27	Brattin	Proposes a constitutional amendment specifying that the right of every citizen to possess, purchase ammunition, and any parts or articles for the proper functioning of arms must not be infringed
<b>FISHING AND HUNTING</b>		
SB 150	Munzlinger	Allows regulated hand fishing for carp and catfish in June and July on certain waterways
SCS SB 300		Allows the use of centerfire handguns during the muzzleloader portion of firearms deer season
SCS SJR 11		Asserts the right of Missourians to hunt and fish



No.	Author	Subject
HB 115	Schad	Specifies that the Department of Conservation will have ownership and title to all wild elk in Missouri and will be financially responsible for any damage caused by wild elk
HB 277	Franz	Requires the local offices and resident hunting and fishing permit vendors of the Department of Conservation to make a voter registration application form available to a resident permit applicant
HB 325	Cauthorn	Allows a person to hand fish for catfish or carp during June and July within all Missouri waters open for hook-and-line fishing of these fish
HB 693	Schad	Revises the punishment for the crime of receiving stolen property
HB 1011	Hughes	Requires the Department of Conservation to establish areas across the state to be designated as six-month hunting seasons for certain animals
HCS HJR 5		Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods
HJR 15	Ruzicka	Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources
HCS HJR 17		Proposes a constitutional amendment establishing the Freedom in Agriculture Act which guarantees the right of Missourians to grow crops, hunt and fish wildlife, and raise animals in a humane manner
<b>FUNERALS AND FUNERAL DIRECTORS</b>		
SB 91	Engler	Modifies funeral protest provisions
HCS SB 325		Modifies various laws relating to professional registration
SCS SB 340		Modifies licensing requirements for funeral directors, embalmers, and funeral establishments and certain requirements for preneed funeral contracts
SB 365	Goodman	Allows \$9,999 in an irrevocable trust for certain funeral expenses to not be considered an asset when determining eligibility for public assistance
HB 172	Ruzicka	Specifies that certain funds placed in an irrevocable trust for funeral services will not be considered an asset when determining eligibility and benefits under certain public assistance programs
SS SCS HCS HB 265		Changes the laws regarding professional registration
HCS HB 276, 233 & 274		Changes the laws regarding unlawful picketing or protesting of a funeral
HB 365	Funderburk	Changes the laws regarding unlawful picketing or protesting of a funeral
HB 592	Gatschenberger	Changes the laws regarding unlawful picketing or protesting of a funeral
HB 668	Meadows	Changes the laws regarding the licensure of funeral directors and embalmers
HB 931	Johnson	Establishes a funeral demonstration zone, creates the Family Funeral Victimization Fund, and makes it unlawful for a person to demonstrate in a funeral demonstration zone without obtaining a permit
HB 935	Johnson	Requires out-of-state persons or groups who wish to protest a funeral in this state pay, prior to the protest, a \$25,000 fee to local law enforcement agency in area where the protest will be held
HB 937	Meadows	Requires certain preneed funeral contract sellers and providers to designate the location where all records and contracts are located
HB 945	Carter	Adds a motor vehicle owned by a licensed funeral establishment and used exclusively for funeral services to the list of vehicles that are exempt from the motor carrier provisions of Chapter 390, RSMo
<b>GAMBLING</b>		
SB 385	Munzlinger	Imposes an additional admission fee for excursion gambling boat licensees to fund veterans' commission capital improvements

No.	Author	Subject
HB 745	Brown	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat
HB 1002	Talboy	Requires the Missouri Lottery Commission to establish a statewide video lottery terminal network
HCR 52	Brown	Requires the Missouri Gaming Commission to make annual accounting reports of public safety moneys retained by home dock cities and counties from the taxes levied on adjusted gross receipts of excursion
<b>GENERAL ASSEMBLY</b>		
SS SCS SB 13		Requires the Joint Committee on Education to oversee a task force on teacher compensation and effectiveness
SCS SB 68		Authorizes the issuance of subpoenas for the production of records by the General Assembly
SB 72	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws
SB 75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SCS SBs 88 & 82		Removes an expiration date of August 28, 2011 on state universities being able to convey land, except in fee simple, without authorization from the General Assembly and requires that such conveyances be done at fair market value
SB 127	Chappelle-Nadal	Requires certain public officials and certain staff members of the executive branch and legislature to submit to drug tests
HCS SB 147		Modifies provisions relating to education
CCS HCS SB 173		Modifies provisions of law relating to transportation and infrastructure
HCS SB 243		Modifies provisions relating to educational resources and services
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance
SB 272	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 296	Schmitt	Establishes the Compete Missouri Training Program
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SB 341	Nieves	Modifies the use of the Capitol complex grounds by non-public entities
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 355	Schaaf	Modifies provisions regarding gubernatorial appointments
SCR 1	Ridgeway	Disapproves a final order of rule making by the Public Service Commission regarding Electric Utility Renewable Energy Standard Requirements
SCR 2	Schaaf	Urges the Department of Natural Resources to educate the public about light pollution
SCR 3	Lembke	Disapproves the salary recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials
SCR 4	Crowell	Requires the Board of Public Buildings to reassign rooms in the State Capitol to the General Assembly that are currently assigned to the Office of Administration
SCR 5	Justus	Ratifies the Equal Rights Amendment to the United States Constitution
SCR 7	Dempsey	Authorizes the employment of an independent certified public accountant or certified public accounting firm pursuant to Section 21.760, RSMo

No.	Author	Subject
SCR 9	Rupp	Rescinds Missouri's 1983 call for a constitutional convention
SCR 10	Cunningham	Urges Congress to adopt an amendment to the U.S. Constitution that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures
SCR 11	Wright-Jones	Asks the Governor to recognize every third week in June as Diabetic Peripheral Neuropathy Week
SJR 1	Ridgeway	Replaces all taxes on income with a sales and use tax
SJR 10	Lembke	Lowers the number of State Representatives from 163 to 103
SJR 12	Green	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives
SCS SJR 16		Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion
SJR 20	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations
SJR 22	Parson	Provides that a member of the General Assembly shall vacate his or her office if such member leaves the state during a legislative session for the purpose of avoiding any official duty or vote
HB 39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office
HB 44	Lampe	Requires the Revisor of Statutes to make all copies of laws, resolutions, and constitutional measures available electronically to the public and eliminates the printing of certain state documents
HB 72	Torpey	Prohibits statewide elected officials or members of the General Assembly elected for their first term in office on or after November 2, 2010, from acting, serving, or registering as a lobbyist
SS SCS HB 137		Repeals the authority of certain state university boards to convey or transfer property without authorization from the General Assembly and authorizes the Governor to convey certain state properties
HB 185	Loehner	Renames the Joint Committee on Urban Farming to the Joint Committee on Urban Agriculture and changes the expiration date of the provisions regarding the committee to January 1, 2013
HB 202	Hoskins	Specifies that for two years the daily expense allowance for members of the General Assembly will be the same as the rate in effect on September 30, 2010, and cannot be increased
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 255	Cox	Establishes the Private Attorney Retention Act which specifies the procedures state agencies or agents must follow when retaining a lawyer or law firm to perform legal services under certain conditions
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
HB 310	Gatschenberger	Establishes the State Authority and Federal Tax Fund Act and reasserts the state's authority under the Tenth Amendment to the United States Constitution
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance
HB 437	McNary	Allows each representative and senator to employ one legislator assistant, instead of one stenographer or secretary, during any session of a general assembly
HCS HB 446		Changes the laws regarding the state school funding formula

No.	Author	Subject
HB 467	Diehl	Establishes the Missouri Science and Innovation Reinvestment Act
HB 575	Aull	Changes the laws regarding the Joint Committee on Education's review of the Commissioner of Education's proposed expenditures on statewide areas of critical need for learning and development
SS SCS HCS HB 697		Specifies that any administrative rule proposed, adopted, or amended by a state agency after August 28, 2011, must automatically terminate six years after its effective date
HB 723	Kratky	Allows for the cancellation of an election to fill a vacancy in the General Assembly under certain specified conditions
HB 778	Riddle	Allows certain persons to carry concealed firearms in the State Capitol Building or at a meeting of the General Assembly if they have a valid concealed carry endorsement
HB 834	Lampe	Prohibits a member of the General Assembly from being eligible to receive a retirement benefit based on his or her service as a member of the General Assembly beginning January 1, 2013
HB 947	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1006	Schatz	Establishes the Joint Committee on Renewable Technology and Industrial Onsite Energy Generation
HB 1009	Marshall	Prohibits any department or political subdivision of the state from contracting any liability of the state in excess of \$1 million in any one-year period without the consent of the General Assembly
HB 1028	Hough	Requires the Department of Economic Development to establish the Compete Missouri Training Program
HCR 1	Jones	State of the State Wednesday, January 19, 2011, at 7:00p.m.
HCR 2	Jones	Joint Session to receive a message from Chief Justice William Ray Price, Jr., Wednesday, February 2, 2011, at 10:30a.m.
HCR 4	Flanigan	Establishes the Missouri State Capitol Building Centennial Commission for the purpose of seeking funding sources for the preservation, improvement, expansion, and renovation of the Capitol Building
HCR 5	Smith	Disapproves and suspends a proposed amendment to 4CSR 240-20.100 regarding the Electric Utility Renewable Energy Standards Requirements
HCR 6	Allen	Urges the Secretary of the Interior to add Grant's Farm in St. Louis County as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site
HCR 7	Walton Gray	Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans
HCR 8	Allen	Recognizes the important services provided by professional school nurses and strongly urges school districts to recognize their dedication and valuable role by compensating them as like-degreed prof
HCR 9	Barnes	Submits an official application by the State of Missouri for the calling of a federal amendment convention
HCR 10	Nolte	Urges Congress to immediately repeal the Government Pension Offset and Windfall Elimination Provision of the Social Security Act
HCR 11	Nolte	Urges Congress to designate the Liberty Memorial at the National World War I Museum in Kansas City as the National World War I Memorial
HCR 13	Wyatt	Strongly supports the selection of Kirksville, Missouri, as the site for A.T. Still University's new School of Dentistry and Oral Health
HCR 14	Jones	Designates February 6, 2011, as "Ronald Reagan Day" in Missouri in honor of the 100th anniversary of the birth of our 40th President of the United States
HCR 16	Nolte	Urges the President of the United States and Congress to lift tariffs on die cast magnesium alloys to prevent die cast companies from going out of business

No.	Author	Subject
HCS HCR 17		Urges the United States Congress to support a comprehensive plan for flood control on the Upper Mississippi River Basin
HCR 18	Parkinson	Disapproves the salary recommendations of the Citizen's Commission on Compensation for Elected Officials
HCR 19	Gatschenberger	Submits an official application by the State of Missouri for the calling of a convention for proposing amendments to the United States Constitution
HCR 20	Walton Gray	Designates April 2011 as "Donate Life Month" in Missouri
HCR 21	Walton Gray	Designates May 2011 as "Colon Cancer Awareness Month" in Missouri
HCR 22	Fallert	Strongly urges the federal Department of Homeland Security and Congress to increase the level of enforcement of illegal immigration, especially the hiring of unauthorized workers
HCS HCR 23		Declares support for Complete Streets policies and urges their adoption at all levels of government regarding the shared use of our roads and highways by motorists, bicyclists and walkers
HCR 24	Jones	Joint Session Wednesday, February 9, 2011, 2:00pm, for the State of the Judiciary message from the Honorable William Ray Price, Jr., Chief Justice of the State of Missouri
HCR 25	Walton Gray	Designates the week of May 8 - 14, 2011, as "Sickle Cell Awareness Week" in the State of Missouri
HCR 27	Walton Gray	Designates December 17, 2011, as "American Red Cross Minority Blood Drive Day" in Missouri
HCR 28	Nolte	Endorses an observer status for Taiwan in the International Civil Aviation Organization
HCR 30	Frederick	Urges the Governor and Attorney General to send a letter to the President of the United States expressing the urgency of resolving the constitutionality of the federal health care reform act
HCR 31	Cookson	Calls on the United States Congress to allocate at least 40% of the Land and Water Conservation Fund moneys to the State Assistance program for state and local capital parks projects
HCR 32	Bernskoetter	Establishes a Joint Interim Committee on State Employee Wages to address the need to increase Missouri's ranking as 50th worst in the nation in state employee compensation
HCR 33	Davis	Designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice of service men and women who have given their lives in the line of duty
HCR 34	Hampton	Urges the United States Forest Service to amend or rescind the Travel Management Rule which restricts motor vehicle access in Mark Twain National Forest
HCR 35	Oxford	Requests the Adjutant General of the Missouri National Guard to establish a voluntary reporting program for Missouri National Guard members and veterans who have been exposed to depleted uranium
HCR 36	Oxford	Urges the State of Missouri to recognize the yellow with three stripes heritage and freedom flag as the official flag of the Vietnamese-American community
HCR 38	Cierpiot	Supports the relocation of the ABC Heart of America Education Trust's trade and technical school from Mission, Kansas to Kansas City, Missouri
HCS HCR 39		Urges the Secretary of the Interior to add Grant's Farm in St. Louis County as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site
HCR 42	Funderburk	Urges the United States Congress to prohibit the Environmental Protection Agency from regulating greenhouse gas emissions or to take action on climate change
HCR 44	Barnes	Urges the United States Congress to propose a constitutional amendment under Article V of the United States Constitution for ratification by the states regarding state sovereignty
HCR 45	Pollock	Urges the President of the United States and the United States Congress to uphold and defend the federal Defense of Marriage Act
HCR 46	Nolte	Recognizes Kansas City as host of FUTURALLIA KC 2011 event for small and medium business leaders
HCR 47	Kelley	Designates October 3, 2011, as "Missouri Animal Agriculture Day"

No.	Author	Subject
HCR 48	Schatz	Strongly urges the United States Congress to support the Pea Ridge Mine in the extraction of thorium and the development of refineries for thorium power plants
HCR 49	Atkins	Urges Congress to restore the Glass-Steagall law to regulate the banking system and prevent commercial banks from engaging in financial speculation
HCR 50	Higdon	Requests the Department of Health and Senior Services to assess chronic disease management of stroke prevention in atrial fibrillation
HCR 51	Oxford	Urges the United States Congress to enact the Improved and Expanded Medicare for All Act
HCR 53	Rowland	Strongly urges Congress and the Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs in this country
HJR 1	Allen	Proposes a constitutional amendment prohibiting a bill from being introduced unless accompanied by a memo detailing its title, purpose, summary of sections, constitutional authority, and fiscal impact
HJR 2	McGhee	Proposes a constitutional amendment guaranteeing a citizen's right to pray and worship on public property and reaffirming a citizen's right to choose any or no religion
HJR 4	Barnes	Proposes a constitutional amendment preventing the proposed compensation schedule from the Commission on Compensation for Elected Officials from including any increase in certain circumstances
HJR 7	Hoskins	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 103 beginning with the 98th General Assembly
HJR 9	Kelly	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education facility improvements, construction, landscaping, and land or building purchases
HJR 11	Burlison	Proposes a constitutional amendment prohibiting appropriations in any fiscal year from exceeding certain limits
HJR 12	Burlison	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 103 beginning with the 98th General Assembly
HJR 13	Black	Proposes a constitutional amendment reducing the number of members of the House of Representatives to 120 and increasing the number of members of the Senate to 40
HJR 19	Kirkton	Proposes a constitutional amendment transferring initial responsibility for Congressional and legislative redistricting from a Congressional committee to a state demographer
HJR 21	Sifton	Proposes a constitutional amendment changing the laws regarding the repeal or modification of a statutory provision of a referendum passed by voters
HJR 28	Walton Gray	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 32	Colona	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 33	Crawford	Proposes a constitutional amendment requiring any office of a senator or representative to be deemed vacated if the member removes himself or herself from the state during session to avoid an official vote
HJR 34	Nasheed	Proposes a constitutional amendment prohibiting anyone elected to the General Assembly after November 1, 2008, from serving more than 12 years in any one house nor more than 24 years total in both houses
HJR 35	Schad	Proposes a constitutional amendment requiring any office of a senator or representative to be deemed vacated if the member removes himself or herself from the state during session to avoid an official vote
HJR 36	Kander	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 99 beginning with the 98th General Assembly
HJR 37	Hughes	Proposes a constitutional amendment repealing legislative term limits

No.	Author	Subject
<b>GOVERNOR &amp; LT. GOVERNOR</b>		
SB 75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
HCS SB 147		Modifies provisions relating to education
HCS SCS SB 163		Modifies the composition of the Coordinating Board for Higher Education, Board of Curators of the University of Missouri and the governing board of Missouri State University
SB 180	Kraus	Designates certain state recognized days, weeks, and months
HCS SB 243		Modifies provisions relating to educational resources and services
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance
SB 285	McKenna	Removes Lincoln's birthday as a state holiday
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SB 345	Wright-Jones	Creates the Council on Digital Inclusion
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 355	Schaaf	Modifies provisions regarding gubernatorial appointments
SCR 11	Wright-Jones	Asks the Governor to recognize every third week in June as Diabetic Peripheral Neuropathy Week
SJR 1	Ridgeway	Replaces all taxes on income with a sales and use tax
SJR 4	Lembke	WITHDRAWN
SJR 7	Lembke	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 17	Lembke	Modifies the selection process for certain judgeships and the composition of judicial nominating commissions
SJR 20	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations
HB 39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office
HB 72	Torpey	Prohibits statewide elected officials or members of the General Assembly elected for their first term in office on or after November 2, 2010, from acting, serving, or registering as a lobbyist
HB 107	Smith	Requires special elections to fill certain vacancies in the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer
SS SCS HB 137		Repeals the authority of certain state university boards to convey or transfer property without authorization from the General Assembly and authorizes the Governor to convey certain state properties
HB 139	Smith	Requires the Office of Administration to maintain public school and county and municipal government accountability information and the Governor's travel information on the Missouri Accountability Portal
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 255	Cox	Establishes the Private Attorney Retention Act which specifies the procedures state agencies or agents must follow when retaining a lawyer or law firm to perform legal services under certain conditions
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions

No.	Author	Subject
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance
HB 443	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 444	McNeil	Requires the Governor when selecting appointees to state boards, commissions, committees, and councils to ensure that the membership reflects racial and gender equity based on population if possible
HB 494	Schupp	Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights
HB 517	Ellinger	Changes the laws regarding clemency in death penalty cases
HB 778	Riddle	Allows certain persons to carry concealed firearms in the State Capitol Building or at a meeting of the General Assembly if they have a valid concealed carry endorsement
HJR 9	Kelly	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education facility improvements, construction, landscaping, and land or building purchases
HJR 18	Cox	Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increases the number of candidates it nominates to the Governor for certain judicial vacancies
<b>GUARDIANS</b>		
HCS SCS SB 57		Requires courts to transfer certain cases upon the request of the public administrator and specifies that certain political subdivision associations are not required to solicit competitive bids when procuring risk coverages
CCS HCS SB 59		Modifies provisions regarding judicial procedures
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
HCS SCS SB 213		Modifies what information is required in a petition for guardianship for a minor or an incapacitated person, adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act and modifies procedures for ordering autopsies
SB 237	Schaefer	Requires that the September 1996 Supreme Court standards for representation by guardians ad litem be updated
HB 88	Gatschenberger	Allows a public administrator to file a petition to transfer a case to another county and requires the court to transfer the case if certain requirements are met and the receiving county consents to the transfer
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HB 130	Barnes	Changes the laws regarding guardianship of an incapacitated person and authorizes Missouri to enter into the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act
CCS SCS HB 142		Changes the laws regarding political subdivisions
HB 165	Franz	Requires the Missouri Supreme Court standards from September 17, 1996, regarding representation of children by guardians ad litem to be updated
HB 392	White	Establishes the Adult Health Care Consent Act which provides for a priority of persons who can make health care decisions for an individual who is unable to consent to his or her own health care
HB 739	Nance	Expands the Amber Alert System to include missing endangered adults, specifies the criteria for being a missing endangered adult, and changes the system's name to Amber Alert and Silver Alert System



No.	Author	Subject
<b>HEALTH CARE</b>		
SB 6	Goodman	Enacts provisions relating to faith-based community health centers
SB 38	Wright-Jones	Establishes a prostate cancer pilot program to provide screening, referral services, treatment and outreach
SB 42	Chappelle-Nadal	Increases resource limits for medical assistance eligibility
HCS SS#2 SCS SB 62		Modifies provisions relating to health care providers
SB 136	Schaaf	Prohibits hospitals from requiring physicians to agree to make patient referrals as a condition of receiving medical staff privileges
SB 149	Schaaf	Modifies the laws regarding the testimony of physicians as expert witnesses in lawsuits against physicians for improper health care
SB 178	Brown	Requires a person who performs certain surgical tasks to have certain training and continuing education
SB 214	Schaaf	Prohibits restrictive physician employment contracts
SB 235	Schaefer	Extends the sunsets on certain provider taxes
SB 236	Schaefer	Establishes provisions regarding pharmacy services
SB 244	Green	Revises provisions relating to the renamed Missouri Brain Injury Advisory Council
SB 245	Lembke	Provides that physician services currently covered under MO HealthNet include services provided by chiropractors in accordance with the chiropractic practice act
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 319	Dixon	Allows debts owed to ambulance service providers to be collected from income tax refunds and lottery winnings of patients
HCS SB 322		Extends the sunsets on certain provider taxes to 2016 and on the Missouri RX plan to 2015
SB 333	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SB 334	Schaaf	Requires MO HealthNet managed care organizations to provide to the MO HealthNet Division all utilization, access, and spending data for the cost of care per covered participant
SB 344	Wright-Jones	Requires health insurance policies to cover ultrasound screenings where mammograms demonstrate dense breast tissue
SB 346	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 348	Wright-Jones	Enacts the Prevention First Act
SB 367	Nieves	Enacts the interstate Health Care Compact in which member states pledge to improve health care policy by returning the authority to regulate health care to the states
SB 382	Chappelle-Nadal	Licenses clinical laboratory personnel
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SCR 11	Wright-Jones	Asks the Governor to recognize every third week in June as Diabetic Peripheral Neuropathy Week
SCR 12	Schaaf	Urges the MO HealthNet Division to pursue the feasibility of implementing a program to assess chronic disease management of stroke prevention in atrial fibrillation
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HCS HB 28		Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug

No.	Author	Subject
HCS HB 29		Establishes the Volunteer Health Services Act which allows a licensed health care provider to render volunteer professional health care services for a sponsoring organization
HB 31	Sater	Establishes the Senior Services Growth and Development Program to provide additional funding for senior services in the state by imposing a surcharge on certain health insurance premiums
HB 57	Brown	Establishes the Missouri Commission on Prevention and Management of Obesity
HB 59	Brown	Requires the State Board of Education to establish a coordinated health program board to develop a program on the prevention of student obesity, cardiovascular disease, and type II diabetes
HB 67	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 110	Zerr	Requires noninvasive vascular laboratories to be accredited by the Intersocietal Commission for the Accreditation of Vascular Laboratories or the American College of Radiology
HB 146	Schoeller	Requires licensed chiropractors to be reimbursed under the MO HealthNet Program for providing services currently covered and within the scope of chiropractic practice
HB 151	Kelly	Authorizes an individual or corporation to designate all or a portion of his or her income tax refund to the Organ Donor Program or to send a separate check with the payment of his or her taxes
HB 196	Jones	Extends the expiration date on the provisions regarding the Missouri Rx Plan from August 28, 2011, to August 28, 2016
HB 201	Sater	Authorizes the MO HealthNet Division to implement a statewide dental delivery system to ensure recipient participation and access to providers of dental services under MO HealthNet
HB 262	Smith	Establishes the Foreign Health Insurance Purchase Act which allows Missouri residents to purchase or enroll in a health insurance policy or health benefit plan that is licensed in certain other states
HB 280	Frederick	Prohibits a health carrier or benefit plan from denying reimbursement for providing diagnostic imaging services based solely on the licensed physician's specialty or professional board certification
HB 293	Schneider	Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
HB 295	Hinson	Specifies that any infectious disease which causes a condition of impaired health resulting in a disability or death of certain fire fighters will be presumed to have been incurred in the line of duty
HB 301	Talboy	Changes the laws regarding midwifery
HB 313	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 328	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 347	Kirkton	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program
HB 370	Carter	Establishes two prostate cancer pilot programs to fund prostate cancer screening and treatment services and to provide education to men residing in the state
HB 374	Barnes	Establishes the Missouri False Claims Act
SCS HB 388		Removes the provisions requiring the Department of Health and Senior Services to provide information to physicians to give to breast implantation patients regarding advantages, disadvantages, and risks
HB 389	Holsman	Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of grantees

No.	Author	Subject
HB 390	Holsman	Establishes the KidCare Co-op Program, a public option, nonprofit health insurance cooperative, to provide affordable health insurance to children through 18 years of age
HB 391	Holsman	Adds home nursing visits for newborn infants including follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HB 392	White	Establishes the Adult Health Care Consent Act which provides for a priority of persons who can make health care decisions for an individual who is unable to consent to his or her own health care
HCS HB 411 & 421		Requires the Department of Mental Health to develop a transition plan for services of a resident of a state developmental disabilities facility to the most appropriate living setting
HB 418	Walton Gray	Establishes the Sickle Cell Disease Task Force to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 423	Burlison	Authorizes Missouri to adopt the provisions of the Health Care Compact to improve health care policy by returning the authority to regulate health care to the state legislatures
HB 426	Sifton	Prohibits an insurer from requiring any waiting period for health insurance coverage for maternity benefits and requires coverage to begin immediately from the effective date of the policy or plan
HB 439	Nolte	Allows an individual to have an outside the hospital do-not-resuscitate order documented with a symbol placed on his or her driver's license to indicate the existence of the order
HB 452	Hodges	Requires health insurance coverage for the diagnosis and treatment of infertility
HB 455	Hodges	Requires every public school district to screen its students for Sensory Processing Disorder before the end of first grade and again before the end of third grade
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
HCS HB 475		Changes the laws regarding health care quality data standardization and transparency and establishes criteria for programs of insurers to compare the quality and cost efficiency of health care providers
HB 526	Weter	Prohibits anyone from practicing as a surgical technologist in a health care facility unless he or she has met specified requirements
SS SCS HCS HB 555		Changes the laws regarding health care
HB 558	Grisamore	Adds comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairments to the list of services covered under MO HealthNet benefits
HB 563	Grisamore	Adds prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet
HB 588	Cookson	Requires a statewide athletic organization that has a public school district as a member to publish an annual report regarding the impact of concussions and head injuries on student athletes
HB 607	Franz	Specifies that health plans providing services for conditions within the scope of practice of athletic trainers may not deny reimbursement to a licensed athletic trainer if reimbursable to another provider
HB 636	Oxford	Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims
HB 666	Bernskoetter	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide bariatric coverage for individuals under the plan
HB 667	Carter	Establishes two prostate cancer pilot programs to fund screening and treatment services and to provide education to men residing in the state
HCS HB 669		Changes the laws regarding health care

No.	Author	Subject
HB 698	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 701	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 717	Zerr	Changes the laws regarding automated external defibrillators
HB 733	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 754	Jones	Designates the month of May each year as "Lupus Awareness Month"
HB 755	Leach	Specifies that any moneys generated by the Spinal Cord Injury Fund or granted by the University of Missouri Board of Curators for research programs not be used for abortion or human cloning research
HB 762	Schad	Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication
HB 821	Bernskoetter	Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
HB 837	Brattin	Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged 50 cents per visit
HB 838	Brattin	Establishes Chloe's Law which, subject to appropriations, requires the newborn screening requirements to include pulse oximetry screenings
HB 862	Brown	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 880	Atkins	Authorizes a state and local sales and use tax exemption for certain drugs which are prescribed by a practitioner; certain medical equipment, supplies, and devices; and eyeglasses
HB 887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives
HB 898	Smith	Establishes the Council on Digital Inclusion
HB 899	Colona	Changes the laws regarding the state's health care utilization review process to comply with federal laws and regulations
HB 903	Stream	Requires schools to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator and makes the instruction part of the high school graduation requirements
HB 914	Grisamore	Requires a licensed audiologist or a person fitting a hearing instrument to provide a customer with a purchase agreement verifying that the customer has been informed about certain information
HB 950	Scharnhorst	Requires a health insurer to reimburse any entity or group that is supervised by a licensed psychologist for providing applied behavior analysis services to children with autism spectrum disorders
HB 992	May	Designates June of each year as "Bone Marrow Awareness Month"
HB 1010	Bahr	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HB 1020	Barnes	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide coverage for temporomandibular joint disorder (TMJ) for plan participants
HB 1027	Grisamore	Adds prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet
HCR 30	Frederick	Urges the Governor and Attorney General to send a letter to the President of the United States expressing the urgency of resolving the constitutionality of the federal health care reform act

No.	Author	Subject
HCR 43	Smith	Urges Congress to address the pervasiveness of sickle cell trait and disease and the need to increase public awareness of the available programs and screenings
HCR 51	Oxford	Urges the United States Congress to enact the Improved and Expanded Medicare for All Act
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
<b>HEALTH CARE PROFESSIONALS</b>		
HCS SCS SB 17		Requires the Department of Health and Senior Services to make available resources relating to umbilical cord blood
HCS SS#2 SCS SB 62		Modifies provisions relating to health care providers
SB 76	Schaaf	Prohibits insurers from denying reimbursement for providing diagnostic imaging services based solely on the speciality or professional board certification of a licensed physician
SB 92	Schaaf	Requires director of the Department of Insurance to prescribe by rule uniform application forms for group health insurance policies
SB 98	Schaaf	Prohibits agreements between health carriers and health care providers from containing Most Favored Nation Clauses
SB 111	Schaaf	Requires health carriers to provide Internet access to its standard fee schedules and prohibits carriers from refusing to contract with providers willing to meet certain provider participation terms and conditions
SB 126	Wasson	Prohibits the MO HealthNet Division from discriminating between licensed marital family therapists and licensed professional counselors
SB 137	Brown	Modifies provisions relating to health care professional identification badges
SB 148	Schaefer	Requires reimbursement amounts paid by health carriers to licensed physical therapists to be uniform regardless of the setting or venue in which the health care services are rendered
SB 149	Schaaf	Modifies the laws regarding the testimony of physicians as expert witnesses in lawsuits against physicians for improper health care
SB 153	Schaaf	Requires health carriers to establish or otherwise utilize web-based estimating systems so that consumers can obtain health care cost estimates and compute other related health care costs
SB 178	Brown	Requires a person who performs certain surgical tasks to have certain training and continuing education
SB 191	Pearce	Establishes the Caring for Missourians Program to provide grants to eligible Missouri public higher education institutions that maintain certain nursing programs
SB 214	Schaaf	Prohibits restrictive physician employment contracts
SB 215	Schaaf	Requires health carriers to credential health care professionals within 60 calendar days of receipt of complete application
SB 216	Schaaf	Requires school boards to work with the Brain Injury Association of Missouri and Missouri State High School Activities Association to develop guidelines on youth athlete concussions and brain injuries
SB 229	Pearce	Requires insurer to provide coverage for eating disorders
SB 233	Parson	Requires health carriers to reimburse licensed athletic trainers in the same manner as other providers are reimbursed
SB 235	Schaefer	Extends the sunsets on certain provider taxes
SB 244	Green	Revises provisions relating to the renamed Missouri Brain Injury Advisory Council
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 267	Schaaf	Requires hospitals to annually administer, or make available to be administered, immunizations against the influenza virus to certain hospital employees

No.	Author	Subject
SB 303	Engler	Modifies disciplinary and administrative procedures for professions and businesses licensed under the Division of Professional Registration, including those licensed by the Board of Registration for the Healing Arts
HCS SB 322		Extends the sunsets on certain provider taxes to 2016 and on the Missouri RX plan to 2015
SB 346	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 348	Wright-Jones	Enacts the Prevention First Act
SB 405	Ridgeway	Changes the requirements for background screenings of long-term care professionals
HCS HB 29		Establishes the Volunteer Health Services Act which allows a licensed health care provider to render volunteer professional health care services for a sponsoring organization
HB 55	Sater	Authorizes a state and local sales and use tax exemption for over-the-counter or nonprescription drugs which are prescribed by a practitioner and certain medical equipment, supplies, or devices
HB 224	Allen	Prohibits the MO HealthNet Division from discriminating between a licensed marital and family therapist and a licensed professional counselor when establishing rules for payment of services
HB 280	Frederick	Prohibits a health carrier or benefit plan from denying reimbursement for providing diagnostic imaging services based solely on the licensed physician's specialty or professional board certification
HCS HB 287		Changes the laws regarding health care professional identification badges to include the employee's name, title, recent photograph, and the name of the health care facility or organization
HB 301	Talboy	Changes the laws regarding midwifery
HB 302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process
HB 347	Kirkton	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application
HB 348	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program
HB 370	Carter	Establishes two prostate cancer pilot programs to fund prostate cancer screening and treatment services and to provide education to men residing in the state
HB 374	Barnes	Establishes the Missouri False Claims Act
SCS HB 388		Removes the provisions requiring the Department of Health and Senior Services to provide information to physicians to give to breast implantation patients regarding advantages, disadvantages, and risks
HB 391	Holsman	Adds home nursing visits for newborn infants including follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HCS HB 475		Changes the laws regarding health care quality data standardization and transparency and establishes criteria for programs of insurers to compare the quality and cost efficiency of health care providers
HB 482	Lichtenegger	Requires certain health spas and fitness facilities to have at least one automated external defibrillator and an employee on staff during hours of operation properly trained in cardiopulmonary resuscitation

No.	Author	Subject
HB 495	Jones	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 507	Carter	Specifies that health plans providing services for conditions within the scope of practice of athletic trainers may not deny reimbursement to a licensed athletic trainer if reimbursable to another provider (Withdrawn)
HB 526	Weter	Prohibits anyone from practicing as a surgical technologist in a health care facility unless he or she has met specified requirements
HB 528	Jones	Requires a health care provider to provide medical records within 15 business days of a request
HCS HB 579		Changes the laws regarding health care
HB 580	Frederick	Allows a health care provider to include any retrieval fee charged by a contracted outsourced records storage service in the fee charged to a patient for a copy of his or her medical records
HB 636	Oxford	Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims
HB 652	Riddle	Expands the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction or work zone, or probation and parole officer to include a health care worker
HCS HB 732		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding professions and businesses regulated by the Division of Professional Registration
HB 882	Atkins	Creates the crime of practicing medicine while intoxicated
HB 887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives
HB 894	Long	Changes the laws regarding midwifery
HB 1014	Hughes	Requires the establishment of a pilot project to implement a medical malpractice court and removes a provision regarding the limitation on noneconomic damages in an action against a health care provider
<b>HEALTH DEPT.</b>		
HCS SCS SB 17		Requires the Department of Health and Senior Services to make available resources relating to umbilical cord blood
SB 38	Wright-Jones	Establishes a prostate cancer pilot program to provide screening, referral services, treatment and outreach
SB 41	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program
SB 43	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents
SB 86	Lembke	Repeals the Certificate of Need Law
HCS SS SB 118		Modifies provisions relating to loans available for sprinkler system requirements in long-term care facilities and to a definition in the long-term care facilities chapter
SB 137	Brown	Modifies provisions relating to health care professional identification badges
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
SB 229	Pearce	Requires insurer to provide coverage for eating disorders
SB 244	Green	Revises provisions relating to the renamed Missouri Brain Injury Advisory Council
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 310	Justus	Modifies provisions relating to lead licensing

No.	Author	Subject
SB 333	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SB 339	Rupp	Establishes "Sam Pratt's Law" and "Nathan's Law" and modifies provisions relating to child care providers
SB 346	Wright-Jones	Creates the Medical Harm Disclosure Act
HCS SS SCS SB 351		Modifies provisions relating to adoption records
SB 393	Goodman	Modifies provisions relating to the Family Care Safety Registry
SB 396	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act
SB 405	Ridgeway	Changes the requirements for background screenings of long-term care professionals
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SB 429	Ridgeway	Requires the Department of Health and Senior Services to issue recommendations on adequate nurse staffing levels in certain health care facilities
HB 156	Black	Establishes Sam Pratt's Law which authorizes the Department of Health and Senior Services to prohibit unlicensed child care providers from continuing to provide services if there are pending criminal charges
HCS HB 197		Requires the Department of Health and Senior Services to post on its web site resources relating to umbilical cord blood
HB 211	Koenig	Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law
SS HCS HB 213		Specifies that no abortion of a viable, unborn child can be performed or induced except in certain specified situations
SCS HCS HB 300, 334 & 387		Establishes the Interscholastic Youth Sports Brain Injury Prevention Act which requires the Department of Health and Senior Services to develop guidelines on the risk of concussion and brain injury
SCS HB 388		Removes the provisions requiring the Department of Health and Senior Services to provide information to physicians to give to breast implantation patients regarding advantages, disadvantages, and risks
HB 418	Walton Gray	Establishes the Sickle Cell Disease Task Force to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 427	Barnes	Changes the laws regarding adoption records
HB 483	Cox	Requires any entity performing or assisting in certain abortions or counseling a woman to have an abortion to file an annual report regarding moneys received under the federal Public Health Service Act
HB 508	Carter	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health (Withdrawn)
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers
HCS HB 579		Changes the laws regarding health care
HB 603	Schupp	Establishes Nathan's Law which changes the laws regarding child care facilities
HB 632	Frederick	Establishes the Prescription Drug Monitoring Program Act to monitor the prescribing and dispensing of controlled substances
HB 636	Oxford	Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims



No.	Author	Subject
HB 667	Carter	Establishes two prostate cancer pilot programs to fund screening and treatment services and to provide education to men residing in the state
HB 690	Bahr	Changes the laws regarding immunizations for children
HB 698	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HCS HB 732		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding professions and businesses regulated by the Division of Professional Registration
HB 827	Allen	Expands the dental services a dental hygienist may perform without the supervision of a dentist and provides for MO HealthNet reimbursement of the services
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HB 838	Brattin	Establishes Chloe's Law which, subject to appropriations, requires the newborn screening requirements to include pulse oximetry screenings
HB 851	Cross	Requires the parent or guardian of any person younger than 18 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of the facility
HB 862	Brown	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 881	Atkins	Establishes the Missouri Radon Certification Program to certify and register providers of radon services
HB 894	Long	Changes the laws regarding midwifery
HB 978	Carter	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health
HCR 50	Higdon	Requests the Department of Health and Senior Services to assess chronic disease management of stroke prevention in atrial fibrillation
<b>HEALTH, PUBLIC</b>		
SB 6	Goodman	Enacts provisions relating to faith-based community health centers
HCS SCS SB 17		Requires the Department of Health and Senior Services to make available resources relating to umbilical cord blood
SB 38	Wright-Jones	Establishes a prostate cancer pilot program to provide screening, referral services, treatment and outreach
SB 39	Wright-Jones	Modifies provisions relating to hospital patient safety
SB 42	Chappelle-Nadal	Increases resource limits for medical assistance eligibility
HCS SCS SB 177		Modifies provisions relating to public health policies
SB 244	Green	Revises provisions relating to the renamed Missouri Brain Injury Advisory Council
SB 267	Schaaf	Requires hospitals to annually administer, or make available to be administered, immunizations against the influenza virus to certain hospital employees
SB 268	Stouffer	Increases the statutory award amount for Alzheimer's disease research projects funded by the University of Missouri Board of Curators
SB 310	Justus	Modifies provisions relating to lead licensing
SB 311	Pearce	Repeals the sunset provision for the Children's Vision Examination Program
SB 332	Justus	Modifies provisions relating to sexual education
SB 334	Schaaf	Requires MO HealthNet managed care organizations to provide to the MO HealthNet Division all utilization, access, and spending data for the cost of care per covered participant

No.	Author	Subject
SB 346	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 396	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act
SCR 12	Schaaf	Urges the MO HealthNet Division to pursue the feasibility of implementing a program to assess chronic disease management of stroke prevention in atrial fibrillation
HCS HB 29		Establishes the Volunteer Health Services Act which allows a licensed health care provider to render volunteer professional health care services for a sponsoring organization
HB 57	Brown	Establishes the Missouri Commission on Prevention and Management of Obesity
HB 59	Brown	Requires the State Board of Education to establish a coordinated health program board to develop a program on the prevention of student obesity, cardiovascular disease, and type II diabetes
HB 67	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
HB 182	Walton Gray	Designates the first Friday in March as "Dress in Blue for Colon Cancer Awareness Day"
HB 211	Koenig	Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law
HB 295	Hinson	Specifies that any infectious disease which causes a condition of impaired health resulting in a disability or death of certain fire fighters will be presumed to have been incurred in the line of duty
HB 348	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 370	Carter	Establishes two prostate cancer pilot programs to fund prostate cancer screening and treatment services and to provide education to men residing in the state
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 483	Cox	Requires any entity performing or assisting in certain abortions or counseling a woman to have an abortion to file an annual report regarding moneys received under the federal Public Health Service Act
SCS HCS HB 562		Changes the laws regarding the Missouri Children's Services Commission and establishes the Missouri Task Force on Prematurity and Infant Mortality
HB 682	McNeil	Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders
HB 690	Bahr	Changes the laws regarding immunizations for children
HB 728	McManus	Prohibits the manufacture, sale, or distribution of certain products and containers having certain levels of bisphenol-A
HB 827	Allen	Expands the dental services a dental hygienist may perform without the supervision of a dentist and provides for MO HealthNet reimbursement of the services
HB 862	Brown	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 870	Smith	Changes the laws regarding school course materials and instruction relating to human sexuality and sexually transmitted diseases
<b>HIGHER EDUCATION DEPT.</b>		
SCS SB 130		Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early

No.	Author	Subject
SB 164	Pearce	Establishes the Missouri Science, Technology, Engineering, and Mathematics Initiative within the Department of Higher Education
SB 191	Pearce	Establishes the Caring for Missourians Program to provide grants to eligible Missouri public higher education institutions that maintain certain nursing programs
SB 265	Rupp	Creates the Advanced Placement Incentive Grant
HB 173	Koenig	Prohibits limiting the investment of funds by the board of the Missouri Higher Education Savings Program to a specified grouping or list of investment vehicles
HCS HB 174		Changes the composition of the Coordinating Board for Higher Education, the University of Missouri Board of Curators, and the Missouri State University Board of Governors
HCS HB 212		Changes the laws regarding the annual certification fee that a proprietary school must pay
HCS HB 223 & 231		Establishes the Nursing Education Incentive Program and authorizes a nonrenewable advanced placement grant to certain recipients of financial aid under the A+ Schools or Access Missouri programs
HB 494	Schupp	Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights
HB 936	Aull	Adds an independent two-year college accredited by the Higher Learning Commission that offers officer candidate training to the list of institutions where a student may use A+ School Program reimbursement
<b>HIGHWAY PATROL</b>		
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 353	Engler	Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers in the same manner as the highway patrol currently sells surplus vehicles
SB 393	Goodman	Modifies provisions relating to the Family Care Safety Registry
HB 62	Nolte	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 93	Shively	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state
HB 104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation
HB 118		Requires local law enforcement agencies and other government agencies serving ex parte orders of protection to enter the data into the Missouri Uniform Law Enforcement System (MULES) within 24 hours
HB 207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone
HB 219	Kelly	Changes the laws regarding background checks for school employees
HB 234	Kander	Requires law enforcement agencies maintaining the Missouri Uniform Law Enforcement System (MULES) to include certain child custody and visitation information when entering an order of protection
HB 341	Riddle	Repeals the provisions regarding the filing of a petition for the removal of a disqualification for certain individuals from purchasing, possessing, or transferring a firearm and establishes new provisions
HB 371	Fitzwater	Establishes minimum salary requirements for all corrections officers and supervisors

No.	Author	Subject
HB 395	Cookson	Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction
HB 500	Colona	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 518	Schupp	Designates a portion of Interstate 40/64 in St. Louis County as the "Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway"
SCS HCS HB 600, 337 & 413		Changes the laws regarding public safety
HB 610	Molendorp	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 703	Colona	Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 731	Parkinson	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 790	Marshall	Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
HB 791	Marshall	Changes the laws regarding DNA profiling analysis
HB 792	Marshall	Authorizes the State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers as well as vehicles
HB 866	Newman	Changes the laws regarding domestic violence
HB 961	Atkins	Allows a rotation list to be used by law enforcement when requesting wrecker or towing services and requires a towing company to remove debris from the road when responding to an accident
HCS HB 999		Changes the laws regarding sexual offender registration
<b>HISTORIC PRESERVATION</b>		
SB 257	Kraus	Modifies provisions of the Low-Income Housing Tax Credit Program
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 407	Crowell	Provides sufficient funding to continue the MO RX prescription drug plan
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
HCS HB 597		Establishes the Private Landowner Protection Act which allows for the creation and enforcement of conservation easements to protect the environment and preserve certain historical or cultural property
HB 633	Ruzicka	Establishes the Agritourism Promotion Act which allows for the registration of any person who is engaged in a business which provides agritourism activities in this state
HB 905	Zerr	Specifies that certain expenses for the rehabilitation of an historic structure incurred prior to the approval of a historic structures rehabilitation tax credit may be deemed qualified expenses

No.	Author	Subject
HCR 6	Allen	Urges the Secretary of the Interior to add Grant's Farm in St. Louis County as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site
HCS HCR 39		Urges the Secretary of the Interior to add Grant's Farm in St. Louis County as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site
<b>HOLIDAYS</b>		
SB 180	Kraus	Designates certain state recognized days, weeks, and months
SB 285	McKenna	Removes Lincoln's birthday as a state holiday
HB 166	Brandom	Designates the day after Thanksgiving each year as "Native American Day"
HB 182	Walton Gray	Designates the first Friday in March as "Dress in Blue for Colon Cancer Awareness Day"
HB 198	Denison	Designates December 25 of each year as "Christmas Day"
HB 249	Fitzwater	Designates April 30 of each year as "Vietnam Veterans Day"
HB 321	Walton Gray	Designates July 3 of each year as "Organ Donor Recognition Day"
HB 324	Walton Gray	Specifies that a state employee who works 10-hour days and 40 hours per week is not required to take two hours of vacation leave for paid holidays
HB 424	Funderburk	Designates the day after Thanksgiving Day until midnight December 26 of each year as the "Christmas Season" in Missouri
HB 472	Torpey	Designates "Walk & Bike to School Month," "Walk & Bike to School Day," "Missouri Bicycle Month," and "Bike to Work Day," and "Bike to Work Week" in Missouri
HB 532	Cauthorn	Prohibits a school from making up any missed day due to inclement weather by scheduling school on a public holiday
HB 654	Fitzwater	Designates March 26 of each year as "Veterans of Operation Iraq/Enduring Freedom Day"
HB 749	Lasater	Designates April as "Child Abuse Prevention Month" and designates the "blue ribbon" as the official state symbol for child abuse prevention
HB 754	Jones	Designates the month of May each year as "Lupus Awareness Month"
HB 782	Cauthorn	Designates the month of May as "Motorcycle Awareness Month"
HB 795	Kelley	Designates the second Friday in March as "Missouri School Read-In Day"
HB 992	May	Designates June of each year as "Bone Marrow Awareness Month"
HCR 14	Jones	Designates February 6, 2011, as "Ronald Reagan Day" in Missouri in honor of the 100th anniversary of the birth of our 40th President of the United States
HCR 15	Brown	Designates November 13, 2011, as "Buck O'Neil Day" in Missouri in honor of the first African-American coach in Major League Baseball
HCR 20	Walton Gray	Designates April 2011 as "Donate Life Month" in Missouri
HCR 21	Walton Gray	Designates May 2011 as "Colon Cancer Awareness Month" in Missouri
HCR 25	Walton Gray	Designates the week of May 8 - 14, 2011, as "Sickle Cell Awareness Week" in the State of Missouri
HCR 26	Walton Gray	Designates August 1, 2011, as "Minority Organ Donor Awareness Day" in Missouri
HCR 27	Walton Gray	Designates December 17, 2011, as "American Red Cross Minority Blood Drive Day" in Missouri
HCR 29	Conway	Designates November 11, 2011, as "Vietnam Veterans Day" in Missouri to be observed in conjunction with Veterans Day
HCR 37	Franklin	Recognition of every third week in June as Diabetic Peripheral Neuropathy Week
<b>HOSPITALS</b>		
SB 39	Wright-Jones	Modifies provisions relating to hospital patient safety

No.	Author	Subject
CCS HCS#2 SCS SB 117		Modifies provisions of law regarding certain taxes imposed by political subdivisions
SB 136	Schaaf	Prohibits hospitals from requiring physicians to agree to make patient referrals as a condition of receiving medical staff privileges
SB 137	Brown	Modifies provisions relating to health care professional identification badges
SB 267	Schaaf	Requires hospitals to annually administer, or make available to be administered, immunizations against the influenza virus to certain hospital employees
SB 346	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 396	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act
SB 428	Ridgeway	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
HCS HB 28		Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug
HCS HB 236		Extends the expiration date of various federal reimbursement allowances from September 30, 2011, to September 30, 2016
HCS HB 287		Changes the laws regarding health care professional identification badges to include the employee's name, title, recent photograph, and the name of the health care facility or organization
HB 298	Fitzwater	Authorizes the governing body of any hospital district in Iron County to impose, upon voter approval, a local sales tax of up to 1% in lieu of a property tax to fund the hospital district
HB 328	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions
HB 526	Weter	Prohibits anyone from practicing as a surgical technologist in a health care facility unless he or she has met specified requirements
HB 528	Jones	Requires a health care provider to provide medical records within 15 business days of a request
HCS HB 579		Changes the laws regarding health care
HB 683		Changes the laws regarding the Safe Place for Newborns Act by increasing the number of days that a parent can relinquish physical custody of a newborn without being prosecuted
HB 775	Wyatt	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
HB 887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives
<b>HOUSING</b>		
SCS SB 108		Modifies provisions concerning the installation of fire sprinklers in certain dwellings
SB 144	Crowell	Places a one year moratorium on the authorization of certain tax credits
SCS SB 188		Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 194	Pearce	Allows Cass County to enact nuisance abatement ordinances
SB 221	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases
SB 257	Kraus	Modifies provisions of the Low-Income Housing Tax Credit Program

No.	Author	Subject
SB 345	Wright-Jones	Creates the Council on Digital Inclusion
SB 407	Crowell	Provides sufficient funding to continue the MO RX prescription drug plan
HB 35	Sater	Increases the rent deposit or security deposit that a landlord may demand from two months' rent to three months' rent
HCS HB 46		Changes the laws regarding fire sprinkler system installations
HB 102	Nance	Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
HB 122	Webber	Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration
CCS SCS HB 142		Changes the laws regarding political subdivisions
HB 144	Schoeller	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for payments made on a loan obtained to repair certain flood damage to the taxpayer's premises
HCS HB 148		Prohibits a residential contractor from advertising or promising to pay or rebate all or any portion of an insurance deductible as an inducement to the sale of goods or services
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases
HB 175	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the senior citizens property tax credit, commonly known as circuit breaker
HB 222	Schneider	Increases the number of years before certain newly constructed residential property is assessed for property taxation from the second year to the fourth year following the year construction was completed
HCS HB 259		Authorizes a public body to close certain foster care licensure data and requires the Division of Family Services to prepare a detailed report of specific information obtained in the licensure process
HB 279	Solon	Increases, from \$15,000 to \$125,000, the amount of equity in a homestead that can be exempt from attachment in a bankruptcy proceeding when the person is 62 years of age or older
HB 292	Schneider	Prohibits state certified and state licensed real estate appraisers from using a property's foreclosure price as a comparable property when developing an appraisal
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 380		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HCS HB 403		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises
HB 404	Weter	Changes the laws regarding security deposits of renters
HB 449	Sater	Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards
HB 451	Kirkton	Requires a mortgage value disclosure statement to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed

No.	Author	Subject
HB 477	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation an unlawful discriminatory practice
HB 485		Changes the notice requirement to a tenant in a foreclosure action from 10 business days to 90 days
HB 486		Allows a prevailing tenant in a forcible entry action to recover all damages caused by the landlord's exclusion of the tenant from the premises
HB 487		Allows organizations with temporary possession of certain property the additional options of filing a petition for a sheriff's deed or a court administrator's deed
HB 519		Revises the definition of "rehabilitation" as it relates to abandoned housing to include demolition
HCS HB 546		Requires the Missouri Housing Development Commission's executive director or chief executive officer to reside within 40 miles of Jefferson City
HB 553	Nance	Establishes the Missouri Home Inspectors Professional Competency and Financial Responsibility Act
HB 622	Holsman	Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences
HB 626	Solon	Establishes the Senior Citizens Protection Act which exempts from attachment or execution the primary residence of a person 62 years of age or older, who is retired or may retire, from any forced sale (Withdrawn)
HB 651		Changes the membership of the Missouri Housing Development Commission
HB 662	Bernskoetter	Requires the Missouri Housing Development Commission to maintain its headquarters in Jefferson City and prohibits it from leasing or purchasing real estate in any county other than Cole County
HB 704		Changes the laws regarding inadequate and deficient housing as it relates to landlord-tenant actions
HB 705		Changes the laws regarding the Missouri low-income housing tax credit
HB 801	Nichols	Establishes the Uniform Planned Community Act which specifies the requirements for creating, governing, managing, and terminating planned community developments (Withdrawn)
HB 898	Smith	Establishes the Council on Digital Inclusion
HB 922	Still	Requires each circuit court in every county to establish a residential mortgage foreclosure mediation negotiation program to achieve a mutually agreeable resolution to a mortgage foreclosure action
HB 940	Nichols	Establishes the Common Interest Owners Bill of Rights Act
HB 987	Rowland	Establishes the Common Interest Owners Bill of Rights Act
HB 996	Harris	Establishes the Common Interest Owners Bill of Rights Act
<b>IDENTITY THEFT AND PROTECTION</b>		
SB 183	Ridgeway	Modifies current law regarding certain prohibited uses of social security numbers to include the partial use of social security numbers
SS SCS HCS HB 73 & 47		Requires certain applicants for and recipients of Temporary Assistance for Needy Families Program benefits to be tested for illegal drug use and the benefit card to include a photo of the recipient or payee
HB 217	Dugger	Allows an election authority to use an electronic voter identification system or electronic signature pad to verify voter identification information at any polling place
HB 888	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
HB 941	Johnson	Increases the penalty for certain identity theft crimes



No.	Author	Subject
HJR 14	Cox	Proposes a constitutional amendment changing the laws regarding elections by authorizing provisions relating to advance voting, voter identification, and absentee voting
		<b>IMMIGRATION</b>
SB 72	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws
SB 114	Justus	Provides that certain aliens will receive in-state tuition at college and universities that meet certain requirements
SB 195	Stouffer	Requires driver's licenses and nondriver's licenses issued to persons who are not United States citizens to contain a notation that the holder of such license is not a citizen of the United States
HB 62	Nolte	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HCS HB 121		Changes the laws regarding elections
HB 168	Nolte	Requires any driver's license, commercial driver's license, non-driver's license, or instruction permit issued to a noncitizen who is lawfully present in the U. S. to include a noncitizen status emblem
HB 206	Meadows	Specifies that a business entity or employer who knowingly hires an illegal immigrant to perform work within the state will be subject to a \$50,000 fine in addition to any other penalty provided by law
HB 888	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
HB 910	Atkins	Requires all employers and business entities to enroll and actively participate in a federal work authorization program
HB 983	Meadows	Prohibits a person who is not lawfully present in the United States from bringing a claim or seeking legal or equitable relief in a court of this state
HCR 22	Fallert	Strongly urges the federal Department of Homeland Security and Congress to increase the level of enforcement of illegal immigration, especially the hiring of unauthorized workers
HJR 14	Cox	Proposes a constitutional amendment changing the laws regarding elections by authorizing provisions relating to advance voting, voter identification, and absentee voting
		<b>INSURANCE - AUTOMOBILE</b>
SB 66	Stouffer	WITHDRAWN
SB 181	Stouffer	Reinstates the Motorist Insurance Identification Database program which expired on June 30, 2007
HB 500	Colona	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 610	Molendorp	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 623	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense
HB 638	Funderburk	Replaces the Motorist Insurance Identification Database Act with the Insured Vehicle Identification Network Act to track insured motorists, identify uninsured motorists, and maintain a statewide database
HB 915	Parkinson	Specifies that any person who fails to provide proof of motor vehicle financial responsibility will have the vehicle he or she is operating impounded until valid proof is provided and all fees are paid

No.	Author	Subject
<b>INSURANCE - GENERAL</b>		
SB 45	Wright-Jones	Requires official motor vehicle inspection and emission stations to have liability insurance to cover any possible damages to a vehicle during an inspection
HCS SCS SB 57		Requires courts to transfer certain cases upon the request of the public administrator and specifies that certain political subdivision associations are not required to solicit competitive bids when procuring risk coverages
HCS SB 90		Modifies various provisions regarding benefits provided by the state health care plan, rules promulgated by certain county health center boards, and the capping of non-covered dental and optometric services
SB 151	Callahan	Specifies that risk coverages procured by certain political subdivision associations shall not require the solicitation of competitive bids
SB 259	Kraus	Subjects certain tax credit programs to sunsets
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 302	Engler	Subjects 383 malpractice associations to stricter insurance regulations
SCS SB 392		Amends surplus lines insurance law to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRA)
HCS HB 29		Establishes the Volunteer Health Services Act which allows a licensed health care provider to render volunteer professional health care services for a sponsoring organization
HB 353	Wyatt	Requires an insurance producer's license to be suspended, revoked, or denied issuance or renewal if the producer fails to pay personal property taxes, county real estate taxes, or income taxes (Withdrawn)
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions
HB 414	Richardson	Requires a title agency or agent to have a physical place of business in Missouri substantially devoted to conducting the title insurance business or be employed by a licensed title insurer or agency
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 531	Conway	Changes the laws regarding the Unfair Trade Practice Act by adding unfair solicitation methods for selling Medicare insurance products to the list of unfair insurance practices
HB 574	Aull	Requires an insurer to obtain approval from the Department of Insurance, Financial Institutions and Professional Registration before changing any insurance premium rate by 15% or more
HB 696	Gosen	Changes the laws regarding contracts for public or private construction work
HCS HB 773		Changes the laws regarding the regulation of surplus lines insurance to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010
HB 779	Hummel	Adds the costs of environmental insurance premiums and the backfill of areas where contaminated soil excavation occurs to the list of expenses that qualify for a remediation tax credit
HB 894	Long	Changes the laws regarding midwifery
HB 920	Walton Gray	Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score
<b>INSURANCE - LIFE</b>		
HB 313	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions

No.	Author	Subject
HB 525	Molendorp	Establishes requirements regarding certain contracts reinsuring life or health insurance policies or annuities which are covered under the Insurers Supervision, Rehabilitation and Liquidation Act
<b>INSURANCE - MEDICAL</b>		
SB 2	Ridgeway	Requires the Missouri Consolidated Health Care Board to offer high deductible plans that meet certain annual deductibles and other standards
SB 6	Goodman	Enacts provisions relating to faith-based community health centers
SB 44	Wright-Jones	Requires health carriers to devote a certain percentage of health insurance premiums to be used for the payment of health care services
SB 76	Schaaf	Prohibits insurers from denying reimbursement for providing diagnostic imaging services based solely on the speciality or professional board certification of a licensed physician
HCS SB 90		Modifies various provisions regarding benefits provided by the state health care plan, rules promulgated by certain county health center boards, and the capping of non-covered dental and optometric services
SB 92	Schaaf	Requires director of the Department of Insurance to prescribe by rule uniform application forms for group health insurance policies
SB 98	Schaaf	Prohibits agreements between health carriers and health care providers from containing Most Favored Nation Clauses
SB 111	Schaaf	Requires health carriers to provide Internet access to its standard fee schedules and prohibits carriers from refusing to contract with providers willing to meet certain provider participation terms and conditions
SCS SB 122		Modifies provisions relating to health insurance as it applies prescription drug co-payments and the establishment of web-based estimating systems for use by consumers
SB 148	Schaefer	Requires reimbursement amounts paid by health carriers to licensed physical therapists to be uniform regardless of the setting or venue in which the health care services are rendered
SB 153	Schaaf	Requires health carriers to establish or otherwise utilize web-based estimating systems so that consumers can obtain health care cost estimates and compute other related health care costs
SB 215	Schaaf	Requires health carriers to credential health care professionals within 60 calendar days of receipt of complete application
SB 229	Pearce	Requires insurer to provide coverage for eating disorders
SB 233	Parson	Requires health carriers to reimburse licensed athletic trainers in the same manner as other providers are reimbursed
SB 236	Schaefer	Establishes provisions regarding pharmacy services
SB 262	Goodman	Requires health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications
SB 275	Lembke	Allows certain retirees who are part of LAGERS to authorize the board to deduct certain insurance premiums from their benefits
SB 304	Rupp	Establishes rules and procedures that allow guaranty associations and receivers to elect to succeed to the rights of an insolvent insurer with respect to certain reinsurance contracts
SB 344	Wright-Jones	Requires health insurance policies to cover ultrasound screenings where mammograms demonstrate dense breast tissue
HB 31	Sater	Establishes the Senior Services Growth and Development Program to provide additional funding for senior services in the state by imposing a surcharge on certain health insurance premiums
HB 262	Smith	Establishes the Foreign Health Insurance Purchase Act which allows Missouri residents to purchase or enroll in a health insurance policy or health benefit plan that is licensed in certain other states
SCS HB 270		Changes the laws regarding health insurance benefits for state employees

No.	Author	Subject
HB 280	Frederick	Prohibits a health carrier or benefit plan from denying reimbursement for providing diagnostic imaging services based solely on the licensed physician's specialty or professional board certification
HB 313	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 318	Brandom	Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapists for rendering the same services regardless of the setting or venue
HB 347	Kirkton	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application
HB 360	Leara	Allows a retiree of the Missouri Local Government Employees' Retirement System to have health insurance or long-term care insurance premiums deducted from his or her retirement allowance
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions
HB 374	Barnes	Establishes the Missouri False Claims Act
SCS HB 388		Removes the provisions requiring the Department of Health and Senior Services to provide information to physicians to give to breast implantation patients regarding advantages, disadvantages, and risks
HB 390	Holsman	Establishes the KidCare Co-op Program, a public option, nonprofit health insurance cooperative, to provide affordable health insurance to children through 18 years of age
SCS HCS HB 412		Changes the laws regarding pharmacies
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 426	Sifton	Prohibits an insurer from requiring any waiting period for health insurance coverage for maternity benefits and requires coverage to begin immediately from the effective date of the policy or plan
HB 452	Hodges	Requires health insurance coverage for the diagnosis and treatment of infertility
HCS HB 475		Changes the laws regarding health care quality data standardization and transparency and establishes criteria for programs of insurers to compare the quality and cost efficiency of health care providers
HB 507	Carter	Specifies that health plans providing services for conditions within the scope of practice of athletic trainers may not deny reimbursement to a licensed athletic trainer if reimbursable to another provider (Withdrawn)
HB 525	Molendorp	Establishes requirements regarding certain contracts reinsuring life or health insurance policies or annuities which are covered under the Insurers Supervision, Rehabilitation and Liquidation Act
HB 547	McNeil	Changes the laws regarding health insurance premium rate reviews by the Department of Insurance, Financial Institutions and Professional Registration
HB 573	Kirkton	Requires every health carrier to file all of its health insurance premium rate information with the Department of Insurance, Financial Institutions and Professional Registration before applying the rate
HB 607	Franz	Specifies that health plans providing services for conditions within the scope of practice of athletic trainers may not deny reimbursement to a licensed athletic trainer if reimbursable to another provider
SCS HCS#2 HB 609		Establishes the Show-Me Health Insurance Exchange Act
HB 666	Bernskoetter	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide bariatric coverage for individuals under the plan
HCS HB 669		Changes the laws regarding health care

No.	Author	Subject
HB 676	Wells	Prohibits a health carrier from denying coverage for a refill of prescription eye drops under certain conditions
HB 762	Schad	Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication
HB 821	Bernskoetter	Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
HB 862	Brown	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 863	Frederick	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application
HB 878	Smith	Changes the laws regarding the filing of an emergency rule by the Board of Trustees of the Missouri Consolidated Health Care Plan
HB 899	Colona	Changes the laws regarding the state's health care utilization review process to comply with federal laws and regulations
HB 934	Shively	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 950	Scharnhorst	Requires a health insurer to reimburse any entity or group that is supervised by a licensed psychologist for providing applied behavior analysis services to children with autism spectrum disorders
HB 982	Jones	Restricts the authority of radiology benefit managers to deny diagnostic testing ordered and recommended by a licensed physician
HB 988	Wieland	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1020	Barnes	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide coverage for temporomandibular joint disorder (TMJ) for plan participants
HB 1026	Kirkton	Expands the mental health insurance parity requirements under the Mental Health and Chemical Dependency Insurance Act to include all policies or contracts providing long-term disability benefits
<b>INSURANCE - PROPERTY</b>		
SB 101	Parson	Creates requirements for contractors who perform home exterior and roof work
SCS SB 166		Requires title agencies and title agents to maintain a physical place of business in Missouri as a condition of licensure
SB 301	Mayer	Creates the Missouri Homeowners Mutual Insurance Company for the purpose of providing homeowners insurance coverage
HCS HB 148		Prohibits a residential contractor from advertising or promising to pay or rebate all or any portion of an insurance deductible as an inducement to the sale of goods or services
HCS HB 407		Prohibits a person from preparing or issuing a certificate of insurance form unless it has been filed with the Department of Insurance, Financial Institutions and Professional Registration
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 687	Brandom	Establishes the Missouri Homeowners Mutual Insurance Company Act to provide homeowners and renters physical and personal property coverage
<b>INSURANCE DEPT.</b>		
SB 44	Wright-Jones	Requires health carriers to devote a certain percentage of health insurance premiums to be used for the payment of health care services

No.	Author	Subject
SB 66	Stouffer	WITHDRAWN
HCS SS SCS SB 132		Modifies motor vehicle extended service contracts law, amends surplus lines insurance law, establishes a limited-lines insurance license to sell portable electronics insurance, and modifies the retaliatory tax law
SCS SB 166		Requires title agencies and title agents to maintain a physical place of business in Missouri as a condition of licensure
SB 181	Stouffer	Reinstates the Motorist Insurance Identification Database program which expired on June 30, 2007
SB 301	Mayer	Creates the Missouri Homeowners Mutual Insurance Company for the purpose of providing homeowners insurance coverage
SB 302	Engler	Subjects 383 malpractice associations to stricter insurance regulations
SB 304	Rupp	Establishes rules and procedures that allow guaranty associations and receivers to elect to succeed to the rights of an insolvent insurer with respect to certain reinsurance contracts
SB 333	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SCS SB 392		Amends surplus lines insurance law to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRA)
SB 395	Goodman	Modifies provisions governing the regulation of the bail bond industry by the Department of Insurance
SS SCS HCS HB 265		Changes the laws regarding professional registration
HB 353	Wyatt	Requires an insurance producer's license to be suspended, revoked, or denied issuance or renewal if the producer fails to pay personal property taxes, county real estate taxes, or income taxes (Withdrawn)
HCS HB 407		Prohibits a person from preparing or issuing a certificate of insurance form unless it has been filed with the Department of Insurance, Financial Institutions and Professional Registration
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HCS HB 465		Changes the laws regarding the Division of Credit Unions within the Department of Insurance, Financial Institutions and Professional Registration
HB 500	Colona	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers
HB 547	McNeil	Changes the laws regarding health insurance premium rate reviews by the Department of Insurance, Financial Institutions and Professional Registration
HB 573	Kirkton	Requires every health carrier to file all of its health insurance premium rate information with the Department of Insurance, Financial Institutions and Professional Registration before applying the rate
HB 574	Aull	Requires an insurer to obtain approval from the Department of Insurance, Financial Institutions and Professional Registration before changing any insurance premium rate by 15% or more
SCS HCS#2 HB 609		Establishes the Show-Me Health Insurance Exchange Act

No.	Author	Subject
HB 610	Molendorp	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 638	Funderburk	Replaces the Motorist Insurance Identification Database Act with the Insured Vehicle Identification Network Act to track insured motorists, identify uninsured motorists, and maintain a statewide database
HB 656	Brandom	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 687	Brandom	Establishes the Missouri Homeowners Mutual Insurance Company Act to provide homeowners and renters physical and personal property coverage
HB 751	Kratky	Establishes the Clinical Laboratory Science Practice Act
HCS HB 773		Changes the laws regarding the regulation of surplus lines insurance to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010
HCS HB 787		Changes the laws regarding early distributions from certain annuities or retirement plans, the Missouri Higher Education Saving Program, and residential mortgage loan brokers
HB 810	Hughes	Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly
HCS HB 811		Changes the laws regarding motor vehicle extended service contracts
HB 827	Allen	Expands the dental services a dental hygienist may perform without the supervision of a dentist and provides for MO HealthNet reimbursement of the services
HB 890	Franz	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 894	Long	Changes the laws regarding midwifery
HB 899	Colona	Changes the laws regarding the state's health care utilization review process to comply with federal laws and regulations
HB 931	Johnson	Establishes a funeral demonstration zone, creates the Family Funeral Victimization Fund, and makes it unlawful for a person to demonstrate in a funeral demonstration zone without obtaining a permit
HB 934	Shively	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 988	Wieland	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
<b>INTERNET, WORLD-WIDE WEB &amp; E-MAIL</b>		
HB 41	Lampe	Expands the Amber Alert System to include missing endangered persons, specifies the criteria for being a missing endangered person, and changes the system's name to the Amber Alert and Silver Alert System
HB 44	Lampe	Requires the Revisor of Statutes to make all copies of laws, resolutions, and constitutional measures available electronically to the public and eliminates the printing of certain state documents
HB 93	Shively	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state
HB 118		Requires local law enforcement agencies and other government agencies serving ex parte orders of protection to enter the data into the Missouri Uniform Law Enforcement System (MULES) within 24 hours
HB 180	Nasheed	Authorizes an election authority to establish a procedure allowing registered voters to provide an email address to receive information in conjunction with the conduct of elections
HB 219	Kelly	Changes the laws regarding background checks for school employees
SS SCS HCS HB 265		Changes the laws regarding professional registration

No.	Author	Subject
HB 273	Allen	Defines "cyberbullying" as it relates to the antibullying policy that school districts must adopt and establishes specific requirements for each school district in implementing the policy
HCS HB 366		Changes the laws regarding economic development
HB 443	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 463	McNary	Changes the laws regarding virtual schools
HB 467	Diehl	Establishes the Missouri Science and Innovation Reinvestment Act
HCS HB 468		Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act
HCS HB 475		Changes the laws regarding health care quality data standardization and transparency and establishes criteria for programs of insurers to compare the quality and cost efficiency of health care providers
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 493	Wieland	Requires the Commissioner of the Office of Administration to develop a statewide system or to contract with a third party to allow all state agencies and departments to accept electronic payments
HB 500	Colona	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 512	Lair	Creates the crime of unlawfully intercepting computer and electronic communication device information
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 569	Shively	Requires a prepaid wireless service supplier to collect a 50-cent monthly fee from its customers for 911 emergency communications service
HB 736	McCaherty	Establishes the Paperless Documents and Forms Act which requires the Department of Revenue to develop and implement a method of providing to the public all department documents and forms electronically
HB 780	Oxford	Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 870	Smith	Changes the laws regarding school course materials and instruction relating to human sexuality and sexually transmitted diseases
HB 898	Smith	Establishes the Council on Digital Inclusion
HB 904	Loehner	Removes the requirement that the Department of Agriculture publish the list of all livestock brands in a book format and requires that information to be made available on a public web site
HB 943	Johnson	Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment
HB 948	Holsman	Creates the crimes of abuse of the Internet, criminal defamation, and failure to comply with a search warrant seeking computer-related identifying information
HB 970	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 972	Johnson	Allows private web site development companies to be awarded contracts to operate the Internet web sites of the Department of Economic Development
HCS HB 999		Changes the laws regarding sexual offender registration



No.	Author	Subject
<b>INTERSTATE COOPERATION</b>		
SB 367	Nieves	Enacts the interstate Health Care Compact in which member states pledge to improve health care policy by returning the authority to regulate health care to the states
HB 52	Ellinger	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
HB 260	Cox	Repeals and re-enacts provisions regarding the Uniform Interstate Family Support Act to be consistent with the changes adopted by the National Conference of Commissioners on Uniform State Laws
HB 262	Smith	Establishes the Foreign Health Insurance Purchase Act which allows Missouri residents to purchase or enroll in a health insurance policy or health benefit plan that is licensed in certain other states
HB 278	McNeil	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
HB 361	Leara	Establishes the Missouri Firearms Freedom Act
HB 814	McDonald	Designates a portion of Interstate 70 from the eastern city limits of Independence west to the Kansas state line as the "Truman/Eisenhower Presidential Highway" contingent on Kansas making a designation
HB 901	Talboy	Prohibits the issuance of a tax credit under certain programs for an otherwise qualifying job under certain circumstances when the jobs are relocated from a contiguous state
HCS HB 908		Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area
HB 932	Torpey	Exempts any vehicle not registered in this state from the requirements regarding vision-reducing material or window tinting applied to a motor vehicle's windshield or window
HB 966	Funderburk	Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS HB 979 & 885		Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the state sales and use tax by .25%
<b>JACKSON COUNTY</b>		
HB 245	Newman	Allows voters to cast advance ballots
HCS HB 336		Authorizes an income tax credit for the eligible costs of bringing certain sporting events to Missouri
SS HB 339		Changes the laws regarding telecommunications as they relate to the carrier of last resort obligations
HB 625	Nichols	Requires at least two of three commissioners appointed in condemnation cases in St. Louis City, St. Louis County, and Jackson County to be real estate brokers or appraisers
HCS HB 660		Allows certain cities to create, maintain, and make public a list of the names of individuals who have pled guilty to or been found guilty of patronizing prostitution
HCS HB 787		Changes the laws regarding early distributions from certain annuities or retirement plans, the Missouri Higher Education Saving Program, and residential mortgage loan brokers
<b>JUDGES</b>		
SB 156	Rupp	Provides that suspended sentences may not be granted in statutory rape and sodomy cases
SB 193	Pearce	Allows Cass County to establish municipal county courts
SB 218	Wasson	Moves Taney County to its own judicial circuit and specifies that the 38th Judicial Circuit will only be made up of Christian County
SB 225	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities

No.	Author	Subject
SB 349	Ridgeway	Abolishes the sentencing advisory commission
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders
HCS SCS SB 387		Allows for release on electronic monitoring for people who can afford to pay the costs associated with the monitoring
SCR 3	Lembke	Disapproves the salary recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials
SJR 17	Lembke	Modifies the selection process for certain judgeships and the composition of judicial nominating commissions
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases
HB 218	Cox	Allows a senior judge or senior commissioner to elect to forgo his or her regular salary and receive only the minimum wage during times of budget stress
HCS HB 253 & 398		Changes the laws regarding judicial procedures
HB 310	Gatschenberger	Establishes the State Authority and Federal Tax Fund Act and reasserts the state's authority under the Tenth Amendment to the United States Constitution
HB 351	McNeil	Allows an election authority to randomly select individuals from a cross-section of voter registrations to serve as election judges if there is a shortage of election judges in the authority's jurisdiction
HB 383	Pace	Changes the laws regarding assault and tampering crimes against public workers and judicial officers
HB 386	Nance	Increases the amount in controversy from less than \$3,000 to less than \$5,000 for a case where the judge of a small claims court will have original jurisdiction
HB 567	Elmer	Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County
HB 784	Riddle	Prohibits the disclosure of personal information contained in motor vehicle and driver registration records regarding any state or federal judge or drug court commissioner or his or her family members
HB 805	Hughes	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 884	Diehl	Specifies that the circuit clerks in the 22nd and 28th judicial circuits and the circuit clerk for Scott County must be appointed by the majority of their respective circuit and associate circuit judges
HB 1014	Hughes	Requires the establishment of a pilot project to implement a medical malpractice court and removes a provision regarding the limitation on noneconomic damages in an action against a health care provider
HJR 18	Cox	Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increases the number of candidates it nominates to the Governor for certain judicial vacancies
<b>JURIES</b>		
SB 46	Wright-Jones	Allows elected officials to be excused from jury duty during their term of office
HB 925	Riddle	Prohibits a municipality from restricting breast-feeding of a child or expressing breast milk, excludes the conduct from any sexual offense, and excuses a nursing mother from jury duty upon request
<b>KANSAS CITY</b>		
SB 115	Justus	Modifies provisions relating to the Public School Retirement System of Kansas City
SB 123	Keaveny	Allows foreign language immersion charter schools to enroll four-year-old children

No.	Author	Subject
HCS SB 147		Modifies provisions relating to education
SB 172	Crowell	Modifies the State Legal Expense Fund
SB 228	Pearce	Modifies the composition of the board of directors of the Kansas City School District
HCS SB 243		Modifies provisions relating to educational resources and services
SB 271	Kraus	Modifies provisions of the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City
SCS SBs 291, 184 & 294		Modifies provisions relating to charter schools
SB 307	Justus	Allows Kansas City to collect an additional fourteen dollars in municipal ordinance violation cases
SB 419	Kraus	Modifies the law currently prohibiting Kansas City police officers from participating in some political activities
HB 26	Jones	Changes voter reauthorization on city earnings taxes from every five years to every 20 years
CCS SCS HB 101		Changes the laws regarding liquor control
HB 183	Silvey	Changes the laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City
HB 229		Changes the laws regarding the Public School Retirement System of Kansas City
HB 245	Newman	Allows voters to cast advance ballots
SS SCS HB 282		Changes the laws regarding public employee retirement
SS HB 339		Changes the laws regarding telecommunications as they relate to the carrier of last resort obligations
HB 481	Brown	Requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing a city or neighborhood street in Kansas City in an appropriate crosswalk
HB 612	Holsman	Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HB 651		Changes the membership of the Missouri Housing Development Commission
HCS HB 660		Allows certain cities to create, maintain, and make public a list of the names of individuals who have pled guilty to or been found guilty of patronizing prostitution
HCS HB 707		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to effective use and provide specified benefits
HB 712	Webb	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 772		Allows Kansas City to assess additional court costs of up to \$14 per case for each municipal ordinance violation
HCS HB 787		Changes the laws regarding early distributions from certain annuities or retirement plans, the Missouri Higher Education Saving Program, and residential mortgage loan brokers
HB 814	McDonald	Designates a portion of Interstate 70 from the eastern city limits of Independence west to the Kansas state line as the "Truman/Eisenhower Presidential Highway" contingent on Kansas making a designation
HB 875	Marshall	Changes the laws regarding political activities of a member of the Kansas City Police Department
HCS HB 908		Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area

No.	Author	Subject
HB 939	Dieckhaus	Creates procedures for open enrollment of public school students across school district boundary lines
HCR 38	Cierpiot	Supports the relocation of the ABC Heart of America Education Trust's trade and technical school from Mission, Kansas to Kansas City, Missouri
HCR 46	Nolte	Recognizes Kansas City as host of FUTURALLIA KC 2011 event for small and medium business leaders
<b>LABOR AND INDUSTRIAL RELATIONS DEPT.</b>		
SB 10	Rupp	Denies unemployment benefits for those with outstanding overpayment penalties
SB 102	Green	Specifies that work certificates will permit the employment of children fourteen or fifteen years of age
SB 104	Green	Regulates the operation of certain cranes
SB 110	Crowell	Prohibits the state minimum wage from exceeding the federal minimum wage
SB 176	Munzlinger	Modifies Missouri's prevailing wage law
SB 222	Cunningham	Modifies the child labor laws
SB 373	Dempsey	Modifies the law relating to workers' compensation
HB 320	Fisher	Changes the laws regarding Missouri's prevailing wage as it relates to public works construction
HB 349	Newman	Changes the laws regarding equal employment practices
HB 492	Franz	Requires written authorization by a public employee before a labor union can withhold any dues, fees, or political contribution from the employee's paycheck
HB 701	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HCS HB 828		Changes the laws regarding prevailing wages
HB 876	Fisher	Revises the definition of "construction" as it relates to prevailing wages on public works projects and abrogates the ruling in Utility Service Co., Inc. v. the Department of Labor and Industrial Relations
<b>LABOR AND MANAGEMENT</b>		
SCS SBs 1 & 206		Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SB 109	Crowell	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SB 175	Munzlinger	Modifies restrictions on the use of organized labor on public contract projects
SB 176	Munzlinger	Modifies Missouri's prevailing wage law
SB 197	Ridgeway	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
HCS SS SB 202		Requires authorization for certain labor unions to withhold fees from paychecks to make political contributions
HB 138	Thomson	Establishes the School Construction Act which exempts the construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HB 275	Franz	Specifies certain employee rights as they relate to labor organizations
HB 319	Fisher	Changes the laws regarding contracts for public construction projects which are funded in any amount with public funds
HB 320	Fisher	Changes the laws regarding Missouri's prevailing wage as it relates to public works construction
HB 349	Newman	Changes the laws regarding equal employment practices

No.	Author	Subject
HB 466	Schoeller	Allows an employer or labor organization to obtain political contributions through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 492	Franz	Requires written authorization by a public employee before a labor union can withhold any dues, fees, or political contribution from the employee's paycheck
HB 703	Colona	Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 715	White	Specifies certain employee rights as they relate to labor organizations
HJR 6	Cierpiot	Proposes a constitutional amendment guaranteeing the right of individuals to vote by secret ballot
<b>LAKES, RIVERS AND WATERWAYS</b>		
SB 150	Munzlinger	Allows regulated hand fishing for carp and catfish in June and July on certain waterways
SB 158	Keaveny	Extends the expiration date to December 31, 2015, for certain clean water public notice requirements and clean water permit fees charged by the Department of Natural Resources
HCS SS SB 360		Modifies provisions relating to rural community development
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SS SCR 8		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
HB 49	Meadows	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Stan 'The Man' Musial Mississippi River Expressway Bridge"
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
HB 97	Ruzicka	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HB 189	Ruzicka	Repeals the provision which prohibits expanded polypropylene coolers from being on or within 50 feet of any river in this state except for certain specified rivers and areas
HB 284	McNary	Changes the type of cooler, from expanded polypropylene to expanded polystyrene, that a person is not allowed to possess on or within 50 feet of any river except for certain specified rivers and areas
HB 325	Cauthorn	Allows a person to hand fish for catfish or carp during June and July within all Missouri waters open for hook-and-line fishing of these fish
HB 395	Cookson	Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 440	Nolte	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 441	Nolte	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HCS HB 459		Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Jerry F. Costello - William 'Bill' Clay Sr. Veterans Memorial Bridge"
HB 529	Carter	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "William Lacy 'Bill' Clay Sr. Mississippi River Expressway Bridge"
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment

No.	Author	Subject
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 826	Schad	Prohibits a person from making, continuing, or allowing to be made or continued any noise that can be heard on the Lake of the Ozarks from exceeding a certain decibel level during certain hours
HCS HCR 17		Urges the United States Congress to support a comprehensive plan for flood control on the Upper Mississippi River Basin
<b>LANDLORDS AND TENANTS</b>		
SB 274	Lembke	Allows landlords to apportion charges to tenants for water and sewer utility service
SB 361	Justus	Modifies requirements for notifying tenants of foreclosures, authorizes certain damages for forcible entry, and requires certain damages for withholding security deposits
SB 426	Lamping	Requires certain landlords to hold security deposits in federally insured accounts, separate from the landlord's own funds
HB 35	Sater	Increases the rent deposit or security deposit that a landlord may demand from two months' rent to three months' rent
HB 86	McGhee	Authorizes corporations or unincorporated associations to be represented in small claims court by their president or vice-president for any claim of \$500 or less for certain actions to remove a tenant
HCS HB 403		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises
HB 404	Weter	Changes the laws regarding security deposits of renters
HB 485		Changes the notice requirement to a tenant in a foreclosure action from 10 business days to 90 days
HB 486		Allows a prevailing tenant in a forcible entry action to recover all damages caused by the landlord's exclusion of the tenant from the premises
HB 704		Changes the laws regarding inadequate and deficient housing as it relates to landlord-tenant actions
HB 748	Cross	Specifies that a tenant of residential property who intentionally leaves without paying all current and past rent will be guilty of a class A misdemeanor
HB 761	Denison	Allows landlords to charge lessees separately for water and sewer usage
HB 962	Kratky	Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
<b>LAW ENFORCEMENT OFFICERS AND AGENCIES</b>		
SCS SB 23		Allows the City of St. Louis to control its police force without state intervention
HCS SB 61		Enacts various provisions relating to local government
SB 64	Parson	Prohibits beer manufacturers from having any interest in liquor wholesalers
SB 69	Schaefer	Modifies provisions relating to children who are victims of pornographic offenses
SB 85	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
SB 138	Keaveny	Creates the Nonhuman Primate Act
SB 152	Crowell	Modifies provisions of the retirement plan of the Police Retirement System of St. Louis
SB 172	Crowell	Modifies the State Legal Expense Fund
SB 227	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants

No.	Author	Subject
SB 261	Goodman	Removes the element of good cause from the crime of nonsupport
SB 263	Green	Requires pawnbrokers to photograph anybody selling jewelry, gold, or silver and to complete a form for such transactions
SB 271	Kraus	Modifies provisions of the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City
SB 287	Ridgeway	Creates a liquor license for wine shops to allow them to serve alcohol on Sundays
SB 297	Munzlinger	Modifies laws governing how residents of Missouri and other states may purchase rifles and shotguns outside their resident states
SB 298	Munzlinger	Lowers the minimum age for an applicant of a concealed carry endorsement from twenty-three to twenty-one
SB 349	Ridgeway	Abolishes the sentencing advisory commission
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders
HCS SS SB 360		Modifies provisions relating to rural community development
SB 419	Kraus	Modifies the law currently prohibiting Kansas City police officers from participating in some political activities
SB 428	Ridgeway	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
HB 30	Sater	Allows a law enforcement officer to request that certain property used to secure personal credit loans from pawnbrokers not be sold for 10 days of the request
SCS HCS HB 38		Increases the work-off rate for city prisoners and requires certain administrative officials of jails or detention facilities to notify specified law enforcement of an escape of certain specified felons
HB 41	Lampe	Expands the Amber Alert System to include missing endangered persons, specifies the criteria for being a missing endangered person, and changes the system's name to the Amber Alert and Silver Alert System
HB 51	Taylor	Authorizes a \$2 surcharge to be collected in all criminal cases involving a state traffic law violation to be disbursed equally for law enforcement and fire safety training
HB 53	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated speed enforcement system to enforce speeding violations except in a school, construction, or work zone
HB 62	Nolte	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 69	Jones	Allows for a special license plate for a member of the International Conference of Police Chaplains who has completed the requirements for basic certification as a police chaplain
SS HB 71		Allows the City of St. Louis to establish and maintain a municipal police force completely under the city's authority
HB 87	McGhee	Provides an annual 2% pay increase in Fiscal Year 2013 through Fiscal Year 2015 for non-custodial employees in certain divisions of the Department of Corrections
HB 93	Shively	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state
HB 104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation
HB 105	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue

No.	Author	Subject
HB 118		Requires local law enforcement agencies and other government agencies serving ex parte orders of protection to enter the data into the Missouri Uniform Law Enforcement System (MULES) within 24 hours
HB 127	Barnes	Specifies that any partial term served by a member of the Sheriffs' Retirement System who is elected sheriff at a special election will be counted as serving an entire term when calculating benefits
HCS HB 143		Changes the laws regarding hotline calls reporting suspected child abuse and neglect to the Children's Division within the Department of Social Services
HCS HB 154		Changes the laws regarding the Department of Corrections
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases
HB 177	McNeil	Prohibits political subdivisions from using an automated speed enforcement system to enforce speeding violations within 500 feet of any speed limit sign reducing the limit except in speical school zones
HB 183	Silvey	Changes the laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City
HB 207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone
HB 219	Kelly	Changes the laws regarding background checks for school employees
HB 234	Kander	Requires law enforcement agencies maintaining the Missouri Uniform Law Enforcement System (MULES) to include certain child custody and visitation information when entering an order of protection
HB 247	Kelley	Creates the crime of false identification to a law enforcement officer
HCS HB 253 & 398		Changes the laws regarding judicial procedures
SS SCS HB 282		Changes the laws regarding public employee retirement
HB 288	Lair	Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HB 289	Lair	Specifies that no person will be eligible to run or to be selected to fill a vacancy for the office of county sheriff unless he or she holds a valid peace officer license
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
HB 304	Black	Authorizes an income tax credit for certain public safety officers
HB 309	Black	Creates the Law Enforcement Safety Fund and authorizes a \$7 surcharge in certain criminal cases to fund a contribution system for certain law enforcement employees
HB 317	Colona	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance
HB 356	Phillips	Expands the crime of making a false declaration with the purpose to mislead a public servant in the performance of his or her duty
HB 358	Leara	Changes the laws regarding the Police Retirement System of St. Louis
HB 383	Pace	Changes the laws regarding assault and tampering crimes against public workers and judicial officers



No.	Author	Subject
HB 406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction
HB 422	Scharnhorst	Requires certain employers to grant a leave of absence to workers performing civil air patrol emergency service duty or counter narcotics missions
HB 436	Fitzwater	Allows Iron County by adoption of an order or ordinance to hold a nonpartisan election for the office of sheriff
HB 456	Hodges	Adds a law enforcement officer of a fourth class city to the list of officers who are authorized to arrest and hold in custody any person of whom the officer is in fresh pursuit
HB 457	Hodges	Specifies that certain provisions regarding the distribution of a controlled substance were enacted to create a safe zone around certain areas and serve as an enhancement of the punishment
HCS HB 504, 505 & 874		Changes the laws regarding domestic violence and orders of protection
HB 512	Lair	Creates the crime of unlawfully intercepting computer and electronic communication device information
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents
HB 537	Leara	Requires the sheriff or chief of police to execute, within 15 business days, all documents required under federal law by an applicant for the purchase or transfer of a firearm with certain exceptions
HB 589	Ruzicka	Increases the penalty for making a false report if the crime which was falsely reported was a felony
SCS HCS HB 600, 337 & 413		Changes the laws regarding public safety
HB 634	Ruzicka	Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs involved in the prosecution
HB 703	Colona	Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 713	Phillips	Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions
HB 727	Kratky	Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 739	Nance	Expands the Amber Alert System to include missing endangered adults, specifies the criteria for being a missing endangered adult, and changes the system's name to Amber Alert and Silver Alert System
HB 745	Brown	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat
HB 775	Wyatt	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
HB 776	Leara	Changes the laws regarding the Police Retirement System of St. Louis
HB 805	Hughes	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HCS HB 825		Prohibits the assessment of any penalty or the issuance of a ticket for failing to renew a motor vehicle registration prior to the last day of the month following the expiration of the registration period
HB 843	Conway	Authorizes the City of St. Joseph to impose, upon voter approval, a sales tax of up to 0.5% for the operation of public safety departments
HB 854	McGeoghegan	Requires the Department of Revenue to establish a database of emergency contact persons for an individual who is issued a driver's license, instruction permit, or identification card

No.	Author	Subject
HB 865	Johnson	Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year
HB 866	Newman	Changes the laws regarding domestic violence
HB 875	Marshall	Changes the laws regarding political activities of a member of the Kansas City Police Department
HB 883	Largent	Requires certain specified crime scene photographs or video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 935	Johnson	Requires out-of-state persons or groups who wish to protest a funeral in this state pay, prior to the protest, a \$25,000 fee to local law enforcement agency in area where the protest will be held
HB 969	Franklin	Changes the laws regarding the establishment of a law enforcement district under the Missouri Law Enforcement District Act
HCS HB 999		Changes the laws regarding sexual offender registration
HB 1021	Nolte	Requires a telecommunications company to provide caller location information in certain emergency situations
<b>LIABILITY</b>		
SB 6	Goodman	Enacts provisions relating to faith-based community health centers
SB 40	Wright-Jones	Allows certain medical consultants who contract with the Department of Social Services and the Department of Mental Health to be covered by the State Legal Expense Fund
SB 211	Lembke	Modifies how damages are assessed in certain lawsuits
SB 216	Schaaf	Requires school boards to work with the Brain Injury Association of Missouri and Missouri State High School Activities Association to develop guidelines on youth athlete concussions and brain injuries
SB 278	Munzlinger	Modifies the laws regarding certain private nuisance actions
SB 290	Lembke	Modifies the law that limits indemnity agreements in construction work contracts
SB 326	Wasson	Authorizes a peer review process for architects, landscape architects, land surveyors, and engineers, including providing for immunity from liability and prohibiting the disclosure of certain documents and testimony
SB 379	Kehoe	Restricts the time to file a products liability claim and when a manufacturer or seller of a product may be liable
SB 384	Schaefer	Authorizes a civil cause of action against pharmacy benefit managers
HCS HB 28		Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug
HCS HB 29		Establishes the Volunteer Health Services Act which allows a licensed health care provider to render volunteer professional health care services for a sponsoring organization
HCS HB 91		Specifies that an employer and his or her employees will not be liable for any injury or death for which compensation is recoverable under provisions of the Workers' Compensation Law
HB 99	Loehner	Exempts all shelters, pounds, kennels, pet shops, facilities, dealers, and breeders licensed under specified statutes prior to November 2, 2011, from the provisions of the Puppy Mill Cruelty Prevention Act
HB 115	Schad	Specifies that the Department of Conservation will have ownership and title to all wild elk in Missouri and will be financially responsible for any damage caused by wild elk
HB 133	Brandom	Specifies that employers subject to certain workers' compensation provisions must be liable to furnish compensation for injury or death of an employee by occupational disease
HB 140	Black	Establishes Susie's Law which prohibits any child younger than 18 years of age from riding as a passenger on any machinery or heavy equipment not manufactured for passengers
HB 158	Barnes	Adds an action for injurious falsehood to the two-year statute of limitations

No.	Author	Subject
HB 160	Brandom	Requires co-employees to be released from liability for negligence in performing the nondelegable duty of an employer to provide a safe workplace when the negligence contributes to injury or death
HB 162	Fisher	Changes the laws regarding workers' compensation liability
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HB 200	Kelley	Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
SS SCS HB 209		Changes the laws regarding county nuisance abatement ordinances, junkyards, and private nuisance actions
HCS HB 220		Specifies that the ordering of a report or an inspection alone will not constitute selecting or engaging a person regarding a real estate licensee's immunity from liability for certain expert statements
HB 221	McNary	Specifies that an employer or his or her employee will not be liable for any injury or death for which compensation is recoverable under the provisions regarding workers' compensation
HB 252	Cox	Establishes the Business Premises Safety Act
HB 269	Molendorp	Adds certain not-for-profit organizations to the term "public entity" as it relates to tort immunity and limits the state's liability in tort claims involving motor vehicles and dangerous conditions
HB 313	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 349	Newman	Changes the laws regarding equal employment practices
HB 364	Parkinson	Changes the determination of a defendant's liability in a tort action for damages by specifying that the liability of each defendant for compensatory or punitive damages must be several and cannot be joint
HB 374	Barnes	Establishes the Missouri False Claims Act
HB 386	Nance	Increases the amount in controversy from less than \$3,000 to less than \$5,000 for a case where the judge of a small claims court will have original jurisdiction
HB 392	White	Establishes the Adult Health Care Consent Act which provides for a priority of persons who can make health care decisions for an individual who is unable to consent to his or her own health care
HB 397	Diehl	Changes the laws regarding failure to timely pay a sales representative his or her earned sales commissions
HB 434	Nolte	Requires co-employees to be released from liability for negligence in performing the nondelegable duty of an employer to provide a safe workplace when the negligence contributes to injury or death
HB 454	Hodges	Specifies that any person who gratuitously and in good faith renders any service to another individual cannot be civilly or criminally liable for any act or omission with certain specified exceptions
HB 530	Kander	Establishes the Public Fraud Prevention Act
HB 565	Denison	Specifies that any person who makes a report of suspected child abuse to the proper authorities will be immune from civil and criminal liability
HB 585	Oxford	Changes the laws regarding actions against a person for conduct or speech at a public hearing or meeting

No.	Author	Subject
HB 590	Harris	Specifies that the common law doctrine of adverse possession cannot apply in the state of Missouri and repeals certain provisions regarding the statute of limitations for an adverse possession action
HB 633	Ruzicka	Establishes the Agritourism Promotion Act which allows for the registration of any person who is engaged in a business which provides agritourism activities in this state
HB 644	Schieffer	Prohibits a person or business from misrepresenting its geographic location by using a fictitious or assumed business name in a telephone directory or advertisement
HB 696	Gosen	Changes the laws regarding contracts for public or private construction work
HB 769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 785	Riddle	Specifies that any action to recover damages in a products liability claim must be commenced within 10 years after the date the product that caused the alleged damage was first placed into commerce
HB 887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives
HB 894	Long	Changes the laws regarding midwifery
HB 902	Neth	Specifies that any person who makes a report of suspected child abuse to the proper authorities will be immune from civil and criminal liability
HB 909	Higdon	Changes the laws regarding a landowner's liability relating to an individual trespassing on the owner's land
HB 1009	Marshall	Prohibits any department or political subdivision of the state from contracting any liability of the state in excess of \$1 million in any one-year period without the consent of the General Assembly
<b>LIBRARIES AND ARCHIVES</b>		
SB 51	Cunningham	Requires public libraries to adopt policies on the placement of books and other materials that are obscene or pornographic for minors
SB 223	Mayer	Allows certain public library districts to seek voter approval for a sales tax to fund libraries within such districts
HB 416	Richardson	Authorizes certain public library districts to impose, upon voter approval, a sales tax of up to one-half of one cent for the operation and maintenance of the public libraries in the district
<b>LICENSES - DRIVER'S</b>		
HCS SCS SB 131		Makes numerous changes to provisions relating to the regulation of transportation
SB 195	Stouffer	Requires driver's licenses and nondriver's licenses issued to persons who are not United States citizens to contain a notation that the holder of such license is not a citizen of the United States
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 389	McKenna	Modifies the laws regarding concealed carry permits for Missouri residents
HB 167	Nolte	Requires Missouri driver's license examinations to only be administered in English
HB 168	Nolte	Requires any driver's license, commercial driver's license, non-driver's license, or instruction permit issued to a noncitizen who is lawfully present in the U. S. to include a noncitizen status emblem
HB 204	Hoskins	Allows a resident who is on active military duty to renew his or her expired driver's license without a complete examination if the renewal is made within a specified time from discharge or residency
HB 235	Kelly	Prohibits the Department of Revenue from selling or disclosing certain driver record information
HB 355		Requires every applicant for a motorcycle license or endorsement to show proof that he or she has successfully completed an approved motorcycle training course

No.	Author	Subject
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HB 439	Nolte	Allows an individual to have an outside the hospital do-not-resuscitate order documented with a symbol placed on his or her driver's license to indicate the existence of the order
HB 488	Gatschenberger	Requires driver's license examinations to only be administered in English and establishes a \$15 fee for an applicant to take the written portion of the examination
HB 495	Jones	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 499	Wells	Adds certain licensed professional counselors to the list of persons who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 684		Allows a temporary exemption from the proof of lawful presence requirement for a victim of domestic violence who is applying for a driver's license or instruction permit
HB 784	Riddle	Prohibits the disclosure of personal information contained in motor vehicle and driver registration records regarding any state or federal judge or drug court commissioner or his or her family members
HB 820	Denison	Changes the laws regarding commercial driver's licenses
HB 854	McGeoghegan	Requires the Department of Revenue to establish a database of emergency contact persons for an individual who is issued a driver's license, instruction permit, or identification card
HB 888	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
<b>LICENSES - LIQUOR AND BEER</b>		
SB 93	Kraus	Waives Secretary of State fees for new businesses and requires business licenses to be issued within sixty days
SB 160	Cunningham	Allows any winery, distiller, manufacturer, wholesaler, or brewer to provide liquor samples on certain licensed retail premises for tasting purposes
CCS SCS HB 101		Changes the laws regarding liquor control
HB 322	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink on the premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
<b>LICENSES - MISC</b>		
SB 295	Keaveny	Amends laws relating to unsecured loans of \$500 or less
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
HB 96	Flanigan	Imposes penalties for persistent violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
HB 277	Franz	Requires the local offices and resident hunting and fishing permit vendors of the Department of Conservation to make a voter registration application form available to a resident permit applicant
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
HB 299	Lichtenegger	Allows the Land Reclamation Commission to deny a mining permit if the affected land is within one mile of a school, child care facility, church, nursing home, public building, or cemetery
HB 331	Franz	Requires all federally licensed firearms dealers to waive the National Instant Criminal Background Check System requirement for a purchaser who possesses a valid concealed carry endorsement

No.	Author	Subject
HB 341	Riddle	Repeals the provisions regarding the filing of a petition for the removal of a disqualification for certain individuals from purchasing, possessing, or transferring a firearm and establishes new provisions
HB 428	Cauthorn	Requires all facility plans submitted to the Department of Natural Resources as part of the permitting process for all environmental programs to be certified by a licensed professional engineer
HB 603	Schupp	Establishes Nathan's Law which changes the laws regarding child care facilities
HB 686	Richardson	Changes the laws regarding the denial of a mining permit
HB 778	Riddle	Allows certain persons to carry concealed firearms in the State Capitol Building or at a meeting of the General Assembly if they have a valid concealed carry endorsement
HB 977	Johnson	Requires a wholesale motor vehicle auction to provide a title at the time of purchase and changes the laws regarding a licensed dealer's hours of operations and the dealer's official telephone number
HB 1011	Hughes	Requires the Department of Conservation to establish areas across the state to be designated as six-month hunting seasons for certain animals
<b>LICENSES - MOTOR VEHICLE</b>		
SCS SBs 26 & 106		Allows for the issuance of Nixa Education Foundation and Combat Action special license plates
SB 66	Stouffer	WITHDRAWN
HCS SCS SB 131		Makes numerous changes to provisions relating to the regulation of transportation
SB 167	Goodman	Allows the Department of Revenue to issue special event motor vehicle auction licenses to applicants auctioning certain vehicles
SB 181	Stouffer	Reinstates the Motorist Insurance Identification Database program which expired on June 30, 2007
HCS SS SCS SB 254		Modifies Missouri's law relating to intoxicated-related traffic offenses
SB 324	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates
SB 386	Richard	Directs dealer plate fees to the Motor Vehicle Commission Fund and increases the temporary permit fee from \$7.50 to \$9.50
SB 402	Kehoe	Requires window stickers to show current motor vehicle registration instead of license plate tabs
HB 69	Jones	Allows for a special license plate for a member of the International Conference of Police Chaplains who has completed the requirements for basic certification as a police chaplain
HB 291	Denison	Requires window stickers to show current motor vehicle registration instead of license plate tabs
SCS HB 307 & HB 812		Allows the Department of Revenue to issue specified special license plates for any vehicle except an apportioned motor vehicle or a commercial motor vehicle in excess of 18,000 pounds gross weight
HB 330	Franz	Allows an applicant registering any property-carrying commercial vehicle weighing 12,000 pounds or more to request and be issued two license plates for the vehicle
HB 394	Cookson	Allows the owner of a property-carrying commercial motor vehicle to request and be issued two license plates
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HB 450	Allen	Requires the emblem-use authorization fee for a Breast Cancer Awareness special license plate to be paid to Winning Women and replaces "MISSOURI WOMEN'S COUNCIL" with "WINNING WOMEN"

No.	Author	Subject
HB 500	Colona	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 595	Schieffer	Changes from six months to 60 days the period of time that a temporary motorcycle permit is valid
HB 605	Schieffer	Changes the laws regarding the sales tax collection on motor vehicles by certain motor vehicle dealers
HB 610	Molendorp	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 689	Still	Allows a person to pay the \$25 emblem-use fee to the Missouri State Humane Association for a I'm Pet Friendly special license plate at the time of registration for deposit in the Missouri Pet Spay-Neuter Fund
HB 784	Riddle	Prohibits the disclosure of personal information contained in motor vehicle and driver registration records regarding any state or federal judge or drug court commissioner or his or her family members
HCS HB 818		Changes the laws regarding transportation
HCS HB 825		Prohibits the assessment of any penalty or the issuance of a ticket for failing to renew a motor vehicle registration prior to the last day of the month following the expiration of the registration period
HB 852	Fitzwater	Establishes a special license plate for the Rocky Mountain Elk Foundation (Withdrawn)
HB 860	Hinson	Changes the laws regarding intoxication-related traffic offenses in order for Missouri to comply with federal law for the purpose of receiving transportation funding
HB 916	Houghton	Allows for a special license plate for a member of the National Wild Turkey Federation
HB 963	Fitzwater	Allows for a special license plate for a member of the Rocky Mountain Elk Foundation
<b>LICENSES - PROFESSIONAL</b>		
SB 93	Kraus	Waives Secretary of State fees for new businesses and requires business licenses to be issued within sixty days
SB 125	Keaveny	Modifies the law relating to title loans
HCS SS SCS SB 132		Modifies motor vehicle extended service contracts law, amends surplus lines insurance law, establishes a limited-lines insurance license to sell portable electronics insurance, and modifies the retaliatory tax law
SCS SB 166		Requires title agencies and title agents to maintain a physical place of business in Missouri as a condition of licensure
SB 167	Goodman	Allows the Department of Revenue to issue special event motor vehicle auction licenses to applicants auctioning certain vehicles
SB 263	Green	Requires pawnbrokers to photograph anybody selling jewelry, gold, or silver and to complete a form for such transactions
SB 310	Justus	Modifies provisions relating to lead licensing
HCS SB 325		Modifies various laws relating to professional registration
SB 326	Wasson	Authorizes a peer review process for architects, landscape architects, land surveyors, and engineers, including providing for immunity from liability and prohibiting the disclosure of certain documents and testimony
SCS SB 340		Modifies licensing requirements for funeral directors, embalmers, and funeral establishments and certain requirements for preneed funeral contracts
SB 358	Wasson	Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and allows the committee for professional counselors to require certain education or training in diagnostic skills
SB 382	Chappelle-Nadal	Licenses clinical laboratory personnel

No.	Author	Subject
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SB 395	Goodman	Modifies provisions governing the regulation of the bail bond industry by the Department of Insurance
HCS HB 29		Establishes the Volunteer Health Services Act which allows a licensed health care provider to render volunteer professional health care services for a sponsoring organization
HB 67	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 110	Zerr	Requires noninvasive vascular laboratories to be accredited by the Intersocietal Commission for the Accreditation of Vascular Laboratories or the American College of Radiology
HB 122	Webber	Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration
HCS HB 131		Changes the laws regarding the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
HB 134	Nasheed	Specifies that the practice of cosmetology cannot include hair braiding and prohibits any person from engaging in hair braiding without being registered with the state and paying a fee
HCS HB 136		Allows the spouse of certain active military members to be eligible for unemployment benefits and to receive a temporary courtesy license to practice his or her occupation or profession in this state
SS HCS HB 213		Specifies that no abortion of a viable, unborn child can be performed or induced except in certain specified situations
HCS HB 220		Specifies that the ordering of a report or an inspection alone will not constitute selecting or engaging a person regarding a real estate licensee's immunity from liability for certain expert statements
HB 224	Allen	Prohibits the MO HealthNet Division from discriminating between a licensed marital and family therapist and a licensed professional counselor when establishing rules for payment of services
HCS HB 259		Authorizes a public body to close certain foster care licensure data and requires the Division of Family Services to prepare a detailed report of specific information obtained in the licensure process
SS SCS HCS HB 265		Changes the laws regarding professional registration
HB 288	Lair	Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HB 289	Lair	Specifies that no person will be eligible to run or to be selected to fill a vacancy for the office of county sheriff unless he or she holds a valid peace officer license
HB 292	Schneider	Prohibits state certified and state licensed real estate appraisers from using a property's foreclosure price as a comparable property when developing an appraisal
HB 301	Talboy	Changes the laws regarding midwifery
HCS HB 303 & 239		Changes the laws regarding members of the military, military spouses, and veterans
HB 311	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 318	Brandom	Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapists for rendering the same services regardless of the setting or venue
HB 326	Burlison	Prohibits state licensed professional counselors from being taxed or made liable to pay any municipal or corporation tax or license fee for the privilege of practicing the profession
HB 367	Meadows	Establishes provisions regulating amateur unarmed combat competitions



No.	Author	Subject
HB 402	Diehl	Increases the extent of acreage authorized for a lien on property to secure payment for work performed by an architect, engineer, land surveyor, landscape architect, or well digger
HB 414	Richardson	Requires a title agency or agent to have a physical place of business in Missouri substantially devoted to conducting the title insurance business or be employed by a licensed title insurer or agency
HB 428	Cauthorn	Requires all facility plans submitted to the Department of Natural Resources as part of the permitting process for all environmental programs to be certified by a licensed professional engineer
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents
HB 525	Molendorp	Establishes requirements regarding certain contracts reinsuring life or health insurance policies or annuities which are covered under the Insurers Supervision, Rehabilitation and Liquidation Act
HB 526	Weter	Prohibits anyone from practicing as a surgical technologist in a health care facility unless he or she has met specified requirements
HB 553	Nance	Establishes the Missouri Home Inspectors Professional Competency and Financial Responsibility Act
HB 568	Elmer	Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
HCS HB 579		Changes the laws regarding health care
SCS HB 591		Authorizes the Missouri Dental Board to issue a limited teaching license to a dentist employed as an instructor in an accredited dental school located in this state
HB 607	Franz	Specifies that health plans providing services for conditions within the scope of practice of athletic trainers may not deny reimbursement to a licensed athletic trainer if reimbursable to another provider
HB 668	Meadows	Changes the laws regarding the licensure of funeral directors and embalmers
HCS HB 732		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding professions and businesses regulated by the Division of Professional Registration
HB 751	Kratky	Establishes the Clinical Laboratory Science Practice Act
HCS HB 811		Changes the laws regarding motor vehicle extended service contracts
HB 822	McGhee	Requires a title company or escrow agent holding escrow funds to notify all parties involved in the transaction within five days of receipt of any costs to hold, disperse, or return the funds
HB 827	Allen	Expands the dental services a dental hygienist may perform without the supervision of a dentist and provides for MO HealthNet reimbursement of the services
HB 832	Wright	Changes the laws regarding the Missouri State Board of Accountancy by prohibiting the board from receiving any revenue from the General Revenue Fund or any of its costs to be incurred by the state
HB 881	Atkins	Establishes the Missouri Radon Certification Program to certify and register providers of radon services
HB 887	Frederick	Changes the laws regarding midwifery and establishes registration requirements for midwives
HB 894	Long	Changes the laws regarding midwifery
HB 914	Grisamore	Requires a licensed audiologist or a person fitting a hearing instrument to provide a customer with a purchase agreement verifying that the customer has been informed about certain information

No.	Author	Subject
<b>LIENS</b>		
SB 159	Cunningham	Modifies the law governing liens on motor vehicles, trailers, vessels, outboard motors, and aircrafts
HCS SB 220		Modifies liens for certain design professionals and the statute of limitations for actions against land surveyors
HCS HB 253 & 398		Changes the laws regarding judicial procedures
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 380		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 402	Diehl	Increases the extent of acreage authorized for a lien on property to secure payment for work performed by an architect, engineer, land surveyor, landscape architect, or well digger
HB 487		Allows organizations with temporary possession of certain property the additional options of filing a petition for a sheriff's deed or a court administrator's deed
HB 550	Day	Changes the laws regarding notice of liens on motor vehicles, trailers, watercraft, and manufactured homes
HB 704		Changes the laws regarding inadequate and deficient housing as it relates to landlord-tenant actions
HCS HB 707		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to effective use and provide specified benefits
HB 991	Lichtenegger	Changes the laws regarding mechanic's liens on residential real property
<b>LOBBYING</b>		
HB 39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office
HB 72	Torpey	Prohibits statewide elected officials or members of the General Assembly elected for their first term in office on or after November 2, 2010, from acting, serving, or registering as a lobbyist
HB 145	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance
<b>LOTTERIES</b>		
SJR 18	Munzlinger	Amends the Constitution to require the development and sale of a veterans lottery ticket
HJR 29	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans Commission Capital Improvement Trust Fund
<b>MANUFACTURED HOUSING</b>		
HCS SS SCS SB 58		Modifies various provisions relating to the regulation of transportation
HB 550	Day	Changes the laws regarding notice of liens on motor vehicles, trailers, watercraft, and manufactured homes

No.	Author	Subject
<b>MARRIAGE AND DIVORCE</b>		
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 224	Allen	Prohibits the MO HealthNet Division from discriminating between a licensed marital and family therapist and a licensed professional counselor when establishing rules for payment of services
HB 227	Wyatt	Specifies that the Missouri Supreme Court child support guidelines must require income documentation and changes the provisions regarding child support when the parents have joint physical custody
HB 260	Cox	Repeals and re-enacts provisions regarding the Uniform Interstate Family Support Act to be consistent with the changes adopted by the National Conference of Commissioners on Uniform State Laws
HB 896	McCaherty	Specifies that certain spouses of Missouri State Employees' Retirement System members will be ineligible to receive a retirement allowance upon the dissolution of the member's marriage
HB 997	Kirkton	Changes the laws regarding child support for higher education
HCR 45	Pollock	Urges the President of the United States and the United States Congress to uphold and defend the federal Defense of Marriage Act
HJR 26	Curtman	Proposes a constitutional amendment prohibiting state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
<b>MEDICAID</b>		
SB 42	Chappelle-Nadal	Increases resource limits for medical assistance eligibility
SB 126	Wasson	Prohibits the MO HealthNet Division from discriminating between licensed marital family therapists and licensed professional counselors
SB 245	Lembke	Provides that physician services currently covered under MO HealthNet include services provided by chiropractors in accordance with the chiropractic practice act
SB 334	Schaaf	Requires MO HealthNet managed care organizations to provide to the MO HealthNet Division all utilization, access, and spending data for the cost of care per covered participant
SCR 12	Schaaf	Urges the MO HealthNet Division to pursue the feasibility of implementing a program to assess chronic disease management of stroke prevention in atrial fibrillation
HB 146	Schoeller	Requires licensed chiropractors to be reimbursed under the MO HealthNet Program for providing services currently covered and within the scope of chiropractic practice
HB 201	Sater	Authorizes the MO HealthNet Division to implement a statewide dental delivery system to ensure recipient participation and access to providers of dental services under MO HealthNet
HB 224	Allen	Prohibits the MO HealthNet Division from discriminating between a licensed marital and family therapist and a licensed professional counselor when establishing rules for payment of services
HCS HB 236		Extends the expiration date of various federal reimbursement allowances from September 30, 2011, to September 30, 2016
HB 272	Kirkton	Increases the number of members on the MO HealthNet Oversight Committee from 18 to 19 by adding a licensed or registered nurse who cares for participants in the MO HealthNet Program
HB 374	Barnes	Establishes the Missouri False Claims Act
HB 390	Holsman	Establishes the KidCare Co-op Program, a public option, nonprofit health insurance cooperative, to provide affordable health insurance to children through 18 years of age
HB 391	Holsman	Adds home nursing visits for newborn infants including follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HB 558	Grisamore	Adds comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairments to the list of services covered under MO HealthNet benefits

No.	Author	Subject
HB 561	Grisamore	Increases the membership of the MO HealthNet Oversight Committee by adding one licensed mental health professional who cares for participants
HB 563	Grisamore	Adds prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet
HCS HB 579		Changes the laws regarding health care
SCS HCS#2 HB 609		Establishes the Show-Me Health Insurance Exchange Act
SS#2 HB 648		Changes the laws regarding individuals with disabilities
HCS HB 669		Changes the laws regarding health care
HB 793	Nance	Requires the Department of Social Services to establish an administrative renewal process for a child eligible for MO HealthNet or State Children's Health Insurance Program benefits
HB 827	Allen	Expands the dental services a dental hygienist may perform without the supervision of a dentist and provides for MO HealthNet reimbursement of the services
HB 894	Long	Changes the laws regarding midwifery
HB 1027	Grisamore	Adds prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet
<b>MEDICAL PROCEDURES AND PERSONNEL</b>		
SB 6	Goodman	Enacts provisions relating to faith-based community health centers
SB 38	Wright-Jones	Establishes a prostate cancer pilot program to provide screening, referral services, treatment and outreach
SB 178	Brown	Requires a person who performs certain surgical tasks to have certain training and continuing education
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 348	Wright-Jones	Enacts the Prevention First Act
HCS HB 28		Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug
HB 55	Sater	Authorizes a state and local sales and use tax exemption for over-the-counter or nonprescription drugs which are prescribed by a practitioner and certain medical equipment, supplies, or devices
HB 110	Zerr	Requires noninvasive vascular laboratories to be accredited by the Intersocietal Commission for the Accreditation of Vascular Laboratories or the American College of Radiology
HB 151	Kelly	Authorizes an individual or corporation to designate all or a portion of his or her income tax refund to the Organ Donor Program or to send a separate check with the payment of his or her taxes
HB 155	Black	Requires a coroner to notify the prosecuting attorney of the proper county instead of an associate circuit judge when he or she completes an inquisition regarding a death by a felonious act
HCS HB 197		Requires the Department of Health and Senior Services to post on its web site resources relating to umbilical cord blood
SS HCS HB 213		Specifies that no abortion of a viable, unborn child can be performed or induced except in certain specified situations
HB 280	Frederick	Prohibits a health carrier or benefit plan from denying reimbursement for providing diagnostic imaging services based solely on the licensed physician's specialty or professional board certification
HCS HB 287		Changes the laws regarding health care professional identification badges to include the employee's name, title, recent photograph, and the name of the health care facility or organization

No.	Author	Subject
HB 301	Talboy	Changes the laws regarding midwifery
HB 321	Walton Gray	Designates July 3 of each year as "Organ Donor Recognition Day"
HB 328	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 347	Kirkton	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program
HB 370	Carter	Establishes two prostate cancer pilot programs to fund prostate cancer screening and treatment services and to provide education to men residing in the state
HB 452	Hodges	Requires health insurance coverage for the diagnosis and treatment of infertility
HB 482	Lichtenegger	Requires certain health spas and fitness facilities to have at least one automated external defibrillator and an employee on staff during hours of operation properly trained in cardiopulmonary resuscitation
HB 510	Wyatt	Requires a court to order sexually transmitted disease testing of certain defendants within one week of the date the prosecuting or circuit attorney filed the motion requesting it
HB 515	Wallingford	Establishes the Embryo Transfer Act which authorizes the legal relinquishment and subsequent transfer of human embryos
HB 526	Weter	Prohibits anyone from practicing as a surgical technologist in a health care facility unless he or she has met specified requirements
HB 528	Jones	Requires a health care provider to provide medical records within 15 business days of a request
SCS HCS HB 552		Requires the State Board of Pharmacy to establish rules governing the standard of care for pharmacies dispensing blood clotting therapies
HB 667	Carter	Establishes two prostate cancer pilot programs to fund screening and treatment services and to provide education to men residing in the state
HB 762	Schad	Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication
HB 837	Brattin	Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged 50 cents per visit
HB 838	Brattin	Establishes Chloe's Law which, subject to appropriations, requires the newborn screening requirements to include pulse oximetry screenings
HB 982	Jones	Restricts the authority of radiology benefit managers to deny diagnostic testing ordered and recommended by a licensed physician
HB 1014	Hughes	Requires the establishment of a pilot project to implement a medical malpractice court and removes a provision regarding the limitation on noneconomic damages in an action against a health care provider
<b>MENTAL HEALTH</b>		
SB 56	Rupp	Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting
SB 126	Wasson	Prohibits the MO HealthNet Division from discriminating between licensed marital family therapists and licensed professional counselors
SB 235	Schaefer	Extends the sunsets on certain provider taxes
HCS SB 322		Extends the sunsets on certain provider taxes to 2016 and on the Missouri RX plan to 2015
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders

No.	Author	Subject
SB 358	Wasson	Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and allows the committee for professional counselors to require certain education or training in diagnostic skills
SB 428	Ridgeway	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
HCS HB 154		Changes the laws regarding the Department of Corrections
HB 302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process
HB 341	Riddle	Repeals the provisions regarding the filing of a petition for the removal of a disqualification for certain individuals from purchasing, possessing, or transferring a firearm and establishes new provisions
HCS HB 411 & 421		Requires the Department of Mental Health to develop a transition plan for services of a resident of a state developmental disabilities facility to the most appropriate living setting
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 513	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
SS SCS HCS HB 555		Changes the laws regarding health care
HCS HB 557		Allows the Mental Health Earnings Fund to be used for the deposit of revenue received from the proceeds of any sales and services from Mental Health First Aid USA
HB 561	Grisamore	Increases the membership of the MO HealthNet Oversight Committee by adding one licensed mental health professional who cares for participants
HCS HB 649		Establishes the Developmental Disability Care Provider Tax Credit Program and extends the expiration date of several specified tax credits
HB 775	Wyatt	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
HB 1026	Kirkton	Expands the mental health insurance parity requirements under the Mental Health and Chemical Dependency Insurance Act to include all policies or contracts providing long-term disability benefits
<b>MENTAL HEALTH DEPT.</b>		
SB 40	Wright-Jones	Allows certain medical consultants who contract with the Department of Social Services and the Department of Mental Health to be covered by the State Legal Expense Fund
SB 56	Rupp	Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting
HCS SB 147		Modifies provisions relating to education
HCS#2 SCS SB 162		Modifies provisions pertaining to agriculture
HCS SCS SB 177		Modifies provisions relating to public health policies
SB 192	Pearce	Requires the Department of Mental Health to develop a continuing professional education curriculum relating to eating disorders
SB 229	Pearce	Requires insurer to provide coverage for eating disorders
HCS SB 243		Modifies provisions relating to educational resources and services
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders

No.	Author	Subject
SS SCS HCS HB 73 & 47		Requires certain applicants for and recipients of Temporary Assistance for Needy Families Program benefits to be tested for illegal drug use and the benefit card to include a photo of the recipient or payee
HB 302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process
HCS HB 411 & 421		Requires the Department of Mental Health to develop a transition plan for services of a resident of a state developmental disabilities facility to the most appropriate living setting
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 508	Carter	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health (Withdrawn)
HCS HB 557		Allows the Mental Health Earnings Fund to be used for the deposit of revenue received from the proceeds of any sales and services from Mental Health First Aid USA
HB 586	Stream	Requires the Department of Mental Health to develop a continuing professional education curriculum on eating disorders
SS#2 HB 648		Changes the laws regarding individuals with disabilities
HCS HB 716		Establishes the Capital Green Program, requirements for environmentally sustainable construction for state-funded buildings, and the Renewable Energy Pilot Program for State Parks
HB 830	Lampe	Establishes the Farm-to-Table Advisory Board to increase awareness of local agriculture and promote the incorporation of locally grown agricultural products into school and state institution cafeterias
HB 978	Carter	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health
<b>MERCHANDISING PRACTICES</b>		
CCS HCS SS SB 135		Modifies provisions pertaining to environmental protection
SB 297	Munzlinger	Modifies laws governing how residents of Missouri and other states may purchase rifles and shotguns outside their resident states
SB 305	Parson	Creates record-keeping requirements for certain buyers of plastic bulk merchandising containers
SB 431	Munzlinger	Creates a state do-not-mail list for consumers who do not wish to receive solicitations from direct mail marketers
HB 30	Sater	Allows a law enforcement officer to request that certain property used to secure personal credit loans from pawnbrokers not be sold for 10 days of the request
CCS SCS HB 101		Changes the laws regarding liquor control
HCS HB 148		Prohibits a residential contractor from advertising or promising to pay or rebate all or any portion of an insurance deductible as an inducement to the sale of goods or services
HCS HB 212		Changes the laws regarding the annual certification fee that a proprietary school must pay
HB 235	Kelly	Prohibits the Department of Revenue from selling or disclosing certain driver record information
HB 293	Schneider	Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
SCS HCS HB 344		Establishes the Farm-to-Table Advisory Board and changes the laws regarding the Commodity Merchandising Council Program
HB 359	Leara	Establishes the Payday Loan Protection Act regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 376		Expands the No-call List to include cell phone numbers, prohibits sending unsolicited faxes or text messages, and prohibits using automatic dialing announcing devices in certain situations

No.	Author	Subject
HB 501	Cauthorn	Allows wireless telephone users to be added to the No-call List and revises the definition of "telephone solicitation" to include voice, facsimile, graphic imaging, or data communication
HB 522	Rizzo	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans, and allows the Attorney General to maintain an action to enforce compliance
HB 531	Conway	Changes the laws regarding the Unfair Trade Practice Act by adding unfair solicitation methods for selling Medicare insurance products to the list of unfair insurance practices
HB 594	Richardson	Changes the laws regarding the possession, manufacture, transport, repair, or sale of weapons
HB 605	Schieffer	Changes the laws regarding the sales tax collection on motor vehicles by certain motor vehicle dealers
HB 644	Schieffer	Prohibits a person or business from misrepresenting its geographic location by using a fictitious or assumed business name in a telephone directory or advertisement
HB 656	Brandom	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HCS HB 818		Changes the laws regarding transportation
HB 833	Funderburk	Specifies that a statement offering a coupon, sales price, rebate, or discount for an alcoholic beverage will be legal in advertising as long as the final retail price is not below the wholesale cost
HB 851	Cross	Requires the parent or guardian of any person younger than 18 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of the facility
HB 890	Franz	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 914	Grisamore	Requires a licensed audiologist or a person fitting a hearing instrument to provide a customer with a purchase agreement verifying that the customer has been informed about certain information
HB 933	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HB 984	Meadows	Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
HB 1013	Hughes	Requires any food or food product sold in Missouri which contains a hormone growth substance or any product or by-product of any genetically manipulated material to be labeled with that information
<b>MERIT SYSTEM</b>		
HB 349	Newman	Changes the laws regarding equal employment practices
<b>MILITARY AFFAIRS</b>		
SB 27	Brown	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation
SB 34	Stouffer	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation
SB 36	Lembke	Allows employees of certain employers to take a leave of absence for civil air patrol emergency service duty or counter narcotics missions
SB 78	Brown	Extends the sunset on the military family relief fund income tax check-off from August 28, 2011, to December 31, 2017
HB 79	Nolte	Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program



No.	Author	Subject
HCS HB 136		Allows the spouse of certain active military members to be eligible for unemployment benefits and to receive a temporary courtesy license to practice his or her occupation or profession in this state
SCS HB 149		Removes the expiration and termination dates for the provisions which allow an individual or corporation to designate part of a tax refund to the Missouri Military Family Relief Fund
HB 150	Webber	Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours
HB 204	Hoskins	Allows a resident who is on active military duty to renew his or her expired driver's license without a complete examination if the renewal is made within a specified time from discharge or residency
HB 238	Kander	Allows a spouse of an active member of the United States Armed Forces or reservist on active duty to be eligible for unemployment benefits if accompanying the military spouse in the event of a military move
HB 249	Fitzwater	Designates April 30 of each year as "Vietnam Veterans Day"
HCS HB 303 & 239		Changes the laws regarding members of the military, military spouses, and veterans
SCS HB 307 & HB 812		Allows the Department of Revenue to issue specified special license plates for any vehicle except an apportioned motor vehicle or a commercial motor vehicle in excess of 18,000 pounds gross weight
HCS HB 329		Establishes an advance voting period and requires a voter to present an approved form of personal identification to vote at an election
HB 368	Meadows	Requires the Missouri Veterans Commission to issue an identification card to each veteran in the state who applies and provides proof of his or her military service
HB 422	Scharnhorst	Requires certain employers to grant a leave of absence to workers performing civil air patrol emergency service duty or counter narcotics missions
HB 611	Holsman	Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for designated military training areas
HB 654	Fitzwater	Designates March 26 of each year as "Veterans of Operation Iraq/Enduring Freedom Day"
HB 673	Largent	Authorizes the presentation of a Missouri National Guard Overseas Training Ribbon, a Missouri National Guard State Partnership Program Ribbon, and the Order of Minuteman Award
HB 936	Aull	Adds an independent two-year college accredited by the Higher Learning Commission that offers officer candidate training to the list of institutions where a student may use A+ School Program reimbursement
HCR 29	Conway	Designates November 11, 2011, as "Vietnam Veterans Day" in Missouri to be observed in conjunction with Veterans Day
HCR 33	Davis	Designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice of service men and women who have given their lives in the line of duty
<b>MINING AND OIL AND GAS PRODUCTION</b>		
HB 119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program
HB 268	Lasater	Prohibits any person or business from engaging in blasting, excavating, or mining within one mile of a business or residential area (Withdrawn)
HB 299	Lichtenegger	Allows the Land Reclamation Commission to deny a mining permit if the affected land is within one mile of a school, child care facility, church, nursing home, public building, or cemetery
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HB 686	Richardson	Changes the laws regarding the denial of a mining permit

No.	Author	Subject
HB 740	Funderburk	Clarifies the current exemptions from sales and use tax by defining "manufacturing, processing, compounding, mining, or producing" to include testing, installing, calibrating, maintaining, and repairing
<b>MINORITIES</b>		
HB 349	Newman	Changes the laws regarding equal employment practices
HB 444	McNeil	Requires the Governor when selecting appointees to state boards, commissions, committees, and councils to ensure that the membership reflects racial and gender equity based on population if possible
HB 477	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation an unlawful discriminatory practice
HB 516	Ellinger	Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty cases
HB 809	Hughes	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HJR 9	Kelly	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education facility improvements, construction, landscaping, and land or building purchases
<b>MORTGAGES AND DEEDS</b>		
SB 433	Kraus	Modifies the law relating to deeds of trust
HB 296		Establishes the Contract for Deed Act regarding transactions involving an executory contract for the conveyance of real property
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 451	Kirkton	Requires a mortgage value disclosure statement to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 485		Changes the notice requirement to a tenant in a foreclosure action from 10 business days to 90 days
HB 487		Allows organizations with temporary possession of certain property the additional options of filing a petition for a sheriff's deed or a court administrator's deed
HB 490	Diehl	Prohibits a political subdivision from requiring any party to file a certificate of value with a deed or other instrument at the time of the sale or conveyance of real property
HB 584	Oxford	Prohibits a lender from imposing a fine, fee, or penalty for the prepayment of any loan and repeals the provision allowing a prepayment fee to be charged on a second mortgage loan
HCS HB 707		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to effective use and provide specified benefits
HCS HB 787		Changes the laws regarding early distributions from certain annuities or retirement plans, the Missouri Higher Education Saving Program, and residential mortgage loan brokers
HB 822	McGhee	Requires a title company or escrow agent holding escrow funds to notify all parties involved in the transaction within five days of receipt of any costs to hold, disperse, or return the funds
HB 922	Still	Requires each circuit court in every county to establish a residential mortgage foreclosure mediation negotiation program to achieve a mutually agreeable resolution to a mortgage foreclosure action
HB 1018	Kander	Changes the laws regarding mortgage foreclosures by requiring a preforeclosure notice which contains information regarding foreclosure alternatives

No.	Author	Subject
<b>MOTELS AND HOTELS</b>		
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
HB 400	Diehl	Changes the laws regarding the imposition of a transient guest tax
HB 824	Cookson	Changes the laws regarding the transient guest tax in Carter County
<b>MOTOR CARRIERS</b>		
HCS SS SCS SB 58		Modifies various provisions relating to the regulation of transportation
SB 107	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
HB 242	Fallert	Prohibits any person, except law enforcement and emergency personnel, from climbing on or standing or working atop any tanker trailer stopped along a highway unless proper safety precautions are taken
HCS HB 266		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HB 330	Franz	Allows an applicant registering any property-carrying commercial vehicle weighing 12,000 pounds or more to request and be issued two license plates for the vehicle
HB 394	Cookson	Allows the owner of a property-carrying commercial motor vehicle to request and be issued two license plates
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HB 513	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 533	Newman	Changes the laws regarding taxation
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HB 945	Carter	Adds a motor vehicle owned by a licensed funeral establishment and used exclusively for funeral services to the list of vehicles that are exempt from the motor carrier provisions of Chapter 390, RSMo
<b>MOTOR FUEL</b>		
CCS HCS SS SB 135		Modifies provisions pertaining to environmental protection
HB 48	Cookson	Exempts motor fuel used to operate school buses transporting students for educational purposes from the motor fuel tax and requires the establishment of a uniform and simplified rule for all exemptions
HB 85	McGhee	Authorizes an income tax credit for taxpayers who use processed biomass engineered fiber fuel
HB 96	Flanigan	Imposes penalties for persistent violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
HCS HB 192		Changes the laws regarding environmental protection programs
HB 819	Denison	Authorizes the Department of Revenue to use technology to make processes for filing certain forms and sending certain notifications more efficient
HCR 53	Rowland	Strongly urges Congress and the Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs in this country

No.	Author	Subject
<b>MOTOR VEHICLES</b>		
SCS SB 11		Modifies various regulations governing the operation of motor vehicles
SB 16	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations
SB 24	Keaveny	Increases the fine for seat belt violations from \$10 to \$50
SCS SBs 26 & 106		Allows for the issuance of Nixa Education Foundation and Combat Action special license plates
SB 28	Brown	Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle
SB 45	Wright-Jones	Requires official motor vehicle inspection and emission stations to have liability insurance to cover any possible damages to a vehicle during an inspection
HCS SS SCS SB 58		Modifies various provisions relating to the regulation of transportation
SB 66	Stouffer	WITHDRAWN
SB 73	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute fines to local school districts
SB 107	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees
HCS SCS SB 131		Makes numerous changes to provisions relating to the regulation of transportation
HCS SS SCS SB 132		Modifies motor vehicle extended service contracts law, amends surplus lines insurance law, establishes a limited-lines insurance license to sell portable electronics insurance, and modifies the retaliatory tax law
SB 167	Goodman	Allows the Department of Revenue to issue special event motor vehicle auction licenses to applicants auctioning certain vehicles
SB 181	Stouffer	Reinstates the Motorist Insurance Identification Database program which expired on June 30, 2007
HCS SS SCS SB 254		Modifies Missouri's law relating to intoxicated-related traffic offenses
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 277	Lager	Modifies the law with respect to how municipalities and the legal system treats the lawful use of motor vehicles on public roads
SB 283	Munzlinger	Allows motor vehicles hauling agricultural products to exceed state weight limits by up to ten percent during harvest period
SB 324	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates
SB 386	Richard	Directs dealer plate fees to the Motor Vehicle Commission Fund and increases the temporary permit fee from \$7.50 to \$9.50
SB 402	Kehoe	Requires window stickers to show current motor vehicle registration instead of license plate tabs
SCR 13	Lembke	Urges Congress to prohibit the Environmental Protection Agency from regulating greenhouse gas emissions
HB 33	Sater	Requires a motor vehicle driver, when overtaking a bicycle, to pass safely at a distance of not less than three feet
HB 36	Sater	Specifies that farm machinery and equipment as it relates to exemptions for sales tax will include certain all-terrain vehicles

No.	Author	Subject
HB 48	Cookson	Exempts motor fuel used to operate school buses transporting students for educational purposes from the motor fuel tax and requires the establishment of a uniform and simplified rule for all exemptions
HB 51	Taylor	Authorizes a \$2 surcharge to be collected in all criminal cases involving a state traffic law violation to be disbursed equally for law enforcement and fire safety training
HB 81	Nolte	Exempts new vehicles assembled and sold in Missouri on or after January 1, 2011, from state sales and use taxes
HB 93	Shively	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state
HB 104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation
HB 105	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 114	Day	Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle
HB 140	Black	Establishes Susie's Law which prohibits any child younger than 18 years of age from riding as a passenger on any machinery or heavy equipment not manufactured for passengers
HB 164	Franz	Changes the age when the juvenile court will have jurisdiction over a child involving a state or local traffic violation from a child up to 15 1/2 years of age to a child up to 15 years of age
HB 167	Nolte	Requires Missouri driver's license examinations to only be administered in English
HB 168	Nolte	Requires any driver's license, commercial driver's license, non-driver's license, or instruction permit issued to a noncitizen who is lawfully present in the U. S. to include a noncitizen status emblem
HB 177	McNeil	Prohibits political subdivisions from using an automated speed enforcement system to enforce speeding violations within 500 feet of any speed limit sign reducing the limit except in speical school zones
HB 199	Kelley	Specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment
HB 207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone
HB 208	Meadows	Prohibits certain persons from being appointed to the Regional Taxicab Commission, removes the requirement that four of the members be chosen from the industry, and establishes an advisory committee
HB 242	Fallert	Prohibits any person, except law enforcement and emergency personnel, from climbing on or standing or working atop any tanker trailer stopped along a highway unless proper safety precautions are taken
HB 252	Cox	Establishes the Business Premises Safety Act
HCS HB 266		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HB 269	Molendorp	Adds certain not-for-profit organizations to the term "public entity" as it relates to tort immunity and limits the state's liability in tort claims involving motor vehicles and dangerous conditions
HB 291	Denison	Requires window stickers to show current motor vehicle registration instead of license plate tabs
HB 306	Gatschenberger	Prohibits a person from using a hand-held electronic wireless communications device while operating a motor vehicle within a construction zone with certain exceptions
HB 317	Colona	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance

No.	Author	Subject
HB 330	Franz	Allows an applicant registering any property-carrying commercial vehicle weighing 12,000 pounds or more to request and be issued two license plates for the vehicle
HCS HB 354		Exempts a qualified plug-in electric drive vehicle from the state's motor vehicle emissions inspection program
HB 355		Requires every applicant for a motorcycle license or endorsement to show proof that he or she has successfully completed an approved motorcycle training course
HB 394	Cookson	Allows the owner of a property-carrying commercial motor vehicle to request and be issued two license plates
HB 406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HB 433	Kander	Changes the classification of certain human trafficking crimes and establishes fines and prison terms for the crimes
HB 450	Allen	Requires the emblem-use authorization fee for a Breast Cancer Awareness special license plate to be paid to Winning Women and replaces "MISSOURI WOMEN'S COUNCIL" with "WINNING WOMEN"
HB 481	Brown	Requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing a city or neighborhood street in Kansas City in an appropriate crosswalk
HB 495	Jones	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 500	Colona	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 549	Bahr	Prohibits the use of global positioning systems or other technology to monitor the mileage traveled by any motor vehicle in order to impose any mileage tax
HB 550	Day	Changes the laws regarding notice of liens on motor vehicles, trailers, watercraft, and manufactured homes
HB 560	Grisamore	Requires all new signs erected beginning August 28, 2011, relating to disabled parking to contain the words "Accessible Parking" and to not contain "Handicap Parking" or "Handicapped Parking"
HB 595	Schieffer	Changes from six months to 60 days the period of time that a temporary motorcycle permit is valid
SCS HCS HB 600, 337 & 413		Changes the laws regarding public safety
HB 605	Schieffer	Changes the laws regarding the sales tax collection on motor vehicles by certain motor vehicle dealers
HB 608	Meadows	Requires new parking lots and parking lots being restriped to designate a certain number of lift van accessible only parking spaces with at least one having an access aisle
HB 610	Molendorp	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 626	Solon	Establishes the Senior Citizens Protection Act which exempts from attachment or execution the primary residence of a person 62 years of age or older, who is retired or may retire, from any forced sale (Withdrawn)

No.	Author	Subject
HB 638	Funderburk	Replaces the Motorist Insurance Identification Database Act with the Insured Vehicle Identification Network Act to track insured motorists, identify uninsured motorists, and maintain a statewide database
HB 691	Schad	Creates the crime of endangerment of emergency personnel or emergency responder and requires a court to assess certain fines for certain traffic violations in an active emergency zone
HB 713	Phillips	Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions
HB 729	McManus	Requires a scrap metal dealer purchasing catalytic converters or a person refining platinum from catalytic converters to keep a record of each purchase and restricts the number that they can buy per day
HB 730	McManus	Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage
HB 735	Hough	Requires a municipality to allow at least one street to be used by commercial vehicles to access any state highway and prohibits a civil action for the legal use a motor vehicle on a public street
HB 782	Cauthorn	Designates the month of May as "Motorcycle Awareness Month"
HB 792	Marshall	Authorizes the State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers as well as vehicles
HB 802	McCaherty	Revises the crime of property damage in the first degree to include damaging a motor vehicle while making entry into it to steal or when the damage occurs while committing the crime within the vehicle
HCS HB 811		Changes the laws regarding motor vehicle extended service contracts
HCS HB 818		Changes the laws regarding transportation
HB 841	Fitzwater	Allows any person with a valid concealed carry endorsement to openly carry firearms on or about his or her person or in a vehicle regardless of any other state law or local ordinance
HB 865	Johnson	Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year
HB 868	Meadows	Changes the laws regarding certain highway lane usage
HB 869	Meadows	Establishes the Fair Fare Passenger Safety Act of 2011 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HB 915	Parkinson	Specifies that any person who fails to provide proof of motor vehicle financial responsibility will have the vehicle he or she is operating impounded until valid proof is provided and all fees are paid
HB 932	Torpey	Exempts any vehicle not registered in this state from the requirements regarding vision-reducing material or window tinting applied to a motor vehicle's windshield or window
HB 955	Franz	Requires an assessor to use any nationally recognized motor vehicle valuation guide to determine the assessed valuation of a used motor vehicle for personal property taxation
HB 961	Atkins	Allows a rotation list to be used by law enforcement when requesting wrecker or towing services and requires a towing company to remove debris from the road when responding to an accident
HB 965	Fallert	Adds automotive lubricants to the fuels that the Department of Agriculture is authorized to regulate (Withdrawn)
HB 977	Johnson	Requires a wholesale motor vehicle auction to provide a title at the time of purchase and changes the laws regarding a licensed dealer's hours of operations and the dealer's official telephone number
HB 990	Fallert	Adds automotive lubricants to the list of petroleum products regulated by the Department of Agriculture

No.	Author	Subject
<b>MUSEUMS</b>		
SB 288	Ridgeway	Creates a state and local sales and use tax exemption for all fees paid to any place of amusement, entertainment, or recreation
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
<b>NATIONAL GUARD</b>		
HB 79	Nolte	Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HCS HB 136		Allows the spouse of certain active military members to be eligible for unemployment benefits and to receive a temporary courtesy license to practice his or her occupation or profession in this state
HB 204	Hoskins	Allows a resident who is on active military duty to renew his or her expired driver's license without a complete examination if the renewal is made within a specified time from discharge or residency
HB 238	Kander	Allows a spouse of an active member of the United States Armed Forces or reservist on active duty to be eligible for unemployment benefits if accompanying the military spouse in the event of a military move
HCS HB 303 & 239		Changes the laws regarding members of the military, military spouses, and veterans
HB 615	Holsman	Establishes the Civil Disaster Response Corps to be available for call-up by the Governor or General Assembly in the event of a state emergency
HB 673	Largent	Authorizes the presentation of a Missouri National Guard Overseas Training Ribbon, a Missouri National Guard State Partnership Program Ribbon, and the Order of Minuteman Award
HB 703	Colona	Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
<b>NATURAL RESOURCES DEPT.</b>		
SB 50	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
HCS SB 63		Modifies provisions pertaining to utilities
SB 94	Munzlinger	Provides loan assistance programs to businesses for energy efficiency improvements
CCS HCS SS SB 135		Modifies provisions pertaining to environmental protection
SB 150	Munzlinger	Allows regulated hand fishing for carp and catfish in June and July on certain waterways
SB 158	Keaveny	Extends the expiration date to December 31, 2015, for certain clean water public notice requirements and clean water permit fees charged by the Department of Natural Resources
HCS SCS SB 230		Modifies provisions pertaining to natural resources
SB 305	Parson	Creates record-keeping requirements for certain buyers of plastic bulk merchandising containers
SB 321	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
SB 327	Richard	Modifies penalties for multiple violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
SB 359	Lager	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities



No.	Author	Subject
SCS SB 368		Transfers land survey duties from the Department of Natural Resources to the Department of Agriculture
SB 403	Nieves	Modifies provisions pertaining to the filing of appeals regarding decisions made by environmental commissions
SB 406	Crowell	Allows certain cost recovery by electric companies for energy generation and requires utilities to pay an assessment for the Office of Public Counsel
SB 422	Lager	Modifies the state's renewable energy standard
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SCR 2	Schaaf	Urges the Department of Natural Resources to educate the public about light pollution
SS SCR 8		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 13	Lembke	Urges Congress to prohibit the Environmental Protection Agency from regulating greenhouse gas emissions
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
HB 96	Flanigan	Imposes penalties for persistent violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
HB 97	Ruzicka	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HB 103	Nance	Allows the Department of Conservation, in collaboration with the Department of Natural Resources, to establish a program for good forestry management
HB 190	Ruzicka	Authorizes divisions within the Department of Natural Resources to receive funds to be placed in a revolving fund for the purpose of cash transactions involving the sale of items made by the divisions
HCS HB 192		Changes the laws regarding environmental protection programs
HB 428	Cauthorn	Requires all facility plans submitted to the Department of Natural Resources as part of the permitting process for all environmental programs to be certified by a licensed professional engineer
HB 598	Schad	Changes the laws regarding the Missouri Propane Education and Research Council
HB 611	Holsman	Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for designated military training areas
HCS HB 613		Establishes the Renewable Energy Act and repeals the Renewable Energy Standard enacted by Proposition C in 2008
HB 622	Holsman	Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences
HB 686	Richardson	Changes the laws regarding the denial of a mining permit
HCS HB 716		Establishes the Capital Green Program, requirements for environmentally sustainable construction for state-funded buildings, and the Renewable Energy Pilot Program for State Parks
HB 741	Bernskoetter	Adds an eligible energy-saving enterprise to the list of entities that are eligible to receive a linked deposit loan
HB 797	Korman	Transfers all powers, duties, and functions of the Land Survey Program within the Department of Natural Resources to the Department of Agriculture
HB 823	Ruzicka	Specifies that any moneys remaining in the State Park Earnings Fund at the end of the biennium must not revert to the credit of the General Revenue Fund

No.	Author	Subject
HB 858	Hampton	Prohibits large water users from transporting water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user
<b>NEWSPAPERS AND PUBLICATIONS</b>		
HB 145	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
CCS SS HB 458		Changes the laws regarding agriculture
HB 566	Denison	Establishes the Political Subdivision Construction Bidding Standards Act
HCS HB 660		Allows certain cities to create, maintain, and make public a list of the names of individuals who have pled guilty to or been found guilty of patronizing prostitution
HB 714	Cauthorn	Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual
HB 883	Largent	Requires certain specified crime scene photographs or video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 904	Loehner	Removes the requirement that the Department of Agriculture publish the list of all livestock brands in a book format and requires that information to be made available on a public web site
HB 952	Korman	Allows certain municipalities to cancel nonpartisan elections when there are the same number of candidates as open offices
HB 1012	Hughes	Requires the Secretary of State to annually air commercials and publish items in newspapers designed to educate the public on elected government and the democratic process
<b>NURSES</b>		
SB 137	Brown	Modifies provisions relating to health care professional identification badges
SB 191	Pearce	Establishes the Caring for Missourians Program to provide grants to eligible Missouri public higher education institutions that maintain certain nursing programs
SB 216	Schaaf	Requires school boards to work with the Brain Injury Association of Missouri and Missouri State High School Activities Association to develop guidelines on youth athlete concussions and brain injuries
HCS SB 325		Modifies various laws relating to professional registration
SB 429	Ridgeway	Requires the Department of Health and Senior Services to issue recommendations on adequate nurse staffing levels in certain health care facilities
HCS HB 223 & 231		Establishes the Nursing Education Incentive Program and authorizes a nonrenewable advanced placement grant to certain recipients of financial aid under the A+ Schools or Access Missouri programs
HB 272	Kirkton	Increases the number of members on the MO HealthNet Oversight Committee from 18 to 19 by adding a licensed or registered nurse who cares for participants in the MO HealthNet Program
HCS HB 287		Changes the laws regarding health care professional identification badges to include the employee's name, title, recent photograph, and the name of the health care facility or organization
HB 347	Kirkton	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application
HB 391	Holsman	Adds home nursing visits for newborn infants including follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HCR 8	Allen	Recognizes the important services provided by professional school nurses and strongly urges school districts to recognize their dedication and valuable role by compensating them as like-degreed prof

No.	Author	Subject
<b>NURSING AND BOARDING HOMES</b>		
SB 43	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents
SB 86	Lembke	Repeals the Certificate of Need Law
HCS SS SB 118		Modifies provisions relating to loans available for sprinkler system requirements in long-term care facilities and to a definition in the long-term care facilities chapter
SB 346	Wright-Jones	Creates the Medical Harm Disclosure Act
HCS HB 236		Extends the expiration date of various federal reimbursement allowances from September 30, 2011, to September 30, 2016
HCS HB 287		Changes the laws regarding health care professional identification badges to include the employee's name, title, recent photograph, and the name of the health care facility or organization
HCS HB 411 & 421		Requires the Department of Mental Health to develop a transition plan for services of a resident of a state developmental disabilities facility to the most appropriate living setting
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers
HB 685	Richardson	Renames the Missouri Certificate of Need Law as the Missouri Long-term Care Certificate of Need law and limits the provisions of the law to only apply to long-term care facilities and services
HB 934	Shively	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 988	Wieland	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1026	Kirkton	Expands the mental health insurance parity requirements under the Mental Health and Chemical Dependency Insurance Act to include all policies or contracts providing long-term disability benefits
<b>OPTOMETRY</b>		
HCS HB 669		Changes the laws regarding health care
HB 677	Wells	Removes the June 30, 2012 expiration date of the provisions requiring every child enrolling in kindergarten or first grade in a public school to receive one comprehensive vision examination
<b>PARKS AND RECREATION</b>		
SB 364	Pearce	Authorizes the establishment of parks, trails and greenways districts in certain counties
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
HB 103	Nance	Allows the Department of Conservation, in collaboration with the Department of Natural Resources, to establish a program for good forestry management
CCS SCS HB 142		Changes the laws regarding political subdivisions
HB 189	Ruzicka	Repeals the provision which prohibits expanded polypropylene coolers from being on or within 50 feet of any river in this state except for certain specified rivers and areas
HB 190	Ruzicka	Authorizes divisions within the Department of Natural Resources to receive funds to be placed in a revolving fund for the purpose of cash transactions involving the sale of items made by the divisions
HB 191	Ruzicka	Authorizes the State Treasurer to deposit all moneys in the State Park Earnings Fund in any qualified depository of the state and requires these deposits to be secured in a manner provided by law

No.	Author	Subject
HCS HB 192		Changes the laws regarding environmental protection programs
HB 284	McNary	Changes the type of cooler, from expanded polypropylene to expanded polystyrene, that a person is not allowed to possess on or within 50 feet of any river except for certain specified rivers and areas
HB 325	Cauthorn	Allows a person to hand fish for catfish or carp during June and July within all Missouri waters open for hook-and-line fishing of these fish
HB 633	Ruzicka	Establishes the Agritourism Promotion Act which allows for the registration of any person who is engaged in a business which provides agritourism activities in this state
SCS HCS HB 641		Changes the laws regarding controlled substances
HB 823	Ruzicka	Specifies that any moneys remaining in the State Park Earnings Fund at the end of the biennium must not revert to the credit of the General Revenue Fund
HCR 34	Hampton	Urges the United States Forest Service to amend or rescind the Travel Management Rule which restricts motor vehicle access in Mark Twain National Forest
<b>PAWNBROKERS</b>		
HB 30	Sater	Allows a law enforcement officer to request that certain property used to secure personal credit loans from pawnbrokers not be sold for 10 days of the request
<b>PHARMACY</b>		
HCS SCS SB 29		Modifies various provisions of law regarding the licensing of certain professions
SB 236	Schaefer	Establishes provisions regarding pharmacy services
CCS HCS SB 284		Modifies the disciplinary authority of the Board of Pharmacy, defines the term legend drug for the purpose of certain pharmacy statutes, and grants exemption from sales tax for certain medical equipment and drugs
SB 348	Wright-Jones	Enacts the Prevention First Act
SB 384	Schaefer	Authorizes a civil cause of action against pharmacy benefit managers
SCS SBs 408 & 80		Extends the MO RX prescription drug plan until August 28, 2014
HCS HB 28		Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug
HB 55	Sater	Authorizes a state and local sales and use tax exemption for over-the-counter or nonprescription drugs which are prescribed by a practitioner and certain medical equipment, supplies, or devices
HCS HB 236		Extends the expiration date of various federal reimbursement allowances from September 30, 2011, to September 30, 2016
SS SCS HCS HB 265		Changes the laws regarding professional registration
HB 328	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 348	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program
SCS HCS HB 412		Changes the laws regarding pharmacies

No.	Author	Subject
HB 496	Jones	Allows licensed veterinarians to administer or prescribe legend drugs for use in animals and changes the membership of an advisory committee of the Board of Pharmacy regarding drug distributors
SCS HCS HB 552		Requires the State Board of Pharmacy to establish rules governing the standard of care for pharmacies dispensing blood clotting therapies
HB 632	Frederick	Establishes the Prescription Drug Monitoring Program Act to monitor the prescribing and dispensing of controlled substances
HCS HB 669		Changes the laws regarding health care
HB 676	Wells	Prohibits a health carrier from denying coverage for a refill of prescription eye drops under certain conditions
HCS HB 732		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding professions and businesses regulated by the Division of Professional Registration
HB 821	Bernskoetter	Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
<b>PHYSICAL THERAPISTS</b>		
HB 203	Hoskins	Adds professional therapy dogs to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled individual
HB 318	Brandom	Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapists for rendering the same services regardless of the setting or venue
<b>PHYSICIANS</b>		
SB 136	Schaaf	Prohibits hospitals from requiring physicians to agree to make patient referrals as a condition of receiving medical staff privileges
SB 137	Brown	Modifies provisions relating to health care professional identification badges
SB 149	Schaaf	Modifies the laws regarding the testimony of physicians as expert witnesses in lawsuits against physicians for improper health care
SB 214	Schaaf	Prohibits restrictive physician employment contracts
SB 215	Schaaf	Requires health carriers to credential health care professionals within 60 calendar days of receipt of complete application
SB 216	Schaaf	Requires school boards to work with the Brain Injury Association of Missouri and Missouri State High School Activities Association to develop guidelines on youth athlete concussions and brain injuries
SB 303	Engler	Modifies disciplinary and administrative procedures for professions and businesses licensed under the Division of Professional Registration, including those licensed by the Board of Registration for the Healing Arts
HCS HB 28		Establishes the Abortion-inducing Drugs Safety Act which prohibits a non-physician from prescribing an abortion-inducing drug and specifies that a pharmacy cannot be required to be connected with the drug
HB 55	Sater	Authorizes a state and local sales and use tax exemption for over-the-counter or nonprescription drugs which are prescribed by a practitioner and certain medical equipment, supplies, or devices
HCS HB 197		Requires the Department of Health and Senior Services to post on its web site resources relating to umbilical cord blood
SS HCS HB 213		Specifies that no abortion of a viable, unborn child can be performed or induced except in certain specified situations
SS SCS HCS HB 265		Changes the laws regarding professional registration
HB 280	Frederick	Prohibits a health carrier or benefit plan from denying reimbursement for providing diagnostic imaging services based solely on the licensed physician's specialty or professional board certification

No.	Author	Subject
HCS HB 287		Changes the laws regarding health care professional identification badges to include the employee's name, title, recent photograph, and the name of the health care facility or organization
HB 328	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 347	Kirkton	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application
HB 528	Jones	Requires a health care provider to provide medical records within 15 business days of a request
HB 540	Schneider	Creates the crime of practicing medicine while intoxicated
SS SCS HCS HB 555		Changes the laws regarding health care
HB 698	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HCS HB 732		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding professions and businesses regulated by the Division of Professional Registration
HB 821	Bernskoetter	Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
HB 863	Frederick	Establishes the Prompt Credentialing Act which requires a health carrier to credential a health care professional within 60 days of receiving a completed application
HB 882	Atkins	Creates the crime of practicing medicine while intoxicated
HB 982	Jones	Restricts the authority of radiology benefit managers to deny diagnostic testing ordered and recommended by a licensed physician
<b>PLANNING AND ZONING</b>		
HB 228	Schoeller	Changes the laws regarding billboards
HB 498	Wallingford	Repeals the authority of certain constitutional charter cities to adopt and enforce regulations governing zoning, planning, subdividing, and building in certain areas
<b>POLITICAL PARTIES</b>		
SS SB 9		Modifies the state do-not-call list and creates "paid for by" requirements for political phone calls
SB 225	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities
SS SB 231		Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance
SB 419	Kraus	Modifies the law currently prohibiting Kansas City police officers from participating in some political activities
HCS HB 108		Changes the laws regarding contributions to political action committees
HCS HB 121		Changes the laws regarding elections
HCS HB 187 & 54		Repeals the provision that requires a political party's emblem to be printed on an election ballot above the party caption
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 245	Newman	Allows voters to cast advance ballots
HB 466	Schoeller	Allows an employer or labor organization to obtain political contributions through a payroll deduction if the employee or member consents to the contribution in writing annually

No.	Author	Subject
HB 635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty
HB 699	Colona	Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark
HB 796	Schupp	Changes the laws regarding the Fair Ballot Access Act by repealing the provision which requires a petition to form a new political party to contain the name of a resident of each Congressional district
HB 875	Marshall	Changes the laws regarding political activities of a member of the Kansas City Police Department
HB 947	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 998	Kirkton	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
<b>POLITICAL SUBDIVISIONS</b>		
SCS SB 25		Modifies and adopts provisions relating to nuisances
HCS SCS SB 57		Requires courts to transfer certain cases upon the request of the public administrator and specifies that certain political subdivision associations are not required to solicit competitive bids when procuring risk coverages
SB 73	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute fines to local school districts
SCS SB 108		Modifies provisions concerning the installation of fire sprinklers in certain dwellings
SB 119	Schaefer	Assigns certain characteristics to the treatment of conservation easements under the law
SB 121	Stouffer	Specifies how duty-related death benefits are funded for the Missouri Local Government Employees' Retirement System
SB 151	Callahan	Specifies that risk coverages procured by certain political subdivision associations shall not require the solicitation of competitive bids
HCS SB 174		Modifies provisions relating to political subdivisions
HCS SB 207		Modifies provisions pertaining to energy and property taxation
SB 209	Lager	Modifies telecommunications provisions relating to carrier of last resort obligations
HCS SCS SB 230		Modifies provisions pertaining to natural resources
SS SB 231		Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 249	McKenna	Creates the "Political Subdivision Construction Bidding Standards Act"
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SB 307	Justus	Allows Kansas City to collect an additional fourteen dollars in municipal ordinance violation cases
SB 313	Schaaf	Repeals certain requirements for board members of tourism community enhancement districts
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
HCS SS SB 360		Modifies provisions relating to rural community development
SB 376	Parson	Modifies laws relating to the provision of natural gas utility service
SB 428	Ridgeway	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
SCS SJR 16		Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion

No.	Author	Subject
HCS HB 46		Changes the laws regarding fire sprinkler system installations
HB 53	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated speed enforcement system to enforce speeding violations except in a school, construction, or work zone
HB 68	Scharnhorst	Prohibits a political subdivision from imposing a fine or penalty on the owner of a pay telephone on the owner's property for a call made to an emergency telephone service from the pay telephone
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
HB 90	Scharnhorst	Prohibits a political subdivision from adopting an ordinance, rule, or code that would require mandatory installation of a sprinkler system in new residential construction
HB 104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation
HB 105	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program
HB 120	Schoeller	Changes the laws regarding infrastructure replacement surcharges for water corporations
HCS HB 121		Changes the laws regarding elections
HB 128	Barnes	Requires the respondent in a suit filed by a city, county, or state in which the entity prevails to pay the city, county, or state the amount of the deposit that would have been awarded as a judgment
CCS SCS HB 142		Changes the laws regarding political subdivisions
HB 145	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 177	McNeil	Prohibits political subdivisions from using an automated speed enforcement system to enforce speeding violations within 500 feet of any speed limit sign reducing the limit except in speical school zones
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HCS HB 192		Changes the laws regarding environmental protection programs
HB 207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone
HB 210	Molendorp	Changes the laws regarding the board of directors of public water supply districts
HB 228	Schoeller	Changes the laws regarding billboards
HB 245	Newman	Allows voters to cast advance ballots
HB 263	Weter	Revises the monthly retirement allowance reduction for certain retirees of the Missouri Local Government Employees' Retirement System electing a partial lump-sum distribution
HB 278	McNeil	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
HCS HB 290		Changes the laws regarding political subdivisions
HB 295	Hinson	Specifies that any infectious disease which causes a condition of impaired health resulting in a disability or death of certain fire fighters will be presumed to have been incurred in the line of duty



No.	Author	Subject
HB 311	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 319	Fisher	Changes the laws regarding contracts for public construction projects which are funded in any amount with public funds
HB 335	Burlison	Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HB 357	Leara	Changes the laws regarding enhanced enterprise zones
HB 406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction
HB 416	Richardson	Authorizes certain public library districts to impose, upon voter approval, a sales tax of up to one-half of one cent for the operation and maintenance of the public libraries in the district
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 490	Diehl	Prohibits a political subdivision from requiring any party to file a certificate of value with a deed or other instrument at the time of the sale or conveyance of real property
HB 521	Wells	Allows an ambulance district board member to be recalled from office by petition of the registered voters
SCS HCS HB 545		Exempts the City of Riverside from the requirement that a member of the board of a tourism community enhancement district be a resident, own property, be employed, or operate a business within the district
HB 566	Denison	Establishes the Political Subdivision Construction Bidding Standards Act
HB 569	Shively	Requires a prepaid wireless service supplier to collect a 50-cent monthly fee from its customers for 911 emergency communications service
SCS HCS HB 578		Allows the state or any political subdivision or agency of the state to transfer ownership of used tires, scrap tires, or tire shred to a private entity for disposal or recycling under certain conditions
HB 635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty
HB 671	Molendorp	Authorizes additional powers to a community improvement district
HB 681	Walton Gray	Specifies that the provisions requiring a partisan election and conducting a party primary prior to a general election will not apply to a candidate for school board or fire district office
HB 709	Nichols	Removes the requirement that a municipality must hold an election in nonpartisan elections when there are the same number of candidates as open offices
HB 710	Nichols	Changes the laws regarding a dissolution petition for a community improvement district
HCS HB 711		Changes the laws regarding utilities
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment
SCS HB 738		Requires each school district to ensure that every student develops a personal plan of study prior to the end of the student's eighth grade year
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 775	Wyatt	Allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility
HCS#2 HB 889		Changes the laws regarding political subdivisions
HB 910	Atkins	Requires all employers and business entities to enroll and actively participate in a federal work authorization program

No.	Author	Subject
HB 929	Ellinger	Allows an economic development tax board to increase the number of members of the board (Withdrawn)
HB 938	Meadows	Specifies that, beginning July 1, 2012, certain specified building codes will be deemed the official state codes
HB 952	Korman	Allows certain municipalities to cancel nonpartisan elections when there are the same number of candidates as open offices
HB 966	Funderburk	Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 969	Franklin	Changes the laws regarding the establishment of a law enforcement district under the Missouri Law Enforcement District Act
HB 973	Korman	Authorizes a state sales and use tax exemption on all retail sales of any "Made in USA" product except motor vehicles for a seven-day period in July 2012 and July 2013
HCS HB 979 & 885		Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the state sales and use tax by .25%
SCS HB 1008		Allows the Highways and Transportation Commission to enter into infrastructure improvement agreements to reimburse funds advanced for the benefit of a county, political subdivision, or private entity
HB 1009	Marshall	Prohibits any department or political subdivision of the state from contracting any liability of the state in excess of \$1 million in any one-year period without the consent of the General Assembly
HJR 2	McGhee	Proposes a constitutional amendment guaranteeing a citizen's right to pray and worship on public property and reaffirming a citizen's right to choose any or no religion
HJR 30	Wyatt	Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
<b>PRISONS AND JAILS</b>		
SB 289	Lembke	Prohibits smoking or use of tobacco products in state correctional centers
SB 349	Ridgeway	Abolishes the sentencing advisory commission
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 363	Justus	Modifies provisions relating to crime
SCS HCS HB 38		Increases the work-off rate for city prisoners and requires certain administrative officials of jails or detention facilities to notify specified law enforcement of an escape of certain specified felons
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HCS HB 154		Changes the laws regarding the Department of Corrections
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases
HB 199	Kelley	Specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment
HB 200	Kelley	Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
HB 254	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 308	Black	Prohibits an offender in the custody of the Department of Corrections from making a false report against any department employee for the purpose of implicating an employee in a crime

No.	Author	Subject
HB 340	Klippenstein	Allows counties of any classification to erect and maintain a jail or holding cell facility at a site other than the county seat and changes the laws regarding the circuit court in Cape Girardeau County
HB 371	Fitzwater	Establishes minimum salary requirements for all corrections officers and supervisors
HB 384	Black	Requires a person incarcerated for a sexual assault offense to successfully complete all treatment, education, and rehabilitation programs prior to being eligible for parole or conditional release
HB 433	Kander	Changes the classification of certain human trafficking crimes and establishes fines and prison terms for the crimes
HB 445	Molendorp	Prohibits any person from smoking or using tobacco products in any area or on the grounds of a state correctional facility
HB 538	Hubbard	Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison
HB 539	Hubbard	Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers
HB 663	Ruzicka	Requires, instead of allows, the \$2 surcharge in certain criminal cases to be assessed and collected and allows it to also be used to develop information sharing
HCS HB 669		Changes the laws regarding health care
HB 726	Kratky	Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility
HB 791	Marshall	Changes the laws regarding DNA profiling analysis
HB 927	McDonald	Requires a court to assess a surcharge of up to 6% in each criminal proceeding if authorized by the municipal or county government where the violation occurred
HB 956	Shively	Specifies that time spent in jail, prison, or custody for a subsequent offense because of a detainer will not be credited toward service of a sentence of imprisonment for the original offense
<b>PROBATION AND PAROLE</b>		
SB 171	Crowell	Modifies provisions relating to private probation services
CCS#2 HCS SB 250		Requires sexual assault offenders to complete certain programs prior to being eligible for parole and prohibits them from living near child care facilities
SB 349	Ridgeway	Abolishes the sentencing advisory commission
SB 352	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 363	Justus	Modifies provisions relating to crime
SB 415	Crowell	Makes it a class C felony for a person on probation for a felony offense to knowingly possess a firearm
HB 65		Requires the Department of Corrections to establish the Shock Time for Felony Probationers Program to give courts an alternative to imposing a sentence for nonviolent offenders who have violated their probation
HB 75		Authorizes expungement of certain criminal records including convictions for nonviolent felonies and misdemeanor, municipal, or traffic offenses
HCS HB 154		Changes the laws regarding the Department of Corrections
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases
HB 178	Nasheed	Authorizes the expungement of certain criminal records
HB 199	Kelley	Specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment

No.	Author	Subject
HB 302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process
HB 383	Pace	Changes the laws regarding assault and tampering crimes against public workers and judicial officers
HB 384	Black	Requires a person incarcerated for a sexual assault offense to successfully complete all treatment, education, and rehabilitation programs prior to being eligible for parole or conditional release
HB 509	Carter	Specifies that certain felons must be eligible for food stamp program benefits
HB 517	Ellinger	Changes the laws regarding clemency in death penalty cases
HB 634	Ruzicka	Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs involved in the prosecution
HB 650	McGhee	Requires the Board of Probation and Parole to review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 725	Kratky	Prohibits certain persons who plead guilty to or have been found guilty of a felony violation of certain weapons offenses from receiving a suspended imposition of sentence
HB 727	Kratky	Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 733	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 803	Hughes	Removes the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole
HB 985	Anders	Revises the laws restricting the residency of a sexual offender
HB 993	Meadows	Specifies that Jefferson County cannot adopt any charter provision or any order or ordinance that prohibits the county from contracting out the county's probation services with a private entity
HCS HB 999		Changes the laws regarding sexual offender registration
<b>PROPERTY, REAL AND PERSONAL</b>		
SCS SB 25		Modifies and adopts provisions relating to nuisances
SB 52	Cunningham	Requires county assessors to consider market factors in determining the value of real property for tax purposes
SS SB 55		Classifies sawmills and planing mills as agricultural and horticultural property for tax purposes
SB 71	Parson	Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission and modifies other provisions relating to housing and real estate
SB 101	Parson	Creates requirements for contractors who perform home exterior and roof work
SB 119	Schaefer	Assigns certain characteristics to the treatment of conservation easements under the law
HCS SB 174		Modifies provisions relating to political subdivisions
HCS SB 187		Modifies the laws regarding nuisances and junkyards
SB 194	Pearce	Allows Cass County to enact nuisance abatement ordinances
SB 209	Lager	Modifies telecommunications provisions relating to carrier of last resort obligations
SB 210	Lembke	Modifies provisions of law requiring certain political subdivisions to revise property tax rates
SB 224	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight

No.	Author	Subject
SB 251	Kehoe	Changes the classification of certain watercraft from personal property to real property for property tax purposes
SB 263	Green	Requires pawnbrokers to photograph anybody selling jewelry, gold, or silver and to complete a form for such transactions
SB 278	Munzlinger	Modifies the laws regarding certain private nuisance actions
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SCS SB 299		Requires the Department of Conservation to compensate for damage caused by wild elk
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
SB 357	Munzlinger	Classifies hydroelectric power generating equipment as tangible personal property for property tax purpose
HCS SS SB 360		Modifies provisions relating to rural community development
SCS SB 368		Transfers land survey duties from the Department of Natural Resources to the Department of Agriculture
SCS SBs 369 & 370		Establishes procedures for resident pupils of an unaccredited school district to enroll in another school in the same or an adjoining county
SB 371	Cunningham	Allows a lapsed school district to be divided and attached to adjoining accredited school districts
SB 377	Parson	Extends the sunset on rolling stock tax credits
SB 399	Kraus	Modifies provisions relating to the crime of failure to return leased or rented property
SCS SB 425		Specifies when the crime of receiving stolen property is a felony offense
SB 433	Kraus	Modifies the law relating to deeds of trust
HB 30	Sater	Allows a law enforcement officer to request that certain property used to secure personal credit loans from pawnbrokers not be sold for 10 days of the request
HB 43	Conway	Adds the counties of Andrew and Buchanan to the list of counties authorized to enact nuisance abatement ordinances regarding the condition of real property
HB 60	Nolte	Limits the increase in assessed valuation of residential property by the percentage of increase in the federal Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 64		Changes the laws regarding unclaimed and abandoned property
HB 80	Nolte	Changes when tax statements must be mailed in all counties of the first classification from at least 30 days to at least 45 days before the delinquent date
HB 102	Nance	Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
SCS HCS HB 112 & 285		Classifies certain sawmills and planing mills as agricultural and horticultural property instead of commercial property for property taxation purposes
HB 115	Schad	Specifies that the Department of Conservation will have ownership and title to all wild elk in Missouri and will be financially responsible for any damage caused by wild elk
CCS SCS HB 142		Changes the laws regarding political subdivisions
HB 144	Schoeller	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for payments made on a loan obtained to repair certain flood damage to the taxpayer's premises
HCS HB 148		Prohibits a residential contractor from advertising or promising to pay or rebate all or any portion of an insurance deductible as an inducement to the sale of goods or services
HB 175	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the senior citizens property tax credit, commonly known as circuit breaker

No.	Author	Subject
HB 188	Molendorp	Adds Cass County to the list of counties authorized to enact nuisance abatement ordinances regarding the condition of real property
SS SCS HB 209		Changes the laws regarding county nuisance abatement ordinances, junkyards, and private nuisance actions
HCS HB 220		Specifies that the ordering of a report or an inspection alone will not constitute selecting or engaging a person regarding a real estate licensee's immunity from liability for certain expert statements
HB 228	Schoeller	Changes the laws regarding billboards
HB 230	Davis	Changes the laws regarding the Missouri Uniform Trust Code
HB 268	Lasater	Prohibits any person or business from engaging in blasting, excavating, or mining within one mile of a business or residential area (Withdrawn)
HB 279	Solon	Increases, from \$15,000 to \$125,000, the amount of equity in a homestead that can be exempt from attachment in a bankruptcy proceeding when the person is 62 years of age or older
HCS HB 290		Changes the laws regarding political subdivisions
HB 292	Schneider	Prohibits state certified and state licensed real estate appraisers from using a property's foreclosure price as a comparable property when developing an appraisal
HB 296		Establishes the Contract for Deed Act regarding transactions involving an executory contract for the conveyance of real property
HB 298	Fitzwater	Authorizes the governing body of any hospital district in Iron County to impose, upon voter approval, a local sales tax of up to 1% in lieu of a property tax to fund the hospital district
HB 299	Lichtenegger	Allows the Land Reclamation Commission to deny a mining permit if the affected land is within one mile of a school, child care facility, church, nursing home, public building, or cemetery
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 335	Burlison	Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HB 357	Leara	Changes the laws regarding enhanced enterprise zones
HCS HB 366		Changes the laws regarding economic development
HCS HB 369		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of water lines due to failure
HB 380		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 381		Allows any political subdivision to conduct ranked-choice voting in certain elections
HCS HB 401		Changes the laws regarding unclaimed property
HB 402	Diehl	Increases the extent of acreage authorized for a lien on property to secure payment for work performed by an architect, engineer, land surveyor, landscape architect, or well digger
HCS HB 403		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises
HB 414	Richardson	Requires a title agency or agent to have a physical place of business in Missouri substantially devoted to conducting the title insurance business or be employed by a licensed title insurer or agency
HB 449	Sater	Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards

No.	Author	Subject
HB 451	Kirkton	Requires a mortgage value disclosure statement to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
CCS SS HB 458		Changes the laws regarding agriculture
HCS HB 468		Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act
HB 469	Franz	Changes the laws regarding the Missouri Family Trust
HB 480	Brown	Reduces the minimum number of acres required for an eligible project area in the Distressed Areas Land Assemblage Tax Credit Program
HB 485		Changes the notice requirement to a tenant in a foreclosure action from 10 business days to 90 days
HB 486		Allows a prevailing tenant in a forcible entry action to recover all damages caused by the landlord's exclusion of the tenant from the premises
HB 487		Allows organizations with temporary possession of certain property the additional options of filing a petition for a sheriff's deed or a court administrator's deed
HB 490	Diehl	Prohibits a political subdivision from requiring any party to file a certificate of value with a deed or other instrument at the time of the sale or conveyance of real property
HB 497	Schieffer	Authorizes any city, town, or village in Lincoln County to annex areas along a road or highway for up to two miles from its existing boundaries
HB 553	Nance	Establishes the Missouri Home Inspectors Professional Competency and Financial Responsibility Act
HB 590	Harris	Specifies that the common law doctrine of adverse possession cannot apply in the state of Missouri and repeals certain provisions regarding the statute of limitations for an adverse possession action
HCS HB 597		Establishes the Private Landowner Protection Act which allows for the creation and enforcement of conservation easements to protect the environment and preserve certain historical or cultural property
HB 626	Solon	Establishes the Senior Citizens Protection Act which exempts from attachment or execution the primary residence of a person 62 years of age or older, who is retired or may retire, from any forced sale (Withdrawn)
HB 653	Cauthorn	Changes the laws regarding noxious weeds
HB 674	Largent	Extends the expiration date for tax credits allowed against a freight line company's property taxes for eligible expenses incurred on qualified rolling stock in Missouri to August 28, 2020
HB 693	Schad	Revises the punishment for the crime of receiving stolen property
HB 706	Zerr	Specifies that any owner or operator of pipelines transporting petroleum or natural gas who fails to maintain an easement for a period of 10 years will be deemed to have abandoned the easement
HB 721	Schneider	Requires a lending institution purchasing property at a foreclosure sale and selling the property in an amount that exceeds the purchase price to apply excess amount to any deficiencies or judgments
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 744	Brown	Changes the two-year reassessment cycle for real property from every other year to every six years beginning January 1, 2012, and ending on or before December 31, 2016
HB 797	Korman	Transfers all powers, duties, and functions of the Land Survey Program within the Department of Natural Resources to the Department of Agriculture

No.	Author	Subject
HB 802	McCaherty	Revises the crime of property damage in the first degree to include damaging a motor vehicle while making entry into it to steal or when the damage occurs while committing the crime within the vehicle
HB 822	McGhee	Requires a title company or escrow agent holding escrow funds to notify all parties involved in the transaction within five days of receipt of any costs to hold, disperse, or return the funds
HCS#2 HB 889		Changes the laws regarding political subdivisions
HB 909	Higdon	Changes the laws regarding a landowner's liability relating to an individual trespassing on the owner's land
HB 919	Schupp	Specifies who qualifies as a voter in an election for directors of a community improvement district board
HB 923	Pollock	Establishes requirements for the taking of real property by adverse possession
HB 968	Schad	Changes the classification of certain new watercraft from personal property to residential property for property taxation purposes
HB 991	Lichtenegger	Changes the laws regarding mechanic's liens on residential real property
HB 996	Harris	Establishes the Common Interest Owners Bill of Rights Act
HB 1003	Hampton	Revises the laws regarding private nuisances when it originates from property used for farming, agriculture, crop, or animal production purposes and when a court must visit an alleged affected property
HB 1015	Hughes	Requires the accusing party in a dispute arising against a farmer for unauthorized use of intellectual property based on discovery of alien seed to submit to a dispute resolution before filing a court action
HCS HJR 5		Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods
HCS HJR 17		Proposes a constitutional amendment establishing the Freedom in Agriculture Act which guarantees the right of Missourians to grow crops, hunt and fish wildlife, and raise animals in a humane manner
HJR 25	Aull	Proposes a constitutional amendment raising the allowable level of bonded indebtedness for a school district from 15% to 20% of the value of taxable tangible property in the district
<b>PSYCHOLOGISTS</b>		
HB 950	Scharnhorst	Requires a health insurer to reimburse any entity or group that is supervised by a licensed psychologist for providing applied behavior analysis services to children with autism spectrum disorders
<b>PUBLIC ASSISTANCE</b>		
SCS SBs 7, 5, 74 & 169		Creates the "TANF Child Protection and Drug Free Home Act" regarding drug testing for work-eligible TANF applicants and recipients
SB 41	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program
CCS SS SCS SB 70		Modifies provisions relating to the Missouri Family Trust
SB 244	Green	Revises provisions relating to the renamed Missouri Brain Injury Advisory Council
SB 365	Goodman	Allows \$9,999 in an irrevocable trust for certain funeral expenses to not be considered an asset when determining eligibility for public assistance
HB 31	Sater	Establishes the Senior Services Growth and Development Program to provide additional funding for senior services in the state by imposing a surcharge on certain health insurance premiums
HB 34	Sater	Requires the Department of Social Services to apply for a federal waiver to modify the eligibility requirements for the Missouri Temporary Assistance for Needy Families (TANF) Program



No.	Author	Subject
SS SCS HCS HB 73 & 47		Requires certain applicants for and recipients of Temporary Assistance for Needy Families Program benefits to be tested for illegal drug use and the benefit card to include a photo of the recipient or payee
HB 74		Specifies that certain felons will be eligible for federal food stamp program benefits
HB 172	Ruzicka	Specifies that certain funds placed in an irrevocable trust for funeral services will not be considered an asset when determining eligibility and benefits under certain public assistance programs
HB 196	Jones	Extends the expiration date on the provisions regarding the Missouri Rx Plan from August 28, 2011, to August 28, 2016
HB 362	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HB 389	Holsman	Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of grantees
HB 509	Carter	Specifies that certain felons must be eligible for food stamp program benefits
HB 705		Changes the laws regarding the Missouri low-income housing tax credit
HB 733	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 793	Nance	Requires the Department of Social Services to establish an administrative renewal process for a child eligible for MO HealthNet or State Children's Health Insurance Program benefits
HB 816	Parkinson	Requires all purchases made with Temporary Assistance for Needy Families benefits by a recipient in this state to be limited to in-state purchases only
HB 817	Wyatt	Requires all purchases made with Temporary Assistance for Needy Families benefits by a recipient in this state to be limited to in-state purchases only
HB 886	Gatschenberger	Requires all purchases and withdrawals made with Temporary Assistance for Needy Families benefits by a recipient in this state to be limited to in-state purchases and withdrawals only
<b>PUBLIC BUILDINGS</b>		
SB 22	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
SB 175	Munzlinger	Modifies restrictions on the use of organized labor on public contract projects
SCS SB 188		Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 221	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SB 398	Kraus	Allows public school principals to opt out of the election authority designation that their school be used as a polling place
SCR 4	Crowell	Requires the Board of Public Buildings to reassign rooms in the State Capitol to the General Assembly that are currently assigned to the Office of Administration
SCS SJR 16		Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion
HB 92	Molendorp	Authorizes school districts to enter into design-build contracts for construction projects
HB 117	Ellinger	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 267	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings

No.	Author	Subject
HB 314	Wells	Repeals a school district's authority to set policies that allow the use of tobacco products in certain school areas and prohibits smoking and use of tobacco products on all school property and school buses
HB 327	Wallingford	Removes the requirement that the circuit court in Cape Girardeau must hold court and maintain an office of the probate division in the courthouses in Jackson and Cape Girardeau but allows them to do so
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 513	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HCS HB 716		Establishes the Capital Green Program, requirements for environmentally sustainable construction for state-funded buildings, and the Renewable Energy Pilot Program for State Parks
HB 839	Holsman	Establishes the Capital Green Program to provide funding to the state for energy efficiency improvements to certain state buildings and for geothermal, wind, and solar energy resources
HJR 2	McGhee	Proposes a constitutional amendment guaranteeing a citizen's right to pray and worship on public property and reaffirming a citizen's right to choose any or no religion
HJR 9	Kelly	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education facility improvements, construction, landscaping, and land or building purchases
<b>PUBLIC OFFICERS</b>		
SB 46	Wright-Jones	Allows elected officials to be excused from jury duty during their term of office
SB 75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 87	Parson	Removes the requirement that certain otherwise unlawful uses of a weapon be reasonably associated with, or necessary to, fulfill a person's official duties in order to be lawful
SB 127	Chappelle-Nadal	Requires certain public officials and certain staff members of the executive branch and legislature to submit to drug tests
SB 142	Crowell	Restricts the membership, employment, and business relationships of the Missouri Development Finance Board and the Missouri Housing Development Commission
SB 179	Brown	Allows the board of aldermen in fourth-class cities to provide, by ordinance, for the appointment of a city marshal
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SCS SB 400		Modifies provisions regarding the crime of sexual contact with a student while on public school property
SB 416	Crowell	Exempts United States attorneys who have completed the firearms safety training course required to obtain a conceal carry endorsement from certain otherwise unlawful uses of a weapon
SCR 3	Lembke	Disapproves the salary recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials
HB 39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office
HB 88	Gatschenberger	Allows a public administrator to file a petition to transfer a case to another county and requires the court to transfer the case if certain requirements are met and the receiving county consents to the transfer
HB 107	Smith	Requires special elections to fill certain vacancies in the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer
CCS SCS HB 142		Changes the laws regarding political subdivisions

No.	Author	Subject
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HB 635	Silvey	Prohibits a political subdivision from restricting a paid member of a fire department or fire district from becoming a candidate for public office or from engaging in other political activity while off duty
HB 672	Dugger	Allows the board of aldermen in a fourth class city to provide by ordinance that the city marshal be appointed instead of elected
HB 770	Smith	Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
HB 864	Kander	Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HB 959	Pollock	Prohibits any person who has pled guilty or nolo contendere to or has been found guilty of specified offenses from election or appointment to certain city offices in a third or fourth class city
HJR 4	Barnes	Proposes a constitutional amendment preventing the proposed compensation schedule from the Commission on Compensation for Elected Officials from including any increase in certain circumstances
<b>PUBLIC RECORDS, PUBLIC MEETINGS</b>		
SB 105	Green	Creates an advance voting system for elections
SB 205	Stouffer	Creates an advance voting system for primary and general elections
SCS SJR 16		Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion
HCS HB 32		Allows the State Registrar to issue a heritage birth certificate
HB 44	Lampe	Requires the Revisor of Statutes to make all copies of laws, resolutions, and constitutional measures available electronically to the public and eliminates the printing of certain state documents
HB 80	Nolte	Changes when tax statements must be mailed in all counties of the first classification from at least 30 days to at least 45 days before the delinquent date
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
HB 97	Ruzicka	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HB 139	Smith	Requires the Office of Administration to maintain public school and county and municipal government accountability information and the Governor's travel information on the Missouri Accountability Portal
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HB 235	Kelly	Prohibits the Department of Revenue from selling or disclosing certain driver record information

No.	Author	Subject
HB 296		Establishes the Contract for Deed Act regarding transactions involving an executory contract for the conveyance of real property
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HB 427	Barnes	Changes the laws regarding adoption records
HB 443	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 547	McNeil	Changes the laws regarding health insurance premium rate reviews by the Department of Insurance, Financial Institutions and Professional Registration
HB 574	Aull	Requires an insurer to obtain approval from the Department of Insurance, Financial Institutions and Professional Registration before changing any insurance premium rate by 15% or more
HB 585	Oxford	Changes the laws regarding actions against a person for conduct or speech at a public hearing or meeting
HB 686	Richardson	Changes the laws regarding the denial of a mining permit
<b>PUBLIC SAFETY DEPT.</b>		
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 362	Justus	Allows for the establishment of domestic violence fatality review panels
SB 393	Goodman	Modifies provisions relating to the Family Care Safety Registry
HB 41	Lampe	Expands the Amber Alert System to include missing endangered persons, specifies the criteria for being a missing endangered person, and changes the system's name to the Amber Alert and Silver Alert System
CCS SCS HB 101		Changes the laws regarding liquor control
SCS HCS HB 214		Changes the laws regarding human trafficking
HB 322	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink on the premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 615	Holsman	Establishes the Civil Disaster Response Corps to be available for call-up by the Governor or General Assembly in the event of a state emergency
HB 719	Higdon	Requires one cent from the six cent fee that is deposited into the Missouri Wine and Grape Fund to be deposited into the newly created Division of Alcohol and Tobacco Control Enforcement Fund
HB 739	Nance	Expands the Amber Alert System to include missing endangered adults, specifies the criteria for being a missing endangered adult, and changes the system's name to Amber Alert and Silver Alert System
HB 769	Wells	Requires any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 799	Carlson	Repeals all provisions allowing for and related to the death penalty, dissolves the Capital Litigation Division, and creates the Cold Case Investigation Revolving Fund
HCS HB 818		Changes the laws regarding transportation
HB 865	Johnson	Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year

No.	Author	Subject
HB 883	Largent	Requires certain specified crime scene photographs or video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 995	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HCS HB 999		Changes the laws regarding sexual offender registration
<b>PUBLIC SERVICE COMMISSION</b>		
CCS HCS SB 48		Modifies provisions relating to utilities
SB 50	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
HCS SB 63		Modifies provisions pertaining to utilities
HCS SB 207		Modifies provisions pertaining to energy and property taxation
SB 208	Lager	Removes any requirement that a telecommunications company must file tariffs and exempts compliance with certain state regulations when federal regulations exist
SB 209	Lager	Modifies telecommunications provisions relating to carrier of last resort obligations
SB 269	Brown	Modifies provisions relating to the formation and auditing of joint municipal utility commissions
SB 274	Lembke	Allows landlords to apportion charges to tenants for water and sewer utility service
SB 321	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
SB 359	Lager	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
SB 376	Parson	Modifies laws relating to the provision of natural gas utility service
SB 406	Crowell	Allows certain cost recovery by electric companies for energy generation and requires utilities to pay an assessment for the Office of Public Counsel
SB 422	Lager	Modifies the state's renewable energy standard
SCR 1	Ridgeway	Disapproves a final order of rule making by the Public Service Commission regarding Electric Utility Renewable Energy Standard Requirements
HB 42	Loehner	Requires an electrical corporation to pay a surcharge of one-tenth of one cent per kilowatt hour on all nuclear energy produced in the state and sold out of its service territory
HB 119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program
HB 120	Schoeller	Changes the laws regarding infrastructure replacement surcharges for water corporations
HB 124	Riddle	Allows an electrical company to recover from ratepayers the costs associated with early site development for certain electrical generation facilities
HB 216	Barnes	Prohibits the Missouri Public Service Commission from approving any tariff of an electrical corporation that establishes a single customer class if the customer is an aluminum smelting facility
SS HCS HB 338		Specifies that a telecommunications company may elect to be exempt from certain rules if giving written notice to the Missouri Public Service Commission
SS HB 339		Changes the laws regarding telecommunications as they relate to the carrier of last resort obligations
SCS HB 462		Repeals the provisions requiring the Missouri Energy Task Force to reconvene at least one time a year and issue an annual status report to the Governor and General Assembly
HCS HB 613		Establishes the Renewable Energy Act and repeals the Renewable Energy Standard enacted by Proposition C in 2008

No.	Author	Subject
HB 616	Holsman	Authorizes a one-year tax credit of up to \$1 per watt of energy produced to any industrial generator operating a new system producing an output between 25,000 and 100,000 kilowatts of renewable energy
HCS HB 688		Changes the laws regarding property taxes and energy
HCS HB 711		Changes the laws regarding utilities
HB 877	Berry	Requires an electric utility to accept electricity produced from a customer who operates an electric generating facility in the service area of the utility
HB 967	Smith	Changes the appellate procedures for an issue initially decided by the Missouri Public Service Commission
HB 1021	Nolte	Requires a telecommunications company to provide caller location information in certain emergency situations
HCR 5	Smith	Disapproves and suspends a proposed amendment to 4CSR 240-20.100 regarding the Electric Utility Renewable Energy Standards Requirements
<b>RAILROADS</b>		
SB 107	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
SB 377	Parson	Extends the sunset on rolling stock tax credits
HB 58	Brown	Establishes the Missouri and Midwest High-Speed Rail Commission Act and the Missouri and Midwest High-Speed Rail Commission
SS SCS HB 209		Changes the laws regarding county nuisance abatement ordinances, junkyards, and private nuisance actions
HCS HB 649		Establishes the Developmental Disability Care Provider Tax Credit Program and extends the expiration date of several specified tax credits
HB 674	Largent	Extends the expiration date for tax credits allowed against a freight line company's property taxes for eligible expenses incurred on qualified rolling stock in Missouri to August 28, 2020
<b>REDISTRICTING</b>		
SCS SB 264		Establishes new congressional districts
CCS SS HCS HB 193		Changes the composition of Congressional districts based on the 2010 census
HB 1000	Diehl	Changes the composition of Congressional districts based on the 2010 census
HB 1001	Diehl	Changes the composition of Congressional districts based on the 2010 census
HJR 19	Kirkton	Proposes a constitutional amendment transferring initial responsibility for Congressional and legislative redistricting from a Congressional committee to a state demographer
<b>RELIGION</b>		
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SCS SJR 16		Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion
HB 69	Jones	Allows for a special license plate for a member of the International Conference of Police Chaplains who has completed the requirements for basic certification as a police chaplain
HB 198	Denison	Designates December 25 of each year as "Christmas Day"
HB 322	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink on the premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 333	Shumake	Allows religious books to be used in public schools in certain situations as long as they are used in a manner that does not violate the Establishment Clause of the United States Constitution

No.	Author	Subject
HB 424	Funderburk	Designates the day after Thanksgiving Day until midnight December 26 of each year as the "Christmas Season" in Missouri
HB 477	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation an unlawful discriminatory practice
HB 933	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HJR 2	McGhee	Proposes a constitutional amendment guaranteeing a citizen's right to pray and worship on public property and reaffirming a citizen's right to choose any or no religion
HJR 10	Barnes	Proposes a constitutional amendment repealing the prohibition against state funds being used to support any religion or religious school and specifies that parents have the right to choose any school
HJR 31	Wells	Proposes a constitutional amendment prohibiting a state court from using any international law or Sharia law
HJR 38	Barnes	Proposes a constitutional amendment allowing the General Assembly to provide financial assistance to students to pay for elementary and secondary education at any accredited school they select
<b>RETIREMENT - LOCAL GOVERNMENT</b>		
SB 121	Stouffer	Specifies how duty-related death benefits are funded for the Missouri Local Government Employees' Retirement System
SB 152	Crowell	Modifies provisions of the retirement plan of the Police Retirement System of St. Louis
SB 154	Schaaf	Caps the amount of the reduced monthly benefit that certain members of LAGERS who choose to receive a partial lump sum payment may receive
SB 170	Crowell	Specifies that defined benefit retirement plans are required to submit quarterly reports on their investment performance to the Joint Committee on Public Employee Retirement
SS SB 238		Creates a presumption that certain infectious diseases are duty-related for the purposes of firefighters' disability and death benefits
SB 271	Kraus	Modifies provisions of the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City
SB 273	Lembke	Modifies provision of the Firemen's Retirement System of St. Louis
SB 275	Lembke	Allows certain retirees who are part of LAGERS to authorize the board to deduct certain insurance premiums from their benefits
SB 414	Crowell	Allows the state auditor to audit any state or local public employees' retirement system
HB 127	Barnes	Specifies that any partial term served by a member of the Sheriffs' Retirement System who is elected sheriff at a special election will be counted as serving an entire term when calculating benefits
HB 183	Silvey	Changes the laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City
HB 263	Weter	Revises the monthly retirement allowance reduction for certain retirees of the Missouri Local Government Employees' Retirement System electing a partial lump-sum distribution
SS SCS HB 282		Changes the laws regarding public employee retirement
HCS HB 290		Changes the laws regarding political subdivisions
HB 358	Leara	Changes the laws regarding the Police Retirement System of St. Louis
HB 360	Leara	Allows a retiree of the Missouri Local Government Employees' Retirement System to have health insurance or long-term care insurance premiums deducted from his or her retirement allowance

No.	Author	Subject
HB 396	Diehl	Removes the provision specifying that the \$4 surcharge assessed in certain criminal cases will not be collected from any person who has pled guilty and paid a fine through the central violations bureau
HB 448	Lair	Creates a funding mechanism for survivor benefits when a member of the Missouri Local Government Employees' Retirement System dies as a result of a duty-related injury or disease
SS SCS HCS HB 664		Changes the laws regarding benefits for a fire fighter incurring an infectious disease in the line of duty and the Firemen's Retirement System of St. Louis
HB 665	Leara	Changes the laws regarding a member of the Firemen's Retirement System of St. Louis who retires because of accidental disability
HB 776	Leara	Changes the laws regarding the Police Retirement System of St. Louis
HB 879	Franz	Changes the laws regarding the direct rollover provisions of the County Employees' Retirement System
HCS#2 HB 889		Changes the laws regarding political subdivisions
<b>RETIREMENT - SCHOOLS</b>		
SS SCS SB 13		Requires the Joint Committee on Education to oversee a task force on teacher compensation and effectiveness
SB 115	Justus	Modifies provisions relating to the Public School Retirement System of Kansas City
SB 170	Crowell	Specifies that defined benefit retirement plans are required to submit quarterly reports on their investment performance to the Joint Committee on Public Employee Retirement
SB 413	Crowell	Modifies the State Auditor's authority to examine audits of the Public School Retirement System to allow the auditor to audit the system
SB 414	Crowell	Allows the state auditor to audit any state or local public employees' retirement system
HB 229		Changes the laws regarding the Public School Retirement System of Kansas City
HB 241	Fallert	Allows a person employed by a public school for 17 hours or less per week to work at another public school if the total does not exceed 17 but cannot be combined to establish eligibility for retirement
HB 409	Koenig	Establishes a defined contribution plan in the Missouri Public School Retirement System for any new employee who first becomes a member on or after July 1, 2013
<b>RETIREMENT - STATE</b>		
SB 170	Crowell	Specifies that defined benefit retirement plans are required to submit quarterly reports on their investment performance to the Joint Committee on Public Employee Retirement
SB 201	Crowell	Modifies provisions of the state deferred compensation plan
SB 404	Ridgeway	Allows certain state employees to receive a lump sum payment for the present value of a deferred annuity
SB 410	Crowell	Requires MOSERS and MPERS to transfer funds between the retirement systems when service is transferred between the systems
SB 411	Crowell	Allows employees of the Missouri Development Finance Board to join the Missouri State Employees' Retirement System and places a moratorium on certain tax credits
SB 412	Crowell	Modifies the State Auditor's authority to examine audits of the MODOT and Highway Patrol Employees' Retirement System (MPERS) and the Missouri State Employees' Retirement System (MOSERS) to allow the Auditor to audit the systems
SB 414	Crowell	Allows the state auditor to audit any state or local public employees' retirement system
SS SCS HB 282		Changes the laws regarding public employee retirement
HB 305	Gatschenberger	Establishes the 2011 State Employee Retirement Incentive Program



No.	Author	Subject
HB 834	Lampe	Prohibits a member of the General Assembly from being eligible to receive a retirement benefit based on his or her service as a member of the General Assembly beginning January 1, 2013
HB 896	McCaherty	Specifies that certain spouses of Missouri State Employees' Retirement System members will be ineligible to receive a retirement allowance upon the dissolution of the member's marriage
HB 954	Franz	Specifies that a full-time employee of the Missouri Development Finance Board will be a state employee and a member of the Missouri State Employees' Retirement System
<b>RETIREMENT SYSTEMS AND BENEFITS - GENERAL</b>		
SCS SB 23		Allows the City of St. Louis to control its police force without state intervention
SB 170	Crowell	Specifies that defined benefit retirement plans are required to submit quarterly reports on their investment performance to the Joint Committee on Public Employee Retirement
SS SB 238		Creates a presumption that certain infectious diseases are duty-related for the purposes of firefighters' disability and death benefits
SB 412	Crowell	Modifies the State Auditor's authority to examine audits of the MODOT and Highway Patrol Employees' Retirement System (MPERS) and the Missouri State Employees' Retirement System (MOSERS) to allow the Auditor to audit the systems
SB 414	Crowell	Allows the state auditor to audit any state or local public employees' retirement system
HB 50	Taylor	Eliminates the tax on a one-time early distribution from certain annuities or retirement plans when the distribution does not exceed 20% of the total balance of the account
HB 127	Barnes	Specifies that any partial term served by a member of the Sheriffs' Retirement System who is elected sheriff at a special election will be counted as serving an entire term when calculating benefits
HB 218	Cox	Allows a senior judge or senior commissioner to elect to forgo his or her regular salary and receive only the minimum wage during times of budget stress
SS SCS HB 282		Changes the laws regarding public employee retirement
HB 295	Hinson	Specifies that any infectious disease which causes a condition of impaired health resulting in a disability or death of certain fire fighters will be presumed to have been incurred in the line of duty
HB 396	Diehl	Removes the provision specifying that the \$4 surcharge assessed in certain criminal cases will not be collected from any person who has pled guilty and paid a fine through the central violations bureau
HCS HB 787		Changes the laws regarding early distributions from certain annuities or retirement plans, the Missouri Higher Education Saving Program, and residential mortgage loan brokers
HCR 10	Nolte	Urges Congress to immediately repeal the Government Pension Offset and Windfall Elimination Provision of the Social Security Act
<b>REVENUE DEPT.</b>		
SCS SB 19		Places a cap on corporated franchise taxes and phases-out the corporate franchise tax over a five-year period
SCS SBs 26 & 106		Allows for the issuance of Nixa Education Foundation and Combat Action special license plates
SB 49	Wright-Jones	Creates special rules for the formation of transportation development districts to operate mass transportation systems
HCS SB 61		Enacts various provisions relating to local government
SB 66	Stouffer	WITHDRAWN
CCS HCS#2 SCS SB 117		Modifies provisions of law regarding certain taxes imposed by political subdivisions

No.	Author	Subject
SB 167	Goodman	Allows the Department of Revenue to issue special event motor vehicle auction licenses to applicants auctioning certain vehicles
SB 181	Stouffer	Reinstates the Motorist Insurance Identification Database program which expired on June 30, 2007
SB 195	Stouffer	Requires driver's licenses and nondriver's licenses issued to persons who are not United States citizens to contain a notation that the holder of such license is not a citizen of the United States
SB 234	Dempsey	Creates an income tax dependency exemption for stillborn children
HCS SS SCS SB 254		Modifies Missouri's law relating to intoxicated-related traffic offenses
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 324	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates
SB 335	Schaaf	Allows public disclosure of department of revenue records regarding the number of cigarettes sold annually by tobacco product manufacturers
SB 389	McKenna	Modifies the laws regarding concealed carry permits for Missouri residents
SB 402	Kehoe	Requires window stickers to show current motor vehicle registration instead of license plate tabs
SJR 1	Ridgeway	Replaces all taxes on income with a sales and use tax
SJR 14	Schaaf	Allows the Department of Revenue to receive its actual costs in collecting highway-related taxes and fees unbridled by the current 3 percent constitutional cap
HB 48	Cookson	Exempts motor fuel used to operate school buses transporting students for educational purposes from the motor fuel tax and requires the establishment of a uniform and simplified rule for all exemptions
HB 52	Ellinger	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
HB 77	Nolte	Reduces over a five-year period the annual corporate franchise tax rate from one-forty-fourth of 1% until no tax is imposed beginning January 1, 2016
CCS SCS HB 101		Changes the laws regarding liquor control
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
HB 167	Nolte	Requires Missouri driver's license examinations to only be administered in English
HB 235	Kelly	Prohibits the Department of Revenue from selling or disclosing certain driver record information
HB 278	McNeil	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
SCS HB 307 & HB 812		Allows the Department of Revenue to issue specified special license plates for any vehicle except an apportioned motor vehicle or a commercial motor vehicle in excess of 18,000 pounds gross weight
HB 394	Cookson	Allows the owner of a property-carrying commercial motor vehicle to request and be issued two license plates
HB 533	Newman	Changes the laws regarding taxation
HB 541	McManus	Extends the income tax credit for donations to a food pantry from August 28, 2011, to August 28, 2015
HB 549	Bahr	Prohibits the use of global positioning systems or other technology to monitor the mileage traveled by any motor vehicle in order to impose any mileage tax

No.	Author	Subject
HB 550	Day	Changes the laws regarding notice of liens on motor vehicles, trailers, watercraft, and manufactured homes
HB 581	Oxford	Establishes the Missouri Earned Income Tax Credit Act which authorizes an individual income tax credit equal to 20% of any earned income tax credit claimed by the taxpayer on his or her federal income tax return
HB 605	Schieffer	Changes the laws regarding the sales tax collection on motor vehicles by certain motor vehicle dealers
HB 610	Molendorp	Re-establishes the Motorist Insurance Identification Database Program to verify compliance with motor vehicle financial responsibility requirements and changes the laws regarding towing of certain vehicles
HB 638	Funderburk	Replaces the Motorist Insurance Identification Database Act with the Insured Vehicle Identification Network Act to track insured motorists, identify uninsured motorists, and maintain a statewide database
HB 646	Scharnhorst	Allows the Department of Revenue to disclose information to the public regarding the annual number of cigarettes sold by each tobacco product manufacturer
HB 684		Allows a temporary exemption from the proof of lawful presence requirement for a victim of domestic violence who is applying for a driver's license or instruction permit
HB 689	Still	Allows a person to pay the \$25 emblem-use fee to the Missouri State Humane Association for a I'm Pet Friendly special license plate at the time of registration for deposit in the Missouri Pet Spay-Neuter Fund
HB 712	Webb	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 727	Kratky	Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 736	McCaherty	Establishes the Paperless Documents and Forms Act which requires the Department of Revenue to develop and implement a method of providing to the public all department documents and forms electronically
HB 740	Funderburk	Clarifies the current exemptions from sales and use tax by defining "manufacturing, processing, compounding, mining, or producing" to include testing, installing, calibrating, maintaining, and repairing
HB 746	Brown	Authorizes a check-off box for the newly created Puppy Protection Trust Fund to be added to the individual and corporate income tax forms and allows for a separate check donation with a tax payment
HB 767	Bahr	Allows the Department of Revenue and the Office of Administration to jointly enter into a reciprocal agreement with the United States government or any other state for the collection and offset of debts
HB 780	Oxford	Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 784	Riddle	Prohibits the disclosure of personal information contained in motor vehicle and driver registration records regarding any state or federal judge or drug court commissioner or his or her family members
HB 786	Franklin	Gives preference in the awarding of a fee office contract to a tax exempt organization whose primary administrative office is in the same county or legislative district as the fee office
HCS HB 818		Changes the laws regarding transportation
HB 819	Denison	Authorizes the Department of Revenue to use technology to make processes for filing certain forms and sending certain notifications more efficient
HB 820	Denison	Changes the laws regarding commercial driver's licenses
HCS HB 825		Prohibits the assessment of any penalty or the issuance of a ticket for failing to renew a motor vehicle registration prior to the last day of the month following the expiration of the registration period
HB 852	Fitzwater	Establishes a special license plate for the Rocky Mountain Elk Foundation (Withdrawn)

No.	Author	Subject
HB 853	Nance	Authorizes the City of Excelsior Springs to impose, upon voter approval, a retail sales tax of up to 1% for the purpose of funding a community center and retiring any bonds issued for funding the center
HB 854	McGeoghegan	Requires the Department of Revenue to establish a database of emergency contact persons for an individual who is issued a driver's license, instruction permit, or identification card
HB 860	Hinson	Changes the laws regarding intoxication-related traffic offenses in order for Missouri to comply with federal law for the purpose of receiving transportation funding
HB 888	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
HB 901	Talboy	Prohibits the issuance of a tax credit under certain programs for an otherwise qualifying job under certain circumstances when the jobs are relocated from a contiguous state
HB 911	Webber	Authorizes a check-off box for the Missouri Veterans' Medical Research Trust Fund to be added to the individual and corporate income tax forms and allows for a separate donation to be sent in with the taxes
HB 963	Fitzwater	Allows for a special license plate for a member of the Rocky Mountain Elk Foundation
HB 966	Funderburk	Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 970	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 973	Korman	Authorizes a state sales and use tax exemption on all retail sales of any "Made in USA" product except motor vehicles for a seven-day period in July 2012 and July 2013
HB 976	Johnson	Authorizes a reduction in the corporate income tax rate from 6.25% until the rate is eliminated based on the total of state sales and use tax collected in a fiscal year
HCS HB 979 & 885		Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the state sales and use tax by .25%
<b>REVISION BILLS</b>		
HCS HB 315		Changes the provisions of the Revised Statutes of Missouri that have been enacted in more than one bill so that there is only one version of a statute
HCS HJR 8		Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services
<b>ROADS AND HIGHWAYS</b>		
SCS SB 11		Modifies various regulations governing the operation of motor vehicles
SB 24	Keaveny	Increases the fine for seat belt violations from \$10 to \$50
HCS SS SCS SB 58		Modifies various provisions relating to the regulation of transportation
SB 73	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute fines to local school districts
HCS SB 77		Expands the types of directional signs which may be erected within highway right-of-ways and creates numerous memorial highway designations
SB 120	Stouffer	Modifies various provisions relating to billboards
HCS SCS SB 133		Modifies the law with respect to highway design-build project contracts and sewer district design-build contracts
SB 212	Lembke	Requires the department of transportation to establish minimal yellow light change interval times for traffic-control devices
HCS SS SCS SB 254		Modifies Missouri's law relating to intoxicated-related traffic offenses

No.	Author	Subject
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 277	Lager	Modifies the law with respect to how municipalities and the legal system treats the lawful use of motor vehicles on public roads
SB 283	Munzlinger	Allows motor vehicles hauling agricultural products to exceed state weight limits by up to ten percent during harvest period
SB 378	Kehoe	Modifies law regarding commissions' authority to enter into additional design-build contracts
SJR 14	Schaaf	Allows the Department of Revenue to receive its actual costs in collecting highway-related taxes and fees unbridled by the current 3 percent constitutional cap
HB 33	Sater	Requires a motor vehicle driver, when overtaking a bicycle, to pass safety at a distance of not less than three feet
HB 49	Meadows	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Stan 'The Man' Musial Mississippi River Expressway Bridge"
HB 51	Taylor	Authorizes a \$2 surcharge to be collected in all criminal cases involving a state traffic law violation to be disbursed equally for law enforcement and fire safety training
HB 53	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated speed enforcement system to enforce speeding violations except in a school, construction, or work zone
HCS HB 70		Changes the compensation and mileage allowance for certain members of a county highway commission
HB 93	Shively	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state
HB 104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation
HB 105	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 114	Day	Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle
HB 164	Franz	Changes the age when the juvenile court will have jurisdiction over a child involving a state or local traffic violation from a child up to 15 1/2 years of age to a child up to 15 years of age
HB 167	Nolte	Requires Missouri driver's license examinations to only be administered in English
HB 168	Nolte	Requires any driver's license, commercial driver's license, non-driver's license, or instruction permit issued to a noncitizen who is lawfully present in the U. S. to include a noncitizen status emblem
HB 177	McNeil	Prohibits political subdivisions from using an automated speed enforcement system to enforce speeding violations within 500 feet of any speed limit sign reducing the limit except in speical school zones
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HB 207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone
HB 228	Schoeller	Changes the laws regarding billboards
HB 242	Fallert	Prohibits any person, except law enforcement and emergency personnel, from climbing on or standing or working atop any tanker trailer stopped along a highway unless proper safety precautions are taken

No.	Author	Subject
HCS HB 266		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HB 317	Colona	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance
HB 406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HB 433	Kander	Changes the classification of certain human trafficking crimes and establishes fines and prison terms for the crimes
HB 435	Wyatt	Authorizes any county of the third classification to impose, upon voter approval, a special road rock fund tax on agricultural and horticultural property
HCS HB 459		Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Jerry F. Costello - William 'Bill' Clay Sr. Veterans Memorial Bridge"
HB 481	Brown	Requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing a city or neighborhood street in Kansas City in an appropriate crosswalk
HB 488	Gatschenberger	Requires driver's license examinations to only be administered in English and establishes a \$15 fee for an applicant to take the written portion of the examination
HB 489	Gatschenberger	Requires the Department of Transportation to establish minimal yellow light change interval times for traffic-control devices
HB 495	Jones	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 497	Schieffer	Authorizes any city, town, or village in Lincoln County to annex areas along a road or highway for up to two miles from its existing boundaries
HB 513	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 518	Schupp	Designates a portion of Interstate 40/64 in St. Louis County as the "Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway"
HB 527	Cookson	Requires the Department of Transportation to conduct a study regarding the safety impact of putting four-foot shoulders on all two-lane U. S. highways in Missouri
HB 529	Carter	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "William Lacy 'Bill' Clay Sr. Mississippi River Expressway Bridge"
HB 655	Lampe	Designates a portion of U. S. Highway 160 in Greene County as the "Rabbi Ernest I. Jacob Memorial Highway" and repeals the designation of "Rabbi Abraham Joshua Heschel Memorial Highway" in Greene County
HB 678	Schatz	Changes the laws regarding excavation notification centers
HB 691	Schad	Creates the crime of endangerment of emergency personnel or emergency responder and requires a court to assess certain fines for certain traffic violations in an active emergency zone
HB 713	Phillips	Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions
HB 730	McManus	Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage

No.	Author	Subject
HB 735	Hough	Requires a municipality to allow at least one street to be used by commercial vehicles to access any state highway and prohibits a civil action for the legal use a motor vehicle on a public street
SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813		Renames the Heroes Way Interstate Interchange Designation Program as the Heroes Way Interchange Designation Program and designates several memorial highways and bridges
HB 814	McDonald	Designates a portion of Interstate 70 from the eastern city limits of Independence west to the Kansas state line as the "Truman/Eisenhower Presidential Highway" contingent on Kansas making a designation
HCS HB 818		Changes the laws regarding transportation
HB 868	Meadows	Changes the laws regarding certain highway lane usage
HB 876	Fisher	Revises the definition of "construction" as it relates to prevailing wages on public works projects and abrogates the ruling in Utility Service Co., Inc. v. the Department of Labor and Industrial Relations
HB 895	Hampton	Designates a portion of State Highway 25 in the counties of Dunklin and Stoddard as the "Representative Otto Bean Memorial Highway"
HB 900	McGhee	Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"
HB 912	McCaherty	Designates a portion of State Highway 30 in Jefferson County as the "SFC Wm. Brian Woods, Jr. Memorial Highway"
HB 961	Atkins	Allows a rotation list to be used by law enforcement when requesting wrecker or towing services and requires a towing company to remove debris from the road when responding to an accident
SCS HB 1008		Allows the Highways and Transportation Commission to enter into infrastructure improvement agreements to reimburse funds advanced for the benefit of a county, political subdivision, or private entity
<b>SAINT LOUIS</b>		
SB 20	Wright-Jones	Modifies the compulsory attendance age for the St. Louis City School District so that students must attend school from five years of age to eighteen years of age
SCS SB 23		Allows the City of St. Louis to control its police force without state intervention
HCS SB 61		Enacts various provisions relating to local government
SB 123	Keaveny	Allows foreign language immersion charter schools to enroll four-year-old children
SB 124	Keaveny	Requires children in the St. Louis City School District to attend school at age five
SB 128	Lembke	Allows the mayor of the City of St. Louis to be a charter school sponsor
SB 129	Lembke	Exempts the St. Louis City School District from the requirement that an unaccredited school district pay tuition and transportation for students who attend an accredited school under certain circumstances
HCS SB 147		Modifies provisions relating to education
SB 152	Crowell	Modifies provisions of the retirement plan of the Police Retirement System of St. Louis
SB 172	Crowell	Modifies the State Legal Expense Fund
HCS SB 243		Modifies provisions relating to educational resources and services
SB 273	Lembke	Modifies provision of the Firemen's Retirement System of St. Louis
SCS SBs 291, 184 & 294		Modifies provisions relating to charter schools

No.	Author	Subject
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SJR 6	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board
SJR 19	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
SJR 21	Lembke	Proposes a constitutional amendment to put a question on the ballot in the City of St. Louis regarding the city's governance
HB 26	Jones	Changes voter reauthorization on city earnings taxes from every five years to every 20 years
HB 49	Meadows	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Stan 'The Man' Musial Mississippi River Expressway Bridge"
SS HB 71		Allows the City of St. Louis to establish and maintain a municipal police force completely under the city's authority
HB 159	Brandom	Allows for house arrest with electronic monitoring or shackling for certain nonviolent offenders and requires the state to provide reimbursement for the total cost of house arrest in certain cases
SCS HB 186		Changes the laws regarding county officers
HB 245	Newman	Allows voters to cast advance ballots
SS SCS HB 282		Changes the laws regarding public employee retirement
HCS HB 336		Authorizes an income tax credit for the eligible costs of bringing certain sporting events to Missouri
SS HB 339		Changes the laws regarding telecommunications as they relate to the carrier of last resort obligations
HB 358	Leara	Changes the laws regarding the Police Retirement System of St. Louis
HB 389	Holsman	Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of grantees
HCS HB 459		Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Jerry F. Costello - William 'Bill' Clay Sr. Veterans Memorial Bridge"
HCS HB 473		Changes the laws regarding charter schools and establishes the Missouri Charter Public School Commission
HB 511	Nasheed	Establishes the Every Child Can Learn Act which requires all St. Louis City public schools to use a response-to-intervention tiered approach to reading instruction for certain struggling students
HB 529	Carter	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "William Lacy 'Bill' Clay Sr. Mississippi River Expressway Bridge"
HB 571		Reduces the maximum penalty that can be charged on delinquent county property taxes
HB 582	Oxford	Establishes smaller class sizes for school districts in St. Louis City and St. Louis County than the minimum and desirable standards of the Department of Elementary and Secondary Education
HB 625	Nichols	Requires at least two of three commissioners appointed in condemnation cases in St. Louis City, St. Louis County, and Jackson County to be real estate brokers or appraisers
HB 651		Changes the membership of the Missouri Housing Development Commission
HCS HB 660		Allows certain cities to create, maintain, and make public a list of the names of individuals who have pled guilty to or been found guilty of patronizing prostitution
SS SCS HCS HB 664		Changes the laws regarding benefits for a fire fighter incurring an infectious disease in the line of duty and the Firemen's Retirement System of St. Louis



No.	Author	Subject
HB 665	Leara	Changes the laws regarding a member of the Firemen's Retirement System of St. Louis who retires because of accidental disability
HB 667	Carter	Establishes two prostate cancer pilot programs to fund screening and treatment services and to provide education to men residing in the state
HB 712	Webb	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 776	Leara	Changes the laws regarding the Police Retirement System of St. Louis
HCS HB 787		Changes the laws regarding early distributions from certain annuities or retirement plans, the Missouri Higher Education Saving Program, and residential mortgage loan brokers
HB 794	Spreng	Specifies the conditions when storm water runoff will be considered to flow to a sewer maintained by the Metropolitan St. Louis Sewer District for purposes of charging the property owner a storm water fee
HB 835	Lampe	Requires a child in the St. Louis City School District, except for a child who is intending to be home schooled, to be enrolled in a public, private, parochial, or parish school by five years of age
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HB 939	Dieckhaus	Creates procedures for open enrollment of public school students across school district boundary lines
HB 1017	Oxford	Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis
HCR 6	Allen	Urges the Secretary of the Interior to add Grant's Farm in St. Louis County as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site
HCS HCR 39		Urges the Secretary of the Interior to add Grant's Farm in St. Louis County as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site
<b>SAINT LOUIS COUNTY</b>		
SB 309	Kehoe	Allows certain ambulance and fire protection districts to seek voter approval for a sales tax to fund such districts
SJR 6	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board
SJR 19	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
HB 208	Meadows	Prohibits certain persons from being appointed to the Regional Taxicab Commission, removes the requirement that four of the members be chosen from the industry, and establishes an advisory committee
HB 245	Newman	Allows voters to cast advance ballots
HCS HB 336		Authorizes an income tax credit for the eligible costs of bringing certain sporting events to Missouri
SS HB 339		Changes the laws regarding telecommunications as they relate to the carrier of last resort obligations
HB 447	Funderburk	Changes the laws regarding the Real Property Tax Increment Allocation Redevelopment Act
HB 518	Schupp	Designates a portion of Interstate 40/64 in St. Louis County as the "Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway"
HB 534	Leara	Changes the laws regarding the distribution of the St. Louis County sales tax
HB 582	Oxford	Establishes smaller class sizes for school districts in St. Louis City and St. Louis County than the minimum and desirable standards of the Department of Elementary and Secondary Education

No.	Author	Subject
HB 625	Nichols	Requires at least two of three commissioners appointed in condemnation cases in St. Louis City, St. Louis County, and Jackson County to be real estate brokers or appraisers
HB 659	Denison	Authorizes the St. Louis Metropolitan Sewer District to enter into a design-build contract for a construction project exceeding \$1 million
HCS HB 660		Allows certain cities to create, maintain, and make public a list of the names of individuals who have pled guilty to or been found guilty of patronizing prostitution
HB 712	Webb	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 917	Hinson	Requires all fire protection districts and municipal fire departments in St. Louis County to consolidate into one fire district upon the approval of the voters of the county
HB 1019	Diehl	Requires a distressed municipality in St. Louis County to provide a minimum level of public services
<b>SALARIES</b>		
SCR 3	Lembke	Disapproves the salary recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials
HCS HB 61		Prohibits the state minimum wage from exceeding the federal minimum wage and specifies that every employer must pay each employee receiving gratuities as compensation a wage of \$3.63 per hour
HB 64		Changes the laws regarding unclaimed and abandoned property
HCS HB 70		Changes the compensation and mileage allowance for certain members of a county highway commission
HB 87	McGhee	Provides an annual 2% pay increase in Fiscal Year 2013 through Fiscal Year 2015 for non-custodial employees in certain divisions of the Department of Corrections
HB 132	Still	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 138	Thomson	Establishes the School Construction Act which exempts the construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HB 150	Webber	Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HB 202	Hoskins	Specifies that for two years the daily expense allowance for members of the General Assembly will be the same as the rate in effect on September 30, 2010, and cannot be increased
HB 218	Cox	Allows a senior judge or senior commissioner to elect to forgo his or her regular salary and receive only the minimum wage during times of budget stress
HB 227	Wyatt	Specifies that the Missouri Supreme Court child support guidelines must require income documentation and changes the provisions regarding child support when the parents have joint physical custody
HB 320	Fisher	Changes the laws regarding Missouri's prevailing wage as it relates to public works construction
HB 349	Newman	Changes the laws regarding equal employment practices
HB 359	Leara	Establishes the Payday Loan Protection Act regarding unsecured loans of \$500 or less, commonly known as payday loans
HB 371	Fitzwater	Establishes minimum salary requirements for all corrections officers and supervisors
HB 397	Diehl	Changes the laws regarding failure to timely pay a sales representative his or her earned sales commissions
HCS HB 401		Changes the laws regarding unclaimed property

No.	Author	Subject
HB 453	Hodges	Prohibits reductions in county officials' salaries when a county changes classification until the current official leaves office
HB 466	Schoeller	Allows an employer or labor organization to obtain political contributions through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 492	Franz	Requires written authorization by a public employee before a labor union can withhold any dues, fees, or political contribution from the employee's paycheck
HB 522	Rizzo	Changes the laws regarding unsecured loans of \$500 or less, commonly known as payday loans, and allows the Attorney General to maintain an action to enforce compliance
HCS HB 548		Changes the laws regarding the compensatory time, vacation leave, and mass layoff notification of state employees
HCS HB 828		Changes the laws regarding prevailing wages
HB 876	Fisher	Revises the definition of "construction" as it relates to prevailing wages on public works projects and abrogates the ruling in Utility Service Co., Inc. v. the Department of Labor and Industrial Relations
HCR 18	Parkinson	Disapproves the salary recommendations of the Citizen's Commission on Compensation for Elected Officials
HCR 32	Bernskoetter	Establishes a Joint Interim Committee on State Employee Wages to address the need to increase Missouri's ranking as 50th worst in the nation in state employee compensation
HJR 4	Barnes	Proposes a constitutional amendment preventing the proposed compensation schedule from the Commission on Compensation for Elected Officials from including any increase in certain circumstances
<b>SAVINGS AND LOAN</b>		
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
<b>SAVINGS AND LOAN</b>		
HB 144	Schoeller	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for payments made on a loan obtained to repair certain flood damage to the taxpayer's premises
HB 323	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
SCS HCS HB 464		Eliminates, combines, and revises certain provisions regarding state boards, commissions, committees, and councils
HB 524	Molendorp	Changes the laws regarding the regulation of bail bond agents
<b>SCIENCE AND TECHNOLOGY</b>		
SB 164	Pearce	Establishes the Missouri Science, Technology, Engineering, and Mathematics Initiative within the Department of Higher Education
SB 248	Parson	Establishes the Proof of Concept Business Finance Program
SB 268	Stouffer	Increases the statutory award amount for Alzheimer's disease research projects funded by the University of Missouri Board of Curators
SB 382	Chappelle-Nadal	Licenses clinical laboratory personnel
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 53	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated speed enforcement system to enforce speeding violations except in a school, construction, or work zone
HB 93	Shively	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state

No.	Author	Subject
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
HB 195	Koenig	Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to allow the teaching of scientific theories of biological or chemical evolution
HCS HB 223 & 231		Establishes the Nursing Education Incentive Program and authorizes a nonrenewable advanced placement grant to certain recipients of financial aid under the A+ Schools or Access Missouri programs
HB 352	Wallingford	Establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education
HB 467	Diehl	Establishes the Missouri Science and Innovation Reinvestment Act
HCS HB 468		Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act
HB 493	Wieland	Requires the Commissioner of the Office of Administration to develop a statewide system or to contract with a third party to allow all state agencies and departments to accept electronic payments
HB 512	Lair	Creates the crime of unlawfully intercepting computer and electronic communication device information
HB 515	Wallingford	Establishes the Embryo Transfer Act which authorizes the legal relinquishment and subsequent transfer of human embryos
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 559	Grisamore	Changes the laws regarding accessible electronic text material use in elementary and secondary schools
HB 564	Grisamore	Authorizes a sales and use tax exemption for machinery, equipment, and computers used by certain data center and server farm facilities and establishes the Missouri Advantage Act
HB 682	McNeil	Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders
HB 740	Funderburk	Clarifies the current exemptions from sales and use tax by defining "manufacturing, processing, compounding, mining, or producing" to include testing, installing, calibrating, maintaining, and repairing
HB 751	Kratky	Establishes the Clinical Laboratory Science Practice Act
HB 755	Leach	Specifies that any moneys generated by the Spinal Cord Injury Fund or granted by the University of Missouri Board of Curators for research programs not be used for abortion or human cloning research
HB 791	Marshall	Changes the laws regarding DNA profiling analysis
HB 808	Hughes	Requires all food or food products sold in Missouri which are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals
HB 867	Barnes	Establishes the Missouri Biosciences Eminent Scholars Program
HB 984	Meadows	Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
HB 1013	Hughes	Requires any food or food product sold in Missouri which contains a hormone growth substance or any product or by-product of any genetically manipulated material to be labeled with that information
HB 1022	Nolte	Specifies that any person who manufactures an article or a product while using stolen or misappropriated information technology will be deemed to engage in an unfair act under certain specified conditions

No.	Author	Subject
HCS HJR 3		Proposes a constitutional amendment affirming the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on their owners
HCS HJR 17		Proposes a constitutional amendment establishing the Freedom in Agriculture Act which guarantees the right of Missourians to grow crops, hunt and fish wildlife, and raise animals in a humane manner
		<b>SEARCH AND SEIZURE</b>
HB 456	Hodges	Adds a law enforcement officer of a fourth class city to the list of officers who are authorized to arrest and hold in custody any person of whom the officer is in fresh pursuit
HB 948	Holsman	Creates the crimes of abuse of the Internet, criminal defamation, and failure to comply with a search warrant seeking computer-related identifying information
		<b>SECRETARY OF STATE</b>
HCS#2 SB 3		Establishes photo identification requirements for voting and requirements for advance voting
SB 93	Kraus	Waives Secretary of State fees for new businesses and requires business licenses to be issued within sixty days
SB 105	Green	Creates an advance voting system for elections
SB 205	Stouffer	Creates an advance voting system for primary and general elections
HCS SCS SB 270		Modifies various provisions relating to public elections
CCS HCS SB 282		Modifies numerous laws relating to elections
SB 292	Schaaf	Requires presidential and vice presidential candidates to show valid birth certificates
SB 317	Stouffer	Exempts securities issued by agricultural cooperative corporations from state security registration requirements
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SB 424	Cunningham	Requires an informal hearing before the Secretary of State in certain instances
HCS#2 SJR 2		Allows enabling legislation for advance voting and photographic identification for voting
SJR 4	Lembke	WITHDRAWN
SJR 7	Lembke	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 9	Engler	Allows enabling legislation for photographic identification for voting
HB 39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office
HB 72	Torpey	Prohibits statewide elected officials or members of the General Assembly elected for their first term in office on or after November 2, 2010, from acting, serving, or registering as a lobbyist
HB 107	Smith	Requires special elections to fill certain vacancies in the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 240	Fallert	Requires anyone requesting 50 or more voter registration applications to provide certain information to the Office of the Secretary of State
HB 277	Franz	Requires the local offices and resident hunting and fishing permit vendors of the Department of Conservation to make a voter registration application form available to a resident permit applicant
HB 283	Rowland	Requires proof of identity and proof of United States citizenship for the office of President and Vice President to be submitted with the other required certification documents to the Secretary of State

No.	Author	Subject
HCS HB 329		Establishes an advance voting period and requires a voter to present an approved form of personal identification to vote at an election
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HB 379		Changes the laws regarding the use of paper ballot cards at elections
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance
HB 436	Fitzwater	Allows Iron County by adoption of an order or ordinance to hold a nonpartisan election for the office of sheriff
HB 535	Leara	Changes the laws regarding the circulation of initiative and referendum petitions
HB 593	Gatschenberger	Requires each voter to affix the proper postage before returning an absentee ballot by mail
HB 629	Cierpiot	Changes the laws regarding the dates of public elections
SS SCS HCS HB 697		Specifies that any administrative rule proposed, adopted, or amended by a state agency after August 28, 2011, must automatically terminate six years after its effective date
HB 714	Cauthorn	Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual
HB 778	Riddle	Allows certain persons to carry concealed firearms in the State Capitol Building or at a meeting of the General Assembly if they have a valid concealed carry endorsement
HB 783	Berry	Requires \$2 from every business registration fee collected by the Secretary of State to be deposited into the Missouri Small Business Development Centers Fund
HB 847	Guernsey	Exempts any security issued by an agricultural cooperative corporation operated as an agricultural cooperative association from state security registration requirements under certain conditions
HCS HB 856		Changes the laws regarding initiative and referendum petitions
HB 1012	Hughes	Requires the Secretary of State to annually air commercials and publish items in newspapers designed to educate the public on elected government and the democratic process
<b>SECURITIES</b>		
SB 317	Stouffer	Exempts securities issued by agricultural cooperative corporations from state security registration requirements
HB 135	Nolte	Extends from no later than 10 years to no later than 20 years the time period in which bonds and other similar instruments which have been authorized to fund the Unemployment Compensation Fund must mature
HB 173	Koenig	Prohibits limiting the investment of funds by the board of the Missouri Higher Education Savings Program to a specified grouping or list of investment vehicles
HB 847	Guernsey	Exempts any security issued by an agricultural cooperative corporation operated as an agricultural cooperative association from state security registration requirements under certain conditions
<b>SEWERS AND SEWER DISTRICTS</b>		
HCS SCS SB 133		Modifies the law with respect to highway design-build project contracts and sewer district design-build contracts
SB 158	Keaveny	Extends the expiration date to December 31, 2015, for certain clean water public notice requirements and clean water permit fees charged by the Department of Natural Resources
SB 269	Brown	Modifies provisions relating to the formation and auditing of joint municipal utility commissions
SB 274	Lembke	Allows landlords to apportion charges to tenants for water and sewer utility service
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources

No.	Author	Subject
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
CCS SCS HB 142		Changes the laws regarding political subdivisions
HB 659	Denison	Authorizes the St. Louis Metropolitan Sewer District to enter into a design-build contract for a construction project exceeding \$1 million
HCS HB 711		Changes the laws regarding utilities
HB 722	Schneider	Changes the laws regarding the responsibility for the payment of past due water and sewer services and on the termination of service for past due water and sewer services
HB 794	Spreng	Specifies the conditions when storm water runoff will be considered to flow to a sewer maintained by the Metropolitan St. Louis Sewer District for purposes of charging the property owner a storm water fee
<b>SEXUAL OFFENSES</b>		
SB 69	Schaefer	Modifies provisions relating to children who are victims of pornographic offenses
SB 156	Rupp	Provides that suspended sentences may not be granted in statutory rape and sodomy cases
SB 363	Justus	Modifies provisions relating to crime
SCS SB 400		Modifies provisions regarding the crime of sexual contact with a student while on public school property
HB 62	Nolte	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HCS HB 154		Changes the laws regarding the Department of Corrections
SCS HCS HB 214		Changes the laws regarding human trafficking
HB 302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program
HB 384	Black	Requires a person incarcerated for a sexual assault offense to successfully complete all treatment, education, and rehabilitation programs prior to being eligible for parole or conditional release
HB 510	Wyatt	Requires a court to order sexually transmitted disease testing of certain defendants within one week of the date the prosecuting or circuit attorney filed the motion requesting it
HB 599	Schad	Removes the requirement that the crime of sexual contact with a student be committed while on public school property
HB 731	Parkinson	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 781	Torpey	Increases the penalty for child molestation in the first degree when the victim is a child younger than 13 years of age to a class A felony
HB 791	Marshall	Changes the laws regarding DNA profiling analysis
HB 985	Anders	Revises the laws restricting the residency of a sexual offender
HB 995	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HCS HB 999		Changes the laws regarding sexual offender registration

No.	Author	Subject
<b>SOCIAL SERVICES DEPT.</b>		
SCS SBs 7, 5, 74 & 169		Creates the "TANF Child Protection and Drug Free Home Act" regarding drug testing for work-eligible TANF applicants and recipients
SB 40	Wright-Jones	Allows certain medical consultants who contract with the Department of Social Services and the Department of Mental Health to be covered by the State Legal Expense Fund
SB 42	Chappelle-Nadal	Increases resource limits for medical assistance eligibility
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
HCS#2 SCS SB 100		Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
SB 112	Kraus	Gives immunity from civil or criminal liability to persons reporting suspected child abuse to proper authorities
HCS SCS SB 177		Modifies provisions relating to public health policies
SB 261	Goodman	Removes the element of good cause from the crime of nonsupport
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 312	Keaveny	Modifies provision relating to administrative child support orders
SS#2 SCS SB 320		Modifies provisions relating to domestic violence
SB 333	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SB 334	Schaaf	Requires MO HealthNet managed care organizations to provide to the MO HealthNet Division all utilization, access, and spending data for the cost of care per covered participant
SB 365	Goodman	Allows \$9,999 in an irrevocable trust for certain funeral expenses to not be considered an asset when determining eligibility for public assistance
SB 376	Parson	Modifies laws relating to the provision of natural gas utility service
SB 393	Goodman	Modifies provisions relating to the Family Care Safety Registry
SCS SBs 394 & 331		Modifies the human trafficking provisions
SCS SBs 408 & 80		Extends the MO RX prescription drug plan until August 28, 2014
SCR 12	Schaaf	Urges the MO HealthNet Division to pursue the feasibility of implementing a program to assess chronic disease management of stroke prevention in atrial fibrillation
HB 34	Sater	Requires the Department of Social Services to apply for a federal waiver to modify the eligibility requirements for the Missouri Temporary Assistance for Needy Families (TANF) Program
SS SCS HCS HB 73 & 47		Requires certain applicants for and recipients of Temporary Assistance for Needy Families Program benefits to be tested for illegal drug use and the benefit card to include a photo of the recipient or payee
HB 156	Black	Establishes Sam Pratt's Law which authorizes the Department of Health and Senior Services to prohibit unlicensed child care providers from continuing to provide services if there are pending criminal charges
SCS HCS HB 214		Changes the laws regarding human trafficking
HB 420	Stream	Requires all health insurance carriers or health benefit plans to provide coverage for the diagnosis and treatment of eating disorders



No.	Author	Subject
SS SCS HCS HB 431		Changes the laws regarding foster care and adoption and establishes the Missouri State Foster Care and Adoption Board and a task force on foster care recruitment, licensing, and retention
HB 544	Sater	Changes the laws regarding criminal background checks of personal care attendants, long-term care providers, and long-term care workers
HB 565	Denison	Specifies that any person who makes a report of suspected child abuse to the proper authorities will be immune from civil and criminal liability
HB 583	Oxford	Changes the laws regarding quality early childhood care
SS SCS HCS HB 604		Establishes a task force on foster care recruitment, licensing, and retention and the Missouri State Foster Care and Adoption Board and changes the laws regarding parental rights, foster care, and adoption
HCS HB 649		Establishes the Developmental Disability Care Provider Tax Credit Program and extends the expiration date of several specified tax credits
HB 771		Creates the Foster Care and Adoptive Parents Recruitment and Retention Fund and establishes the Foster Care and Adoptive Parents Recruitment and Retention Fund Board
HB 793	Nance	Requires the Department of Social Services to establish an administrative renewal process for a child eligible for MO HealthNet or State Children's Health Insurance Program benefits
HB 816	Parkinson	Requires all purchases made with Temporary Assistance for Needy Families benefits by a recipient in this state to be limited to in-state purchases only
HB 817	Wyatt	Requires all purchases made with Temporary Assistance for Needy Families benefits by a recipient in this state to be limited to in-state purchases only
HB 844	Denison	Requires all children over 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri
HB 886	Gatschenberger	Requires all purchases and withdrawals made with Temporary Assistance for Needy Families benefits by a recipient in this state to be limited to in-state purchases and withdrawals only
HB 902	Neth	Specifies that any person who makes a report of suspected child abuse to the proper authorities will be immune from civil and criminal liability
<b>SOIL CONSERVATION</b>		
HB 103	Nance	Allows the Department of Conservation, in collaboration with the Department of Natural Resources, to establish a program for good forestry management
<b>SOVEREIGN OR OFFICIAL IMMUNITY</b>		
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HB 200	Kelley	Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
HB 269	Molendorp	Adds certain not-for-profit organizations to the term "public entity" as it relates to tort immunity and limits the state's liability in tort claims involving motor vehicles and dangerous conditions
HB 768	Bahr	Prohibits the application of a foreign law in a contract if doing so would violate a right guaranteed under the Missouri Constitution or the United States Constitution
<b>STATE DEPARTMENTS</b>		
SB 40	Wright-Jones	Allows certain medical consultants who contract with the Department of Social Services and the Department of Mental Health to be covered by the State Legal Expense Fund
SB 119	Schaefer	Assigns certain characteristics to the treatment of conservation easements under the law
SB 272	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses
SB 276	Schaefer	Allows state agencies to charge a surcharge for accepting credit and debit cards

No.	Author	Subject
SB 316	McKenna	Creates a four day work week for state employees
SCS SB 323		Requires the Auditor to conduct a one-time comparative audit of selected state agencies
SB 350	Dixon	Requires the sunset of all administrative rules proposed, adopted or amended after August 28, 2011, and allows an agency to repromulgate a rule that is set to sunset
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SJR 15	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SS#2 SCS HCS HB 89		Changes the laws regarding natural resources
HCS HB 121		Changes the laws regarding elections
HB 126	Barnes	Requires the state to give a prompt written notification to all affected state employees and specified county and city officials in certain situations when the state decides upon a mass layoff
HB 145	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 255	Cox	Establishes the Private Attorney Retention Act which specifies the procedures state agencies or agents must follow when retaining a lawyer or law firm to perform legal services under certain conditions
HB 269	Molendorp	Adds certain not-for-profit organizations to the term "public entity" as it relates to tort immunity and limits the state's liability in tort claims involving motor vehicles and dangerous conditions
HB 319	Fisher	Changes the laws regarding contracts for public construction projects which are funded in any amount with public funds
HB 442	Franz	Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 493	Wieland	Requires the Commissioner of the Office of Administration to develop a statewide system or to contract with a third party to allow all state agencies and departments to accept electronic payments
HB 508	Carter	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health (Withdrawn)
SCS HCS HB 578		Allows the state or any political subdivision or agency of the state to transfer ownership of used tires, scrap tires, or tire shred to a private entity for disposal or recycling under certain conditions
HCS HB 657		Requires the State Auditor to conduct a one-time comparative audit of at least five but no more than 10 of the largest state agencies to review fiscal practices and to identify cost-saving measures
SS SCS HCS HB 697		Specifies that any administrative rule proposed, adopted, or amended by a state agency after August 28, 2011, must automatically terminate six years after its effective date
HB 774	Korman	Specifies the distribution of any unexpended state appropriations at the end of a fiscal year by a state department, agency, or office
HB 809	Hughes	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 864	Kander	Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HB 910	Atkins	Requires all employers and business entities to enroll and actively participate in a federal work authorization program

No.	Author	Subject
HB 1007	Long	Removes the provisions which require non-merit state agencies to adopt dismissal procedures similar to those for merit employees
HB 1009	Marshall	Prohibits any department or political subdivision of the state from contracting any liability of the state in excess of \$1 million in any one-year period without the consent of the General Assembly
<b>STATE EMPLOYEES</b>		
SB 2	Ridgeway	Requires the Missouri Consolidated Health Care Board to offer high deductible plans that meet certain annual deductibles and other standards
HCS SB 90		Modifies various provisions regarding benefits provided by the state health care plan, rules promulgated by certain county health center boards, and the capping of non-covered dental and optometric services
SB 172	Crowell	Modifies the State Legal Expense Fund
SB 201	Crowell	Modifies provisions of the state deferred compensation plan
SB 316	McKenna	Creates a four day work week for state employees
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SB 341	Nieves	Modifies the use of the Capitol complex grounds by non-public entities
SB 404	Ridgeway	Allows certain state employees to receive a lump sum payment for the present value of a deferred annuity
SB 410	Crowell	Requires MOSERS and MPERS to transfer funds between the retirement systems when service is transferred between the systems
SCS SJR 16		Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion
HCS HB 61		Prohibits the state minimum wage from exceeding the federal minimum wage and specifies that every employer must pay each employee receiving gratuities as compensation a wage of \$3.63 per hour
HB 126	Barnes	Requires the state to give a prompt written notification to all affected state employees and specified county and city officials in certain situations when the state decides upon a mass layoff
HCS HB 143		Changes the laws regarding hotline calls reporting suspected child abuse and neglect to the Children's Division within the Department of Social Services
HB 150	Webber	Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours
HB 269	Molendorp	Adds certain not-for-profit organizations to the term "public entity" as it relates to tort immunity and limits the state's liability in tort claims involving motor vehicles and dangerous conditions
SCS HB 270		Changes the laws regarding health insurance benefits for state employees
HB 305	Gatschenberger	Establishes the 2011 State Employee Retirement Incentive Program
HB 310	Gatschenberger	Establishes the State Authority and Federal Tax Fund Act and reasserts the state's authority under the Tenth Amendment to the United States Constitution
HB 324	Walton Gray	Specifies that a state employee who works 10-hour days and 40 hours per week is not required to take two hours of vacation leave for paid holidays
HB 371	Fitzwater	Establishes minimum salary requirements for all corrections officers and supervisors
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance

No.	Author	Subject
HB 492	Franz	Requires written authorization by a public employee before a labor union can withhold any dues, fees, or political contribution from the employee's paycheck
HCS HB 548		Changes the laws regarding the compensatory time, vacation leave, and mass layoff notification of state employees
HB 666	Bernskoetter	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide bariatric coverage for individuals under the plan
HCS HB 669		Changes the laws regarding health care
HB 864	Kander	Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HB 871	Fitzwater	Specifies that any state employee performance review, if conducted, must be done by the employer or supervisor
HB 878	Smith	Changes the laws regarding the filing of an emergency rule by the Board of Trustees of the Missouri Consolidated Health Care Plan
HB 896	McCaherty	Specifies that certain spouses of Missouri State Employees' Retirement System members will be ineligible to receive a retirement allowance upon the dissolution of the member's marriage
HB 978	Carter	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health
HB 1007	Long	Removes the provisions which require non-merit state agencies to adopt dismissal procedures similar to those for merit employees
HB 1020	Barnes	Requires the Missouri Consolidated Health Care Plan Board of Trustees to develop a cost-neutral or cost-positive plan to provide coverage for temporomandibular joint disorder (TMJ) for plan participants
HCR 32	Bernskoetter	Establishes a Joint Interim Committee on State Employee Wages to address the need to increase Missouri's ranking as 50th worst in the nation in state employee compensation
HJR 4	Barnes	Proposes a constitutional amendment preventing the proposed compensation schedule from the Commission on Compensation for Elected Officials from including any increase in certain circumstances
<b>STATE TAX COMMISSION</b>		
HB 451	Kirkton	Requires a mortgage value disclosure statement to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
<b>SUICIDE</b>		
SB 388	Wasson	Eliminates, combines, and revises certain state boards, commissions, committees, and councils
HB 200	Kelley	Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
<b>SUNSHINE LAW</b>		
HB 97	Ruzicka	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HB 139	Smith	Requires the Office of Administration to maintain public school and county and municipal government accountability information and the Governor's travel information on the Missouri Accountability Portal
SS SCS HB 184		Authorizes commissioners of certain road districts to be compensated for their services and specifies that risk coverages procured by certain political subdivisions will not require competitive bids
HB 235	Kelly	Prohibits the Department of Revenue from selling or disclosing certain driver record information

No.	Author	Subject
HCS HB 259		Authorizes a public body to close certain foster care licensure data and requires the Division of Family Services to prepare a detailed report of specific information obtained in the licensure process
HCS HB 290		Changes the laws regarding political subdivisions
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HB 443	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 467	Diehl	Establishes the Missouri Science and Innovation Reinvestment Act
HB 872	Houghton	Establishes the Transparency in Private Attorney Contracts Act
HB 883	Largent	Requires certain specified crime scene photographs or video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
<b>SURVEYORS</b>		
SB 326	Wasson	Authorizes a peer review process for architects, landscape architects, land surveyors, and engineers, including providing for immunity from liability and prohibiting the disclosure of certain documents and testimony
SCS SB 368		Transfers land survey duties from the Department of Natural Resources to the Department of Agriculture
HB 402	Diehl	Increases the extent of acreage authorized for a lien on property to secure payment for work performed by an architect, engineer, land surveyor, landscape architect, or well digger
HB 568	Elmer	Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
<b>TAX CREDITS</b>		
HCS#2 SCS SB 100		Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
SB 139	Crowell	Subjects all state tax credits to appropriation
SB 140	Crowell	Repeals provisions of the Missouri property tax credit which allow renters to receive the property tax credit for rent constituting taxes paid
SB 141	Crowell	Prohibits the receipt of tax credits by campaign contributors
SB 144	Crowell	Places a one year moratorium on the authorization of certain tax credits
SB 185	Purgason	Imposes a sunset upon all tax credit programs not currently subject to a sunset provision
SCS SBs 189, 217, 246, 252 & 79		Modifies provisions of the Missouri Quality Jobs Act to allow benefits for projects located within dormant manufacturing plant zones
SB 190	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel
SB 204	Dempsey	Reauthorizes the pregnancy resource center tax credit
SB 205	Stouffer	Creates an advance voting system for primary and general elections
SB 256	Kraus	Repeals certain tax credit programs
SB 257	Kraus	Modifies provisions of the Low-Income Housing Tax Credit Program
SB 259	Kraus	Subjects certain tax credit programs to sunsets
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report

No.	Author	Subject
HCS SS SB 360		Modifies provisions relating to rural community development
SB 377	Parson	Extends the sunset on rolling stock tax credits
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SB 407	Crowell	Provides sufficient funding to continue the MO RX prescription drug plan
HB 27	Sater	Authorizes an income tax credit to any taxpayer who donates cash or food to a senior citizen services center
HB 56	Brown	Authorizes a tax credit for employers who hire certain high school students for summer employment
HCS HB 76		Changes the laws regarding the corporate franchise tax
HB 85	McGhee	Authorizes an income tax credit for taxpayers who use processed biomass engineered fiber fuel
HB 102	Nance	Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
HB 175	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the senior citizens property tax credit, commonly known as circuit breaker
HB 251	Cox	Specifies that tax credits for qualified film production projects will expire December 31, 2011
HCS HB 290		Changes the laws regarding political subdivisions
HB 304	Black	Authorizes an income tax credit for certain public safety officers
HCS HB 336		Authorizes an income tax credit for the eligible costs of bringing certain sporting events to Missouri
HB 357	Leara	Changes the laws regarding enhanced enterprise zones
HB 362	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HCS HB 366		Changes the laws regarding economic development
HB 385		Extends the expiration date for an income tax credit for a contribution to a pregnancy resource center to August 28, 2023
HCS HB 468		Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act
HB 479	Brown	Increases the annual cap on the tax credits certified for qualified film production projects from \$4.5 million to \$10 million
HB 480	Brown	Reduces the minimum number of acres required for an eligible project area in the Distressed Areas Land Assemblage Tax Credit Program
HB 536	Leara	Authorizes the banking institution tax credit to be taken against a financial institution's annual franchise tax if the institution is a limited liability company or a limited liability partnership
HB 541	McManus	Extends the income tax credit for donations to a food pantry from August 28, 2011, to August 28, 2015
HB 564	Grisamore	Authorizes a sales and use tax exemption for machinery, equipment, and computers used by certain data center and server farm facilities and establishes the Missouri Advantage Act
HB 581	Oxford	Establishes the Missouri Earned Income Tax Credit Act which authorizes an individual income tax credit equal to 20% of any earned income tax credit claimed by the taxpayer on his or her federal income tax return

No.	Author	Subject
HB 616	Holsman	Authorizes a one-year tax credit of up to \$1 per watt of energy produced to any industrial generator operating a new system producing an output between 25,000 and 100,000 kilowatts of renewable energy
HB 637	Oxford	Changes the laws regarding the Missouri individual income tax
HCS HB 649		Establishes the Developmental Disability Care Provider Tax Credit Program and extends the expiration date of several specified tax credits
HB 670	Hough	Establishes the Compete Missouri Program and the Compete Missouri Training Program within the Department of Economic Development
HB 705		Changes the laws regarding the Missouri low-income housing tax credit
HB 726	Kratky	Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility
HB 734	Brandom	Reduces the annual cumulative amount of tax credits that can be authorized for donations to a food pantry from \$2 million to \$1 million and extends the expiration date to August 28, 2020
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment
HB 779	Hummel	Adds the costs of environmental insurance premiums and the backfill of areas where contaminated soil excavation occurs to the list of expenses that qualify for a remediation tax credit
HB 780	Oxford	Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HB 901	Talboy	Prohibits the issuance of a tax credit under certain programs for an otherwise qualifying job under certain circumstances when the jobs are relocated from a contiguous state
HB 905	Zerr	Specifies that certain expenses for the rehabilitation of an historic structure incurred prior to the approval of a historic structures rehabilitation tax credit may be deemed qualified expenses
HCS HB 908		Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area
HB 924	Nolte	Extends the issuance of job retention tax credits and authorizes economic incentives for job retention projects within high-risk metropolitan statistical areas
HB 942	Johnson	Increases the tax credit for adopting a special needs child from up to \$10,000 to up to \$25,000 and authorizes a tax credit for nonrecurring adoption expenses for any child adopted
HB 943	Johnson	Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment
HB 944	Johnson	Lowers the required age for a person to be eligible for a senior citizens property tax credit, commonly known as circuit breaker
HB 958	Burlison	Extends the income tax credit for a person who makes a contribution to a child advocacy center, a crisis care center, or an entity funded from the Court Appointed Special Advocate Fund to August 28, 2018
HB 962	Kratky	Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
HCS HB 979 & 885		Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the state sales and use tax by .25%
<b>TAXATION AND REVENUE - GENERAL</b>		
SCS SB 18		Places a cap on corporate franchise taxes
SCS SB 19		Places a cap on corporated franchise taxes and phases-out the corporate franchise tax over a five-year period

No.	Author	Subject
SB 139	Crowell	Subjects all state tax credits to appropriation
SB 203	Schmitt	Creates a tax credit to attract sporting events to the state
CCS HCS SS SB 226		Modifies provisions relating to emergency services
SB 235	Schaefer	Extends the sunsets on certain provider taxes
SB 259	Kraus	Subjects certain tax credit programs to sunsets
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SB 322		Extends the sunsets on certain provider taxes to 2016 and on the Missouri RX plan to 2015
HCS SS SB 360		Modifies provisions relating to rural community development
SB 377	Parson	Extends the sunset on rolling stock tax credits
SB 407	Crowell	Provides sufficient funding to continue the MO RX prescription drug plan
SJR 8	Kraus	Requires refunds to taxpayers when state revenues grow by five percent or more
SJR 14	Schaaf	Allows the Department of Revenue to receive its actual costs in collecting highway-related taxes and fees unbridled by the current 3 percent constitutional cap
SJR 20	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations
HB 26	Jones	Changes voter reauthorization on city earnings taxes from every five years to every 20 years
HB 48	Cookson	Exempts motor fuel used to operate school buses transporting students for educational purposes from the motor fuel tax and requires the establishment of a uniform and simplified rule for all exemptions
HB 50	Taylor	Eliminates the tax on a one-time early distribution from certain annuities or retirement plans when the distribution does not exceed 20% of the total balance of the account
HCS HB 76		Changes the laws regarding the corporate franchise tax
HB 77	Nolte	Reduces over a five-year period the annual corporate franchise tax rate from one-forty-fourth of 1% until no tax is imposed beginning January 1, 2016
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
HB 119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program
HCS HB 121		Changes the laws regarding elections
SCS HB 149		Removes the expiration and termination dates for the provisions which allow an individual or corporation to designate part of a tax refund to the Missouri Military Family Relief Fund
HB 181	Nasheed	Increases the excise tax on cigarettes from 17 cents to 33 cents per pack of 20 cigarettes to be deposited, less a 3% collection fee, into the General Revenue Fund
HB 264	Nolte	Changes the laws regarding the Manufacturing Jobs Act
HB 310	Gatschenberger	Establishes the State Authority and Federal Tax Fund Act and reasserts the state's authority under the Tenth Amendment to the United States Constitution
HB 326	Burlison	Prohibits state licensed professional counselors from being taxed or made liable to pay any municipal or corporation tax or license fee for the privilege of practicing the profession
HB 342	Still	Increases the excise tax on cigarettes from 17 cents to \$1.17 per pack of 20 cigarettes upon voter approval



No.	Author	Subject
HB 343	Still	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 12.5 cents per pack per year for eight years until the excise tax on cigarettes reaches \$1.17 per pack
HB 357	Leara	Changes the laws regarding enhanced enterprise zones
HB 362	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HCS HB 408		Reduces the corporate income tax rate from 6.25% to 3.125%, authorizes an additional sales tax of .494%, and eliminates the corporate franchise tax beginning January 1, 2013
HB 435	Wyatt	Authorizes any county of the third classification to impose, upon voter approval, a special road rock fund tax on agricultural and horticultural property
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 533	Newman	Changes the laws regarding taxation
HB 536	Leara	Authorizes the banking institution tax credit to be taken against a financial institution's annual franchise tax if the institution is a limited liability company or a limited liability partnership
HB 549	Bahr	Prohibits the use of global positioning systems or other technology to monitor the mileage traveled by any motor vehicle in order to impose any mileage tax
HB 564	Grisamore	Authorizes a sales and use tax exemption for machinery, equipment, and computers used by certain data center and server farm facilities and establishes the Missouri Advantage Act
HB 645	Schieffer	Authorizes a city or county to impose, upon voter approval, an additional tax of up to 75 cents per month on alternative telecommunications connections for 911 emergency telephone service
HB 670	Hough	Establishes the Compete Missouri Program and the Compete Missouri Training Program within the Department of Economic Development
HB 745	Brown	Requires 10% of the adjusted gross receipts tax on gambling boats to be used for services necessary for the safety of the public visiting an excursion gambling boat
HB 767	Bahr	Allows the Department of Revenue and the Office of Administration to jointly enter into a reciprocal agreement with the United States government or any other state for the collection and offset of debts
HCS HB 773		Changes the laws regarding the regulation of surplus lines insurance to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010
HB 819	Denison	Authorizes the Department of Revenue to use technology to make processes for filing certain forms and sending certain notifications more efficient
HB 846	Wieland	Authorizes the governing body of any city or county to enter into design-build project contracts for neighborhood improvement districts
HB 862	Brown	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 949	Ellinger	Increases from five to seven or nine the number of members on a city economic development tax board
HB 975	Curtman	Establishes the Small Business and Entrepreneurial Growth Act to provide assistance for the expansion of certain small businesses
HB 1019	Diehl	Requires a distressed municipality in St. Louis County to provide a minimum level of public services
HCS HJR 8		Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services
<b>TAXATION AND REVENUE - INCOME</b>		
SB 15	Lembke	Allows full deductibility of federal taxes for state income tax purposes

No.	Author	Subject
SB 78	Brown	Extends the sunset on the military family relief fund income tax check-off from August 28, 2011, to December 31, 2017
CCS SCS SB 81		Modifies provisions relating to education
HCS#2 SCS SB 100		Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
SB 144	Crowell	Places a one year moratorium on the authorization of certain tax credits
SB 146	Schmitt	Creates individual and corporate income tax deductions for business income
SCS SBs 189, 217, 246, 252 & 79		Modifies provisions of the Missouri Quality Jobs Act to allow benefits for projects located within dormant manufacturing plant zones
SB 190	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel
SB 203	Schmitt	Creates a tax credit to attract sporting events to the state
SB 204	Dempsey	Reauthorizes the pregnancy resource center tax credit
SB 234	Dempsey	Creates an income tax dependency exemption for stillborn children
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 293	Schaaf	Makes authorizations for allocations of nonresident entertainer and athlete income tax revenues perpetual
SB 296	Schmitt	Establishes the Compete Missouri Training Program
SB 319	Dixon	Allows debts owed to ambulance service providers to be collected from income tax refunds and lottery winnings of patients
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SJR 1	Ridgeway	Replaces all taxes on income with a sales and use tax
SJR 20	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations
HB 26	Jones	Changes voter reauthorization on city earnings taxes from every five years to every 20 years
HB 27	Sater	Authorizes an income tax credit to any taxpayer who donates cash or food to a senior citizen services center
SS SCS HCS HB 45		Changes the laws regarding the Big Government Get Off My Back Act which provides an income tax deduction for certain small businesses that create new full-time jobs
HB 78	Nolte	Authorizes an income tax exemption for the business income of any individual or corporation to be phased-in over five years until the exemption is 50% of the taxpayer's Missouri taxable business income
SS SCS HCS HB 116 & 316		Changes the laws regarding the collection of money owed to the state and authorizes an amnesty from the assessment or payment of the penalties, taxes, and interest on certain unpaid tax delinquencies
HB 144	Schoeller	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for payments made on a loan obtained to repair certain flood damage to the taxpayer's premises
HB 151	Kelly	Authorizes an individual or corporation to designate all or a portion of his or her income tax refund to the Organ Donor Program or to send a separate check with the payment of his or her taxes
HB 152	Kelly	Decreases the individual income tax rate, eliminates corporate income tax, authorizes a sales tax on taxable services, and authorizes the Department of Revenue to establish a sales tax rebate program

No.	Author	Subject
HB 248	McNeil	Authorizes an income tax deduction for 100% of tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college
HB 264	Nolte	Changes the laws regarding the Manufacturing Jobs Act
HB 286	Barnes	Authorizes a check-off box for the newly created American Red Cross Trust Fund to be added to the individual and corporate income tax forms and allows for a separate check donation with tax payment
HB 304	Black	Authorizes an income tax credit for certain public safety officers
HB 310	Gatschenberger	Establishes the State Authority and Federal Tax Fund Act and reasserts the state's authority under the Tenth Amendment to the United States Constitution
HB 312	Gatschenberger	Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 331	Franz	Requires all federally licensed firearms dealers to waive the National Instant Criminal Background Check System requirement for a purchaser who possesses a valid concealed carry endorsement
HB 357	Leara	Changes the laws regarding enhanced enterprise zones
HB 362	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HCS HB 408		Reduces the corporate income tax rate from 6.25% to 3.125%, authorizes an additional sales tax of .494%, and eliminates the corporate franchise tax beginning January 1, 2013
HB 425	Funderburk	Authorizes an income tax dependency exemption deduction for a stillborn child for the taxable year in which the child was born
SS SCS HCS HB 431		Changes the laws regarding foster care and adoption and establishes the Missouri State Foster Care and Adoption Board and a task force on foster care recruitment, licensing, and retention
SS SCS HCS HB 470 & 429		Changes the laws regarding the nonresident entertainer and professional athletic team member income tax
HCS HB 473		Changes the laws regarding charter schools and establishes the Missouri Charter Public School Commission
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 533	Newman	Changes the laws regarding taxation
HB 581	Oxford	Establishes the Missouri Earned Income Tax Credit Act which authorizes an individual income tax credit equal to 20% of any earned income tax credit claimed by the taxpayer on his or her federal income tax return
SS SCS HCS HB 604		Establishes a task force on foster care recruitment, licensing, and retention and the Missouri State Foster Care and Adoption Board and changes the laws regarding parental rights, foster care, and adoption
HB 618	Holsman	Authorizes a state income tax deduction of up to \$500 to a taxpayer for the cost of school supplies and books he or she purchased to home school a child
SCS HCS HB 631		Authorizes a person or corporation to designate a tax refund to the Developmental Disabilities Waiting List Equity Trust Fund and the American Red Cross Fund
HB 637	Oxford	Changes the laws regarding the Missouri individual income tax
HCS HB 649		Establishes the Developmental Disability Care Provider Tax Credit Program and extends the expiration date of several specified tax credits
HB 712	Webb	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax

No.	Author	Subject
HB 726	Kratky	Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility
HB 746	Brown	Authorizes a check-off box for the newly created Puppy Protection Trust Fund to be added to the individual and corporate income tax forms and allows for a separate check donation with a tax payment
HCS HB 787		Changes the laws regarding early distributions from certain annuities or retirement plans, the Missouri Higher Education Saving Program, and residential mortgage loan brokers
HB 819	Denison	Authorizes the Department of Revenue to use technology to make processes for filing certain forms and sending certain notifications more efficient
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HB 891	Parkinson	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for all income earned as a temporary election staff member
HB 911	Webber	Authorizes a check-off box for the Missouri Veterans' Medical Research Trust Fund to be added to the individual and corporate income tax forms and allows for a separate donation to be sent in with the taxes
HB 930	Oxford	Eliminates the state income tax deduction for federal income tax liability beginning January 1, 2012
HB 951	Johnson	Reduces the corporate income tax rate for a company that creates a specified number of jobs
HB 976	Johnson	Authorizes a reduction in the corporate income tax rate from 6.25% until the rate is eliminated based on the total of state sales and use tax collected in a fiscal year
HCS HB 979 & 885		Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the state sales and use tax by .25%
HB 998	Kirkton	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1016	Hughes	Establishes the Middle Class Reinvestment Act
HCS HJR 8		Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services
HJR 11	Burlison	Proposes a constitutional amendment prohibiting appropriations in any fiscal year from exceeding certain limits
<b>TAXATION AND REVENUE - INHERITANCE</b>		
SB 198	Crowell	Repeals the estate tax
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
<b>TAXATION AND REVENUE - PROPERTY</b>		
SB 52	Cunningham	Requires county assessors to consider market factors in determining the value of real property for tax purposes
SS SB 55		Classifies sawmills and planing mills as agricultural and horticultural property for tax purposes
CCS HCS#2 SCS SB 117		Modifies provisions of law regarding certain taxes imposed by political subdivisions
SB 140	Crowell	Repeals provisions of the Missouri property tax credit which allow renters to receive the property tax credit for rent constituting taxes paid
SB 143	Crowell	Prohibits the approval of new applications under the Missouri Downtown and Rural Stimulus Act after August 28, 2011

No.	Author	Subject
SCS SB 155		Modifies provisions of Missouri's Real Property Tax Increment Allocation Redevelopment Act
HCS SB 207		Modifies provisions pertaining to energy and property taxation
SB 210	Lembke	Modifies provisions of law requiring certain political subdivisions to revise property tax rates
SB 224	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight
CCS HCS SS SB 226		Modifies provisions relating to emergency services
SB 251	Kehoe	Changes the classification of certain watercraft from personal property to real property for property tax purposes
SCS SB 280		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 357	Munzlinger	Classifies hydroelectric power generating equipment as tangible personal property for property tax purpose
HCS SS SB 360		Modifies provisions relating to rural community development
SB 411	Crowell	Allows employees of the Missouri Development Finance Board to join the Missouri State Employees' Retirement System and places a moratorium on certain tax credits
HB 60	Nolte	Limits the increase in assessed valuation of residential property by the percentage of increase in the federal Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 80	Nolte	Changes when tax statements must be mailed in all counties of the first classification from at least 30 days to at least 45 days before the delinquent date
HB 102	Nance	Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
SCS HCS HB 112 & 285		Classifies certain sawmills and planing mills as agricultural and horticultural property instead of commercial property for property taxation purposes
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
HB 175	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the senior citizens property tax credit, commonly known as circuit breaker
HB 222	Schneider	Increases the number of years before certain newly constructed residential property is assessed for property taxation from the second year to the fourth year following the year construction was completed
HB 298	Fitzwater	Authorizes the governing body of any hospital district in Iron County to impose, upon voter approval, a local sales tax of up to 1% in lieu of a property tax to fund the hospital district
HB 335	Burlison	Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HB 357	Leara	Changes the laws regarding enhanced enterprise zones
HB 380		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 447	Funderburk	Changes the laws regarding the Real Property Tax Increment Allocation Redevelopment Act
HCS HB 468		Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
SCS HCS HB 506		Changes the laws regarding property tax levies

No.	Author	Subject
HB 571		Reduces the maximum penalty that can be charged on delinquent county property taxes
HB 674	Largent	Extends the expiration date for tax credits allowed against a freight line company's property taxes for eligible expenses incurred on qualified rolling stock in Missouri to August 28, 2020
HCS HB 688		Changes the laws regarding property taxes and energy
HCS HB 707		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to effective use and provide specified benefits
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment
HB 744	Brown	Changes the two-year reassessment cycle for real property from every other year to every six years beginning January 1, 2012, and ending on or before December 31, 2016
HB 780	Oxford	Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 861	Zerr	Revises the definition of "economic activity taxes" as it relates to a retail establishment that relocates within the same metropolitan area under the Real Property Tax Increment Allocation Redevelopment Act
HB 907	Webber	Authorizes the school board of the Columbia Public School District to impose, upon voter approval, an additional annual real property tax to fund early childhood education programs
HB 919	Schupp	Specifies who qualifies as a voter in an election for directors of a community improvement district board
HB 944	Johnson	Lowers the required age for a person to be eligible for a senior citizens property tax credit, commonly known as circuit breaker
HB 955	Franz	Requires an assessor to use any nationally recognized motor vehicle valuation guide to determine the assessed valuation of a used motor vehicle for personal property taxation
HB 968	Schad	Changes the classification of certain new watercraft from personal property to residential property for property taxation purposes
HB 969	Franklin	Changes the laws regarding the establishment of a law enforcement district under the Missouri Law Enforcement District Act
HCS HJR 8		Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services
HJR 30	Wyatt	Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
<b>TAXATION AND REVENUE - SALES AND USE</b>		
SB 49	Wright-Jones	Creates special rules for the formation of transportation development districts to operate mass transportation systems
CCS HCS#2 SCS SB 117		Modifies provisions of law regarding certain taxes imposed by political subdivisions
SB 143	Crowell	Prohibits the approval of new applications under the Missouri Downtown and Rural Stimulus Act after August 28, 2011
SCS SB 155		Modifies provisions of Missouri's Real Property Tax Increment Allocation Redevelopment Act
HCS SCS SB 177		Modifies provisions relating to public health policies
SB 203	Schmitt	Creates a tax credit to attract sporting events to the state
SB 223	Mayer	Allows certain public library districts to seek voter approval for a sales tax to fund libraries within such districts
CCS HCS SS SB 226		Modifies provisions relating to emergency services

No.	Author	Subject
SB 241	Brown	Creates a state and local sales and use tax exemptions for captive wildlife
SB 279	Schmitt	Provides tax incentives for job creation and retention and capital investment
SB 281	Kraus	Requires the cumulative state and local tax rate to be printed on sales receipts
CCS HCS SB 284		Modifies the disciplinary authority of the Board of Pharmacy, defines the term legend drug for the purpose of certain pharmacy statutes, and grants exemption from sales tax for certain medical equipment and drugs
SB 288	Ridgeway	Creates a state and local sales and use tax exemption for all fees paid to any place of amusement, entertainment, or recreation
SB 309	Kehoe	Allows certain ambulance and fire protection districts to seek voter approval for a sales tax to fund such districts
CCS#2 HCS SCS SB 356		Modifies provisions pertaining to agriculture
HCS SS SB 360		Modifies provisions relating to rural community development
SB 364	Pearce	Authorizes the establishment of parks, trails and greenways districts in certain counties
SB 383	Richard	Modifies provisions of law authorizing a sales and use tax exemption for manufacturing
SB 411	Crowell	Allows employees of the Missouri Development Finance Board to join the Missouri State Employees' Retirement System and places a moratorium on certain tax credits
SB 427	Lamping	Repeals state and local use taxes
SJR 1	Ridgeway	Replaces all taxes on income with a sales and use tax
HB 36	Sater	Specifies that farm machinery and equipment as it relates to exemptions for sales tax will include certain all-terrain vehicles
HB 52	Ellinger	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
HB 55	Sater	Authorizes a state and local sales and use tax exemption for over-the-counter or nonprescription drugs which are prescribed by a practitioner and certain medical equipment, supplies, or devices
HB 81	Nolte	Exempts new vehicles assembled and sold in Missouri on or after January 1, 2011, from state sales and use taxes
HB 152	Kelly	Decreases the individual income tax rate, eliminates corporate income tax, authorizes a sales tax on taxable services, and authorizes the Department of Revenue to establish a sales tax rebate program
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
HB 278	McNeil	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
HB 298	Fitzwater	Authorizes the governing body of any hospital district in Iron County to impose, upon voter approval, a local sales tax of up to 1% in lieu of a property tax to fund the hospital district
HB 335	Burlison	Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HB 342	Still	Increases the excise tax on cigarettes from 17 cents to \$1.17 per pack of 20 cigarettes upon voter approval

No.	Author	Subject
HB 343	Still	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 12.5 cents per pack per year for eight years until the excise tax on cigarettes reaches \$1.17 per pack
HB 346	Guernsey	Exempts the sale of captive wildlife and the sale of feed for captive wildlife from state and local sales and use taxes
HB 357	Leara	Changes the laws regarding enhanced enterprise zones
HCS HB 366		Changes the laws regarding economic development
HB 400	Diehl	Changes the laws regarding the imposition of a transient guest tax
HCS HB 408		Reduces the corporate income tax rate from 6.25% to 3.125%, authorizes an additional sales tax of .494%, and eliminates the corporate franchise tax beginning January 1, 2013
HB 416	Richardson	Authorizes certain public library districts to impose, upon voter approval, a sales tax of up to one-half of one cent for the operation and maintenance of the public libraries in the district
HB 447	Funderburk	Changes the laws regarding the Real Property Tax Increment Allocation Redevelopment Act
CCS SS HB 458		Changes the laws regarding agriculture
HCS HB 468		Changes the laws regarding economic incentives for job development, retention, and training and establishes the Missouri Science and Innovation Reinvestment Act
HB 478	Wyatt	Prohibits state departments from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 520	Schupp	Authorizes a sales tax exemption for educational or fitness class fees paid to any health club, athletic club, exercise club, fitness club, or other similar club or facility
HB 533	Newman	Changes the laws regarding taxation
HB 534	Leara	Changes the laws regarding the distribution of the St. Louis County sales tax
HB 542	Bernskoetter	Authorizes any ambulance district formed after August 28, 2011, to impose, upon voter approval, a sales tax of up to 0.5% in lieu of a property tax to fund the district
SCS HCS HB 545		Exempts the City of Riverside from the requirement that a member of the board of a tourism community enhancement district be a resident, own property, be employed, or operate a business within the district
HB 564	Grisamore	Authorizes a sales and use tax exemption for machinery, equipment, and computers used by certain data center and server farm facilities and establishes the Missouri Advantage Act
HCS HB 579		Changes the laws regarding health care
HB 596	Schieffer	Prohibits the sales tax on firearms or ammunition from being levied at a higher rate than the sales tax or other excise tax charged on any sporting goods or equipment or any hunting equipment
HB 601	Schad	Exempts the sale of feed for captive wildlife from state and local sales and use taxes
HB 605	Schieffer	Changes the laws regarding the sales tax collection on motor vehicles by certain motor vehicle dealers
HB 670	Hough	Establishes the Compete Missouri Program and the Compete Missouri Training Program within the Department of Economic Development
HB 740	Funderburk	Clarifies the current exemptions from sales and use tax by defining "manufacturing, processing, compounding, mining, or producing" to include testing, installing, calibrating, maintaining, and repairing
HB 789	Johnson	Authorizes a state and local sales and use tax exemption for specified farm products sold at a farmers' market
HB 819	Denison	Authorizes the Department of Revenue to use technology to make processes for filing certain forms and sending certain notifications more efficient
HB 824	Cookson	Changes the laws regarding the transient guest tax in Carter County



No.	Author	Subject
HB 843	Conway	Authorizes the City of St. Joseph to impose, upon voter approval, a sales tax of up to 0.5% for the operation of public safety departments
HB 853	Nance	Authorizes the City of Excelsior Springs to impose, upon voter approval, a retail sales tax of up to 1% for the purpose of funding a community center and retiring any bonds issued for funding the center
HB 859	Ellinger	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 12.5 cents per pack per year for eight years until the excise tax on cigarettes reaches \$1.17 per pack
HB 880	Atkins	Authorizes a state and local sales and use tax exemption for certain drugs which are prescribed by a practitioner; certain medical equipment, supplies, and devices; and eyeglasses
HCS#2 HB 889		Changes the laws regarding political subdivisions
HB 929	Ellinger	Allows an economic development tax board to increase the number of members of the board (Withdrawn)
HB 953	Cauthorn	Exempts the sale of any accessories and upgrades to farm machinery and equipment, freight charges on exempt items, and fabrication labor from the state and local sales and use taxes
HB 966	Funderburk	Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 970	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 973	Korman	Authorizes a state sales and use tax exemption on all retail sales of any "Made in USA" product except motor vehicles for a seven-day period in July 2012 and July 2013
HB 976	Johnson	Authorizes a reduction in the corporate income tax rate from 6.25% until the rate is eliminated based on the total of state sales and use tax collected in a fiscal year
HCS HB 979 & 885		Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the state sales and use tax by .25%
HB 1019	Diehl	Requires a distressed municipality in St. Louis County to provide a minimum level of public services
HB 1023	Kelly	Increases, upon voter approval, the excise tax on cigarettes from 17 cents to 98 cents per pack of 20 cigarettes
HJR 4	Barnes	Proposes a constitutional amendment preventing the proposed compensation schedule from the Commission on Compensation for Elected Officials from including any increase in certain circumstances
HCS HJR 8		Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services
HJR 15	Ruzicka	Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources
HJR 22	Cauthorn	Proposes a constitutional amendment reauthorizing the Department of Conservation sales and use tax until an election in 2022 or at a special election called by the Governor and every 10 years thereafter
<b>TEACHERS</b>		
SS SCS SB 13		Requires the Joint Committee on Education to oversee a task force on teacher compensation and effectiveness
SCS SB 54		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
CCS SCS SB 81		Modifies provisions relating to education
SB 99	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education
SB 115	Justus	Modifies provisions relating to the Public School Retirement System of Kansas City

No.	Author	Subject
HCS SB 147		Modifies provisions relating to education
SB 164	Pearce	Establishes the Missouri Science, Technology, Engineering, and Mathematics Initiative within the Department of Higher Education
SB 192	Pearce	Requires the Department of Mental Health to develop a continuing professional education curriculum relating to eating disorders
SB 240	Justus	Changes the requirements for school anti-bullying policies
SS SB 286		Creates the Amy Hestir Student Protection Act and establishes the Task Force on the Prevention of Sexual Abuse of Children
SB 372	Cunningham	Modifies provisions relating to teacher contracts and establishes the Teacher Continuing Contract Act
SB 391	Lager	Requires the school board of each school district and charter school to establish an evaluation system for teachers and teaching
SCS SB 400		Modifies provisions regarding the crime of sexual contact with a student while on public school property
HB 40	Lampe	Changes the laws regarding the identification, assessment, and education of children with autism spectrum disorder
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HB 219	Kelly	Changes the laws regarding background checks for school employees
HB 229		Changes the laws regarding the Public School Retirement System of Kansas City
HB 241	Fallert	Allows a person employed by a public school for 17 hours or less per week to work at another public school if the total does not exceed 17 but cannot be combined to establish eligibility for retirement
HB 261	Barnes	Removes the requirement that a decision regarding placing a teacher on leave must consider the teacher's seniority
HB 352	Wallingford	Establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education
HB 409	Koenig	Establishes a defined contribution plan in the Missouri Public School Retirement System for any new employee who first becomes a member on or after July 1, 2013
HB 460	Lampe	Changes the laws regarding bullying in schools
HB 511	Nasheed	Establishes the Every Child Can Learn Act which requires all St. Louis City public schools to use a response-to-intervention tiered approach to reading instruction for certain struggling students
HB 543	Fitzwater	Requires the Department of Elementary and Secondary Education to develop standards for professional improvement plans for teachers and principals
HCS HB 556		Designates October as "Disability History and Awareness Month" in all public schools and requires each school board to annually provide instruction on the topic during the month
HB 582	Oxford	Establishes smaller class sizes for school districts in St. Louis City and St. Louis County than the minimum and desirable standards of the Department of Elementary and Secondary Education
HB 586	Stream	Requires the Department of Mental Health to develop a continuing professional education curriculum on eating disorders
HB 599	Schad	Removes the requirement that the crime of sexual contact with a student be committed while on public school property
HB 612	Holsman	Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HB 628	Dieckhaus	Changes the laws regarding teacher contracts and establishes the Teacher Continuing Contract Act

No.	Author	Subject
HB 695	Frederick	Allows the Division of School Improvement to ensure that each regional professional development center in the state provides professional development education assistance for fine arts
HB 703	Colona	Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 743	Lauer	Expands the crime of sexual contact with a student to include sexual contact made while not on public school property and adds an elected official of the district to the list of persons to whom it applies
HB 855	Johnson	Creates the Parents as Teachers Advancement Fund
HB 870	Smith	Changes the laws regarding school course materials and instruction relating to human sexuality and sexually transmitted diseases
<b>TELECOMMUNICATIONS</b>		
SS SB 9		Modifies the state do-not-call list and creates "paid for by" requirements for political phone calls
SB 53	Cunningham	Adds automated phone calls to the types of calls prohibited to people who sign up on the state do-not-call list
SB 199	Crowell	Modifies the state do-not-call list by allowing cell phone numbers on the list and banning certain automated calls
SB 208	Lager	Removes any requirement that a telecommunications company must file tariffs and exempts compliance with certain state regulations when federal regulations exist
SB 209	Lager	Modifies telecommunications provisions relating to carrier of last resort obligations
SB 345	Wright-Jones	Creates the Council on Digital Inclusion
HB 44	Lampe	Requires the Revisor of Statutes to make all copies of laws, resolutions, and constitutional measures available electronically to the public and eliminates the printing of certain state documents
HB 53	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated speed enforcement system to enforce speeding violations except in a school, construction, or work zone
HB 68	Scharnhorst	Prohibits a political subdivision from imposing a fine or penalty on the owner of a pay telephone on the owner's property for a call made to an emergency telephone service from the pay telephone
HB 93	Shively	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HB 176	McNeil	Creates the crime of caller identification spoofing when a person places a call knowingly inserting false information into a caller identification system to mislead, defraud, or deceive
HB 180	Nasheed	Authorizes an election authority to establish a procedure allowing registered voters to provide an email address to receive information in conjunction with the conduct of elections
HB 217	Dugger	Allows an election authority to use an electronic voter identification system or electronic signature pad to verify voter identification information at any polling place
HCS HB 253 & 398		Changes the laws regarding judicial procedures
HB 273	Allen	Defines "cyberbullying" as it relates to the antibullying policy that school districts must adopt and establishes specific requirements for each school district in implementing the policy
HB 306	Gatschenberger	Prohibits a person from using a hand-held electronic wireless communications device while operating a motor vehicle within a construction zone with certain exceptions
HB 317	Colona	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance

No.	Author	Subject
SS HCS HB 338		Specifies that a telecommunications company may elect to be exempt from certain rules if giving written notice to the Missouri Public Service Commission
SS HB 339		Changes the laws regarding telecommunications as they relate to the carrier of last resort obligations
HCS HB 366		Changes the laws regarding economic development
HB 376		Expands the No-call List to include cell phone numbers, prohibits sending unsolicited faxes or text messages, and prohibits using automatic dialing announcing devices in certain situations
HB 463	McNary	Changes the laws regarding virtual schools
HB 493	Wieland	Requires the Commissioner of the Office of Administration to develop a statewide system or to contract with a third party to allow all state agencies and departments to accept electronic payments
HB 501	Cauthorn	Allows wireless telephone users to be added to the No-call List and revises the definition of "telephone solicitation" to include voice, facsimile, graphic imaging, or data communication
HB 512	Lair	Creates the crime of unlawfully intercepting computer and electronic communication device information
SCS HCS HB 523		Changes the laws regarding the Missouri Life and Health Insurance Guaranty Association Act, insurance coverage for portable electronics, and residential and home warranty service contracts
HB 549	Bahr	Prohibits the use of global positioning systems or other technology to monitor the mileage traveled by any motor vehicle in order to impose any mileage tax
HB 569	Shively	Requires a prepaid wireless service supplier to collect a 50-cent monthly fee from its customers for 911 emergency communications service
HB 644	Schieffer	Prohibits a person or business from misrepresenting its geographic location by using a fictitious or assumed business name in a telephone directory or advertisement
HB 645	Schieffer	Authorizes a city or county to impose, upon voter approval, an additional tax of up to 75 cents per month on alternative telecommunications connections for 911 emergency telephone service
HB 670	Hough	Establishes the Compete Missouri Program and the Compete Missouri Training Program within the Department of Economic Development
HB 736	McCaherty	Establishes the Paperless Documents and Forms Act which requires the Department of Revenue to develop and implement a method of providing to the public all department documents and forms electronically
HB 750	Hinson	Allows the Commissioner of the Office of Administration, upon voter approval, to increase the wireless fee per telephone user from not to exceed 50 cents to not to exceed 75 cents per month
HB 819	Denison	Authorizes the Department of Revenue to use technology to make processes for filing certain forms and sending certain notifications more efficient
HB 821	Bernskoetter	Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
HB 869	Meadows	Establishes the Fair Fare Passenger Safety Act of 2011 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HB 883	Largent	Requires certain specified crime scene photographs or video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 898	Smith	Establishes the Council on Digital Inclusion
HB 906	Torpey	Prohibits any person operating a school bus who is transporting children at the time from using a hand-held electronic wireless communications device
HB 914	Grisamore	Requires a licensed audiologist or a person fitting a hearing instrument to provide a customer with a purchase agreement verifying that the customer has been informed about certain information

No.	Author	Subject
HB 943	Johnson	Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment
HB 948	Holsman	Creates the crimes of abuse of the Internet, criminal defamation, and failure to comply with a search warrant seeking computer-related identifying information
HB 970	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 972	Johnson	Allows private web site development companies to be awarded contracts to operate the Internet web sites of the Department of Economic Development
HB 977	Johnson	Requires a wholesale motor vehicle auction to provide a title at the time of purchase and changes the laws regarding a licensed dealer's hours of operations and the dealer's official telephone number
HB 1002	Talboy	Requires the Missouri Lottery Commission to establish a statewide video lottery terminal network
HB 1012	Hughes	Requires the Secretary of State to annually air commercials and publish items in newspapers designed to educate the public on elected government and the democratic process
HB 1021	Nolte	Requires a telecommunications company to provide caller location information in certain emergency situations
HB 1022	Nolte	Specifies that any person who manufactures an article or a product while using stolen or misappropriated information technology will be deemed to engage in an unfair act under certain specified conditions
<b>TELEVISION</b>		
HB 251	Cox	Specifies that tax credits for qualified film production projects will expire December 31, 2011
HB 619	Holsman	Prohibits a professional sports team or franchise with a home stadium in Missouri from receiving certain state public funds if a broadcast of a home game is blacked out for any reason
HB 1012	Hughes	Requires the Secretary of State to annually air commercials and publish items in newspapers designed to educate the public on elected government and the democratic process
<b>TOBACCO PRODUCTS</b>		
HCS SB 147		Modifies provisions relating to education
SB 289	Lembke	Prohibits smoking or use of tobacco products in state correctional centers
SB 335	Schaaf	Allows public disclosure of department of revenue records regarding the number of cigarettes sold annually by tobacco product manufacturers
SB 375	Parson	Modifies provisions of the master settlement agreement regarding the refund of escrow payments
HB 63		Prohibits any employee of a seller of cigarettes or tobacco products who is younger than 18 years of age from selling cigarettes or tobacco products in the course of his or her employment
HB 181	Nasheed	Increases the excise tax on cigarettes from 17 cents to 33 cents per pack of 20 cigarettes to be deposited, less a 3% collection fee, into the General Revenue Fund
HB 225	Brandom	Adds blunt wraps to the list of items in the definition of "drug paraphernalia" as it relates to the regulation of drugs (Withdrawn)
HB 314	Wells	Repeals a school district's authority to set policies that allow the use of tobacco products in certain school areas and prohibits smoking and use of tobacco products on all school property and school buses
HB 342	Still	Increases the excise tax on cigarettes from 17 cents to \$1.17 per pack of 20 cigarettes upon voter approval
HB 343	Still	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 12.5 cents per pack per year for eight years until the excise tax on cigarettes reaches \$1.17 per pack
HB 438	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 445	Molendorp	Prohibits any person from smoking or using tobacco products in any area or on the grounds of a state correctional facility

No.	Author	Subject
HB 491	Diehl	Changes the requirements regarding when funds can be released from escrow accounts under the Tobacco Master Settlement Agreement
HB 646	Scharnhorst	Allows the Department of Revenue to disclose information to the public regarding the annual number of cigarettes sold by each tobacco product manufacturer
HCS HB 669		Changes the laws regarding health care
HB 719	Higdon	Requires one cent from the six cent fee that is deposited into the Missouri Wine and Grape Fund to be deposited into the newly created Division of Alcohol and Tobacco Control Enforcement Fund
HB 859	Ellinger	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 12.5 cents per pack per year for eight years until the excise tax on cigarettes reaches \$1.17 per pack
HB 1023	Kelly	Increases, upon voter approval, the excise tax on cigarettes from 17 cents to 98 cents per pack of 20 cigarettes
<b>TOURISM</b>		
SB 313	Schaaf	Repeals certain requirements for board members of tourism community enhancement districts
CCS#2 HCS SCS SB 356		Modifies provisions pertaining to agriculture
SS SCS HCS HB 161		Changes the laws regarding certain taxes imposed by political subdivisions
HB 278	McNeil	Requires the Department of Revenue to establish the necessary rules to implement the compliance provisions of the multistate Streamlined Sales and Use Tax Agreement
HB 400	Diehl	Changes the laws regarding the imposition of a transient guest tax
SCS HCS HB 545		Exempts the City of Riverside from the requirement that a member of the board of a tourism community enhancement district be a resident, own property, be employed, or operate a business within the district
HB 633	Ruzicka	Establishes the Agritourism Promotion Act which allows for the registration of any person who is engaged in a business which provides agritourism activities in this state
HB 824	Cookson	Changes the laws regarding the transient guest tax in Carter County
<b>TRANSPORTATION</b>		
SCS SB 11		Modifies various regulations governing the operation of motor vehicles
SB 16	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations
SB 24	Keaveny	Increases the fine for seat belt violations from \$10 to \$50
SB 28	Brown	Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle
SB 33	Stouffer	Repeals a provision of law which requires the Department of Transportation to submit to binding arbitration in negligence actions
SB 49	Wright-Jones	Creates special rules for the formation of transportation development districts to operate mass transportation systems
HCS SS SCS SB 58		Modifies various provisions relating to the regulation of transportation
SB 73	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute fines to local school districts
HCS SB 77		Expands the types of directional signs which may be erected within highway right-of-ways and creates numerous memorial highway designations
SB 107	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees

No.	Author	Subject
SB 120	Stouffer	Modifies various provisions relating to billboards
HCS SCS SB 131		Makes numerous changes to provisions relating to the regulation of transportation
HCS SCS SB 133		Modifies the law with respect to highway design-build project contracts and sewer district design-build contracts
CCS HCS SB 173		Modifies provisions of law relating to transportation and infrastructure
SB 212	Lembke	Requires the department of transportation to establish minimal yellow light change interval times for traffic-control devices
SCS SB 242		Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship
HCS SS SCS SB 254		Modifies Missouri's law relating to intoxicated-related traffic offenses
SCS SB 260		Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 277	Lager	Modifies the law with respect to how municipalities and the legal system treats the lawful use of motor vehicles on public roads
SB 283	Munzlinger	Allows motor vehicles hauling agricultural products to exceed state weight limits by up to ten percent during harvest period
SB 343	Wright-Jones	Creates the crimes of assault of an employee of a mass transit system while in the scope of his or her duties in the first, second, and third degree
SB 347	Wright-Jones	Requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency
SCS SBs 369 & 370		Establishes procedures for resident pupils of an unaccredited school district to enroll in another school in the same or an adjoining county
SB 378	Kehoe	Modifies law regarding commissions' authority to enter into additional design-build contracts
SB 386	Richard	Directs dealer plate fees to the Motor Vehicle Commission Fund and increases the temporary permit fee from \$7.50 to \$9.50
SB 390	Schmitt	Authorizes tax incentives to encourage foreign trade
SB 409	Crowell	Changes state transportation aid to school districts from a categorical add-on to part of the state aid calculation
SJR 5	Chappelle-Nadal	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation
SJR 14	Schaaf	Allows the Department of Revenue to receive its actual costs in collecting highway-related taxes and fees unbridled by the current 3 percent constitutional cap
HB 33	Sater	Requires a motor vehicle driver, when overtaking a bicycle, to pass safely at a distance of not less than three feet
HB 48	Cookson	Exempts motor fuel used to operate school buses transporting students for educational purposes from the motor fuel tax and requires the establishment of a uniform and simplified rule for all exemptions
HB 58	Brown	Establishes the Missouri and Midwest High-Speed Rail Commission Act and the Missouri and Midwest High-Speed Rail Commission
HB 104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation
HB 207	Meadows	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction except in a school, construction, or work zone

No.	Author	Subject
HB 208	Meadows	Prohibits certain persons from being appointed to the Regional Taxicab Commission, removes the requirement that four of the members be chosen from the industry, and establishes an advisory committee
HB 228	Schoeller	Changes the laws regarding billboards
HB 242	Fallert	Prohibits any person, except law enforcement and emergency personnel, from climbing on or standing or working atop any tanker trailer stopped along a highway unless proper safety precautions are taken
HCS HB 266		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HCS HB 354		Exempts a qualified plug-in electric drive vehicle from the state's motor vehicle emissions inspection program
HB 383	Pace	Changes the laws regarding assault and tampering crimes against public workers and judicial officers
HB 406	Wieland	Prohibits any entity that is authorized to issue traffic tickets from using an automated red light enforcement system at any intersection within its jurisdiction
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HB 433	Kander	Changes the classification of certain human trafficking crimes and establishes fines and prison terms for the crimes
HB 484		Establishes the Missouri State Transit Assistance Program to provide state financial assistance to defray the operating and capital costs incurred by public mass transportation service providers
HB 488	Gatschenberger	Requires driver's license examinations to only be administered in English and establishes a \$15 fee for an applicant to take the written portion of the examination
HB 489	Gatschenberger	Requires the Department of Transportation to establish minimal yellow light change interval times for traffic-control devices
HB 513	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 529	Carter	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "William Lacy 'Bill' Clay Sr. Mississippi River Expressway Bridge"
HCS HB 840		Establishes the Aerotropolis Trade Incentive and Tax Credit Act to encourage foreign trade by authorizing the St. Louis City Mayor or the executive officer of certain counties to designate a gateway zone
HB 857	Stream	Requires a person convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution
HB 869	Meadows	Establishes the Fair Fare Passenger Safety Act of 2011 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
SCS HB 1008		Allows the Highways and Transportation Commission to enter into infrastructure improvement agreements to reimburse funds advanced for the benefit of a county, political subdivision, or private entity
<b>TRANSPORTATION DEPT.</b>		
SB 33	Stouffer	Repeals a provision of law which requires the Department of Transportation to submit to binding arbitration in negligence actions
SB 49	Wright-Jones	Creates special rules for the formation of transportation development districts to operate mass transportation systems
HCS SS SCS SB 58		Modifies various provisions relating to the regulation of transportation



No.	Author	Subject
HCS SB 77		Expands the types of directional signs which may be erected within highway right-of-ways and creates numerous memorial highway designations
HCS#2 SB 97		Conveys certain property owned by the state
SB 107	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees
SB 120	Stouffer	Modifies various provisions relating to billboards
HCS SCS SB 131		Makes numerous changes to provisions relating to the regulation of transportation
HCS SCS SB 133		Modifies the law with respect to highway design-build project contracts and sewer district design-build contracts
SB 212	Lembke	Requires the department of transportation to establish minimal yellow light change interval times for traffic-control devices
SB 336	Munzlinger	Modifies requirements pertaining to the control of noxious weeds
HCS SS SB 360		Modifies provisions relating to rural community development
SB 378	Kehoe	Modifies law regarding commissions' authority to enter into additional design-build contracts
SJR 5	Chappelle-Nadal	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation
HB 49	Meadows	Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Stan 'The Man' Musial Mississippi River Expressway Bridge"
HB 58	Brown	Establishes the Missouri and Midwest High-Speed Rail Commission Act and the Missouri and Midwest High-Speed Rail Commission
HB 104	Nance	Requires 50% of the revenue generated from fines and court costs which are collected as a result of a red light traffic violation on a state highway to be distributed to the Department of Transportation
HB 228	Schoeller	Changes the laws regarding billboards
CCS SS SCS HCS HB 430		Changes the laws regarding transportation
HCS HB 459		Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Jerry F. Costello - William 'Bill' Clay Sr. Veterans Memorial Bridge"
HB 484		Establishes the Missouri State Transit Assistance Program to provide state financial assistance to defray the operating and capital costs incurred by public mass transportation service providers
HB 489	Gatschenberger	Requires the Department of Transportation to establish minimal yellow light change interval times for traffic-control devices
HB 527	Cookson	Requires the Department of Transportation to conduct a study regarding the safety impact of putting four-foot shoulders on all two-lane U. S. highways in Missouri
HB 678	Schatz	Changes the laws regarding excavation notification centers
SCS HB 1008		Allows the Highways and Transportation Commission to enter into infrastructure improvement agreements to reimburse funds advanced for the benefit of a county, political subdivision, or private entity
<b>TREASURER, STATE</b>		
SB 75	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 94	Munzlinger	Provides loan assistance programs to businesses for energy efficiency improvements
SB 255	Keaveny	Institutes campaign contributions limits and designates city and county committees as political party committees for the purposes of campaign finance

No.	Author	Subject
SB 330	Dixon	Allows certain state officials and employees to carry concealed firearms in the state capitol building
SB 353	Engler	Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers in the same manner as the highway patrol currently sells surplus vehicles
SJR 4	Lembke	WITHDRAWN
SJR 7	Lembke	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 39	Lampe	Prohibits any elected official of the state from registering or acting as a lobbyist within two years of leaving office
HB 64		Changes the laws regarding unclaimed and abandoned property
HB 72	Torpey	Prohibits statewide elected officials or members of the General Assembly elected for their first term in office on or after November 2, 2010, from acting, serving, or registering as a lobbyist
HB 107	Smith	Requires special elections to fill certain vacancies in the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer
HB 109	Wells	Repeals the provisions allowing the State Treasurer to invest in any linked deposit for specified purposes only for certain time periods
HB 191	Ruzicka	Authorizes the State Treasurer to deposit all moneys in the State Park Earnings Fund in any qualified depository of the state and requires these deposits to be secured in a manner provided by law
HB 237		Changes the laws regarding ethics, lobbying, and campaign contributions
HB 310	Gatschenberger	Establishes the State Authority and Federal Tax Fund Act and reasserts the state's authority under the Tenth Amendment to the United States Constitution
HB 377		Prohibits elected officials of the state or any political subdivision or their staff from registering or acting as a lobbyist for one year after leaving office or employment with certain exceptions
HB 378		Revises the definition of "public governmental body" as it relates to the Open Meetings and Records Law, commonly known as the Sunshine Law, to include certain public officials and state employees
HCS HB 401		Changes the laws regarding unclaimed property
HB 432	Kander	Changes the laws regarding ethics, lobbying, and campaign finance
HB 687	Brandom	Establishes the Missouri Homeowners Mutual Insurance Company Act to provide homeowners and renters physical and personal property coverage
HB 741	Bernskoetter	Adds an eligible energy-saving enterprise to the list of entities that are eligible to receive a linked deposit loan
HB 778	Riddle	Allows certain persons to carry concealed firearms in the State Capitol Building or at a meeting of the General Assembly if they have a valid concealed carry endorsement
HB 788	Fisher	Changes the laws regarding workers' compensation and the Second Injury Fund
HCS HB 893		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 947	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 998	Kirkton	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HCS HJR 8		Proposes a constitutional amendment replacing the individual and corporate income tax, corporation and bank franchise taxes, and sales and use tax with a sales tax on certain property and services
<b>TREES AND OTHER PLANTS</b>		
HB 103	Nance	Allows the Department of Conservation, in collaboration with the Department of Natural Resources, to establish a program for good forestry management

No.	Author	Subject
SCS HCS HB 112 & 285		Classifies certain sawmills and planing mills as agricultural and horticultural property instead of commercial property for property taxation purposes
HB 147	Cauthorn	Requires the Commissioner of the Office of Administration or other state purchasing agent to buy forest products, bricks, or aluminum produced in Missouri with certain exceptions
CCS SS HB 458		Changes the laws regarding agriculture
<b>UNEMPLOYMENT COMPENSATION</b>		
SB 10	Rupp	Denies unemployment benefits for those with outstanding overpayment penalties
SB 27	Brown	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation
SB 34	Stouffer	Allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation
HB 135	Nolte	Extends from no later than 10 years to no later than 20 years the time period in which bonds and other similar instruments which have been authorized to fund the Unemployment Compensation Fund must mature
HCS HB 136		Allows the spouse of certain active military members to be eligible for unemployment benefits and to receive a temporary courtesy license to practice his or her occupation or profession in this state
SS SCS HCS HB 163		Changes the laws regarding unemployment compensation and makes Missouri eligible to receive extended federal unemployment benefit funds
HB 226	Richardson	Removes the 10-year limitation that an outstanding obligation under a financial agreement between the Board of Unemployment Fund Financing and a lender can continue
HB 238	Kander	Allows a spouse of an active member of the United States Armed Forces or reservist on active duty to be eligible for unemployment benefits if accompanying the military spouse in the event of a military move
HB 986	Wallingford	Establishes the Missouri Employment Work Pass Program to assist unemployed persons in obtaining employment and to encourage small businesses to hire unemployed persons
<b>UNIFORM LAWS</b>		
CCS HCS SB 59		Modifies provisions regarding judicial procedures
SB 116	Justus	Updates the Uniform Interstate Family Support Act
HCS SCS SB 213		Modifies what information is required in a petition for guardianship for a minor or an incapacitated person, adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act and modifies procedures for ordering autopsies
SS#2 SCS HCS HB 111		Changes the laws regarding judicial procedures
HB 130	Barnes	Changes the laws regarding guardianship of an incapacitated person and authorizes Missouri to enter into the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act
HB 230	Davis	Changes the laws regarding the Missouri Uniform Trust Code
HCS HB 253 & 398		Changes the laws regarding judicial procedures
HB 260	Cox	Repeals and re-enacts provisions regarding the Uniform Interstate Family Support Act to be consistent with the changes adopted by the National Conference of Commissioners on Uniform State Laws
HB 399	Diehl	Changes the laws regarding the Missouri Uniform Trust Code
HB 489	Gatschenberger	Requires the Department of Transportation to establish minimal yellow light change interval times for traffic-control devices

No.	Author	Subject
HB 718	Marshall	Repeals the Missouri Limited Liability Company Act and establishes the Revised Uniform Limited Liability Company Act as proposed by the National Conference of Commissioners on Uniform State Laws
HB 801	Nichols	Establishes the Uniform Planned Community Act which specifies the requirements for creating, governing, managing, and terminating planned community developments (Withdrawn)
HB 940	Nichols	Establishes the Common Interest Owners Bill of Rights Act
HB 987	Rowland	Establishes the Common Interest Owners Bill of Rights Act
HB 996	Harris	Establishes the Common Interest Owners Bill of Rights Act
<b>URBAN REDEVELOPMENT</b>		
SB 143	Crowell	Prohibits the approval of new applications under the Missouri Downtown and Rural Stimulus Act after August 28, 2011
SCS SB 155		Modifies provisions of Missouri's Real Property Tax Increment Allocation Redevelopment Act
SB 259	Kraus	Subjects certain tax credit programs to sunsets
HB 480	Brown	Reduces the minimum number of acres required for an eligible project area in the Distressed Areas Land Assemblage Tax Credit Program
HB 519		Revises the definition of "rehabilitation" as it relates to abandoned housing to include demolition
<b>UTILITIES</b>		
CCS HCS SB 48		Modifies provisions relating to utilities
SB 50	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
HCS SB 174		Modifies provisions relating to political subdivisions
HCS SB 207		Modifies provisions pertaining to energy and property taxation
SB 269	Brown	Modifies provisions relating to the formation and auditing of joint municipal utility commissions
SB 274	Lembke	Allows landlords to apportion charges to tenants for water and sewer utility service
SB 321	Kehoe	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
SB 359	Lager	Allows electric companies to recover costs from ratepayers associated with early site development for certain electrical generation facilities
HCS SS SB 360		Modifies provisions relating to rural community development
SB 376	Parson	Modifies laws relating to the provision of natural gas utility service
SB 406	Crowell	Allows certain cost recovery by electric companies for energy generation and requires utilities to pay an assessment for the Office of Public Counsel
SB 422	Lager	Modifies the state's renewable energy standard
SCR 1	Ridgeway	Disapproves a final order of rule making by the Public Service Commission regarding Electric Utility Renewable Energy Standard Requirements
HB 42	Loehner	Requires an electrical corporation to pay a surcharge of one-tenth of one cent per kilowatt hour on all nuclear energy produced in the state and sold out of its service territory
HB 82	Nolte	Defines "small modular reactors" and allows energy produced by these reactors to be used to meet the Renewable Energy Standard percentage requirements for investor-owned electric utilities
HB 119	Schoeller	Changes the laws regarding rates charged by natural gas corporations and assistance for eligible households through the Utilicare Program
HB 120	Schoeller	Changes the laws regarding infrastructure replacement surcharges for water corporations

No.	Author	Subject
HB 124	Riddle	Allows an electrical company to recover from ratepayers the costs associated with early site development for certain electrical generation facilities
HB 216	Barnes	Prohibits the Missouri Public Service Commission from approving any tariff of an electrical corporation that establishes a single customer class if the customer is an aluminum smelting facility
HCS HB 369		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of water lines due to failure
SCS HB 462		Repeals the provisions requiring the Missouri Energy Task Force to reconvene at least one time a year and issue an annual status report to the Governor and General Assembly
SCS HCS HB 600, 337 & 413		Changes the laws regarding public safety
HCS HB 613		Establishes the Renewable Energy Act and repeals the Renewable Energy Standard enacted by Proposition C in 2008
HB 678	Schatz	Changes the laws regarding excavation notification centers
HCS HB 711		Changes the laws regarding utilities
HB 722	Schneider	Changes the laws regarding the responsibility for the payment of past due water and sewer services and on the termination of service for past due water and sewer services
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment
HB 747	Pollock	Changes the laws regarding the renewable energy standards enacted by Proposition C in 2008
HB 761	Denison	Allows landlords to charge lessees separately for water and sewer usage
HB 877	Berry	Requires an electric utility to accept electricity produced from a customer who operates an electric generating facility in the service area of the utility
HCS#2 HB 889		Changes the laws regarding political subdivisions
HB 957	Barnes	Establishes the Ratepayer Fairness Act which allows an aluminum smelting facility to keep any special utility rate at the ratepayer class as long as it employs 200 employees
HB 967	Smith	Changes the appellate procedures for an issue initially decided by the Missouri Public Service Commission
HB 1021	Nolte	Requires a telecommunications company to provide caller location information in certain emergency situations
<b>VETERANS</b>		
SB 385	Munzlinger	Imposes an additional admission fee for excursion gambling boat licensees to fund veterans' commission capital improvements
SJR 18	Munzlinger	Amends the Constitution to require the development and sale of a veterans lottery ticket
HB 79	Nolte	Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HB 84	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
HB 249	Fitzwater	Designates April 30 of each year as "Vietnam Veterans Day"
HCS HB 303 & 239		Changes the laws regarding members of the military, military spouses, and veterans
HB 322	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink on the premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 368	Meadows	Requires the Missouri Veterans Commission to issue an identification card to each veteran in the state who applies and provides proof of his or her military service

No.	Author	Subject
HB 442	Franz	Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
HCS HB 459		Designates the new Interstate 70 Mississippi River Bridge connecting downtown St. Louis and southwestern Illinois as the "Jerry F. Costello - William 'Bill' Clay Sr. Veterans Memorial Bridge"
HCS#2 HB 889		Changes the laws regarding political subdivisions
HB 911	Webber	Authorizes a check-off box for the Missouri Veterans' Medical Research Trust Fund to be added to the individual and corporate income tax forms and allows for a separate donation to be sent in with the taxes
HCR 7	Walton Gray	Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans
HJR 29	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans Commission Capital Improvement Trust Fund
HJR 30	Wyatt	Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
<b>VETERINARIANS</b>		
HCS SCS SB 29		Modifies various provisions of law regarding the licensing of certain professions
HB 94	Dugger	Repeals the Puppy Mill Cruelty Prevention Act passed as Proposition B by voters in November 2010
HB 99	Loehner	Exempts all shelters, pounds, kennels, pet shops, facilities, dealers, and breeders licensed under specified statutes prior to November 2, 2011, from the provisions of the Puppy Mill Cruelty Prevention Act
HCS HB 131		Changes the laws regarding the Animal Care Facilities Act and the Puppy Mill Cruelty Prevention Act
HB 281	Kelley	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
HB 332	Franz	Expands the Puppy Mill Cruelty Prevention Act to apply to humane societies and exempts shelters, pounds, kennels, pet shops, dealers, facilities, and breeders licensed prior to November 2, 2011
HB 405	Crawford	Changes the laws regarding the Puppy Mill Cruelty Prevention Act
SCS HCS HB 412		Changes the laws regarding pharmacies
HB 496	Jones	Allows licensed veterinarians to administer or prescribe legend drugs for use in animals and changes the membership of an advisory committee of the Board of Pharmacy regarding drug distributors
HB 554	Loehner	Specifies that acts of animal husbandry for compensation are not prohibited or required to be performed by a veterinarian
<b>VICTIMS OF CRIME</b>		
SB 69	Schaefer	Modifies provisions relating to children who are victims of pornographic offenses
SCS SBs 394 & 331		Modifies the human trafficking provisions
HCS HB 143		Changes the laws regarding hotline calls reporting suspected child abuse and neglect to the Children's Division within the Department of Social Services
SCS HCS HB 214		Changes the laws regarding human trafficking
HB 254	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account

No.	Author	Subject
HB 302	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process
HB 350	Newman	Changes the laws regarding sex education in schools, establishes the Compassionate Assistance for Rape Emergencies Act and the Birth Control Protection Act, and requires a women's health care program
HCS HB 504, 505 & 874		Changes the laws regarding domestic violence and orders of protection
HB 636	Oxford	Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims
HB 866	Newman	Changes the laws regarding domestic violence
HB 931	Johnson	Establishes a funeral demonstration zone, creates the Family Funeral Victimization Fund, and makes it unlawful for a person to demonstrate in a funeral demonstration zone without obtaining a permit
HB 995	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HCS HB 999		Changes the laws regarding sexual offender registration
<b>VITAL STATISTICS</b>		
SB 234	Dempsey	Creates an income tax dependency exemption for stillborn children
HCS SS SCS SB 351		Modifies provisions relating to adoption records
HCS HB 32		Allows the State Registrar to issue a heritage birth certificate
HB 427	Barnes	Changes the laws regarding adoption records
HCS HB 630		Establishes the Missouri Task Force on Prematurity and Infant Mortality
HB 894	Long	Changes the laws regarding midwifery
<b>WASTE - HAZARDOUS</b>		
CCS HCS SS SB 135		Modifies provisions pertaining to environmental protection
HB 98	Ruzicka	Extends from June 30, 2011, to December 31, 2015, the 50-cent fee that is collected on the retail sale of a lead-acid battery as well as the fees for any hazardous waste generated
HCS HB 192		Changes the laws regarding environmental protection programs
<b>WASTE - SOLID</b>		
HCS SCS SB 230		Modifies provisions pertaining to natural resources
SB 305	Parson	Creates record-keeping requirements for certain buyers of plastic bulk merchandising containers
SCS HCS HB 578		Allows the state or any political subdivision or agency of the state to transfer ownership of used tires, scrap tires, or tire shred to a private entity for disposal or recycling under certain conditions
HB 918	Solon	Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contact with a single-source provider of trash collection in certain cities, towns, and villages
HB 961	Atkins	Allows a rotation list to be used by law enforcement when requesting wrecker or towing services and requires a towing company to remove debris from the road when responding to an accident

No.	Author	Subject
<b>WATER PATROL</b>		
HB 395	Cookson	Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 440	Nolte	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 777	Denison	Requires any person younger than 16 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft
HB 790	Marshall	Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
<b>WATER RESOURCES AND WATER DISTRICTS</b>		
HCS SB 63		Modifies provisions pertaining to utilities
SB 158	Keaveny	Extends the expiration date to December 31, 2015, for certain clean water public notice requirements and clean water permit fees charged by the Department of Natural Resources
SB 269	Brown	Modifies provisions relating to the formation and auditing of joint municipal utility commissions
SB 274	Lembke	Allows landlords to apportion charges to tenants for water and sewer utility service
HCS SS SB 360		Modifies provisions relating to rural community development
SB 423	Lager	Modifies various provisions pertaining to the regulation and protection of natural resources
SS SCR 8		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
HB 96	Flanigan	Imposes penalties for persistent violations of air or water pollution laws by recycling companies that convert animal parts into petroleum
HB 97	Ruzicka	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control
HB 109	Wells	Repeals the provisions allowing the State Treasurer to invest in any linked deposit for specified purposes only for certain time periods
HB 120	Schoeller	Changes the laws regarding infrastructure replacement surcharges for water corporations
CCS SCS HB 142		Changes the laws regarding political subdivisions
HB 144	Schoeller	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for payments made on a loan obtained to repair certain flood damage to the taxpayer's premises
HCS HB 192		Changes the laws regarding environmental protection programs
HB 210	Molendorp	Changes the laws regarding the board of directors of public water supply districts
HCS HB 250		Changes the laws regarding water well regulations
HB 325	Cauthorn	Allows a person to hand fish for catfish or carp during June and July within all Missouri waters open for hook-and-line fishing of these fish
HCS HB 369		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of water lines due to failure
HB 440	Nolte	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 441	Nolte	Extends the public notice requirements of the Clean Water Commission when listing any impaired waters and extends the commission's authority to charge specified fees related to water pollution control



No.	Author	Subject
HCS HB 711		Changes the laws regarding utilities
HB 722	Schneider	Changes the laws regarding the responsibility for the payment of past due water and sewer services and on the termination of service for past due water and sewer services
SCS HB 737		Changes the laws regarding renewable energy in enhanced enterprise zones and the taxation of hydroelectric power generating equipment
HCS HB 742		Establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council
HB 858	Hampton	Prohibits large water users from transporting water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user
<b>WEAPONS</b>		
HCS SCS SB 60		Enacts various provisions relating to judicial procedures
SB 87	Parson	Removes the requirement that certain otherwise unlawful uses of a weapon be reasonably associated with, or necessary to, fulfill a person's official duties in order to be lawful
SB 297	Munzlinger	Modifies laws governing how residents of Missouri and other states may purchase rifles and shotguns outside their resident states
SB 298	Munzlinger	Lowers the minimum age for an applicant of a concealed carry endorsement from twenty-three to twenty-one
SB 389	McKenna	Modifies the laws regarding concealed carry permits for Missouri residents
SB 415	Crowell	Makes it a class C felony for a person on probation for a felony offense to knowingly possess a firearm
SB 416	Crowell	Exempts United States attorneys who have completed the firearms safety training course required to obtain a conceal carry endorsement from certain otherwise unlawful uses of a weapon
HB 252	Cox	Establishes the Business Premises Safety Act
SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215		Changes the laws regarding firearms, ammunition, and concealed carry endorsements
HB 331	Franz	Requires all federally licensed firearms dealers to waive the National Instant Criminal Background Check System requirement for a purchaser who possesses a valid concealed carry endorsement
HB 341	Riddle	Repeals the provisions regarding the filing of a petition for the removal of a disqualification for certain individuals from purchasing, possessing, or transferring a firearm and establishes new provisions
HB 361	Leara	Establishes the Missouri Firearms Freedom Act
HB 594	Richardson	Changes the laws regarding the possession, manufacture, transport, repair, or sale of weapons
HB 724	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she knowingly possesses a firearm while also in possession of a specified amount of a controlled substance
HB 725	Kratky	Prohibits certain persons who plead guilty to or have been found guilty of a felony violation of certain weapons offenses from receiving a suspended imposition of sentence
HB 727	Kratky	Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 760	Johnson	Adds a member of a fire department who works full-time as a fire investigator to the list of individuals who are exempt from the prohibition on carrying a concealed firearm under certain conditions

No.	Author	Subject
HB 841	Fitzwater	Allows any person with a valid concealed carry endorsement to openly carry firearms on or about his or her person or in a vehicle regardless of any other state law or local ordinance
		<b>WEIGHTS AND MEASURES</b>
HCS HB 266		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
		<b>WORKERS COMPENSATION</b>
CCS#2 HCS SS#2 SCS SB 8		Restricts co-employee liability in workers' compensation cases
SB 39	Wright-Jones	Modifies provisions relating to hospital patient safety
SB 196	Cunningham	Restricts co-employee liability in workers' compensation cases
SB 221	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases
SB 373	Dempsey	Modifies the law relating to workers' compensation
SB 417	Crowell	Modifies the law relating to the Second Injury Fund
SCS SB 420		Modifies the operation and maintenance of the second injury fund
SB 430	Mayer	Modifies the law relating to Workers' Compensation
HCS HB 91		Specifies that an employer and his or her employees will not be liable for any injury or death for which compensation is recoverable under provisions of the Workers' Compensation Law
HB 133	Brandom	Specifies that employers subject to certain workers' compensation provisions must be liable to furnish compensation for injury or death of an employee by occupational disease
HB 162	Fisher	Changes the laws regarding workers' compensation liability
HB 170	Nolte	Specifies that an employer subject to certain workers' compensation provisions must be liable to furnish compensation for injury or death of an employee by occupational disease
HB 221	McNary	Specifies that an employer or his or her employee will not be liable for any injury or death for which compensation is recoverable under the provisions regarding workers' compensation
HB 295	Hinson	Specifies that any infectious disease which causes a condition of impaired health resulting in a disability or death of certain fire fighters will be presumed to have been incurred in the line of duty
HB 434	Nolte	Requires co-employees to be released from liability for negligence in performing the nondelegable duty of an employer to provide a safe workplace when the negligence contributes to injury or death
HB 701	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 788	Fisher	Changes the laws regarding workers' compensation and the Second Injury Fund
HB 845	Curtman	Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HCS HB 893		Changes the laws regarding workers' compensation and the Second Injury Fund

# SENATE INDEX

## FIRST REGULAR SESSION

---

### ADDRESSES

Anderson, Mike, University of Missouri Men's Basketball Head Coach (notation only) .....	272
Opening Address, President Pro Tem Robert N. Mayer .....	4-7
State of the Judiciary Address, Chief Justice William Ray Price, Jr. ....	220-225
State of the State Address, Governor Jeremiah W. (Jay) Nixon .....	108-118

### ADJOURNMENT

Ninety-sixth General Assembly, First Regular Session, May 26, 2011, pursuant to the Constitution .....	2099
--------------------------------------------------------------------------------------------------------	------

### CAUCUSES

Senate Majority Caucus .....	259-260
Senate Minority Caucus .....	260

### COMMITTEES, SELECT

Callahan, Senator, appointed as a member of the Select Committee on Redistricting .....	118-119
Committee to wait upon Chief Justice William Ray Price, Jr. (HCR 2 & HCR 24) .....	52-53, 74, 80, 92, 204, 208, 217, 225
Committee to wait upon Governor Jeremiah W. (Jay) Nixon (HCR 1) .....	52, 73, 80, 106
Crowell, Senator, appointed as a member of the Select Committee on Redistricting .....	118-119
Goodman, Senator, appointed as a member of the Select Committee on Redistricting .....	118-119
Lager, Senator, appointed as a member and Vice-Chairman of the Select Committee on Redistricting .....	118-119
Munzlinger, Senator, appointed as a member of the Select Committee on Redistricting .....	118-119
Pearce, Senator, appointed as a member of the Select Committee on Redistricting .....	118-119
Rupp, Senator, appointed as a member and Chairman of the Select Committee on Redistricting .....	118-119
Wright-Jones, Senator, appointed as a member of the Select Committee on Redistricting .....	118-119

### COMMUNICATIONS

Brown, Senator, appointed member of the Joint Committee on the Life Sciences .....	347-348
Brown, Senator, appointed member of the Joint Review Committee on Downtown & Rural Economic Stimulus Act .....	347-348
Brown, Senator, appointed member of the Missouri Boundary Commission .....	347-348
Callahan, Senator, appointed member of the Missouri Veterans Commission .....	162
Carnahan, Secretary of State, certification of election in 9th Senatorial District .....	410
Carnahan, Secretary of State, list of certified Senators .....	2-3
Chappelle-Nadal, Senator, appointed member of the Joint Committee on Corrections .....	449
Chappelle-Nadal, Senator, appointed member of the Joint Committee on Education .....	101
Chappelle-Nadal, Senator, appointed member of the Joint Committee on Public Employee Retirement .....	351
Crowell, Senator, appointed member of the Joint Committee on Gaming and Wagering .....	333
Crowell, Senator, appointed member of the Missouri Arts Council Trust Fund Board of Trustees .....	333

Crowell, Senator, requested HB 142 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 182 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 186 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 229 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 388 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 556 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 557 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 631 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 738 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 749 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested HB 795 be removed from the Consent calendar .....	758-759
Crowell, Senator, requested SB 116 be removed from the Consent Calendar .....	449
Crowell, Senator, requested SB 131 be removed from the Consent Calendar .....	403
Crowell, Senator, requested SB 145 be removed from the Consent Calendar .....	347
Crowell, Senator, requested SB 147 be removed from the Consent Calendar .....	457-458
Crowell, Senator, requested SB 161 be removed from the Consent Calendar .....	292
Crowell, Senator, requested SB 165 be removed from the Consent Calendar .....	449
Crowell, Senator, requested SB 219 be removed from the Consent Calendar .....	347
Crowell, Senator, requested SB 226 be removed from the Consent Calendar .....	347
Crowell, Senator, requested SB 237 be removed from the Consent Calendar .....	449
Crowell, Senator, requested SB 282 be removed from the Consent Calendar .....	403
Crowell, Senator, requested SB 36 be removed from the Consent Calendar .....	248-249
Crowell, Senator, requested SB 61 be removed from the Consent Calendar .....	248-249
Crowell, Senator, requested SB 63 be removed from the Consent Calendar .....	347
Crowell, Senator, requested SB 71 be removed from the Consent Calendar .....	248-249
Crowell, Senator, requested SB 77 be removed from the Consent Calendar .....	292
Crowell, Senator, requested SB 81 be removed from the Consent Calendar .....	403
Crowell, Senator, requested SB 83 be removed from the Consent Calendar .....	248-249
Crowell, Senator, resigned as a member of the Financial and Governmental Organizations and Elections Committee .....	172
Crowell, Senator, resigned as a member of the Governmental Accountability Committee .....	172
Cunningham, Senator, appointed member of the Joint Committee on Urban Voluntary School Transfer Programs .....	348
Cunningham, Senator, appointed member of the Missouri Humanities Council Trust Fund .....	348
Curls, Senator, appointed member of the Appropriations Committee .....	450

Curls, Senator, appointed member of the General Laws Committee .....	450	Kraus, Senator, appointed member of the Joint Review Committee on Downtown & Rural Economic Stimulus Act .....	349
Curls, Senator, appointed member of the Health, Mental Health, Seniors and Families Committee .....	450	Kraus, Senator, appointed member of the Missouri Emergency Response Commission .....	349
Curls, Senator, appointed member of the Joint Committee on Capital Improvements .....	496	Kraus, Senator, appointed member of the Missouri Military Preparedness and Enhancement Commission .....	349
Curls, Senator, appointed member of the Joint Committee on Corrections .....	449	Kraus, Senator, appointed member of the Missouri Personal Independence Commission .....	349
Curls, Senator, appointed member of the Joint Committee on Tax Policy .....	437-438	Lager, Senator, appointed member of the Joint Committee on Corrections .....	312
Curls, Senator, appointed member of the Missouri Consolidated Health Care Plan Board of Trustees .....	457	Lager, Senator, appointed member of the Joint Committee on Legislative Research .....	312
Curls, Senator, appointed member of the Missouri State Capitol Commission .....	1479	Lager, Senator, appointed member of the Joint Committee on Tax Increment Financing .....	334
Dempsey, Senator, appointed member of Joint Committee on Gaming and Wagering .....	311	Lager, Senator, appointed member of the Joint Committee on Tax Policy .....	312
Dempsey, Senator, appointed member of the Mississippi River Parkway Commission .....	312	Lager, Senator, appointed member of the Missouri Investment Trust Board of Trustees .....	312
Dempsey, Senator, resigned as a member of the Missouri Consolidated Health Care Plan Board of Trustees .....	149	Lager, Senator, appointed member of the Simplified Sales Tax Project .....	334
Dempsey, Senator, resigned from the Joint Committee on Legislative Research .....	403	Lager, Senator, appointed vice-chair of the Governmental Accountability Committee .....	351-352
Dixon, Senator, appointed member of the Missouri State Unemployment Council .....	348	Lamping, Senator, appointed member of the Children's Trust Fund Board .....	334
Dixon, Senator, appointed member of the State Records Commission .....	348	Lamping, Senator, appointed member of the Financial and Governmental Organizations and Elections Committee .....	211
Goodman, Senator, appointed member of the Commission on Judicial Resources .....	349	Lamping, Senator, appointed member of the Joint Committee on Public Employee Retirement .....	334
Goodman, Senator, appointed member of the Court Automation Committee .....	349	Lamping, Senator, appointed member of the Joint Committee on Tax Policy .....	334
Goodman, Senator, appointed member of the Joint Committee on Terrorism, Bioterrorism and Homeland Security .....	349	Lamping, Senator, appointed member of the Joint Committee on Transportation Oversight .....	334
Goodman, Senator, appointed member of the Joint Legislative Committee on Court Automation .....	349	Lamping, Senator, appointed member of the Joint Review Committee on Downtown & Rural Economic Stimulus Act .....	334
Justus, Senator, appointed member of the Joint Committee on Administrative Rules .....	367	Lamping, Senator, appointed member of the State Employees Voluntary Life Insurance Commission .....	334
Justus, Senator, appointed member of the Joint Committee on Capital Improvements and Leases Oversight .....	92	Lamping, Senator, resigned as a member of the Financial and Governmental Organizations and Elections Committee ...	248
Justus, Senator, removed from the Appropriations Committee ..	450	Lembke, Senator, appointed member of the Joint Committee on Capital Improvements and Leases Oversight .....	87
Justus, Senator, removed from the Health, Mental Health, Seniors and Families Committee .....	450	Lembke, Senator, appointed member of the Joint Committee on County Salaries .....	349-350
Justus, Senator, removed from the Joint Committee on Capital Improvements .....	496	Lembke, Senator, appointed member of the Joint Committee on Government Accountability .....	349-350
Keaveny, Senator, appointed member of the Joint Committee on Education .....	101	Lembke, Senator, appointed member of the Joint Committee on Tax Policy .....	349-350
Keaveny, Senator, appointed member of the Joint Committee on Legislative Research .....	449	Lembke, Senator, appointed member of the Missouri Commission on the Delta Regional Authority .....	349-350
Keaveny, Senator, requested SB 61 be removed from the Consent Calendar .....	236	Lembke, Senator, appointed member of the Missouri Fire Education Trust Fund Board of Trustees .....	349-350
Kehoe, Senator, appointed member of the Highway Employees' and Highway Patrol Retirement System Board of Trustees .	333-334	Lembke, Senator, appointed member of the Multistate Tax Compact Advisory Committee .....	349-350
Kehoe, Senator, appointed member of the Joint Committee on Corrections .....	333-334	Mayer, President Pro Tem, appointment of Senate standing committees .....	80-83
Kehoe, Senator, appointed member of the Joint Committee on Transportation Oversight .....	333-334	Mayer, President Pro Tem, appointment of the Administration Committee .....	68
Kehoe, Senator, appointed member of the Joint Committee on Urban Voluntary School Transfer Programs .....	333-334	Mayer, President Pro Tem, appointment of the Gubernatorial Appointments Committee .....	68
Kehoe, Senator, appointed member of the Joint Review Committee on Downtown & Rural Economic Stimulus Act .....	333-334	Mayer, President Pro Tem, appointment of the Rules, Joint Rules, Resolutions and Ethics Committee .....	68
Kehoe, Senator, appointed member of the Low Level Radioactive Waste Compact Advisory Committee .....	333-334	Mayer, President Pro Tem, hearing schedule .....	84, 394
Kehoe, Senator, appointed member of the Missouri State Capitol Commission .....	333-334	Mayer, President Pro Tem, request the Committee on Governmental Accountability to investigate allegations of food stamp fraud in Missouri .....	404
Kehoe, Senator, appointed member of the Southern States Energy Board .....	333-334	Mayer, President Pro Tem, request the Committee on Governmental Accountability to investigate bonding protocol and practices of certain authorities and commissions .....	149
Kraus, Senator, appointed member of the Financial and Governmental Organizations and Elections Committee .....	248	Mayer, President Pro Tem, request the Committee on Governmental Accountability to investigate funding of Watch Me Smile project .....	149-150
Kraus, Senator, appointed member of the Joint Committee on Government Accountability .....	349	Mayer, President Pro Tem, request the Committee on Governmental Accountability to investigate the awarding of fee office contracts .....	403-404
Kraus, Senator, appointed member of the Joint Committee on Tax Increment Financing .....	349		
Kraus, Senator, appointed member of the Joint Committee on Terrorism, Bioterrorism and Homeland Security .....	349		

Mayer, President Pro Tem, request the Committee on Governmental Accountability to investigate the privatization of the Missouri Lottery .....	301, 366-367
Mayer, President Pro Tem, request the Committee on Governmental Accountability to look into the privatization of the duties for the Office of Administration .....	249
Mayer, Senator, appointed member of the Board of Public Buildings .....	312-313
Mayer, Senator, appointed member of the Joint Committee on Wetlands .....	312-313
Mayer, Senator, appointed member of the Missouri Commission on the Delta Regional Authority .....	313
Mayer, Senator, appointed member of the Seismic Safety Commission .....	313
McKenna, Senator, appointed member of the Joint Committee on Transportation Oversight .....	759
McKenna, Senator, removed from the General Laws Committee .....	450
Munzlinger, Senator, appointed member of the Joint Committee on the Life Sciences .....	350
Munzlinger, Senator, appointed member of the Joint Committee on Wetlands .....	350
Munzlinger, Senator, appointed member of the Joint Review Committee on Downtown & Rural Economic Stimulus Act .....	350
Munzlinger, Senator, appointed member of the Missouri Alternative Fuels Commission .....	350
Munzlinger, Senator, appointed member of the Missouri Personal Independence Commission .....	350
Nieves, Senator, appointed member of the Advisory Committee on Tobacco Securitization .....	335
Nieves, Senator, appointed member of the Joint Committee on Education .....	100-101
Nieves, Senator, appointed member of the Joint Committee on Urban Voluntary School Transfer Programs .....	335
Nieves, Senator, appointed member of the Missouri Humanities Council Trust Fund .....	335
Nixon, Governor Jeremiah (Jay) Nixon, action on SCR 1 .....	286
Parson, Senator, appointed member of the Joint Committee on Legislative Research .....	313
Parson, Senator, appointed member of the Joint Committee on Terrorism, Bioterrorism and Homeland Security .....	313
Parson, Senator, appointed member of the Joint Committee on Wetlands .....	313
Parson, Senator, appointed member of the Missouri Fire Education Trust Fund Board of Trustees .....	313
Parson, Senator, appointed member to the Missouri Health Facilities Review Committee .....	682
Purgason, Senator, appointed member of the Governmental Accountability Committee .....	205
Purgason, Senator, appointed member of the Joint Committee on Government Accountability .....	314
Richard, Senator, appointed member of the Advisory Committee on Tobacco Securitization .....	335
Richard, Senator, appointed member of the Joint Committee on County Salaries .....	335
Richard, Senator, appointed member of the Joint Committee on the Life Sciences .....	335
Richard, Senator, appointed member of the Missouri Job Training on Joint Legislative Oversight Committee .....	335
Richard, Senator, appointed member of the Missouri State Capitol Commission .....	1479, 1622
Richard, Senator, appointed member of the Workers Memorial Committee .....	335
Ridgeway, Senator, appointed member of the Advisory Committee on Lead Poisoning .....	350-351
Ridgeway, Senator, appointed member of the Joint Committee on MO HealthNet .....	350-351
Ridgeway, Senator, appointed member of the Missouri Area Health Education Centers Council .....	350-351
Ridgeway, Senator, appointed member of the Missouri Women's Council .....	350-351
Rupp, Senator, appointed member of the Children's Services Commission .....	314
Rupp, Senator, appointed member of the Joint Committee on Education .....	101
Rupp, Senator, appointed member of the Joint Committee on Gaming and Wagering .....	314-315
Rupp, Senator, appointed member of the Joint Committee on Public Employees Retirement .....	314
Rupp, Senator, appointed member of the Missouri Commission on Autism Spectrum Disorders .....	314
Rupp, Senator, appointed member of the Small Business Compliance Advisory Committee .....	314-315
Schaaf, Senator, appointed member of the Commission on the Special Health, Psychological and Social Needs of Minority Older Individuals .....	351
Schaaf, Senator, appointed member of the Governor's Council on Physical Fitness and Health .....	351
Schaaf, Senator, appointed member of the Missouri Consolidated Health Care Plan Board of Trustees .....	457
Schaaf, Senator, appointed member of the Missouri Head Injury Advisory Council .....	351
Schaaf, Senator, appointed member of the Missouri Technology Corporation .....	351
Schaaf, Senator, appointed member of the MO HealthNet Oversight Committee .....	351
Schaaf, Senator, appointed member of the Suicide Prevention Advisory Committee .....	351
Schaefer, Senator, appointed member of the Joint Legislative Committee on Court Automation .....	315
Schaefer, Senator, appointed member of the Joint Legislative Committee on Government Accountability .....	315
Schaefer, Senator, appointed member of the Joint Legislative Committee on Legislative Research .....	315
Schaefer, Senator, appointed member of the Joint Legislative Committee on MO HealthNet .....	315
Schaefer, Senator, appointed member of the Linked Deposits Review Committee .....	315
Schmitt, Senator, appointed member of the Administrative Law Judge Review Committee .....	335-336
Schmitt, Senator, appointed member of the Joint Committee on MO HealthNet .....	336
Schmitt, Senator, appointed member of the Quality Jobs Advisory Task Force .....	335-336
Schmitt, Senator, appointed member to the Joint Committee on Administrative Rules .....	87
Schmitt, Senator, resigned as a member of the Missouri Health Facilities Review Committee .....	87
Stouffer, Senator, appointed member of the Coordinating Council on Special Transportation .....	336
Stouffer, Senator, appointed member of the Midwestern Interstate Passage Rail Compact Commission .....	336
Wasson, Senator, appointed member of the Advisory Committee on Tobacco Securitization .....	315
Wasson, Senator, appointed member of the Joint Committee on Corrections .....	315
Wasson, Senator, appointed member of the Joint Committee on County Salaries .....	315
Wasson, Senator, appointed member of the Joint Committee on the Life Sciences .....	315
Wasson, Senator, appointed member of the Joint Committee on Transportation Oversight .....	315
Wasson, Senator, appointed member of the Missouri Job Training Joint Legislative Oversight Committee .....	315
Wilson, Senator, resignation .....	56
Wright-Jones, Senator, appointed member of the Joint Committee on Transportation Oversight .....	759

## CORRECTIONS

Correction .....	745
------------------	-----

## JOINT SESSIONS

January 19, 2011	
Convened .....	106
Dissolved .....	118

Roll call, House .....	107-108
Roll call, Senate .....	107
State of the State Address, Governor Jeremiah W. (Jay) Nixon .....	108-118

## February 9, 2011

Convened .....	219
Dissolved .....	225
Roll call, House .....	219-220
Roll call, Senate .....	219
State of the Judiciary Address, Chief Justice William Ray Price, Jr. ....	220-225

**MESSAGES FROM THE GOVERNOR**

## Senate Bills Approved:

SCS SB 19 .....	1060-1061
SB 36 .....	2101
SB 38 .....	2101
CCS HCS SB 48 .....	2102
SCS SB 54 .....	2102
SS SB 55 .....	2102-2103
HCS SCS SB 57 .....	2103
CCS HCS SB 59 .....	2103-2104
HCS SS#2 SCS SB 62 .....	2104
SCS SB 68 .....	2104
CCS SS SCS SB 70 .....	2104-2105
HCS SB 77 .....	2105
CCS SCS SB 81 .....	2105-2106
SB 83 .....	2106
HCS#2 SB 96 .....	2106
HCS#2 SB 97 .....	2106-2107
SB 101 .....	2107
SCS SB 108 .....	1224
SS SCS SBs 113 & 95 .....	1192
CCS HCS#2 SCS SB 117 .....	2107-2108
HCS SS SCS SB 132 .....	2109
CCS HCS SS SB 135 .....	2109-2110
HCS SB 161 .....	1192
SB 165 .....	2110-2111
CCS HCS SB 173 .....	2111
SB 180 .....	2111
HCS SB 187 .....	1878
HCS SCS SB 213 .....	2111-2112
CCS HCS SS SB 226 .....	2113
SB 237 .....	2113-2114
SS SB 238 .....	2114
CCS#2 HCS SB 250 .....	2114
CCS HCS SB 284 .....	2116
SS SB 306 .....	2116
SS#2 SCS SB 320 .....	2116-2117
HCS SB 325 .....	2117
HCS SS SCS SB 351 .....	2117-2118
CCS#2 HCS SCS SB 356 .....	2118
HCS SCS SB 366 .....	2118

## Senate Concurrent Resolutions approved:

SCR 11 .....	2119
--------------	------

## Senate Bills Vetoed:

HCS#2 SB 3 .....	2100-2101
HCS SS SB 118 .....	2108-2109
HCS SCS SB 163 .....	2110
SCS SB 188 .....	1222-1223
HCS SB 220 .....	2112-2113
CCS HCS SB 282 .....	2115

**Gubernatorial Appointments**

## Administrative Hearing Commission

Nelson, Mary .....	39, 99
--------------------	--------

## Advisory Commission for Anesthesiologist Assistants

Guthrie, Melanie J. ....	27, 100
Lampert, Benjamin .....	33, 167, 278, 390

Young, Christopher J. ....	51, 167, 280-281, 301, 390
----------------------------	----------------------------

## Advisory Commission for Physical Therapists

Burlis, Tamara .....	21, 168, 188, 281
Dronberger, James .....	274, 362, 426
Gulas, Charles J. ....	27, 168, 276, 323
Hopfinger, William .....	561, 731

## Advisory Committee for 911 Service Oversight

Hall, Michael .....	27-28, 133
Herring, Rodney W. ....	29, 158
Wells, Alan H. ....	49-50, 168, 195, 282

## Air Conservation Commission

Bernth, Michelle R., Independent .....	19, 168, 188, 1356
----------------------------------------	--------------------

## Behavior Analyst Advisory Board

Davis, Thomas .....	23-24, 168, 189, 323
Greiner, Karen .....	26-27, 158
Kirby, Jennifer .....	31, 133
Love, Jessa R. ....	34, 168, 191, 323
Rodgers, Teresa .....	42, 158
Streff, Todd .....	45-46, 133

## Board of Boiler and Pressure Vessel Rules

Armaly, Bassem F. ....	17-18, 168, 187, 281
Belfi, Virgil L. ....	19, 133
Lester, Mark S. ....	34, 159

## Board of Cosmetology and Barber Examiners

Crow, Jacklyn J. ....	22, 132
Nicholson, Joseph .....	1061, 1714

## Board of Probation and Parole

Prudden, Cynthia, Democrat .....	41, 168
Rucker, Martin, Democrat .....	244, 426

## Board of Therapeutic Massage

Mouser, Brandy .....	38-39, 133
----------------------	------------

## Child Abuse and Neglect Review Board

Brown-Johnson, Barbara .....	273, 402, 542
Conard, Derek .....	273, 542
Cunningham, James .....	23, 168, 274, 323
Davis, Cecilia .....	560, 682, 807
Kenney, Kristi .....	30, 168, 277, 323
Kuebler, Barbara .....	32, 168, 278, 390
Marver, Betty .....	35, 124, 168, 192, 281
McKenzie, Charles .....	36, 159
Reynolds-Korobey, Lisa .....	563, 1713
Rowland, Dorothy .....	42, 159
Skinner, Betty .....	45, 168, 193-194, 281
Taggart, Suzanne .....	564, 586, 1713
Tyus, Jennifer .....	48, 159
Weber, Kristen .....	447, 731

## Clay County Board of Election Commissioners

Beshears, Angela, Republican/Secretary .....	166-167, 170,
.....	272-273, 426
Bologna, Anthony, Democrat .....	559-560, 1714

## Committee for Professional Counselors

Miner, Craig .....	38, 168, 279, 323
Pigg, Margaret .....	40, 159

## Coordinating Board for Higher Education

Sims, Elizabeth G., Republican .....	44, 168, 280, 323
Strong, Thomas, Independent .....	46, 168, 194, 1356
Swan, Kathryn, Republican .....	47, 100
Wright, Dalton, Republican .....	50, 167, 168, 280, 323

## Crime Laboratory Review Commission

Hampton, Bryan .....	561, 1713
Hunt, Ted .....	561-562, 807

## Department of Natural Resources

Pauley, Sara Parker, Director .....	40, 68, 124, 168, 193, 233
-------------------------------------	----------------------------

## Division Credit Unions

Bonnot, Kenneth J., Director .....	20, 100
------------------------------------	---------

## Hazardous Waste Management Commission

Sugg, Deron, Democrat .....	46-47, 169, 194, 281
-----------------------------	----------------------

## Health and Educational Facilities Authority

Cavato, Joseph, Democrat .....	560, 1713
Maguffee, Sarah R., Democrat .....	35, 169, 191, 233

## Jackson County Board of Election Commissioners

Miller, Mary Ellen, Democrat/Chair .....	562, 1713
Scott, Colleen, Republican/Secretary .....	43, 135, 159
Whitehead, Michael, Republican .....	564, 1714

- Zorich, Sara ..... 135, 245, 281
- Jackson County Sports Complex Authority
- Kemp, Garry, Democrat ..... 30, 169, 277, 1713
- Kansas City Board of Election Commissioners
- Heath, M. Blake, Republican ..... 28, 100
- Labor and Industrial Relations Commission
- Hickey, John J. .... 446, 1356
- Land Reclamation Commission
- Gertsch, Leslie, Independent ..... 275, 542
- Lincoln University Board of Curators
- Hardwick, Herbert, Democrat ..... 28 158
- Missouri Agricultural and Small Business Development Authority
- Culler, Robert ..... 134, 426
- Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects
- Rearden, James ..... 41, 100
- Missouri Board for Respiratory Care
- Komoroski, Patrice L., Independent ..... 32, 169, 190, 233
- Missouri Board of Examiners for Hearing Instrument Specialists
- Call, Janette ..... 21, 133
- Rimiller, Sharlene ..... 41-42, 99
- Missouri Citizens' Commission on Compensation for Elected Officials
- Barrett, Robert, Republican ..... 18-19
- Benson, Vicki, Democrat ..... 63
- Bolz, Patricia, Republican ..... 20
- Burch, Bill, Democrat ..... 21
- Davidson, Judith, Democrat ..... 23
- Gilbert, Phylis Lee, Democrat ..... 25
- Hurst, Julie, Republican ..... 29
- King, Jerry, Republican ..... 31
- Mills, Don, Republican ..... 37-38
- Shrout, Thomas, Democrat ..... 44
- Walle, Paul, Republican ..... 49
- Winkler, Terry, Democrat ..... 50
- Missouri Commission on Human Rights
- Placzek, Jennifer, Democrat ..... 563, 731
- Missouri Community Service Commission
- Albright, John ..... 272, 300-301, 542
- Hibbeler, Cheryl, Democrat ..... 276-277, 730
- Kappel, Daniel, Republican ..... 446, 1713
- Unger, Russell A., Democrat ..... 48, 158
- Missouri Dental Board
- Polc, Deborah ..... 134, 390
- Relford, Randall ..... 446-447, 1713
- Missouri Development Finance Board
- Lamping, Patrick, Democrat ..... 33, 169, 190, 281
- Shelton, Reuben, Democrat ..... 43, 169, 193, 233
- Missouri Fire Safety Advisory Board
- Latimer, Eric ..... 278, 508, 807
- Marlo, Michael ..... 134, 245, 323
- Missouri Genetic Advisory Committee
- Grange, Dorothy ..... 26, 169, 275, 323
- Reed, Tracy M. .... 41, 133
- Missouri Head Injury Advisory Council
- Abdulrauf, Saleem ..... 17, 169, 272, 426
- Durk, Marylin ..... 275, 420, 425, 426
- Hashagen, Richard ..... 276, 420, 448, 664
- Mecham, Shane ..... 562, 1224, 1713
- Sparks, Michael ..... 563, 1713
- Missouri Health Facilities Review Committee
- Kroding, William A., Independent ..... 32, 169, 190, 233
- Missouri Higher Education Loan Authority
- Wright, Marvin ..... 50-51, 169, 195, 232
- Missouri Planning Council for Developmental Disabilities
- McVeigh, Thomas ..... 562, 681, 807
- Missouri Quality Home Care Council
- Chavis, Edna ..... 273, 362, 426
- Serra, Jeanne M. .... 43, 133
- Missouri Real Estate Appraisers Commission
- Gill, Casey Cash, Democrat ..... 25-26, 133
- Nunn-Jones, Ann, Democrat ..... 39, 99
- Missouri State Board of Accountancy
- Fritz, Deborah S. .... 25, 169, 189, 323
- Springer, Thomas ..... 563-564, 1913-1914
- Missouri Veterans' Commission
- Englund, Scott ..... 24, 158
- Missouri Western State University Board of Governors
- Blakley, Leo, Democrat ..... 20, 99
- Smith, Deborah J., Democrat ..... 45, 132
- Missouri Women's Council
- Colbert-Bochway, Nicole, Democrat ..... 22, 99
- Crum-Thompson, Catherine, Independent ..... 560, 1208
- MO HealthNet Oversight Committee
- Grimaldi, Gerard ..... 561, 1208
- Leary, Kecia ..... 33, 169, 191, 323
- McBride, Timothy D. .... 36, 169, 278-279, 323
- McCandless, Bridget M. .... 36, 169, 192, 281
- McMillen, James J. .... 37, 133
- Parker-Bradshaw, Carmen D. .... 39, 169, 192-193, 323
- Sanford, Mark ..... 157, 323
- Taylor, Ingrid D. .... 47, 169, 194, 233
- Walentik, Corinne ..... 49, 158
- Northwest Missouri State University Board of Regents
- Barbosa, Joseph S. .... 18, 100
- Organ Donation Advisory Committee
- Beatty, Virginia A. .... 19, 169, 187, 281
- Duncan, Phillip ..... 274-275, 426
- Hernandez, Heidi M. .... 28-29, 169, 276, 323
- Keiser, Joan M. .... 30, 169, 189-190, 281
- Nicastro, Peter ..... 279, 542
- Ratliff, Harry ..... 156, 542
- Simaitis, Debra ..... 157, 323
- Peace Officer Standards and Training Commission
- Corwin, James ..... 274, 747
- Cox, Stephen ..... 445, 542
- Roberts, Lane ..... 156-157, 281
- Scagna, Diane ..... 157, 362, 426
- Wheelen, Gregory ..... 447, 542
- Petroleum Storage Tank Insurance Fund Board of Trustees
- McNutt, Donald W. .... 37, 159
- Platte County Election Board
- Ferguson, Marvin, Republican ..... 446 465
- Saint Louis City Board of Police Commissioners
- Irwin, Thomas ..... 1251-1252, 1293
- Lee, Jerome ..... 33-34, 99
- Saint Louis County Board of Election Commissioners
- Pluemer, Ann, Democrat ..... 40, 99
- St. Louis City Board of Election Commissioners
- Burger, Joan M., Democrat/Chair ..... 243, 542
- Lary, Jack, Republican/Secretary ..... 167, 170, 243-244, 426
- Phillips, Benjamin, Democrat ..... 244, 664
- Schwartz, Andrew, Republican ..... 244, 731
- State Board of Education
- Jones, Michael, Democrat/Chair ..... 243, 426
- State Board of Embalmers and Funeral Directors
- Camden, Archie ..... 22, 170, 188, 281
- State Board of Mediation
- Miller, Robert ..... 37, 99
- Toenjes, Leonard ..... 47-48, 133
- State Board of Optometry
- Finklang, Kurt ..... 24-25, 158
- Vanderfeltz, Donald J. .... 48-49, 170, 280, 390
- State Board of Pharmacy
- Marshall, Pamela L. .... 35, 170, 191, 282
- Smith, Dale ..... 45, 170
- State Board of Registration for the Healing Arts
- Khan, Fareesa, Democrat ..... 31, 170, 277, 542
- State Committee of Marital and Family Therapists
- Modrell, Dianne, Democrat ..... 38, 170, 192, 233
- State Environmental Improvement and Energy Resources Authority
- Dalton, William, Democrat ..... 23, 168, 188-189, 233
- State Fair Commission
- Magruder, Willis Jackson, Democrat ..... 34-35, 133
- Sheppard, Teddy E., Republican ..... 44, 159
- State Highways and Transportation Commission
- Suelthaus, Kenneth H., Republican ..... 46, 99
- State Historical Records Advisory Board
- Gordon, Christopher A. .... 26, 170, 189, 282

State Soil and Water District Commission	
Ausfahl, Charlie, Democrat	18, 170, 187, 282
State Tax Commission	
Holman, Randy, Democrat	29, 159
Schaeperkoetter, Jeff, Democrat	42-43, 170, 193, 522
Tourism Commission	
Tinnen, Brenda, Independent	447, 1208
Truman State University Board of Governors	
Zito, Michael A.	51, 170, 195, 426
University of Central Missouri Board of Governors	
Doherty, Darren M., Student Representative	24, 133
University of Missouri Board of Curators	
Cupps, Donald, Democrat	156, 1713
Steward, David, Republican	147-148, 664
Van Matre, Craig, Democrat	156, 1356
Well Installation Board	
Morgan, Mary Sharlene	279, 807

## MESSAGES FROM THE HOUSE

House duly convened with officers (HR 3)	51-52
------------------------------------------	-------

## MOTIONS AND REQUESTS, MISCELLANEOUS

Crowell, Senator, requested unanimous consent to withdraw SB 168	147
Goodman, Senator, requested unanimous consent to correct the committee report made by the Judiciary and Civil and Jurisprudence Committee on SBs 394 and 331	553
Lager, Senator, excused from voting	1250
Mayer, President Pro Tem, requested consent to allow members of the Missouri Sheriff's Association to enter the Chamber with side arms	521
Moment of silence observed in honor of law enforcement officers from across the state	408
Moment of silence observed in memory of Craig Tuttle	1332
Moment of silence observed in memory of Elmer Munzlinger	230
Moment of silence observed in memory of former Speaker Pro Tem Mark Abel	508
Moment of silence observed in memory of former State Senator Walt Mueller	230
Moment of silence observed in memory of Mrs. Thelma Brown	508
Moment of silence observed in memory of Sergeant First Class Robert W. Pharris	67
Moment of silence observed in remembrance of shooting victims in Tucson, Arizona	67

## ORGANIZATION

Duly convened with officers (SR 2)	8
Establishment of rules for Wednesday, January 5, 2011, by the President of the Senate	1
Nomination and election of Doorkeeper	8
Nomination and election of President Pro Tempore	4
Nomination and election of Secretary of Senate	7
Nomination and election of Sergeant-at-Arms	7-8
Oath of office, elected officers	8
Oath of office, newly elected Senators	3, 410
Oath of office, President Pro Tempore	4
Reading of the Bill of Rights (pursuant to Section 9.141, RSMo)	8
Senate convened	4
Temporary officers	1-2
Temporary rules adopted (SR 1)	4

## POINTS OF ORDER

SCS SB 8	380
SS No. 2 SCS SB 8	380
SS SCS SB 13	300
SCS SB 19	203
SCS SB 23	409
SCS SB 48	773
SS SCS SB 48	773
SB 282	472, 474
SB 322	585
SJR 2	247
SS SCS HCS HB 45	757
SS SCS HCS HBs 73 & 47	1065-1066, 1067
SCS HB 101	1330
SS SCS HCS HB 111	1901
SCS HB 142	1084, 1085
HB 182	774
HCS HB 220	1128
SCS HCS HB 641	1230-1231
Member violation of Senate Rule 81	328

## PRAYERS

(Prayers made by other than Chaplain)

Mayer, Senator	104, 174
----------------	----------

## PRESIDING OFFICERS

(Presiding when President was not in Chair)

Crowell, Senator	1294
Dixon, Senator	766, 1294
Engler, Senator	647
Goodman, Senator	225, 753
Kehoe, Senator	411, 500, 523, 633, 786, 1177, 1192, 1216, 1294, 1646
Lager, Senator	281, 284, 290, 554, 601, 629, 1132, 1231, 1326, 1713
Mayer, Senator	4, 8, 148, 159, 180, 186, 233, 245, 259, 283, 328, 387, 432, 454, 492, 521, 540, 597, 662, 674, 700, 731, 747, 753, 812, 814, 815, 1067, 1150, 1191, 1207, 1237, 1343, 1479, 1712, 1721, 1727, 1820, 1930, 2095
Nieves, Senator	380, 1174
Pearce, Senator	83, 106, 124, 159, 171, 183, 187, 196, 214, 219, 242, 245, 266, 308, 330, 363, 380, 400, 410, 411, 427, 437, 457, 470, 513, 520, 522, 534, 542, 558, 574, 603, 604, 605, 645, 653, 680, 686, 701, 753, 764, 783, 796, 806, 814, 821, 1153, 1200, 1220, 1228, 1232, 1242, 1245, 1251, 1294, 1300, 1336, 1346, 1352, 1358, 1467, 1484, 1534, 1675, 1719, 1721, 1751, 1895, 1914, 1971, 1981, 1984, 1996, 1999
Ridgeway, Senator	259, 361, 486, 495, 514, 529, 659, 687, 771, 1102, 1207, 1208, 1356, 1526, 1727, 1959
Rupp, Senator	230, 234, 252, 322, 448, 585, 700
Schaaf, Senator	419
Schaefer, Senator	1238
Schmitt, Senator	209, 218, 225, 247, 298, 310, 345, 372, 408, 454, 463, 467, 513, 575, 692, 754, 788, 1226, 1245, 1525
Stouffer, Senator	74, 158, 159, 175, 197, 365, 376, 389, 418, 457, 508, 525, 574, 633, 659, 674, 685, 750, 774, 1063, 1067, 1132, 1152, 1174, 1347, 1545, 1639, 1679, 1822, 1901, 1993

## REMONSTRANCES

Schaaf, Senator, relating to the St. Louis press corps	443, 465
--------------------------------------------------------	----------



## SENATE RESOLUTIONS

No.	Author	Subject	Page Reference
471	Kraus	2010-2011 Class 4 State Champion Blue Springs High School Wrestling Team	399
599	Munzlinger	2010-2011 Class I State Champion Marion County High School girls basketball team	501
407	Munzlinger	2010-2011 Kirksville High School wrestling program	356
609	Crowell	2010-2011 State Champion Scott County Central High School boys basketball program	505
547	Mayer	2011 All-Missouri Academic Team	454
778	Goodman	4-H Bit by Bit competitive robotics team	702
1011	Lager	Abbott, Andrew	1301
624	McKenna	Abel, Mark C.	514
865	Engler	Adams, Karen	814
877	Wright-Jones	Adewale, Nicole	820
935	Kehoe	Adkins, Pete	1153
616	Chappelle-Nadal	Agnew, Honorable John "Jack"	513
640	Wright-Jones	Ahlering, Grace Lenden	514
878	Wright-Jones	Ahmed, DeBorah	820
879	Wright-Jones	Albus, Jan	820
720	Rupp	Aleksick, John	673
1000	Brown	Alexander, Joseph F.	1301
1078	Munzlinger	Alexander, Mr. and Mrs. Ronald	1675
558	Curls	Allen, Ryan Ellis	468
956	Wright-Jones	Allmon, Harry McClain	1221
1068	Lamping	Alpha Epsilon Pi at the University of Missouri-Columbia	1627
292	Goodman	Alps Supermarket	260
1135	Crowell	Amberger, Samantha	2097
80	Wright-Jones	American Heart Association Midwest Affiliate	123
423	Lembke	American Nurses Association	363
938	Pearce	Anderson, Dr. Margret	1153
257	Schaaf	Anderson, Keller Seth	239
1067	Goodman	Anderson, Mr. and Mrs. Tommie	1627
239	Justus	Anderson, Thatcher Hill	227
228	Kraus	Andreasen, David James	218
901	McKenna	Antonia Middle School students	1093
745	Pearce	Archer, Nellie Louise	688
1063	Engler	Armstrong, Holden Ace	1535
765	Wright-Jones	Aronoff, Nicole Lynn	701

No.	Author	Subject	Page Reference
4	Lager	Arthaud, Mr. and Mrs Clarence	53
1083	Engler	Ashlock, Keaton Stewart	1675
798	Crowell	August, Mr. and Mrs. Douglas	746
851	Dixon	Aull, Mary	788
111	Stouffer	Austell, Darion	139
441	Wright-Jones	Ayers, Caroline Elisabeth	377
76	Kehoe	B.K. Bakery	123
987	Dixon	Bailey Alternative High School	1296
287	Crowell	Bailey, Mr. and Mrs. Cody C.	252
274	Brown	Baird Farm	240
336	Lager	Baker, Aaron	290
327	Stouffer	Baker, Brody Jack	270
783	Lager	Baker, Jory	721
898	Crowell	Baker, Ronald	1093
440	Wright-Jones	Baker, Theresa Mary	377
679	Stouffer	Balke, Irene	553
612	Engler	Ball, Wilma Buffington Bedell	505
392	Lamping / Chappelle- Nadal	Ballard, Linda	341
79	Wright-Jones	BAM Contracting	123
351	Kraus	Bank of Grain Valley	351
880	Wright-Jones	Banks, Anita	820
830	Munzlinger	Barker, Mr. and Mrs. Lyndal	764
730	Crowell	Barks-Westrich, Judy	673
222	Munzlinger	Barnard, Mr. and Mrs. Albert	215
706	Dempsey	Barrett, John	602
926	Crowell	Basler, Ruth	1153
94	Pearce	Bates County Historical Society	130
960	Richard	Battle of Carthage Sesquicentennial Commemoration	1221
594	Lager	Baughner, Annabel	501
393	Lamping	Baum, Susan Denise	341
199	Munzlinger	Baxter, Mary Louise	185
634	Cunningham	Beach, Honorable Douglas R.	514
1113	Wright-Jones	Beasley, Lindsey	2095
541	Kraus	Bechtold, Sarah	445
768	Wright-Jones	Becker, Sydney Ann	701
382	Nieves	Beineke, Kristen	341

No.	Author	Subject	Page Reference
1075	Richard	Belden, Parker Scott	1675
330	Kraus	Bell, Matthew Lamont	270
660	Brown	Bell, Paul Lloyd	521
666	Parson	Benham, Mr. and Mrs. Ralph	525
151	Green	Benjamin, David Martin	149
115	Stouffer	Bennett, Imani	139
596	Stouffer	Benningfield, Adriel Marie	501
304	Goodman	Benson, Karen	261
505	Goodman	Benson, Karen	438
439	Wright-Jones	Berlin, Malinka Lauran	377
422	Green	Bernal, Greg	363
743	Goodman	Berning, Mr. and Mrs. John L.	688
834	Stouffer	Bertz, Janice M.	771
876	Cunningham	Betts, Phyllis	820
663	Wright-Jones	Betty Jean Kerr People's Health Centers	525
430	Crowell	Beussink, Nan	377
9	Crowell	Bickings, Mr. and Mrs. Gary	53
934	Kehoe	Biehl, Heather Triplett	1153
280	Ridgeway	Biggs, Henry Marion	240
1139	Mayer	Biggs, Mr. and Mrs. Bill	2097
1051	Munzlinger	Blake, Daniel	1485
832	Munzlinger	Blass, Reverand and Mrs. John	764
1095	Schaefer	Bledsoe, Jana	1976
1111	Munzlinger	Blickhan, Lisa	2095
99	Dixon	Bloodworth, Julie	131
696	Goodman	Blue Eye High School	575
672	Lembke	Bodenstein, James W.	535
213	Crowell	Bolen, Jess	208
23	Parson	Bolivar R-I Board of Education	71-72
924	Kraus	Bonnesen, Jeremy	1098
185	Mayer	Boone, Mary Ruth	184
641	Wright-Jones	Boschert, Teresa Margaret	515
686	Crowell	Boswell, Mr. and Mrs. Eldon	553
410	Pearce	Bouldin, Sandra	356
618	Chappelle-Nadal	Bovinett, Rita	513
797	Munzlinger	Bowen, Corrections Officer I Christopher	746
769	Wright-Jones	Bowers, Madeline Elizabeth	702

No.	Author	Subject	Page Reference
702	Dempsey	Boyd, Autumn	602
102	Crowell	Boyd, Mr. and Mrs. Howard "Butch"	131
234	Green	Boyd, Samuel G., IV	227
148	Crowell	Boyer, Allison	148
1077	Goodman	Brafford, Mr. and Mrs. John	1675
856	Crowell	Brase, Janet	807
376	Goodman	Brashear, Sheryl	320
704	Dempsey	Braun, Brian	602
438	Wright-Jones	Breece, Rachel Ann	377
540	Kraus	Brennan, Jozianne	445
1058	Brown	Brewer Science	1535
147	Crowell	Brewington, Trish	148
360	Crowell	Bridwell, Mr. and Mrs. Laddie	306
437	Wright-Jones	Bright, Amanda Marie	377
972	Richard	Bright Futures program, Joplin School District's	1243
155	Dempsey	Briscoe, Joe	164
683	Mayer	Britt, Phillip	553
91	Nieves	Broadbooks, Jeremy	130
284	Crowell	Brockmeyer, Mr. and Mrs. Fred	252
831	Munzlinger	Brodhacker, Mr. and Mrs. Don	764
950	Schmitt	Bromeier, Kathy	1221
436	Wright-Jones	Broom, Sarah Elizabeth	377
411	Pearce	Brown, Clarissa	356
516	Munzlinger	Brown, Gilbert and Kathleen	444
837	Munzlinger	Bruner, Mr. and Mrs. Charles	771
121	Stouffer	Bryant, Taylor	139
852	Curls	Buasri, Molly	807
1006	Richard	Buchanan, Frank	1301
457	Wright-Jones	Buchheit, Beverly J. "Bev"	378
214	Parson	Buckner, Mr. and Mrs. Ralph	215
638	Wright-Jones	Buechel, Marissa Christine	514
639	Wright-Jones	Buechel, Megan Elizabeth	514
475	Ridgeway	Burchett, Marcus	399
957	Pearce	Burkett, Laura	1221
359	Engler	Burns, Teren Andrew	306
70	Wasson	Burton, Connor	118
841	Munzlinger	Bushnell, Mr. and Mrs. Bill	784

No.	Author	Subject	Page Reference
770	Wright-Jones	Butler, Kimberly Elizabeth	702
295	Goodman	Byron E. Taylor Christian Service Center	260
1004	Nieves	Callaway, Tobias Scott	1301
276	Schaaf	Callow, Wade Alan	240
123	Crowell	Calvary Temple Church	139
539	Kraus	Campbell, Ann	445
688	Rupp	Campbell, Theodore Adam	553
958	Pearce	Campbell, Timothy	1221
1002	Wright-Jones	Cannon, Jerry	1301
868	Engler	Cantrell, Lisa	814
504	Parson	Cantrell, Mr. and Mrs. Herschel	438
766	Wright-Jones	Carlson, Amanda Marie	701
1056	Brown	Carlton, Roy Edward	1534
882	Wright-Jones	Carnahan, Honorable Robin	820
724	Callahan	Carnes, Mary Ellen	673
911	Brown	Carney, John F., III	1098
785	Lager	Carpenter, Judy	721
344	Schmitt	Cavanaugh, Ali M.	296
37	Engler	Centerville R-I School District	78
617	Chappelle-Nadal	Chapman, Dan	513
1102	Brown	Chapman, JoAnn	2094
318	Lager	Chapman, Thomas Nichols	265
591	Crowell	Chappell, Mr. and Mrs. Ronnie Ray	501
545	Curls	Charles, Michael	454
235	Kraus	Chase, Maggie	227
142	Wright-Jones	Chavez, Juan Williams	148
96	Pearce	Chilhowee Grocery	130
859	Lager	Chillicothe Middle School	814
46	Chappelle-Nadal	Chinese New Year	94
702	Dempsey	Choat, Amber	602
301	Goodman	Christian Action Ministries	261
300	Goodman	Christian Associates of Table Rock Lake-North	261
299	Goodman	Christian Associates of Table Rock Lake-South	261
677	Wasson	Christian County Emergency Services/Emergency 911/Communication Center	553
195	Schmitt	Christian Family Services, Inc.	184
799	Wright-Jones	Christmas, Martha Jimmar	746
642	Wright-Jones	Cicka, Danielle Nicole	515

No.	Author	Subject	Page Reference
483	Kraus	City of Blue Springs	416-417
87	Cunningham	City of Chesterfield	130
202	Ridgeway	City of Gladstone and the Friends of Atkins-Johnson	185
965	Engler	Clark, Lynn	1222
1101	Brown	Clark, Margie S.	2094
590	Crowell	Class 4 State Champion Sikeston R-VI High School Boys Basketball Team	501
350	Richard	Claxton, Dorothy K.	306
999	Brown	Clayton, Honorable John A.	1301
980	Kehoe	Coca-Cola Bottling Company	1295
370	Ridgeway	Coday, Joshua	320
1114	Rupp	Cody, Charyse SarVina	2096
731	Lamping	Cole, Janet	673
728	Crowell	Coleman, Rebecca Jane	673
923	Kraus	Collings, Nancy	1098
219	Kehoe	Collins, Alvina	215
1127	Engler	Collins, Gib	2096
604	Engler	Collins, Kimberly	505
416	Goodman	Community Kitchen	356
56	Schaefer	Comparative Clinical Pathology Services, LLC	95
737	Justus	Composting and Organics Association of Missouri	674
546	Kehoe	Concord Baptist Church	454
705	Dempsey	Congleton, Jerry	602
912	Engler	Conway, Juanita	1098
1013	Wright-Jones	Cook, Ashley	1013
160	Engler	Cook, Judy A.	165
1059	Engler	Cook, Stanley	1535
435	Wright-Jones	Cooley, Amanda	377
200	Munzlinger	Coon, Kathryn A.	185
140	Parson	Cooney, Barbara	145
283	Crowell	Cooper, Mr. and Mrs. Larry	252
569	Lembke	Cordia, Karen	484
93	Brown	Cordry, Ray	130
835	Stouffer	Corporon, Thomas R.	771
250	Wasson	Cosper, Cody	239
29	Crowell	Courtois, Mr. and Mrs. Richard	78
209	Parson	Covert, Jessica	208
503	Parson	Cowardin, Mr. and Mrs. Larry	438

No.	Author	Subject	Page Reference
400	Rupp	Cox, Mr. and Mrs. Bob	356
682	Richard	Cramsey, Emilia	553
522	Brown	Crawford County R-II School District	444
12	Crowell	Creative Edge, Incorporated	56
134	Goodman	Creek, Ron	145
872	Schmitt	Crestwood Elementary School	815
1094	Schmitt	Crews, Adam	1884
715	Crowell	Crites, Elizabeth S.	643
25	Rupp	Crossen, Mr. and Mrs. Ronald	72
297	Goodman	Crosslines-Anderson	260
294	Goodman	Crosslines-Monet	260
268	Wright-Jones	Crown Square Historic Development, LLC	240
120	Stouffer	Crudup, Lauren	139
1030	Mayer	Cunningham, Stanley	1479
131	Kraus	Curdy, Kevin Matthew	145
269	Wright-Jones	Curl, Major James	240
406	Dempsey	Cutright, Bob	356
506	Dixon	Cyr, Gary A. Sr.	443
424	Pearce	Czerniewski, Eric	363
181	Mayer	D & D Drug and Soda Fountain	184
557	Curls	Daffer, Alexander Lee	468
513	Engler	Damba, Victoria Ann, D.O.	444
954	Stouffer	Dampf, Drew Alan	1221
627	Engler	Danieley, Cindy Marie	514
839	Ridgeway	Daniels, Dr. Chris	772
922	Kraus	Danley, Angela	1098
499	Crowell	Darter, Mr. and Mrs. Roy	425
366	Kraus	Davidson, Jon	320
230	Kraus	Davis, Arthur Sabin	218
458	Munzlinger	Davis, Corrections Officer Michael T.	386
1008	Lembke	Davis, Meredith A.	1301
964	Engler	Davis, Noah R.	1222
667	Rupp	Dawson, Geneva	529
463	Lembke/Schmitt	Dawson, Karen Kelly	386
1093	Kehoe	DeFeo, Jeni	1884
928	Schaaf	DeKalb Christian Church, One Hundred Twenty-fifth Anniversary of	1153
427	Crowell	Delta Companies, Incorporated / Delta Concrete	377

No.	Author	Subject	Page Reference
800	Wright-Jones	Delta Sigma Theta Sorority, Incorporated	746
128	Crowell	Deneke, Jonathan James "Jonny"	140
282	Crowell	Deneke, Mr. and Mrs. Robert E.	252
523	Brown	Dent-Phelps R-III School District	444
727	Crowell	Depro, Stephanie	673
184	Mayer	Dexter Bearcat Booster Club	184
891	Mayer	Dexter Middle School Eighth Grade Girls Volleyball Team	821
1096	Rupp	Dickerman, Ermal	1976
643	Wright-Jones	Dillon, Catherine Ann	515
418	Dempsey	Dillon, Gary	357
1045	Rupp	Discovery Ridge Elementary School	1485
875	Lager	Dittberner, Mr. and Mrs. Bruce	820
524	Brown	Dixon R-I School District	444
168	Pearce	Dixson, Damin Dukane	165
281	Crowell	Dobsch, Mr. and Mrs. Roman	252
490	Kraus	Dobyns, Ian M.	417
119	Stouffer	Dodd, Brittany	139
66	Dempsey	Dolan, Paul G., Jr., DDS	97
552	Pearce	Dollar, Mae A.	463
190	Nieves	Donner, Raphael "Ray"	184
621	Parson	Dooley, Mr. and Mrs Gary	513
1001	Brown	Dooley, Sandra	1301
644	Wright-Jones	Dorr, Kathleen Kinsella	515
671	Green	Dowdy, Diane	535
264	Schaaf	Downs, Matthew Christopher	240
697	Nieves	Downtown Washington, Inc.	602
1066	Goodman	Drake, Ryan Eugene	1627
379	Brown	Drewell, Mr. and Mrs. Norman Ray	320
114	Stouffer	Dreyer, Lorna	139
614	Purgason	Drover, Janice L.	505
1020	Lamping	DuBois, Justin	1337
275	Brown	Duckworth Heritage Farm	240
840	Nieves	Dudley, Mr. and Mrs. Paul Raymond	772
921	Kraus	Duello, Andria	1098
959	Justus	Dukes, Taylor	1221
2	Dempsey	Duly Convened	8
777	Wright-Jones	duMaine, Xavier	702



No.	Author	Subject	Page Reference
984	Dempsey	Duncan, Daniel	1295
260	Schaaf	Dunker, Christian Daniel	239
171	Pearce	Dunkeson, Levi Perry	165
337	Lager	Dunn, Zackery	290
497	Lager	Dunscombe, Betty L.	425
117	Stouffer	Durbin, Jeff	139
982	Dempsey	Duree, Richard	1295
755	Wright-Jones	Dyson, Dahlia Ariel	701
434	Wright-Jones	Eagan, Julia Marie	377
680	Schmitt	Eagle Bank and Trust Company of Missouri	680
1129	Parson	Ealy, Charles L.	2096
220	Munzlinger	Ebeling, Mr. and Mrs. Robert	215
629	Engler	Edwards, Edwin	514
397	Lager	Ehrich, Kristen	341
248	Mayer	Elder, Michael	239
1007	Lembke	Ellebracht, Timothy	1301
714	Mayer	Elliott, Captain Mike	643
482	Schaaf	Ellis, Dale	410
419	Dempsey	Elmendorf, Charlie	357
197	Schmitt	Embroider the Occasion	184
65	Dempsey	Employee Compensation	95-97, 106
711	Wright-Jones	Empowerment Network, Inc., The	637
687	Crowell	Enderle, Mr. and Mrs. Albert	553
55	Schaefer	Energy Americas	95
515	Kraus	Engeman, Steve M.	444
883	Wright-Jones	Erby, Honorable Hazel	820
130	Kraus	Eschmann, Eric Michael	145
164	Crowell	Esicar, Janet	165
325	Schaefer	Etienne, Niyonzima	270
725	Kraus	Eubank, Richard L.	673
232	Kraus	Evans, Mr. and Mrs. William E.	218
606	Nieves	Ewers, Nola	505
971	Green	Ewing, Alexander V.	1243
821	Parson	Falcone, Mr. and Mrs. John	747
900	Crowell	Fanger, Patricia	1093
357	Kraus	Farlin, Matthew	306
1082	Parson	Farr, Danielle	1675

No.	Author	Subject	Page Reference
394	Justus	Faultless Starch/Bon Ami Company	341
203	Brown	Feick, Sergeant Joe	185
997	Crowell	Feiste, Mr. and Mrs. Delmar	1301
39	Munzlinger	Fenlon, Robert and Helen	78
339	Kehoe	Fennewald, Grace A.	290
138	Wright-Jones	Ferguson, Mrs. Theresa	145
22	Wright-Jones	Ferguson, Mrs. Theresa	67
152	Green	Filer, Terrance Rasheed	149
251	Rupp	Finch, Stephannie	239
229	Kraus	Fiorello, Dominick Joseph	218
1122	Goodman	First Baptist Church, One Hundred Forty-fifth Anniversary of the	2096
1040	Lager	Fish, Phillip Roy	1485
169	Pearce	Fleer, Albert	165
433	Wright-Jones	Fleissner, Katherine Marguerite	377
323	Cunningham	Flexway Trucking, Incorporated	270
771	Wright-Jones	Flood, Molly Elizabeth	702
718	Kehoe	Ford, Andrew	673
1131	Crowell	Ford, Mr. and Mrs. Bill	2096
272	Crowell	Ford, Mr. and Mrs. Joshua E.	240
90	Brown	Forest City Footwear	130
899	Crowell	Fornkohl, Connie	1093
141	Munzlinger	Forrester, Hazel Florine Garrett	148
984	Dempsey	Forsyth, Rob	1295
884	Wright-Jones	Foster, Vanessa	820
320	Munzlinger	Fowler, Corrections Officer I Glen	265
108	Munzlinger	Fowler, Mr. and Mrs. Leslie	131
625	Wright-Jones	Fox, Helen Wallace	514
602	Richard	Fox, Joshua Ryan	505
1061	Engler	Frakes, Pamela	1535
1126	Engler	Francis, Susan	2096
977	Kehoe	Frank, Mary	1295
332	Wright-Jones	Franklin, Pastor Robert Maurice, Sr.	286
761	Wright-Jones	Frasch, Jennifer Marie	701
124	Crowell	Fredericktown Fire Department	139
122	Crowell	Fredericktown R-I School District	139
1086	Crowell	Freed, Mr. and Mrs. Rick	1720
963	Engler	French, Charlotte J.	1221

No.	Author	Subject	Page Reference
704	Dempsey	French, Ryan	602
33	Stouffer	Frerking, Mr. and Mrs. James Harold	78
890	Mayer	Froman, Elizabeth Marie	820
823	Kraus	Fuimaono, Kalili-Mateo Lene	747
377	Goodman	Fuqua-Mathiesen, LaVaughn "Vonnie"	320
470	Wright-Jones	Furr, Johnny Jr.	399
321	Lembke	G'Sell, Dr. John and Eva	265
384	Nieves	Gaebe, Erin	341
57	Schaefer	Galactic Fun Zone	95
236	Justus	Gallagher, Benjamin Jeffries "Ben"	227
237	Justus	Gallagher, Edward James "Ted"	227
645	Wright-Jones	Gantt, Alexandra	515
133	Goodman	Garoutte, Jolene	145
302	Goodman	Garoutte, Jolene	261
415	Goodman	Garrett, Michael	356
525	Brown	Gasconade County R-I School District	444
526	Brown	Gasconade County R-II School District	444
784	Lager	Gaug, Elmer, M., Jr.	721
328	Stouffer	George, Mr. and Mrs. Warren	270
811	Engler	Georger, Robert	746
587	Kehoe	Gerhart, Linda "Lynn"	500
636	Cunningham	Gianino, Bob	514
993	Lager	Gibbins, Helen Criswell	1296
224	Schaaf	Gibbons, Mr. and Mrs. Jack	215
944	Green	Gibson, Caleb Eugene	1216
855	Crowell	Gill, Kristin	807
3	Lager	Gillespie, Mr. and Mrs. Kenneth	53
719	Kehoe	Gilmore, Caleb	673
1074	Richard	Gipson, Bill	1675
908	Richard	Gipson, Bill	1098
1019	Parson	Gipson, Mr. and Mrs. Jack	1337
804	Munzlinger	Given, Harrison Cole	746
329	Wright-Jones	Givens, Henry, Jr.	270
19	Rupp	Gladieux, Denny	67
646	Wright-Jones	Glaser, Sonja	515
1110	Munzlinger	Glasgow, Mr. and Mrs. Ellis	2095
109	Crowell	Glass, Mr. and Mrs. Roy Lee	131

No.	Author	Subject	Page Reference
985	Wright-Jones	Glenn, Georgiaret Theola	1296
578	Brown	Goans, Joan	484
695	Munzlinger	Godfrey, Gary	575
216	Nieves	Goforth, Ethan Ben	215
105	Goodman	Goldberg, Jeremiah	105
136	Richard	Good Shepherd Nursing Home	145
626	Engler	Govreau, Jo A.	514
903	Engler	Govro, Lorraine	1093
188	Kehoe	Graham, Barbara	184
752	Engler	Gray, Kelly Beth Skaggs	699
1124	Kehoe	Green, Annie	2096
527	Brown	Green Forest R-II School District	444
476	Ridgeway	Green, Zachary	399
72	Justus	Greenability Magazine	118
101	Wasson	Greenwood Engineering and Manufacturing, LLC	131
32	Stouffer	Greer, Mr. and Mrs. Norman	78
249	Mayer	Gregory, Mark	239
802	Parson	Greven, Gregory Scott "Greg"	746
991	Lager	Griffin, Fred "Freddie", Jr.	1296
340	Green	Griffin, Nita	290
49	Richard	Grundy, Edwin L., Sr.	95
793	Engler	Gunder, Mary K.	741
1043	Kraus	Gurley, Dr. Keith	1485
47	Stouffer	Guthrie, Clara Garrison	95
647	Wright-Jones	Guthrie, Erin McDonald	515
16	Lembke/Schmitt	Haessig, Eugene A.	67
313	Lager	Hager, Alexander Bryce	265
1085	McKenna	Haggard, Bill	1720
807	McKenna	Hainline, Joe	746
559	Lager	Hale R-I School District	468
36	Rupp	Haley, Mr. and Mrs. Bob	78
772	Wright-Jones	Halfmann, Samantha Leigh	702
1084	Goodman	Hall, Ann	1714
303	Goodman	Hall, Ann	261
305	Goodman	Hall, Gene	261
6	Schmitt	Hamann, Herald E.	53
906	Engler	Hampton, Krista G. Sulser	1093

No.	Author	Subject	Page Reference
13	Munzlinger	Hannibal-LaGrange University	61
1024	Schaefer	Haq, Kanwal	1337
51	Munzlinger	Harder, Ervin W., DMD	95
773	Wright-Jones	Haring, Courtney Marissa	702
61	Schmitt	Haring, David	95
1057	Brown	Harmount, Dawn	1534
818	Parson	Harper, Mr. and Mrs. Willard	747
776	Wright-Jones	Harrington, Sarah	702
1031	Mayer	Harris, Kathern J.	1479
43	Wasson	Harris, Shelby	85
86	Kehoe	Harrison, Carol Jean	130
925	Lembke	Hastings, Grant	1098
331	Munzlinger	Hayes, Mr. and Mrs. Robert	286
44	Justus	Haynes, John I., DDS	90
538	Kraus	Haynie, Eternity	445
1021	Wasson	Hayworth, Eugene G. "Gene"	1337
311	Goodman	Head, Dr. Sue	261
1120	Wright-Jones	Hearn, Tammeron	2096
183	Mayer	Heartland Furniture & Appliance Sales & Leasing, LLC	184
897	Parson	Heber Hunt Elementary School students	1093
648	Wright-Jones	Heckenkamp, Claire	515
659	Brown	Heckman, Mr. and Mrs. John	521
52	Schaefer	Heimericks, Gary W.	95
385	Nieves	Heisel, Penny	341
575	Lembke	Hejlik, Jennifer	484
511	Crowell	Helle, Andy	443
571	Lembke	Helmer, Alison	484
555	Pearce	Helmig, Terri Horine	467
194	Munzlinger	Hendren, Stephen W.	184
600	Schmitt	Hendrickson, Ruth I.	505
153	Crowell	Henke, Denny	154
1009	Lembke	Henkey, Daniel	1301
579	Stouffer	Henley, Mr. and Mrs. Junior	500
649	Wright-Jones	Hennessey, Rachel	515
399	Kraus	Henson, Veatrice	341
786	Lembke	Herman, James Andrew	721
174	Pearce	Herman, Weston	166

No.	Author	Subject	Page Reference
678	Rupp	Hespen, Jordan Paul	553
402	Dempsey	Hesskamp, John	356
862	Dixon	High Street Baptist Church	814
809	Engler	Hilbert, Susan G.	746
474	Munzlinger	Hildebrand, Vicki	399
708	Lager	Hill, Karson	637
986	Dixon	Hillgren, Eric	1296
845	Dixon	Hirsch, Ed	787
493	Crowell	Hitt, David	425
488	Kraus	Hobson, Dylan	417
1037	Purgason	Hodits, Kathryn Jean	1485
461	Lembke/Schmitt	Hoessle, Charles H.	386
857	Crowell	Hoffman, Steven J.	807
182	Mayer	Holden Pallet, Inc.	184
285	Crowell	Holland, Mr. and Mrs. Dennis	252
472	Schmitt	Holley, David	399
502	Parson	Hollis, Jerry Sue	438
756	Wright-Jones	Holman, Jamie Dorise	701
824	Goodman	Holman, Pastor Bob	747
1087	Schmitt	Holmes, Deborah	1879
189	Kehoe	Holt, Thomas H.	184
717	Kehoe	Holtmeyer, Rita Ann	673
92	Ridgeway	Holwick, Dick	130
5	Schmitt	Hoock, Robert Michael	53
607	Dixon	Hoover, Ronald	505
242	Lamping	Hopcraft, Jacob Alexander	227
477	Crowell	Horn, Sergeant Dennis J.	399
577	Lembke	Horvath, Kenneth E.	484
1136	Crowell	Hotop, Ashley	2097
317	Lager	Hottel, Mr. and Mrs. Dan	265
465	Stouffer	Houck, Avanelle "Nell"	399
175	Pearce	Howe, Clifford K.	166
895	Kraus	Howell, Darron B.	821
690	Engler	Hubbard, Lisa G.	554
62	Schmitt	Huber, Andrew	95
810	Engler	Huck, Janet M.	746
494	Crowell	Hudson, Roger	425

No.	Author	Subject	Page Reference
1015	Engler	Huff, Don	1301
909	Kehoe	Hughes, Debbie	1098
1076	Green	Hughes, Phyllis	1675
286	Crowell	Hull Trucking, Incorporated	252
827	Wasson	Hunt, Janet	764
572	Lembke	Hutchinson, Anna	484
650	Wright-Jones	Hyde, Kristen Marie	515
949	McKenna/Engler	Ide, Staff Sergeant James R.	1221
369	Ridgeway	Ildza, Zachery	320
67	Crowell	Infinity Recycling Solutions, LLC	105
706	Dempsey	Ingracia, Peter	602
1046	Chappelle-Nadal	International Association of Workforce Professionals	1485
623	Justus	Jack Cooper Transport	514
733	Richard	Jackson, Jim	673
874	Lager	Jackson, Joan Agatha	820
388	Engler	Jackson, John and Arlene	341
158	Dempsey	Jackson, Mimi	165
995	Schaaf	Jackson, Neil	1296
589	Schmitt	Jacobi, Brian Richard	500-501
881	Wright-Jones	James-Hatter, Becky	820
1099	Crowell	James, Mr. and Mrs. Milton	1982
819	Parson	Janes, Mr. and Mrs. Lonnie	747
631	Engler	Janos, Judith	514
994	Lager	Jarrett, Jim "Jimbo"	1296
143	Wright-Jones	Jazz St. Louis	148
850	Kehoe	Jefferson City Academic Center	788
132	Munzlinger	Jeffries, Evafae	145
981	Dempsey	Jensen, Richard	1295
68	Cunningham	JL Brown Contracting Service	105
73	Lamping	Joe's Place	123
201	Mayer	Johns, Caleb Earl	185
308	Goodman	Johnson, Connie	261
586	Wright-Jones	Johnson, Julia	500
936	Richard	Jones, Allura	1153
210	Parson	Jones, Andrea	208
198	Schmitt	Jones, Andy	184-185
792	Engler	Jones, Leslie	741

No.	Author	Subject	Page Reference
1109	Munzlinger	Jones, Mr. and Mrs. L.V.	2095
689	Engler	Jones, Pat	553
501	Schaefer	Jones, Samuel P.	425
512	Crowell	Jordan, Kathy	444
464	Wright-Jones	JRO Ministries Divinity Dancers	399
701	Dempsey	Juengst, Detective Ray, Saint Charles Police Department	602
64	Brown	Julian, Thomas Marion, Sr.	95
40	Green	Jurkiewicz, Ed	78
241	Schaefer	Kadlec, John	227
491	Kraus	Kamp, William M.	417
726	Crowell	Kapfer, Catherine	673
401	Kehoe	Karsten, John W.	356
432	Wright-Jones	Kaufman, Victoria	377
1103	Engler	Kearns, Victoria N.	2095
270	Schaefer	Keating, Lieutenant Michael	240
176	Callahan, et al	Keaveny, Mr. and Mrs. Joseph P.	166
946	Rupp	Keck, Mr. and Mrs. Bill	1221
263	Schaaf	Kegin, Michael Patrick	239
341	Schmitt	Kehm, Alexander	296
129	Crowell	Keller, Mr. and Mrs. Gerald	140
208	Parson	Kelley, Grace	208
1050	Kehoe	Kempker, Layne E.	1485
931	Parson	Kempker, Mr. and Mrs. David	1153
757	Wright-Jones	Kennedy, Amanda Holly	701
240	Justus	Kent, Nathan Michael	227
245	Lamping	Kerr, James	231
562	Ridgeway	Kiefer, Elliott	479
405	Dempsey	Killian, David "Dave"	356
805	McKenna	King, Clifford R.	746
137	McKenna	King, Richard J.	145
60	Schmitt	King, Sarah	95
85	Kehoe	Klatt, Ronald R.	130
699	Dempsey	Kleinschmidt, Detective David, Saint Charles Police Department	602
975	Kehoe	Kliethermes, Betty and Harry	1295
514	Munzlinger	Klinginsmith, Ray	444
740	Cunningham	Klippel, Allen Pummill	688
417	Dempsey	Kneemiller, Austin Michael	356



No.	Author	Subject	Page Reference
952	Stouffer	Koehly, Ellie Diane	1221
693	McKenna	Koerber, Karen Jean "Kay Kay"	574
348	Kehoe	Kolb, Larry	306
278	Ridgeway	Koller, Jared Austin	240
293	Goodman	Kornerstone	293
322	Schaefer	Kraft Foods Oscar Mayer Plant	269-270
669	Parson	Kreisler, Mr. and Mrs. Robert	535
673	Munzlinger	Kristofferson, Betty	553
674	Munzlinger	Kristofferson, Randall	553
486	Mayer	Kruse, Charlie	417
63	Schmitt	Kuhlmann, Eric	95
485	Mayer	Kushner, Robert "Bob"	417
26	Rupp	Ladlie, Mr. and Mrs. Jack	72
894	Rupp	Lagemann, Army Sergeant Brennan W.	821
581	Munzlinger	LaGrange Lions Club	500
661	Brown	Lambiel, Mr. and Mrs. Kurtis	521
442	Wright-Jones	Lantos, Makayla Breann	377
567	Engler	Laplant, Leamay	484
973	Richard	Larson, Don and Brenda	1243
211	Ridgeway	Larson, James Martin	208
443	Wright-Jones	Lawless, Maria Therese	377
869	Engler	Lawson, Barbara	814
1016	Engler	Layton, James	1302
207	Stouffer	LeadingAge Missouri	208
988	Parson	Leary, Mr. and Mrs. John	1296
920	Kraus	Lee, Julie	1098
162	Crowell	Leet EyeCare	165
118	Stouffer	Lehman, Jessica	139
904	Engler	Lentz, Alice	1093
613	Purgason	Leslie, Susan	505
324	Cunningham	Levens, Caroline	270
820	Parson	Lightfoot, Mr. and Mrs. Donnie	747
1088	Schmitt	Lindquist, Christine	1879
1134	Parson	Little, Bill	2097
848	Callahan	Little, Rufus	788
781	Lager	Loch, Betty Lou Butler	721
510	Crowell	Loenneke, Becky	443

No.	Author	Subject	Page Reference
615	Schaefer	Loftin, Benjamin M.	513
932	Parson	Logan, Mr. and Mrs. Edwin James	1153
844	Green	Lowery, Robert G., Sr.	787
722	Rupp	Lucchesi, Mr. and Mrs. Donald J.	673
570	Lembke	Ludwick, Erin	484
244	Munzlinger	Ludwig, Dale R.	231
116	Stouffer	Ludwig, Trent	139
1026	Green	Luley, Jacquelyn	1479
774	Wright-Jones	Lunceford, Jennifer	702
149	Crowell	Lunsford, Mr. and Mrs. Albert	148
983	Dempsey	Luter, Tim and Tommy	1295
259	Schaaf	Luton, Adam David	239
492	Kraus	Lykins, Christopher S.	417
517	Munzlinger	Maggard, Ronald	444
110	Stouffer	Maggert, Meaghann	139
779	Rupp	Maines, Mr. and Mrs. Dale	702
1116	Rupp	Maise, Ellis Xavier	2096
1112	Wright-Jones	Majestic Restaurant and Bar	2095
955	Wright-Jones	Mangogna, Barbara Ann (Sullivan)	1221
563	Ridgeway	Manka, Jacob	479
38	Lamping	Manne, Marshall Stanley, DDS	78
1115	Rupp	Manore, Brienna Lesha'	2096
528	Brown	Maries County R-I School District	444
1018	Parson	Marquis, Mr. and Mrs. Buzz	1336-1337
88	Kehoe	Marsh, Frederick N.	130
537	Kraus	Marshall, Amanda	445
496	Lager	Martin, Lois Margaret Brown	425
633	Cunningham	Marty, Carolyn	514
1053	Munzlinger	Mary Immaculate Parish, One Hundred Twenty-fifth Anniversary of	1534
892	Lamping	Mary Institute	821
74	Lamping	Maryland Heights Chamber of Commerce	123
291	Goodman	Mason, Chip	260
1125	Kehoe	Masonic Children's Foundation, Missouri Child Identification Program of the	2096
204	Purgason	Masterson, Faith	185
996	Schaaf	Mathews, Molly K.	1296
791	Engler	Mayberry, Barbara	741
919	Kraus	Mayer, Rebeckah	1098

No.	Author	Subject	Page Reference
444	Wright-Jones	McAlevey, Sarah Louise	377
445	Wright-Jones	McCann, Kelly Virginia	377
560	Lager	McCaughey, Mr. and Mrs. Tom	468
808	Green	McCluer North High School Boys Basketball Stars, 2010-2011 Class 5 state champion	746
262	Schaaf	McCollom, Quinn Frederick	239
582	Munzlinger	McCollum, Justin	500
608	Dixon	McCourt, Archie	505
698	Parson	McCoy, Mr. and Mrs. Beryl	602
748	Engler	McCrary, Kathleen	699
478	Parson	McCurry, Mr. and Mrs. Connie Mack	399
375	Kehoe	McCutcheon, Ken and Karen	320
962	Engler	McDowell, John G.	1221
495	Lager	McDowell, Wesley Henry Scherler	425
668	Rupp	McGlaughlin, Janet	529
267	Wright-Jones	McGowan Brothers Development	240
1119	Green	McHugh, Barbara Kuhlmann	2096
1117	Rupp	McKee, Jade LeAnn	2096
662	Brown	McKendry, Sister Twylla	521
1118	Schaefer	McLeod, Marilyn	2096
833	Kehoe	Mead, Maureen T.	764
665	Parson	Means, Mr. and Mrs. Larry	525
518	Munzlinger	Mefford, Carl	444
764	Wright-Jones	Meiron, Emily Rose	701
1036	Mayer	Meloy, Rhonda June	1484-1485
89	Brown	Meramec Electrical Products Company	130
918	Kraus	Merrell, Kristen	1098
917	Kraus	Merrell, Tom	1098
794	Engler	Merritt, Mary Lee	741
947	Kehoe	Mertens, Mary "Beth"	1221
1089	Wright-Jones	Mertens, Tracy Loretta	1879
390	Munzlinger	Mexico High School Wrestling Team, 2010-2011	341
469	Lembke/Schmitt	Meyer, Michael J.	399
905	Engler	Meyers, Dorothy	1093
685	Crowell	Meystedt, Mr. and Mrs. Kermit	553
106	McKenna	MidAmerica Solar, LLC	131
611	Engler	Middleton, Kallie Mae	505
1108	Ridgeway	Midwest Small Business Finance	2095

No.	Author	Subject	Page Reference
15	Schmitt	Mike Duffy's Pub and Grill	67
846	Munzlinger	Miles, Mr. and Mrs. Joseph	788
983	Dempsey	Miller, Bob and Lynn	1295
77	Kehoe	Miller, Joseph	123
729	Crowell	Miller, Karlton "Dean"	673
754	Schaaf	Miller, Lori L.	699
598	Engler	Miller, Theodore "Ted"	501
387	Engler	Miller, William C. and Mary Beth	341
256	Schaaf	Milton, Mr. and Mrs. Jerry	239
139	Wright-Jones	Minds Eye Information Service	145
838	Munzlinger	Minor, Mr. and Mrs. Roy	771-772
346	Richard	Missouri City Clerks and Fianace Officers Associations	306
135	Kraus	Missouri City Clerks and Finance Officers Associations	145
547	Mayer	Missouri Community College Association	454
217	Keaveny	Missouri Dermatological Society Association	215
193	Munzlinger	Missouri Farm Bureau	193
585	Wright-Jones	Missouri Girls State program of the American Legion Auxiliary	500
391	Munzlinger	Missouri Military Academy Rifle Team, 2011	341
970	Mayer	Missouri state employees	1243
98	Dixon	Missouri State University handball sports program	130
564	Lembke	Missouri Wing of the Civil Air Patrol	484
431	Goodman	Mitchell, Mr. and Mrs. Orville	377
763	Wright-Jones	Modde, Elizabeth Anne	701
206	Engler	Modern Woodmen Club 4911-1	185
1023	Schaefer	Mohammad, Arwa	1337
1097	Stouffer	Monroe, William	1976
1100	Parson	Montgomery, Mr. and Mrs. Gary	1982
670	Parson	Moore, Leona P.	535
885	Wright-Jones	Moore, Mattie C.	820
365	Kraus	Morain, Sandy	320
556	Mayer	Moreland, Sergeant Dale	468
307	Goodman	Morrison, David and Mary	261
605	Schaefer	Moser, Daniel J.	505
78	Kehoe	Mosher, Mr. and Mrs. Paul	123
446	Wright-Jones	Mueller, Jennifer Rose	378
154	Keaveny	Mullenschlader, Mr. and Mrs. Edward, Jr.	154
173	Pearce	Munley, Colin A.	165

No.	Author	Subject	Page Reference
816	Engler	Munoz, Anne M.	747
574	Lembke	Murphy, Liz	484
367	Kraus	Murry, Barbara	320
700	Dempsey	Myers, Detective Mike, Saint Charles Police Department	602
1054	Brown	Myers, Mylan	1534
163	Crowell	Myers, Paula	165
1062	Engler	Nash, Luke Kyle	1535
628	Engler	Nausley, Steven	514
1022	Wasson	Neal, Robert A.	1337
916	Kraus	Needles, Susie	1098
825	Engler	Neff, Sandy	747
551	Pearce	Nelson, Herbert	463
374	Richard	Neosho High School Wrestling team, 2010-2011 Class 3 State Champion	320
103	Crowell	Nesslein, Mr. and Mrs. R. Wayne	131
316	Lager	Netherton, Helen	265
1128	Parson	Neuenschwander, Mr. and Mrs. Art	2096
167	Pearce	Nevels, Steven	165
338	Rupp	Newberry, Dr. and Mrs. Edward	290
186	Parson	Newton, Mr. and Mrs. Bernard	184
888	Wright-Jones	Newton, Vickie	820
826	Keaveny	Niagra Foundation	764
989	Parson	Nicholson, Mr. and Mrs. Larry	1296
383	Nieves	Nikonowicz, Rita	341
813	Engler	Nixon, Patsy Louise	746
271	Parson	Noel, Mr. and Mrs. William Robert	240
803	Lager	Nold, Nathan Lane	746
500	Lembke / Schmitt	Noles Properties	425
24	Rupp	Nolfo, Mr. and Mrs. Dan	72
71	Chappelle-Nadal	Normandy School District Board of Education	118
969	Stouffer	Norris, John	1243
529	Brown	North Wood R-IV School District	444
780	Lager	Northwest Missouri State University women's basketball program	721
10	Mayer	Notice of Proposed Rule Change/Rule 25	53-56, 63
179	Purgason	Notice of Proposed Rule Change - Rule 33	166, 195
178	Purgason	Notice of Proposed Rule Change - Rule 96	166, 195
548	Richard	O'Brian, Rob	454

No.	Author	Subject	Page Reference
1034	Lembke	O'Connor, Kelly	1479
191	Lembke	O'Driscoll, Thomas P.	184
425	Kraus	Oak Grove High School Wrestling Team, 2010-2011 Class 2 State Champion	372
389	Kehoe	Opie, Marvin W.	341
225	Schaaf	Organ, Mr. and Mrs. Fred L.	215
255	Schaaf	Orth, Mr. and Mrs. Leland	239
530	Brown	Osage County R-I School District	444-445
531	Brown	Osage County R-II School District	445
532	Brown	Osage County R-III School District	445
966	Stouffer	Osborn, Brody	1243
326	Scahefer	Ott, John and Vicki	270
843	Goodman	Ottendorf, Vada	787
50	Richard	Otto, Ruby M.	95
298	Goodman	Ozark County Food Pantry	261
864	Rupp	Pagano, Allyse	814
651	Wright-Jones	Paletta, Savannah Marie	515
266	Wright-Jones	Parker, Daisy Maybell	240
277	Engler	Parker, Daniel	240
886	Wright-Jones	Parks, Dr. Lillian	820
553	Schaaf	Parkville Rotary Club	467
69	Cunningham	Passanise, Charlotte Stone	105
27	Cunningham	Patient Protection and Affordable Care Act	72-73, 78, 100, 106
762	Wright-Jones	Patrick, Andrea Rae	701
760	Wright-Jones	Patrick, Rachel Ann	701
619	Dempsey	Patriot Machine, Inc.	513
386	Nieves	Pelts, Michael	341
246	Goodman	Pendergraft, Mr. and Mrs. Junior	239
656	Lager	Penney High School football program, 2010 Class 2 State Champion	515
215	Stouffer	Perkins, James	215
1012	Wright-Jones	Perou, Vanessa	1301
544	Crowell	Peters, Amelia Mae	454
1047	Lager	Peterson, Mr. and Mrs. Clark	1485
45	Wasson	Pharris, Sergeant First Class Robert W.	91
412	Pearce	Phelps, Charlotte	356
790	Engler	Phelps, Connie J.	741
413	Pearce	Phelps, Michael	356
414	Pearce	Phelps, Sonny	356

No.	Author	Subject	Page Reference
1105	Keaveny	Phu, Nhat	2095
741	Schaaf	Pierce, Bob	688
930	Schaaf	Pierce, Valerie Ann	1153
104	Goodman	Pingleton, Joseph	131
849	Callahan/Green	Pipefitters Local Union No. 533, One Hundredth Anniversary of	788
1098	Cunningham / Green	Piper, Dr. Mary	1982
35	Stouffer	Plattner, Becky Lee	78
314	Lager	Polaski, Vivian	265
789	McKenna	Politte, Brady Douglas	721
1060	Engler	Politte, Ray	1535
652	Wright-Jones	Pollvogt, Victoria Lorraine	515
1079	Goodman	Port of Kimberling Resort Hotel	1675
675	Munzlinger	Porter, Richard	553
978	Kehoe	Porting, Carl	1295
1104	Chappelle-Nadal	Potts, Donna	2095
28	Pearce	Powers, Gilbert Lee	73
1049	Lager	Poynter, Mr. and Mrs. Eugene	1485
796	Engler	Pratt, Jack	741
312	Goodman	Presley, Honorable Raeanne	261
1080	Goodman	Presley, Lloyd	1675
941	Goodman	Presley, Lloyd	1192
233	Kraus	Preston, Alan Lloyd	218
212	Crowell	Priest, Mr. and Mrs. James D.	208
712	Nieves	Proemsey, Michael Kristich	643
371	McKenna	Pruneau, William "Billy", Jr.	320
893	Mayer	Puxico, City of	821
735	Richard	Quick, Dowe	673
354	Kraus	Quinn, Kevin	306
409	Pearce	Ratliff, Edna	356
473	Schmitt	Rawlings, Anna	399
319	Munzlinger	Ream, Corrections Officer II Chad	265
734	Richard	Redden, Susan	673
265	Richard	Redings Mill Fire Protection District	240
238	Justus	Redmond, Hunter Michael	227
1041	McKenna	Reece, Kayla	1485
170	Pearce	Reed, Alex	165
192	Nieves	Reed, Sabrina Dawn	184

No.	Author	Subject	Page Reference
489	Kraus	Reilly, Joshua Hung	417
426	Dempsey	Reiners, Sister Madelene, CPPS	372
676	Munzlinger	Remley, Rhonda	553
59	Rupp/Dempsey	RespondRight EMS Academy	95
550	Kehoe	Retirement Systems of Missouri, Public School and Education Employee	463
82	Ridgeway	Revenaugh, Mark	130
34	Stouffer	Reynolds, Mr. and Mrs. John R.	78
107	Nieves	Rhoads, Adam J.	131
927	Crowell	Richardet, Randy	1153
467	Lembke/Schmitt	Richards, Amy	399
915	Kraus	Richardson, Becky	1098
521	Brown	Richardson, Mr. and Mrs. Alfred F.	444
159	Dempsey	Ricketts, Mike	165
974	Nieves	Ridge Meadows Elementary School	1295
273	Justus	Riggs, Robert Taylor	240
30	Green	Rivere, Johnnie	78
961	Engler	Roark, Randy N., Sr.	1221
381	Dixon	Roberds, Joe E.	320
456	Wright-Jones	Roberts, Chelsey Bridgette	378
180	Schaefer	Roberts, Mr. and Mrs. Carroll Dean	184
580	Stouffer	Roberts, Mr. and Mrs. Lewis	500
279	Ridgeway	Roberts, Ryan Jacob	240
914	Kraus	Robertson, Jackie	1098
684	Schaefer	Robertson, Timothy	553
592	Nieves	Robinson, Dallin M.	501
593	Nieves	Robinson, Evan W.	501
253	Dempsey	Rogers, Amy	239
231	Kraus	Rogers, William Dean	218
466	Parson	Roland, Mr. and Mrs. Larry	399
533	Brown	Rolla 31 School District	445
1132	Brown	Rolla, the Sesquicentennial Anniversary of the city of	2097
976	Kehoe	Rollins, Deputy Justin	1295
348	Kehoe	Rollins, Steve	306
1069	Goodman	Romanova, Evdokia	1675
866	Engler	Roney, Sharon	814
870	Engler	Roosevelt Elementary School	814-815
100	Dixon	Rose, Lisa	131



No.	Author	Subject	Page Reference
462	Lembke/Schmitt	Rosen-Huitt, Daryl	386
1073	Engler	Rosener, Judy A.	1675
362	Wright-Jones	Rothschild, M.D. "Pete", II	316
11	Schmitt	Rowe, Robert Manchester	56
480	Green	Rozak, Theodore "Ted"	399
942	Green	Rudloff, Marty	1211
1133	Lembke	Rudolph, Cameron Paul	2097
657	Wasson	Rudolph, Kevin Lynn	521
53	Richard	Run Around Running Co., The	95
352	Kraus	Rusert, Michelle	306
746	Engler	Russell, Nickolyn Sue	699
637	Wright-Jones	Russon, Amber Dale	514
1071	Engler	Ruth, Rebecca L.	1675
75	Lamping	Saint Louis Artists Guild	123
588	Schmitt	Saint Louis Crisis Nursery	500
534	Brown	Salem R-80 School District	445
196	Schmitt	Sanders, Dave	184
447	Wright-Jones	Sansone, Katlyn Diana	378
408	Pearce	Scaife, Janie	356
817	Engler	Schaffer, Diana Kay	747
81	Engler	Schaper, Betty F.	130
288	Purgason	Scharnhorst, Wayne	252
187	Kehoe	Scherr, Helen	184
709	Lager	Schieber, Elizabeth	637
788	Rupp	Schiermeier, Mr. and Mrs. Arthur	721
681	Schmitt	Schilling, Conor Gerard	553
481	Crowell	Schlichting, Mr. and Mrs. Vernon	408
1130	Crowell	Schlimpert, Mr. and Mrs. Clarence	2096
739	Cunningham	Schmelig, Joan	688
364	Kraus	Schmidt, James M.	320
8	Crowell	Schmidt, Mr. and Mrs. Oscar	53
775	Wright-Jones	Schmidt, Nicolas	702
396	Justus	Schmitz, Charles A. and Lisa	341
1017	Dempsey	Schneider, Merle	1332
635	Cunningham	Schneider, Scott	514
519	Munzlinger	Schoneboom, Clayton	444
1025	Schaefer	Schoor, Megan	1337

No.	Author	Subject	Page Reference
460	Rupp	Schormann, David L.	386
334	Lembke	Schroeder, Daniel	290
421	Rupp	Schroeder, Mr. and Mrs. Ray	363
177	Kehoe	Schroeder, Richard	166
428	Pearce / Kehoe	Schubert, Betty Jo	377
847	Munzlinger	Schuetz, Ken	788
1042	Kehoe / Green	Schulte, Maurice R.	1485
597	Nieves	Schultz, Jacob	501
742	Kehoe	Schwartz, Roger	688
395	Jusuts	Schwenk, Sally	341
226	Richard	Scorse, Daniel E. "Dan"	215
998	Crowell	Scott County Central High School	1301
113	Stouffer	Scott, Shawna	139
1039	Lager	Scroggins, Colby Harrison	1485
1052	Munzlinger	Scudder, James M.	1534
343	Schmitt	Sears, John Henry	296
487	Mayer	Sells, David	417
867	Engler	Serini, Donald	814
468	Lembke	Service International	399
290	Goodman	Sexton, Doug	260
1106	Keaveny	Shabani, Liridon "Doni"	2095
910	Kehoe	Sharpe, Dr. Julia	1098
448	Wright-Jones	Shaw, Andrea Jean	378
860	Lager	Shaw, Colton R.	814
156	Dempsey	Shaw, Gary	165
653	Wright-Jones	Shea, Jaclyn Margaret	515
1005	Chappelle-Nadal	Shelby, Myles	1301
1033	Parson	Shelledy, Mr. and Mrs. Jackie	1479
1035	Rupp	Shelton, Joey	1479
373	McKenna	Sherman, Christina Marie Haggard	320
372	McKenna	Sherman, Lynden Craig	320
449	Wright-Jones	Shipley, Ann Carolyn	378
1064	Schmitt	Short, Lucy Rebecca	1535
654	Wright-Jones	Short, Samantha	515
509	Crowell	Sides, Tina	443
1137	Crowell	Siemer, Ethan	2097
84	Stouffer	Simmons, William J.	130

No.	Author	Subject	Page Reference
990	Keaveny	Sipes, Michael	1296
812	Engler	Sisson, Melinda	746
309	Goodman	Sjobring, Elaine	261
584	Keaveny/ Wright- Jones	Slay, Francis R.	500
450	Wright-Jones	Smith, Allison Elizabeth	378
702	Dempsey	Smith, Daniel	602
355	Kraus	Smith, Gary D.	306
1038	Lager	Smith, Sharon L.	1485
420	Dempsey	Snider, Ron	357
822	Parson	Snyder, Mr. and Mrs. Dale	747
655	Wright-Jones	Snyder, Nicolette Jean	515
347	Kehoe	Sommerer, Joseph Shawn	306
747	Engler	Sonnenburg, Sandra S.	699
1055	Brown	Southard, Karana	1534
161	Engler	Southern Reynolds County R-II School District	165
404	Dempsey	Speckhals, Allen	356
940	Pearce	Sperry, Gabriele	1153
939	Pearce	Sperry, Solana	1153
603	Curls	Spikes, Montrai	505
738	Lembke	Spitznagel, Angie	686
554	Pearce	Sproat, Kori	467
451	Wright-Jones	St. Amour, Carol Evelyn	378
535	Brown	St. James R-I School District	445
892	Lamping	St. Louis Country Day School	821
252	Dempsey	St. Louis Gaelic Athletic Club	239
296	Goodman	St. Susanne Food Pantry	260
782	Lager	Stafford, Carl	721
568	Goodman	Stark, Army Specialist Christopher	484
361	Wright-Jones	Starkloff, Max	316
664	Wright-Jones	State Chapter Senior Citizens' 31st Annual "Bringing It Together"	525
429	Crowell	Statler, Joyce M.	377
933	Stouffer	Staub, Helen	1153
622	Lembke	Staufenbiel, Debbie	513
345	Goodman	Steelman Transportation	296
907	Brown	Steelville R-III School District	1093
1032	Schaefer	Steitz, Jo Lynn	1479

No.	Author	Subject	Page Reference
913	Kraus	Stephenson, Chuck	1098
943	Green	Stevens, Adam Christopher	1216
705	Dempsey	Stevenson, Elaine	602
452	Wright-Jones	Stewart, Christina Lynn	378
967	Stouffer	Stewart, Jacob	1243
261	Schaaf	Stifter, Patrick Kenneth	239
945	Ridgeway	Stock, Jay	1216
767	Wright-Jones	Story, Kyara Dia'u	701
758	Wright-Jones	Strebler, Andrea Melissa	701
1123	Kehoe	Strong, Peggy J.	2096
380	Kehoe	Struempf, Benjamin Joseph	320
929	Schaaf	Stubbs, Mr. and Mrs. Walter Ray	1153
306	Goodman	Sueter, Rhonda	261
58	Keaveny	Sullivan, Halbert	95
342	Wright-Jones	Sullivan, Halbert	296
750	Engler	Sumpter, Pamela	699
873	Lager	Sumy, Mr. and Mrs. Ronald	820
31	Lager	Swanson, Fern	78
247	Goodman	Swanson, Randy	239
549	Engler	Swaringam, Alfred	458
753	Engler	Swearingen, Larry Keith Crowfoot	699
227	Kraus	Swetnam, Andrew Gregory	218
243	Munzlinger	Tague, Mr. and Mrs. Bruce	231
887	Wright-Jones	Talve, Rabbi Susan	820
1092	Parson	Tatum, Mr. and Mrs. Melvin	1884
83	Nieves	Tech Manufacturing, LLC	130
144	Lembke	Telle, Elliott Edmond	148
1	Dempsey	Temporary Rules	4
561	Lager	Tharp, Mr. and Mrs. Lyndell	468
620	Dempsey	The Boys & Girls Clubs of Missouri	513
97	Dixon	The Taylor-Martin Family of Companies	130
453	Wright-Jones	Thebeau, Megan Marie	378
315	Lager	Thieme, Joshua James	265
601	Wright-Jones	Thimes, Patrice Dionne	505
112	Stouffer	Thomas, Abigail	139
1138	Crowell	Thomas, Brett	2097
221	Munzlinger	Thomas, Mr. and Mrs. Gerald	215

No.	Author	Subject	Page Reference
953	Stouffer	Thompson, Abigail "Abby"	1221
289	Goodman	Thompson, John	260
889	Wright-Jones	Thompson, Mavis, Esq.	820
632	Mayer	Three Rivers Community College	514
576	Lembke	Tidwell, David	484
801	Wright-Jones	Toastmasters International	746
157	Dempsey	Tomlinson, Lynne	165
828	Wasson	Towe, Martha L.	764
836	Stouffer	Trigg, Evelyn	771
54	Richard	Trogo, LLC	95
863	Rupp	Troy Buchanan High School	814
479	McKenna	Tucker, Jonah Zachary	399
826	Keaveny	Turkish American Foundation of the Midwest	764
707	Keaveny	Turkish American Society of Missouri	637
829	Lembke	Tuscher, James E. "Jim"	764
349	Kehoe	Twehous Excavating Company, Incorporated	306
610	Dixon	Twitty, John R.	505
95	Pearce	University of Central Missouri	130
854	Crowell	Unnerstall, Julia	807
732	Schmitt	Urkevich, John A.	673
842	Schmitt	Use of Chamber / 2011 Missouri Youth Leadership Forum for Students with Disabilities	784
127	Kehoe	Use of the Chamber - Jefferson City Rotary Club	140
126	Kehoe	Use of the Chamber - Missouri Catholic Conference	140
658	Wright-Jones	Use of the Chamber/Missouri Girls State	521
125	Kehoe	Use of the Chamber - Missouri YMCA Youth in Government	139-140
713	Kehoe	Use of the Chamber/Silver Haired Legislature	643
1090	Schaaf	Valdivia, Alexander Robert "Alex"	1879
403	Dempsey	Vancleve, Robert "Bob"	356
507	Crowell	Vangilder, Kay	443
508	Crowell	Vangilder, Scott	443
721	Crowell	Vanglider, Scott K.	673
356	Kraus	Vaughn, Sarah	306
937	Justus/Pearce	Vering, Mary Ann	1153
145	Crowell	Versa-Tech, Incorporated	148
1140	Engler	Visnovske, Mr. and Mrs. William Anthony	2097
902	Engler	Vogt, Sheryl	1093
1072	Engler	Volz, Janice A.	1675

No.	Author	Subject	Page Reference
484	Rupp/Dempsey	von Harz, Sara	417
871	Schmitt	W.W. Keysor Elementary School	815
1029	Nieves	Wagner, Beverly Lynn	1479
1028	Nieves	Wagner, Maretie Reas	1479
1091	Schaaf	Wagner, Matthew Edward "Matt"	1879
751	Engler	Wakefield, Kristi	699
759	Wright-Jones	Wakeland, Taylor Lauren	701
542	Schaefer	Walden, Joshua Mark	454
1107	Keaveny	Walker, Aaron L.	2095
595	Stouffer	Walker, Lindsey Kay	501
378	Brown	Walmart Transportation	320
14	Green	Walsh, "Gina"	67
858	Crowell	Walther, Mr. and Mrs. Albert	807
146	Crowell	Ward, Denny	148
566	Lager	Ward, Jacob William	484
254	Schaaf	Ward, Logan	239
363	Kraus	Ward, Tony R.	320
710	Lager	Ware, Marjorie Hackett	637
691	Engler	Waters, Dr. Connie S	554
258	Schaaf	Watson, Alexander Yoshihara	239
703	Dempsey	Watson, Christopher	602
536	Brown	Waynesville R-VI School District	445
358	Kraus	Webb, Alyssa N.	306
716	Dixon	Webb, Avery Michael	673
573	Lembke	Weedman, Susan	484
454	Wright-Jones	Weibrecht, Katelyn Leigh	378
310	Goodman	Welch, Christopher	261
543	Crowell	Welker, Mr. and Mrs. Francis	454
17	Lembke/Schmitt	Welker, Suzanne	67
1014	Curls	Wellman, Jakie	1301
1027	Engler	Wells, Chester	1479
205	Purgason	Wells, Kayla L.	185
1141	Schaefer	Wells, Michael D.	2097
498	Lager	Wendt, Benjamin	425
21	Rupp	Wentzville Walmart	67
455	Wright-Jones	Werkmeister, Allison Ann	378
398	Kraus	Wessel, Linda	341

No.	Author	Subject	Page Reference
368	Kraus	West, Yolanda M.	320
1121	Wright-Jones	Westerfield, Rachel	2096
787	Lager	Wetzel, Dustin Davis	721
20	Rupp	Wharf Pharmacy	67
1044	Engler	Whitby, Sandra "Sandy"	1485
968	Stouffer	White, Corey	1243
723	Curls	White, Frank	673
218	Kehoe	White, George Paul	215
150	Crowell	White, Mr. and Mrs. Robert	148
1065	Goodman	White, Tyler	1627
992	Lager	Whitt, Rosemary	1296
896	Parson	Whittier Alternative High School	1093
630	Engler	Wiesehan, Kathleen	514
736	Chappelle-Nadal	Wilcox, Agnes	674
353	Kraus	Wildschuetz, David	306
1081	Parson	Wilken, Kimberly	1675
333	Pearce	Willard, Anthony Joseph	290
853	Crowell	Wilson, Dennis	807
223	Munzlinger	Wilson, Mr. and Mrs. Stephen	215
565	Curls	Wilson, State Senator Yvonne	484
335	Lager	Wilson, Verna Carol	290
7	Crowell	Wiseman, Mr. and Mrs. Delbert	53
861	Lager	Witten, Michael A.	861
744	Goodman	Wolf, Mr. and Mrs. Milton Earl, Jr.	688
694	Wasson	Wommack, Curtis H.	574
459	Munzlinger	Wood, Corrections Supervisor Stacy	386
520	Munzlinger	Woodhurst, Jason	444
1048	Lager	Woodruff, Mr. and Mrs. Frank	1485
948	Crowell	Worth, Cherie L.	1221
795	Engler	Wright, Robert L.	741
1010	Nieves	Wurdack, Andrew Brent	1301
48	Cunningham	Yacovelli's Restaurant	95
18	Lembke/Schmitt	Yaeger, Representative Patricia	67
749	Engler	Yancey, Beth A.	699
951	Stouffer	Yardley, Kyle Jacob	1221
583	Munzlinger	Yates, Sarah	500
1003	Wright-Jones	Yeatman-Liddell Middle School	1301

No.	Author	Subject	Page Reference
806	McKenna	Yenigues, Karen	746
1070	Nieves	Yenzer, Ian	1675
42	Lembke	Yost, Tyler Lee	85
41	Chappelle-Nadal	Young, Dr. Savannah Miller Young	85
815	Engler	Yount, Debra	746
692	Engler	Yount, Michael	554
814	Engler	Yow, Mona L.	746
172	Pearce	Zackschewski, Matthew G.	165
165	Pearce	Zinecker, Garrick Otto	165
166	Pearce	Zinecker, Krischan Andor	165



# HOUSE INDEX

## FIRST REGULAR SESSION

---

### ADDRESSES

Anderson, Mike, Head Coach, University of Missouri Men's Basketball Team (notation only) .....	386
Black, Jon, President, Missouri State Future Farmers of America (notation only) .....	366
Blunt, United States Senator Roy (notation only) .....	435
Carnahan, Secretary of State Robin .....	2-3
James, Mayor-elect Sylvester "Sly" (notation only) .....	1311
Nixon, Governor Jeremiah (Jay) .....	176-189
Schoeller, Speaker Pro Tem Shane .....	13-14
Tilley, Speaker Steven .....	9-12

### ADJOURNMENT

Ninety-sixty General Assembly, First Regular Session, pursuant to the Constitution .....	2713
------------------------------------------------------------------------------------------	------

### COMMITTEES, SELECT

Escort committee, Temporary Speaker Shelley Keeney .....	8
Escort committee, Speaker Steven Tilley .....	8
Escort committee, Speaker Pro Tem Shane Schoeller .....	12
Escort committee, Governor Jeremiah W. (Jay) Nixon .....	175
Escort committee, Chief Justice William Ray Price, Jr. ....	324

### COMMITTEES, STANDING/JOINT

Committee appointments, joint .....	95, 158-159, 225, 312-314, 335, 358-359, 381-382, 408-409
Committee appointments, standing/special standing .....	25-41, 84, 94-95, 158, 165, 203, 225-226, 249-251, 349, 1375-1376, 1736, 2171
Committee change .....	372

### COMMUNICATIONS

Allen, Representative, conflict of interest .....	315
Black, Representative, conflict of interest .....	135-136
Brandom, Representative, withdrawal of HB 225 .....	459
Carnahan, Secretary of State, list of elected representatives .....	3-6
Conway (27), Representative, conflict of interest .....	239
Faith, Representative, letter of resignation .....	1298
Fallert, Representative, withdrawal of HB 965 .....	818
Fuhr, Representative, conflict of interest .....	2246
Gosen, Representative, conflict of interest .....	439
Keeney, Representative, conflict of interest .....	143-144
Lair, Representative, conflict of interest .....	96
Largent, Representative, conflict of interest .....	251
Lasater, Representative, withdrawal of HB 268 .....	439
McNeil, Representative, conflict of interest .....	227
Molendorp, Representative, conflict of interest .....	239-240
Montecillo, Representative, conflict of interest .....	409, 422
Peters-Baker, Representative, letter of resignation .....	2171
Phillips, Representative, conflict of interest .....	251-252
Quinn, Representative, conflict of interest .....	240
Riddle, Representative, conflict of interest .....	136
Rowland, Representative, conflict of interest .....	227
Sifton, Representative, conflict of interest .....	1299
Smith, Representative, conflict of interest .....	382
Wieland, Representative, conflict of interest .....	290
Zimmerman, Representative, letter of resignation .....	1376

### CORRECTIONS TO HOUSE JOURNAL

Affidavits .....	459, 1688-1689, 1741-1742, 2250-2251, 2709, 825
Members' presence noted .....	87, 96, 144, 165, 192, 210, 265, 227, 240, 286, 291, 299, 315, 359, 372, 382, 409, 489, 707, 839, 1208, 1306, 1433, 1620, 1659, 1688, 1797, 2713

### JOINT SESSIONS

January 19, 2011	
Convened .....	175
Presentation of the Colors and Pledge of Allegiance, Missouri State Highway Patrol, Troop F Color Guard .....	175
Senate roll call .....	175
House roll call .....	175-176
Address, Governor Jeremiah (Jay) Nixon .....	176-189
Dissolved .....	189

February 9, 2011	
Convened .....	325
Senate roll call .....	325
House roll call .....	325-326
Address, Chief Justice William Ray Price, Jr. ....	326-332
Dissolved .....	332

### MESSAGES FROM THE GOVERNOR

House Bills Approved:	
HCS HB 1 .....	1737
CCS SCS HCS HB 2 .....	2714
CCS SCS HCS HB 3 .....	2715
CCS SCS HCS HB 4 .....	2715
CCS SCS HCS HB 5 .....	2716
CCS SCS HCS HB 6 .....	2716
CCS SCS HCS HB 7 .....	2717
CCS SCS HCS HB 8 .....	2717
CCS SCS HCS HB 9 .....	2718
*CCS SCS HCS HB 10 .....	2718-2719
CCS SCS HCS HB 11 .....	2719
CCS SCS HCS HB 12 .....	2719-2720
CCS SCS HCS HB 13 .....	2720
SS SCS HCS HB 14 .....	1738
HB 15 .....	1738
SCS HCS HB 17 .....	2720-2721
SCS HCS HB 18 .....	2721
SCS HCS HB 21 .....	2721-2722
SCS HCS HB 22 .....	2722
SCS HCS HB 38 .....	2722
SS SCS HCS HB 45 .....	2723
HB 68 .....	2723
HCS HB 70 .....	2723-2724
SS SCS HCS HBs 73 & 47 .....	2724
HCS HB 83 .....	2724
SS#2 SCS HCS HB 89 .....	2725
CCS SCS HB 101 .....	2725
HB 109 .....	2726
SS#2 SCS HCS HB 111 .....	2726
HCS HB 136 .....	2727
SS SCS HB 137 .....	2727
CCS SCS HB 142 .....	2727-2728
SCS HB 149 .....	2728
HB 151 .....	2728
SS SCS HCS HB 161 .....	2729
SS SCS HCS HB 163 .....	1269
HCS HB 174 .....	1739
HB 182 .....	2049

HB 183 .....	2729
SCS HB 186 .....	2730
HB 190 .....	2731
HCS HB 197 .....	2731
HB 199 .....	2731
HB 204 .....	2732
SCS HCS HB 214 .....	2732
HB 217 .....	2732-2733
HCS HB 220 .....	2733
HCS HBs 223 & 231 .....	2733
HB 229 .....	2734
HCS HB 250 .....	2734
HB 260 .....	2735
SS SCS HCS HB 265 .....	2735
SCS HB 270 .....	2736
SS SCS HB 282 .....	2736
SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215 .....	2736-2737
SCS HCS HBs 300, 334 & 387 .....	2737
SCS HB 307 and HB 812 .....	2737
HCS HB 315 .....	2738-2739
SS HCS HB 338 .....	2739
SS HB 339 .....	2740
HB 340 .....	2740
SCS HCS HB 344 .....	2740-2741
HCS HB 354 .....	2049
HB 358 .....	1741
SCS HB 388 .....	2741
HCS HB 407 .....	2741
SCS HCS HB 412 .....	2742
SS SCS HCS HB 431 .....	2743
CCS SS HB 458 .....	2743
SCS HCS HB 464 .....	2744
SS SCS HCS HBs 470 & 429 .....	2745
HB 499 .....	2746
SCS HCS HB 506 .....	2746
HB 550 .....	2747
SCS HCS HB 552 .....	2747
SS SCS HCS HB 555 .....	2747-2748
HCS HB 557 .....	2050
SCS HCS HB 578 .....	2748
SCS HB 591 .....	2748
SS SCS HCS HB 604 .....	2749
SCS HCS HB 631 .....	2749
SCS HCS HB 641 .....	2749-2750
SS#2 HB 648 .....	2750
SCS HB 661 .....	2750
SS SCS HCS HB 664 .....	2751
HB 667 .....	2751
HB 675 .....	2751-2752
SCS HB 737 .....	2752
HB 749 .....	2050
HB 795 .....	2051
SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 and HB 813 .....	2752
HCR 37 .....	2714

\* Vetoed in Part

#### House Bills Vetoed:

*CCS SCS HCS HB 10 .....	2718-2719
SS SCS HB 184 .....	2730
CCS SS HCS HB 193 .....	1739
SS SCS HB 209 .....	1740-1741
SCS HB 256 .....	2734-2735
CCS SS SCS HCS HB 430 .....	2742-2743
HCS HB 465 .....	2744-2745
HB 484 .....	2745-2746
SCS HB 1008 .....	2753

\* Approved in Part

## MOTIONS AND REQUESTS, MISCELLANEOUS

Absence of a quorum .....	366-367, 1413
Division of the question SCS SB 188 .....	1251
Division of the question, HCS HB 45 .....	172
Motion to override veto, CCS SS HCS HB 193 .....	1805
Previous question:	
HCR 48 .....	2634
HCS HJR 8 .....	1228-1229
HJR 27 .....	1614, 1678
HCS HB 28 .....	1161-1162
SS SCS HCS HBs 73 & 47 .....	2193
HCS HB 76 .....	469
SS#2 SCS HCS HB 89 .....	2545
HB 138 .....	1696, 2071
SS SCS HCS HB 163 .....	1220
CCS SS HCS HB 193 .....	1806
HCS HB 205 .....	433
HB 209 .....	416-417
HB 211 .....	1215, 1216
SS SCS HB 213 .....	2560
SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215 .....	2641
HCS HBs 300, 334 & 387 .....	1263
HCS HBs 411 & 421 .....	1164
HB 434 .....	790
HB 466 .....	1383
HCS HB 473 .....	1317, 1323, 1324, 1626
HCS HB 546 .....	848
HB 658 .....	2067
HCS HB 697 .....	1214
HCS HB 707 .....	2070
HCS SS#2 SCS SB 8 .....	2577
HCS SCS SB 17 .....	2412, 2414, 2417, 2418
SCS SB 19 .....	1143
SCS SBs 26 & 106 .....	2429
HCS SCS SB 29 .....	2115
HCS SB 48 .....	2449
SCS SB 54 .....	2453
HCS SCS SB 60 .....	2268, 2273, 2274, 2275
HCS SB 61 .....	2023
SS SCS SB 65 .....	2455
SB 71 .....	2076
SCS SB 81 .....	2460, 2464, 2466
HCS #2 SCS SB 100 .....	2701
HCS#2 SCS SB 117 .....	2366, 2385, 2434
HCS SS SB 118 .....	2081
HCS SB 145 .....	1894
HCS#2 SCS SB 162 .....	2279, 2280, 2283, 2285, 2290, 2295
HCS SCS SB 177 .....	2492, 2493, 2498
HCS SB 187 .....	2025
SCS SB 188 .....	1256
HCS SS SB 202 .....	2236, 2240, 2241
HCS SB 207 .....	2008
HCS SCS SB 213 .....	2500
SS SB 238 .....	2299, 2300, 2303, 2304
HCS SCS SB 270 .....	2153
HCS SB 282 .....	1837
HCS SB 284 .....	2167
SCS HCS HBs 300, 334 & 387 .....	2552
SCS SB 323 .....	2230
HCS SS SCS SB 351 .....	2311
HCS SCS SB 356 .....	2314, 2316, 2319, 2543
CCR#2 HCS SCS SB 356 .....	2613
HCS SS SB 360 .....	2339, 2340
HCS SCS SB 366 .....	1666
Recommit to committee, HCS#2 SJR 2 .....	1694
Recommit to committee, HB 658 .....	1783
Reconsideration, HR 1826 .....	2201, 2202
Suspend Rule 23 .....	1808
Suspend Rule 57(c) .....	1645
Suspend Rule 114 .....	174, 323-324

**OBJECTIONS AND PROTESTS**

House Election Contest, 40 <sup>th</sup> Legislative District, Sean O'Toole and Will Royster v. John J. Rizzo	72-84
Letter of objection, Representative Aull, CCS SS HCS HB 193	1648

**ORGANIZATION**

Benediction, Msgr. Robert A. Kurwicky	41, 2709
Bill of Rights, Steve Adams, Reading Clerk	14-15
Holsapple, Aaron, singing of the "The National Anthem"	41
House duly convened (HR 3)	16
Joint session, State of the Judiciary (HCR 2) *rescheduled due to inclement weather	18-19, 135, 158
Joint session, State of the State (HCR 1)	18, 135, 157, 175-189
Joint session, State of the Judiciary (HCR 24)	298, 324, 325-332
Nomination and election of temporary speaker	8
Nomination and election of speaker	8
Nomination and election of speaker pro tem	12
Oath of Office, Members of the 96 <sup>th</sup> General Assembly	7
Oath of Office, Speaker Steven Tilley	8
Oath of Office, Speaker Pro Tem Shane Schoeller	12
Oath of Office, permanent officers	16
Oath of Office, Representative-elect Chris Kelly	90
Oath of Office, Representative-elect Leonard (Jonas) Hughes, IV	324
Permanent Officers elected (HR 2)	16
Presentation of the Colors, Missouri State Highway Patrol, Troop F Color Guard	1
Roberts, Darrius, singing of "The Lord's Prayer"	913
Rules of Procedure, Ethics Committee (HR 274)	217-222, 244
Rules of the House, (HR 38)	44-71, 104-133, 148-154
Senate duly convened, permanent officers (SR 2)	25
Supplemental Calendar	851, 1145, 1261, 1409, 2436
Temporary Rule of the House (HR 1)	15

**POINTS OF ORDER**

HR 1826	2201
HB 61	483
HB 71	391
HCS HBs 73 & 47	234
HCS HB 76	468
HCS HB 161	1408
HCS HB 205	431
HCS HBs 223 & 231	1195
HCS HB 366	1395
HCS HB 430	1204
HCS HB 473	1322
HCS SB 48	2449
HCS SCS SB 57	1841
HCS SS SCS SB 58	1754
SS SCS SB 65	2455
SS SCS SB 70	2347
HCS #2 SCS SB 100	2700
SS SCS SBs 113 & 95	1249
HCS#2 SCS SB 162	2278
SCS SB 188	1252
HCS SCS SB 213	2500
SCS SB 323	2228, 2229
HCS SS SB 360	2323, 2334, 2338

**PRAYERS**

(Prayers made by other than House Chaplain)  
(Msgr. Robert A. Kurwicky)

Cox, Msgr. David, Immaculate Conception, Jefferson City, MO	355
Curtman, Pastor Charles R., Cornerstone Baptist Church, Wildwood, MO	1748
Duckworth, Pastor Beth, First Methodist Churches of Mokane, Steedman and Tebbetts, MO	296

Girouard, Chris, Office of the Minority Floor Leader	823
Hinkle, Reverend Sam J., Senior Pastor, River Church, Warsaw, MO	1693
Kurwicky, Msgr. Robert A., Benediction	2709
Meinsen, Pastor Paul, Grace Evangelical Church, Jefferson City, MO	89, 207, 257, 831
Miller, Dr. William, First Baptist Church, Farmington, MO	1
Nugent, Reverend Ned, First Baptist Church, Bethany, MO	1183
Schad, Representative	1438, 1601
Seaton, Marilyn, Senior Docket Clerk	1304, 2057
Shumake, Representative Lindell	147
Simpson, Reverend Walter, First Christian Church (Disciples of Christ), Eldon, MO	1625
Spaugh, Pastor Keith, Chapel Lake Church, Lake St. Louis, MO	464
White, Reverend Greg, Sheriff of Cole County	401
Williams, Dr. Steven G., First Christian Church, Poplar Bluff, MO	365

**PRESIDING OFFICER**

(Presiding while Speaker or Speaker Pro Tem were not in Chair)

Barnes, Representative	707, 823
Brown (85), Representative	284
Carnahan, Secretary of State Robin	1
Cauthorn, Representative	1963
Cox, Representative	1951
Faith, Representative	1285
Franz, Representative	1164
Gosen, Representative	289
Guernsey, Representative	2460
Jones (89), Representative	1325, 2537, 2548
Keeney, Temporary Speaker	8
Keeney, Representative	805, 847, 1286, 1626, 1767, 1947, 2067
Kelly (24), Representative	1959
Leara, Representative	831, 1214, 2350
Nolte, Representative	444
Parkinson, Representative	366, 913, 1194, 1834
Richardson, Representative	464
Riddle, Representative	426
Schad, Representative	1427
Silvey, Representative	886, 905, 916, 1141, 1183, 1318, 2234, 2204, 2220, 2285, 2529, 2534, 2704
Smith (150), Representative	416, 916, 1156, 1218, 1313, 1382, 1404, 1602, 1638, 1696, 1823, 1832, 1902, 1939, 2244, 2264, 2552, 2613
Stream, Representative	1680
Zimmerman, Representative	1317

**RECOGNITION**

Anderson, Mike, Head Coach, University of Missouri Men's Basketball Team	386
Black, President Jon, Missouri State Future Farmers of America	366
Blunt, United States Senator Roy	435
Carpenter, Lowell	1625
Climax Springs Cougar High School Basketball Team	1625
Daniels, Dr. Chris	1381
Dolan, Dr. Paul G.	196
Dudley, Bill	1625
Family of Jim Tuscher	1381
Family of Max Starkloff	1381
Family of the late Staff Sergeant James Ide, V	1805
Family of the late Lloyd Presley	1664
Foster, Holly	2596
Grand National Assembly of Turkey	1404
Harder, Dr. Ervin W.	196
Haynes, Dr. Jon I.	196
Hughes, Phyllis, retirement	2442
Huston, Craig	832
James, Mayor-elect Sylvester "Sly"	1311
Lippert, Dr. Jacob J.	196
Mane, Dr. Marshall S.	196

Marion County Lady Mustang Basketball Team .....	1243	Roskopf Wolf, Myra .....	2596
McCluer North HighSchool Basketball Team .....	1381	Schroeder, Bill .....	1625
Mealy, Julie, retirement .....	1664	Stockton Lady Tigers Basketball Team .....	2255
Missouri State Future Farmers of America Officers .....	366	White, Tyler .....	1183
Missouri Statewide Drug Court graduates .....	1154	Yoakum, Steve .....	832
Presley, the late Lloyd, Outstanding Missourian .....	1664		

## HOUSE RESOLUTIONS

No.	Author	Subject	Page Reference
932	Richardson	205th Military Police Battalion	545
3236	Hughes	42nd Prospect Street Block Club	2057
1825	Guernsey	548th Company Missouri National Guard	1154
1407	Kander	75th Street Brewery	735
829	Zerr	Aaron, Jessica	510
1912	Schad	Abbett, Sara	1183
1921	Phillips	Abbott, Robert	1183
1927	Phillips	Abbott, Ruth	1183
1008	McManus	Abdel Fattah, Amira	580
1804	Casey	Abel, Ron	913
1992	Schupp	Abrams, Abigail	1213
327	Kander	Abrams, Mike	258
1284	Kander	Academie Lafayette	678
830	Zerr	Adair, Heather	510
966	Cierpiot	Adams, Claire	564
731	Long	Adams, Edna Marquerite	443
816	Cauthorn	Adams, Sinjon	495
2810	Franz	Adcock, Micah	1665
2263	Jones (63)	Adewale, Nicole	1311
2934	Bernskoetter	Adkins, Pete	1693
310	Fallert	Admire, Jim	243
1587	Molendorp	Adolphson, Gordon	846
1460	Schad	Adrian, Macy	789
3231	Molendorp	Affordable Elegance Catering Greg Dee Dee Stokes	2057
556	Klippenstein	Afrikan Centred Education Collegium Campus	356
1974	Molendorp	Agnew, Janet	1183
1906	Schad	Ahart, Emily	1183
2443	Bernskoetter	Ahlers, Conner	1427
2262	Jones (63)	Ahmed, DeBorah	1311
2951	Cross	Ahuja, Maleah	1748
118	Houghton	Akin, Paul	163
297	Nichols	Albritton, Emory Carey Jr.	232

No.	Author	Subject	Page Reference
2261	Jones (63)	Albus, Jan	1311
75	Cox	Alcorn, Clayton and Lynda	141
3015	Reiboldt	Aldrich, Zachary	1748
2287	Conway (14)	Aleksick, Brendan Kennedy	1311
2337	Cauthorn	Alexander, Austin	1382
2700	Smith (150)	Alexander, Joseph F.	1625
685	Hoskins (121)	Alfred, Deangelia Jane	414
831	Zerr	Alfred, Henry	510
1972	Molendorp	Allbright, Janine	1183
2304	Asbury	Allen, Amber	1311
2998	Shumake	Allen, Archie and Bernice	1748
587	Guernsey	Allen, Carder Wayne	378
1031	Kirkton	Allen, Catherine	580
1210	Cierpiot	Allen, Grace	614
2770	Cauthorn	Allen, Jayden	1625
1438	Gatschenberger	Allen, Julia	764
1119	Solon	Allen, Patrick	580
440	Holsman	Allen, Ryan Ellis	297
22	Lauer	Allshouse, Tim	71
364	Fuhr	Almeria, Venz	289
803	Webb	Alpha Kappa Alpha Sorority	495
716	Bernskoetter	Altomari, Vincent	443
1521	Cierpiot	Alvidrez, Austin	832
1291	Leara	Amelotti, Meredith	678
759	Kirkton	American Nurses Association	464
187	Kirkton	American Heart Association Midwest Affiliate	196
2745	Kander	Amour Fields Homes Association	1625
977	Conway (27)	Ancient Order of Hibernians	564
428	Largent	Anderson, William	297
590	Guernsey	Anderson, Adaline Mae	378
659	Marshall	Anderson, Keller Seth	402
918	Guernsey	Anderson, Pamela	545
1359	Neth	Anderson, Melissa Ann	712
2398	Gatschenberger	Anderson, Dustin	1382
2492	Day	Anderson, Pamela	1427
2842	Hoskins (121)	Anderson, Margret	1693
3083	Day	Anderson, Brooklyn	1805

No.	Author	Subject	Page Reference
3255	Kelley (126)	Anderson, Lindsay	2057
2977	Schad	Anderson, Levi	1748
2854	Brown (85)	Andrews, Nathan	1693
3437	Schupp	Anjeh, Vincent	2442
221	Haefner	Antle, Noah	208
2638	Wieland	Antonia Middle School Character Council	1601
2412	Gatschenberger	Appel, Brendan	1382
735	Jones (89)	Applebaum, Jared	443
2378	Gatschenberger	Applegate, Eileen	1382
131	Crawford	Appleton City R-II School District	169
1051	Solon	Aquilar, Kaiya	580
1687	Swinger	Arbuckle, Melinda	846
959	Cierpiot	Arbuckle, Annie	564
3385	Berry	Archuleta, Steven	2442
2533	Kelley (126)	Arciniegas, Marylen	1427
2109	Harris	Arnold, Perry	1273
2742	Ellinger	Arrington, Bryce	1625
1522	Cierpiot	Arth, Alex	832
316	Long	Ash Grove High School	243
1699	Grisamore	Ash, Jared	846
743	Jones (89)	Aslin, David	443
572	Nolte	Atkins Johnson Farmhouse	366
3314	Zerr	Atteberry, Chris	2177
1848	Grisamore	Atwood, Lucy	1183
2376	Gatschenberger	Auerbach, Robert	1382
2196	Asbury	Aulbur, Tyler	1304
2278	Denison	Aull, Mary W.	1311
417	Lampe	Austell, Darion	297
2019	Swinger	Austin, Aspen	1213
2331	Marshall	Autrey, Kimberly	1382
167	Dugger	Ava R-I School District	169
653	Hoskins (121)	Avery, Sandra	402
241	Kelley (126)	Avilla R-XIII School District	216
1752	Scharnhorst	Aydt, Stephen	913
2031	Cauthorn	Aylward, Evan	1243
355	Marshall	Azevedo, Logan Cassidy	289
52	Lichtenegger	B and B Door	90

No.	Author	Subject	Page Reference
1257	Cierpiot	Baca, Matthew	678
1468	Schad	Backes, Bryce	789
1711	Scharnhorst	Baer, Michael	913
1595	Asbury	Bagnell, Shelby Lynn	846
2422	Leach	Bailey Alternative School Service Learning Team	1382
2072	Asbury	Bailey, Harley	1273
1520	Cierpiot	Bailey, Mikal	832
2706	Fraker	Bailey, Patricia	1625
3250	Kelley (126)	Bailey, Travis	2057
1901	Grisamore	Bain, Shelby	1183
578	Smith (150)	Baird Farm	366
448	Jones (89)	Bajwa, Usman	297
2958	Cross	Baker, Abbey	1748
1839	Lair	Baker, Amy Louise	1154
107	Leara	Baker, Chris	163
2242	Montecillo	Baker, Danny	1304
3043	Crawford	Baker, John David	1805
2982	Cox	Baker, Robert and Betty	1748
279	Riddle	Baker, Ronald	232
507	Rowland	Bakersfield R-IV School District	306
1125	Solon	Baldus, Carlie	580
1959	Lair	Baldwin, Stan	1183
1810	Aull	Balke, Irene	1154
3016	Reiboldt	Ball, Jared	1748
1175	Smith (150)	Ball, Wilma Buffington Bedell	614
641	Ellinger	Ballard, Linda	387
126	Jones (63)	BAM Contracting	169
2379	Gatschenberger	Banister, Callie	1382
672	Lauer	Bank of Grain Valley	414
2264	Jones (63)	Banks, Anita	1311
25	Reiboldt	Banners and More	71
2351	Phillips	Banzet, Linda	1382
1518	Cierpiot	Barefoot, Katie	832
2435	Reiboldt	Barker, Andrew	1427
2692	Cauthorn	Barker, Daniel	1625
1844	Kirkton	Barker, Emily	1154
409	Guernsey	Barnes, John and Roberta	289

No.	Author	Subject	Page Reference
2201	Asbury	Barnes, Kyle	1304
3181	Keeney	Barnes, Zachary	1876
2803	Franz	Barnett, Samantha	1665
3044	Crawford	Barnett, Elizabeth Lynn	1805
3077	Day	Barnett, Hunter	1805
3129	Scharnhorst	Barozinsky, Kendall	1805
3029	Reiboldt	Barr, Laura	1805
1116	Solon	Barreto, Andrew	580
2128	Zerr	Barrett, John Peter Ingracia	1273
2296	Asbury	Barron, Jody	1311
1880	Grisamore	Barron, Maddie	1183
1601	Asbury	Barron, Tyler Wayne	846
3241	Kelley (126)	Bartholomew, Hayden	2057
2885	Frederick	Bartlett, Alexa	1693
3244	Kelley (126)	Bartlett, Darrah	2057
3088	Kelley (126)	Barton County Electric Cooperative	1805
488	Black	Barton, Jerry Chip	297
1371	Bahr	Bartz, Justin	712
2870	Franklin	Bashore, Hannah	1693
2288	Tilley	Basler, Ruth	1311
3439	Schupp	Bass, Hayley	2442
1666	Grisamore	Bass, Vincent	846
3487	Franklin	Bastida, AnnaMarie	2596
1343	Brown (85)	Bateman, Andrew	712
296	Fisher	Bates County Historical Society	232
2890	Kirkton	Battle of Fort San Carlos	1693
2848	Brown (85)	Bauer, Brooke	1693
201	Wyatt	Bauer, Mary	196
788	Nichols	Baum, Susan Denise	482
1586	Allen	Baumann, Andrea	846
2573	Cauthorn	Baumgartner, Cameron	1601
487	Sifton	Bayless School District	297
1153	Sifton	Baynes, Jordan	602
1368	Kander	BBs Lawnside BBQ	712
2645	Wright	Beal, Jonathan	1601
2648	Wright-Jones	Beal, Jonathan	1601
2653	Wright	Beal, Preston	1601



No.	Author	Subject	Page Reference
3189	Keeney	Bealmear, Stephanie	1876
552	Elmer	Bean, Terry	339
1191	McManus	Beard, Jonah	614
2334	Cauthorn	Beasley, Mikayla	1382
1393	Quinn	Beck, Lemuel	735
1852	Grisamore	Becker, Delaney	1183
2062	Stream	Becker, Robert Jr.	1243
109	Casey	Becker, Warren Ted	163
1526	Cierpiot	Beeman, Katie	832
2677	Aull	Beerman, Janet	1625
3349	Leara	Beezley, Deborah	2255
1158	Sifton	Beganovic, Alma	602
832	Zerr	Behle, Elizabeth	510
1867	Grisamore	Behm, Laura	1183
1227	McGhee	Beissenherz, Blaine	646
2460	Neth	Belcher, Daniel	1427
2041	Nasheed	Belcher, Sterling Garrison Jr.	1243
1155	Sifton	Bell, Amanda	602
2442	Solon	Bell, Edward	1427
1184	McManus	Bell, Jason	614
595	Grisamore	Bell, Matthew Lamont	378
1418	Smith (150)	Bell, Paul	764
453	Jones (89)	Bell, Thomas	297
1790	Keeney	Bellew, Morgan	913
1868	Grisamore	Belser, Heather	1183
1462	Schad	Belt, Logan	789
2138	Hinson	Beltz, Ryan	1273
2411	Gatschenberger	Benekendorf, Adam	1382
3384	Berry	Benner, Melanie	2442
2307	Asbury	Bennett, Allen	1311
3242	Kelley (126)	Bennett, Emma	2057
332	Lampe	Bennett, Imani	258
2793	Shumake	Bennett, Taylor	1665
2352	Gatschenberger	Benvenuto, Phillip	1382
367	Fuhr	Berhorst, Makenzie	289
1312	Leara	Bernard, Margaret	678
2636	Hummel	Bernard, Tyler	1601

No.	Author	Subject	Page Reference
916	Guernsey	Berndt, Shaden Brook	545
3238	Thomson	Berner, Bree	2057
386	Fuhr	Berner, Loren	289
1357	Hampton	Bernie High School Boys Basketball Mules	712
783	Still	Berry Building	482
626	Hoskins (121)	Berry, Jacob	387
2198	Asbury	Berry, Stephanie	1304
2673	Aull	Bertz, Janice	1625
1292	Leara	Berzinas, Frank	678
106	Leara	Besch, Sue	163
3388	Berry	Beshore, Grace	2442
3247	Kelley (126)	Beshore, Kara	2057
2913	Ellinger	Bethune, Francene	1693
2596	McNeil	Betts, Phyllis	1601
1686	Jones (63)	Betty Jean Kerr Peoples Health Centers	846
714	Bernskoetter	Bexten, Adam	443
2749	Cauthorn	Bias, Helena	1625
2967	Schad	Bias, Kelsey	1748
2935	Bernskoetter	Biehl, Heather Triplett	1693
537	Swearingen	Biggs, Henry Marion	321
3396	Berry	Biggs, Joseph	2442
770	Jones (89)	Biggs, Loire	482
469	Jones (89)	Biggs, Nick	297
971	Cierpiot	Billings, Cayla	564
3339	Elmer	Billings R-IV School District	2255
1305	Leara	Billmeyer, Nikki	678
2322	Asbury	Binder, Casey	1382
3248	Kelley (126)	Bishop, J.D.	2057
3264	Kelley (126)	Bishop, Jay	2057
1904	Schad	Bishop, Tyler	1183
2465	Wright	Bjornson, Audry	1427
172	Barnes	BK Bakery	196
2168	Asbury	Black, Addison	1304
1137	Kirkton	Black, Richard	580
554	Klippenstein	Blackburn, Chris	339
1883	Grisamore	Blackham, Connor	1183
1301	Leara	Blackwell, Tommy	678

No.	Author	Subject	Page Reference
1583	Allen	Blanc, Jillian	846
766	Kelley (126)	Blanchard, Harold and Lois Kay	482
510	Molendorp	Bland, Harry Vickery and Gail Lynn	306
185	Harris	Blanford, Kathleen	196
2391	Gatschenberger	Blankenship, Garrett	1382
3022	Swinger	Blankenship, Dana	1748
3452	Kelly (24)	Bledsoe, Jana	2442
2861	Franklin	Blevins, Alex	1693
416	Hough	Blevins, Tony and Kathy	297
228	Leach	Bloodworth, Julie	208
2789	Wright	Bloomfield Area Nutrition Center	1625
2153	Torpey	Bloomquist, Vergil	1304
444	Still	Blount, Richard Dick	297
501	Rowland	Blue Eye R-V School District	306
147	Stream	Blush Boutique	169
2191	Asbury	Boardsen, Kelsey	1304
513	Shumake	Bode, Clarence and Ada	306
1377	Kander	Bodenhamer, David	735
2260	Fuhr	Bodenstein, James W.	1311
2164	Asbury	Boeding, Michael	1304
3291	Torpey	Boeth, Stephanie Marie	2057
387	Fuhr	Boggs, Tyler	289
2607	Asbury	Bohl, Kaylee	1601
2066	Asbury	Bohn, Phillip	1273
2068	Asbury	Bohn, Phillip	1273
1772	Keeney	Bohnsack, John	913
451	Jones (89)	Bohra, Dhruv	297
443	Wallingford	Bolen, Jess	297
2312	Hodges	Bollinger, Sandra	1382
2397	Gatschenberger	Bollman, Zack	1382
1779	Keeney	Bollmann, Tanner	913
2602	Asbury	Bolton, Kerstain	1601
531	Brattin	Bomberger, Mitchell	306
767	Peters-Baker	Bon Air Apartments	482
2972	Schad	Bond, Coy	1748
3221	Shively	Bond, Linda	2057
2840	Still	Bondeson, William	1665

No.	Author	Subject	Page Reference
993	Cierpiot	Bonds, Isis	564
2377	Gatschenberger	Bonn, Katelyn	1382
2736	Grisamore	Bonnesen, Jeremy	1625
2159	Zerr	Book X Change	1304
2882	Frederick	Bookout, Nathan	1693
2012	Swinger	Boone, Amy Davis	1213
2241	Montecillo	Boone, Diana	1304
2069	Asbury	Boone, Evan	1273
347	Wright	Boone, Mary Ruth	258
1606	Jones (117)	Boonville MFA	846
833	Zerr	Borchers, Matthew	510
2123	McManus	Borders, Morghan Lynn	1273
1633	Schieber	Boren, Nancy	846
2402	Gatschenberger	Borg, Talia	1382
3235	Cauthorn	Borgeson, Bev	2057
3350	Leara	Borrowman, Steven	2255
839	Zerr	Bortle, Michaela	510
840	Zerr	Boschert, Hannah	510
304	Kander	Bough, Stephen	232
3200	Loehner	Bounds, Ketha	1876
2613	Franz	Bowden, Alicia	1601
2621	Franz	Bowden, Alicia	1601
275	Harris	Bowe, Dorothy	216
2040	Shumake	Bowen, Christopher	1243
231	Houghton	Bowen, Leroy and Barbara Joan	208
906	White	Bowen, Ron and Deloris	532
406	Guernsey	Bowen, Trinady Jade	289
2711	Day	Bowers, Elijah Jamison	1625
2143	Kelley (126)	Bowling, Linda	1273
3458	Solon	Bowman, Jan	2442
2955	Cross	Box, Bailey	1748
841	Zerr	Boyd, Abigail	510
3092	Day	Boyd, Colten	1805
95	Wallingford	Boyd, Howard Butch and Patricia	163
560	Taylor	Boyd, Samuel	356
264	Keeney	Boyer, Allison	216
614	Fuhr	Boyer, Hannah	387

No.	Author	Subject	Page Reference
2969	Schad	Boyer, Madisen	1748
3320	Reiboldt	Boyer, Susan	2177
1395	Jones (89)	Boys and Girls Clubs in Missouri	735
1918	Phillips	Bradford, Lois Jean	1183
890	Taylor	Bradford, Sean	510
2120	Leara	Bradley, Bob	1273
760	Bahr	Bradley, Josh	464
3145	McDonald	Bradshaw, Woodrow	1876
2776	Fraker	Bramer, Virginia Harlene	1625
2575	Cauthorn	Brandow, Tyler	1601
2912	Ellinger	Brandt, Korinna	1693
62	Phillips	Branson R-IV School District	99
2544	Wallingford	Brase, Janet	1438
2586	Franz	Brasier, Allen	1601
602	Keeney	Braswell, Leroy Butch	387
2448	Bernskoetter	Braun, Sylvia	1427
2524	Kelley (126)	Brazeal, Wade	1427
3306	Jones (63)	Breckenfelder, Lauren	2177
454	Jones (89)	Breiten, Grace	297
3110	Scharnhorst	Brekus, Melanie	1805
842	Zerr	Bremer, Katherine	510
2863	Franklin	Breneman, Connor	1693
1218	Cierpiot	Brennan, Joianne	614
843	Zerr	Brett, Connor	510
963	Cierpiot	Brewer, Chloe	564
1796	Keeney	Brewer, Megan	913
3307	Smith (150)	Brewer Science	2177
263	Keeney	Brewington, Trish	216
1794	Keeney	Brewington, Andrea	913
2694	Cauthorn	Brinker, Elaine	1625
3252	Kelley (126)	Brisbin, Morgan	2057
195	Faith	Briscoe, Joe	196
622	Hoskins (121)	Brister, Logan	387
2456	Bernskoetter	Britt, Betsy	1427
3157	McDonald	Britt, Daymon	1876
2919	Ellinger	Brittany Woods Volunteers	1693
144	Jones (89)	Broadbooks, Jeremy	169

No.	Author	Subject	Page Reference
3097	Day	Brock, Tyler	1805
2614	Franz	Brockelbank, Rebecah	1601
844	Zerr	Brockgreitens, Audrey	510
2634	Hummel	Broekelmann, Madeline	1601
2107	Klippenstein	Bromley, Brenda	1273
979	Shively	Brookfield High School Wrestling Team	564
845	Zerr	Brooks, Mallorie	510
2887	Frederick	Brooks, Grant	1693
1344	Brown (85)	Brotherton, Catherine	712
1761	Keeney	Brotherton, Katelyn	913
2598	Asbury	Brower, Gabrielle	1601
2649	Wright	Brown, Kourtney	1601
2911	Ellinger	Brown, Thompson	1693
2108	Harris	Brown, Brian	1273
1674	Grisamore	Brown, Carson	846
429	Largent	Brown, David Edward	297
2137	Harris	Brown, George	1273
3278	Day	Brown, Gerald	2057
2705	Fraker	Brown, Gerilynn	1625
2348	McDonald	Brown, Jacob	1382
926	Guernsey	Brown, James and Dixie	545
1735	Scharnhorst	Brown, Kyle	913
2697	Cauthorn	Brown, Leon	1625
3134	Schneider	Brown, Lynn	1805
459	Jones (89)	Brown, Maleah	297
2055	Cauthorn	Brown, Marissa	1243
1856	Grisamore	Brown, Quentin	1183
1899	Grisamore	Brown, Rebekah	1183
2116	Kander	Brown, Stephen	1273
701	Hoskins (121)	Brown, Verna	426
1219	Jones (117)	Brownfield, Derry	646
2176	Asbury	Brownfield, Walker	1304
1608	Jones (117)	Browning Hardware	846
435	Jones (117)	Broyles, Sherry	297
3261	Kelley (126)	Brubaker, Nolan	2057
2556	Bernskoetter	Bruce, Mallory	1438
1690	Swinger	Bruce, Rebecca	846

No.	Author	Subject	Page Reference
3381	Berry	Bruckner, Katie	2442
785	Johnson	Brumback, Franklin and Frances	482
1855	Grisamore	Brumfield, Courtney	1183
2822	Cross	Brumley, Kayla	1665
1490	McGhee	Brundage, Gregory	832
2942	Solon	Brunell, Adam Paul	1748
2536	Hughes	Bryant, McClain	1427
2680	Aull	Bryant, Sheryl	1625
335	Lampe	Bryant, Taylor	258
2946	Aull	Bryant, Virginia	1748
2390	Gatschenberger	Bryant, Zachary	1382
2519	Brown (50)	Buasri, Molly	1427
3227	Davis	Buchanan, Frank	2057
1064	Solon	Buchanan, Anna	580
2857	Brown (85)	Buck, Daniel	1693
2046	Cauthorn	Buck, Sierra	1243
3469	Talboy	Buckler, Zach	2596
1045	Guernsey	Buckles, Frank W.	580
846	Zerr	Budde, Jenna	510
928	Kratky	Buechel, Marissa	545
957	Kratky	Buechel, Megan	545
1905	Schad	Buechter, Whitney	1183
1480	Largent	Buell, Liam	789
1773	Keeney	Bueter, Andrea	913
1026	Kirkton	Bufe, Jane	580
34	Flanigan	Bumgardner, Victoria	71
35	Flanigan	Bumgardner, William	71
3119	Scharnhorst	Bundschuh, Caroline	1805
2976	Schad	Bunselmeyer, Wyatt	1748
2410	Gatschenberger	Buoni, Dominic	1382
917	Guernsey	Burchett, Walker Shane	545
3045	Crawford	Burgett, Dillion	1805
922	Guernsey	Burk, Haley Marie	545
17	Berry	Burke, Daniel Francis	71
2096	Asbury	Burkett, Kelise	1273
1224	McGhee	Burnett, Taylor	646
1002	Sifton	Burns, Bob	564

No.	Author	Subject	Page Reference
2712	Day	Burrow, Damon Tyler	1625
819	Cauthorn	Burton, Monterio	495
213	Haefner	Burton, Brad	208
188	Elmer	Burton, Connor	196
896	Leach	Burton, Martha Scott	510
1142	Schieber	Busch, Christopher Michael	602
2231	Brown (85)	Buscher, Kathryn	1304
1941	Gosen	Bush, Maddie	1183
1139	Keeney	Bushner, Robert	602
2347	Wyatt	Busker, Jacob	1382
1697	Grisamore	Bussen, Julie	846
2513	Wallingford	Buterbaugh, Jordan	1427
516	Lauer	Butkovich, Slava	306
145	Smith (150)	Butler, Opal	169
1704	Grisamore	Cadwell, Michael	846
70	Guernsey	Caffey, Jacob Thomas and Joshua Martin Caffey	99
1123	Solon	Cain, Charlie	580
809	Swinger	Cain, George and Hazel	495
1005	Jones (117)	California Construction Supply	580
2971	Schad	Call, Rachel	1748
687	Hoskins (121)	Calloway, David	414
270	Keeney	Calvary Temple Church	216
2755	Cauthorn	Calvert, Katie	1625
418	Klippenstein	Cameron High School Wrestling Dragons	297
1018	McManus	Campbell, Alexis	580
1270	Lauer	Campbell, AnnMarie	678
2627	Funderburk	Campbell, Theodore Adam	1601
3301	Houghton	Campbell, Brandon Dakota	2177
1415	Richardson	Campbell, Ethan	764
576	Kander	Campbell, Jack and Marsha	366
2630	Hummel	Campise, Joseph	1601
2647	Wright	Cantrell, Nicole	1601
2650	Wright	Cantrell, Nicole	1601
2583	Franz	Capeder, Jordan	1601
200	Wyatt	Caraway, Samantha	196
3184	Keeney	Carey, Jessica	1876
1639	Fuhr	Carlton, Troy	846



No.	Author	Subject	Page Reference
3417	McDonald	Carmona, Josh	2442
5	Jones (89)	Carnahan, Robin	17
2266	Jones (63)	Carnahan, Robin	1311
1960	Lair	Carpenter, Teresa Diane	1183
1986	Fraker	Carpenter, Lowell	1213
1424	Lair	Carpenter, Judy	764
723	Bernskoetter	Carroll, Clay	443
2873	Franklin	Carroll, Kyle	1693
591	Guernsey	Carter, Cole Lee	378
124	Swinger	Carter, Isabell	169
1872	Grisamore	Carter, Jake	1183
1020	McManus	Carter, Joshua	580
847	Zerr	Cartwright, Dale	510
601	Swinger	Caruthersville High School	387
1149	Schieber	Carver, Mitchel David	602
1654	Solon	Cason, Autumn	846
1249	Brattin	Cass Midway School	678
2768	Cauthorn	Cassaday, Andrew	1625
2030	Cauthorn	Cassidy, Danielle	1243
2432	Reiboldt	Castleberry, James	1427
90	Barnes	Catholic Schools in Jefferson City	163
746	Stream	Cavanaugh, Ali	443
3444	Schupp	Cayabyab, Derek	2442
651	Casey	Cayce, Charles	402
2014	Swinger	Cayton, Melenda	1213
2458	Shumake	Center Elementary School	1427
412	Kander	Center 58 School District	297
77	Fitzwater	Centerville R-I School District	141
1445	Lauer	Central Jackson County Fire Protection District	764
2089	Asbury	Cervený, Liam	1273
911	Weter	Chadwick High School	532
141	Weter	Chadwick R-I School District	169
199	Wyatt	Chambers, Madison	196
1071	Solon	Chambers, Ashley	580
1366	Kelley (126)	Chandler, Harold and Garold	712
3152	McDonald	Chandler, Cody	1876
1947	Phillips	Chapman, Michael	1183

No.	Author	Subject	Page Reference
2430	Bernskoetter	Chapman, Herbert and Anita	1427
2178	Asbury	Chapman, Kayla	1304
1246	McCann Beatty	Charles, Michael	678
2945	Aull	Chase, Beth	1748
420	Oxford	Chavez, Juan William	297
2807	Franz	Chen, Adam	1665
472	Jones (89)	Cheney, Alyssa	297
3103	Rizzo	Cherrito, Frank	1805
1866	Grisamore	Chiarelli, Anthony	1183
1632	McDonald	Childrens Mercy Hospitals and Clinics	846
120	Largent	Chilhowee Grocery	169
2220	Lair	Chillicothe Middle School The Night Tree Service L	1304
2582	Franz	Chilton, Joseph	1601
948	Cauthorn	Chiu, Hsin Wei Eric	545
2127	Zerr	Choate, Amber Autumn Boyd Daniel Smith	1273
949	Cauthorn	Choi, Jeong Yong Kevin	545
1283	Kander	Christ the King School	678
2867	Franklin	Cisar, Marianne	1693
423	McNary	City of Chesterfield	297
954	Lauer	City of Blue Springs	545
76	Cauthorn	City of Mexico	141
2994	Wright	City of Puxico	1748
1362	Scharnhorst	Civil Air Patrol	712
1811	Keeney	Claar, Katie	1154
1836	Kirkton	Clanahan, Julie	1154
2757	Cauthorn	Clark, Alanis	1625
1394	Quinn	Clark, James	735
995	Cierpiot	Clark, Matthew	564
152	Reiboldt	Clark, Sue Thomas	169
3282	Day	Clay, Brooke	2057
1506	Nance	Clay County	832
2987	Kander	Clay Patterson	1748
2917	Ellinger	Clayton, Demetrius	1693
1136	Barnes	Clayton, Bruce Allen and Minnie Mae	580
151	Casey	Clements, Tom	169
3340	Elmer	Clever R-V School District	2255
2091	Asbury	Clickner, Anah	1273

No.	Author	Subject	Page Reference
1348	Franklin	Climax Springs High School Boys Basetball Cougars	712
2704	Fraker	Cline, Richard	1625
2922	Dugger	Clinkingbeard, Gina	1693
1685	Houghton	Clopton High School Lady Hawks Basketball Team	846
3001	Cauthorn	Cloven, Sarah	1748
3105	Scharnhorst	Co, Jessica	1805
1273	Wells	Coats, James	678
2158	Leara	Cochran, Eric	1304
155	Neth	Coday, Joshua	169
2699	Hughes	Coe, Douglas	1625
603	McDonald	Cohen, Michael Edward	387
301	Brown (116)	Cole Camp R-I School District	232
1481	Diehl	Cole, Janet	789
857	Zerr	Cole, Madison	510
982	Cierpiot	Cole, Spencer	564
27	Reiboldt	Cole, Valerie	71
2944	Aull	Coleman, Deborah	1748
3426	McDonald	Coleman, Harlie	2442
1929	Schad	Colgan, Jonathan	1183
282	Richardson	Collard, Dorothy Mae Pry	232
2821	Cross	Collier, Kierra	1665
2725	Grisamore	Collings, Nancy	1625
1361	Cookson	Collins, Kimberly	712
686	Hoskins (121)	Collins, Christa	414
2557	Bernskoetter	Collins, Emily	1438
2587	Franz	Collins, Tanner	1601
762	Walton Gray	Colon Cancer Awareness Board	482
1187	McManus	Colon, Katelyn	614
1325	Tilley	Colyer, Marv	712
1525	Cierpiot	Combs, Brianna	832
1436	Gatschenberger	Combs, Carlie	764
2059	Phillips	Combs, Mary Lou	1243
1451	Kander	Community Cadet Club	764
1569	Cross	Como, Steven	846
234	Still	Comparative Clinical Pathology	208
1707	Schoeller	Composting and Organics Association of Missouri	913
3111	Scharnhorst	Compton, Celia	1805

No.	Author	Subject	Page Reference
2940	Kelley (126)	Compton, Kyle	1748
2880	Frederick	Connell, Rachel	1693
2893	Ellinger	Conner, Cassandra	1693
580	Webb	Conrad, Barbara Smith	366
2545	Wallingford	Conrad, Gayle	1438
1733	Scharnhorst	Consolino, Frank	913
3210	Fitzwater	Conway, Juanita	1876
2713	Day	Cook, Alexandria Leora	1625
2560	Bernskoetter	Cook, Ashly	1438
1211	Cierpiot	Cook, Courtney	614
32	Flanigan	Cook, George	71
1783	Keeney	Cook, Hattie	913
1067	Solon	Cook, Joey	580
1365	Lair	Cook, John	712
2506	Wallingford	Cook, Kris	1427
2515	Wallingford	Cook, Kris	1427
2516	Wallingford	Cook, Kris	1427
3229	Molendorp	Cook, Margaret	2057
1710	Swinger	Cook, Mike	913
1372	Cookson	Cook, Walter Wilson	712
2111	Harris	Cooke, Chad	1273
538	Shively	Coon, Kathryn	321
1793	Keeney	Coonce, Samantha	913
238	Cox	Cooney, Barbara	208
2553	Bernskoetter	Coons, Lauren	1438
431	Jones (117)	Cooper County Voice	297
358	Marshall	Cooper, Eli James	289
434	Jones (117)	Cooper Lodge #36 Boonville Shrine Club	297
1570	Cross	Cooper, Luke	846
1093	Solon	Copeland, Kayleb	580
1391	Quinn	Coperhaver, Gene	735
1406	Sifton	Cordia, Karen	735
93	Day	Cordry, Ray	163
969	Cierpiot	Cornell, Derek	564
1286	Shumake	Cornerstone Church of Marion	678
3054	Crawford	Cornforth, Tyler	1805
2678	Aull	Corporon, Thomas	1625

No.	Author	Subject	Page Reference
1409	Schoeller	Cosby, Joe Lee	735
551	Elmer	Cosper, Cody	339
3392	Berry	Cossette, Payton	2442
1190	McManus	Costello, Emma	614
1483	Stream	Cottler, Matt	832
1012	McManus	Coughlin, Ryan	580
579	Entlicher	Covert, Jessica	366
3122	Scharnhorst	Cowie, Nathan	1805
2597	Cauthorn	Cox, Callie	1601
1913	Schad	Cox, Josh	1183
1256	Cierpiot	Cox, Lindy	678
2409	Gatschenberger	Cozzi, Ben	1382
2878	Frederick	Craft, Tyler	1693
2681	Kelley (126)	Cramsey, Emilia	1625
2990	Kelly (24)	Crane, Andrew	1748
473	Jones (89)	Crane, Isabel	297
1456	Elmer	Crane R-3 High School Boys Basketball Pirates	789
1876	Grisamore	Cravens, Emily	1183
673	Schatz	Crawford County R-II School District	414
3056	Crawford	Crawford, Ashley	1805
1642	Fuhr	Creamer, Jeff	846
51	Lichtenegger	Creative Edge Jason Wray	90
2396	Gatschenberger	Cresswell, Joshua	1382
3267	Leara	Crestwood Elementary School	2057
3289	Day	Crewse, Tisha	2057
3170	Riddle	Crisp, Dalton	1876
2093	Asbury	Crist, Maggie	1273
2207	Diehl	Critchfield Jain, Sophia Alexandra	1304
1851	Grisamore	Crockett, Kayla	1183
1971	Molendorp	Cromer, Alane	1183
2180	Asbury	Croney, Mary	1304
1016	McManus	Cross, Renae	580
2459	Neth	Crossett, Joseph	1427
573	Nolte	Crossley, Collin Ryan	366
924	Guernsey	Crouse, Allie	545
2491	Day	Crow, Jennifer Beth	1427
729	Hubbard	Crown Village Development	443

No.	Author	Subject	Page Reference
336	Lampe	Crudup, Lauren	258
2188	Asbury	Culbertson, Hannah	1304
2818	Cross	Culclager, Payton	1665
3137	Schneider	Cummins, Marcia	1805
1021	McManus	Cunningham, Casey	580
2932	Richardson	Cunningham, Stanley	1693
308	McManus	Curdy, Kevin Matthew	243
2960	Cross	Curran, Maggie	1748
421	Johnson	Curtin, DeWayne and Mary Alice	297
2054	Cauthorn	Curtis, Amorye	1243
1073	Solon	Curtis, Derrick	580
2045	Cauthorn	Curtis, Shaquille	1243
3179	Keeney	Cushman, Christopher	1876
1519	Cierpiot	Cusimano, Enrico	832
3039	Crawford	Cutbirth, Kalynn	1805
976	Schoeller	Cyr, Gary	564
794	Webb	Cyrus, Richie	495
204	Hoskins (121)	Czerniewski, Eric	196
348	Wright	D and S Drug and Soda Fountain	258
242	Kelley (126)	Dadeville R-II School District	216
442	Holsman	Daffer, Alexander Lee	297
1171	Neth	Daldrup, Sean	602
2626	Franz	Dale, Courtney	1601
1659	Solon	Dale, Zachary	846
3198	Loehner	Daller, Toni	1876
18	Berry	Dalman, Tanner Joseph	71
2218	Diehl	Dalton, Alexandra Elena	1304
606	Fuhr	Dalton, Ellen	387
2179	Asbury	Dalton, Emily	1304
2759	Cauthorn	Daly, Katelyn	1625
305	Tilley	Damba, Victoria Ann	232
905	White	Damer, Jim and Nancy	532
2883	Frederick	Daniel, Melissa	1693
1993	Berry	Daniels, Chris	1213
2624	Franz	Daniels, Derek	1601
87	White	Dankelson, Dean	148
2726	Grisamore	Danley, Angela	1625

No.	Author	Subject	Page Reference
2408	Gatschenberger	Darby, Jared	1382
757	Wallingford	Darter, Roy and Carrie	464
2467	Fuhr	Daugherty, Nick	1427
1729	Scharnhorst	Davenport, Emily	913
1668	Grisamore	Davenport, Alex	846
2061	Riddle	David, Mike	1243
2864	Franklin	Davidson, Taylor	1693
517	Lauer	Davidson, Jon	306
2923	Dugger	Davidson, Mary Kay	1693
2526	Kelley (126)	Davies, Brittany	1427
2572	Cauthorn	Davis, Mackenzie	1601
648	Hampton	Davis, Alison	402
1360	Neth	Davis, Allison	712
1378	Richardson	Davis, Brooke	735
3329	Wyatt	Davis, Casey Lee	2177
1096	Solon	Davis, Conner	580
2924	Dugger	Davis, Darlene	1693
1557	Cross	Davis, Dorian	846
3259	Kelley (126)	Davis, Elizabeth	2057
1476	Wallingford	Davis, Jason	789
2993	Swinger	Davis, Karen	1748
2856	Brown (85)	Davis, Mariah	1693
1775	Keeney	Davis, Megan	913
1624	Houghton	Davis, Michael	846
3118	Scharnhorst	Davis, Preston	1805
858	Zerr	Davis, Sierra	510
2962	Cross	Davis, Tanner	1748
1388	Schieffer	Dawson, Geneva	735
937	Leara	Dawson, Karen Kelly	545
1700	Grisamore	Day, Brooke	846
3415	McDonald	Day, Dara	2442
2714	Day	Day, Savanna Autumn	1625
2959	Cross	Dechman, Madison	1748
2966	Schad	Decker, Justin	1748
608	Fuhr	Decker, Kyle	387
2876	Frederick	DeClue, Chelsie	1693
3213	Bernskoetter	DeFeo, Jeni	2057

No.	Author	Subject	Page Reference
2676	Aull	DeFoe, Kathy	1625
173	Solon	DeHaan, Kristian	196
1757	Harris	Deibel, Henry Hank	913
2895	Ellinger	Deitzler, Grace	1693
2855	Brown (85)	Delbert, Joseph	1693
1874	Grisamore	Dellenbaugh, Lee	1183
758	Wallingford	Delta Companies Delta Concrete	464
751	Hubbard	Demetrious Johnson Charitable Foundation	464
1870	Grisamore	Demo, Connor	1183
952	Fuhr	Dempsey, Michael Henry	545
306	Wright	Deneke, Jonathan James	232
3006	Cauthorn	Denham, Kaelyn	1748
1304	Leara	Dennis, Amanda	678
914	Guernsey	Dennis, David	545
3302	Aull	Dennis, Dorothy	2177
225	Korman	Denny, Nathan Austin	208
2211	Diehl	Desai, Abigail Elizabeth	1304
772	Jones (89)	Desai, Krupa	482
3106	Scharnhorst	Desens, Madeleine	1805
359	Marshall	Deterding, Cody Daniel	289
2656	Guernsey	Detweiler, Bryan James	1601
1207	Cierpiot	Devlin, Shona	614
351	Wright	Dexter Bearcat Booster Club	258
3422	McDonald	Dickenson, Julian	2442
2184	Asbury	Dickerson, Samuel	1304
2989	Keeney	Dickerson, Bill	1748
2988	Keeney	Dickerson, Pat	1748
1884	Grisamore	Diebold, Hayden	1183
3438	Schupp	Dierker, Michael	2442
1780	Keeney	Dietiker, Heather	913
3249	Kelley (126)	Diggs, Ashland	2057
1713	Scharnhorst	Dilallo, Jennifer	913
29	Richardson	Dille, Jim	71
159	Pace	Dillow, James M.	169
113	Shively	Dimmitt, George William	163
798	Webb	Dinkins, Sammie Ray	495
2505	Wallingford	Dippold, Kristen	1427



No.	Author	Subject	Page Reference
972	Jones (63)	District 8 Toastmasters	564
117	McGhee	Dixon, Genevieve	163
919	Guernsey	Dixon, Bob and Carolee	545
2751	Cauthorn	Dixon, Hana	1625
859	Zerr	Dixon, Katie	510
291	Hoskins (121)	Dixson, Damin Dukane	232
2395	Gatschenberger	Do Souza Ferreira, Alessandro	1382
499	Richardson	Dobbs, Jacqueline	306
1197	Grisamore	Dobyns, Ian	614
337	Lampe	Dodd, Brittany	258
41	Zerr	Dolan, Paul	71
2074	Asbury	Dollich, Maranda	1273
2255	Swinger	Donaldson, Patsy	1311
379	Fuhr	Donjon, Sophia	289
2013	Swinger	Donovan, Linda	1213
506	Rowland	Dora R-III School District	306
1097	Solon	Dorrance, Leza	580
389	Fuhr	Dorsam, Abigail	289
1216	Kander	Doty, Grant	614
2401	Gatschenberger	Douglas, Cassandra	1382
2910	Ellinger	Douglas, Kaitlyn	1693
2073	Asbury	Douglas, Caige	1273
1037	Berry	Dougwood Elementary School	580
1561	Cross	Dowlatshahi, Ali	846
494	Schieber	Downs, Matthew Christopher	297
1422	Davis	Doyle, Nathan	764
2203	Asbury	Drage, Duke	1304
2783	Lant	Drake, Ryan Eugene	1625
2327	Asbury	Dresback, Kayley	1382
1567	Cross	Drew, Sam	846
3172	Riddle	Dreyer, Anna	1876
333	Lampe	Dreyer, Lorna	258
2112	Kander	Driscoll, Robert	1273
1350	Franklin	Drover, Janice	712
3140	Walton Gray	Drysdale, Kanetha	1876
3300	Nichols	DuBois, Justin Michael	2177
548	Smith (150)	Duckworth Heritage Farm	339

No.	Author	Subject	Page Reference
1985	Fraker	Dudley, Bill	1213
2727	Grisamore	Duello, Andria	1625
1545	Cierpiot	Duet, Britten	832
1131	Solon	Duffey, Dakota	580
2357	Gatschenberger	Dulohery, Michelle	1382
2360	Gatschenberger	Dulohery, Shawn	1382
724	Bernskoetter	Duncan, Jessica	443
860	Zerr	Dunham, William	510
547	Schieber	Dunker, Christian Daniel	339
292	Hoskins (121)	Dunkeson, Levi Perry	232
1858	Grisamore	Dunning, Cheyann	1183
861	Zerr	Dunphy, Aaron	510
3000	Cauthorn	Duong, Jessy	1748
2498	Day	Duplissie, Elisabeth	1427
1164	Sifton	Durakovic, Kemal	602
2668	Diehl	Durbin, Cullen	1601
2667	Diehl	Durbin, Delaney	1601
339	Lampe	Durbin, Jeff	258
2594	Bernskoetter	Dusheke, Bernard and Shirley	1601
2102	Asbury	Duvall, Ashlynn	1273
862	Zerr	Dwiggins, Andrea	510
3292	Wallingford	Dye, Curstan	2057
3101	Still	Dyson, Imani	1805
1287	Cross	Eagerman, Steve	678
1376	Schmitt	Eagle Bank and Trust Company of Missouri	735
1486	Wright	Eakin, Patresa	832
1275	Nolte	Early, Mazie	678
596	Weter	Earnest, Hunter	378
1427	White	Easson, Garrett William Davis	764
2389	Gatschenberger	Ebbers, Jonathan	1382
1441	Gatschenberger	Ebenroth, Riley	764
619	Fuhr	Ederle, Margaret	387
1760	Harris	Edgar, Marie	913
1524	Cierpiot	Edmonson, Stacey	832
3033	Schoeller	Edwards, Gregory	1805
1770	Keeney	Eftink, Catherine	913
2797	Kelley (126)	Eggerman, Linda	1665

No.	Author	Subject	Page Reference
1111	Solon	Eggers, Danielle	580
539	Shively	Ehrich, Kristen	321
3335	Phillips	Ehrsam, Elma	2255
3174	Riddle	Eichman, Destri	1876
2600	Asbury	Ekern, Kellen	1601
1994	Berry	Ekis, Thea	1213
1995	Berry	Ekis, Thea	1213
742	Jones (89)	Eklund, Alexander	443
2891	Ellinger	Elain, Bob	1693
2813	Franz	Elam, Kayla	1665
2051	Cauthorn	Elder, Heather	1243
2	Jones (89)	Election of Permanent House Officers	
1746	Scharnhorst	Eleeson, Abby	913
1762	Keeney	Elfrink, Emily	913
1765	Keeney	Elfrink, Joseph	913
598	Ruzicka	Elis Short Stop	387
681	Hodges	Elliott, Faye	414
1809	Richardson	Elliott, Mike	1154
3113	Scharnhorst	Elliott, Thomas	1805
2828	Cross	Ellis, Brenden	1665
1265	Cierpiot	Ellis, Caleb	678
1798	Keeney	Ellis, Dylan	913
1262	Cierpiot	Ellis, Kylee	678
2715	Day	Ellis, Zoe Olivia	1625
779	Jones (89)	Ellison, Kyle	482
2006	Berry	Ellwein, Austin	1213
1892	Grisamore	Elrod, Anna	1183
3363	Houghton	Elsberry High School Boys Basketball Indians	2255
3192	Schneider	ELTAK International Laboratories	1876
3120	Scharnhorst	Ely, Rachel	1805
13	Oxford	Emanuel, Scott	19
1294	Leara	Embry, Jack	678
2421	Gatschenberger	Emery, Caylin	1382
1019	McManus	Emma, Clayton	580
235	Still	Energy Americas	208
1156	Sifton	Engel, Faith	602
1030	Kirkton	England, Grace	580

No.	Author	Subject	Page Reference
3175	Riddle	England, Leah	1876
3478	Tilley	Engler, Joseph	2596
2593	Reiboldt	Epperson, Jennifer	1601
1314	Leara	Erbs, Craig	678
2267	Jones (63)	Erby, Hazel	1311
276	Cierpiot	Eschmann, Eric Michael	216
401	Lichtenegger	Esicar, Janet	289
2076	Asbury	Eskew, Aaron	1273
1661	Solon	Esposit, Anthony	846
1784	Keeney	Evans Huff, Steven	913
2551	Bernskoetter	Evans, Jessica	1438
2479	Berry	Evans, Kenneth Benjamin,III	1427
709	Reiboldt	Evans, Robert Ryler Joel	443
1926	Phillips	Evans, Susan	1183
1464	Schad	Evers, Alex	789
1047	Kelley (126)	Everton R-III School District	580
1396	Jones (89)	Ewers, Nola	735
3425	McDonald	Ewing, Marteion	2442
1173	Nance	Excelsior Springs Proactive Response Organization	602
3277	Day	Fadl, Damian	2057
2388	Gatschenberger	Fahmie, Blake	1382
2280	Franz	Fairview R-XI School District	1311
1502	Asbury	Fallis, Kayla	832
623	Hoskins (121)	Fancher, Gage	387
1673	Grisamore	Fansler, Tye	846
2894	Ellinger	Farber, Ethan	1693
521	Lauer	Farlin, Matthew	306
491	Fraker	Farnsworth, John	297
2330	Marshall	Farnsworth, Leighanne	1382
88	Casey	Faulkner, Joe	148
3127	Scharnhorst	Faust, Sarah	1805
2877	Frederick	Favuzza, Jesika	1693
2245	Montecillo	Fechter, Jason	1304
3257	Kelley (126)	Feezell, Cinnamon	2057
1120	Solon	Feller, Elizabeth	580
1276	Nolte	Felten, Allison	678
863	Zerr	Fenemor, Kylie	510

No.	Author	Subject	Page Reference
53	Cauthorn	Fenlon, Robert M. and Helen B.	90
583	Bernskoetter	Fennewald, Grace	366
3421	McDonald	Fenton, Johnathan	2442
1782	Keeney	Ferguson, Elizabeth	913
2520	Richardson	Ferguson, Linda	1427
1338	Brown (85)	Ferretti, Emily	712
26	Reiboldt	FFA Seneca Chapter	71
811	Quinn	Fields, Mary Kathylin Davis	495
1616	Cierpiot	Fields, Wyatt	846
2926	Cookson	Fiesta, Michelle Leilani	1693
523	Webb	Filer, Terrance Rasheed	306
592	Dieckhaus	Finch, Stephannie	378
2696	Cauthorn	Finck, Elizabeth	1625
1054	Solon	Findley, Tori	580
864	Zerr	Finke, Jacob	510
3309	Shively	Finley, Katharine	2177
2001	Berry	Firsick, April	1213
2328	McCaherty	First Baptist Church of Murphy	1382
1653	Solon	Fischer, Payton	846
2469	Berry	Fish, Brytni Paige	1427
3159	Klippenstein	Fish, Phillip Roy	1876
2172	Asbury	Fisher, Jacob	1304
2530	Kelley (126)	Fisher, Landon	1427
3304	Aull	Fisher, Pat	2177
769	Jones (89)	Fjerstad, Amy	482
1640	Fuhr	Flachs, Tyler	846
3030	Colona	Flanagan, JoEllen	1805
3351	Leara	Flanakin, Jennifer	2255
1647	Torpey	Flathers, Donald	846
286	Hoskins (121)	Fleer, Albert Harold	232
2145	Kelley (126)	Fleming, Mark	1273
593	McNeil	Flexway Trucking	378
1434	Gatschenberger	Flynn, Connor	764
3258	Kelley (126)	Fock, Sunje	2057
1575	Allen	Fogarty, Shannon	846
1515	Cierpiot	Foley, Kevin	832
3465	Franklin	Foppe, Samantha	2596

No.	Author	Subject	Page Reference
1430	Gatschenberger	Forck, Tanner	764
1194	McManus	Ford, Anarose	614
1646	Schad	Ford, Andrew	846
1527	Cierpiot	Forlow, Jacob	832
3299	Asbury	Forsyth, Virginia	2177
502	Rowland	Forsyth R-III School District	306
1923	Phillips	Forsyth, Sheila	1183
1260	Cierpiot	Fortner, Christian	678
3389	Berry	Fortner, Caleb	2442
23	Guernsey	Foster, Calvin	71
525	Johnson	Foster, Lucy	306
692	Hoskins (121)	Foster, Perry	414
2268	Jones (63)	Foster, Vanessa	1311
1550	Cierpiot	Fountain, Alexa	832
989	Cierpiot	Fournier, Gabby	564
777	Jones (89)	Fowle, Kaitlyn	482
450	Jones (89)	Fox, James	297
1426	White	Fox, Joshua Ryan	764
1841	Lair	Fox, Linda	1154
999	Kratky	Francis, Major James	564
362	Keeney	Francis, Sandy	289
3297	Guernsey	Francis, Velma	2177
3352	Leara	Franey, Linda	2255
123	McGhee	Franke, Fae	169
799	Webb	Franklin, Edward Wilcox	495
1240	Crawford	Franklin, Marcelene	678
1988	Neth	Franklin Elementary School	1213
132	Crawford	Franklin, Bob	169
674	Schatz	Franklin County R-II School District	414
605	Carter	Franklin, Robert Maurice	387
220	Haefner	Frankovic, Antonia	208
865	Zerr	Franz, Rachel	510
2979	Guernsey	Frazier, Roger and Sharron	1748
2345	Cauthorn	Frazier, Sadie	1382
447	Jones (89)	Frederickson, Nathan	297
268	Keeney	Fredericktown Fire Department	216
269	Keeney	Fredericktown R-1 School District	216

No.	Author	Subject	Page Reference
528	Wyatt	Freeland, Arthur	306
875	Zerr	Freeman, Erica	510
1254	Cierpiot	French, Logan	678
2131	Zerr	French, Ryan Brian Braun	1273
1615	Cierpiot	Frevert, Lilly	846
698	Kander	Fridkin, Joe	426
3319	Reiboldt	Frieling, Amy	2177
710	Keeney	Froman, Elizabeth Marie	443
376	Fuhr	Frommer, Leah	289
1677	Grisamore	Frotestad, Ethan	846
2298	Asbury	Fuemmeler, Amy	1311
2578	Lasater	Fuimaono, Kalili Mateo Lene	1601
1264	Cierpiot	Fuller, Hannah	678
438	Ruzicka	Fulp, Gary Burnell and Sarah Sue	297
912	Jones (63)	Furr, Johnny	532
1065	Solon	Fusaro, Abby	580
1199	Atkins	Fusco, Jordan Alexander	614
365	Fuhr	Fyfe, Ian	289
1576	Allen	Gaal, Leah	846
3112	Scharnhorst	Gabel, Dalton	1805
1205	Cierpiot	Gabrielson, Megan	614
2616	Franz	Gaddy, Janelle	1601
1887	Grisamore	Gaeth, Macy	1183
2504	Wallingford	Gage, Lucy	1427
2511	Wallingford	Gage, Lucy	1427
3379	Berry	Gagon, Olivia	2442
1475	Rowland	Gailey, Earl Wayne	789
3166	Riddle	Gaines, Mason	1876
2836	Shively	Gaines, Peggy	1665
508	Rowland	Gainesville R-V School District	306
146	Kelly (24)	Galactic Fun Zone	169
3378	Berry	Galloway, Brenden	2442
1056	Solon	Galloway, Ethan	580
298	Lair	Gann, David	232
3287	Day	Ganoe, Blair	2057
2053	Cauthorn	Ganzalez Meyer, Margaret	1243
1339	Brown (85)	Gapsch, Amanda	712

No.	Author	Subject	Page Reference
1295	Leara	Garcia, Alec	678
2829	Cross	Garcia, David	1665
3158	McDonald	Garcia, Juan	1876
1280	Lair	Gardner, Jordan	678
634	Wyatt	Gardner, Larry	387
773	Jones (89)	Gardner, Steven	482
2024	Hoskins (121)	Gardner, Steven	1243
611	Fuhr	Gargiula, Nicholas	387
609	Fuhr	Garland, Jessica	387
3050	Crawford	Garlett, Zane	1805
485	Jones (89)	Garlick, Thomas	297
3453	Reiboldt	Garren, Brandice	2442
3013	Reiboldt	Garren, Maddie	1748
1392	Quinn	Garrett, Harold	735
749	Sater	Garrett, Mike	464
975	Aull	Garrett, Orville Wilmer "Bill"	564
1854	Grisamore	Garrison, Hunter	1183
44	Loehner	Gasconade County R-I	90
45	Loehner	Gasconade County R-II	90
2250	Montecillo	Gassner, Macy	1304
1571	Carter	Gasway, Lillian	846
3377	Berry	Gatzemeyer, Alison	2442
1425	Lair	Gaug, Elmer	764
492	Fraker	Gault, Judy	297
738	Jones (89)	Gebhardt, Chelsea	443
1429	Gatschenberger	Geer, Matt	764
2497	Day	Geiger, Gayle	1427
1485	Kratky	Geiser, Laura	832
2166	Asbury	Gelina, Nick	1304
1641	Fuhr	Geniec, Abigail	846
3342	McManus	Gentry, Bryan	2255
1213	Cierpiot	Gentry, Nathan	614
2804	Franz	George, Jeremiah	1665
2462	Wright	Gerald Griffin Contracting	1427
1236	Jones (117)	Gerhart, Linda	678
1258	Cierpiot	Geringer, Samantha	678
1252	Hummel	Gerrein, Thomas	678



No.	Author	Subject	Page Reference
3313	Zerr	Getsee, Danielle	2177
780	Jones (89)	Gettemeier, Miranda	482
3337	Webb	Gibson, Caleb Eugene	2255
2794	Wright	Gibson, Eric	1665
970	Cierpiot	Gibson, Trent	564
2317	Asbury	Gibson, Zach	1382
2426	Fitzwater	Gidley, Della Rosemary Lester	1382
2641	Wright	Gifford, Haley	1601
3091	Day	Gifford, Jessica	1805
1864	Grisamore	Gilbert, Peyton	1183
2194	Asbury	Gilbert, Sarah	1304
2543	Wallingford	Gill, Kristin	1438
2763	Cauthorn	Gill, Olivia	1625
876	Zerr	Gillette, Helena	510
1744	Scharnhorst	Gilliam, Patrick	913
3149	McDonald	Gilmore, Brielle	1876
2151	Schad	Gilmore, Caleb	1304
588	Guernsey	Gingerich, Robert Alan	378
2429	Schupp	Ginsberg, Madison	1427
181	Gatschenberger	Gittemeier, Jamie	196
3197	Carter	Givens, Henry	1876
2092	Asbury	Gladbach, Caitlyn	1273
2103	Asbury	Gladbach, Lana	1273
183	Gatschenberger	Gladieux, Denny	196
1077	Solon	Glascok, Alec	580
222	Lichtenegger	Glass, Roy Lee and Mary Iverne	208
1893	Grisamore	Glaze, Brennan	1183
2909	Ellinger	Gleason, Imani	1693
1453	Torpey	Glendale Elementary School	789
2286	Franz	Glenwood R-VIII School District	1311
1914	Schad	Glore, Courtney	1183
1916	Schad	Glore, Lacie	1183
1166	Johnson	Gnuschke, Lloyd and Dorothy	602
1230	Loehner	Goans, Joan	646
1496	Asbury	Godwin, Taylor	832
2224	Brown (85)	Goeddel, Sara	1304
452	Jones (89)	Goedecke, Kendall	297

No.	Author	Subject	Page Reference
564	Hinson	Goforth, Ethan Ben	356
55	Phillips	Goldberg, Jeremiah	90
243	Kelley (126)	Golden City R-III School District	216
3273	Day	Golden, Linda	2057
2237	Brown (85)	Goldkamp, Clare	1304
1837	Newman	Goldstein, Linda	1154
2167	Asbury	Gonzales, Christina	1304
1879	Grisamore	Gonzalez, Cami	1183
1684	Houghton	Gooch, Jackson Leeanda	846
2939	Kelley (126)	Good Shepherd Nursing Home	1748
3323	Molendorp	Goodall, Tracy	2177
2991	Kelly (24)	Goodson, Chad	1748
437	Jones (117)	Gordon, Roz	297
2938	Kelley (126)	Gordons Feed and Pet	1748
1869	Grisamore	Gorman, Danielle	1183
1102	Solon	Gorman, Blake	580
1484	Shumake	Gottman, Raymond and Marjorie	832
79	Walton Gray	Gould, Carrie Thelma	141
2739	Kander	Governor Stumpys	1625
1709	Swinger	Gowan, Karen	913
3411	Lampe	Grabeel, Jean	2442
700	Hoskins (121)	Grady, Gwenette	426
2709	Riddle	Graham, Yolanda	1625
1556	Dugger	Graham, Larry and Barbara	846
2210	Diehl	Graney, Richard Daniel	1304
2933	Cookson	Graves, Marilyn	1693
2205	Asbury	Gravitt, Samantha	1304
1820	Keaveny	Gray, David	1154
3215	Wallingford	Gray, Maura	2057
1382	Lampe	Gray, Wanda	735
378	Fuhr	Grbesa, Lukas	289
695	Lampe	Greater Missouri Leadership Challenge	414
3328	Curtman	Greathouse, Joshua	2177
1053	Solon	Greco, Ross	580
2548	Bernskoetter	Green, Andrea	1438
1535	Cierpiot	Green, Jalen	832
946	Cauthorn	Green, Jefferson	545

No.	Author	Subject	Page Reference
436	Jones (117)	Green, Karen	297
2247	Montecillo	Green, Rebecca	1304
300	Brown (116)	Green Ridge R-VIII School District	232
1706	Schoeller	Greene County Judicial Circuit 31 Drug Court	913
3154	McDonald	Greenfield, Rilee	1876
244	Kelley (126)	Greenfield R-IV School District	216
2764	Cauthorn	Greening, Zack	1625
2744	Kander	Greenway Fields Homes Association	1625
240	Fraker	Greenwood Engineering and Manufacturing	208
512	Fraker	Greer, Paula	306
2591	Franz	Gregory, Jennifer	1601
2953	Cross	Gregory, Clarisse	1748
2311	Guernsey	Gregory, Ron and Diane	1382
2859	Brown (85)	Greubel, Andrew	1693
3353	Leara	Grider, Ida	2255
3436	Schupp	Griffin, Ryan	2442
2780	Fraker	Griffin, Terry	1625
568	Solon	Grigg, Richard	366
112	Shively	Grimm, Hadley	163
464	Jones (89)	Grimshaw, Ellie	297
2490	Day	Grizzell, Cindy	1427
3018	Stream	Grommet, Jordan Thomas	1748
3017	Stream	Grommet, Jess Allen	1748
1531	Cierpiot	Gronberg, Gunnar	832
1463	Schad	Groose, Grace	789
903	Crawford	Groshong, Frank and Elinor	532
3052	Crawford	Groshong, Roxy	1805
2860	Franklin	Gross, William Walter	1693
3279	Day	Grosskreutz, Adam	2057
2340	Cauthorn	Groves, Sidney	1382
2375	Gatschenberger	Gruetzner, Kevin	1382
78	Flanigan	Grundy, Edward	141
1998	Berry	Grusenmeyer, Evan	1213
559	Haefner	GSell, John and Eva	356
2425	McNary	Guccione, Angie	1382
586	Guernsey	Gudde, Remington Lee	378
2182	Asbury	Guerrero, Alex	1304

No.	Author	Subject	Page Reference
1619	Cierpiot	Guest, Madison	846
3173	Riddle	Gunn, Samantha	1876
2445	Bernskoetter	Gunn, Steven	1427
1491	Asbury	Gunnerson, Deanna	832
1724	Scharnhorst	Gupta, Ankit	913
1560	Cross	Gutierrez, Luke	846
1963	Lair	Gutshall, Deanne	1183
2193	Asbury	Gwinner, Samantha	1304
3467	Kelley (126)	Haas, Taylor	2596
737	Jones (89)	Haberberger, Kelsey	443
3464	Denison	Hackleman, Basil	2596
877	Zerr	Hackman, Dylan	510
3032	Schoeller	Haden, Rebecca	1805
2512	Wallingford	Hadler, Shawn	1427
2814	Franz	Hadley, Jesse	1665
259	Brown (85)	Hadzikadunic, Amedina	216
43	Montecillo	Haessig, Eugene	90
2394	Gatschenberger	Hafer, Chad	1382
312	Lair	Hager, Alexander Bryce	243
2370	Gatschenberger	Hahn, Michael	1382
994	Cierpiot	Hailey, Jared	564
1736	Scharnhorst	Haines, Christopher	913
2011	Wieland	Hainline, Joe	1213
369	Fuhr	Haislar, Megan	289
1814	Keeney	Haislip, Hannah	1154
712	Bernskoetter	Hake, Christian	443
703	Hoskins (121)	Hale, Harold	426
1248	Lair	Hale High School Girls Basketball Cardinals	678
2259	Swinger	Halford, Shelia	1311
2716	Day	Hall, Betty Janet	1625
1795	Keeney	Hall, Holly	913
3376	Berry	Hall, Samuel	2442
1355	Cauthorn	Hallsville High School Lady Basketball Indians	712
2119	Richardson	Halter, Barbara	1273
489	Stream	Hamann, Herald	297
1797	Keeney	Hamblin, Abbie	913
2753	Cauthorn	Hamilton, Garrett	1625

No.	Author	Subject	Page Reference
3037	Brown (116)	Hamlett, Gerald and Mary	1805
1769	Keeney	Hampton, Kacie	913
3209	Fitzwater	Hampton, Krista	1876
385	Fuhr	Hampton, Mark	289
3021	Swinger	Hamrick, Susan Horner	1748
253	Brown (85)	Hanak, Christopher	216
322	Lampe	Handball Sports Program MSU Springfield	243
1537	Cierpiot	Hankins, Jackson	832
3040	Crawford	Hanna, April	1805
1877	Grisamore	Hannah, Emma	1183
72	Kratky	Hanneke, Adam Christopher	99
1781	Keeney	Hanners, Melissa	913
398	Shumake	Hannibal 60 Schoold District	289
1651	Shumake	Hannibal High School Lady Pirates Swim Team	846
1581	Allen	Hannon, Emily	846
1413	Richardson	Hansbrough, Ben	764
1954	Nolte	Hanway, Sawyer Andrew	1183
2980	Kirkton	Haq, Kanwal	1748
3395	Berry	Harberts, Paige	2442
57	Shumake	Harder, Ervin	90
3480	Zerr	Hardin Middle School	2596
1027	Kirkton	Harding, Catherine	580
2309	Asbury	Hardwick, Maggie	1311
3343	Jones (89)	Hardwick, Lawrence William	2255
149	Stream	Haring, David	169
815	Cauthorn	Harlan, Josh	495
1380	Schoeller	Harman, Hannah	735
2708	Fraker	Harmon, Kathy	1625
3123	Scharnhorst	Harmon, Kelly	1805
1720	Scharnhorst	Harmon, Sean	913
2707	Fraker	Harmon, Shane	1625
1949	Phillips	Harness, Beverly	1183
467	Jones (89)	Harness, Kenzie	297
1079	Solon	Haro, Mikaela	580
2321	Asbury	Harold, Madeline	1382
2908	Ellinger	Harper, Asar	1693
2590	Franz	Harper, Clint	1601

No.	Author	Subject	Page Reference
1066	Solon	Harper, Emma	580
1268	Redmon	Harper, Twila	678
3324	Brown (85)	Harrell, Roy Glenn and Kate Handley	2177
1302	Leara	Harrington, Meghan	678
728	Jones (89)	Harris, Josephine Renee	443
3429	Nasheed	Harris, Katherine	2442
2722	Day	Harris, Amber Deann	1625
1107	Solon	Harris, Asya	580
2907	Ellinger	Harris, Eniah	1693
2249	Montecillo	Harris, Jacob	1304
2931	Richardson	Harris, Kathern	1693
1061	Solon	Harris, Riley	580
80	Elmer	Harris, Shelby Michael	141
3057	Crawford	Harris, Skyler	1805
344	Cookson	Harrison, Euniceteen	258
3473	Flanigan	Harrison, Ben	2596
2433	Reiboldt	Harrison, Inez	1427
2674	Aull	Harrison, James	1625
1965	Haefner	Harsh, Janet	1183
3418	McDonald	Hart, Makaela	2442
1574	Allen	Hartman, Grace	846
3434	Molendorp	Hartnagel, Joel Edwin	2442
594	Brown (50)	Hartsfield, Wallace	378
166	Dugger	Hartville R-II School District	169
3448	Schupp	Hartweger, Gordon	2442
2475	Berry	Hartzler, Jennifer Lea	1427
717	Bernskoetter	Haslag, Molly	443
2440	Haefner	Hastings, Grant	1427
2306	Asbury	Hatfield, Devon	1311
878	Zerr	Hatfield, Skye	510
1092	Solon	Hatt, Shannon	580
1313	Leara	Haupt, Allie	678
1915	Schad	Hawken, Cody	1183
2872	Franklin	Hawken, Natalie	1693
67	Dieckhaus	Hayes, Antonia	99
2868	Franklin	Hayes, Taylor	1693
10	Aull	Hayes, Tom	19

No.	Author	Subject	Page Reference
1682	Walton Gray	Haynes, Agron Adrian	846
91	Kander	Haynes, John	163
2547	Bernskoetter	Haynes, Samuel	1438
1271	Lauer	Haynie, Eternity	678
699	Smith (71)	Haywood, Esther	426
2576	Cauthorn	Haywood, Kayli	1601
261	Brown (85)	He, Huihua	216
3399	Berry	Heafner, Kalliesta	2442
39	Franz	Health Care Reform Legislation	71, 85, 91-92, 100-104
2655	Guernsey	Healy, Brock Andrew	1601
1098	Solon	Healy, Ericka	580
1748	Scharnhorst	Heard, Amanda	913
350	Wright	Heartland Furniture and Appliance	258
3354	Leara	Heater, Linda	2255
3305	Allen	Heck, Laura	2177
1952	Schad	Heckemeyer, Kelly	1183
1789	Keeney	Hedgcoth, Daniel	913
2832	Kander	Heeter, Judith	1665
3138	Schneider	Heggs, Luanne	1805
2165	Asbury	Heimann, Ben	1304
3408	Diehl	Heisel, Susan Harris	2442
1397	Sifton	Hejlik, Jennifer	735
942	Lichtenegger	Helle, Andy	545
1807	Kander	Hellman, Rick	1154
2248	Montecillo	Helm, Elizabeth	1304
1398	Sifton	Helmer, Alison	735
1046	Hoskins (121)	Helmig, Terri Horine	580
256	Brown (85)	Helterbrand, Emily	216
650	Fitzwater	Helton, Charles	402
1564	Cross	Hemme, Brandon	846
2906	Ellinger	Henderson, Jordan	1693
3104	Scharnhorst	Henderson, Chloe	1805
3156	McDonald	Hendricks, Tyson	1876
1032	Kirkton	Hendrickson, Taylor	580
1354	Scharnhorst	Hendrickson, Ruth	712
930	Thomson	Hendrix, Jaron Walker	545
2795	Kelley (126)	Hendrix, Lorna	1665

No.	Author	Subject	Page Reference
2303	Asbury	Henke, Alex	1311
2016	Swinger	Henke, Cathy	1213
315	Keeney	Henke, Denny	243
2302	Asbury	Henke, Leann	1311
3070	Franklin	Henley, Dennis	1805
474	Jones (89)	Henning, Grant	297
217	Haefner	Hensel, Rachel	208
1931	Gosen	Henson, Courtnie	1183
2110	Harris	Henson, Christine	1273
1989	Lant	Henson, Jake	1213
715	Bernskoetter	Hentges, Hillary	443
3023	Guernsey	Henton, Grace	1748
1431	Gatschenberger	Hepler, Taylor	764
1101	Solon	Herald, Brooke	580
2760	Cauthorn	Herbold, Grace	1625
739	Jones (89)	Hereford, Sarah	443
3230	Molendorp	Herigon, Cathleen	2057
293	Hoskins (121)	Herman, Weston	232
985	Cierpiot	Hermanson, Ellie	564
130	Crawford	Hermitage R-IV School District	169
1235	Lasater	Hern, Flossie	646
1121	Solon	Hernandez, Amaya	580
1200	Cierpiot	Hernandez, Karli	614
1091	Solon	Herrman, Kara	580
2318	Asbury	Herron, Halo	1382
2236	Brown (85)	Herzog, Erik	1304
1827	Dieckhaus	Hespen, Jordan Paul	1154
2100	Asbury	Hess, Alaynee	1273
1966	Haefner	Hester, Larry	1183
1034	Kirkton	Hewlett, Noah	580
129	Crawford	Hickory County R-I School District	169
2765	Cauthorn	Hicks, Lydia	1625
2905	Ellinger	Hicks Thomas, Mia	1693
1908	Schad	Hicks, Travis	1183
879	Zerr	Higgins, Chelsea	510
2204	Asbury	Higgins, Joshua	1304
1946	Phillips	Highfill, Ruth	1183



No.	Author	Subject	Page Reference
3265	Kelley (126)	Hilbert, Delbert	2057
1667	Grisamore	Hilbert, Kaitlyn	846
1214	Shumake	Hildebrand, Vicki	614
1999	Berry	Hilden, Danielle	1213
1955	Nolte	Hiler, Jacob Scott	1183
688	Hoskins (121)	Hill, Barbara	414
427	Largent	Hill, Danny	297
463	Jones (89)	Hill, Mike	297
636	Kander	Hill, Stephen L.	387
706	Denison	Hillhouse, Fray Willis	426
705	Denison	Hillhouse, Ray Willard	426
3397	Berry	Hilterbrand, Anna	2442
2766	Cauthorn	Hirleman, Brendan	1625
2675	Aull	Hisle, William	1625
2047	Cauthorn	Hitchcock, Nathaniel	1243
1546	Cierpiot	Hite, Chris	832
1244	Wallingford	Hitt, David	678
2748	Cauthorn	Hobbs, Colton	1625
3281	Day	Hobbs, George	2057
997	Cross	Hobson, Dylan	564
1334	Brown (85)	Hock, Nathan	712
110	Reiboldt	Hodge, Tom	163
3466	Franklin	Hodits, Kathryn Jean	2596
1895	Grisamore	Hodson, Amy	1183
353	Aull	Hodson, Tom	258
936	Leara	Hoessle, Charles	545
1739	Scharnhorst	Hof, Andrew	913
1605	Jones (117)	Hoff, Eddie	846
74	Cox	Hoffman, Patrick John	141
1186	McManus	Hoffman, Megan	614
2027	Cauthorn	Hoffman, Chania	1243
2540	Wallingford	Hoffman, Steven	1438
2601	Asbury	Hoffman, Desirae	1601
2468	Berry	Hoffman, Caleb Tamas	1427
3298	Phillips	Hoffman, Keith	2177
550	Cox	Hogan, Kinser Alexander	339
1437	Gatschenberger	Hogan, Mark	764

No.	Author	Subject	Page Reference
1250	Hubbard	Hogue, Alexander Feltus	678
1894	Grisamore	Holbrook, Justin	1183
349	Wright	Holden Pallet	258
1740	Scharnhorst	Holden, Sarah	913
1962	Lair	Holder, Tonya	1183
967	Cierpiot	Holdmeyer, Lauren	564
3128	Scharnhorst	Holgate, Olivia	1805
3332	Stream	Holley, David	2177
64	Neth	Holley, Larry	99
2631	Hummel	Holley, Maureen	1601
1042	Entlicher	Hollis, Jerry Sue	580
61	Phillips	Hollister R-V School District	99
3004	Cauthorn	Holman, Cameron	1748
3294	Ruzicka	Holman, Bob	2177
3334	Stream	Holmes, Deborah	2177
2721	Day	Holsten, Grace Katherine	1625
1489	McGhee	Holt, Anthony Patrick	832
2329	Barnes	Holtmeyer, Rita Ann	1382
134	Nolte	Holwick, Dick	169
1600	Asbury	Hombs, Mackenzie Lee	846
1080	Solon	Hood Johnson, Hannah	580
3290	Day	Hooker, Jacquelyne	2057
105	Leara	Hoormann, Carol	163
414	Schoeller	Hoover, Ronald	297
2369	Gatschenberger	Hopkins, Hunter	1382
3326	Tilley	Hopkins, Paul	2177
2420	Gatschenberger	Hopkins, Rachel	1382
357	Marshall	Hoppe, Jacob Michael	289
356	Marshall	Hoppe, Joshua Samuel	289
1172	Neth	Hoppenrath, Michael	602
104	Leara	Hopson, Rosemary	163
3355	Leara	Hopson, Rosemary	2255
754	Reiboldt	Horine, Scotty	464
2175	Asbury	Hornbarger, Judy	1304
1663	Solon	Horseman, Trinity	846
3288	Day	Horton, Garrett	2057
1399	Sifton	Horvath, Kenneth	735

No.	Author	Subject	Page Reference
1192	McManus	Hosick, Madeleine	614
1277	Nolte	Hottel, Megan Ann	678
2546	Jones (117)	Houf, Thomas	1438
2049	Cauthorn	Houke, Stephen	1243
880	Zerr	Houle, Elizabeth	510
834	Zerr	House, Chelsea	510
3	Jones (89)	House Duly in Session	16,51-52
3196	McGhee	House Interim Employment	1876, 2245, 2583, 2604
1978	Fraker	House, Oneta	1183
900	Jones (89)	House Rule Change	510, 518
38	Jones (89)	House Rules for the 96th General Assembly	44-71, 85, 104-133, 148-154
3186	Keeney	Hovis, Ethan	1876
655	Hoskins (121)	Howard, Tammy	402
2308	Asbury	Howard, Katelyn	1311
3060	Crawford	Howard, Kyle	1805
3361	Leara	Howard, Pamela	2255
1589	Asbury	Howard, Parker Dean	846
3148	McDonald	Howe, Bailey	1876
289	Hoskins (121)	Howe, Clifford	232
2285	Franz	Howell Valley R-I School District	1311
835	Zerr	Hrenak, Nicole	510
1944	Gosen	Hsu, Eric	1183
2484	Hubbard	Hubbard, Gloria	1427
2485	Hubbard	Hubbard, Mary	1427
960	Cierpiot	Hubbuck, Nick	564
148	Stream	Huber, Andrew	169
2503	Cox	Huber Hunt Elementary School	1427
1967	Haefner	Huckabee, Mark	1183
2185	Asbury	Hudson, Ashley	1304
1134	Crawford	Hudson R-IX School District	580
980	Wallingford	Hudson, Roger	564
2087	Asbury	Huff, Jakob	1273
1375	Phillips	Huff, Ronald and Helen	712
931	Richardson	Huffman, Jeanne	545
1501	Asbury	Huffman, Tyler	832
2558	Bernskoetter	Hughes, Elizabeth	1438
2874	Franklin	Hughes, Brooklyn	1693

No.	Author	Subject	Page Reference
2787	Bernskoetter	Hughes, Debbie	1625
2698	Phillips	Hughes, Kylie	1625
2368	Gatschenberger	Hughes, Matt	1382
2796	Kelley (126)	Hughes, Nancy	1665
3280	Bernskoetter	Hughes, Phyllis	2057
2362	Gatschenberger	Hughes, Sarah	1382
2152	Hoskins (121)	Hughes, Terry	1304
1882	Grisamore	Huie, Remmy	1183
907	Lichtenegger	Hull Trucking	532
2791	Reiboldt	Hulsey, Bill and Loydine	1665
3065	Franklin	Hulsey, Ed	1805
3475	Webb	Humlicek, Mary	2596
1293	Leara	Hummel, Sarah	678
2915	Ellinger	Humphrey, Ryan	1693
3144	Kratky	Humphreys, Jan Mangelsdorf	1876
1861	Grisamore	Hundley, Nadia	1183
2253	Montecillo	Hunkins, Bridget	1304
3010	Cauthorn	Hunt, Cassidy	1748
2289	Elmer	Hunt, Janet	1311
713	Bernskoetter	Hunt, Molly	443
1253	Cierpiot	Hunter, Kwenton	678
2277	Fuhr	Hunter, Andrew Joseph	1311
836	Zerr	Hunter, Laura	510
1423	Casey	Hurst, Roger	764
404	Guernsey	Hurst, Stanley	289
85	Black	Husky, Ferlin	148
317	Wells	Hutcheson, Steven C.	243
1403	Sifton	Hutchinson, Anna	735
958	Cierpiot	Hutinett, Catherine	564
366	Fuhr	Hutson, Ronald	289
2105	Asbury	Hyatt, Tyler	1273
2021	Leach	Ibotova, Nargiza	1243
2063	Fallert	Ide, James	1243
154	Neth	Ildza, Zachery	169
1907	Schad	Ilgenfritz, Todd	1183
2904	Ellinger	Imani, Khalil	1693
2209	Diehl	Imbs, Audrey Angus	1304

No.	Author	Subject	Page Reference
125	Shumake	Indian Creek Winery	169
114	Wallingford	Infinity Recycling Solutions	163
2622	Franz	Ingalls, Derek	1601
1598	Asbury	Ingebritson, Jacob Lowell	846
2195	Asbury	Ingebritson, Robynn	1304
83	Fraker	Inman, Junior and Joyce	141
2903	Ellinger	Irby, Jamilah	1693
2619	Franz	Irvin, Rachel	1601
1306	Leara	Irvine, Andrew	678
1871	Grisamore	Iseman, Ally	1183
1129	Solon	Isom, Christina	580
2084	Asbury	Isom, Liam	1273
2419	Gatschenberger	Jack, Christine	1382
2356	Gatschenberger	Jack, Doug	1382
1652	Solon	Jackman, Katie	846
1124	Solon	Jackson, Brendan	580
1232	Day	Jackson, Denise Rachele	646
3479	Wright	Jackson, Gerald and Wanda	2596
193	Faith	Jackson, Mimi	196
544	Shively	Jackson, Nancy	339
1076	Solon	Jackson, Riley	580
50	Lichtenegger	Jackson Tire Center	90
1351	Allen	Jacobi, Brian Richard	712
1585	Allen	Jacobi, Brian	846
818	Cauthorn	Jacobs, Haylon	495
561	Gatschenberger	Jacobson, Marisa	356
1038	Cauthorn	Jacobson, Randal	580
1593	Asbury	Jacoby, Zane Scott	846
3142	Walton Gray	Jacquín, Kimberleigh	1876
3009	Cauthorn	Jaeger, Megan	1748
996	Fallert	Jaegers, Jerome Charles	564
249	Brown (85)	Jahic, Fatima	216
208	Haefner	Jakubeck, Corbyn	208
1202	Cierpiot	James, Ethan	614
2265	Jones (63)	James Hatter, Becky	1311
1536	Cierpiot	James, Roni Pinnell	832
1834	Molendorp	Jamison, Terri	1154

No.	Author	Subject	Page Reference
597	Klippenstein	Jarboe, Jeananne	387
2122	Leara	Jardon, Margaret	1273
1951	Schad	Jarrett, Olivia Christele	1183
382	Fuhr	Jasarevic, Sandra	289
642	Holsman	Jaspers Restaurant	387
1482	Stream	Jayne, Ruth	832
567	Hubbard	Jazz St. Louis	356
1889	Grisamore	Jefferis Henriques, Savannah	1183
2332	Barnes	Jefferson City Academic Center	1382
2689	Cauthorn	Jeffrey, Clay	1625
3093	Day	Jeffries, Andrea	1805
1044	Redmon	Jeffries, Evafae	580
1495	Asbury	Jenkins, Sharr	832
2952	Cross	Jennings, Jacob	1748
2470	Berry	Jepsen, Jesse Dakota	1427
1842	Lair	Jeschke, Anne	1154
1726	Scharnhorst	Jilakara, Bharadwaj	913
176	McNeil	JL Brown Contracting Service	196
2192	Asbury	John, Paden	1304
58	Richardson	John Pershing VA Medical Center Poplar Bluff	90
656	Wright	Johns, Caleb Earl	402
744	Jones (89)	Johnson, Madeline	443
2609	Asbury	Johnson, Shannon	1601
3155	McDonald	Johnson, Tapanga	1876
2581	Franz	Johnson, Colby	1601
667	Wyatt	Johnson, David Clayton	414
3026	Molendorp	Johnson, Gina	1748
3286	Day	Johnson, Hailey	2057
2986	Kander	Johnson, Jenny	1748
898	Carter	Johnson, Julia	510
1551	Cierpiot	Johnson, Lily	832
3068	Franklin	Johnson, Mary Ann	1805
1819	Keeney	Johnson, Neil	1154
2007	Berry	Johnson, Nick	1213
329	Fitzwater	Johnson, Paul	258
2523	Kelley (126)	Johnson, Peyton	1427
1987	Schoeller	Johnson, Ronald Eugene	1213

No.	Author	Subject	Page Reference
752	Nasheed	Johnson Taylor, Ruthiebea Johnetta	464
2099	Asbury	Johnston, Ashlyn	1273
3393	Berry	Jones, Allen	2442
665	Brown (116)	Jones, Andrea	414
2034	Cauthorn	Jones, Cassidy	1243
791	Webb	Jones, Cornell William	495
3131	Scharnhorst	Jones, Dustin	1805
549	Hough	Jones, Jack	339
122	Riddle	Jones, Kenneth and Elizabeth	169
3356	Leara	Jones, Linda	2255
2686	Cauthorn	Jones, Maverick	1625
1542	Cierpiot	Jones, McKenna	832
3014	Reiboldt	Jones, Megan	1748
654	Hoskins (121)	Jones, Morris	402
3067	Franklin	Jones, Peggy	1805
1068	Solon	Jones, Regan	580
1755	Harris	Jones, Rose	913
1000	Kelly (24)	Jones, Samuel	564
2223	Fraker	Jones, Sydney	1304
1803	White	Joplin Church of God	913
3310	White	Joplin High School Constitution Team Unit I	2177
3311	White	Joplin High School Constitution Team	2177
3463	White	Joplin NALA Read	2596
1614	Cierpiot	Jordan, Brooke	846
2574	Cauthorn	Jordan, Hannah	1601
908	Lichtenegger	Jordan, Kathy	532
3180	Keeney	Jordan, Zachary	1876
2181	Asbury	Jorgensen, Allyn	1304
2085	Asbury	Jorgenson, Lena	1273
1299	Leara	Jorstad, Mitchell	678
2968	Schad	Jowers, Tyler	1748
2126	Zerr	Juengst, Ray	1273
2782	Wallingford	Juhlin, Anna	1625
2276	Fuhr	Julius, Brian Matthew	1311
2284	Franz	Junction Hill C-12 School District	1311
1917	Phillips	Justus, Jennifer	1183
2374	Gatschenberger	Kacmarcik, Jonathan	1382

No.	Author	Subject	Page Reference
3028	Phillips	Kahler, Mary Elaine	1805
1081	Solon	Kahmann, Marrin	580
3400	Berry	Kaiser, Dalton	2442
2206	Diehl	Kalugotla, Gowri Shivaram	1304
3034	Smith (150)	Kamp, Cassandra Cassie	1805
1346	McManus	Kamp, William	712
226	Kander	Kansas City Academy	208
1408	Kander	Kansas City Repertory Theater	735
1412	Schatz	Kappelmann, Don	735
251	Brown (85)	Karaibrahimovic, Emina	216
902	Bernskoetter	Karsten, John	532
1432	Gatschenberger	Kaufmann, Julianne	764
230	Berry	Kearney High School Girls Cross Country Bulldogs	208
1222	Berry	Kearney High School Wrestling Bulldogs	646
1933	Gosen	Keathley, Priya	1183
224	Ruzicka	Keatts, Raymond and Jeanette	208
2476	Berry	Keeler, Michael Thomas	1427
495	Schieber	Kegin, Michael Patrick	297
1822	Keeney	Keith, Hayley	1154
393	Shively	Keith, Leota	289
837	Zerr	Kellams, Kate	510
1708	Swinger	Kellams, Linda	913
3246	Kelley (126)	Kelley, Brenden	2057
765	Cox	Kelley, Grace	482
2240	Still	Kelley, Joseph Charles	1304
1356	Largent	Kellock, Jess	712
15	Black	Kelly, James Harrison	19
1538	Cierpiot	Kelly Wright, Spencer	832
3315	Shively	Kelso, Kenneth	2177
1459	Schad	Kempker, Leonard George and Rosemary Josephine	789
1473	Schad	Kempker, Faith	789
1843	Lair	Kendrick, Terry	1154
373	Fuhr	Kennedy, Kayla	289
1636	Fuhr	Kennedy, Sean	846
1410	Hampton	Kennett High School Girls Basketball Indians	735
2230	Brown (85)	Kenney, Jack	1304
3357	Leara	Kenyon, Elena	2255



No.	Author	Subject	Page Reference
895	Leach	Kerivan, Lauren Taylor	510
3201	Phillips	Kerns, Linda	1876
632	Newman	Kerr, James	387
838	Zerr	Kerschen, James	510
1592	Asbury	Kertz, Abigail Christine	846
2316	Asbury	Kertz, Andrew	1382
471	Jones (89)	Kessler, Tommy	297
2886	Frederick	Kettmann, Michael	1693
2400	Gatschenberger	Key, Elizabeth	1382
768	Hubbard	Key, Etta Jeanette	482
2568	Cauthorn	Key, Lesli	1601
2407	Gatschenberger	Kidd, Wayne	1382
370	Fuhr	Kidwell, Mary	289
1777	Keeney	Kiefer, Trenton	913
1039	Neth	Kieffer, Elliott	580
1345	Brown (85)	Kiesewetter, Thomas	712
2902	Ellinger	Killion, Marissa	1693
581	Ruzicka	Kimbler, Ed	366
3100	Still	King, Cidney	1805
2702	Klippenstein	King City	1625
2816	Curtman	King, Clifford	1665
1117	Solon	King, Gabe	580
1082	Solon	King Hurd, Bret	580
3163	Stream	King, Nona	1876
2778	Fraker	King, Pamela	1625
89	Harris	King, Richard	148
2701	Kelly (24)	King, Victoria May	1625
503	Rowland	Kirbyville R-VI School District	306
990	Cierpiot	Kirk, Avery	564
1957	Nolte	Kirk, Kevin Patrick	1183
2349	Stream	Kirkwood High School	1382
1289	Leara	Kissel, Brian	678
1591	Asbury	Kitchen, Cheyanne Dawn	846
1980	Fraker	Kite, Ruth Ann	1183
3296	Fraker	Kittrell, Phillip and Rose Carolyn	2177
2635	Hummel	Kitwoski, Joseph	1601
1162	Sifton	Kiveric, Samra	602

No.	Author	Subject	Page Reference
190	Bernskoetter	Klatt, Ronald	196
3362	Leara	Klein, Sandra	2255
2032	Cauthorn	Kleindienst, Ethan	1243
2124	Zerr	Kleinschmidt, David	1273
2985	Kander	Klem, Jonathan	1748
1100	Solon	Kling, Tyler	580
1385	Wyatt	Klinginsmith, Ray	735
2738	Kander	Klinkenberg, Kevin	1625
1180	Loehner	Klott, Adrain	614
2387	Gatschenberger	Klug, Pat	1382
3450	Marshall	Kluge, Christa	2442
273	Kander	Knedlik, Lana	216
1269	Parkinson	Kneemiller, Austin	678
1379	Richardson	Kneir, Vernon and Peggy	735
661	Crawford	Knight, Eva Davis	402
2831	Cross	Knipp, Clara	1665
3150	McDonald	Knoche, Herman	1876
2823	Cross	Knox, Kevin	1665
3168	Riddle	Koelling, Emma	1876
3187	Keeney	Kohl, Colin	1876
1315	Leara	Kohnen, Kathryn	678
848	Zerr	Kohrs, Bailey	510
584	Bernskoetter	Kolb, Larry and Steve Rollins	366
524	Silvey	Koller, Jared Austin	306
3116	Scharnhorst	Konecnik, Tyson	1805
3486	Lauer	Koons, William	2596
822	Quinn	Kopff, Carol	495
1588	Asbury	Korff, Kimberly Chiemi	846
1337	Brown (85)	Korpecki, John	712
1683	Houghton	Korte, Ted	846
1170	Neth	Kovac, Mitchell	602
1937	Gosen	Krafcik, James	1183
2841	Still	Kraft Foods Oscar Mayer Plant	1665
2853	Brown (85)	Kramper, Erin	1693
1801	Keeney	Kranjec, Kristofer	913
1745	Scharnhorst	Kraus, Caroline	913
1596	Asbury	Kribbs, Kaitlin Sue	846

No.	Author	Subject	Page Reference
3447	Schupp	Kriegshauer, Sarah	2442
1507	Shumake	Kristofferson, Betty	832
1508	Shumake	Kristofferson, Randall	832
1296	Leara	Kroll, Hannah	678
2336	Cauthorn	Krueger, Noah	1382
2202	Asbury	Kruse, David	1304
3427	McDonald	Kueker, Kayla	2442
150	Stream	Kuhlmann, Eric	169
740	Jones (89)	Kuklo, Timothy	443
2115	Kander	Kurtz, John	1273
1722	Scharnhorst	Laaker, Natalie	913
2775	Fraker	Lace, Daryl	1625
2774	Fraker	Lace, Sandra	1625
566	Ruzicka	Lacey, Jason	356
663	Quinn	LaChance, Jimmy	402
1920	Phillips	Lael, Steve	1183
1237	Conway (27)	Lafayette High School Boys Basketball	678
849	Zerr	Lafeber, Ashton	510
1478	Kelly (24)	Laffey, Mary	789
1231	Neth	Laffoon, Katrina	646
1644	Fuhr	Lafser, Sarah	846
1956	Nolte	Laird, Charles	1183
1897	Grisamore	Lalumondier, Justin	1183
103	Leara	Lamanna, Sandi	163
1133	Kelley (126)	Lamar Elementary School	580
3225	Kelley (126)	Lamar Democrat	2057
245	Kelley (126)	Lamar R-I School District	216
2662	Diehl	Lambie, Carter	1601
21	Kirkton	Lambole, Diane	71
410	Guernsey	Lamme, Bob and Earlene	289
569	Shively	Lammers, Hester	366
2292	Kratky	LaMontange, Janet	1311
813	Shumake	Land, Rebekah	495
1768	Keeney	Landewee, Abby	913
1764	Keeney	Landewee, Seth	913
3098	Day	Landreth, Kyleigh	1805
2610	Asbury	Landrum, Alexis	1601

No.	Author	Subject	Page Reference
1433	Gatschenberger	Lane, Katherine	764
3485	Quinn	Lang, Dale	2596
1126	Solon	Langston, Alex	580
3169	Riddle	Langworthy, Bailey	1876
1241	Black	Lapland, Leamay	678
624	Hoskins (121)	Larimore, Jonathan James	387
392	Hoskins (121)	Larocque, Chase	289
1749	Scharnhorst	Larson, Brendan	913
2472	Berry	Larson, Erica Grace	1427
229	Swearingen	Larson, James Martin	208
1919	Phillips	Larson, Rick	1183
2079	Asbury	LaRue, Will	1273
3234	Johnson	Lash, Howard and Clara	2057
1792	Keeney	Lasley, Brian	913
904	White	Lassman, Murle and Edna	532
1505	Nance	Laswell, Jerry and Doris	832
3271	Day	Laughlin, Jason	2057
1800	Keeney	Laut, Andrew	913
2169	Asbury	Lawrence, Mystic	1304
1148	Schieber	Lawson, Nicholas Brian	602
1903	Schad	Lawson, Cole	1183
2819	Cross	Lawson, Kayley	1665
2604	Asbury	Lay, Brianna	1601
921	Guernsey	Lea, Maddix Ryan	545
360	Sater	LeadingAge Missouri	289
553	Neth	Lean, Jeffrey Brendan	339
625	Hoskins (121)	Leary, Brendan	387
1568	Cross	Lebermann, Molly	846
2918	Ellinger	Lee Davis, Semont	1693
1062	Solon	Lee, Joanne	580
2728	Grisamore	Lee, Julie	1625
2579	Franz	Lee, Young	1601
1419	Grisamore	Lee's Summit North High School Boys Cross Country	764
1420	Grisamore	Lee's Summit West High School Girls Cross Country	764
1421	Grisamore	Lee's Summit West High School Football Titans	764
1554	Grisamore	Lee's Summit Basketball Hawks	846
1555	Grisamore	Lee's Summit Green Hornets	846

No.	Author	Subject	Page Reference
2313	Grisamore	Lee's Summit West High School Westside Girls Dance	1382
400	Lichtenegger	Leet Eye Care	289
1188	McManus	Leetch, McKenna	614
1195	McManus	Leetch, Jillian	614
984	Cierpiot	Legate, Levi	564
1806	Quinn	Lehenbauer, Maurice John	913
338	Lampe	Lehman, Jessica	258
1548	Cierpiot	LeJune, Brittany	832
3471	Talboy	Lennon, Brianna	2596
850	Zerr	Leonard, Annelise	510
1259	Cierpiot	Lepper, Mallory	678
983	Cierpiot	Leslie, Joel	564
1349	Franklin	Leslie, Susan	712
693	Hoskins (121)	Levine, Karen	414
3133	Jones (63)	Levy, Daniel	1805
2171	Asbury	Lewis, Ashley	1304
3416	McDonald	Lewis, Hailie	2442
3440	Schupp	Lewis, Michelle	2442
2457	Bernskoetter	Lewis, Skylar	1427
3042	Crawford	Lewton, Grant	1805
246	Kelley (126)	Liberal R-II School District	216
232	Johnson	Liechti, George	208
2132	McGhee	LifeFlight Base Lafayette County Christine Zalar	1273
1540	Cierpiot	Lilly, Micalah	832
211	Haefner	Lin, Sylvia	208
108	Leara	Lindbergh Early Childhood Education Facility	163
3226	Swinger	Lindley, Jim	2057
422	Montecillo	Lindor, Jefferson	297
3333	Stream	Lindquist, Christine	2177
219	Haefner	Lininger, Austin	208
2300	Asbury	Linneman, Mitchell	1311
2039	Cauthorn	Linneman, Asa	1243
1342	Brown (85)	Linomaz, Jacob	712
136	Shumake	Lionberger, Julia Smoot	169
377	Fuhr	Lipina, Jacob	289
2319	Asbury	Lippelman, Elizabeth	1382
8	Lant	Lippert, Jacob	19

No.	Author	Subject	Page Reference
1440	Gatschenberger	Litschgi, Katie	764
643	Guernsey	Little Claras Garden	402
1990	Lant	Littlefield, John Paul	1213
2920	Dugger	Litwiller, Suzette	1693
1813	Keeney	Lix, Wyatt	1154
1961	Lair	Lock, Harriett	1183
964	Cierpiot	Lock, Tommy	564
2754	Cauthorn	Lockwood, Samuel	1625
247	Kelley (126)	Lockwood R-I School District	216
2189	Asbury	Loeber, Mark	1304
939	Lichtenegger	Loenneke, Becky	545
1009	McManus	Loethen, Eric	580
1477	Kelly (24)	Loftin, Benjamin	789
82	Thomson	Logan, Marlin	141
2658	Diehl	Loitman, Charles	1601
2605	Asbury	Long, Audrey	1601
1599	Asbury	Long, Lazarus Roman	846
2134	Klippenstein	Long, Mark	1273
991	Cierpiot	Long, Ryli	564
3109	Scharnhorst	Looney, Taylor	1805
2228	Brown (85)	Loretta, Claire	1304
775	Jones (89)	Loseman, Faith	482
486	Jones (89)	Lotz, Allyson	297
1465	Schad	Love, Emily	789
2901	Ellinger	Love, Jamario	1693
1510	Cierpiot	Lovelace, Connor	832
2477	Berry	Lowe, Stefanie Elizabeth	1427
384	Fuhr	Lozano Cervantes, Estefani	289
1689	Swinger	Luce, Bradley	846
1405	Sifton	Ludwick, Erin	735
340	Lampe	Ludwig, Trent	258
3442	Schupp	Luebbert, Carli	2442
2843	Hoskins (121)	Lujan, Randall	1693
3344	Brown (50)	Lujin, Karen	2255
157	Wallingford	Lunsford, Albert and Marian	169
2177	Asbury	Lunt, Michelle	1304
2660	Diehl	Lustman, Sasha	1601

No.	Author	Subject	Page Reference
509	Rowland	Lutie R-VI School District	306
546	Schieber	Luton, Adam David	339
2252	Montecillo	Luzecky, Ellen	1304
1128	Solon	Luzinski, Gabe	580
1347	McManus	Lykins, Christopher	712
1909	Schad	Lyle, Dylan	1183
1010	McManus	Lyman, Samuel	580
171	Lauer	Lynn, Andrew	169
3195	Long	Lythjohan, Marjorie	1876
1083	Solon	MacDonald, Bryn	580
1105	Solon	Mach, Tim	580
1029	Kirkton	Mackowiak, Jane	580
1835	Shively	Macon County Health Department	1154
2455	Bernskoetter	Maddox, Kyle	1427
683	Lauer	Madsen, Justin Ryan	414
1630	Hough	Maggard, Ronald	846
3046	Crawford	Maggard, Thomas	1805
331	Lampe	Maggert, Meaghann	258
635	Wyatt	Magruder, Jack	387
1695	Grisamore	Maintz, Dalton	846
565	Richardson	Maize, Ethel	356
1017	McManus	Malcolm, Sydney	580
2238	Hampton	Malden High School Beta Club	1304
3470	Talboy	Malecki, Madeline	2596
1940	Gosen	Malin, Aaron	1183
3358	Leara	Malke, Tracy	2255
2592	Franz	Malko, Megan	1601
1320	Nance	Mallott, Christopher	678
913	Guernsey	Maloney, Ross James	545
899	Kelley (126)	Mammen, Harold Rick	510
165	Dugger	Manes R-V School District	169
3260	Kelley (126)	Maneval, Adam	2057
1930	Hinson	Manhart, Christopher	1183
86	Schupp	Manne, Marshall	148
2695	Cauthorn	Manns, Cooper	1625
535	Klippenstein	Manring, Gordon M.	321
164	Dugger	Mansfield R-IV School District	169

No.	Author	Subject	Page Reference
2527	Kelley (126)	Marcano, Nicholas	1427
1578	Allen	Marcolina, Rebecca	846
2811	Franz	Marhefka, Elizabeth	1665
46	Loehner	Maries County R-I	90
618	Fuhr	Marinaro, Rachel	387
396	Shumake	Marion County R-II School District	289
2025	Redmon	Marion County High School Girls Basketball	1243
504	Rowland	Mark Twain R-VIII School District	306
2929	Shumake	Markell, Colette	1693
1015	McManus	Marko, Alex	580
3372	Berry	Marley, Logan	2442
1492	Asbury	Marquis, Nicole	832
1734	Scharnhorst	Mars, Justin	913
116	Schad	Marsh, Frederick	163
1014	McManus	Marsh, Emily	580
1247	Solon	Marshall, Amanda Nicole	678
2257	Swinger	Marshall, Chris	1311
430	Diehl	Marshall, Ryan Daniel	297
2082	Asbury	Martin, Ashton	1273
1847	Grisamore	Martin, Avery	1183
2824	Cross	Martin, Bailey	1665
254	Brown (85)	Martin, Erin	216
102	Leara	Martin, John and Charlotte	163
2900	Ellinger	Martin, Kyren	1693
2350	Phillips	Martin, Shelia	1382
2756	Cauthorn	Martin, Thomas	1625
2117	Kander	Marvin, John	1273
574	Nolte	Marx, Robert	366
1229	Faith	Maschmeier, Daniel	646
1318	Nance	Masey, Jonathan	678
2954	Cross	Mason, Garrett	1748
1497	Asbury	Mason, Scott	832
827	Webb	Massey, Davril	510
1890	Grisamore	Massey, James	1183
3431	Bahr	MasterCard O'Fallon	2442
1621	Cierpiot	Masters, Emily	846
750	Dugger	Masterson, Faith	464



No.	Author	Subject	Page Reference
2406	Gatschenberger	Matheny, Taylor	1382
3293	Swinger	Mathis, Willene	2177
2888	Frederick	Matlock, Brett	1693
1696	Grisamore	Matney, Cori	846
1886	Grisamore	Matthew, Ryan	1183
2947	Aull	Maupin, Beverly	1748
2033	Cauthorn	Maupin, Tara	1243
1319	Nance	Maxwell, Quinton	678
1517	Cierpiot	Maxwell, Paige	832
613	Fuhr	Mayberry, Ashley	387
2729	Grisamore	Mayer, Rebeckah	1625
314	Keeney	Mayfield, Connie	243
1824	Keeney	Mayfield, Hayden	1154
1786	Keeney	Mayfield, Ethan	913
280	Ruzicka	Mayfield, Jack	232
3208	Jones (89)	Mayfield, Tad	1876
2464	Wright	Mayo, Jim and Sue	1427
2549	Bernskoetter	Mayson, Hampton	1438
101	Leara	Mazdra, Beth	163
2199	Asbury	McAlpin, Justin	1304
100	Leara	McArthur, Elaine	163
2450	Bernskoetter	McCahon, Sara	1427
2274	Richardson	McCann, Vickie	1311
1300	Leara	McCarthy, Jack	678
888	Cauthorn	McClain, Dylan	510
2899	Ellinger	McClendon, Brittany	1693
1458	Taylor	McCluer North High School Boys Basketball Stars	789
1069	Solon	McClunie, Tre	580
3079	Day	McClure, David	1805
2441	Denison	McClure, Joey	1427
2090	Asbury	McCluskey, Taren	1273
497	Schieber	McCollom, Quinn Frederick	297
1626	Houghton	McCollum, Justin	846
1363	Johnson	McCool, A.C. and Elaine	712
2784	Cauthorn	McCord, Paige	1625
753	Schoeller	McCourt, Archie	464
1812	Keeney	McCoy, Adrian	1154

No.	Author	Subject	Page Reference
945	Guernsey	McCoy, Dean and Virginia	545
711	Bernskoetter	McCoy, Michael	443
2561	Swinger	McCrary, Lana	1438
1983	Phillips	McCullough, Loretta	1213
1984	Phillips	McCullough, Caroll	1213
1911	Schad	McDaniel, Audrey	1183
534	Kelley (126)	McDonald, Iva	321
955	Klippenstein	McDowell, Wesley Henry Scherler	545
1721	Scharnhorst	McDowell, Kelsey	913
2871	Franklin	McDowell, Kourtney	1693
1013	McManus	McEnroe, Justin	580
478	Jones (89)	McGary, Kyle	297
1255	Cierpiot	McGee, Cierra	678
1541	Cierpiot	McGee, Olivia	832
3336	Johnson	McGhee, Larry and Sarah	2255
1530	Cierpiot	McGill, Madeline	832
2295	Reiboldt	McGinty, Edward Hale	1311
1387	Schieffer	McGlaughlin, Janet	735
1367	Kander	McGonigles Local Market	712
2310	Guernsey	McGowan, Doris	1382
2118	Kander	McGreevy, Susan Linden	1273
3369	Jones (117)	McGuire, Liam Drake	2255
1776	Keeney	McGuire, Taylor	913
1455	Torpey	McHenry, Cari	789
1352	Wieland	McKee, Geraldine Gerri	712
3423	McDonald	McKelvey, Julia	2442
2685	Cauthorn	McKeown, Rory	1625
3216	Swinger	McKillip, Bernice	2057
1898	Grisamore	McKinney, Christopher	1183
2826	Cross	McKinney, Max	1665
2687	Cauthorn	McManus, Matt	1625
1144	Schieber	McMichael, Adam Joseph	602
1896	Grisamore	McMilian, Kevin	1183
1829	Molendorp	McMillin, Paula	1154
2670	Diehl	McNeill, Hadley	1601
2521	Kelley (126)	McNellis, Tanigha	1427
1007	Faith	McPheeters, Thomas	580

No.	Author	Subject	Page Reference
851	Zerr	McPherson, Michaela	510
3476	Swinger	McRaven, William	2596
774	Jones (89)	McReynolds, Ally	482
628	Johnson	McVey, Loletia	387
2535	Bernskoetter	Mead, Maureen	1427
2010	Riddle	Mealy, Julie	1213
1386	Jones (117)	Medlin, Kenneth and Mary Ann	735
3143	Smith (71)	Meeder, James	1876
577	Kander	Meers, Sam and Julie	366
1629	Hough	Mefford, Carl	846
978	Kratky	Mehan, Richard	564
2978	Schad	Meili, Joseph	1748
3031	Schoeller	Meinsen, Benjamin Glen	1805
2628	Riddle	Meller, Kathy	1601
2930	Richardson	Meloy, Rhonda	1693
1512	Cierpiot	Melton, Molly	832
3446	Schupp	Meluso, Maria	2442
781	Jones (89)	Menchella, Meghan	482
1840	Lair	Meneely, Doriene Gail	1154
178	Smith (150)	Meramec Electrical Products Company	196
668	Wyatt	Meredith, Coty Jeffries	414
3153	McDonald	Merlos, Miguel	1876
2730	Grisamore	Merrell, Kristen	1625
2734	Grisamore	Merrell, Tom	1625
318	Jones (117)	Merrill, Zachary	243
2957	Cross	Merritt, Miriam	1748
2792	Bernskoetter	Mertens, Mary Beth	1665
2003	Berry	Mertz, Kayla	1213
852	Zerr	Mertz, Matthew	510
853	Zerr	Mertz, Michaela	510
3455	Franz	Meschino, Lauren	2442
1457	Schieffer	Metzger, John and Lillian	789
820	Cauthorn	Mexico High School Wrestling Bulldogs	495
1602	Cauthorn	Mexico High School Boys Basketball Bulldogs	846
938	Leara	Meyer, Michael	545
483	Jones (89)	Meyer, Tanner	297
1725	Scharnhorst	Meyer, Trevor	913

No.	Author	Subject	Page Reference
3062	Lair	Michael, Charles	1805
1095	Solon	Michael, Corbin	580
1714	Scharnhorst	Michalek, Anna	913
216	Haefner	Michalski, Jordan	208
2975	Schad	Michitsch, Hannah	1748
2514	Wallingford	Mickan, Austin	1427
121	Meadows	MidAmerica Solar	169
2643	Wright	Middleton, John	1601
2651	Wright	Middleton, John	1601
1238	Brattin	Midway R-I School District	678
3162	Nolte	Midwest Small Business Finance	1876
1865	Grisamore	Miesner, Cole	1183
2064	Quinn	Miles, Joe and Marilyn	1243
3449	Schupp	Milke, Benjamin	2442
1327	Tilley	Miller, Theodore Ted	712
3020	Webb	Miller, Alexandra	1748
2405	Gatschenberger	Miller, Alik	1382
3390	Berry	Miller, Ally	2442
2847	Brown (85)	Miller, Anna	1693
660	Crawford	Miller, Charles and Charlyne	402
59	Kirkton	Miller, Edward Greyson Ted	90
1950	Schad	Miller, Elizabeth Christen	1183
3081	Day	Miller, Jamie	1805
3424	McDonald	Miller, Jasmine	2442
73	Hinson	Miller, Jerry	99
2446	Bernskoetter	Miller, Joe	1427
189	Bernskoetter	Miller, Joseph	196
1152	Sifton	Miller, Justin	602
1680	Riddle	Miller, Michael	846
854	Zerr	Miller, Trevor	510
1656	Solon	Mills, Alexia	846
2569	Cauthorn	Mills, Conner	1601
1788	Keeney	Mills, Jillian	913
855	Zerr	Minter, Adam	510
1278	Nolte	Mischke, Emily Elizabeth	678
265	McGhee	Missouri National Guard 135th Military Detachment	216
805	Jones (63)	Missouri Charter Public School Association	495

No.	Author	Subject	Page Reference
828	Zerr	Missouri Society of Sons of American Revolution	510
951	Cauthorn	Missouri Military Academy Rifle Team	545
1228	Tilley	Missouri Community College Association	646
1826	Long	Missouri Pregnancy Resource Centers	1154, 1230, 1649-1650, 1794, 2201, 2201-2203, 2201-2204
2060	Korman	Missouri Professional Auctioneers Association	1243
810	Korman	Missouri 4H Shooting Sports	495
184	Torpey	Missouri State Association of Parliamentarians	196
1022	Leach	Missouri State University Mens Basketball Bears	580
283	Wright	Mitchell, Bradley Allen	232
1613	Cierpiot	Mitchell, Alexis	846
856	Zerr	Mitchell, Jacinta	510
2495	Day	Moats, Valerie	1427
2008	Solon	Modrell, Anthony Lee	1213
1716	Scharnhorst	Moeller, Johanna	913
1204	Cierpiot	Mohamed, Gadiid	614
607	Fuhr	Mohesky, Ross	387
2355	Gatschenberger	Mollerus, Jim	1382
3380	Berry	Monaghan, Brynn	2442
563	Richardson	Monday Literary Club	356
748	Sater	Monett Community Kitchen	464
2997	McGhee	Monroe, William	1748
397	Shumake	Monroe City R-I School District	289
3402	Schupp	Monsanto Project Care	2442
3403	Schupp	Monsanto Hawaii Research Team	2442
3404	Schupp	Monsanto Camacari Team	2442
3406	Schupp	Monsanto Soybean Team	2442
3407	Schupp	Monsanto Americas Farmers	2442
3405	Schupp	Monsanto Haiti Team	2442
866	Zerr	Montasser, Ashley	510
640	Hampton	Montgomery, Sharon	387
1635	Schieffer	Montgomery, James	846
2483	Hubbard	Montgomery, June	1427
2800	Franz	Montgomery, Brandi	1665
3165	Riddle	Montgomery, Emily	1876
3222	Shively	Montgomery, Teresa	2057
2629	Hummel	Moody, Grace	1601

No.	Author	Subject	Page Reference
3194	Hoskins (121)	Moon, Leslee Ann	1876
2584	Franz	Mooney, Hannah	1601
1057	Solon	Moore, Stephanie	580
3420	McDonald	Moore, Christopher	2442
206	Jones (89)	Moore, Ann	196
3094	Day	Moore, Austin	1805
638	Aull	Moore, Brandon	387
2314	Asbury	Moore, Brynden	1382
1558	Cross	Moore, Carter	846
3041	Crawford	Moore, Cody	1805
3190	Keeney	Moore, Jacob	1876
3024	Smith (71)	Moore, Jerrod Daniel	1748
2217	Diehl	Moore, John Trotwood	1304
449	Jones (89)	Moore, Keilah	297
2269	Jones (63)	Moore, Mattie	1311
529	Lauer	Morain, Sandy	306
3373	Berry	Moran, Dylan	2442
974	Keeney	Moreland, Dale	564
3245	Kelley (126)	Morey, Garrett	2057
2141	Kelley (126)	Morey, Karl	1273
2140	Kelley (126)	Morey, Laurie	1273
2173	Asbury	Morgan, Clayton	1304
3053	Crawford	Morgan, Laura	1805
2858	Brown (85)	Mori, Elizabeth	1693
961	Cierpiot	Moritz, Mary	564
1818	Keeney	Morris, Haley	1154
2623	Franz	Morris, Heaven	1601
2325	Asbury	Morris, Sadie	1382
2488	Weter	Morrison, Kristin	1427
3064	Lair	Morrow, Elva	1805
3331	Schieffer	Morrow, Terry	2177
2020	Still	Moser, Daniel	1243
1233	Neth	Moss, Joseph Daniel	646
2161	Zerr	MotoMart FKG Oil	1304
599	Ruzicka	Mount Vernon High School Lady Mountaineers	387
163	Dugger	Mountain Grove R-III School District	169
2283	Franz	Mountain View Birch Tree R-III School District	1311

No.	Author	Subject	Page Reference
1179	Ruzicka	Mt. Vernon COC Citizen of the Year	614
1751	Scharnhorst	Mudd, Daniel	913
1084	Solon	Muehlberger, Michael	580
2418	Gatschenberger	Mueller, Lauren	1382
1562	Cross	Muenks, Bre	846
2525	Kelley (126)	Mullings, Zoey	1427
1665	Solon	Mullins, Nicole	846
288	Hoskins (121)	Munley, Colin Anthony	232
2017	Swinger	Munoz, Araceli	1213
1085	Solon	Munoz, Aubrie	580
2820	Cross	Munsell, Julia	1665
413	Kander	Murano, Beth	297
1288	Redmon	Murphy, William	678
2258	Swinger	Murphy, Michael	1311
2936	Lair	Murphy, Jenny	1693
1401	Sifton	Murphy, Liz	735
520	Lauer	Murry, Barbara	306
1631	Houghton	Mustell, Helen and Robert	846
3178	Keeney	Myers, Caleb	1876
3183	Keeney	Myers, Hannah	1876
2125	Zerr	Myers, Mike	1273
399	Lichtenegger	Myers, Paula	289
272	Richardson	Myers, Reagan	216
1103	Solon	Nadler, Keely	580
3193	Hubbard	Nahlik, Philip	1876
2114	Kander	Nail, Roger	1273
2386	Gatschenberger	Nannini, Zachari	1382
391	Largent	Nash, Donna	289
1358	Neth	Nason, Alexander Christian	712
212	Haefner	Needham, Alyssa	208
2731	Grisamore	Needles, Susie	1625
281	Thomson	Neff, Lloyd	232
1670	Grisamore	Neighbors, Claire	846
1657	Solon	Neir, Dawson	846
702	Hoskins (121)	Nelson, Beverly	426
2000	Berry	Nelson, Danielle	1213
867	Zerr	Nenninger, Anna	510

No.	Author	Subject	Page Reference
678	Reiboldt	Neosho High School Wrestling Wildcats	414
96	Wallingford	Nesslein, Wayne and Connie	163
2487	Wright	Nestle Purina PetCare Company	1427
168	Wells	Neugebauer, Lonnie Derryl	169
2226	Brown (85)	Neuhoff, Michael	1304
309	Fisher	Nevada R-5 High School Girls Softball Tigers	243
290	Hoskins (121)	Nevels, Steven	232
1118	Solon	Nevin, Kaitlin	580
677	Schatz	New Haven School District	414
1135	Frederick	Newburg High School Boys Basketball Wolves	580
2777	Fraker	Newcomb, Susan	1625
33	Flanigan	Newkirk, John	71
1732	Scharnhorst	Newport, Ryan	913
1198	Reiboldt	Newton County Search and Rescue	614
2272	Jones (63)	Newton, Vickie	1311
257	Brown (85)	Nguyen, Julianna	216
1620	Cierpiot	Nguyen, Nhukha	846
2293	Colona	Niagara Foundation and Turkish American Foundation	1311
2937	Cierpiot	Nichols, Allen	1693
927	Guernsey	Nichols, Jeff	545
2493	Day	Nickels, Adele	1427
2617	Franz	Niehaus, Ethan	1601
1925	Phillips	Nieman, DeAnn	1183
1487	Wright	Niemczyk, Rhonda	832
2916	Ellinger	Niere, Carole	1693
2538	Fuhr	Nieters, Matthew John	1438
143	Kander	Nilsen, Dan	169
2023	Hoskins (121)	Nimmer, Donald	1243
3341	Elmer	Nixa R-II School District	2255
2439	Haefner	Noble, Terry	1427
1450	Hampton	Noblin, Kris	764
953	Leara	Noles Properties	545
215	Haefner	Norberg, Alyssa	208
2104	Asbury	Norbury, Gracy	1273
3007	Cauthorn	Nordwald, Karina	1748
2113	Kander	Norman, Phyllis	1273
177	Smith (71)	Normandy School District Board of Education	196



No.	Author	Subject	Page Reference
3205	McGhee	Norris, John	1876
2691	Cauthorn	Norton, James	1625
160	Dugger	Norwood R-I School District	169
4	Jones (89)	Notifies Governor House and Senate in session	16,52
2097	Asbury	Nuhn, Ella	1273
2481	Berry	Nurse, Daniel Paul	1427
2984	Kander	O'Brien, Tim	1748
664	Wyatt	O'Brien, Xavier Christian	414
1671	Grisamore	O'Bryan, Jake	846
1859	Grisamore	O'Connor, Alec	1183
3483	Burlison	O'Donnell, Scott	2596
558	Haefner	O'Driscoll, Tom	356
3368	Stream	O'Hallaron, Matthew John	2255
2529	Kelley (126)	O'Leary, Megan	1427
1329	Solon	Oak Grove Boys Basketball Panthers	712
1981	Solon	Oak Grove Boys Baseball Panthers	1183
708	Solon	Oak Grove High School Wrestling Panthers	443
1969	Haefner	Oakville High School Boys Soccer Tigers	1183
1970	Haefner	Oakville High School Boys Baseball Tigers 1977	1183
1672	Grisamore	Ocampo, Natalie	846
1910	Schad	Ochesky, Victoria	1183
2496	Day	Odle, Marilyn	1427
2234	Brown (85)	Ohlendorf, Abby	1304
868	Zerr	Olendorff, Austin	510
1549	Cierpiot	Oliva, Melanie	832
1982	Wright	Oliver, Karen Jeannine	1183
1332	Kander	One More Cup	712
889	Brown (116)	Opie, Marvin	510
92	Day	Orebaugh, Jim	163
1070	Solon	Orel, Patrick	580
1316	Leara	Orf, Maggie	678
630	Higdon	Organ, Fred and Karen	387
986	Cierpiot	Orlando, Anthony	564
2417	Gatschenberger	Orle, Megan	1382
408	Guernsey	Orndorff, Gabe	289
295	Johnson	Orth, Leland and Rutha Jane	232
47	Loehner	Osage County R-I	90

No.	Author	Subject	Page Reference
48	Loehner	Osage County R-II	90
49	Loehner	Osage County R-III	90
3206	McGhee	Osborn, Brody	1876
128	Crawford	Osceola School District	169
197	Wyatt	Osseck, Jenna	196
326	Kander	Ost Everley, Betty	258
3038	Crawford	Ott, Alyssa	1805
3253	Kelley (126)	Ott, Matti	2057
179	Flanigan	Ott, Ruby Marguerite	196
1447	Ruzicka	Ottendorf, Vada	764
2452	Bernskoetter	Ousley, Kimberly	1427
1830	Molendorp	Owen, Sharon	1154
1266	Cierpiot	Owens, Kaitlyn	678
782	Jones (89)	Owens, Lora	482
2802	Franz	Owens, Nathan	1665
1494	Asbury	Owings, Matthew	832
2080	Asbury	Owings, Thomas	1273
2451	Bernskoetter	Oxley, Cole	1427
140	Weter	Ozark R-VI School District	169
2373	Gatschenberger	Ozier, Adam	1382
2948	Aull	Pace, Janice	1748
1572	Allen	Padberg, Katie	846
2424	Schieber	Pagano, Allyse	1382
3027	Franklin	Page, Alec Thomas	1748
2654	Wright	Page, Kyndel	1601
2963	Cross	Page, Laura	1748
923	Guernsey	Page, Willard Dean and Janice	545
457	Jones (89)	Palm, Courtney	297
394	Shumake	Palmyra R-I School District	289
2839	Still	Palonsky, Stuart	1665
3269	Leara	Papin, Karen	2057
2232	Brown (85)	Pappaspanos, Dan	1304
3346	Smith (150)	Pappert Turner, Angie	2255
3394	Berry	Paredes, Leslie	2442
3398	Berry	Paredes, Leslie	2442
2661	Diehl	Parish, John	1601
3124	Scharnhorst	Park, Alexandria	1805

No.	Author	Subject	Page Reference
3151	McDonald	Park, Madeleine	1876
1060	Solon	Parker, Brody	580
311	Nasheed	Parker, Daisy Maybell	243
3202	Hubbard	Parker, Gary	1876
3085	Day	Parker, Josh	1805
3076	Day	Parker, Skyler	1805
1832	Molendorp	Parkman, Nancy	1154
2270	Jones (63)	Parks, Lillian	1311
2815	Reiboldt	Parks, Sam	1665
2769	Cauthorn	Parnell, Emma	1625
1467	Schad	Parr, Billy	789
1466	Schad	Parr, Trenton	789
1638	Fuhr	Parrott, Daniel William	846
3459	Solon	Parrott, Kathy	2442
3375	Berry	Parry, Caroline	2442
1493	Asbury	Partida, Danielle	832
745	Jones (89)	Passi, Marissa	443
684	Meadows	Passmore, Matthew	414
1130	Solon	Patel, Priya	580
3084	Day	Patterson, Reagan	1805
2144	Kelley (126)	Patterson, Carol Ann	1273
390	Fuhr	Paule, Hannah	289
771	Jones (89)	Paulette, Tia	482
1850	Grisamore	Paulin, Sara	1183
612	Fuhr	Pavlacic, Kevin	387
1924	Phillips	Paxton Ruble, Dorothy	1183
1099	Solon	Payne, Jacklyn	580
2434	Reiboldt	Payne, Peggy	1427
1737	Scharnhorst	Payne, William	913
466	Jones (89)	Pearl, Matt	297
2170	Asbury	Pemberton, Bricelyn	1304
20	Berry	Pence, Robert Joseph	71
2522	Kelley (126)	Pendergrass, Nick	1427
1390	Lichtenegger	Penzel, Carl Gene and Linda	735
2961	Cross	Periman, Savannah	1748
1109	Solon	Perkins, Mikayla	580
3002	Cauthorn	Perkins, Brendon	1748

No.	Author	Subject	Page Reference
637	Aull	Perkins, James	387
2761	Cauthorn	Perkins, Lilly	1625
2865	Franklin	Perkins, Tyler	1693
950	Cauthorn	Perkinson, Kyle	545
2690	Cauthorn	Perll, James	1625
2294	Oxford	Perou, Vanessa	1311
1979	Fraker	Perry, Mamie	1183
1143	Schieber	Petcoff, Bryan William	602
1279	Keeney	Peters, Amelia Mae	678
1528	Cierpiot	Peters, Holly	832
2070	Asbury	Peters, Kylee	1273
3228	Brandom	Peterson, Alec	2057
2499	Day	Peterson, Carol	1427
992	Cierpiot	Petet, Lucy	564
2806	Franz	Petkovic, Zara	1665
1004	Jones (117)	Pettis, Adam	580
2482	Hubbard	Petty, Mary	1427
925	Guernsey	Phaelyn, Cereze Skye	545
94	Fraker	Pharris, Robert Wayne	163
1058	Solon	Phelps, Kylie	580
2436	Reiboldt	Phillips, Jeremy	1427
2747	Cauthorn	Phillips, Tyrese	1625
998	Kelley (126)	Phipps, Mary Ella Harman	564
233	Ellinger	Pichon, Victor	208
2056	Cauthorn	Pickering, Ryan	1243
2315	Asbury	Pierce, Koby	1382
3481	Pierson	Pierson, Tommie Jr.	2596
1831	Molendorp	Pierson, Linda	1154
2589	Franz	Pilcher, Meredith	1601
54	Phillips	Pingleton, Joseph	90
562	Casey	Pinkley, Jacob Alan	356
3036	Talboy	Pipefitters Local 533	1805
3232	Bahr	Placek, Samantha	2057
161	Dugger	Plainview R-VIII School District	169
617	Fuhr	Plassmeyer, Michael	387
1948	Phillips	Platt, Beth	1183
2029	Cauthorn	Poe, Kayla	1243

No.	Author	Subject	Page Reference
2637	Hummel	Poett, Katherine	1601
210	Haefner	Pohl, Brian	208
869	Zerr	Pohl, Sarah	510
802	Webb	Poindexter, Meldrick S.	495
170	Thomson	Polaski, Vivian Beatrice	169
1702	Grisamore	Polina, Austin	846
1444	Wieland	Politte, Brady Douglas	764
1759	Harris	Politte, Nancy	913
153	Reiboldt	Poor, Richard Mickey	169
3318	Reiboldt	Pope, Belinda	2177
3095	Day	Porter, Chelsea	1805
2973	Schad	Porter, Jamie	1748
2009	Redmon	Porter, Richard	1213
800	Webb	Porter, Todd Anthony	495
2212	Diehl	Portnoi, Tally Ethel	1304
14	Leach	Positronic Industries	19
3284	Day	Posten, Patrick	2057
909	Fuhr	Poston, Howard	532
3051	Crawford	Potter, Ginny	1805
361	Keeney	Potter, Sanford	289
1655	Solon	Potts, Nicole	846
1189	McManus	Poudel, Rabin	614
1251	Jones (117)	Powell, Allen	678
761	Hough	Powell, Darin	482
1108	Solon	Powell, Jordan	580
2644	Wright	Powers, Heather	1601
2603	Asbury	Prajapati, Dhruv	1601
718	Bernskoetter	Prasad, Erica	443
897	Leach	Pratt, Garrett Cole	510
2427	Curtman	Preiss, Helen	1382
2671	Diehl	Present, Megan	1601
2026	Denison	Presley, Lloyd Hobart	1243
65	Phillips	Presley, Melvin Lee and Florence Elaine	99
266	Cross	Preston, Alan Lloyd	216
237	Guernsey	Preston, Dalton	208
1086	Solon	Preudhomme, Kody	580
6	Jones (89)	Price, William Ray, Jr.	17-18, 18

No.	Author	Subject	Page Reference
2335	Cauthorn	Prince, Maddie	1382
2044	Cauthorn	Prince, Shelbi	1243
2825	Cross	Prins, Cade	1665
3005	Cauthorn	Prior, Ethan	1748
2827	Cross	Pritchett, Nick	1665
415	Houghton	Pritchett, Slade	297
1217	Gosen	Proemsey, Michael Kristich	614
2453	Bernskoetter	Propst, Caleb	1427
870	Zerr	Prost, Curtis	510
2585	Franz	Protsenko, Anna	1601
2555	Bernskoetter	Pruett, Romall	1438
1110	Solon	Pruitt, Jhallaya	580
2146	Webber	Pruitt, Stella	1273
3274	Day	Pryor, Kristin	2057
2812	Franz	Pshonyak, Nadia	1665
1373	Cookson	PSRS PEERS	712
2846	Brown (85)	Pudlowski, Jared	1693
797	Webb	Pugh, Jeffrey Rashad	495
3322	Pace	Pugh, Stracey	2177
764	Klippenstein	Pulliam, Don	482
2564	Cauthorn	Quinlan, Lauren	1601
1743	Scharnhorst	Quinlivan, Charlie	913
1566	Cross	Quinn, Jolie	846
682	Lauer	Quinn, Kevin	414
2139	Wyatt	Quint, Uarda	1273
218	Haefner	Rabin, Donald	208
111	Wells	Raby, Fred	163
812	Shumake	Rachel Smith	495
1750	Scharnhorst	Rachid, Joe	913
1650	Cookson	Rackley, Lucy Ellen	846
3217	Swinger	Rackley, Susan	2057
1838	Lair	Radcliff, Betty Sue Kinder	1154
1902	Grisamore	Radinovic, Dimitrije	1183
1543	Cierpiot	Ragland, Cade	832
490	Fraker	Ragsdale, Cecil	297
69	Guernsey	Rainey, Arieonna Grace	99
639	Hampton	Rainey, Isadore	387

No.	Author	Subject	Page Reference
1823	Keeney	Rainey, Tess	1154
2447	Bernskoetter	Rakow, Todd	1427
2367	Gatschenberger	Raley, Colton	1382
395	Shumake	Ralls County R-II School District	289
2577	Cauthorn	Ramirez, Mayra	1601
2463	Wright	Randall and Debbie Swindle On the Go	1427
458	Jones (89)	Randazzo, Paige	297
697	Casey	Randl, Wayne	414
1938	Gosen	Randolph, Culver	1183
2227	Brown (85)	Raney, Megan	1304
1833	Molendorp	Rangel, Marcia	1154
2333	Cauthorn	Ransom, Lauren	1382
2849	Brown (85)	Rapisardo, Matthew	1693
1643	Fuhr	Rapp, Sarah	846
1307	Leara	Rathert, Libby	678
99	Leara	Rathjen, Nancy	163
1183	McManus	Ratigan, Hannah	614
962	Cierpiot	Ratliff, Brooks	564
2720	Day	Ray, Austin Wade	1625
1115	Solon	Ray, Brandon	580
1634	Schieffer	Ray, Faith Cookie	846
3080	Day	Ray, Kelsey	1805
545	Quinn	Ray, Sarah	339
633	Wyatt	Rayton, Ranee	387
1778	Keeney	Reagan, LeeAnna	913
1290	Leara	Reardon, Madeline	678
2148	Johnson	Reardon, Wayne and Mary	1273
2385	Gatschenberger	Reaster, Walter	1382
2291	Brown (85)	Rebello, Michael and Elizabeth	1311
1340	Brown (85)	Rechtien, Natalie	712
3412	Aull	Rector, Gilbert Wayne and Edith Darlene	2442
515	Lant	Redings Mill Fire Protection District	306
294	Hoskins (121)	Reed, Alex C.	232
1577	Allen	Reed, Alyssa	846
763	Cookson	Reed, George Franklin	482
209	Haefner	Reed, Katie	208
2599	Asbury	Reed, LeeAndre	1601

No.	Author	Subject	Page Reference
1932	Gosen	Reed, Nicholas	1183
514	Jones (89)	Reed, Sabrina Dawn	306
63	Phillips	Reeds Spring R-IV School District	99
158	Riddle	Rees, Gary Lee	169
2489	Day	Reese, Joann	1427
541	Kander	Reeves Wiedeman	321
1649	Cookson	Reeves, Josephine Grooms	846
1225	McGhee	Register, Dylon	646
719	Bernskoetter	Rehagen, Matthew	443
2372	Gatschenberger	Reid, Cody	1382
1146	Schieber	Reid, Colton Raine	602
1147	Schieber	Reid, Dakota Alex	602
426	Largent	Reid, Westley	297
3419	McDonald	Reiley, Travis	2442
1281	Torpey	Reilly, Joshua Hunt	678
947	Cauthorn	Reindel, Matthew	545
2889	Wells	Rejep, Olga	1693
795	Webb	Releford, Carlton	495
1623	Houghton	Remley, Rhonda	846
2618	Franz	Renegar, Shelly	1601
2077	Asbury	Reno, Chyanne	1273
2065	Asbury	Reno, Lesley	1273
1298	Leara	Renschen, Mary Katherine	678
135	Funderburk	RespondRight EMS Academy	169
2416	Gatschenberger	Rettell, Samantha	1382
137	Nolte	Revenaugh, Mark	169
375	Fuhr	Revilla, John	289
1719	Scharnhorst	Reynolds, Abram	913
2562	Torpey	Reynolds, Andrew Warren	1601
2898	Ellinger	Reynolds, Anisa	1693
2719	Day	Reznicek, Wesley Daniel	1625
814	Webber	Rhoades, Eltonya	495
543	Korman	Rhoads, Adam	339
2640	Wright	Rhodes, Laura	1601
657	Leara	Rhomberg, Leonard	402
346	Zimmerman	Rice, Edward Matthew	258
1857	Grisamore	Rice, Emma	1183



No.	Author	Subject	Page Reference
1454	Torpey	Rice, Sheree	789
1322	Keeney	Rice, William and Nadean	678
2563	Lichtenegger	Richardet, Randy	1601
933	Leara	Richards, Amy	545
3049	Crawford	Richards, Josh	1805
2281	Franz	Richards R-V School District	1311
680	Hinson	Richardson, Orville and Geneva	414
901	Curls	Richardson, Elwanda	510
2098	Asbury	Richardson, Abigail	1273
2550	Bernskoetter	Richardson, Robert Hunter	1438
2732	Grisamore	Richardson, Becky	1625
1996	Berry	Richie, Nick	1213
2500	Day	Rickert, Robert John, Jr.	1427
194	Faith	Ricketts, Mike	196
2672	Jones (89)	Ridge Meadows Elementary School	1601
2086	Asbury	Ridgway, Cayden	1273
411	Cauthorn	Ridgway, Mitch	289
1565	Cross	Ridnour, Carly	846
1234	Berry	Riead, Nellie	646
3409	Lampe	Rieman, Kyle	2442
441	Holsman	Riggs, Robert Taylor	297
1753	Lair	Riggs, Ruby	913
1055	Solon	Righi, Sydney	580
1500	Asbury	Riles, Preston	832
2018	Swinger	Riley, Alexis	1213
2866	Fraker	Riley, Austin	1693
2384	Gatschenberger	Riley, Chris	1382
1503	Asbury	Riley, Trae	832
1127	Solon	Rimmer, Trevor	580
68	Reiboldt	Rinehart, Vernon and Marceline	99
1891	Grisamore	Ring, Gracie	1183
1335	Brown (85)	Ringwald, Bridget	712
2773	Cauthorn	Rinhart, Lindsay	1625
1658	Solon	Rippee, Olivia	846
3008	Cauthorn	Ripportella, Starla	1748
1041	Bahr	Ritchie, Logan	580
1161	Sifton	Rite, Lisa	602

No.	Author	Subject	Page Reference
2156	Lasater	Rittel, Alex Jonathan	1304
1863	Grisamore	Rivera, Jonah	1183
2928	Shumake	Roach, Marilyn	1693
2950	Keeney	Roark, Randy	1748
893	Torpey	Robb, John	510
894	Torpey	Robb, Tom	510
647	Leach	Roberds, Joe	402
691	Hoskins (121)	Roberson, Willie	414
690	Hoskins (121)	Roberson, Mary	414
380	Fuhr	Robert, Samantha	289
536	Fraker	Roberts, Nicholas	321
493	Fraker	Roberts, Bill	297
1263	Cierpiot	Roberts, Kylea	678
1878	Grisamore	Roberts, Lauren	1183
1488	Nolte	Roberts, Ryan Jacob	832
2801	Franz	Roberts, Santana	1665
2088	Asbury	Roberts, Trinity	1273
1090	Solon	Robertson, Colton	580
2733	Grisamore	Robertson, Jackie	1625
2869	Franklin	Robertson, Jebediah	1693
1846	Still	Robertson, Tim	1154
3073	Franklin	Robinett, Terry	1805
1717	Scharnhorst	Robinson, Myles	913
3386	Berry	Robinson, Andrew	2442
2808	Franz	Robinson, Max	1665
1353	Pollock	Robinson, Nine Edith Fike	712
456	Jones (89)	Robinson, Tiara	297
2688	Cauthorn	Robnett, Mackenzie	1625
2219	Diehl	Robson, Anna Leigh	1304
721	Bernskoetter	Rockers, Abby	443
1094	Solon	Rockwell, Matthew	580
2949	Aull	Roehrs, Maureen	1748
455	Jones (89)	Rogan, Michaela	297
1675	Grisamore	Roganti, Anthony	846
480	Jones (89)	Rogers, Shannon	297
575	Zerr	Rogers, Amy	366
2925	Dugger	Rogers, Robert	1693

No.	Author	Subject	Page Reference
871	Zerr	Rohan, Philip	510
2964	Cross	Rokos, Alyssa	1748
2718	Day	Rollins, Karissa Rae	1625
2834	Kander	Rolofson, Chad	1665
2404	Gatschenberger	Rommel, Cole	1382
1738	Scharnhorst	Ronecker, Elizabeth	913
1597	Asbury	Ronimous, Johnathan Quentin	846
2683	Tilley	Roosevelt Elementary Schools	1625
2750	Cauthorn	Rose, Kelly	1625
321	Burlison	Rose, Lisa	243
3087	Day	Rose, Quincy	1805
935	Leara	Rosen Huitt, Daryl	545
2665	Diehl	Ross, Emma	1601
2532	Kelley (126)	Ross, Hailea	1427
3102	Walton Gray	Ross, John A.	1805, 2712
1274	Nolte	Rossi, Frank and Shirley	678
133	Fraker	Rost, Don	169
1935	Gosen	Roth, Margaret	1183
734	Jones (89)	Rothschild, Kendal	443
191	Denison	Rough, Cecil W., Jr.	196
2552	Bernskoetter	Roush, Katherine	1438
3359	Leara	Roussin, Barbara	2255
1741	Scharnhorst	Roussin, Alec	913
3472	Davis	Routeldge, Tristan Jack	2596
3430	Solon	Rovello, Forrest	2442
3263	Kelley (126)	Row, Elizabeth	2057
3266	Kelley (126)	Row, Melissa	2057
1873	Grisamore	Roy, James	1183
3171	Riddle	Royer, Laurel	1876
1104	Solon	Royer, Nick	580
2554	Bernskoetter	Rudder, Katherine	1438
3035	Pierson	Rudloff, Marty	1805
3348	Leara	Rudolph, Cameron Paul	2255
1389	Fraker	Rudolph, Kevin Lynn	735
372	Fuhr	Ruhl, Meghan	289
3082	Day	Rujawits, Drake	1805
274	Jones (89)	Rules of Procedure pursuant to Rule 36	217-222, 244

No.	Author	Subject	Page Reference
465	Jones (89)	Ruprecht, Blake	297
725	Lauer	Rusert, Michelle	443
2717	Day	Russell, Hanna Marie	1625
3435	Schupp	Russo, Olivia	2442
2162	Zerr	Rx Systems	1304
260	Brown (85)	Sabaredzovic, Edita	216
3117	Scharnhorst	Sabbert, Zane	1805
821	Reiboldt	Sachetta, Kerry	495
2838	Pace	Sackett, Chase	1665
987	Cierpiot	Sackewitz, Ayden	564
2835	Shively	Sagaser, Merrill	1665
1154	Sifton	Sajic, Natasa	602
720	Bernskoetter	Salamone, Dominic	443
2941	Solon	Sale, Stephanie	1748
1681	Riddle	Salmons, Jennifer	846
2160	Zerr	Salon De Christe	1304
2361	Gatschenberger	Salvo, Nikki	1382
2142	Kelley (126)	Sample, Pat	1273
186	Harris	Sampson, Della Mae	196
2509	Wallingford	Sander, Spencer	1427
2518	Wallingford	Sander, Spencer	1427
1151	Sifton	Sanders, Michelle	602
3374	Berry	Sanders, Hannah	2442
323	Smith (150)	Sanders, Libby	243
2028	Cauthorn	Sanders, Maggie	1243
3317	Reiboldt	Sandford, Mickey	2177
3413	McCann Beatty	Sandidge, CortneyJo Mychelle	2442
3347	Brown (85)	Sansone, Katlyn	2255
2625	Franz	Sansouci, Dylan	1601
1449	Hampton	Santie, Nikki	764
1212	Cierpiot	Sargent, Tucker	614
910	Weter	Sarrazin, Eric	532
973	Weter	Sarrazin, Blake	564
56	Jones (89)	Savory, Dorothy Dee	90
3223	Lichtenegger	Saxony Lutheran High School	2057
2531	Kelley (126)	Sayre, Billie	1427
174	Solon	Scafe, Taylor	196

No.	Author	Subject	Page Reference
1610	Cierpiot	Scafe, Wesley	846
3360	Leara	Scarato, FiFi	2255
872	Zerr	Schaberg, Faith	510
1226	McGhee	Schaberg, Mark Andrew	646
3121	Scharnhorst	Schade, Nicole	1805
98	Leara	Schaefer, Jennifer	163
1701	Grisamore	Schaeffer, Madison	846
205	Tilley	Schaper, Betty	196
620	Franz	Scharnhorst, Wayne	387
1442	Gatschenberger	Scheffer, Katie	764
1968	Haefner	Scheffler, William	1183
1140	Lair	Scheib, Stephanie	602
1723	Scharnhorst	Scheidt, Katherine	913
1860	Grisamore	Schenkelberg, Tessa	1183
371	Fuhr	Scherrer, Danielle	289
2344	Cauthorn	Scherry, Katherine	1382
2539	Fuhr	Schibig, James	1438
2157	Schieber	Schiermeier, Arthur and Kathleen	1304
1221	McGhee	Schlatter, Clinton Reed	646
1220	McGhee	Schlatter, Dustin Ty	646
381	Fuhr	Schlechte, Nathan	289
3240	Kelley (126)	Schlicting, Megan	2057
1934	Gosen	Schlomer, Christine	1183
873	Zerr	Schlueter, Jordan	510
2036	Cauthorn	Schmauch, Skylar	1243
3443	Schupp	Schmeiderer, Blythe	2442
2366	Gatschenberger	Schmeisser, William	1382
1242	Jones (89)	Schmelig, Joan	678
468	Jones (89)	Schmickley, Natalie	297
604	Meadows	Schmidt, Patricia Jane	387
732	Jones (89)	Schmidt, Christina	443
824	Schieffer	Schmidt, Gregory	510
968	Cierpiot	Schmidt, Samantha	564
518	Lauer	Schmidt, James	306
368	Fuhr	Schmitt, Rose	289
3312	Zerr	Schneider, Merle	2177
1580	Allen	Schneider, Rose	846

No.	Author	Subject	Page Reference
1875	Grisamore	Schnitzlein, Jacob	1183
2215	Diehl	Schock, Corthay Moreau	1304
610	Fuhr	Schoellhorn, Kimberly	387
629	Stream	Schoenberger, Connor	387
1627	Houghton	Schoneboom, Clayton	846
1885	Grisamore	Schorr, Lucas	1183
1731	Scharnhorst	Schriedel, Justus	913
2428	Bernskoetter	Schrimpf, Larry	1427
589	Guernsey	Schrock, Lily Yvonne	378
2466	Fraker	Schroder, Bill	1427
662	Haefner	Schroeder, Daniel	402
470	Jones (89)	Schucard, James	297
3325	Fallert	Schulte, Maurice	2177
1471	Schad	Schulte, Cody	789
363	Fuhr	Schulte, Joseph	289
2339	Cauthorn	Schulte, Rainie	1382
1469	Schad	Schulte, Sheldon	789
1828	Dieckhaus	Schultz, Jacob	1154
533	Wallingford	Schultz Senior Apartments	321
477	Jones (89)	Schulz, Ellen	297
2612	Day	Schunemann, Ryan	1601
3367	Schupp	Schupp, A. Brandon	2255
1603	Jones (117)	Schuster, John	846
887	McGeoghegan	Schutte, Jeremiah	510
2346	Cauthorn	Schutte, Sydney	1382
2371	Gatschenberger	Schutzius, Matt	1382
2225	Brown (85)	Schwab, Ryan	1304
2149	Bernskoetter	Schwartz, Roger	1273
789	Talboy	Schwenk, Sally	495
3025	Molendorp	Scott, Allison	1748
383	Fuhr	Scott, Antonio	289
1975	Reiboldt	Scott, Brian	1183
1474	Brandom	Scott County Central High School Boys Basketball	789
892	Shively	Scott, Frank	510
1808	Cookson	Scott, Joe	1154
3268	Leara	Scott, Mary Kay	2057
341	Lampe	Scott, Shawna	258

No.	Author	Subject	Page Reference
3256	Kelley (126)	Scott, Wyatt	2057
776	Jones (89)	Scoville, Brock	482
2239	Hampton	Scroggins, Mildred	1304
3161	Klippenstein	Scroggins, Colby Harrison	1876
481	Jones (89)	Seabaugh, Maddie	297
2471	Berry	Seba, Joshua Ryan	1427
1303	Leara	Seibel, Lauren	678
1114	Solon	Seife, Nafkot	580
445	Jones (89)	Seifert, Madison	297
2183	Asbury	Seifert, Tierney	1304
1771	Keeney	Seiler, Ben	913
1766	Keeney	Seiler, Lance	913
2474	Berry	Self, Ashley Brianna	1427
1138	Keeney	Sells, David	602
28	Schupp	Seltzer, Joan	71
1182	Lichtenegger	SEMO Alliance for Disability Independance	614
3432	Elmer	Sensintaffar, Larry and Barbara	2442
934	Leara	Service International	545
1679	Grisamore	Settle, Kenzie	846
3387	Berry	Settle, Sydney	2442
1122	Solon	Seubert, Hunter	580
790	Talboy	Sewall Paint and Glass Company	495
1308	Leara	Sexauer, Maddie	678
1024	Kirkton	Sextro, Samuel	580
2067	Asbury	Shackelford, Micah	1273
2851	Brown (85)	Shackelford, Luke	1693
1728	Scharnhorst	Shamroe, Michelle	913
2580	Franz	Shanks, Allisha	1601
342	Fraker	Sharon, Jacob	258
1036	Kirkton	Sharp, Meghan	580
2786	Bernskoetter	Sharpe, Julia	1625
2254	Montecillo	Sharpe, Wil	1304
3451	Loehner	Shasserre, Marsha	2442
1323	Houghton	Shaw, Andrea Jean	678
192	Faith	Shaw, Gary	196
2844	Guernsey	Shaw, Trenton	1693
1529	Cierpiot	Shay, Daniel	832

No.	Author	Subject	Page Reference
3115	Scharnhorst	Shedelbower, Wyatt	1805
1370	Molendorp	Sheeley, Pete Joseph Dean, III	712
3141	Walton Gray	Sheffield, Katherine	1876
1048	Thomson	Shell, Trevor	580
1006	Jones (117)	Shelley, George	580
1106	Solon	Shelton, RoShaun	580
1025	Kirkton	Sheridan, Bridget	580
1559	Cross	Sherlock, Casey	846
40	Zerr	Sherman, Martin	71
1239	Brattin	Sherwood Cass R-VIII School District	678
1145	Schieber	Shinn, Christopher Wayne	602
1001	Montecillo	Shockey, Robert	564
2048	Cauthorn	Shoemaker, Dillon	1243
2571	Cauthorn	Shopher, Ryan	1601
3414	Kirkton	Short, Lucy Rebecca	2442
3164	Riddle	Showers, Jacob	1876
2639	Wright	Shrum, Bekah	1601
2646	Wright	Shrum, Bekah	1601
2652	Wright	Shrum, Bekah	1601
3254	Kelley (126)	Shrum, Cristin	2057
1028	Kirkton	Shumate, Jordan	580
248	Brown (85)	Sides, Colin	216
940	Lichtenegger	Sides, Tina	545
1936	Gosen	Sidney, Kelsey	1183
2559	Bernskoetter	Siebeneck, Shelby	1438
3462	Lichtenegger	Siemer, Ethan	2442
707	Wyatt	Sigma Phi Epsilon	426
1078	Solon	Sika, Avriel	580
1384	Brandom	Sikeston High School Boys Basketball	735
2052	Cauthorn	Silver, Rachel	1243
345	Jones (117)	Simmons, William	258
3147	McDonald	Simms, Taylor	1876
2251	Montecillo	Simon, Maria	1304
1446	Fitzwater	Simpson, Robert Lee and Beverly	764
2415	Gatschenberger	Simpson, Sara	1382
1691	Grisamore	Sims, Dawson	846
2038	Cauthorn	Sims, Kaycee	1243



No.	Author	Subject	Page Reference
1516	Cierpiot	Singer, Hannah	832
1223	Berry	Singh, Jaret	646
3445	Schupp	Sink, Ahsley	2442
2852	Brown (85)	Sippel, Emily	1693
3308	Molendorp	Sisemore, Scott	2177
1063	Solon	Sivaram, Aravind	580
2752	Cauthorn	Sivret, Jaydon	1625
1787	Keeney	Skaggs, Matthew	913
1330	Hampton	Skaggs, Nora	712
874	Zerr	Skelton, Amber	510
3099	Day	Skidmore, Taylor	1805
162	Dugger	Skyline R-II School District	169
2642	Wright	Small, Dakotah	1601
1703	Grisamore	Small, Korey	846
3146	McDonald	Smith, Alexander	1876
1206	Cierpiot	Smith, Amanda	614
881	Zerr	Smith, Ashton	510
2094	Asbury	Smith, Corbin	1273
9	Kelly (24)	Smith, Dan	19
2326	Asbury	Smith, Devonnie	1382
500	Carter	Smith, Elizabeth	306
461	Jones (89)	Smith, Emma	297
670	Lauer	Smith, Gary	414
1547	Cierpiot	Smith, Jacob	832
352	Aull	Smith, James	258
1132	Solon	Smith, Kayla	580
1594	Asbury	Smith, Lisa Marie	846
3382	Berry	Smith, Mataya	2442
557	Black	Smith, Michael	356
1243	Jones (117)	Smith, Michael	678
1087	Solon	Smith, Nautia	580
2095	Asbury	Smith, Orion	1273
2881	Frederick	Smith, Richard	1693
944	Guernsey	Smith, Rick and Cathy	545
1973	Molendorp	Smith, Roy	1183
1113	Solon	Smith, Savanna	580
3160	Klippenstein	Smith, Sharon	1876

No.	Author	Subject	Page Reference
1196	McManus	Smith, Shay	614
2767	Cauthorn	Smith, Sierra	1625
2002	Berry	Smith, Spencer	1213
1504	Asbury	Smith, Taylor	832
1664	Solon	Smith, William	846
299	Brown (116)	Smithton R-VI School District	232
2101	Asbury	Smothers, Abigail	1273
433	Jones (117)	Snapps Hardware and Appliance	297
2875	Frederick	Snelson, Dustin	1693
3212	Lauer	Sni Valley Fire Protection Station	2057
542	Weter	Snider, Jacy Troy	339
3275	Day	Snobl, Lauren	2057
3086	Day	Snowden, Travis	1805
60	Kratky	Snyder, Nicolette	99
1754	Harris	Snyder, Verniece Adams	913
2850	Brown (85)	Snyder, Nolan	1693
1040	Barnes	Sommerer, Joseph Shawn	580
2449	Bernskoetter	Sommerer, Chance	1427
2454	Bernskoetter	Sommerer, Lance	1427
2187	Asbury	Sosniecki, Ian	1304
2884	Frederick	Southard, Hanan	1693
328	Fitzwater	Southern Reynolds County R-II School District	258
1553	Phillips	Southern Stone County Fire Protection District	832
2275	Richardson	Sowell, Kara	1311
2342	Cauthorn	Spargo, Ryan	1382
3012	Cauthorn	Spargo, Tyler	1748
142	Weter	Sparta R-III School District	169
1381	Lampe	Spellman, Helen	735
1150	Schieber	Spencer, Joseph Raymond	602
3316	Reiboldt	Spencer, Kristin	2177
3214	Pace	Spiegel, Jeffrey	2057
236	Guernsey	Spillman, Jacob Ryan	208
1582	Allen	Spires, Courtney	846
1443	Sifton	Spitznagel, Angie	764
139	Weter	Spokane R-VII School District	169
1958	Nolte	Spoon, Alexander	1183
675	Schatz	Spring Bluff R-XV School District	414

No.	Author	Subject	Page Reference
730	Hubbard	Spring Street Lofts	443
2301	Asbury	Springer, Austin	1311
627	Hoskins (121)	Sproat, Kori	387
1611	Cierpiot	Sprouse, Camden	846
3108	Scharnhorst	Sprouse, Garrett	1805
258	Brown (85)	Spurgeon, Austin	216
806	Faith	St. Charles Community College Quiz Bowl Team	495
227	Kander	St. Elizabeth School	208
645	McGhee	St. James Winery Andrew Hofherr	402
3262	Kelley (126)	St. John, Caleb	2057
755	Webb	St. Louis NAACP Youth and College Division	464
3401	Berry	Staatz, Mason	2442
3191	Keeney	Stacy, Brittany	1876
689	Hoskins (121)	Stafford, Andre	414
1573	Allen	Stagoski, Emilie	846
2785	Brattin	Stahl, Maureen	1625
2983	Kander	Staker, Dan	1748
2214	Diehl	Staley, Stephen Russell	1304
891	Bahr	Stamm, Robert	510
3270	Leara	Standley, Kathryn	2057
2216	Diehl	Stanec, Vincent Francis, IV	1304
3218	Swinger	Stanfield, Andrea Andy	2057
1853	Grisamore	Stanton, Megan	1183
97	Leara	Stanton, Tracey	163
747	Tilley	Starkloff, Max	464
2682	Tilley	State Employee Recognition Week	1625
616	Fuhr	Staten, Anne	387
1404	Sifton	Staufenbiel, Debbie	735
1043	Hough	Steele, Homer	580
343	Gosen	Steele, Joshua J.	258
3276	Day	Steele, Marissa	2057
302	Lair	Steffen, Sterling	232
2200	Asbury	Stegall, Jeff	1304
3203	Webber	Stegall, Sandy	1876
2383	Gatschenberger	Stehl, Ryan	1382
1326	Still	Steinhoff, Kathy	712
3135	Schneider	Steinhoff, Ralph	1805

No.	Author	Subject	Page Reference
1374	Schatz	Steinhoff, Ray	712
3136	Schneider	Steinhoff, Robin	1805
3107	Scharnhorst	Steinmeyer, Katherine	1805
2735	Grisamore	Stephenson, Chuck	1625
3132	Kirkton	Stepleton, Sue	1805
3338	Webb	Stevens, Adam Christopher	2255
2256	Swinger	Stevens, Teresa	1311
2130	Zerr	Stevenson, Elaine Jerry Congleton	1273
1534	Cierpiot	Steward, Tatyanna	832
2608	Asbury	Stewart, Curtis	1601
1414	Richardson	Stewart, George	764
3204	McGhee	Stewart, Jacob	1876
2341	Cauthorn	Stewart, Mary Rose	1382
570	Kander	Stewart, Wayne	366
2565	Cauthorn	Stice, Shannon	1601
2058	Phillips	Stief, Donna	1243
496	Schieber	Stifter, Patrick Kenneth	297
2233	Brown (85)	Stijak, Gordan	1304
2323	Asbury	Still, Zane	1382
252	Brown (85)	Stillman, Nicole	216
826	McGhee	Stockman, Robert and Alona	510
1470	Schad	Stockton, Grant	789
2595	Entlicher	Stockton High School Lady Basketball Tigers	1601
3366	Entlicher	Stockton High School Lady Tigers Basketball Team	2255
1604	Jones (117)	Stoecklein, Joe Eddie	846
1845	McNeil	Stogsdill, Barbara Ann	1154
1088	Solon	Stone, Cameron	580
646	McGhee	Stone Hill Winery Held Family	402
3456	Phillips	Stone, Judith	2442
3391	Berry	Stone, Zacary	2442
1692	Grisamore	Stouffer, Madeline	846
2606	Asbury	Stremke, Michael	1601
3058	Crawford	Strode, Erica	1805
1435	Gatschenberger	Struttmann, Emily	764
2071	Asbury	Stuart, Camden	1273
915	Guernsey	Stuart, Norman and Veda	545
2724	Berry	Stuart, Travis	1625

No.	Author	Subject	Page Reference
24	Bernskoetter	Stuemph, Benjamin Joseph	71
1472	Schad	Stuenkel, Lydia	789
1245	Kander	Stueve, Siegel and Hanson, LLP	678
3477	Casey	Stumpe, Brian	2596
1311	Leara	Stumpf, Allison	678
1928	Schad	Suling, Wyatt	1183
460	Jones (89)	Sullivan, Makoto	297
1730	Scharnhorst	Sullivan, Ben	913
676	Schatz	Sullivan School District	414
2305	Asbury	Summerville, Jade	1311
2075	Asbury	Sumpter, Brenna	1273
169	Riddle	Surls Casner, Mildred	169
2222	Fraker	Suter, Mikah	1304
3454	Rowland	Sutton, Austin and Shirley	2442
1693	Grisamore	Svejda, Sydnee	846
2136	Harris	Swain, Kelly Douglas	1273
756	Schoeller	Swann, Truman and Mary	464
3019	Phillips	Swanson, Randy and Kelly	1748
1328	Tilley	Swaringam, Alfred	712
1075	Solon	Swartz, Alex	580
1511	Cierpiot	Swartz, Hanna	832
3428	McDonald	Swearington, Elizabeth	2442
600	Torpey	Swiener, Taylor M.	387
2633	Hummel	Swier, Madeleine	1601
1209	Cierpiot	Swift, Aden	614
3220	Shively	Switzer, Mary Beth	2057
419	Cookson	Swope, Myrle Frances	297
1310	Leara	Syberg, Payton	678
3072	Franklin	Sybert, Laurie	1805
3071	Franklin	Tabor, Teresa	1805
2992	Swinger	Tackeberry, Alesa Lea	1748
2669	Diehl	Tadesse, Kalkidan	1601
2078	Asbury	Tadrus, Marin	1273
2494	Day	Tallant, Lisa	1427
2338	Cauthorn	Talley, Beau	1382
2999	Cauthorn	Tallman, Tyler	1748
2271	Jones (63)	Talve, Susan	1311

No.	Author	Subject	Page Reference
138	Weter	Taneyville R-II School District	169
3125	Scharnhorst	Tang, Amy	1805
722	Bernskoetter	Tannehill, Michael	443
1964	Lair	Tanner, Ann	1183
2741	Kander	Tanners Bar and Grill	1625
2799	Franz	Tapson, Brenda	1665
2892	Ellinger	Tatum, Charlotte	1693
2431	Bernskoetter	Taube, Joseph and Mildred	1427
1193	McManus	Taylor, Cole	614
475	Jones (89)	Taylor, Hannah	297
175	Leach	Taylor Martin Family of Companies	196
2914	Ellinger	Taylor, Tayia	1693
84	Kelley (126)	Taylor, William O.	148
2478	Berry	Teague, Caleb Nelson	1427
3433	Solon	Tebbenkamp, Jeff	2442
278	Korman	Tech Manufacturing	232
2632	Hummel	Telenick, Luke	1601
262	Sifton	Telle, Elliott Edmond	216
1	Jones (89)	Temporary Rules of the House	
3047	Crawford	Tenedine, Ryan	1805
2015	Swinger	Terrell, Barbara Jean	1213
1203	Cierpiot	Terry, Chase	614
555	Klippenstein	Tester, Deborah	339
3371	Shively	Teter, James Marcellius and Carolyn Sue	2442
1662	Solon	Tharp, Karly	846
1660	Solon	Tharp, Kyle	846
2737	Kander	The Brooksider	1625
1333	Kander	The Classic Cookie	712
2703	Berry	The Clay Platte Certified Development Corporation	1625
649	Bahr	The Crown Jewels	402
1369	Kander	The Gaf James OBrien	712
1181	Leara	The Green House Market	614
679	Phillips	The Missouri Boatribe Bluegrass Band	414
2057	Long	The Ozarks Regional Young Marines	1243
203	White	The Run Aropund Running Company	196
1758	Harris	Thebeau, Raymond	913
2956	Cross	Thibeaux, Juanel	1748

No.	Author	Subject	Page Reference
319	Jones (117)	Thibon, Nathan	243
1767	Keeney	Thiele, Kristie	913
1763	Keeney	Thiele, Ryan	913
3303	Aull	Thieman, Judith	2177
313	Lair	Thieme, Joshua James	243
2235	Brown (85)	Thierry, Lauren	1304
736	Jones (89)	Thoelke, Matthew	443
1922	Phillips	Thomas, Matilda Ann	1183
3061	Crawford	Thomas, Stephanie	1805
1881	Grisamore	Thomas, Aaron	1183
334	Lampe	Thomas, Abigail	258
3461	Lichtenegger	Thomas, Brett	2442
1648	Shumake	Thomas, Harold	846
1612	Cierpiot	Thomason, Rachael	846
7	Curls	Thompson, Nelson	19
1011	McManus	Thompson, Collin	580
2190	Asbury	Thompson, Emily	1304
2273	Jones (63)	Thompson, Mavis	1311
511	Fraker	Thompson, Gary	306
1821	Keeney	Thomsen, Daniel	1154
1815	Keeney	Thomsen, Evan	1154
2320	Asbury	Thornburg, Owen	1382
505	Rowland	Thornfield R-I School District	306
2473	Berry	Thorngate, Danielle Elizabeth	1427
1411	Richardson	Three Rivers Community College	735
3460	Conway (27)	Three Wars Veterans Association	2442
3126	Scharnhorst	Thuet, Taylor	1805
3457	Carter	Tickled Pink and Kool Blue Fashion Show	2442
1400	Sifton	Tidwell, David	735
2809	Franz	Tidwell, Taylor	1665
3365	Leara	Tiller, Jennifer	2255
3474	Webber	Tilley, Janet Claire	2596
1523	Cierpiot	Tindall, Talia	832
2437	Reiboldt	Tink, Richard	1427
255	Brown (85)	Tinnea, Kelsie	216
1049	Solon	Tipton, Blayce	580
1165	Dugger	Todd, Janice Marie	602

No.	Author	Subject	Page Reference
3219	Shively	Toll, Donna	2057
1272	May	Tomlin, Lillian	678
196	Faith	Tomlinson, Lynne	196
1645	Fraker	Tomlinson, Robin	846
3383	Berry	Tomney, Bailee	2442
424	Largent	Tompkins, Reuben James	297
3211	May	Torrence, Kejuan	1876
2995	Guernsey	Tory, Dorothy	1748
2290	Elmer	Towe, Martha	1311
2740	Kander	Tower Homes Association	1625
1513	Cierpiot	Tozier, Madison	832
1461	Schad	Trachsel, Madilyn	789
1718	Scharnhorst	Trachsel, Paige	913
3482	Leara	Trask, David C.	2596
2666	Diehl	Trau, Jenevieve	1601
1297	Leara	Trautman, Luke	678
804	Fuhr	Trawtwein Elementary School	495
2150	Molendorp	Traynor, Colby	1304
1033	Kirkton	Trenter, Samuel	580
585	Guernsey	Trenton Cinema	378
2679	Aull	Trigg, Evelyn	1625
405	Guernsey	Triplett, Annabelle Marie	289
202	White	Trogo	196
3130	Scharnhorst	Trokey, Rachel	1805
1439	Gatschenberger	Troughton, Ellie	764
2710	Day	Trout, Karen Marie	1625
2423	Schieffer	Troy Buchanan High School Service Learning Team	1382
2528	Kelley (126)	Trujillo, Salette	1427
1309	Leara	Trunko, Tommy	678
825	Cookson	Tubb, Hamilton Gene and Velma Jean	510
1694	Grisamore	Tubbs, Amanda	846
1727	Scharnhorst	Tucci, Gabriella	913
1167	Hough	Tucker, Albert Joseph	602
1160	Sifton	Tucker, Alex	602
807	Casey	Tucker, Jonah	495
1617	Cierpiot	Turano, Alexa	846
1637	Fuhr	Turek, Julie	846



No.	Author	Subject	Page Reference
2042	Colona	Turkish American Society of Missouri	1243
303	Jones (89)	Turnbo, Tyler Bain	232
2147	Hubbard	Tuscher, Jim	1273
644	Bernskoetter	Twehous Excavating Company	402
1383	Lampe	Twitty, John	735
1532	Cierpiot	Uhls, Dillon	832
1618	Cierpiot	Ulrich, Aimee	846
2746	Kander	Union Bank at Wornell and Gregory	1625
1285	Kander	University Academy	678
808	Ellinger	University City School District	495
2542	Wallingford	Unnerstall, Julia	1438
2324	Asbury	Untiedt, Mason	1382
3096	Day	Urban, Caitlin	1805
1991	Schupp	Urkevich, John	1213
11	Jones (89)	Use of Chamber Glory Awards	19, 342
12	Jones (89)	Use of Chamber Glory Awards	19, 342
16	Kirkton	Use of Chamber Glory Awards	19, 342
31	Fuhr	Use of Chamber Glory Awards	44, 342
66	Smith (71)	Use of Chamber Missouri Girls State	99, 342
81	Loehner	Use of Chamber 4-H Citizenship Youth Forum	141, 342
207	Allen	Use of Chamber Glory Awards	208, 342
324	Barnes	Use of Chamber Catholic Conference	258, 342
325	Barnes	Use of Chamber YMCA Youth in Government	258, 342
527	Leara	Use of Chamber Glory Awards	306, 342
571	Bernskoetter	Use of Chamber Jefferson City Rotary Club	366, 568
696	Webber	Use of Chamber Leadership Columbia	414, 568
787	Sifton	Use of Chamber Glory Awards	482, 565
1003	Cox	Use of Chamber Missouri Bar	564, 568
1428	Gatschenberger	Use of Chamber Glory Awards	764
1452	Higdon	Use of Chamber Health and Senior Services	764, 1230
1479	Kelly	Use of Chamber Sue Shear Institute	789
2790	Frederick	Use of Chamber Glory Awards	1625
30	Fuhr	Use of House Chamber Glory Awards	44, 342
1705	Bernskoetter	Use of House Chamber Silver Haired Legislature	846
1942	Gosen	Utech, Claire	1183
2996	McGhee	Utley, Richard and Heidi	1748
2229	Brown (85)	Utt, Andrea	1304

No.	Author	Subject	Page Reference
2788	Wright	Valiyev, Seymour	1625
1609	Cierpiot	Valmassei, Daniel	846
2154	Cookson	Van Buren Chamber of Commerce	1304
250	Brown (85)	Van de Riet, Sean	216
669	Brown (116)	Van Dyke, Leroy	414
2365	Gatschenberger	Van Sant, Casey	1382
882	Zerr	Vance, Rachel	510
2155	Zimmerman	Vander Weerd, Eric	1304
3468	Talboy	Vander Weerd, Eric	2596
1579	Allen	Vandeven, Kristin	846
1774	Keeney	Vandeven, Emily	913
1169	Wallingford	Vandeven, Jerry and Charlene	602
2927	Kelly (24)	VanDeven, Emily	1693
941	Lichtenegger	Vangilder, Kay	545
943	Lichtenegger	Vangilder, Scott	545
2772	Cauthorn	Vanskike, Hailey	1625
2382	Gatschenberger	Varble, Tim	1382
2083	Asbury	Vargas, Candace	1273
671	Lauer	Vaughan, Sarah	414
1939	Gosen	Vaughn, Samantha	1183
2037	Cauthorn	Vaughn, Brittany	1243
733	Jones (89)	Vavra, Alexander	443
1072	Solon	Velasquez, Carlos	580
2221	Fraker	VerDuin, Thomas	1304
2501	Day	Vernon, Cheryl	1427
271	Keeney	Versa Tech	216
2243	Montecillo	Verzino, Merideth	1304
3055	Crawford	Vest, Garrett	1805
2299	Asbury	Vetter, Morgan	1311
115	Cox	VFW Post 2591	163
1417	Hodges	Victims Services Partnership	764
388	Fuhr	Viera, Alexander	289
1035	Kirkton	Vierling, Matthew	580
3345	Wells	Village of Plato Missouri	2255
402	Kander	Visitation School	289
239	Schupp	Visiting Nurses Association	208
2833	Kander	Visiting Nurses Association	1665

No.	Author	Subject	Page Reference
817	Cauthorn	Vitale, Jake	495
2567	Cauthorn	Vitale, Vinny	1601
3003	Cauthorn	Vittone, A.J.	1748
929	Thomson	Volner, Jordan	545
462	Jones (89)	Vorel, Adam	297
784	Shively	Vose, Norman	482
2970	Schad	Voss, Zachary	1748
2723	Lasater	Waage, Christian	1625
1622	Cierpiot	Wade, Lindsey	846
2758	Cauthorn	Wadlow, Shayden	1625
615	Fuhr	Wagner, Caroline	387
2393	Gatschenberger	Wahlbrink, Robby	1382
2135	Klippenstein	Wahlert, Lavonne	1273
1607	Jones (117)	Waibel, Sandra	846
1163	Sifton	Walden, James	602
2743	Kander	Waldo Homes Association	1625
1331	Kander	Waldos Pizza	712
2174	Asbury	Walker, Rebecca	1304
1785	Keeney	Walker, Adam	913
3233	Shumake	Walker, Beverly	2057
3330	Wyatt	Walker, Carroll	2177
1157	Sifton	Walker, Lakesha	602
1267	Redmon	Walker, Robert	678
3285	Day	Walker, Shelby	2057
1590	Asbury	Wallace, Morgon Wayne	846
2392	Gatschenberger	Wallace, Jake	1382
214	Haefner	Wallace, Jared	208
3139	Solon	Wallace, Jill	1805
2381	Gatschenberger	Wallace, Tyler	1382
883	Zerr	Wallen, Jamie	510
2659	Diehl	Waller, Brooke	1601
2081	Asbury	Wallis, Hayley	1273
182	Gatschenberger	Walmart	196
1747	Scharnhorst	Walsh, Abby	913
2244	Montecillo	Walsh, Keegan	1304
37	Flanigan	Walter, Joan	71
36	Flanigan	Walter, Thomas	71

No.	Author	Subject	Page Reference
792	Webb	Walton, Ameer Hasaan	495
2664	Diehl	Wang, Julia	1601
1498	Asbury	Ward, Austin	832
267	Keeney	Ward, Denny	216
2510	Wallingford	Ward, Elizabeth	1427
1177	Wright	Ward, Fred	614
621	Hoskins (121)	Ward, Judd Walter	387
1742	Scharnhorst	Ward, Sean	913
726	Lauer	Ward, Tony	443
652	Hoskins (121)	Ware, Jaisha	402
432	Jones (117)	Warm Springs Ranch	297
3370	Fitzwater	Warner, Sam	2255
2004	Berry	Warren, Madison	1213
3069	Franklin	Warren, Elizabeth Ann Neukomm	1805
1050	Solon	Warren, Ashton	580
2771	Cauthorn	Warren Kelly, Keara	1625
3283	Day	Warren, Mallory	2057
1943	Gosen	Warren, Nicole	1183
2805	Franz	Washington, Clinton	1665
2163	Cox	Wasson, Eleamore R. Elle	1304
793	Webb	Waters, Dominique Kentrell	495
658	Marshall	Watson, Alexander Yoshihara	402
1141	Solon	Watson, Rochele Elizabeth	602
2129	Zerr	Watson, Christopher	1273
2566	Cauthorn	Watson, Dainasha	1601
3075	Day	Watson, Duane	1805
2862	Franklin	Watts, Jack	1693
1261	Cierpiot	Wayne, Lauryn	678
3048	Crawford	Weant, Callie	1805
3167	Riddle	Weaver, Alexis	1876
522	Lauer	Webb, Alyssa	306
1552	Lair	Webb, Clifford	832
403	Guernsey	Webb, Rozalea Amirrah Jimpson	289
2837	Brown (85)	Weber, Christian	1665
2570	Cauthorn	Weber, Andrew	1601
3243	Kelley (126)	Weber, George	2057
3272	Day	Webster, Jonathan	2057

No.	Author	Subject	Page Reference
1402	Sifton	Weedman, Susan	735
3182	Keeney	Weekley, Bradley	1876
3188	Keeney	Weekley, Brendon	1876
2444	Bernskoetter	Wehmeyer, Craig	1427
3066	Franklin	Wehrle, Jacqueline	1805
1509	Schieber	Weidt, Bob	832
2297	Asbury	Weimer, Joseph	1311
778	Jones (89)	Weinrich, Brody	482
823	Riddle	Weiss, Donald and Doris	510
1533	Cierpiot	Welch, Brad	832
3321	Reiboldt	Welch, Marsha	2177
2537	White	Welch, Tracey	1427
42	Montecillo	Welker, Suzanne	90
1756	Harris	Welker, Virgie Massie	913
3074	Day	Wells, Alexis	1805
2534	Kelley (126)	Wells, Emaly	1427
540	Wells	Wells, Kayla	321
2657	Guernsey	Wells, Paisley Jane	1601
1676	Grisamore	Welsh, Jacob	846
2921	Dugger	Wendler, Mark	1693
956	Klippenstein	Wendt, Benjamin	545
2246	Montecillo	Werckmann, Kaylie	1304
1112	Solon	Werstein, Brooklynn	580
446	Jones (89)	Wescott, Emily	297
2403	Gatschenberger	West, James	1382
2279	Franz	West Plains R-VII School District	1311
530	Lauer	West, Yolanda	306
2663	Diehl	Westendorf, Jack	1601
1584	Allen	Westermann, Nathan	846
2186	Asbury	Westhues, Cody	1304
1448	Thomson	Wetzel, Duston Davis	764
1791	Keeney	Weyand, Jesse	913
198	Wyatt	Weyer, Jocelyn	196
180	Gatschenberger	Wharf Pharmacy	196
127	Crawford	Wheatland R-II School District	169
1174	Crawford	Wheeler, Burleigh and Doris	614
1023	Kirkton	Whetsel, Christopher	580

No.	Author	Subject	Page Reference
988	Cierpiot	White, Chloe	564
3207	McGhee	White, Corey	1876
1176	Fisher	White, Ernest and Edith	614
1977	Brown (50)	White, Frank	1183
526	Walton Gray	White, Jonathan Louis	306
920	Guernsey	White, Marcus Lane	545
1201	Cierpiot	White, Nya	614
156	Wallingford	White, Robert and Shirley	169
2133	Klippenstein	White, Ronald	1273
3011	Cauthorn	White, Ryan	1748
1321	Phillips	White, Tyler	678
498	Richardson	Whiteley, Danny	306
1817	Keeney	Whitener, Lindsey	1154
3185	Keeney	Whitener, Clayton	1876
223	Ruzicka	Whitesell, Jason	208
2343	Cauthorn	Whitesides, Josh	1382
3237	Schupp	Whitfield School	2057
3295	Klippenstein	Whitt, Rosemary	2177
2502	Cox	Whittier Alternative High School Service Learning	1427
2974	Schad	Whittington, Brandon	1748
2693	Cauthorn	Whitworth, Andrew	1625
2380	Gatschenberger	Wideman, Jacob	1382
1900	Grisamore	Wilber, Alexandra	1183
2762	Cauthorn	Wilburn, Jack	1625
1805	Ellinger	Wilcox, Agnes	913
3089	Loehner	Wilde, Anna Angela	1805
519	Lauer	Wildschuetz, David	306
476	Jones (89)	Wiles, Michael	297
2197	Asbury	Wilhite, Sadie	1304
3364	Brown (116)	Wilken, Kimberly	2255
19	Berry	Wilkin, Alan Robert	71
2364	Gatschenberger	Will, Joseph	1382
532	Molendorp	Willard, Anthony Joseph	321
786	Smith (71)	Williams, Adonis	482
1185	McManus	Williams, Aubrey	614
2486	Hubbard	Williams, Thelma	1427
2897	Ellinger	Williams, Markeze	1693

No.	Author	Subject	Page Reference
3484	Quinn	Williams, Joseph and Bertha	2596
439	Holsman	Williams, Anika	297
2005	Berry	Williams, Chris	1213
2399	Gatschenberger	Williams, Geri	1382
2461	Wright	Williams, Hazel	1427
3441	Schupp	Williams, Isaac	2442
704	Meadows	Williams, James	426
1544	Cierpiot	Williams, Lynn	832
727	Hodges	Williams, Nova	443
2896	Ellinger	Williams, Taj	1693
1539	Cierpiot	Williamson, Victoria	832
2050	Cauthorn	Willis, Micha	1243
1052	Solon	Willis, Michael	580
2781	Fraker	Willis, Valerie	1625
1816	Keeney	Willmirth, Zach	1154
582	Conway (14)	Willott, Steven	366
2282	Franz	Willow Springs R-IV School District	1311
2507	Wallingford	Wills, Matt	1427
2508	Wallingford	Wills, Matt	1427
1862	Grisamore	Wilson, Mackenzie	1183
3177	Riddle	Wilson, Remington	1876
425	Largent	Wilson, Aaron Michael	297
884	Zerr	Wilson, Andrea	510
119	Quinn	Wilson, Betty	169
2438	Reiboldt	Wilson, Charles	1427
3090	Day	Wilson, Chris	1805
2541	Wallingford	Wilson, Dennis	1438
3239	Kelley (126)	Wilson, Lane	2057
330	Swearingen	Wilson, Marsha	258
2354	Gatschenberger	Wilson, Monika	1382
1514	Cierpiot	Wilson, Olivia	832
2353	Gatschenberger	Wilson, Ted	1382
277	Klippenstein	Wilson, Verna Carol	216
1282	McCann Beatty	Wilson, Yvonne	678
1324	Hodges	Wilthong, William	712
981	Swinger	Windham, Gene	564
965	Cierpiot	Wingfield, Colyer	564

No.	Author	Subject	Page Reference
801	Webb	Winkey, Drake	495
2480	Berry	Winnie, Taran Ray	1427
3251	Kelley (126)	Winslow, Clayton	2057
2517	Wallingford	Winter, Tori	1427
2611	Flanigan	Winton, Shane	1601
484	Jones (89)	Wipke, Jordan	297
2358	Gatschenberger	Wirth, Steve	1382
1802	Keeney	Wisdom, Gabby	913
2943	Aull	Wise, Kay	1748
320	Schupp	Wise, Rose Silver	243
2035	Cauthorn	Wiseman, Taylor	1243
1089	Solon	Wiser, Marissa	580
666	Wyatt	Wiskirchen, Aaron Robert	414
2845	Guernsey	Witten, Michael	1693
885	Zerr	Wolk, Elizabeth	510
2359	Gatschenberger	Wolk, Steve	1382
1849	Grisamore	Wollard, Hayden	1183
1178	Crawford	Wood, Jacqueline	614
2830	Cross	Wood, Alex	1665
2106	Klippenstein	Wood, Cheryl	1273
1698	Grisamore	Wood, Claire	846
631	Bernskoetter	Wood, Larry and Eva	387
3224	Reiboldt	Wood, Liz	2057
1563	Cross	Wood, Noah	846
1625	Houghton	Wood, Stacy	846
2817	Curtman	Woodard, Jim	1665
1215	Shumake	Woodhurst, Jason	614
2981	Kirkton	Woods, Andrea	1748
3176	Riddle	Woods, Harold	1876
2798	Franz	Woods, Travis	1665
1336	Brown (85)	Woodson, Reilly	712
1059	Solon	Woolf, Haley	580
2879	Frederick	Woolsey, Zachary	1693
886	Zerr	Wootten, Morgan	510
1888	Grisamore	Workman, Shelby	1183
1208	Cierpiot	Workman, Dane	614
2684	Cauthorn	Wortmann, Julianne	1625



No.	Author	Subject	Page Reference
1317	Nance	Wratt, Ian	678
1799	Keeney	Wriedt, Erin	913
2414	Gatschenberger	Wright, Brittany	1382
3327	Lauer	Wright, Dave	2177
1074	Solon	Wright, Dorian	580
2208	Diehl	Wright, Erin Elizabeth	1304
1688	Swinger	Wright, Janice	846
1159	Sifton	Wright, Peter	602
3199	Loehner	Wright, Rebecca Jean	1876
482	Jones (89)	Wright, Zach	297
479	Jones (89)	Wu, Lillian	297
1715	Scharnhorst	Wu, Rebecca	913
3114	Scharnhorst	Wulsch, Justin	1805
1416	Lampe	Wyman Center	764
2965	Schad	Wyss, Elizabeth	1748
2213	Diehl	Xing, Yuxuan Luke	1304
71	Sifton	Yaeger, Patricia	99
3410	Lampe	Yana, Caitlyn	2442
2413	Gatschenberger	Yates, Courtney	1382
1628	Houghton	Yates, Sarah	846
1364	Berry	Yates, Shelby	712
1997	Berry	Yates, Shelby	1213
3078	Day	Yoakum, Hayden	1805
1945	Phillips	York, Donald	1183
3063	Lair	Yost, Kathy	1805
1678	Grisamore	Young, Connor	846
2779	Fraker	Young, Jill	1625
796	Webb	Young, Larry	495
407	Guernsey	Young, Paisley Addison	289
1168	Wallingford	Youngblood, Norman and Dorine	602
2615	Franz	Youngblood, Carla	1601
2588	Franz	Younger, Faith	1601
1499	Asbury	Yowell, Kayle	832
287	Hoskins (121)	Zackschewski, Matthew G.	232
2022	Leach	Zadorozhnaya, Natalia	1243
374	Fuhr	Zak, Jacob	289
1669	Grisamore	Zammar, Danielle	846

No.	Author	Subject	Page Reference
2620	Franz	Zapata, Aaron	1601
1976	Diehl	Zeis, Arthur A. Jr.	1183
741	Jones (89)	Zetak, Claire	443
1712	Scharnhorst	Zhang, Gechen	913
307	Smith (150)	Ziegler, Melvin	243
354	Aull	Zimmerman, Elmer	258
1953	Nolte	Zimmerman, Adam Michael	1183
284	Hoskins (121)	Zinecker, Garrick Otto	232
285	Hoskins (121)	Zinecker, Krischan Andor	232
2043	Cauthorn	Zinkel, Benjamin	1243
1341	Brown (85)	Zinselmeyer, Kathleen	712
2363	Gatschenberger	Zutavern, Print	1382
694	McDonald	Zwiener, Taylor Michael	414
2121	Leara	Zygmund, Norma Genevieve	1273

# TRULY AGREED TO AND FINALLY PASSED BILLS

## FIRST EXTRAORDINARY SESSION

### BILLS SIGNED BY THE GOVERNOR

#### SENATE BILLS

No.	Author	Subject
SCS SB 1		Modifies provisions relating to communications between school district employees and students
SS SCS SB 7		Establishes the Missouri Science and Innovation Reinvestment Act

#### INTRODUCED SENATE BILLS

SB No.	Author	Subject	Page Reference
1	Cunningham	Modifies provisions relating to communications between school district employees and students	S5, 16, 21, 28, 31, 46-47, H57, 60, 62, 68, 71-73, S58-59, H88, S67
2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report	S5, 16
3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report	S6, 16
4	Kraus	Modifies provisions of the Missouri Quality Jobs Act	S6, 16
5	Schaaf	Authorizes state and local sales and use tax exemptions for new and expanding data centers and permits donation lease agreements between municipalities and data center projects	S13-14, 16
6	Schaaf	Establishes the Missouri Science and Innovation Reinvestment Act	S14, 16
7	Mayer	Establishes the Missouri Science and Innovation Reinvestment Act	S14, 16, 18, 28, 40-43, 50, H58, 60, 68, 69, 71, 73-76, S58, 59, H88-90, S67
8	Mayer	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report	S14, 16, 18, 28, 32-40, 43, 46, 47-48, H58, 60, 84, 85, 88, 90, 91-113, S70-82, 88, H119
9	Justus	Establishes the Missouri Science and Innovation Reinvestment Act	S16, 21
10	Schaaf	Modifies provisions regarding economic competitiveness as they relate the Certificate of Need and Compete Missouri programs	S21, 55
11	Chappelle-Nadal	Creates the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee and establishes plans to increase the participation of minority and women's business enterprises in state contracting	S21, 55

**INTRODUCED HOUSE BILLS**

<b>No.</b>	<b>Author</b>	<b>Subject</b>
1	Nasheed	Allows the City of St. Louis to establish and maintain a municipal police force completely under the city's authority
2	Flanigan	Changes the laws regarding the collection of moneys owed to the state
3	Dugger	Changes the laws regarding presidential elections
4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
5	White	Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster and authorizes tax increment financing in certain areas affected by a natural disaster
6	Silvey	To appropriate money for the purpose of matching Federal Emergency Management Agency expenditures due to natural disasters in the state of Missouri in 2011 for the period ending June 30, 2012
7	Silvey	Establishes the Joint Committee on Disaster Funding
8	Flanigan	Authorizes tax increment financing in certain areas affected by a natural disaster
9	Carlson	Increases the excise tax on cigarettes by 11.3 cents per pack of 20 cigarettes for three years to fund natural disaster relief
10	Schoeller	Excludes the year 2012 from the requirement that a statewide presidential preference primary be held on the first Tuesday after the first Monday in February of each presidential election year

**INTRODUCED HOUSE JOINT RESOLUTIONS**

<b>No.</b>	<b>Author</b>	<b>Subject</b>
1	Silvey	Proposes a constitutional amendment requiring the General Assembly to take action on existing tax credits every four years beginning in 2016

**CLASSIFIED INDEX KEYWORDS****A**

Abortion  
 Accountants  
 Administration, Office of  
 Administrative Law  
 Administrative Rules  
 Agriculture and Animals  
 Agriculture Dept.  
 AIDS  
 Aircraft and Airports  
 Alcohol  
 Ambulances and Ambulance  
     Districts  
 Annexation  
 Appropriations  
 Architects  
 Arts and Humanities  
 Attorney General, State  
 Attorneys  
 Auditor, State  
 Autism

**B**

Banks and Financial Institutions  
 Bingo  
 Boards, Commissions,  
     Committees, Councils  
 Boats and Watercraft  
 Bonds-Bail  
 Bonds-General Obligation and  
     Revenue  
 Bonds-Surety  
 Buses  
 Business and Commerce

**C**

Campaign Finance  
 Capital Improvements  
 Cemeteries  
 Certificate of Need  
 Charities  
 Children and Minors  
 Chiropractors

Circuit Clerk  
 Cities, Towns and Villages  
 Civil Procedure  
 Civil Rights  
 Commercial Code  
 Compacts  
 Conservation Dept.  
 Constitutional Amendments  
 Construction and Building  
     Codes  
 Consumer Protection  
 Contracts and Contractors  
 Cooperatives  
 Corporations  
 Corrections Dept.  
 Cosmetology  
 Counties  
 County Government  
 County Officials  
 Courts  
 Courts, Juvenile  
 Credit and Bankruptcy

Credit Unions  
Crimes and Punishment  
Criminal Procedure

**D**

Dairies and Dairy Products  
Dentists  
Disabilities  
Domestic Relations  
Drainage and Levee Districts  
Drugs and Controlled  
    Substances  
Drunk Driving/Boating

**E**

Easements and Conveyances  
Economic Development  
Economic Development Dept.  
Education, Elementary and  
    Secondary  
Education, Higher  
Education, Proprietary  
Elderly  
Elections  
Elementary and Secondary  
    Education Dept.  
Emblems  
Emergencies  
Eminent Domain and  
    Condemnation  
Employees-Employers  
Employment Security  
Energy  
Engineers  
Enterprise Zones  
Entertainment, Sports and  
    Amusements  
Environmental Protection  
Estates, Wills and Trusts  
Ethics  
Evidence  
Excavation

**F**

Fairs  
Family Law  
Family Services Division  
Federal-State Relations  
Fees  
Fire Protection  
Firearms and Fireworks  
Fishing and Hunting  
Funerals and Funeral Directors

**G**

Gambling  
General Assembly  
Governor & Lt. Governor  
Guardians

**H**

Health Care  
Health Care Professionals  
Health Dept.  
Health, Public  
Higher Education Dept.  
Highway Patrol  
Historic Preservation  
Holidays  
Horse Racing  
Hospitals  
Housing

**I**

Identity Theft and Protection  
Immigration  
Insurance-Automobile  
Insurance-General  
Insurance-Life  
Insurance-Medical  
Insurance-Property  
Insurance Dept.  
Internet, World-Wide Web &  
    E-Mail  
Interstate Cooperation

**J**

Jackson County  
Judges  
Juries

**K**

Kansas City

**L**

Labor and Industrial Relations  
    Dept.  
Labor and Management  
Lakes, Rivers and Waterways  
Landlords and Tenants  
Law Enforcement Officers and  
    Agencies  
Liability  
Libraries and Archives  
Licenses-Driver's  
Licenses-Liquor and Beer  
Licenses-Misc  
Licenses-Motor Vehicle  
Licenses-Professional  
Liens  
Lobbying  
Lotteries

**M**

Manufactured Housing  
Marriage and Divorce  
Medicaid  
Medical Procedures and  
    Personnel

Mental Health  
Mental Health Dept.  
Merchandising Practices  
Merit System  
Military Affairs  
Mining and Oil and Gas  
    Production  
Minorities  
Mortgages and Deeds  
Motels and Hotels  
Motor Carriers  
Motor Fuel  
Motor Vehicles  
Museums

**N**

National Guard  
Natural Resources Dept.  
Newspapers and Publications  
Notary Public  
Nurses  
Nursing and Boarding Homes

**O**

Optometry

**P**

Parks and Recreation  
Pawnbrokers  
Pharmacy  
Physical Therapists  
Physicians  
Planning and Zoning  
Political Parties  
Political Subdivisions  
Prisons and Jails  
Probation and Parole  
Property, Real and Personal  
Psychologists  
Public Assistance  
Public Buildings  
Public Officers  
Public Records, Public Meetings  
Public Safety Dept.  
Public Service Commission

**R**

Railroads  
Redistricting  
Religion  
Retirement-Local Government  
Retirement-Schools  
Retirement-State  
Retirement Systems and  
    Benefits-General  
Revenue Dept.  
Revision Bills  
Roads and Highways

**S**

Saint Louis  
 Saint Louis County  
 Salaries  
 Savings and Loan  
 Science and Technology  
 Search and Seizure  
 Secretary of State  
 Securities  
 Sewers and Sewer Districts  
 Sexual Offenses  
 Social Services Dept.  
 Soil Conservation  
 Sovereign or Official Immunity  
 State Departments  
 State Employees  
 State Tax Commission  
 Suicide  
 Sunshine Law  
 Surveyors

**T**

Tax Credits

Taxation and Revenue-General  
 Taxation and Revenue-Income  
 Taxation and Revenue-  
     Inheritance  
 Taxation and Revenue-Property  
 Taxation and Revenue-Sales and  
     Use  
 Teachers  
 Telecommunications  
 Television  
 Terrorism  
 Tobacco Products  
 Tourism  
 Transportation  
 Transportation Dept.  
 Treasurer, State  
 Trees and Other Plants

**U**

Unemployment Compensation  
 Uniform Laws  
 Urban Redevelopment  
 Utilities

**V**

Veterans  
 Veterinarians  
 Victims of Crime  
 Vital Statistics

**W**

Waste-Hazardous  
 Waste-Radioactive  
 Waste- Solid  
 Water Patrol  
 Water Resources and Water  
     Districts  
 Weapons  
 Weights and Measures  
 Workers Compensation

**CLASSIFIED INDEX**

(Bills are classified by the last version acted on)

No.	Author	Subject
<b>ABORTION</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>ADMINISTRATION, OFFICE OF</b>		
SB 11	Chappelle-Nadal	Creates the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee and establishes plans to increase the participation of minority and women's business enterprises in state contracting
<b>AGRICULTURE AND ANIMALS</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>AGRICULTURE DEPT.</b>		
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>AIRCRAFT AND AIRPORTS</b>		
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development

No.	Author	Subject
<b>APPROPRIATIONS</b>		
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SCS HB 2		Changes the laws regarding the collection of moneys owed to the state
HB 6	Silvey	To appropriate money for the purpose of matching Federal Emergency Management Agency expenditures due to natural disasters in the state of Missouri in 2011 for the period ending June 30, 2012
HB 7	Silvey	Establishes the Joint Committee on Disaster Funding
<b>ATTORNEYS</b>		
SCS HB 2		Changes the laws regarding the collection of moneys owed to the state
<b>BANKS AND FINANCIAL INSTITUTIONS</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>BOARDS, COMMISSIONS, COMMITTEES, COUNCILS</b>		
SCS SB 1		Modifies provisions relating to communications between school district employees and students
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HB 7	Silvey	Establishes the Joint Committee on Disaster Funding
<b>BUSINESS AND COMMERCE</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 5	Schaaf	Authorizes state and local sales and use tax exemptions for new and expanding data centers and permits donation lease agreements between municipalities and data center projects
SB 6	Schaaf	Establishes the Missouri Science and Innovation Reinvestment Act
SS SCS SB 7		Establishes the Missouri Science and Innovation Reinvestment Act
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 9	Justus	Establishes the Missouri Science and Innovation Reinvestment Act
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
HB 8	Flanigan	Authorizes tax increment financing in certain areas affected by a natural disaster
<b>CHARITIES</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report

No.	Author	Subject
<b>CHILDREN AND MINORS</b>		
SCS SB 1		Modifies provisions relating to communications between school district employees and students
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>CITIES, TOWNS AND VILLAGES</b>		
SB 5	Schaaf	Authorizes state and local sales and use tax exemptions for new and expanding data centers and permits donation lease agreements between municipalities and data center projects
<b>CONSERVATION DEPT.</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>CONSTITUTIONAL AMENDMENTS</b>		
HCS HJR 1		Proposes a constitutional amendment requiring the General Assembly to take action on existing tax credits every four years beginning in 2016
<b>CONTRACTS AND CONTRACTORS</b>		
SB 11	Chappelle-Nadal	Creates the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee and establishes plans to increase the participation of minority and women's business enterprises in state contracting
<b>CORPORATIONS</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 6	Schaaf	Establishes the Missouri Science and Innovation Reinvestment Act
SS SCS SB 7		Establishes the Missouri Science and Innovation Reinvestment Act
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 9	Justus	Establishes the Missouri Science and Innovation Reinvestment Act
<b>COUNTIES</b>		
SB 5	Schaaf	Authorizes state and local sales and use tax exemptions for new and expanding data centers and permits donation lease agreements between municipalities and data center projects
<b>COUNTY OFFICIALS</b>		
HCS HB 5		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster and authorizes tax increment financing in certain areas affected by a natural disaster
<b>DISABILITIES</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report



No.	Author	Subject
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>ECONOMIC DEVELOPMENT</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 6	Schaaf	Establishes the Missouri Science and Innovation Reinvestment Act
SS SCS SB 7		Establishes the Missouri Science and Innovation Reinvestment Act
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 9	Justus	Establishes the Missouri Science and Innovation Reinvestment Act
SB 10	Schaaf	Modifies provisions regarding economic competitiveness as they relate the Certificate of Need and Compete Missouri programs
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
HB 8	Flanigan	Authorizes tax increment financing in certain areas affected by a natural disaster
<b>ECONOMIC DEVELOPMENT DEPT.</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 4	Kraus	Modifies provisions of the Missouri Quality Jobs Act
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 10	Schaaf	Modifies provisions regarding economic competitiveness as they relate the Certificate of Need and Compete Missouri programs
<b>EDUCATION, ELEMENTARY AND SECONDARY</b>		
SCS SB 1		Modifies provisions relating to communications between school district employees and students
<b>ELECTIONS</b>		
HCS HB 3		Changes the laws regarding presidential elections
HB 10	Schoeller	Excludes the year 2012 from the requirement that a statewide presidential preference primary be held on the first Tuesday after the first Monday in February of each presidential election year
<b>EMERGENCIES</b>		
HCS HB 5		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster and authorizes tax increment financing in certain areas affected by a natural disaster
HB 7	Silvey	Establishes the Joint Committee on Disaster Funding
HB 8	Flanigan	Authorizes tax increment financing in certain areas affected by a natural disaster
HB 9	Carlson	Increases the excise tax on cigarettes by 11.3 cents per pack of 20 cigarettes for three years to fund natural disaster relief
<b>EMPLOYEES - EMPLOYERS</b>		
SB 4	Kraus	Modifies provisions of the Missouri Quality Jobs Act
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development

No.	Author	Subject
<b>ENTERPRISE ZONES</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>ENTERTAINMENT, SPORTS AND AMUSEMENTS</b>		
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
<b>ENVIRONMENTAL PROTECTION</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>FEDERAL - STATE RELATIONS</b>		
HCS HB 3		Changes the laws regarding presidential elections
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
HB 6	Silvey	To appropriate money for the purpose of matching Federal Emergency Management Agency expenditures due to natural disasters in the state of Missouri in 2011 for the period ending June 30, 2012
HB 10	Schoeller	Excludes the year 2012 from the requirement that a statewide presidential preference primary be held on the first Tuesday after the first Monday in February of each presidential election year
<b>FEES</b>		
SCS HB 2		Changes the laws regarding the collection of moneys owed to the state
HCS HB 3		Changes the laws regarding presidential elections
<b>GENERAL ASSEMBLY</b>		
HB 7	Silvey	Establishes the Joint Committee on Disaster Funding
HCS HJR 1		Proposes a constitutional amendment requiring the General Assembly to take action on existing tax credits every four years beginning in 2016
<b>HEALTH CARE</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>HISTORIC PRESERVATION</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report

No.	Author	Subject
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>HOUSING</b>		
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
HCS HB 5		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster and authorizes tax increment financing in certain areas affected by a natural disaster
<b>INSURANCE - GENERAL</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
<b>INTERNET, WORLD-WIDE WEB &amp; E-MAIL</b>		
SCS SB 1		Modifies provisions relating to communications between school district employees and students
<b>LAW ENFORCEMENT OFFICERS AND AGENCIES</b>		
HB 1	Nasheed	Allows the City of St. Louis to establish and maintain a municipal police force completely under the city's authority
<b>LIABILITY</b>		
SCS HB 2		Changes the laws regarding the collection of moneys owed to the state
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
<b>LIENS</b>		
SCS HB 2		Changes the laws regarding the collection of moneys owed to the state
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
<b>POLITICAL PARTIES</b>		
HCS HB 3		Changes the laws regarding presidential elections
<b>POLITICAL SUBDIVISIONS</b>		
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
HCS HB 5		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster and authorizes tax increment financing in certain areas affected by a natural disaster
<b>PROPERTY, REAL AND PERSONAL</b>		
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
HCS HB 5		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster and authorizes tax increment financing in certain areas affected by a natural disaster
HB 8	Flanigan	Authorizes tax increment financing in certain areas affected by a natural disaster
<b>RETIREMENT SYSTEMS AND BENEFITS - GENERAL</b>		
HB 1	Nasheed	Allows the City of St. Louis to establish and maintain a municipal police force completely under the city's authority

No.	Author	Subject
<b>REVENUE DEPT.</b>		
SCS HB 2		Changes the laws regarding the collection of moneys owed to the state
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
<b>SAINT LOUIS</b>		
HB 1	Nasheed	Allows the City of St. Louis to establish and maintain a municipal police force completely under the city's authority
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
<b>SCIENCE AND TECHNOLOGY</b>		
SB 5	Schaaf	Authorizes state and local sales and use tax exemptions for new and expanding data centers and permits donation lease agreements between municipalities and data center projects
SB 6	Schaaf	Establishes the Missouri Science and Innovation Reinvestment Act
SS SCS SB 7		Establishes the Missouri Science and Innovation Reinvestment Act
SB 9	Justus	Establishes the Missouri Science and Innovation Reinvestment Act
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
<b>TAX CREDITS</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 4	Kraus	Modifies provisions of the Missouri Quality Jobs Act
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 10	Schaaf	Modifies provisions regarding economic competitiveness as they relate the Certificate of Need and Compete Missouri programs
HB 4	Tilley	Changes the laws regarding the collection of moneys owed the state, tax credits, and economic development
HB 8	Flanigan	Authorizes tax increment financing in certain areas affected by a natural disaster
HCS HJR 1		Proposes a constitutional amendment requiring the General Assembly to take action on existing tax credits every four years beginning in 2016
<b>TAXATION AND REVENUE - GENERAL</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 10	Schaaf	Modifies provisions regarding economic competitiveness as they relate the Certificate of Need and Compete Missouri programs
HB 9	Carlson	Increases the excise tax on cigarettes by 11.3 cents per pack of 20 cigarettes for three years to fund natural disaster relief
<b>TAXATION AND REVENUE - INCOME</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report

No.	Author	Subject
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 4	Kraus	Modifies provisions of the Missouri Quality Jobs Act
SB 6	Schaaf	Establishes the Missouri Science and Innovation Reinvestment Act
SS SCS SB 7		Establishes the Missouri Science and Innovation Reinvestment Act
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 9	Justus	Establishes the Missouri Science and Innovation Reinvestment Act
SB 10	Schaaf	Modifies provisions regarding economic competitiveness as they relate the Certificate of Need and Compete Missouri programs
<b>TAXATION AND REVENUE - PROPERTY</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
HCS HB 5		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster and authorizes tax increment financing in certain areas affected by a natural disaster
<b>TAXATION AND REVENUE - SALES AND USE</b>		
SB 2	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 3	Purgason	Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SB 5	Schaaf	Authorizes state and local sales and use tax exemptions for new and expanding data centers and permits donation lease agreements between municipalities and data center projects
HCS SS SCS SB 8		Modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report
SCS HB 2		Changes the laws regarding the collection of moneys owed to the state
HCS HB 5		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster and authorizes tax increment financing in certain areas affected by a natural disaster
HB 8	Flanigan	Authorizes tax increment financing in certain areas affected by a natural disaster
<b>TEACHERS</b>		
SCS SB 1		Modifies provisions relating to communications between school district employees and students
<b>TOBACCO PRODUCTS</b>		
HB 9	Carlson	Increases the excise tax on cigarettes by 11.3 cents per pack of 20 cigarettes for three years to fund natural disaster relief

# SENATE INDEX

## FIRST EXTRAORDINARY SESSION

### ADJOURNMENT

Sine die, First Extraordinary Session of the 96th General Assembly,  
First Regular Session . . . . . 98

### COMMUNICATIONS

Chappelle-Nadal, Senator, appointed member of the Joint Interim  
Committee on State Employee Wages . . . . . 82-83  
Chappelle-Nadal, Senator, resigned as a member of the Joint Interim  
Committee on State Employee Wages . . . . . 97-98  
Cunningham, Senator, appointed member of the Task Force on the  
Prevention of Sexual Abuse of Children (Erin's Law) . . . . . 97  
Curts, Senator, appointed member of the Task Force on the Prevention  
of Sexual Abuse of Children . . . . . 82-83  
Dixon, Senator, appointed member of the Joint Task Force on the  
Prevention of Sexual Abuse of Children (Erin's Law) . . . . . 83  
Dorton, Brett, appointed public member of the Joint Interim Committee  
on State Employee Wages . . . . . 92-93  
Kraus, Senator, appointed member of the Missouri Task Force on  
Prematurity and Infant Mortality . . . . . 92  
Kraus, Senator, appointed member of the Missouri Workforce  
Investment Board . . . . . 92  
Mayer, President Pro Tem, request the Committee on Governmental  
Accountability to investigate recent events involving Mamtek in  
Moberly, Missouri, including state and local involvement 63-64  
Proclamation convening the First Extraordinary Session of the First  
Regular Session of the 96th General Assembly . . . . . 1-3  
Schaaf, Senator appointed member of the Missouri Task Force on  
Prematurity and Infant Mortality . . . . . 91-92  
Special Message . . . . . 4-5  
Wright-Jones, Senator, appointed member of the Missouri Task Force  
on Premature and Infant Mortality . . . . . 82-83

### MESSAGES FROM THE GOVERNOR

Senate Bills Approved:  
SCS SB 1 . . . . . 96-97  
SS SCS SB 7 . . . . . 97

### Gubernatorial Appointments

Advisory Committee for 911 Service Oversight  
Stenger, Debra . . . . . 12, 17  
Bi-State Development Agency of the Missouri-Illinois Metropolitan  
District  
Gully, Constance . . . . . 9, 17  
Child Abuse and Neglect Review Board  
Maglio, Christopher . . . . . 11, 17  
Clay County Board of Election Commissioners  
Crawford, Thelma, Democrat . . . . . 8, 17  
Clean Water Commission of the State of Missouri  
Warren, Wallis, Democrat . . . . . 13, 18  
Wood, Dennis, Republican . . . . . 13, 18  
Conservation Commission  
Blair IV, James T., Republican . . . . . 6, 16  
Coordinating Board for Early Childhood  
Patterson, Shirley . . . . . 11, 17  
Crime Laboratory Review Commission  
Cisar, Timothy R. . . . . 7-8, 17  
Labor and Industrial Relations Commission

Chick, Curtis, Democrat . . . . . 7, 17  
Mental Health Commission  
Roling, Stephen . . . . . 11, 17  
Missouri Community Service Commission  
Duffy, Linda, Republican . . . . . 8-9, 17  
Missouri Consolidated Health Care Plan Board of Trustees  
Burlison-Huss, Erin . . . . . 7, 17  
Missouri Gaming Commission  
Bradley, Katherine Suzanne, Republican . . . . . 6-7, 16  
Missouri Quality Home Care Council  
Gundy, Jennifer . . . . . 9, 17  
Missouri Southern State University Board of Governors  
Surface, Charles, Republican . . . . . 12, 18  
Northwest Missouri State University Board of Regents  
Dorrel, Francis, Republican . . . . . 8, 17  
State Advisory Council on Emergency Medical Services  
Herman, David . . . . . 10, 17  
State Committee of Dietitians  
Hudson, Le Greta, Democrat . . . . . 10, 17  
State Highways and Transportation Commission  
Hunt, Joseph, Democrat . . . . . 10-11, 17  
The Missouri Child Advocate in the Office of Child Advocate for  
Children's Protection and Services  
Schultz, Kelly . . . . . 12, 17  
University of Missouri Board of Curators  
Henrickson, Pamela Q., Republican . . . . . 9-10, 17  
Van Matre, Craig, Democrat . . . . . 13, 18

### PRESIDING OFFICERS

(Presiding when President was not in Chair)

Kehoe, Senator . . . . . 23, 61, 62, 66  
Mayer, Senator . . . . . 18, 21, 31, 43, 46, 57, 69, 94  
Pearce, Senator . . . . . 4, 6, 30, 32, 45, 46, 52, 55, 59, 85  
Ridgeway, Senator . . . . . 37, 90  
Rupp, Senator . . . . . 15, 26  
Schmitt, Senator . . . . . 47, 48  
Stouffer, Senator . . . . . 4, 20, 21, 33

### MOTIONS AND REQUESTS, MISCELLANEOUS

Goodman, Senator, requested unanimous consent for the Missouri  
Working Group on Sentencing and Corrections to meet while the  
Senate is in session . . . . . 33

### OBJECTIONS AND PROTESTS

Lembke, Senator, Constitutional objection to signing of SS SCS SB 7  
. . . . . 58-59

### ORGANIZATION

Roll call . . . . . 3  
Rules (SR 2) . . . . . 4  
Senate convened, notify House (SR 1) . . . . . 4

### POINTS OF ORDER

SS HCS HB 3 . . . . . 89  
SS SCS SB 8 . . . . . 33

## SENATE RESOLUTIONS

No.	Author	Subject	Page Reference
175	Wasson	27th Annual Salute to Construction	87
169	Mayer	Abner, Inez	87
133	Rupp	Alexander, Carol	69
26	Schaefer	American Jobs Act	27, 32
14	Wasson	Andrews, Douglas A.	23
118	Brown	Armed Services YMCA of Missouri, the Twenty-fifth Anniversary of the	67
59	Munzlinger	Audrain County, One Hundred Seventy-fifth Anniversary of	53
130	Nieves	Baecker, Douglas W.	69
106	Rupp	Baggett, Ryan Quay	66
145	Lager	Baldwin, Mr. and Mrs. Russ	86
87	Richard	Banks, Betsy	63
209	Goodman/Kraus	Barber, Esther Nobe	96
11	Lamping	Barthelmass, Scott	21
126	Parson	Bass, Mr. and Mrs. Howard	67
201	Brown	Belle United Methodist Church	95
15	Brown	Bexten, Mr. and Mrs. Paul	23
162	Schmitt	Binggeli, Mary	87
177	Schmitt, et al	Boeing F/A-18E/F aircraft	87-88
73	Schaefer	Bragg, Jack D., D.O.	58
208	Parson	Breshears, Tytus	96
37	Richard	Brothers, Kit Denise	46
137	Munzlinger	Brumback, Mr. and Mrs. Jim	69-70
193	Dixon	Brumitt, Helen	95
114	Dixon	Buckner, Dr. John, III	67
150	Lager	Carmack, Mr. and Mrs. Larry	86
139	Schaaf	Carpenter, Mr. and Mrs. William W. "Bill"	86
29	Lembke	Carr, David	32
55	Kehoe	Carter, Faye Tull	53
143	Schmitt	Cassilly, Robert James "Bob", Jr.	86
62	Brown	Central Hog Market	57
179	Richard	Claiborne, Daria	94
173	Dixon	Clark, Josh	87
74	Ridgeway	Clay County Investigative Squad	58
7	Crowell	Colyer, Jeffrey L.	18
98	Richard	Contempri Homes	63

No.	Author	Subject	Page Reference
132	Nieves	Corley, Michael	69
32	Justus and Curls	Corwin, Kansas City Police Chief James D.	32
4	Richard	Creighton, Mamie	15-16
168	Mayer	Crofford, Cleo	87
124	Kraus	Curless, Jay R., III	67
71	Rupp	Dalton, Dr. and Mrs. Richard L.	58
205	Stouffer	Daniel, Ruby	96
195	Goodman	Daugherty, Mr. and Mrs. Jack R.	95
186	Crowell	Davis, Mr. and Mrs. Henry	94-95
134	Munzlinger	Dawn Food Products, Incorporated	69
44	Cunningham, et al	Department of Elementary and Secondary Education	49, 55
136	Munzlinger	DeVerger, Mr. and Mrs. Bennie	69
123	Chappelle-Nadal	Double Tenth National Day	67
1	Dempsey	Duly Convened	4
120	Lembke	Dunn, Lisa	67
144	Lager	Dunn, Mr. and Mrs. C.R. "Dick"	86
39	Parson	Dwyer, Mr. and Mrs. Clifford	46
56	Crowell	Eisleben Lutheran Church, One Hundred Sixtieth Anniversary of	53
46	Kraus	Elias, Dr. Jim	53
198	Richard	Elks Lodge #2251 and Ladies Auxiliary	95
28	Kraus	F-35 Joint Strike Fighter program	31
95	Lager	Fairfax Kiwanis Club, Sixty-fifth	63
107	Engler	Ferrell, Gregory Kenneth "Greg"	66
91	Munzlinger	First Presbyterian Church, One Hundred Eightieth Anniversary of the	63
149	Lager	Florea, Mr. and Mrs. Marvin	86
6	Richard	Freeman Health System and the Ozark Center	16
99	Rupp	Garrett, Mr. and Mrs. Cliff	63
48	Crowell	Gillard, Reverend Grant	53
48	Crowell	Gillard, Reverend Nancy	53
36	Wright-Jones	Givens, Dr. Henry	45-46
188	Kehoe	Glover, Judy	95
66	Kehoe	Goodin, Claudia	57
12	Purgason	Goodwine, Ola Mae	23
111	Dixon	Grant, Ruth, M.D.	67
142	Schmitt	Gross & Janes Company, Ninetieth Anniversary of	86
24	Crowell	Gross, Peggy	27
68	Crowell	Hager, Dr. and Mrs. Harold	57



No.	Author	Subject	Page Reference
121	Lembke	Hancock High School Varsity H Club	67
199	Brown	Hand, Susan	95
116	Brown	Hanneken, Mr. and Mrs. Leroy	67
92	Munzlinger	Hauswirth, Brian	63
33	Kraus	Hedger, David Scott	32
131	Nieves	Helling, Melinda S.	69
122	Lembke	Hennessey, Justin N.	67
138	Schaaf	Herbster, Mr. and Mrs. Harlan	85
148	Lager	Hersh, Mr. and Mrs. Rolland	86
88	Richard	Hickey, Larry	63
23	Kraus	Hissong, F. Mark	27
38	Richard	Holt, Steven H. "Steve"	46
112	Dixon	Hoos, Gary L., M.D.	67
182	Wright-Jones	Howard, Raymond	94
200	Brown	Huffman, Mr. and Mrs. Robert	95
20	Kraus	Hughes, Danny and Dottie	27
159	Lager	Hughes, Mr. and Mrs. Arnold	87
84	Brown	Immaculate Conception Parish, One Hundred Fiftieth Anniversary of	62
42	Curls	Irving, Johnnie Ruth	48
207	Parson	Jensen, Josiah	96
129	Nieves	Jones, Delmar W.	69
127	Rupp	Kallash, Mr. and Mrs. Joseph Robert	67
31	Purgason	Kapp, Travis Joseph	32
9	Lager	Kemna, Michael L.	18
89	Rupp	Kleist, Zachary J.	63
172	Dixon	Klika, Matthew Aaron	87
64	Brown	Kloeppe, Mr. and Mrs. Ralph	57
210	Goodman/Engler	Knaust, Meta Nobe	96
57	Kehoe	Kramer, Elizabeth S. "Betty"	53
72	Rupp	Krull, Noah Gresham	58
165	Richard	Krygiel, Ted	87
196	Lembke	Kunz, Linda	95
58	Wasson	Kyle, Sheriff Joey	53
202	Lamping	Lam, Paul	95
67	Crowell	Leuckel, Mr. and Mrs. Carl	57
166	Richard	Lindquist, Mark	87
119	Goodman	Loyd's Electric Supply, Incorporated	67

No.	Author	Subject	Page Reference
25	Crowell	Lueders, Mr. and Mrs. Wilmer	27
105	Crowell	Maevers, Mr. and Mrs. James L.	66
49	Crowell	Majors, Mr. and Mrs. Hal	53
78	Kraus	Martin, Brady Joe	62
70	Nieves	Mathaushek Council #1576 of the Knights of Columbus	58
100	Keaveny	McClure, Amos	66
164	Richard	Means, Mr. and Mrs. Bernard	87
194	Curls	Medina, Director Christopher, Wiley College Forensics	95
146	Lager	Meek, Mr. and Mrs. Donald	86
97	Dempsey	Mercurio, Karen	63
94	Richard	Meredith, Dixie	63
19	Kraus	Merrell, Kristen	27
93	Munzlinger	Mexico High School Dixie Gray Band, Sixtieth Anniversary of the	63
59	Munzlinger	Mexico, One Hundred Seventy-fifth Anniversary of the City of	53
135	Munzlinger	Meyer, Mr. and Mrs. Bob	69
50	Brown	Meyers, Mr. and Mrs. Carl	53
125	Goodman	Mieswinkel, Della	67
154	Lager	Miles, Mr. and Mrs. Virgil	86
60	Lembke, et al	Missouri Health Insurance Pool	53-55, 88
204	Richard	Missouri National Guard Camp Crowder Training Site	96
21	Kraus	Mokosak, Steve	27
181	Wright-Jones	Moore, Carla	94
141	Curls	Mothers of Incarcerated Sons and Daughters	86
203	Lamping	Motley, Alex	95
103	Brown	Murphy, Mr. and Mrs. C. Dale	66
117	Schaefer	Mustard, Cindy	67
65	Nieves	Myers, Zachary Scott	57
183	Wright-Jones	Neely, James R., Jr.	94
184	Richard	Newton County Courthouse	94
22	Kraus	Ngomsi, Dr. Emmanuel	27
109	Dixon	O'Reilly, Brooke	66
53	Engler/ Cunningham	Palmer, Dr. Donald D., Jr.	53
185	Richard	Parker, Edwin W.	94
190	Engler	Peek, Irene	95
152	Lager	Persell, Mr. and Mrs. Paul	86
90	Schaaf	Phillips, Mr. and Mrs. Leroy "Sonny"	63
27	Wright-Jones	Pieper, Dr. John A.	31

No.	Author	Subject	Page Reference
98	Richard	Pinckneyville, Illinois, the community of	63
113	Dixon	Pitt, Doug	67
157	Lager	Porterfield, Mr. and Mrs. Raymond "Tillie"	86-87
5	Richard	Ramsour, Susan	16
51	Mayer	Rasche, Addie	53
61	Rupp	Reader, Andrew Gordon	57
161	Lager	Reardon, Pauline	87
41	Brown	Rehagen Heating and Cooling	46
77	Kraus	Rew, Steven Arthur	62
96	Crowell	Riehn, Effie Elizabeth	63
115	Dixon	Robinson, Ginger	67
63	Brown	Rohlfing, Mr. and Mrs. Martin	57
178	Nieves	Rohrer, Inez	94
101	Brown	Rosebud, One Hundredth Anniversary of the city of	66
2	Dempsey	Rules	4
34	Parson	Saddler, Mr. and Mrs. Henry C.	32
30	Keaveny	Saint Roch Parish, One Hundredth Anniversary of	32
206	Stouffer	Salem Lutheran Church	96
85	Brown	Sally, Gene	62
197	Lembke	Salzman, Scott Andrew "Scotty"	95
79	Kraus	Schmitt, David Lance	62
104	Crowell	Seabaugh, Mr. and Mrs. Wilbur Keith	66
16	Brown	Sensintaffar, Mr. and Mrs. Larry	23
108	Dixon	Shah, Bharat, M.D., F.A.C.S.	66
47	Crowell	Shelby, Mr. and Mrs. Mitch	53
191	Rupp	Sherman, Etta	95
8	Brown	Sidwell, Mr. and Mrs. Don	18
13	Richard	Sign Designs	23
170	Wright-Jones	Slay, Anna May	87
211	Lager	Smith, Lana	96
163	Goodman	Smith, Lane	87
110	Dixon	Southwest Center for Independent Living, the Twenty-fifth Anniversary of	66
153	Lager	Spalding, Mr. and Mrs. Bill	86
17	Kehoe	Spears, Joseph G.	23
35	Parson	Speiser, Mr. and Mrs. Marvin W.	32
176	Keaveny	Stansberry, Mark	87
69	Crowell	Steffen, Mr. and Mrs. Wes	57

No.	Author	Subject	Page Reference
160	Lager	Strauch, Mr. and Mrs. Kenneth	87
86	Parson	Taylor, Dr. C. Pat	63
147	Lager	Taylor, Mr. and Mrs. Ivan	86
189	Kehoe	The Salvation Army Jefferson City Corps	95
158	Lager	Travis, Mr. and Mrs. Frank	87
151	Lager	Treese, Mr. and Mrs. Bill	86
52	Schaaf	Tremayne, Kathleen S.	53
40	Brown	Tucker, Mr. and Mrs. Max	46
43	Munzlinger	U.S. Army Corp of Engineers	48-49. 55
3	Crowell	Wachter, Mr. and Mrs. Allen	4
54	Schaefer	Wages, Brenda L.	53
140	Cunningham	Wagner, Edward	86
167	Mayer	Wagster, J.D.	87
45	Wright-Jones	Wall, Mary Katherine Billingsly	53
180	Richard	Webb City High School Class of '61	94
171	Dixon	Wendt, Joshua David Arthur	87
187	Crowell	Wessell, Mr. and Mrs. Doug	95
192	Dixon	Whitaker, Gary	95
76	Curls	White, Wayne Jamar	62
194	Curls	Wiley College Debate Team	95
82	Kraus	Williams, Andrew Michael	62
81	Kraus	Williams, Collin Eugene	62
80	Kraus	Williams, Robert Bradley	62
174	Dixon	Wilson, Jesse Adam	87
10	Kehoe	Winthorst, Mr. and Mrs. Jerome	21
75	Goodman	Wolfe, Dylan Coy	62
128	Nieves	Wolking, Virginia I.	69
156	Dempsey	Woody, James A.	86
155	Cunningham	Wunderlich, Charles H.	86
102	Brown	Yager, Mr. and Mrs. Roy	66
83	Brown/ Schaefer	Youngquist, Dr. Bob	62

# HOUSE INDEX

## FIRST EXTRAORDINARY SESSION

---

### ADJOURNMENT

Adjourned ..... 129

### COMMUNICATION

Bahr, Representative Kurt, letter of objection, SS SCS SB 7 . . . 89-90

### CORRECTIONS TO HOUSE JOURNAL

Members' presence noted . . . . 4, 9, 14, 55, 61, 62, 64, 66, 69, 78, 80,  
82, 86, 115, 117, 120, 129

### MESSAGES FROM THE GOVERNOR

Proclamation, convene First Extraordinary Session of the First Regular  
Session of the Ninety-sixth General Assembly ..... 1-4  
Special Message ..... 7-9

### MOTIONS

Previous question, SCS SB 1 ..... 71  
Previous question, HCS SS SCS SB 8 ..... 94  
Previous question, HCS SS SCS SB 8 ..... 109, 110  
Suspend Rule 41 ..... 18, 124

### ORGANIZATION

Pledge of Allegiance led by Kennedy, Sydney and Kellen Merrell  
..... 129  
Senate convenes (SR 1) ..... 9  
Supplemental Calendars ..... 46, 69, 86, 123

### POINTS OF ORDER

HCS HJR 1 ..... 125  
HB 6 ..... 19  
HCS SS SCS SB 8 ..... 94, 110

### PRAYERS

(Prayers made by other than Chaplain)  
(Msgr. Robert A. Kurwicki)

Phillips, Representative Don ..... 117  
Solon, Representative Sheila ..... 84  
Wilson, Reverend Ken, Pastor and Previous Missionary, North  
American Mission Board, Southern Baptist Convention. . . . 88  
Wright, Representative Billy Pat ..... 66

### PRESIDING OFFICER

(Presiding while Speaker was not in Chair)

Barnes, Representative ..... 115  
Cierpiot, Representative ..... 57, 119  
Day, Representative ..... 62, 80  
Dieckhaus, Representative ..... 60  
Flanigan, Representative ..... 1, 78, 82, 84  
Fraker, Representative ..... 64  
Grisamore, Representative ..... 90, 129  
Jones (117), Representative ..... 7  
Jones (89), Representative ..... 57, 94  
Leach, Representative ..... 117  
Parkinson, Representative ..... 74  
Pollock, Representative ..... 97  
Richardson, Representative ..... 55  
Zerr, Representative ..... 66

## HOUSE RESOLUTIONS

No.	Author	Subject	Page Reference
4466	Jones (117)	F-35 Joint Strike Fighter Program	17, 69, 84-85, 90-91
4672	Funderburk	F/A-18E/F Super Hornet Program	117, 122-123, 126-127

# SENATE INDEX

## VETO SESSION

### ADJOURNMENT

Sine die, Veto Session, 96th General Assembly, First Regular Session ..... 6

### COMMUNICATIONS

Nixon, Governor, vetoed Senate Bills ..... 2-5

### MESSAGES FROM THE HOUSE

House convened (HR 1) ..... 6  
No override motions on certain bills (HR 2) ..... 6

### ORGANIZATION

Convening of Senate, Veto Session, 96th General Assembly, First Regular Session ..... 1  
No override motion on certain Senate Bills (SR 3) ..... 5-6  
Roll call ..... 1  
Rules (SR 2) ..... 2  
Senate convened, notify House (SR 1) ..... 1-2

### PRESIDING OFFICERS

(Presiding when President was not in Chair)

Schmitt, Senator ..... 6  
Stouffer, Senator ..... 6

## SENATE RESOLUTIONS

No.	Author	Subject	Page Reference
1	Dempsey	Duly Convened	1-2
3	Dempsey	No Motion to Override	5-6
2	Dempsey	Rules	2

# HOUSE INDEX

## VETO SESSION

### ADDRESS

Sappington, Keith, former House Director of Operations (notation only) ..... 1

### ADJOURNMENT

Ninety-sixth General Assembly, First Regular Session, adjourned sine die pursuant to the Constitution ..... 9

### MESSAGES FROM THE GOVERNOR

#### House Bills Vetoed:

\*CCS SCS HCS HB 10 ..... 3  
SS SCS HB 184 ..... 4  
SS SCS HB 209 ..... 5  
SCS HB 256 ..... 5-6  
CCS SS SCS HCS HB 430 ..... 6  
HCS HB 465 ..... 7  
HB 484 ..... 7  
SCS HB 1008 ..... 8

\*Approved in Part

### ORGANIZATION

Convening of House, Veto Session, Ninety-Sixth General Assembly, First Regular Session, (HR 1) ..... 2  
No override motions on certain House Bills (HR 2) ..... 8  
No override motions on certain Senate Bills (SR3) ..... 9  
Senate convenes (SR 1) ..... 9

### PRAYER

Kurwicki, Msgr. Robert A. .... 1

### RECOGNITION

American Legion Boys State of Missouri Legislature participants . 1  
New Bloomfield Wildcats Boys Basketball Team ..... 1  
Sappington, Keith, former House Director of Operations, retirement ..... 1

**HOUSE RESOLUTIONS**

No.	Author	Subject	Page Reference
1	Jones (89)	House convened, notify	2
2	Jones (89)	No motion to override Governor's vetoes on House Bills	8

## 2011 Senate Journals

<b>Pages</b>	<b>Journal</b>	<b>Pages</b>	<b>Journal</b>	<b>Pages</b>	<b>Journal</b>
1-59	Day 01 - 01/05/11	60-65	Day 02 - 01/06/11	66-70	Day 03 - 01/10/11
71-76	Day 04 - 01/11/11	77-89	Day 05 - 01/12/11	90-93	Day 06 - 01/13/11
94-103	Day 07 - 01/18/11	104-121	Day 08 - 01/19/11	122-128	Day 09 - 01/20/11
129-137	Day 10 - 01/24/11	138-143	Day 11 - 01/25/11	144-152	Day 12 - 01/26/11
153-163	Day 13 - 01/27/11	164-173	Day 14 - 01/31/11	174-182	Day 15 - 02/01/11
183-206	Day 16 - 02/07/11	207-213	Day 17 - 02/08/11	214-229	Day 18 - 02/09/11
230-237	Day 19 - 02/10/11	238-250	Day 20 - 02/14/11	251-263	Day 21 - 02/15/11
264-268	Day 22 - 02/16/11	269-288	Day 23 - 02/17/11	289-294	Day 24 - 02/21/11
295-304	Day 25 - 02/22/11	305-318	Day 26 - 02/23/11	319-339	Day 27 - 02/24/11
340-354	Day 28 - 02/28/11	355-370	Day 29 - 03/01/11	371-384	Day 30 - 03/02/11
385-397	Day 31 - 03/03/11	398-406	Day 32 - 03/07/11	407-415	Day 33 - 03/08/11
416-423	Day 34 - 03/09/11	424-441	Day 35 - 03/10/11	442-452	Day 36 - 03/14/11
453-461	Day 37 - 03/15/11	462-482	Day 38 - 03/16/11	483-499	Day 39 - 03/17/11
500-503	Day 40 - 03/25/11	504-511	Day 41 - 03/28/11	512-519	Day 42 - 03/29/11
520-533	Day 43 - 03/30/11	534-551	Day 44 - 03/31/11	552-572	Day 45 - 04/04/11
573-600	Day 46 - 04/05/11	601-641	Day 47 - 04/06/11	642-671	Day 48 - 04/07/11
672-684	Day 49 - 04/11/11	685-697	Day 50 - 04/12/11	698-719	Day 51 - 04/13/11
720-744	Day 52 - 04/14/11	745-762	Day 53 - 04/18/11	763-782	Day 54 - 04/19/11
783-805	Day 55 - 04/20/11	806-818	Day 56 - 04/21/11	819-1096	Day 57 - 04/26/11
1097-1196	Day 58 - 04/27/11	1197-1215	Day 59 - 04/28/11	1216-1219	Day 60 - 04/29/11
1220-1241	Day 61 - 05/02/11	1242-1299	Day 62 - 05/03/11	1300-1335	Day 63 - 05/04/11
1336-1483	Day 64 - 05/05/11	1484-1625	Day 65 - 05/09/11	1626-1718	Day 66 - 05/10/11
1719-1882	Day 67 - 05/11/11	1883-1980	Day 68 - 05/12/11	1981-2094	Day 69 - 05/13/11
2095-2099	Day 70 - 05/26/11				

### Special Session

1-14	Day 01 - 09/06/11	15-19	Day 02 - 09/07/11	20-22	Day 03 - 09/08/11
23-25	Day 04 - 09/09/11	26-29	Day 05 - 09/12/11	30-44	Day 06 - 09/13/11
45-51	Day 07 - 09/14/11	52-56	Day 08 - 09/21/11	57-60	Day 09 - 09/23/11
61	Day 10 - 09/26/11	62-65	Day 11 - 10/03/11	66-68	Day 12 - 10/06/11
69-84	Day 13 - 10/11/11	85-93	Day 14 - 10/17/11	94-98	Day 15 - 10/25/11

### Veto Session

1-6	Day 01 - 09/14/11
-----	-------------------



**JOURNAL OF THE SENATE**  
**NINETY-SIXTH GENERAL ASSEMBLY**  
**OF THE**  
**STATE OF MISSOURI**  
**FIRST REGULAR SESSION**

---

**FIRST DAY—WEDNESDAY, JANUARY 5, 2011**

---

The Senate was called to order at 12:00 noon by Lieutenant Governor Peter Kinder.

The Reverend Carl Gauck offered the following prayer:

Gracious God, we are most grateful for this new year and new session. We come together, some old and others new to the responsibilities that this senate will demand of us. You have blessed each here with a variety of gifts and talents which You call forth to be used effectively during our time together. So we humbly ask that You will give us Your grace and blessings so all that we do this year will be done as onto You and brings forth the best possible outcomes. In Your Holy Name we pray. Amen.

Boy Scout Troop 351, St. Charles Borromeo Catholic Parish presented the Colors.

The Pledge of Allegiance to the Flag was led by Dawson Reynolds, Dexter.

The “Star-Spangled Banner” was performed by members of the Dexter High School Choir.

The President of the Senate stated that the Rules of the Senate would be the Missouri Senate Rules of the 2nd Regular Session of the Ninety-fifth General Assembly until temporary or permanent rules are adopted.

Senator Dempsey announced that photographers from Jefferson City News Tribune, KOMU-TV, MO. News Horizon, KSHB-TV, St. Louis Chinese American News and the Senate and family had been given permission to take flash pictures and to video in the Senate Chamber and gallery today.

Senator Dempsey submitted the following appointments of officers for the temporary organization, which were read:

President Pro Tem .....	Robert N. Mayer
Secretary of Senate .....	Terry L. Spieler
Sergeant-at-Arms .....	Bill Smith
Doorkeeper .....	Ken Holman

Senator Dempsey requested unanimous consent of the Senate that the above named officers stand as temporary officers until permanent officers are elected, which request was granted.

### **MESSAGES FROM THE SECRETARY OF STATE**

The President laid before the Senate the following communication from the Secretary of State, which was read:

To the Honorable Senate of the 96th General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the Senate for the 96th General Assembly (First Regular Session) of the State of Missouri, elected at the November 4, 2008 General Election and the November 2, 2010 General Election.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 4th day of January, 2011.

/s/ Robin Carnahan

(Seal)

SECRETARY OF STATE

#### **MISSOURI STATE SENATORS**

Elected November 2, 2010

District	Name
2nd	Scott T. Rupp
4th	Joseph Keaveny
6th	Mike Kehoe
8th	Will Kraus
10th	Jolie L. Justus
12th	Brad Lager
14th	Maria N. Chappelle-Nadal
16th	Dan Brown
18th	Brian Munzlinger
20th	Jay Wasson
22nd	Ryan McKenna
24th	John T. Lamping
26th	Brian Nieves
28th	Mike Parson
30th	Bob Dixon
32nd	Ron Richard
34th	Rob Schaaf

**MISSOURI STATE SENATORS****Elected November 4, 2008**

<b>District</b>	<b>Name</b>
<b>1st</b>	<b>Jim Lembke</b>
<b>3rd</b>	<b>Kevin Engler</b>
<b>5th</b>	<b>Robin Wright-Jones</b>
<b>7th</b>	<b>Jane Cunningham</b>
<b>*9th</b>	<b>Vacant</b>
<b>11th</b>	<b>Victor Callahan</b>
<b>13th</b>	<b>Timothy P. Green</b>
<b>15th</b>	<b>Eric Schmitt</b>
<b>17th</b>	<b>Luann Ridgeway</b>
<b>19th</b>	<b>Kurt Schaefer</b>
<b>21st</b>	<b>Bill Stouffer</b>
<b>23rd</b>	<b>Tom Dempsey</b>
<b>25th</b>	<b>Robert (Rob) Mayer</b>
<b>27th</b>	<b>Jason Glennon Crowell</b>
<b>29th</b>	<b>Jack Goodman</b>
<b>31st</b>	<b>David Pearce</b>
<b>33rd</b>	<b>Chuck Purgason</b>

**\*Senator Yvonne Wilson resigned effective December 7, 2010. Special Election has been scheduled for February 22, 2011.**

The newly elected Senators advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Judge William L. Syler, 32nd Judicial Circuit.

On roll call the following Senators were present:

## Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

The President declared the First Regular Session of the 96th General Assembly convened.

## RESOLUTIONS

Senator Dempsey offered the following resolution, which was read and adopted:

### SENATE RESOLUTION NO. 1

BE IT RESOLVED, by the Senate of the Ninety-sixth General Assembly of the State of Missouri, First Regular Session, that the rules adopted by the Ninety-fifth General Assembly, Second Regular Session, as amended, insofar as they are applicable, be adopted as the temporary rules for the control of the deliberations of the Senate of the Ninety-sixth General Assembly, First Regular Session, until permanent rules are adopted.

Senator Dempsey moved that the Senate proceed to perfect its organization, which motion prevailed.

Senator Rupp nominated Senator Rob Mayer for President Pro Tem. Senator Mayers' nomination was seconded by Senator Lager.

No further nominations being made, Senator Mayer was elected President Pro Tem by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Mayer was escorted to the dais by Senator Cunningham.

Senator Mayer subscribed to the oath of office of President Pro Tem, administered by the Honorable Judge William L. Syler, 32nd Judicial Circuit.

President Pro Tem Mayer assumed the dais and delivered the following address:

#### Opening Address

**Senator Rob Mayer, President Pro Tem**  
**First Regular Session, 96<sup>th</sup> General Assembly**  
**January 5, 2011**

Lt. Governor Kinder, members of the Missouri Senate, our families, friends, and fellow Missourians:

Today as I stand before you and humbly accept the honor of serving as the Senate's Leader, I am hopeful. I am hopeful that we can come together and find the best solutions to the state's budget. I am hopeful that we can help put Missourians back to work. And I am hopeful that we will continue our commitment to the education of our children – along the entire education spectrum.

I thank you, my Senate colleagues, for electing me to this role and am grateful for the trust you have placed in me.

The landscape of the Senate has certainly changed over the past few years. We have watched the era of "Senate Lions" pass, and have

welcomed more and more new faces to this august body.

Over the past two years, we have welcomed 7 new members and, today, we welcome 12 more members into this body of leaders. All in all, that means 19 or more than half of us have served less than two years in the Senate. But you are all now part of a strong tradition of leadership. A great deal will be expected of you over a short amount of time. But I am confident you will rise and meet the challenge of finding common-sense solutions to address the problems our state is facing today.

Our state is facing serious challenges: it is the third budget year in a row where we will begin with a budget shortfall, we need to get Missourians back to work in lasting and growing industries that pay well and offer benefits, and we must make sure that our decisions today do not harm tomorrow's vision for an educated workforce.

Our toughest challenge this year again will be the budget.

The good news is that over the last two years we have made tough decisions. As many other states have fallen off the cliff, compared to most, Missouri is in good financial standing.

To date, our state's revenue is showing signs of growth, but not much. It is forecast that we will end the fiscal year that began in July with a 3.6 percent growth in revenue. So far, we are on track to meet this projection. Unfortunately, even with this small growth over last year, it still means we are facing a \$300 to \$500 Million revenue shortfall for the 2012 Fiscal Year.

That shortfall comes on top of the total decline of a little more than \$1.2 Billion – putting us barely above what the state collected back in Fiscal Year 2005.

When it comes to our budget, very few of the state's general revenue dollars are discretionary dollars. That means in tough budget years, like this one, it becomes even more difficult to reduce spending when certain dollars are earmarked - leaving us with little flexibility in where to cut back.

I look forward to hearing Governor Nixon's budget plan later this month. It is important that he presents a budget that only spends what the government takes in and does not rely on special legislation to pass in order to be balanced.

In the Senate, we will protect taxpayers by continuing to make tough decisions to fund our priorities without a tax increase.

There are three solutions to improving Missouri's budget outlook.

The first solution is to put people back to work in good-paying jobs with benefits. Our state's revenue is reliant on people working and participating in our economy.

I learned from an early age that a job is something to value. A job gives you a sense of worth, accomplishment and the pride of making an honest dollar for an honest day's work. Many times, a job is an opportunity that leads to another job. And in many ways, our jobs help define who we are and who we want to be.

I understand the challenges and difficulties of losing your job. After 12 years on the job for an automotive manufacturing supply company, an economic downturn and restructuring led to me losing my job. My children were young and it was incredibly stressful to not know right away how I was going to provide for my family. But that life-changing moment led me to go back to college and finish my undergraduate degree, and later a law degree. It was tough, but today I own my own law firm. Things could have gone much differently for me. But because there were other opportunities available when my first career ended abruptly, I was able to bounce back. My experience is why making sure other Missourians have job opportunities available to them is so important to me.

Unfortunately, for too many Missourians, there is a void in their lives when it comes to work. Rather than feeling a sense of accomplishment, they face rejections or silence. It's not because of them or anything they have done, it's because there simply are not the opportunities available to them that should be. And that is unacceptable.

It's unacceptable that of the more than 3 Million Missourians that make up our state's work force, more than 280,000 have been out of work for the past year and a half. It is also unacceptable that underemployment has more than doubled to 5 percent from 2007 to 2009.

Missourians want results and we're going to give them results.

This year, we will pass reforms to help put Missourians back to work in good paying jobs with benefits. We will put Missourians back to work by enabling all employers to invest in working families rather than government growth, improving employers' ability to hire and retain quality workers, making sure employees can't be personally sued for honest accidents at work, and ensuring an employee's liberty when it comes to joining or leaving a union.

We will pass a bill capping the Corporate Franchise Tax. We will pass a bill restoring balance to the Missouri Human Rights Act and Whistleblower provisions. We will pass a bill reversing judicial activism in the Workers' Compensation System. And we will pass a bill making Missouri a Right to Work state.

Legislation filed in the Senate this year would cap the maximum amount of franchise tax liability at \$2 Million allowing employers to invest in hiring new employees instead of growing government through higher taxes. This move would encourage investment by large corporations in Missouri while preserving revenue neutrality.

Other legislation filed this year would improve employers' ability to hire and retain quality workers by ending lawsuit abuses. The bill would bring state law in line with federal human rights laws, allowing employers to invest more in jobs rather than spending money on lawsuit abuses and their increased attorneys' fees.

Another piece of legislation filed in the Senate would restore protections for individual employees from personal lawsuits when companies should be held responsible. Missouri employees and employers face higher risks due to a decision last fall that says co-workers can be sued for their role in workplace injuries, even when it was shown to be an honest accident. By reversing this bad decision, Missouri employees will no longer be at risk of personal lawsuits stemming from workplace injuries and will no longer have to seek insurance to protect against lawsuits if an accident were to occur.

And Senate Bill 1 would secure certainty in take-home pay of every working family in Missouri by making sure employees only join unions and pay dues if they want to – rather than as a condition of their job. By becoming a Right to Work state, we will help reduce our unemployment rate. Unemployment is lower in the 22 states - six of them our neighbors - that have adopted Right to Work laws. Numbers from the Bureau of Labor Statistics show that from 1999 to 2009, Right to Work states have added 1.5 Million private sector jobs for a 3.7 percent increase while non Right to Work states lost 1.8 Million jobs over the same decade, for a decline of 2.3 percent. It's time to end the age-old animosity between business and labor and, instead, work together to do what is best for the employer and the employee. That means allowing for personal liberty and the free market to prevail in Missouri's marketplace - so that Missourians can go back to work.

The failure to solve these issues is not an option, as Missourians deserve to have job opportunities rather than unfulfilling visits to a local Career Center.

Our second solution is that we must recognize that the best economic development tool is an educated workforce.

We will continue our commitment to provide world-class educational opportunities to our citizens – along the entire education spectrum.

Since the new school funding formula took place, we have injected an additional \$552 Million in K through 12 education and more than \$1.2 Billion total including our additional investments in higher education, scholarships and early childhood learning.

This year, we will continue our commitment to education by working hard to maintain K through 12 school funding at the same level as last year. Every student should have access to an accredited school – so that no matter where they live they have an opportunity for a world-class education.

We will also work to make college and other post-high school educational opportunities more affordable and available to students. We hope the Governor will join us in this effort, rather than again slashing funding for ACCESS Missouri scholarships and virtual school programs.

The third solution to our budget is to continue to reduce the size and scope of state government so taxpayers can afford to sustain it.

We must consider every possible way to make government smaller and more efficient – whether that is through more control, alterations or deletions.

Rebooting Government is not a short-term program. We have an once-in-a-lifetime opportunity to truly examine and reshape every aspect of state government that could set Missouri on a sustainable, long-term path.

Last year, we began the Rebooting Government initiative and had several early successes saving taxpayers millions of dollars - but we can and will do more.

That is why I am asking every Missourian to share their ideas on how to reboot Missouri state government through a feature on the Missouri Senate website. I especially hope to hear from those on the front lines of state government because their insight can be the most helpful.

Submissions may be anonymous and every idea submitted will be considered. Starting next week, senators will meet in working groups to consider your ideas and will report final recommendations to the entire Senate on January 19th. Now is the time to be heard – please submit your idea today.

Missourians can also expect us to be accountable when it comes to how their tax dollars are spent. This year, the work of a new committee will begin. The members of that committee will be tasked with examining every state department and division, the way they operate, and how they spend taxpayer dollars. The panel will be the Senate Committee on Governmental Accountability.

As we work on these solutions to our budget, many other issues will also come before us this year. Our work will be difficult. The days will be long and our families and friends will have made substantial sacrifices in order for us to be able to serve. We thank you for this and

would like to recognize all of you now. Would our families and friends please stand now to be recognized.

As we enjoy our time with family and friends today and this evening with the pomp and circumstance the occasion brings, it is important for us to remember the work that lies ahead of us. Prepare yourself for tough budget decisions. Remember your neighbor who is unable to find work. Think of our children's educational futures and remind your constituents that their voice will be heard and the spending of their taxpayer dollars held accountable.

With preparation, cooperation and hard work I believe we can secure a promising future for the people of Missouri. A future Missouri that is full of opportunity. A future Missouri where the American Dream is again alive and well. And a future Missouri where families can thrive.

As President Reagan said in 1984, "In this springtime of hope, some lights seem eternal; America's is."

I believe the same is true for Missouri today.

Knowing that all 33 of us share these goals, I again find myself hopeful.

Thank you.

President Kinder assumed the Chair.

Senator Mayer nominated Terry L. Spieler for Secretary of Senate.

No further nominations being made, Ms. Spieler was elected by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—1

Senator Mayer nominated Bill Smith for Sergeant-at-Arms.

No other nominations being made, Mr. Smith was elected by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—1

Senator Mayer nominated Ken Holman for Doorkeeper.

No other nominations being made, Mr. Holman was elected by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—1

Terry L. Spieler, Bill Smith and Ken Holman advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Judge William L. Syler, 32nd Judicial Circuit.

RESOLUTIONS

Senator Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-sixth General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem	Robert N. Mayer
Secretary of Senate	Terry L. Spieler
Sergeant-at-Arms	Bill Smith
Doorkeeper	Ken Holman

In accordance with Section 9.141, RSMo, the Bill of Rights was read.

On motion of Senator Dempsey, the Senate recessed until 2:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

Senator Dempsey announced that photographers from ABC 17 were given permission to take pictures in the Senate Chamber today.



**FIRST READING OF PRE-FILED SENATE BILLS**

As provided in Chapter 21, RSMo 2000, Sections 21.600, 21.605, 21.615 and 21.620, the following pre-filed Bills and/or Joint Resolutions were introduced and read for the first time:

**SB 1**—By Ridgeway.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

**SB 2**—By Ridgeway.

An Act to repeal section 103.080, RSMo, and to enact in lieu thereof one new section relating to the offering of high deductible health plans in the Missouri consolidated health care plan.

**SB 3**—By Stouffer.

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to voter photo identification, with a contingent effective date.

**SB 4**—By Stouffer.

An Act to repeal section 273.345, RSMo, relating to dog breeders.

**SB 5**—By Stouffer.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

**SB 6**—By Goodman.

An Act to amend chapters 376 and 538, RSMo, by adding thereto two new sections relating to faith-based community health centers.

**SB 7**—By Goodman.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

**SB 8**—By Goodman.

An Act to repeal sections 287.120 and 287.800, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation.

**SB 9**—By Rupp.

An Act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

**SB 10**—By Rupp.

An Act to repeal section 288.040, RSMo, and to enact in lieu thereof one new section relating to the denial of unemployment benefits.

**SB 11**—By McKenna.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to the banning of text messaging while operating a motor vehicle.

**SB 12**—By Pearce.

An Act to repeal sections 163.031 and 163.036, RSMo, and to enact in lieu thereof two new sections relating to state funding for elementary and secondary education, with an emergency clause.

**SB 13**—By Pearce.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to a task force to study teacher compensation.

**SB 14**—By Pearce.

An Act to repeal section 167.131, RSMo, and to enact in lieu thereof one new section relating to student transfers.

**SB 15**—By Lembke.

An Act to repeal section 143.171, RSMo, and to enact in lieu thereof one new section relating to state income tax deductions for federal tax income taxes.

**SB 16**—By Lembke.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the use of automated photo red light enforcement systems by local governments.

**SB 17**—By Lembke.

An Act to amend chapter 191, RSMo, by adding thereto two new sections relating to cord blood banking.

**SB 18**—By Schmitt.

An Act to repeal section 147.010, RSMo, and to enact in lieu thereof one new section relating to the corporate franchise tax.

**SB 19**—By Schmitt.

An Act to repeal section 147.010, RSMo, and to enact in lieu thereof one new section relating to the phase-out of the corporate franchise tax.

**SB 20**—By Wright-Jones.

An Act to repeal section 167.031, RSMo, and to enact in lieu thereof one new section relating to school attendance age.

**SB 21**—By Wright-Jones.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to kindergarten attendance.

**SB 22**—By Wright-Jones.

An Act to amend chapter 8, RSMo, by adding thereto one new section relating to environmentally sustainable construction for state-funded buildings.

**SB 23**—By Keaveny.

An Act to repeal sections 84.010, 86.200, and 86.213, RSMo, and to enact in lieu thereof seven new

sections relating to the St. Louis police force, with an effective date and an expiration date for certain sections.

**SB 24**—By Keaveny.

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to seat belts, with penalty provisions.

**SB 25**—By Schaaf.

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to abatement of nuisances.

**SB 26**—By Wasson.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special license plate for the Nixa Education Foundation.

**SB 27**—By Brown.

An Act to repeal section 288.050, RSMo, and to enact in lieu thereof one new section relating to unemployment benefits.

**SB 28**—By Brown.

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof one new section relating to protective headgear for operation of motorcycles or motortricycles, with existing penalty provisions.

**SB 29**—By Brown.

An Act to repeal sections 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 338.315, and 338.330, RSMo, and to enact in lieu thereof eight new sections relating to veterinary legend drugs, with penalty provisions.

**SB 30**—By Chappelle-Nadal.

An Act to repeal section 565.090, RSMo, and to enact in lieu thereof one new section relating to harassment, with a penalty provision.

**SB 31**—By Chappelle-Nadal.

An Act to repeal section 311.196, RSMo, and to enact in lieu thereof one new section relating to the sale of beer.

**SB 32**—By Chappelle-Nadal.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to workforce development.

**SB 33**—By Stouffer.

An Act to repeal section 226.095, RSMo, relating to the abolishment of mandatory arbitration in negligence actions where the department of transportation is a defendant.

**SB 34**—By Stouffer.

An Act to repeal section 288.050, RSMo, and to enact in lieu thereof one new section relating

unemployment benefits for members of the armed forces.

**SB 35**—By Lembke.

An Act to repeal section 452.340, RSMo, and to enact in lieu thereof one new section relating to child support.

**SB 36**—By Lembke.

An Act to repeal section 41.1000, RSMo, and to enact in lieu thereof one new section relating to leave for members of the civil air patrol, with an emergency clause.

**SB 37**—By Lembke.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to interscholastic athletics.

**SB 38**—By Wright-Jones.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the prostate cancer pilot program.

**SB 39**—By Wright-Jones.

An Act to amend chapters 197 and 287, RSMo, by adding thereto two new sections relating to hospital patient safety.

**SB 40**—By Wright-Jones.

An Act to repeal section 105.711, RSMo, and to enact in lieu thereof one new section relating to state legal expense fund coverage for certain medical consultants.

**SB 41**—By Chappelle-Nadal.

An Act to repeal section 191.807, RSMo, and to enact in lieu thereof one new section relating to the women, infants and children special supplement food program.

**SB 42**—By Chappelle-Nadal.

An Act to repeal sections 208.010 and 208.174, RSMo, and to enact in lieu thereof two new sections relating to eligibility for medical assistance.

**SB 43**—By Chappelle-Nadal.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

**SB 44**—By Wright-Jones.

An Act to amend chapter 376, RSMo, by adding thereto two new sections relating to the promotion of the efficient use of health care revenues by requiring health carriers to expend a certain percentage of their total annual revenues on health services, with penalty provisions.

**SB 45**—By Wright-Jones.

An Act to repeal sections 307.365 and 643.320, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle inspections, with penalty provisions.

**SB 46**—By Wright-Jones.

An Act to repeal section 494.430, RSMo, and to enact in lieu thereof one new section relating to jury duty.

**SB 47**—By Wright-Jones.

An Act to repeal section 37.020, RSMo, and to enact in lieu thereof seven new sections relating to state contracts.

**SB 48**—By Wright-Jones.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to deposits required by public utilities.

**SB 49**—By Wright-Jones.

An Act to repeal sections 238.202, 238.208, 238.220, 238.225, 238.232, and 238.236, RSMo, and to enact in lieu thereof six new sections relating to transportation development districts.

**SB 50**—By Kehoe, Lager, Wright-Jones, Schaefer, Engler, Green and McKenna.

An Act to repeal section 393.135, RSMo, and to enact in lieu thereof one new section relating to site development for energy generation facilities.

**SB 51**—By Cunningham.

An Act to amend chapter 182, RSMo, by adding thereto one new section relating to public libraries, with penalty provisions.

**SB 52**—By Cunningham.

An Act to repeal section 137.076, RSMo, and to enact in lieu thereof one new section relating to assessment of real property for tax purposes.

**SB 53**—By Cunningham.

An Act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to automated telephone calls.

**SB 54**—By Cunningham.

An Act to repeal sections 37.710, 160.261, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037, RSMo, and to enact in lieu thereof sixteen new sections relating to protecting children from sexual offenders, with penalty provisions.

**SB 55**—By Brown.

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to classification of certain real property.

**SB 56**—By Rupp.

An Act to amend chapter 633, RSMo, by adding thereto one new section relating to developmental disabilities facilities.

**SB 57**—By Callahan.

An Act to repeal section 475.115, RSMo, and to enact in lieu thereof one new section relating to public

administrators.

**SB 58**—By Stouffer.

An Act to repeal sections 387.040, 387.050, 387.080, 387.110, 390.051, 390.061, 390.081, 390.101, 390.116, 390.136, and 390.280, RSMo, and to enact in lieu thereof eighteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission, with penalty provisions.

**SB 59**—By Keaveny.

An Act to repeal section 456.5-505, RSMo, and to enact in lieu thereof three new sections relating to fiduciaries.

**SB 60**—By Keaveny.

An Act to repeal sections 404.710, 456.3-301, 456.8-813, 469.411, 469.437, and 469.459, RSMo, and to enact in lieu thereof seven new sections relating to fiduciaries.

**SB 61**—By Keaveny.

An Act to repeal section 523.040, RSMo, and to enact in lieu thereof one new section relating to condemnation commissioners.

**SB 62**—By Schaaf.

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

**SB 63**—By Mayer.

An Act to repeal section 256.400, RSMo, and to enact in lieu thereof two new sections relating to major water users.

**SB 64**—By Parson.

An Act to repeal section 311.180, RSMo, and to enact in lieu thereof two new sections relating to the relationship between manufacturers of beer and wholesalers.

**SB 65**—By Mayer.

An Act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

**SB 66**—Withdrawn.

**SB 67**—By Cunningham.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to school district participation in statewide activities associations.

**SB 68**—By Mayer.

An Act to repeal section 21.400, RSMo, and to enact in lieu thereof one new section relating to subpoenas issued by the general assembly.

**SB 69**—By Schaefer.

An Act to amend chapters 43 and 537, RSMo, by adding thereto two new sections relating to

pornography.

**SB 70**—By Schaefer.

An Act to repeal sections 402.199, 402.200, 402.205, 402.210, 402.215, 402.217, 402.220, 473.657, and 475.093, RSMo, and to enact in lieu thereof twelve new sections relating to the Missouri family trust.

**SB 71**—By Parson.

An Act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

**SB 72**—By Kraus.

An Act to amend chapter 27, RSMo, by adding thereto one new section relating to federal enforcement of immigration laws, with a referendum clause.

**SB 73**—By Kraus.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement systems.

**SB 74**—By Kraus.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

**SB 75**—By Kraus.

An Act to repeal sections 105.450 and 105.456, RSMo, and to enact in lieu thereof five new sections relating to ethics, with penalty provisions.

**SJR 1**—By Ridgeway.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4 (d) of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the revenue-neutral replacement of all taxes on income with an amended sales and use tax.

**SJR 2**—By Stouffer.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to voter photo identification.

**SJR 3**—By Goodman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article IV of the Constitution of Missouri relating to state sovereignty.

**SJR 4**—Withdrawn.

**SJR 5**—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 29 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the department of transportation.

**SJR 6**—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the board of freeholders.

**SJR 7**—By Lembke.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

**SJR 8**—By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, and adopting one new section relating to a limitation upon state revenue growth.

**INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 76**—By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to diagnostic imaging services.

**SB 77**—By Stouffer.

An Act to repeal section 226.520, RSMo, and to enact in lieu thereof one new section relating to directional signs.

**SB 78**—By Brown.

An Act to repeal section 143.1004, RSMo, and to enact in lieu thereof one new section relating to the Missouri military family relief fund.

**CONCURRENT RESOLUTIONS**

Senator Ridgeway offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 1**

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

WHEREAS, the Public Service Commission filed a proposed amendment for 4 CSR 240-20.100 on January 8, 2010, and filed the order of rulemaking with the Joint Committee on Administrative Rules on June 2, 2010 and filed an amended order of rulemaking with the Joint Committee on Administrative Rules on July 1, 2010; and

WHEREAS, the Joint Committee on Administrative Rules held hearings on June 24, June 30, and July 1, 2010, and has found 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, lacking in compliance with the provisions of Chapter 536, RSMo:

NOW THEREFORE BE IT RESOLVED that the General Assembly finds that the Public Service Commission has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of section 536.014, RSMo; and

BE IT FURTHER RESOLVED that the Ninety-sixth General Assembly, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking



for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, Electric Utility Renewable Energy Standard Requirements; and

BE IT FURTHER RESOLVED that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-sixth General Assembly, First Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor in accordance with Article IV, Section 8 of the Missouri Constitution.

Read 1st time.

Senator Schaaf offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 2

WHEREAS, excessive and misdirected light is considered energy waste and misuse; and

WHEREAS, current research by the National Park Service indicates the rate at which light pollution is increasing will leave almost no dark skies in the contiguous United States by 2025; and

WHEREAS, many Missouri state parks have an impaired view of the night sky due to light pollution; and

WHEREAS, Missouri state facilities have the duty and responsibility to demonstrate best practices in energy conservation and reduce all visible signs of energy waste:

NOW THEREFORE BE IT RESOLVED that the members of the Senate of the Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Department of Natural Resources to provide public education on light pollution and develop guidelines to address light pollution in new and existing state facilities; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the director of each state department.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2010, while the Senate was not in session.

Saleem Abdulrauf, 7520 Buckingham Drive 1E, Saint Louis, Saint Louis County, Missouri 63105, as a member of the Missouri Head Injury Advisory Council, for a term ending May 12, 2013, and until his successor is duly appointed and qualified; vice, Robert Forget, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Bassem F. Armaly, 1711 Line Avenue, Rolla, Phelps County, Missouri 65401, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2010, and until his successor is duly appointed and qualified; vice, Edward "Sandy" Renshaw, III, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 13, 2010, while the Senate was not in session.

Charlie Ausfahl, Democrat, 7165 S. Silver Drive, Fulton, Callaway County, Missouri 65251, as a member of the State Soil and Water District Commission, for a term ending August 15, 2012, and until his successor is duly appointed and qualified; vice, Dan Devlin, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Joseph S. Barbosa, 19606 County Road 3292, Helena, Andrew County, Missouri 64459, as the student representative of the Northwest Missouri State University Board of Regents for a term ending December 31, 2011, and until his successor is duly appointed and qualified; vice, Bradley D. Gardner, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 3, 2010, while the Senate was not in session.

Robert Barrett, Republican, 18352 South 1453 Road, Nevada, Vernon County, Missouri 64772, as a member of the Missouri Citizens'

Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Virginia A. Beatty, 6736 State Road UU, Fulton, Callaway County, Missouri 65251, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Virginia A. Beatty, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Vergil L. Belfi, 5638 Murdoch, Saint Louis City, Missouri 63109, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 27, 2013, and until his successor is duly appointed and qualified; vice, reappointed to full term.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2010, while the Senate was not in session.

Michelle R. Bernth, Independent, 528 Queens Court Place, Saint Peters, Saint Charles County, Missouri 63376, as a member of the Air Conservation Commission, for a term ending October 13, 2013, and until her successor is duly appointed and qualified; vice, Kevin Rosenbohm, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2010, while the Senate was not in session.

Leo Blakley, Democrat, 2106 North 35<sup>th</sup> Street, St. Joseph, Buchanan County, Missouri 64506, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2016, and until his successor is duly appointed and qualified; vice, Ryne Lilly, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 22, 2010, while the Senate was not in session.

Patricia Bolz, Republican, 9 Grim Place, Kirksville, Adair County, Missouri 63501, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2011, while the Senate was not in session.

Kenneth J. Bonnot, 136 Cottonwood Trails Lane, Jefferson City, Osage County, Missouri 65101, as Director of the Division Credit Unions, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Bill Burch, Democrat, 658 N Ranney, Sikeston, Scott County, Missouri 63801, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 15, 2010, while the Senate was not in session.

Tamara Burlis, 1834 Hollow Tree Court, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2013, and until her successor is duly appointed and qualified; vice, Mark Mattingly, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 2, 2010, while the Senate was not in session.

Janette Call, 253 Jenny Street, Perryville, Perry County, Missouri 63775, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists, for a term ending January 11, 2013, and until her successor is duly appointed and qualified; vice, Ervin Dock, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Archie Camden, 322 Rue Terre Bonne, Bonne Terre, St. Francois County, Missouri 63628, as a member of the State Board of Embalmers and Funeral Directors, for a term ending September 1, 2011, and until his successor is duly appointed and qualified; vice, Joy Gerstein, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 15, 2010, while the Senate was not in session.

Nicole Colbert-Botchway, Democrat, 5251 Washington Place, Saint Louis, Saint Louis County, Missouri 63108, as a member of the Missouri Women's Council, for a term ending December 6, 2013, and until her successor is duly appointed and qualified; vice, Sarah Murray, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 1, 2010, while the Senate was not in session.

Jacklyn J. Crow, 2423 Southern Hills, Mexico, Audrain County, Missouri 65265, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2014 and until her successor is duly appointed and qualified; vice, Cynthia Webb Bald, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

James Cunningham, 2315 West 5<sup>th</sup> Street, Sedalia, Pettis County, Missouri 65301, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until his successor is duly appointed and qualified; vice, James Cunningham, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2010, while the Senate was not in session.

William Dalton, Democrat, 2336 East Glenwood, Springfield, Greene County, Missouri 65804, as a member of the State Environmental Improvement and Energy Resources Authority, for a term ending January 22, 2012, and until his successor is duly appointed and qualified; vice, Jason Morgan, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 3, 2010, while the Senate was not in session.

Judith Davidson, Democrat, 259 Madison Park Drive, Cottleville, St. Charles County, Missouri 63376, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2011, while the Senate was not in session.

Thomas Davis, 13308 East 93<sup>rd</sup> Street, Kansas City, Jackson County, Missouri 64138, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2013, and until his successor is duly appointed and qualified; vice, RSMo 337.305.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Darren M. Doherty, 102 South Holden Street, Warrensburg, Johnson County, Missouri 64093, as the student representative of the University of Central Missouri Board of Governors for a term ending December 31, 2011, and until his successor is duly appointed and qualified; vice, Ryan Sanders, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 2, 2010, while the Senate was not in session.

Scott Englund, 1320 Roseview Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2013, and until his successor is duly appointed and qualified; vice, Scott Englund, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on



September 23, 2010, while the Senate was not in session.

Kurt Finklang, 988 Chelle Lane, Troy, Lincoln County, Missouri 63379, as a member of the State Board of Optometry, for a term ending June 30, 2012, and until his successor is duly appointed and qualified; vice, Danny Nestleroad, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Deborah S. Fritz, 13544 Highway KK, Marshfield, Webster County, Missouri 65706, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2013, and until her successor is duly appointed and qualified; vice, Stanley Schmidt, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Phylis Lee Gilbert, Democrat, 5229 Stonehaven Drive, Springfield, Greene County, Missouri 65809, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

September 23, 2010, while the Senate was not in session.

Casey Cash Gill, Democrat, 11275 Cypress Point Lane, Dexter, Stoddard County, Missouri 63841, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2013, and until his successor is duly appointed and qualified; vice, Shawn Ordway, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Christopher A. Gordon, 123 Couch Avenue, Kirkwood, Saint Louis County, Missouri 63122, as a member of the State Historical Records Advisory Board, for a term ending November 01, 2012, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Dorothy Grange, 639 West Polo Drive, Saint Louis, Saint Louis County, Missouri 63105, as a member of the Missouri Genetic Advisory Committee, for a term ending April 9, 2011, and until her successor is duly appointed and qualified; vice, Christopher Beck, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January

4, 2011, while the Senate was not in session.

Karen Greiner, 12224 Kingshill Drive, Saint Louis, Saint Louis County, Missouri 63141, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2014, and until her successor is duly appointed and qualified; vice, RSMo 337.305.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Charles J. Gulas, 2054 Wild Horse Creek Road, Wildwood, Saint Louis County, Missouri 63038, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2012, and until his successor is duly appointed and qualified; vice, Paula Burnett, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Melanie J. Guthrie, 10416 Northeast 100<sup>th</sup> Court, Kansas City, Clay County, Missouri 64157, as a member of the Advisory Commission for Anesthesiologist Assistants, for a term ending July 1, 2011, and until her successor is duly appointed and qualified; vice, Timothy Cooper, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July

29, 2010, while the Senate was not in session.

Michael Hall, 230 Virginia, Hannibal, Marion County, Missouri 63401, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2011, and until his successor is duly appointed and qualified; vice, Roger D. Porter, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 24, 2010, while the Senate was not in session.

Herbert Hardwick, Democrat, 6601 State Line Road, Kansas City, Jackson County, Missouri 64113, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2016, and until his successor is duly appointed and qualified; vice, Hobart Randolph Halsey, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

M. Blake Heath, Republican, 4784 Oak Street, Apartment 348, Kansas City, Jackson County, Missouri 64112, as a member of the Kansas City Board of Election Commissioners, for a term ending January 10, 2013, and until his successor is duly appointed and qualified; vice, Cynthia Thompson, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Heidi M. Hernandez, 5917 NE Coral Circle, Lee's Summit, Jackson County, Missouri 64064, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Tammy McLane,

term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Rodney W. Herring, 2707 Sportsman Road, Trenton, Grundy County, Missouri 64683, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2014, and until his successor is duly appointed and qualified; vice, Charles M. Heiss, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 15, 2010, while the Senate was not in session.

Randy Holman, Democrat, 2180 Sunnyside Road, Festus, Jefferson County, Missouri 63028, as a member of the State Tax Commission, for a term ending January 23, 2014, and until his successor is duly appointed and qualified; vice, Jennifer Tidwell, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Julie Hurst, Republican, 502 Spruce Street, Tarkio, Atchison County, Missouri 64491, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 15, 2010, while the Senate was not in session.

Joan M. Keiser, 3676 South Broadway, Springfield, Greene County, Missouri 65807, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Michael C. Perry, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 8, 2010, while the Senate was not in session.

Garry Kemp, Democrat, 2514 NW Windwood Drive, Lee's Summit, Jackson County, Missouri 64081, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2015, and until his successor is duly appointed and qualified; vice, Michael Smith, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 19, 2010, while the Senate was not in session.

Kristi Kenney, 2302 N. Antioch Road, Clinton, Henry County, Missouri 64735, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Katherine Hilton, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 19, 2010, while the Senate was not in session.

Fareesa Khan, Democrat, 543 Oakhaven Lane, St. Louis, St. Louis County, Missouri 63141, as a member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2011, and until her successor is duly appointed and qualified; vice, Toni Smith, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Jerry King, Republican, Rural Route 4 Box 744, Butler, Bates County, Missouri 64730, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2011, while the Senate was not in session.

Jennifer Kirby, 4702 West 28<sup>th</sup> Street, Joplin, Jasper County, Missouri 64804, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2015, and until her successor is duly appointed and qualified; vice, RSMo 337.305.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Patrice L. Komoroski, Independent, 65 West Meath Ring, Saint Charles, Saint Charles County, Missouri 63304, as a member of the Missouri Board for Respiratory Care, for a term ending April 3, 2012, and until her successor is duly appointed and qualified; vice, Martha Gragg, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

William A. Krodinger, Independent, 866 Craig Forest Lane, Kirkwood, Saint Louis County, Missouri 63122, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2012, and until his successor is duly appointed and qualified; vice, Gordon Kinne, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Barbara Kuebler, 3204 Pembroke Square, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2013, and until her successor is duly appointed and qualified; vice, Barbara Kuebler, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,



GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Benjamin Lampert, 4367 East Bogey Court, Springfield, Greene County, Missouri 65809, as a member of the Advisory Commission for Anesthesiologist Assistants, for a term ending July 1, 2012, and until his successor is duly appointed and qualified; vice, Toni Smith, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2011, while the Senate was not in session.

Patrick Lamping, Democrat, 2164 Timber Lane, Barnhart, Jefferson County, Missouri 63012, as a member of the Missouri Development Finance Board, for a term ending September 14, 2012, and until his successor is duly appointed and qualified; vice, Brian May, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

Kecia Leary, 609 N. Jerico, Nixa, Christian County, Missouri 65714, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until her successor is duly appointed and qualified; vice, James McMillen, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Jerome Lee, 665 South Skinker Boulevard, Apartment 15C, Saint Louis City, Missouri 63105, as a member of the Saint Louis City Board of Police Commissioners, for a term ending January 31, 2012, and until his successor is duly appointed and qualified; vice, Todd Epstein, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Mark S. Lester, 337 County Road 359, Lesterville, Reynolds County, Missouri 63654, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2012, and until his successor is duly appointed and qualified; vice, Donald W. Link, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2011, while the Senate was not in session.

Jessa R. Love, 5555 East Mount Zion Church Road, Hallsville, Boone County, Missouri 65255, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2014, and until her successor is duly appointed and qualified; vice, RSMo 337.305.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Willis Jackson Magruder, Democrat, 20675 Willis Way, Kirksville, Adair County, Missouri 63501, as a member of the State Fair Commission, for a term ending December 29, 2012, and until his successor is duly appointed and qualified; vice, William Blades, term

expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Sarah R. Maguffee, Democrat, 3705 Dublin Avenue, Columbia, Boone County, Missouri 65203, as a member of the Health and Educational Facilities Authority, for a term ending July 30, 2013, and until her successor is duly appointed and qualified; vice, Steven Hoven, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Pamela L. Marshall, 4280 Washington Boulevard, Saint Louis City, Missouri 63108, as a member of the State Board of Pharmacy, for a term ending September 24, 2015, and until her successor is duly appointed and qualified; vice, Pamela L. Marshall, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

Betty Marver, 4100 Forest Park #311, Saint Louis, Saint Louis County, Missouri 63108, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Jeanette Brown, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Timothy D. McBride, 4 Spoede Hills Drive, Creve Coeur, Saint Louis County, Missouri 63141, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until his successor is duly appointed and qualified; vice, Stephen Bradford, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2010, while the Senate was not in session.

Bridget M. McCandless, 4801 South Maybrook Court, Independence, Jackson County, Missouri 64055, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2012, and until her successor is duly appointed and qualified; vice, Renee Walker, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

Charles McKenzie, 11813 Summit Street, Kansas City, Jackson County, Missouri 64114, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until his successor is duly appointed and qualified; vice, Lydia McEvoy, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2010, while the Senate was not in session.

James J. McMillen, 4004 Miller Road, Saint Joseph, Buchanan County, Missouri 64505, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2012, and until his successor is duly appointed and qualified; vice, Travis Shearer, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 13, 2010, while the Senate was not in session.

Donald W. McNutt, 9439 Sappington Estates, Saint Louis, Saint Louis County, Missouri 63127, as a member of the Petroleum Storage Tank Insurance Fund Board of Trustees, for a term ending February 6, 2013 and until his successor is duly appointed and qualified; vice, Donald W. McNutt, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 13, 2010, while the Senate was not in session.

Robert Miller, 4224 Kingbolt, Oakville, St. Louis County, Missouri 63129, as a member of the State Board of Mediation, for a term ending April 1, 2012 and until his successor is duly appointed and qualified; vice, Peggy Cochran, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Don Mills, Republican, 4785 East 1260 Road, El Dorado Springs, Cedar County, Missouri 64744, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Craig Miner, 1434 Schulte Rd, St. Louis, St. Louis County, Missouri 63146, as a member of the Committee for Professional Counselors, for a term ending August 28, 2012, and until his successor is duly appointed and qualified; vice, Naomi Hunter, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

Dianne Modrell, Democrat, 12987 Burning Bush Court, Saint Louis, Saint Louis County, Missouri 63146, as a member of the State Committee of Marital and Family Therapists, for a term ending October 8, 2015, and until her successor is duly appointed and qualified; vice, RSMo 337.739.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 2, 2010, while the Senate was not in session.

Brandy Mouser, 18461 Lake Circle Drive, Dexter, Stoddard County, Missouri 63841, as a member of the Board of Therapeutic Massage,

for a term ending June 17, 2013 and until her successor is duly appointed and qualified; vice, Charles Fitterling, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 30, 2010, while the Senate was not in session.

Mary Nelson, 4100 Laclede Avenue, Unit #202, St. Louis City, Missouri 63108, as a member of the Administrative Hearing Commission, for a term ending August 29, 2016, and until her successor is duly appointed and qualified; vice, RSMo 621.015.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

Ann Nunn-Jones, Democrat, 4922 Lake Road, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2012, and until her successor is duly appointed and qualified; vice, Janice Jones, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Carmen D. Parker-Bradshaw, 1600 E. Olive Street, Springfield, Greene County, Missouri 65802, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until her successor is duly appointed and qualified; vice, Gwendolyn Crimm, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 13, 2010, while the Senate was not in session.

Sara Parker Pauley, 5901 East Claysville Road, Hartsburg, Boone County Missouri, 56039, as Director of the Department of Natural Resources, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Margaret Pigg, 1222 Scenic Drive, Herculaneum, Jefferson County, Missouri 63048, as a member of the Committee for Professional Counselors, for a term ending August 23, 2011, and until her successor is duly appointed and qualified; vice, Keith Spare, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 15, 2010, while the Senate was not in session.

Ann Pluemer, Democrat, 3585 Lakeview Heights, Saint Louis, Saint Louis County, Missouri 63129, as a member of the Saint Louis County Board of Election Commissioners, for a term ending January 10, 2013, and until her successor is duly appointed and qualified; vice, William Miller, Jr., term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,



GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2010, while the Senate was not in session.

Cynthia Prudden, Democrat, 1012 Southway Drive, Bowling Green, Pike County, Missouri 63334, as a member of the Board of Probation and Parole, for a term ending April 25, 2015, and until her successor is duly appointed and qualified; vice, Robert Robinson, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 19, 2010, while the Senate was not in session.

James Rearden, 1454 Jennifer Drive, Barnhart, Jefferson County, Missouri 63012, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, for a term ending September 30, 2013, and until his successor is duly appointed and qualified; vice, Randall Miltenberger, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Tracy M. Reed, 14291 Riverfront Drive, Florissant, Saint Louis County, Missouri 63034, as a member of the Missouri Genetic Advisory Committee, for a term ending April 9, 2012, and until her successor is duly appointed and qualified; vice, Tracy Reed, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 1, 2010, while the Senate was not in session.

Sharlene Rimiller, 312 Troy Street, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists, for a term ending January 1, 2012 and until her successor is duly appointed and qualified; vice, Lois Reine, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2011, while the Senate was not in session.

Teresa Rodgers, 1915 Merlin Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2015, and until her successor is duly appointed and qualified; vice, RSMo 337.305.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

Dorothy Rowland, 20857 State Hwy D, Dexter, Stoddard County, Missouri 63841, as a member of the Child Abuse and Neglect Review Board, for a term ending September 12, 2012, and until her successor is duly appointed and qualified; vice, Dorothy Rowland, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 15, 2010, while the Senate was not in session.

Jeff Schaeperkoetter, Democrat, 5014 Willowby Drive, Jefferson City, Cole County, Missouri 65109, as a member of the State Tax Commission, for a term ending January 23, 2012, and until his successor is duly appointed and qualified; vice, Billy Lee Ransdall,

withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 2, 2010, while the Senate was not in session.

Colleen Scott, Republican, 10225 South Main Entrance Road, Lake Lotawana, Jackson County, Missouri 64086, as a member of the Jackson County Board of Election Commissioners, for a term ending April 4, 2014 and until her successor is duly appointed and qualified; vice, Tammy L. Brown, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Jeanne M. Serra, 326 Gray Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2013, and until her successor is duly appointed and qualified; vice, Randy Rodgers, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 15, 2010, while the Senate was not in session.

Reuben Shelton, Democrat, 5155 Westminster Place, Saint Louis City, Missouri 63108, as a member of the Missouri Development Finance Board, for a term ending September 14, 2014, and until his successor is duly appointed and qualified; vice, Danette Proctor, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Teddy E. Sheppard, Republican, 6600 Shep Dairy Lane, Cabool, Texas County, Missouri 65689, as a member of the State Fair Commission, for a term ending December 29, 2012, and until his successor is duly appointed and qualified; vice, Ken H. Keesaman, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Thomas Shrout, Democrat, 5056 Westminster Place, St. Louis City, Missouri 63108, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 1, 2010, while the Senate was not in session.

Elizabeth G. Sims, Republican, 18 Ladue Manor, Ladue, Saint Louis County, Missouri 63124, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2016 and until her successor is duly appointed and qualified; vice, Gregory Upchurch, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 15, 2010, while the Senate was not in session.

Betty Skinner, 1120 S. 18<sup>th</sup> Street, Saint Louis, Saint Louis County, Missouri 63104, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Jane Henke, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 2, 2010, while the Senate was not in session.

Dale Smith, 1212 NE 96<sup>th</sup> Terrace, Kansas City, Clay County, Missouri 64155, as a member of the State Board of Pharmacy, for a term ending December 2, 2015, and until his successor is duly appointed and qualified; vice, Elaina Wolzak, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2010, while the Senate was not in session.

Deborah J. Smith, Democrat, 12100 Victory Drive, Country Club Village, Andrew County, Missouri 64505, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2014, and until her successor is duly appointed and qualified; vice, Diza Eskridge, deceased.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2011, while the Senate was not in session.

Todd Streff, 19 Lexington Oaks Court, Foristell, Saint Charles County, Missouri 63348, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2015, and until his successor is duly appointed and qualified; vice, RSMo 337.305.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

Thomas Strong, Independent, 3967 Eaglescliffe Drive, Springfield, Greene County, Missouri 65809, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2012, and until his successor is duly appointed and qualified; vice, David Cole, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2010, while the Senate was not in session.

Kenneth H. Suelthaus, Republican, 761 Cella Road, Ladue, Saint Louis County, Missouri 63124, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2015, and until his successor is duly appointed and qualified; vice, Kenneth H. Suelthaus, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Deron Sugg, Democrat, 805 Mississippi Avenue, Crystal City, Jefferson County, Missouri 63019, as a member of the Hazardous Waste

Management Commission, for a term ending April 3, 2013 and until his successor is duly appointed and qualified; vice, Suzan Ponder-Bates, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Kathryn Swan, Republican, 3926 Annwood, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2016, and until her successor is duly appointed and qualified; vice, Kathryn Swan, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

Ingrid D. Taylor, 900 South Hanley, Unit 14B, Clayton, Saint Louis County, Missouri 63105, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until her successor is duly appointed and qualified; vice, Heidi Miller, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 13, 2010, while the Senate was not in session.

Leonard Toenjes, 7837 Gannon Avenue, University City, Saint Louis County, Missouri 63130, as a member of the State Board of Mediation, for a term ending April 1, 2013 and until his successor is duly appointed and qualified; vice, Jay Schultehenrich, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Jennifer Tyus, 4571 Richmond Forest Drive, Florissant, St. Louis County, Missouri 63034, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Kathleen Hampton, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 13, 2010, while the Senate was not in session.

Russell A. Unger, Democrat, 11 Mumford Drive, Columbia, Boone County, Missouri 65203, as a member of the Missouri Community Service Commission, for a term ending December 15, 2011, and until his successor is duly appointed and qualified; vice, James O'Mara, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.



Donald J. Vanderfeltz, 26683 Highway D, California, Moniteau County, Missouri 65018, as a member of the State Board of Optometry, for a term ending June 20, 2013, and until his successor is duly appointed and qualified; vice, Christy Fowler, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2010, while the Senate was not in session.

Corinne Walentik, 7234 Princeton Avenue, University City, Saint Louis County, Missouri 63130, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2012, and until her successor is duly appointed and qualified; vice, John Pearson, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Paul Walle, Republican, 750 Chancellor Heights Drive, Manchester, St. Louis County, Missouri 63011, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Alan H. Wells, 1415 Highway H, Farmington, Saint Francois County, Missouri 63640, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2012 and until his successor is duly appointed and qualified; vice, Sam Coryell, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Terry Winkler, Democrat, 17020 Lawrence 2059, Miller, Lawrence County, Missouri 65707, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 12, 2010, while the Senate was not in session.

Dalton Wright, Republican, 21225 Aster Road, Conway, Laclede County, Missouri 65632, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2014, and until his successor is duly appointed and qualified; vice, Duane Schreimann, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 15, 2010, while the Senate was not in session.

Marvin Wright, 1200 Danforth Drive, Columbia, Boone County, Missouri 65201, as a member of the Missouri Higher Education Loan

Authority, for a term ending October 22, 2014, and until his successor is duly appointed and qualified; vice, Marvin Wright, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Christopher J. Young, 36 Rio Vista Drive, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Advisory Commission for Anesthesiologist Assistants, for a term ending July 1, 2013, and until his successor is duly appointed and qualified; vice, Charles Bowen, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 29, 2010, while the Senate was not in session.

Michael A. Zito, 851 North Glebe Road, Unit 1809, Arlington, Arlington County, Virginia 22203, as a member of the Truman State University Board of Governors, for a term ending January 1, 2016, and until his successor is duly appointed and qualified; vice, Peter Ewell, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

## MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 3**.

### HOUSE RESOLUTION NO. 3

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers to wit:

Speaker . . . . . Steven Tilley  
Speaker Pro Tem . . . . . Shane Schoeller

Chief Clerk . . . . . D. Adam Crumbliss  
 Doorkeeper . . . . . Don Knollmeyer  
 Sergeant-at-Arms . . . . . Ralph Robinett  
 Chaplain . . . . . Reverend Monsignor Robert Kurwicki

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 4**.

#### HOUSE RESOLUTION NO. 4

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 1**.

#### HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Wednesday, January 19, 2011, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 2**.

#### HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, February 2, 2011, to receive a message from the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the

Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

### **RESOLUTIONS**

Senator Lager offered Senate Resolution No. 3, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Kenneth Gillespie, Albany, which was adopted.

Senator Lager offered Senate Resolution No. 4, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Clarence Arthaud, Wheeling, which was adopted.

Senator Schmitt offered Senate Resolution No. 5, regarding Robert Michael Hooch, which was adopted.

Senator Schmitt offered Senate Resolution No. 6, regarding the Ninetieth Birthday of Herald E. Hamann, Kirkwood, which was adopted.

Senator Crowell offered Senate Resolution No. 7, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Delbert Wiseman, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 8, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Oscar Schmidt, Frohna, which was adopted.

Senator Crowell offered Senate Resolution No. 9, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Gary Bickings, Kelso, which was adopted.

Senator Mayer offered the following resolution:

#### **SENATE RESOLUTION NO. 10 NOTICE OF PROPOSED RULE CHANGE**

Notice is hereby given by the Senator from the Twenty-fifth District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-sixth General Assembly, First Regular Session, that Senate Rules 25 and 28 of the temporary rules adopted on January 5, 2011, be amended to read as follows:

“Rule 25. The president pro tem of the senate shall appoint the following standing committees:

1. Committee on Administration, 5 members.
2. Committee on Agriculture, Food Production and Outdoor Resources, [6] **7** members.
3. Committee on Appropriations, [11] **9** members.
4. Committee on Commerce, Consumer Protection, Energy and the Environment, [10] **9** members.
5. Committee on Education, 9 members.
6. Committee on Financial and Governmental Organizations and Elections, [10] **9** members.
7. Committee on General Laws, [7] **9** members.
8. Committee on Governmental Accountability [and Fiscal Oversight, 7], **5** members.
9. Committee on Gubernatorial Appointments, 9 members.
10. Committee on Health, Mental Health, Seniors and Families, [8] **7** members.
11. Committee on Jobs, Economic Development and Local Government, [10] **9** members.
12. Committee on the Judiciary and Civil and Criminal Jurisprudence, 7 members.
13. Committee on Progress and Development, 5 members.
14. Committee on Rules, Joint Rules, Resolutions and Ethics, [6] **7** members.
15. Committee on Small Business, Insurance and Industry, [9] **7** members.

16. Committee on Transportation, [10] **9** members.

17. Committee on Veterans' Affairs, **Emerging Issues**, Pensions and Urban Affairs, [6] **7** members.

18. Committee on Ways and Means **and Fiscal Oversight**, [8] **5** members.

All committees shall have leave to report at any time. The chairman of any standing committee may appoint one or more subcommittees, with the approval of the committee, to hold hearings on bills referred to the committee and shall report its findings to the standing committee.

Rule 28. The duties of the standing committees of the senate are as follows:

1. The Committee on Administration shall superintend and have sole and complete control of all financial obligations and business affairs of the senate, the assignment of offices and seats, and the supervision of certain designated employees. The committee shall be authorized to employ an administrator, who shall be provided with office space as designated by the committee. The administrator or the secretary of the senate may be authorized to act for the committee, but only in the manner and to the extent as may have previously been authorized by the committee with such authorization entered in the minutes of the committee. No voucher calling for payment from the contingent fund of the senate shall be drawn, nor shall any valid obligation exist against the contingent fund until the same shall have been approved by the committee or its administrator and be recorded in the minutes thereof. All vouchers must be signed by the chairman of the committee or the administrator, if so authorized. The committee or its administrator shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the senate, and the distribution thereof. The administrator shall keep a detailed running account of all transactions and shall open his records for inspection to any senator who so requests. All employees other than elected officials of the senate and employees of the individual senators, shall be selected by the committee, who shall control their tenure, set their compensation, assign their duties and exercise complete supervision over them. When necessary, the committee shall assign office space and seats in the senate chamber.

2. The Committee on Agriculture, Food Production and Outdoor Resources shall consider and report upon bills and matters referred to it relating to animals, animal disease, pest control, agriculture, food production, the state park system, conservation of the state's natural resources, soil and water, wildlife and game refuges.

3. The Committee on Appropriations shall consider and report upon all bills and matters referred to it pertaining to general appropriations and disbursement of public money.

4. The Committee on Commerce, Consumer Protection, Energy and the Environment shall consider and report upon bills and matters referred to it relating to the development of state commerce, the commercial sector, consumer protection, telecommunications and cable issues, the development and conservation of energy resources and the disposal of solid, hazardous and nuclear wastes and other matters relating to environmental preservation.

5. The Committee on Education shall consider and report upon bills and matters referred to it relating to education in the state, including the public schools, libraries, programs and institutions of higher learning.

6. The Committee on Financial and Governmental Organizations and Elections shall consider and report upon bills and matters referred to it relating to banks and banking, savings and loan associations and other financial institutions in the state. The committee shall also consider and report upon bills and matters referred to it relating to the reorganization, establishment, consolidation or abolition of departments, boards, bureaus and commissions of state government, the internal operation of any state agency and the effect of federal legislation upon any state agency. The committee shall consider and report upon bills and matters referred to it relating to election law.

7. The Committee on General Laws shall consider and report upon bills and matters referred to it relating to general topics.

8. The Committee on Governmental Accountability [and Fiscal Oversight shall consider and report upon all bills, except regular appropriation bills, that require new appropriations or expenditures of appropriated funds in excess of \$100,000, or that reduce such funds by that amount during any of the first three years that public funds will be used to fully implement the provisions of the Act. Any such senate bill, after having been approved by the regular standing committee to which it has been assigned and after the same has been perfected and ordered printed by the senate, shall thereafter be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its submission to the senate for final passage thereof by the senate. Any such house bill after having been reported by the regular standing committee to which it was assigned shall be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its being considered by the senate for third reading and final passage. Any senate or house bill, amended so as to increase expenditures or reduce revenue in excess of \$100,000 during any of the first three years that public funds will be used to fully implement its provisions shall upon timely motion be referred or re-referred to the Committee on Governmental Accountability and Fiscal Oversight. The author or first-named sponsor of a bill referred to the Committee on Governmental Accountability and Fiscal Oversight shall be entitled to a hearing on his/her bill but such committee hearing shall be limited to the reception of testimony presented by the author or first-named sponsor in person and none other. The Committee on Governmental Accountability and Fiscal Oversight may recommend the passage of a bill subject

to the adoption of an amendment specifying a certain effective date proposed by the committee, and if such an amendment is not adopted the bill shall again be referred to that committee. The committee shall also consider and report upon bills and matters referred to it relating to tax credits, tax credit reform, budget reform, governmental efficiency and management] **shall review, study, and investigate all matters referred to it relating to the application, administration, execution, and effectiveness of all state laws and programs, the organization and operation of state agencies and other entities having responsibility for the administration and execution of state laws and programs, and any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation to improve the efficiency of any state law or program. Any findings of the committee may be reported to the senate and the Committee on Appropriations. The committee shall also consider and report upon bills and matters referred to it relating to improving governmental efficiency and management.**

9. The Committee on Gubernatorial Appointments shall consider and report upon gubernatorial appointments referred to it.

10. The Committee on Health, Mental Health, Seniors and Families shall consider and report upon bills and matters referred to it concerning health, MO HealthNet, alternative health care delivery system proposals, mental health, developmental disabilities, and substance abuse and addiction. It shall also consider and report upon bills and matters referred to it concerning the preservation of the quality of life for senior citizens, nursing home and boarding home operations, alternative care programs for the elderly, and family and children's issues. It shall also consider and report upon bills and matters referred to it concerning income maintenance, social services, child support enforcement, public health, disease control, and hospital operations.

11. The Committee on Jobs, Economic Development and Local Government shall consider and report upon bills and matters referred to it relating to the promotion of economic development, the creation and retention of jobs, tourism and the promotion of tourism as a state industry, community and business development, county government, township organizations and political subdivisions.

12. The Committee on the Judiciary and Civil and Criminal Jurisprudence shall consider and report upon bills and matters relating to the judicial department of the state including the practice of the courts of this state, civil procedure and criminal laws, criminal costs and all related matters. The Committee shall also consider and report upon bills and matters referred to it relating to probation or parole of persons sentenced under the criminal laws of the state.

13. The Committee on Progress and Development shall consider and report upon bills and matters referred to it concerning the changing or maintenance of issues relating to human welfare.

14. The Committee on Rules, Joint Rules, Resolutions and Ethics shall consider and report on rules for the government of the senate and joint rules when requested by the senate, shall consider, examine and report upon bills and matters referred to it relating to ethics and the conduct of public officials and employees, shall recommend to the Senate the rules by which investigations and disciplinary proceedings will be conducted, and shall examine and report upon all resolutions and other matters which may be appropriately referred to it. The committee shall see that bills and amendments are properly perfected and printed. The committee shall examine all Truly Agreed To and Finally Passed bills carefully, and report that the printed copies furnished the senators are correct. Upon the written request of the sponsor or floor handler of a bill, the committee may recommend that any such bill on the calendars for perfection or house bills on third reading be called up or considered out of order in which the bill appears on that calendar. A recommendation to consider bills out of order shall require approval by a majority of the committee with the concurrence of two-thirds of the senate members. No floor debate shall be allowed on the motion to adopt the committee report.

The Committee shall examine bills placed on the Consent Calendar and may, by majority vote, remove any bill from the consent calendar within the time period prescribed by Rule 45, that it determines is too controversial to be treated as a consent bill.

15. The Committee on Small Business, Insurance and Industry shall consider and report upon bills and matters referred to it relating to the ownership and operation of small businesses; and life, accident, indemnity and other forms of insurance. The committee shall also take into consideration and report on bills relating to labor management, fair employment standards, workers' compensation and employment security within the state and shall examine bills referred to it relating to industrial development.

16. The Committee on Transportation shall consider and report upon bills and matters referred to it concerning roads, highways, bridges, airports and aviation, railroads, port authorities, and other means of transportation and matters relating to motor vehicles, motor vehicle registration and drivers' licenses.

17. The Committee on Veterans' Affairs, **Emerging Issues**, Pensions and Urban Affairs shall consider and report upon bills and matters concerning veterans' affairs. The committee shall also consider and report upon bills and matters referred to it concerning **issues of statewide or immediate concern**, retirement, pensions and pension plans; and urban renewal, housing and other matters relating to urban areas.

18. The Committee on Ways and Means **and Fiscal Oversight** shall consider and report upon bills and matters referred to it concerning

the revenue and public debt of the state, and interest thereon, the assessment of real and personal property, the classification of property for taxation purposes and gaming. **The Committee on Ways and Means and Fiscal Oversight shall also consider and report upon all bills, except regular appropriation bills, that require new appropriations or expenditures of appropriated funds in excess of \$100,000, or that reduce such funds by that amount during any of the first three years that public funds will be used to fully implement the provisions of the Act. Any such senate bill, after having been approved by the regular standing committee to which it has been assigned and after the same has been perfected and ordered printed by the senate, shall thereafter be referred to the Committee on Ways and Means and Fiscal Oversight for its consideration prior to its submission to the senate for final passage thereof by the senate. Any such house bill after having been reported by the regular standing committee to which it was assigned shall be referred to the Committee on Ways and Means and Fiscal Oversight for its consideration prior to its being considered by the senate for third reading and final passage. Any senate or house bill, amended so as to increase expenditures or reduce revenue in excess of \$100,000 during any of the first three years that public funds will be used to fully implement its provisions shall upon timely motion be referred or re-referred to the Committee on Ways and Means and Fiscal Oversight. The author or first-named sponsor of a bill referred to the Committee on Ways and Means and Fiscal Oversight shall be entitled to a hearing on his or her bill but such committee hearing shall be limited to the reception of testimony presented by the author or first-named sponsor in person and none other. The Committee on Ways and Means and Fiscal Oversight may recommend the passage of a bill subject to the adoption of an amendment specifying a certain effective date proposed by the committee, and if such an amendment is not adopted, the bill shall again be referred to the Committee on Ways and Means and Fiscal Oversight.”; and**

BE IT FURTHER RESOLVED by the Senate of the Ninety-sixth General Assembly, First Regular Session, that the temporary rules adopted on January 5, 2011, as amended, hereby be adopted as the permanent rules of the Missouri Senate of the Ninety-sixth General Assembly.

Senator Schmitt offered Senate Resolution No. 11, regarding the Eightieth Birthday of Robert Manchester Rowe, Webster Groves, which was adopted.

Senator Crowell offered Senate Resolution No. 12, regarding Creative Edge, Incorporated, Jackson, which was adopted.

## COMMUNICATION

President Pro Tem Mayer submitted the following:

December 1, 2010

The Honorable Jeremiah W. (Jay) Nixon  
Governor, State of Missouri State Senate  
Room 216, State Capitol Building  
Jefferson City, MO 65101

Dear Governor Nixon:

Pursuant to Section 21.090, RSMo, I hereby notify you that I am resigning my position as Senator of the 9<sup>th</sup> Senatorial District effective midnight, December 7, 2010. I have previously forwarded my intent to resign effective December 31, 2010. This letter serves as notice that I intend to move the date of the resignation up to the aforementioned date as described above.

Again, it has been an honor and privilege to serve the citizens of the state of Missouri and especially the citizens of the 9<sup>th</sup> Senatorial District. I believe by moving the date up, there will hopefully be an opportunity to have representation for the 9<sup>th</sup> Senatorial District sooner rather than later.

I continue to wish you, Governor Nixon, the best of luck and continued success as Governor.

Respectfully submitted,

/s/ Yvonne S. Wilson

Yvonne S. Wilson  
Missouri State Senator  
District 09



## **INTRODUCTIONS OF GUESTS**

Senator Lager introduced to the Senate, his wife, Stephanie, and their daughter, Addison, Savannah; his parents, Maureen and Ron Lager, Maryville; his sister, Ashley, Kansas City; and Mike and Sue Burch, Ravenwood.

Senator McKenna introduced to the Senate, family and friends.

Senator Rupp introduced to the Senate, his wife, Carissa, and his step-daughter, Hayley Mattern, Wentzville; his parents, Chester and Eleanor Rupp, St. Charles; and Arthur and Ruthie Schaper, Defiance.

Senator Justus introduced to the Senate, her partner, Shonda Garrison, Kansas City; and her mother, Jennifer Justus, Branson.

Senator Schaaf introduced to the Senate, his wife, Debbie, St. Joseph; their son, Robert, Cambridge, Massachusetts; his mother, Louise Schaaf, St Joseph; Carolyn Pape, Robinson, Kansas; and Brian Riepen, Dallas, Texas.

Senator Keaveny introduced to the Senate, his wife, Karen, St. Louis; Kevin Cantwell, Sean and Michaela Mohan, Norbert Hart, Butch and Sue St. George, Kathy Sheehan and Eugene Wallace.

Senator Lamping introduced to the Senate, his wife, Caryn, their children, Rachel, Charlotte, Jackson and Emma; and former State Senator Betty Sims, St. Louis County.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Christopher Young, M.D., St. Louis.

Senator Chappelle-Nadal introduced to the Senate, Jeff Damerall, former State Senator Rita Heard Days, Ellen Bern, Linda Fried, Dana Nichols, Rafael Nun Marin, Rosalyn Madden, Shirley Johnson, Lily Ko, Terry Artis, Tony and Omar Maldonado and Michael Moore, St. Louis.

Senator Richard introduced to the Senate, his wife, Patty, former State Representative Chuck Surface and Nick and Brenda Myers, Joplin; and Mike Storm, Dallas, Texas.

Senator Kraus introduced to the Senate, his wife, Carmen, and their sons, Tylor and Tannor, Lee's Summit; his mother, Cathy, and his sister, Liz Hartenstein, and her daughter, Alexis, Raytown.

Senator Kehoe introduced to the Senate, his wife, Claudia, their children, Carol, Michael, Maggie and Claire; his brother and sister-in-law, John and Patty Kehoe, Jefferson City; Patty, Michael and Steven Mullins, St. Louis; Bruce and Celeste Medima, Detroit, Michigan; and Bob Grundel, St. Louis.

Senator Dixon introduced to the Senate, his wife, Amanda, their children, Grace, Rose and Olivia, Springfield; his sister, Dana Jones, her husband, Steve, and their children, Nathan, Harrison and Parker, Niangua; Jon and Guyla Armstrong and the Underwood family, Springfield.

Senator Nieves introduced to the Senate, his wife, Julie, their children, Alexandra, Moriah and Victor, Washington; his parents, John and Kay; and Eula Monroe, Union.

Senator Parson introduced to the Senate, his wife, Teresa, and their son, Kelly, Bolivar; their daughter, Stephanie House, her husband, Jonathan, and their children, David, Alicia, Michaela, Benjamin and Essabella, Ozark; Kent Parson, Wheatland; James Parson, St. Joseph; and Bob and Darlene Seiner, Bolivar.

Senator Brown introduced to the Senate, his wife, Kathy, their son, Justin Dan, and grandchildren, Brody Neil and Tristin Dan; and their daughter, Danette Sherrill, and her husband Brad, Rolla; Mathew Bain, Dexter; and Jared Brown and Betty Pringer, Jefferson City: and Brody Neil and Tristin Dan were

made honorary pages.

Senator Munzlinger introduced to the Senate, his wife, Michele, Lewis County; and Pearl Franks and Elaine Gorrell.

Senator Wasson introduced to the Senate, his wife, Retha, Nixa; and Hattie Carter.

Senator Dempsey introduced to the Senate, his wife, Molly, and their children, Meaghan, Abby and Jack, St. Charles; and Paul Bothe.

Senator Dempsey introduced to the Senate, Scoutmaster Bob Baronovic and Scouts Andrew Adams, Joe Baronovic, Andrew Clever, Ethan Dultz, Andrew Ficken, Mark Ficken, Patrick Hoerschler, Will Hoover, Eric Johnson, Nick Keeseey, Matthew Lauer, Bryson Schroeder, Will Travous and Jacob Yanez, members of Boy Scout Troop 351, St. Charles Borromeo Parish.

Senator Ridgeway introduced to the Senate, her husband, Dr. Richard Ridgeway, Smithville; and former State Representative Susan Phillips, Kansas City.

Senator Cunningham introduced to the Senate, her husband, Gary Cunningham, Chesterfield.

Senator Mayer introduced to the Senate, his wife, Nancy, their children Dustin, Daniel, Jason and his wife, Lauren; his mother Marjean Mayer, and his brother, Kenny Mayer, Dexter; Julie Ann Mayer, Dallas, Texas; Susan Bartlett, Cape Girardeau; Robert Mayer, Marilyn and C.E. Tuley, Dexter; Robert, Karen and Rebecca Tuley, Shelbyville; and Nathan Tuley, Jefferson City.

Senator Stouffer introduced to the Senate, his wife, Sue Ellen, Napton.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

SECOND DAY—THURSDAY, JANUARY 6, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 1-Ridgeway  
 SB 2-Ridgeway  
 SB 3-Stouffer  
 SB 4-Stouffer  
 SB 5-Stouffer  
 SB 6-Goodman  
 SB 7-Goodman  
 SB 8-Goodman  
 SB 9-Rupp  
 SB 10-Rupp  
 SB 11-McKenna  
 SB 12-Pearce

SB 13-Pearce  
 SB 14-Pearce  
 SB 15-Lembke  
 SB 16-Lembke  
 SB 17-Lembke  
 SB 18-Schmitt  
 SB 19-Schmitt  
 SB 20-Wright-Jones  
 SB 21-Wright-Jones  
 SB 22-Wright-Jones  
 SB 23-Keaveny  
 SB 24-Keaveny

SB 25-Schaaf	SB 55-Brown
SB 26-Wasson	SB 56-Rupp
SB 27-Brown	SB 57-Callahan
SB 28-Brown	SB 58-Stouffer
SB 29-Brown	SB 59-Keaveny
SB 30-Chappelle-Nadal	SB 60-Keaveny
SB 31-Chappelle-Nadal	SB 61-Keaveny
SB 32-Chappelle-Nadal	SB 62-Schaaf
SB 33-Stouffer	SB 63-Mayer
SB 34-Stouffer	SB 64-Parson
SB 35-Lembke	SB 65-Mayer
SB 36-Lembke	SB 67-Cunningham
SB 37-Lembke	SB 68-Mayer
SB 38-Wright-Jones	SB 69-Schaefer
SB 39-Wright-Jones	SB 70-Schaefer
SB 40-Wright-Jones	SB 71-Parson
SB 41-Chappelle-Nadal	SB 72-Kraus
SB 42-Chappelle-Nadal	SB 73-Kraus
SB 43-Chappelle-Nadal	SB 74-Kraus
SB 44-Wright-Jones	SB 75-Kraus
SB 45-Wright-Jones	SB 76-Schaaf
SB 46-Wright-Jones	SB 77-Stouffer
SB 47-Wright-Jones	SB 78-Brown
SB 48-Wright-Jones	SJR 1-Ridgeway
SB 49-Wright-Jones	SJR 2-Stouffer
SB 50-Kehoe, et al	SJR 3-Goodman
SB 51-Cunningham	SJR 5-Chappelle-Nadal
SB 52-Cunningham	SJR 6-Chappelle-Nadal
SB 53-Cunningham	SJR 7-Lembke
SB 54-Cunningham	SJR 8-Kraus

## INFORMAL CALENDAR

### RESOLUTIONS

SR 10-Mayer	HCR 2-Jones (89) (Dempsey)
HCR 1-Jones (89) (Dempsey)	

### To be Referred

SCR 1-Ridgeway	SCR 2-Schaaf
----------------	--------------

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SECOND DAY—THURSDAY, JANUARY 6, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

Gracious God, King of the Universe, today we remember the Christian celebration of the Epiphany and the variety of ways You have made Yourself known throughout this planet. You have manifested Your presence so all may come to know You and in so doing You taught us Your will for us to follow and the requirements we are to fulfill. Watch over us as we travel to be with loved ones and may we be found in Your house of prayer giving You thanks and praise. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Munzlinger offered Senate Resolution No. 13, regarding Hannibal-LaGrange University, Hannibal, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Lembke offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 3**

Relating to disapproving the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials.

WHEREAS, Article XIII, Section 3 of the Missouri Constitution charges the Missouri Citizens' Commission on Compensation for Elected Officials with setting the amounts of compensation paid to statewide elected officials, legislators, and judges; and

WHEREAS, the Constitution provides the Commission with a four-month window prior to its constitutional deadline for making salary recommendations to hold public hearings around the state to gather testimony related to salaries for affected state officials and to carefully consider whether pay increases are warranted; and

WHEREAS, the Missouri Citizens' Commission on Compensation of Elected Officials has recommended that the compensation for statewide elected officials and members of the General Assembly in fiscal years 2012 and 2013 remains identical to the compensation which exists currently in fiscal year 2011; and

WHEREAS, the Commission recommended that the compensation for judges in fiscal year 2012 remains identical to the compensation which exists currently for fiscal year 2011, but did recommend a pay increase for each state judge to be indexed to the commensurate judicial position in the federal system for fiscal year 2013; and

WHEREAS, for fiscal year 2013, the Commission recommended an annual salary increase of \$14,681 for the Chief Justice of the Supreme Court, an annual salary increase of \$10,557 for Supreme Court Judges, an annual increase of \$6,478 for judges of the Court of Appeals, an annual increase of \$6,536 for circuit judges, and an annual increase of \$7,492.40 for associate circuit judges; and

WHEREAS, the Commission's recommendations shall take effect unless disapproved by the General Assembly through a concurrent resolution process passed by two-thirds majorities in each legislative chamber before February 1, 2011:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, disapprove the recommendations of the Missouri Citizens' Commission on the Compensation for Elected Officials contained in its report dated November 24, 2010; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for Governor Jay Nixon.

Read 1st time.

Senator Crowell offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 4**

Relating to the reassignment of office space within the State Capitol.

WHEREAS, the lack of adequate office space for legislators and staff along with the lack of adequate facilities to conduct hearings, meetings, and other legislative functions at our State Capitol has been an issue of major and growing concern for many years; and

WHEREAS, legislators and their staff deserve to work in a safe, comfortable, and adequately-spaced office environment in order to provide the most efficient and effective service possible for the people of Missouri; and legislators, staff, and private citizens are entitled to conduct state business in a safe and comfortable environment when meeting in the various hearing rooms and committee rooms within our State Capitol; and

WHEREAS, expedient measures need to be implemented to provide effective short-term solutions for the problem of overcrowding at the State Capitol; and

WHEREAS, Section 8.460, Revised Statutes of Missouri, subsection 1, states "The board of public buildings may build an office building in the City of Jefferson to house state offices which are presently located in rented quarters within the county of Cole, and they shall remove

as many offices from the State Capitol building as the general assembly deems necessary to provide adequate space for its members”:

NOW THEREFORE BE IT RESOLVED by the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, that pursuant to the provisions of Section 8.460, RSMo, the Board of Public Buildings is advised to reassign offices and other space within the State Capitol to provide adequate space for the members and staff of the General Assembly; and

BE IT FURTHER RESOLVED that rooms 122, 123, 124, 125, 126, 127, 128, and 129, and rooms within these rooms where only a corridor number is listed, presently occupied or under the control of the Office of Administration, shall be reassigned to the Senate Administration Committee and the House Administration and Accounts Committee, and the General Assembly further asserts the right to reserve any and all of these rooms and facilities for the exclusive use of legislators and legislative staff; and

BE IT FURTHER RESOLVED that the Senate Administrator and the Chief Clerk of the House shall mark the rooms so assigned upon blueprints and shall submit the blueprints so marked to the Board of Public Buildings and the Office of Design and Construction, together with a properly inscribed copy of this resolution; and

BE IT FURTHER RESOLVED that where the room numbers and descriptions are not clear, that the aforementioned blueprints shall control; and

BE IT FURTHER RESOLVED that the aforementioned space will be vacated by the Office of Administration and totally delivered to the General Assembly within twenty-four hours of the passage of this resolution; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commissioner of Administration, each member of the Board of Public Buildings, the Senate Administration Committee and the House Administration and Accounts Committee.

Read 1st time.

### INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 79**—By Justus.

An Act to repeal sections 196.1115, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, and 348.271, RSMo, and to enact in lieu thereof eleven new sections relating to science and innovation.

**SB 80**—By Justus.

An Act to repeal section 208.798, RSMo, and to enact in lieu thereof one new section relating to the extension of the sunset provision of the Missouri RX prescription drug program.

**SB 81**—By Pearce.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to fine arts education.

**SB 82**—By Pearce.

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by state universities.

**SB 83**—By Pearce.

An Act to repeal sections 408.140, 408.233, and 408.300, RSMo, and to enact in lieu thereof four new sections relating to the sale of deficiency waiver addendums and other similar products in certain loan transactions.

**SB 84**—By Wright-Jones.

An Act to repeal sections 115.205 and 115.631, RSMo, and to enact in lieu thereof three new sections

relating to elections, with penalty provisions.

**SB 85**—By Lembke.

An Act to amend chapter 544, RSMo, by adding thereto one new section relating to the service of warrants in this state by agents of the federal government.

**SB 86**—By Lembke.

An Act to repeal sections 197.300, 197.305, 197.310, 197.311, 197.312, 197.314, 197.315, 197.316, 197.317, 197.318, 197.320, 197.325, 197.326, 197.327, 197.330, 197.335, 197.340, 197.345, 197.355, 197.357, 197.366, 197.367, 197.705, 198.530, 198.531, and 208.169, RSMo, and to enact in lieu thereof four new sections relating to certificate of need.

**SB 87**—By Parson.

An Act to repeal section 571.030, RSMo, and to enact in lieu thereof one new section relating to unlawful use of weapons, with existing penalties.

### MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 5, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Vicki Benson, Democrat, 19592 State Highway 157, Kirksville, Adair County, Missouri 63501, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2012; vice, Constitution of Missouri Article XIII, Section 3.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

### RESOLUTIONS

Senator Mayer moved that **SR 10** be taken up for perfection, which motion prevailed.

On motion of Senator Mayer, **SR 10** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—1

### **INTRODUCTIONS OF GUESTS**

Senator Cunningham introduced to the Senate, Jennifer Speckman, St. Louis.

Senator Goodman introduced to the Senate, Tylor Willis, Mt. Vernon.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, January 10, 2011.

### **SENATE CALENDAR**

---

**THIRD DAY—MONDAY, JANUARY 10, 2011**

---

### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 1-Ridgeway	SB 25-Schaaf
SB 2-Ridgeway	SB 26-Wasson
SB 3-Stouffer	SB 27-Brown
SB 4-Stouffer	SB 28-Brown
SB 5-Stouffer	SB 29-Brown
SB 6-Goodman	SB 30-Chappelle-Nadal
SB 7-Goodman	SB 31-Chappelle-Nadal
SB 8-Goodman	SB 32-Chappelle-Nadal
SB 9-Rupp	SB 33-Stouffer
SB 10-Rupp	SB 34-Stouffer
SB 11-McKenna	SB 35-Lembke
SB 12-Pearce	SB 36-Lembke
SB 13-Pearce	SB 37-Lembke
SB 14-Pearce	SB 38-Wright-Jones
SB 15-Lembke	SB 39-Wright-Jones
SB 16-Lembke	SB 40-Wright-Jones
SB 17-Lembke	SB 41-Chappelle-Nadal
SB 18-Schmitt	SB 42-Chappelle-Nadal
SB 19-Schmitt	SB 43-Chappelle-Nadal
SB 20-Wright-Jones	SB 44-Wright-Jones
SB 21-Wright-Jones	SB 45-Wright-Jones
SB 22-Wright-Jones	SB 46-Wright-Jones
SB 23-Keaveny	SB 47-Wright-Jones
SB 24-Keaveny	SB 48-Wright-Jones



SB 49-Wright-Jones  
SB 50-Kehoe, et al  
SB 51-Cunningham  
SB 52-Cunningham  
SB 53-Cunningham  
SB 54-Cunningham  
SB 55-Brown  
SB 56-Rupp  
SB 57-Callahan  
SB 58-Stouffer  
SB 59-Keaveny  
SB 60-Keaveny  
SB 61-Keaveny  
SB 62-Schaaf  
SB 63-Mayer  
SB 64-Parson  
SB 65-Mayer, et al  
SB 67-Cunningham  
SB 68-Mayer  
SB 69-Schaefer  
SB 70-Schaefer  
SB 71-Parson  
SB 72-Kraus

SB 73-Kraus  
SB 74-Kraus  
SB 75-Kraus  
SB 76-Schaaf  
SB 77-Stouffer  
SB 78-Brown  
SB 79-Justus  
SB 80-Justus  
SB 81-Pearce  
SB 82-Pearce  
SB 83-Pearce  
SB 84-Wright-Jones  
SB 85-Lembke  
SB 86-Lembke  
SB 87-Parson  
SJR 1-Ridgeway  
SJR 2-Stouffer  
SJR 3-Goodman  
SJR 5-Chappelle-Nadal  
SJR 6-Chappelle-Nadal  
SJR 7-Lembke  
SJR 8-Kraus

#### INFORMAL CALENDAR

#### RESOLUTIONS

HCR 1-Jones (89) (Dempsey)

HCR 2-Jones (89) (Dempsey)

#### To be Referred

SCR 1-Ridgeway  
SCR 2-Schaaf

SCR 3-Lembke  
SCR 4-Crowell

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**THIRD DAY—MONDAY, JANUARY 10, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“When the cares of my heart are many, your consolations cheer my soul.” (Psalm 94:19)

Almighty God, our concerns are many today. We are thankful for safe travel for us and staff. We deal with the changes and chances of life as Representative Giffords fights for hers. We don't understand such evil and violence but turn to You to comfort and help us find ways to deal with such tragedy. We pray for her family and families of victims of the shooting and ask for Your comfort and healing. We pray for those who enforce the law that they may do so with courage and wisdom in their serving. We pray for legislators and us who pass the laws that we may do so seeking what is most helpful and ensure the safety of our people. May Your steadfast love “...be our rock and refuge,” and guide us through these difficult days. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 6, 2011 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—1

The Lieutenant Governor was present.

The Senate observed a moment of silence in remembrance of Sergeant First Class Robert W. Pharris, Seymour, and for the shooting victims in Tucson, Arizona.

### **RESOLUTIONS**

Senator Green offered Senate Resolution No. 14, regarding “Gina” Walsh, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 15, regarding Mike Duffy’s Pub and Grill, Kirkwood, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 16, regarding Eugene A. Haessig, St. Louis, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 17, regarding Suzanne Welker, St. Louis, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 18, regarding Representative Patricia Yaeger, which was adopted.

Senator Rupp offered Senate Resolution No. 19, regarding Denny Gladieux, which was adopted.

Senator Rupp offered Senate Resolution No. 20, regarding Wharf Pharmacy, which was adopted.

Senator Rupp offered Senate Resolution No. 21, regarding Walmart, Wentzville, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 22, regarding Mrs. Theresa Ferguson, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

**SB 88**—By Schaaf.

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by state universities.

**SB 89**—By Lembke.

An Act to repeal sections 476.415, 547.370, 600.011, 600.015, 600.017, 600.019, 600.021, 600.040, 600.042, 600.043, 600.044, 600.048, 600.086, 600.089, 600.090, 600.091, 600.093, 600.096, and 600.101, RSMo, and to enact in lieu thereof seventeen new sections relating to the public defender system, with existing penalty provisions.

**SJR 9**—By Engler.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to voter photo identification.

**SJR 10**—By Lembke.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 9 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to members of the House of Representatives.

## **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 7, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Sara Parker Pauley as the Director of the Department of Natural Resources, submitted to you on January 5, 2011. Line 2 should be amended to read:

65039, as Director of the Department of Natural Resources, for a term ending at the

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

## **COMMITTEE APPOINTMENTS**

President Pro Tem Mayer submitted the following committee appointments, which were read:

### **Committee on Rules, Joint Rules, Resolutions and Ethics:**

Senator Tom Dempsey, Chairman  
Senator Bob Dixon, Vice Chairman  
Senator Rob Mayer  
Senator Jack Goodman  
Senator Brad Lager  
Senator Jolie Justus  
Senator Tim Green

### **Committee on Administration:**

Senator Robert Mayer, Chairman  
Senator Tom Dempsey, Vice Chairman  
Senator Jack Goodman  
Senator Victor Callahan  
Senator Robin Wright-Jones

### **Committee on Gubernatorial Appointments:**

Senator Robert Mayer, Chairman  
Senator Tom Dempsey, Vice Chairman  
Senator Jason Crowell  
Senator Bob Dixon  
Senator Brad Lager  
Senator Rob Schaaf  
Senator Eric Schmitt  
Senator Victor Callahan  
Senator Ryan McKenna

**REFERRALS**

President Pro Tem Mayer referred the Gubernatorial Appointments appearing on pages 17 through 51 of the Senator Journal for Wednesday, January 5, 2011, the appointment appearing on page 63 of the Senate Journal for Thursday, January 6, 2011 and the addendum received today to the Committee on Gubernatorial Appointments.

**SECOND READING OF  
CONCURRENT RESOLUTIONS**

The following Concurrent Resolutions were read the 2nd time and referred to the Committees indicated:

**SCR 1**—Rules, Joint Rules, Resolutions and Ethics.

**SCR 3**—Rules, Joint Rules, Resolutions and Ethics.

**SCR 4**—Rules, Joint Rules, Resolutions and Ethics.

**REFERRALS**

President Pro Tem Mayer referred **SCR 2** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate adjourned under the rules.

**SENATE CALENDAR**  

---

FOURTH DAY—TUESDAY, JANUARY 11, 2011

---

**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

SB 1-Ridgeway  
SB 2-Ridgeway  
SB 3-Stouffer  
SB 4-Stouffer  
SB 5-Stouffer  
SB 6-Goodman  
SB 7-Goodman  
SB 8-Goodman  
SB 9-Rupp  
SB 10-Rupp  
SB 11-McKenna  
SB 12-Pearce  
SB 13-Pearce

SB 14-Pearce  
SB 15-Lembke  
SB 16-Lembke  
SB 17-Lembke  
SB 18-Schmitt  
SB 19-Schmitt  
SB 20-Wright-Jones  
SB 21-Wright-Jones  
SB 22-Wright-Jones  
SB 23-Keaveny  
SB 24-Keaveny  
SB 25-Schaaf  
SB 26-Wasson

SB 27-Brown	SB 63-Mayer
SB 28-Brown	SB 64-Parson
SB 29-Brown	SB 65-Mayer, et al
SB 30-Chappelle-Nadal	SB 67-Cunningham
SB 31-Chappelle-Nadal	SB 68-Mayer
SB 32-Chappelle-Nadal	SB 69-Schaefer
SB 33-Stouffer	SB 70-Schaefer
SB 34-Stouffer	SB 71-Parson
SB 35-Lembke	SB 72-Kraus
SB 36-Lembke	SB 73-Kraus
SB 37-Lembke	SB 74-Kraus
SB 38-Wright-Jones	SB 75-Kraus
SB 39-Wright-Jones	SB 76-Schaaf
SB 40-Wright-Jones	SB 77-Stouffer
SB 41-Chappelle-Nadal	SB 78-Brown
SB 42-Chappelle-Nadal	SB 79-Justus
SB 43-Chappelle-Nadal	SB 80-Justus
SB 44-Wright-Jones	SB 81-Pearce
SB 45-Wright-Jones	SB 82-Pearce
SB 46-Wright-Jones	SB 83-Pearce
SB 47-Wright-Jones	SB 84-Wright-Jones
SB 48-Wright-Jones	SB 85-Lembke
SB 49-Wright-Jones	SB 86-Lembke
SB 50-Kehoe, et al	SB 87-Parson
SB 51-Cunningham	SB 88-Schaaf
SB 52-Cunningham	SB 89-Lembke
SB 53-Cunningham	SJR 1-Ridgeway
SB 54-Cunningham	SJR 2-Stouffer
SB 55-Brown	SJR 3-Goodman
SB 56-Rupp	SJR 5-Chappelle-Nadal
SB 57-Callahan	SJR 6-Chappelle-Nadal
SB 58-Stouffer	SJR 7-Lembke
SB 59-Keaveny	SJR 8-Kraus
SB 60-Keaveny	SJR 9-Engler
SB 61-Keaveny	SJR 10-Lembke
SB 62-Schaaf	

## INFORMAL CALENDAR

## RESOLUTIONS

HCR 1-Jones (89) (Dempsey)

HCR 2-Jones (89) (Dempsey)

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FOURTH DAY—TUESDAY, JANUARY 11, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Resolve to keep happy and your joy and you shall form an invincible host against difficulties.” (Helen Keller)

We are still adjusting to the newest of all that we are encountering here, O Lord, so we seek Your wisdom and teachings to help us make the very best of this time You have given us this day. We are thankful for those who clear our roads and work to ensure the safety of the people of Missouri. We are thankful for shared abilities that help us address the challenges that continue and we must find ways to address. So bless us with Your presence and walk with us this new day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Parson offered Senate Resolution No. 23, regarding Bolivar R-I Board of Education, which was

adopted.

Senator Rupp offered Senate Resolution No. 24, regarding the Twenty-fifth Wedding Anniversary of Mr. and Mrs. Dan Nolfo, O'Fallon, which was adopted.

Senator Rupp offered Senate Resolution No. 25, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ronald Crossen, Lake St. Louis, which was adopted.

Senator Rupp offered Senate Resolution No. 26, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Jack Ladlie, Truxton, which was adopted.

Senator Cunningham offered the following resolution:

SENATE RESOLUTION NO. 27

WHEREAS, attorneys general from 13 states sued the federal government on March 23, 2010, claiming the landmark health care reform bill is unconstitutional. The amended complaint currently features 20 state plaintiffs, with the National Federation of Independent Business (NFIB) joining as a co-plaintiff on behalf of its members nationwide; and

WHEREAS, the lawsuit filed and joined by a total of 20 attorneys general includes and asserts:

- (1) A Commerce Clause claim;
- (2) A Tenth Amendment sovereignty violation for forcing states, among other things, to expand Medicaid coverage;
- (3) A direct tax violation for the one-size-fits all penalty if a person fails to purchase health insurance; and
- (4) A violation of Article 4, Section 4 of the United States Constitution because "the Act deprives [the States] of ... their right to a republican form of government"; and

WHEREAS, the lawsuit asks the bill be declared unconstitutional because "the Constitution nowhere authorizes the United States to mandate, either directly or under threat of penalty, that all citizens and legal residents have qualifying health care coverage"; and

WHEREAS, the lawsuit also claims the health care legislation violates the Tenth Amendment of the United States Constitution, which says the federal government has no authority beyond the powers granted to it under the Constitution, by forcing the states to carry out its provisions but not reimbursing them for the costs; and

WHEREAS, the lawsuit also asserts that the states cannot afford the new law because the health care legislation will add millions of people to state Medicaid rolls, costing some states more than one billion dollars over the next ten years in increased Medicaid expenditures; and

WHEREAS, according to an attorney representing the 20 attorneys general joining in the lawsuit, those state attorneys general "are convinced that the federal health care legislation is fundamentally flawed as a matter of constitutional law, that it exceeds the scope of proper constitutional authority of the federal government and tramples upon the rights and prerogatives of states and their citizens"; and

WHEREAS, on July 7, 2010, Missouri Lieutenant Governor Peter Kinder sued members of the Obama Administration responsible for enforcing the provisions of the federal health care reform law. The lawsuit challenges those provisions of the federal health care reform law which actually reduce Missourians access to affordable health care and which violate the Missouri Constitution and the United States Constitution; and

WHEREAS, under the federal legislation, beginning in 2014, most Americans will be required to carry health insurance, either through an employer or government program or by purchasing it themselves. Those Americans who refuse to carry such health insurance will face penalties from the Internal Revenue Service; and

WHEREAS, an overwhelming majority of 71% of Missourians supported the passage of Proposition C in a 2010 General Election in Missouri that protects Missourians from being penalized for refusing to purchase private health insurance or infringe upon the right to offer or accept direct payment for lawful health care; and

WHEREAS, according to the American Legislative Exchange Council, at least 42 states are attempting to limit, alter, or oppose some of the federal legislation's provisions through state constitutional amendments or laws, with many of the proposals seeking to keep health insurance coverage optional for individuals and exempt employers from penalties if they don't offer coverage for workers; and

WHEREAS, all other attorneys general in the nation have joined the suit voluntarily without legislative action:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session,



hereby call on Missouri Attorney General Chris Koster to file an independent lawsuit, join Lieutenant Governor Peter Kinder's lawsuit, or join the 20 other state attorneys general from across the nation in challenging the constitutionality and validity of the Patient Protection and Affordable Care Act, the federal health care legislation, and to aggressively defend the validity of Proposition C as voted on by the people of Missouri in a 2010 Missouri General Election; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for Missouri Attorney General Chris Koster.

Senator Pearce offered Senate Resolution No. 28, regarding Gilbert Lee Powers, Warrensburg, which was adopted.

### INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 90**—By Dempsey.

An Act to repeal section 103.089, RSMo, and to enact in lieu thereof one new section relating to health care benefits provided to Medicare eligible participants participating in the state employee health insurance program.

**SB 91**—By Engler.

An Act to repeal sections 578.501 and 578.502, RSMo, and to enact in lieu thereof two new sections relating to funeral protests, with penalty provisions.

**SB 92**—By Schaaf.

An Act to repeal section 374.184, RSMo, and to enact in lieu thereof one new section relating to health insurance.

**SB 93**—By Kraus.

An Act to amend chapters 28 and 67, RSMo, by adding thereto two new sections relating to business origination requirements.

### CONCURRENT RESOLUTIONS

Senator Dempsey moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Demsey, **HCR 1** was adopted by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—30		

#### NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators

Ridgeway      Schaefer—2

Vacancies—1

Senator Stouffer assumed the Chair.

Senator Dempsey moved that **HCR 2** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **HCR 2** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators

Ridgeway      Schaefer—2

Vacancies—1

## INTRODUCTIONS OF GUESTS

Senator Wright-Jones introduced to the Senate, Reverend Paul Jakes, Jr., Chicago, Illinois.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Sam Page, M.D., St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

FIFTH DAY—WEDNESDAY, JANUARY 12, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 1-Ridgeway  
 SB 2-Ridgeway  
 SB 3-Stouffer  
 SB 4-Stouffer  
 SB 5-Stouffer  
 SB 6-Goodman

SB 7-Goodman  
 SB 8-Goodman  
 SB 9-Rupp  
 SB 10-Rupp  
 SB 11-McKenna  
 SB 12-Pearce

SB 13-Pearce	SB 58-Stouffer
SB 14-Pearce	SB 59-Keaveny
SB 15-Lembke	SB 60-Keaveny
SB 16-Lembke	SB 61-Keaveny
SB 17-Lembke	SB 62-Schaaf
SB 18-Schmitt	SB 63-Mayer
SB 19-Schmitt	SB 64-Parson
SB 20-Wright-Jones	SB 65-Mayer, et al
SB 21-Wright-Jones	SB 67-Cunningham
SB 22-Wright-Jones	SB 68-Mayer
SB 23-Keaveny	SB 69-Schaefer
SB 24-Keaveny	SB 70-Schaefer
SB 25-Schaaf	SB 71-Parson
SB 26-Wasson	SB 72-Kraus
SB 27-Brown	SB 73-Kraus
SB 28-Brown	SB 74-Kraus
SB 29-Brown	SB 75-Kraus
SB 30-Chappelle-Nadal	SB 76-Schaaf
SB 31-Chappelle-Nadal	SB 77-Stouffer
SB 32-Chappelle-Nadal	SB 78-Brown
SB 33-Stouffer	SB 79-Justus
SB 34-Stouffer	SB 80-Justus
SB 35-Lembke	SB 81-Pearce
SB 36-Lembke	SB 82-Pearce
SB 37-Lembke	SB 83-Pearce
SB 38-Wright-Jones	SB 84-Wright-Jones
SB 39-Wright-Jones	SB 85-Lembke
SB 40-Wright-Jones	SB 86-Lembke
SB 41-Chappelle-Nadal	SB 87-Parson
SB 42-Chappelle-Nadal	SB 88-Schaaf
SB 43-Chappelle-Nadal	SB 89-Lembke
SB 44-Wright-Jones	SB 90-Dempsey
SB 45-Wright-Jones	SB 91-Engler
SB 46-Wright-Jones	SB 92-Schaaf
SB 47-Wright-Jones	SB 93-Kraus
SB 48-Wright-Jones	SJR 1-Ridgeway
SB 49-Wright-Jones	SJR 2-Stouffer
SB 50-Kehoe, et al	SJR 3-Goodman
SB 51-Cunningham	SJR 5-Chappelle-Nadal
SB 52-Cunningham	SJR 6-Chappelle-Nadal
SB 53-Cunningham	SJR 7-Lembke
SB 54-Cunningham	SJR 8-Kraus
SB 55-Brown	SJR 9-Engler
SB 56-Rupp	SJR 10-Lembke
SB 57-Callahan	

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SR 27-Cunningham

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FIFTH DAY—WEDNESDAY, JANUARY 12, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Keep your heart with all diligence; for out of it are the issues of life.” (Proverbs 4:27)

Gracious God, we are thankful for You who keep our hearts rooted firmly in Your promises. Help us to seek You daily so we are anchored in living fully and effectively as You desire us to walk the path of righteousness, and be Your people in serving others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Crowell offered Senate Resolution No. 29, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Richard Courtois, Perryville, which was adopted.

Senator Green offered Senate Resolution No. 30, regarding the One Hundredth Birthday of Johnnie Rivere, St. Louis, which was adopted.

Senator Lager offered Senate Resolution No. 31, regarding the One Hundredth Birthday of Fern Swanson, Maryville, which was adopted.

Senator Stouffer offered Senate Resolution No. 32, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Norman Greer, Higginsville, which was adopted.

Senator Stouffer offered Senate Resolution No. 33, regarding the Seventy-fifth Wedding Anniversary of Mr. and Mrs. James Harold Frerking, Higginsville, which was adopted.

Senator Stouffer offered Senate Resolution No. 34, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. John R. Reynolds, which was adopted.

Senator Stouffer offered Senate Resolution No. 35, regarding Becky Lee Plattner, Grandpass, which was adopted.

Senator Rupp offered Senate Resolution No. 36, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bob Haley, Lake St. Louis, which was adopted.

Senator Engler offered Senate Resolution No. 37, regarding Centerville R-I School District, which was adopted.

Senator Lamping offered Senate Resolution No. 38, regarding Marshall Stanley Manne, DDS, Creve Coeur, which was adopted.

Senator Munzlinger offered Senate Resolution No. 39, regarding Robert and Helen Fenlon, Mexico, which was adopted.

Senator Green offered Senate Resolution No. 40, regarding the One Hundredth Birthday of Ed Jurkiewicz, St. Louis, which was adopted.

## REFERRALS

President Pro Tem Mayer referred **SR 27** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

## INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

**SB 94**—By Munzlinger.

An Act to repeal sections 30.750, 30.753, 30.756, 30.758, 30.760, 30.765, and 260.035, RSMo, and to enact in lieu thereof eight new sections relating to financing for energy efficiency improvements, with existing penalty provisions.

**SB 95**—By Munzlinger.

An Act to repeal section 273.345, RSMo, and to enact in lieu thereof one new section relating to the puppy mill cruelty prevention act, with an existing penalty provision.

**SB 96**—By Engler.

An Act to authorize the conveyance of state properties in St. Francois County.

**SB 97**—By Engler.

An Act to authorize the conveyance of state property owned by the state to the City of Farmington.

**SB 98**—By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance.

**SB 99**—By Chappelle-Nadal.

An Act to repeal sections 168.124, 168.211, and 168.221, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education.

**SB 100**—By Stouffer.

An Act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

**SB 101**—By Parson.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to home exterior contractors, with penalty provisions.

**SB 102**—By Green.

An Act to repeal section 294.027, RSMo, and to enact in lieu thereof one new section relating to work certificates that permit minors to work.

**SB 103**—By Green.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to employee password protection, with penalty provisions.

**SB 104**—By Green.

An Act to amend chapter 292, RSMo, by adding thereto fourteen new sections relating to crane safety.

**SB 105**—By Green.

An Act to repeal sections 115.275 and 115.289, RSMo, and to enact in lieu thereof three new sections relating to advance voting.

**SB 106**—By Green.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to specialized license plates.

**SB 107**—By Green.

An Act to amend chapter 389, RSMo, by adding thereto twelve new sections relating to regulation of contract carriers that transport railroad employees, with penalty provisions and an emergency clause.

**SB 108**—By Schmitt, Nieves, Dempsey, Parson, Ridgeway, Chappelle-Nadal, Pearce, Callahan, Lembke, Mayer, Cunningham, Wright-Jones, Wasson, Richard, Purgason, Kraus, Crowell, Brown, McKenna, Engler, Rupp, Dixon, Kehoe, Munzlinger, Lager, Goodman, Justus, Lamping and Schaaf.

An Act to repeal section 67.281 as enacted by senate substitute no. 2 for senate committee substitute for house bill no. 103, ninety-fifth general assembly, first regular session, and section 67.281 as enacted by conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, and to enact in lieu thereof one new section relating to the installation of fire sprinklers in certain dwellings.

**SJR 11**—By Munzlinger.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri relating to the right to hunt and fish.

**SJR 12**—By Green.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits.

### **COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following escort committee pursuant to **HCR 1**: Senators Mayer, Dempsey, Rupp, Purgason, Stouffer, Callahan, Chappelle-Nadal, Justus, Green and Wright-Jones.

President Pro Tem Mayer appointed the following escort committee pursuant to **HCR 2**: Senators Mayer, Schmitt, Ridgeway, Crowell, Goodman, Schaefer, McKenna, Wright-Jones, Justus and Keaveny.

President Pro Tem Mayer submitted the following standing committee appointments:

### **AGRICULTURE, FOOD PRODUCTION AND OUTDOOR RESOURCES**

Munzlinger, Chair  
 Parson, Vice-Chair  
 Brown  
 Purgason  
 Stouffer  
 Callahan  
 McKenna

### **APPROPRIATIONS**

Schaefer, Chair  
 Rupp, Vice-Chair  
 Brown  
 Kraus  
 Lembke



Pearce  
Schaaf  
Green  
Justus

**COMMERCE, CONSUMER PROTECTION, ENERGY AND THE ENVIRONMENT**

Lager, Chair  
Lamping, Vice-Chair  
Kehoe  
Lembke  
Parson  
Schaefer  
Stouffer  
Green  
Justus

**EDUCATION**

Pearce, Chair  
Nieves, Vice-Chair  
Brown  
Cunningham  
Kehoe  
Rupp  
Schaefer  
Chappelle-Nadal  
Keaveny

**FINANCIAL AND GOVERNMENTAL ORGANIZATIONS AND ELECTIONS**

Engler, Chair  
Wasson, Vice-Chair  
Crowell  
Cunningham  
Pearce  
Ridgeway  
Stouffer  
Justus  
Wright-Jones

**GENERAL LAWS**

Cunningham, Chair  
Nieves, Vice-Chair  
Purgason  
Richard  
Ridgeway  
Rupp  
Schaaf

McKenna  
Wright-Jones

#### **GOVERNMENTAL ACCOUNTABILITY**

Lembke, Chair  
Crowell, Vice-Chair  
Kraus  
Lager  
Chappelle-Nadal

#### **HEALTH, MENTAL HEALTH, SENIORS AND FAMILIES**

Ridgeway, Chair  
Schaaf, Vice-Chair  
Cunningham  
Lamping  
Schmitt  
Chappelle-Nadal  
Justus

#### **JOBS, ECONOMIC DEVELOPMENT AND LOCAL GOVERNMENT**

Schmitt, Chair  
Richard, Vice-Chair  
Dixon  
Goodman  
Lamping  
Nieves  
Ridgeway  
Callahan  
McKenna

#### **JUDICIARY AND CIVIL AND CRIMINAL JURISPRUDENCE**

Goodman, Chair  
Schmitt, Vice-Chair  
Dixon  
Kraus  
Munzlinger  
Justus  
Keaveny

#### **PROGRESS AND DEVELOPMENT**

Callahan, Chair  
Keaveny, Vice-Chair  
Chappelle-Nadal  
Schaaf  
Wasson

**SMALL BUSINESS, INSURANCE AND INDUSTRY**

Rupp, Chair  
Parson, Vice-Chair  
Crowell  
Munzlinger  
Wasson  
Callahan  
Green

**TRANSPORTATION**

Stouffer, Chair  
Kehoe, Vice-Chair  
Engler  
Goodman  
Lamping  
Richard  
Wasson  
McKenna  
Wright-Jones

**VETERANS' AFFAIRS, EMERGING ISSUES, PENSIONS AND URBAN AFFAIRS**

Crowell, Chair  
Brown, Vice-Chair  
Engler  
Lamping  
Pearce  
Wright-Jones  
Keaveny

**WAYS AND MEANS AND FISCAL OVERSIGHT**

Purgason, Chair  
Kraus, Vice-Chair  
Lager  
Richard  
Chappelle-Nadal

On motion of Senator Dempsey, the Senate recessed until 2:00 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

**COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

**SENATE HEARING SCHEDULE  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
JANUARY 12, 2011**

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Appropriations SCR 2 (Schaefer)	Appropriations SCR 2 (Schaefer)  Transportation SCR 1 (Stouffer)	
8:15 a.m.		Health, Mental Health, Seniors and Families SCR 1 (Ridgeway)		
8:30 a.m.			Gubernatorial Appointments SL (Mayer)	Ways and Means and Fiscal Oversight SCR 1 (Purgason)  Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs SL (Crowell)
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
1:00 p.m.		Small Business, Insurance and Industry SCR 1 (Rupp)  Rules, Joint Rules, Resolutions and Ethics SL (Dempsey)	Jobs, Economic Development and Local Government SL (Schmitt)  Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
2:00 p.m.			Progress and Development SCR 2 (Callahan)	
2:30 p.m.	Financial and Governmental Organizations and Elections SL (Engler)			
3:00 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Lager)  General Laws SCR 1 (Cunningham)	Governmental Accountability SCR 1 (Lembke)  Education SL (Pearce)	
7:00 p.m.	Judiciary and Civil and Criminal Jurisprudence SL (Goodman)			

## **RESOLUTIONS**

Senator Chappelle-Nadal offered Senate Resolution No. 41, regarding Dr. Savannah Miller Young, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 42, regarding Tyler Lee Yost, which was adopted.

Senator Wasson offered Senate Resolution No. 43, regarding Shelby Harris, which was adopted.

## **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 1**—General Laws.

**SB 2**—Health, Mental Health, Seniors and Families.

**SB 3**—Financial and Governmental Organizations and Elections.

**SB 4**—Agriculture, Food Production and Outdoor Resources.

**SB 5**—Health, Mental Health, Seniors and Families.

**SB 6**—Health, Mental Health, Seniors and Families.

**SB 7**—Health, Mental Health, Seniors and Families.

**SB 8**—Judiciary and Civil and Criminal Jurisprudence.

**SB 9**—Commerce, Consumer Protection, Energy and the Environment.

**SB 10**—Small Business, Insurance and Industry.

**SB 11**—Transportation.

**SB 12**—Education.

**SB 13**—Education.

**SB 14**—Education.

**SB 15**—Ways and Means and Fiscal Oversight.

**SB 16**—Jobs, Economic Development and Local Government.

**SB 17**—Health, Mental Health, Seniors and Families.

**SB 18**—Jobs, Economic Development and Local Government.

**SB 19**—Jobs, Economic Development and Local Government.

**SB 20**—Education.

**SB 21**—Education.

**SB 22**—Progress and Development.

**SB 23**—Progress and Development.

**SB 24**—Transportation.

**SB 25**—Jobs, Economic Development and Local Government.

**SB 26**—Transportation.

**SB 27**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**SB 28**—Transportation.

**SB 29**—Agriculture, Food Production and Outdoor Resources.

**SB 30**—Judiciary and Civil and Criminal Jurisprudence.

**SB 31**—Small Business, Insurance and Industry.

**SB 32**—Judiciary and Civil and Criminal Jurisprudence.

**SB 33**—Transportation.

**SB 34**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**SB 35**—Health, Mental Health, Seniors and Families.

**SB 36**—Jobs, Economic Development and Local Government.

**SB 37**—General Laws.

**SB 38**—Health, Mental Health, Seniors and Families.

**SB 39**—Health, Mental Health, Seniors and Families.

**SB 40**—Judiciary and Civil and Criminal Jurisprudence.

**SB 41**—Health, Mental Health, Seniors and Families.

**SB 42**—Health, Mental Health, Seniors and Families.

**SB 43**—Health, Mental Health, Seniors and Families.

**SB 44**—Small Business, Insurance and Industry.

**SB 45**—Transportation.

**SB 46**—Judiciary and Civil and Criminal Jurisprudence.

**SB 47**—Progress and Development.

**SB 48**—Commerce, Consumer Protection, Energy and the Environment.

**SB 49**—Transportation.

**SB 50**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

## **COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

January 12, 2011

Honorable Rob Mayer  
President Pro Tem  
Missouri Senate  
Jefferson City, MO 65101

Dear President Pro Tem:

By this letter, I hereby resign from the Missouri Health Facilities Review Committee.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,  
/s/ Eric S. Schmitt  
ERIC S. SCHMITT

Also,

January 12, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

**RE: Appointment to the Joint Committee on Capital Improvements and Leases Oversight**

Dear Ms. Spieler:

Pursuant to Section 21.530, RSMo, I am appointing Senator Jim Lembke to the Joint Committee on Capital Improvements and Leases Oversight.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

January 12, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

**RE: Appointment to the Joint Committee on Administrative Rules**

Dear Ms. Spieler:

Pursuant to Section 536.037, RSMo, I am appointing Senator Eric Schmitt to the Joint Committee on Administrative Rules.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

**INTRODUCTIONS OF GUESTS**

On behalf of Senator Schaefer and himself, Senator Pearce introduced to the Senate, Steve Owens, Interim President of the University of Missouri, Columbia.

Senator Dixon introduced to the Senate, Tom Martz, Allen McDonald, Frank Shin and Debbie Bridges, Springfield.

Senator Rupp introduced to the Senate, the Physician of the Day, Dr. Thomas Wright, M.D., Wentzville.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

SIXTH DAY—THURSDAY, JANUARY 13, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 51-Cunningham	SB 79-Justus
SB 52-Cunningham	SB 80-Justus
SB 53-Cunningham	SB 81-Pearce
SB 54-Cunningham	SB 82-Pearce
SB 55-Brown	SB 83-Pearce
SB 56-Rupp	SB 84-Wright-Jones
SB 57-Callahan	SB 85-Lembke
SB 58-Stouffer	SB 86-Lembke
SB 59-Keaveny	SB 87-Parson
SB 60-Keaveny	SB 88-Schaaf
SB 61-Keaveny	SB 89-Lembke
SB 62-Schaaf	SB 90-Dempsey
SB 63-Mayer	SB 91-Engler
SB 64-Parson	SB 92-Schaaf
SB 65-Mayer, et al	SB 93-Kraus
SB 67-Cunningham	SB 94-Munzlinger
SB 68-Mayer	SB 95-Munzlinger
SB 69-Schaefer	SB 96-Engler
SB 70-Schaefer	SB 97-Engler
SB 71-Parson	SB 98-Schaaf
SB 72-Kraus	SB 99-Chappelle-Nadal
SB 73-Kraus	SB 100-Stouffer
SB 74-Kraus	SB 101-Parson
SB 75-Kraus	SB 102-Green
SB 76-Schaaf	SB 103-Green
SB 77-Stouffer	SB 104-Green
SB 78-Brown	SB 105-Green



SB 106-Green  
SB 107-Green  
SB 108-Schmitt, et al  
SJR 1-Ridgeway  
SJR 2-Stouffer  
SJR 3-Goodman  
SJR 5-Chappelle-Nadal

SJR 6-Chappelle-Nadal  
SJR 7-Lembke  
SJR 8-Kraus  
SJR 9-Engler  
SJR 10-Lembke and Green  
SJR 11-Munzlinger  
SJR 12-Green

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SIXTH DAY—THURSDAY, JANUARY 13, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“All the ends of the earth shall remember and turn to the Lord; and all the families of the nations shall worship before him.” (Psalm 22:27)

Blessed Lord, we are so thankful as we conclude this week, mindful of the mission we have as we prepare to travel home. May we experience Your claiming Word to others as well as ourselves and express love as You would have us perform. May we give You praise for Your faithfulness and the steadfast love You have shown us and those we love in our communities of faith. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

Absent—Senators—None

Absent with leave—Senators

Purgason          Rupp—2

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Justus offered Senate Resolution No. 44, regarding John I. Haynes, DDS, Kansas City, which was adopted.

Senator Wasson offered Senate Resolution No. 45, regarding the death of Sergeant First Class Robert W. Pharris, Seymour, which was adopted.

### **INTRODUCTION OF BILLS**

**SB 109**—By Crowell.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions, and a referendum clause.

**SB 110**—By Crowell.

An Act to repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to the minimum wage, with a referendum clause.

**SB 111**—By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance.

**SB 112**—By Kraus.

An Act to repeal section 210.135, RSMo, and to enact in lieu thereof one new section relating to reporting of child abuse.

**SB 113**—By Parson and Engler.

An Act to repeal section 273.345, RSMo, and to enact in lieu thereof one new section relating to commercial dog breeders, with existing penalty provisions and an emergency clause.

**SB 114**—By Justus.

An Act to amend chapter 174, RSMo, by adding thereto one new section relating to higher education tuition policy, with an emergency clause.

**SB 115**—By Justus.

An Act to repeal sections 169.270, 169.280, 169.301, 169.324, and 169.328, RSMo, and to enact in lieu thereof five new sections relating to school retirement systems.

**SB 116**—By Justus.

An Act to repeal sections 210.844, 454.850, 454.853, 454.855, 454.857, 454.860, 454.862, 454.865, 454.867, 454.869, 454.871, 454.874, 454.877, 454.880, 454.882, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.900, 454.902, 454.905, 454.907, 454.910, 454.912, 454.915, 454.917, 454.920, 454.922, 454.927, 454.930, 454.932, 454.934, 454.936, 454.938, 454.941, 454.943, 454.946, 454.948, 454.951, 454.953, 454.956, 454.958, 454.961, 454.963, 454.966, 454.968, 454.971, 454.973, 454.976, 454.978, 454.981, 454.983, 454.986, 454.989, 454.991, 454.993, 454.995, and 454.999, RSMo, and to enact in lieu thereof eighty new sections relating to the uniform interstate family support act, with a contingent effective date.

**SB 117**—By Engler.

An Act to repeal section 144.032, RSMo, and to enact in lieu thereof two new sections relating to the imposition of a hospital district sales tax in lieu of a property tax to fund a hospital district.

**SB 118**—By Stouffer.

An Act to repeal section 198.074, RSMo, and to enact in lieu thereof one new section relating to sprinkler system requirements in long-term care facilities.

## COMMITTEE APPOINTMENTS

Pursuant to **HCR 2**, President Pro Tem Mayer replaced Senator Crowell with Senator Chappelle-Nadal.

## COMMUNICATIONS

President Pro Tem Mayer submitted the following:

January 13, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

**RE: Appointment to the Joint Committee on Capitol Improvements and Leases Oversight**

Dear Ms. Spieler:

Pursuant to Section 21.530, RSMo, I am appointing Senator Jolie Justus to the Joint Committee on Capitol Improvements and Leases Oversight to replace Senator Frank Barnitz.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

## INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, Boone County Prosecuting Attorney Dan Knight, Columbia; and Prosecuting Attorneys from around the state.

Senator Schaaf introduced to the Senate, Molly Mathews, Weston.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Tuesday, January 18, 2011.

## SENATE CALENDAR

---

SEVENTH DAY—TUESDAY, JANUARY 18, 2011

---

## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 51-Cunningham  
SB 52-Cunningham  
SB 53-Cunningham  
SB 54-Cunningham  
SB 55-Brown  
SB 56-Rupp

SB 57-Callahan  
SB 58-Stouffer  
SB 59-Keaveny  
SB 60-Keaveny  
SB 61-Keaveny  
SB 62-Schaaf

SB 63-Mayer	SB 97-Engler
SB 64-Parson	SB 98-Schaaf
SB 65-Mayer, et al	SB 99-Chappelle-Nadal
SB 67-Cunningham	SB 100-Stouffer
SB 68-Mayer	SB 101-Parson
SB 69-Schaefer	SB 102-Green
SB 70-Schaefer	SB 103-Green
SB 71-Parson	SB 104-Green
SB 72-Kraus	SB 105-Green
SB 73-Kraus	SB 106-Green
SB 74-Kraus	SB 107-Green
SB 75-Kraus	SB 108-Schmitt, et al
SB 76-Schaaf	SB 109-Crowell
SB 77-Stouffer	SB 110-Crowell
SB 78-Brown	SB 111-Schaaf
SB 79-Justus	SB 112-Kraus
SB 80-Justus	SB 113-Parson and Engler
SB 81-Pearce	SB 114-Justus
SB 82-Pearce	SB 115-Justus
SB 83-Pearce	SB 116-Justus
SB 84-Wright-Jones	SB 117-Engler
SB 85-Lembke	SB 118-Stouffer
SB 86-Lembke	SJR 1-Ridgeway
SB 87-Parson	SJR 2-Stouffer
SB 88-Schaaf	SJR 3-Goodman
SB 89-Lembke	SJR 5-Chappelle-Nadal
SB 90-Dempsey	SJR 6-Chappelle-Nadal
SB 91-Engler	SJR 7-Lembke
SB 92-Schaaf	SJR 8-Kraus
SB 93-Kraus	SJR 9-Engler
SB 94-Munzlinger	SJR 10-Lembke and Green
SB 95-Munzlinger	SJR 11-Munzlinger
SB 96-Engler	SJR 12-Green

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### SEVENTH DAY—TUESDAY, JANUARY 18, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Every man must decide whether he will walk in the light of creative altruism or in the darkness of destructive selfishness.” (Martin Luther King, Jr.)

O Lord our God, we ask that You bless our remembering Dr. King as we celebrate his gifts to us this evening and we pray that we can each see and live the life that Reverend King saw possible for us. So help us Lord be all You have created us to be and rejoice in what is possible among our interactions with one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 13, 2011 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 46, regarding the Chinese New Year, which was adopted.

Senator Stouffer offered Senate Resolution No. 47, regarding the One Hundred Fifth Birthday of Clara Garrison Guthrie, Corder, which was adopted.

Senator Cunningham offered Senate Resolution No. 48, regarding Yacovelli's Restaurant, Florissant, which was adopted.

Senator Richard offered Senate Resolution No. 49, regarding Edwin L. Grundy, Sr., Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 50, regarding the One Hundred First Birthday of Ruby M. Ott, Oronogo, which was adopted.

Senator Munzlinger offered Senate Resolution No. 51, regarding Ervin W. Harder, DMD, Kansas City, which was adopted.

Senator Schaefer offered Senate Resolution No. 52, regarding Gary W. Heimericks, Tebbetts, which was adopted.

Senator Richard offered Senate Resolution No. 53, regarding The Run Around Running Co., Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 54, regarding Trogo, LLC, Joplin, which was adopted.

Senator Schaefer offered Senate Resolution No. 55, regarding Energy Americas, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 56, regarding Comparative Clinical Pathology Services, LLC, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 57, regarding Galactic Fun Zone, Columbia, which was adopted.

Senator Keaveny offered Senate Resolution No. 58, regarding Halbert Sullivan, Saint Peters, which was adopted.

Senators Rupp and Dempsey offered Senate Resolution No. 59, regarding RespondRight EMS Academy, Saint Peters, which was adopted.

Senator Schmitt offered Senate Resolution No. 60, regarding Sarah King, which was adopted.

Senator Schmitt offered Senate Resolution No. 61, regarding David Haring, which was adopted.

Senator Schmitt offered Senate Resolution No. 62, regarding Andrew Huber, which was adopted.

Senator Schmitt offered Senate Resolution No. 63, regarding Eric Kuhlmann, which was adopted.

Senator Brown offered Senate Resolution No. 64, regarding the death of Thomas Marion Julian, Sr., Waynesville, which was adopted.

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 65

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective with the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and eight division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

NO.	CLASSIFICATION	MONTHLY SALARY RANGE
4	Staff Attorney II	3,476 - 5,135
1	Senior Staff Attorney	3,932 - 5,829
3	Research Analyst IV	3,476 - 5,135
1	Investigator	3,225 - 4,724
4	Research Staff Secretary	2,688 - 3,832
2	Budget Research Analyst II	2,996 - 4,263
2	Budget Research Analyst III	3,476 - 5,135
1	Senior Budget Research Analyst	3,932 - 5,829
1	Budget Staff Secretary	2,688 - 3,832
3	Assistant Secretary of Senate	2,996 - 4,263
1	Enrolling & Engrossing Supervisor	2,996 - 4,263
2.5	Enrolling & Engrossing Clerk	2,383 - 3,351
1	Billroom Supervisor	2,383 - 3,351
1	Billroom Clerk	2,048 - 2,828
5	Public Information Specialist	2,383 - 3,351
1	Photographer	2,688 - 3,832
1	Administrative Assistant	3,131 - 6,425
1	Telecommunications Coordinator	2,996 - 4,263
1.5	Accounting Specialist	2,785 - 3,932
1	Human Resources Specialist	2,785 - 3,932
1	Office Assistance Supervisor	2,996 - 4,263
8.5	Administrative/Office Support	2,785 - 3,932
1	Messenger	1,983 - 2,679
2	Computer Info. Technology Spec. I	3,832 - 5,590
2	Computer Info. Technology Spec. II	4,441 - 6,357
1	Computer Info. Technology Spec. III	4,629 - 6,644
3	Computer Info. Technologist II	3,108 - 4,441
1	Network/Communications Specialist	3,832 - 5,590
2	Data Entry Operator III	2,232 - 3,108



NO.	CLASSIFICATION	MONTHLY SALARY RANGE
1	Composing Equipment Operator III	2,232 - 3,108
3	Redistricting Specialist	2,785 - 3,932
1	Printing Services Technician II	2,048 - 2,828
2	Printing Services Technician III	2,232 - 3,108
2	Printing Services Technician IV	2,508 - 3,476
1	Maintenance Supervisor	2,508 - 3,476
1	Carpenter II	2,508 - 3,476
1	Maintenance Worker	2,048 - 2,828
0.5	Sergeant at Arms (Elected)	2,508 - 3,476
0.5	Doorkeeper (Elected)	1,832 - 2,460
3.5	Assistant Doorkeeper	1,678 - 2,183
0.5	Reading Clerk	1,678 - 2,183
0.5	Chaplain	908 - 1,202
0.5	Security Guard	1,727 - 2,297

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and the Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth herein above.

BE IT FURTHER RESOLVED that the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED that the Committee on Administration has the authority to reduce, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to adjust the foregoing pay ranges in July to reflect implementation of the state pay plan for FY 2012.

Senator Dempsey offered Senate Resolution No. 66, regarding Paul G. Dolan, Jr., DDS, Saint Charles, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 119**—By Schaefer.

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to conservation easements.

**SB 120**—By Stouffer.

An Act to repeal section 226.540, RSMo, and to enact in lieu thereof two new sections relating to billboards.

**SB 121**—By Stouffer.

An Act to repeal sections 70.710, 70.720, and 70.730, RSMo, and to enact in lieu thereof three new sections relating to Missouri local government employees' retirement system.

**SB 122**—By Schaaf.

An Act to repeal section 354.535, RSMo, and to enact in lieu thereof two new sections relating to health insurance.

**SB 123**—By Keaveny.

An Act to repeal sections 160.053, 160.054, 160.055, 160.410, and 160.415, RSMo, and to enact in lieu thereof five new sections relating to charter schools.

**SB 124**—By Keaveny.

An Act to repeal section 167.031, RSMo, and to enact in lieu thereof one new section relating to school attendance.

**SB 125**—By Keaveny.

An Act to repeal sections 367.503, 367.512, and 367.533, RSMo, and to enact in lieu thereof three new sections relating to title loans, with penalty provisions.

**SB 126**—By Wasson.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to counseling services under the MO HealthNet program.

**SB 127**—By Chappelle-Nadal.

An Act to amend chapter 105, RSMo, by adding thereto two new sections relating to public officials.

**SB 128**—By Lembke.

An Act to repeal section 160.400, RSMo, and to enact in lieu thereof one new section relating to sponsorship of charter schools.

**SB 129**—By Lembke.

An Act to repeal section 167.131, RSMo, and to enact in lieu thereof one new section relating to student transfers.

**SB 130**—By Rupp.

An Act to amend chapter 173, RSMo, by adding thereto four new sections relating to the early high school graduation scholarship program.

**SB 131**—By Rupp.

An Act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

**SB 132**—By Rupp and Kehoe.

An Act to repeal sections 375.012, 385.206, and 385.208, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle extended service contracts, with penalty provisions.

**SB 133**—By Rupp.

An Act to repeal section 227.107, RSMo, and to enact in lieu thereof one new section relating to highway design-build project contracts.

**SB 134**—By Rupp.

An Act to repeal section 211.447, RSMo, and to enact in lieu thereof one new section relating to parental rights of individuals with disabilities.

### **REPORTS OF STANDING COMMITTEES**

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Robert Miller, as a member of the State Board of Mediation;

Also,

Ann Pluemer, Democrat, as a member of the Saint Louis County Board of Election Commissioners;

Also,

Ann Nunn-Jones, Democrat, as a member of the Missouri Real Estate Appraisers Commission;

Also,

Sharlene Rimiller, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists;

Also,

Kenneth H. Suelthaus, Republican, as a member of the State Highways and Transportation Commission;

Also,

Mary Nelson, as a member of the Administrative Hearing Commission;

Also,

Nicole Colbert-Botchway, Democrat, as a member of the Missouri Women's Council;

Also,

Jerome Lee, as a member of the Saint Louis City Board of Police Commissioners;

Also,

Leo Blakley, Democrat, as a member of the Missouri Western State University Board of Governors;

Also,

M. Blake Heath, Republican, as a member of the Kansas City Board of Election Commissioners;

Also,

Joseph S. Barbosa, as the student representative of the Northwest Missouri State University Board of Regents;

Also,

Melanie J. Guthrie, as a member of the Advisory Commission for Anesthesiologist Assistants;

Also,

James Rearden, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects;

Also,

Kenneth J. Bonnot, as Director of the Division Credit Unions;

Also,

Kathryn Swan, Republican, as a member of the Coordinating Board for Higher Education.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 27**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 1**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

## **COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

January 18, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

### **RE: Appointment to the Joint Committee on Education**

Dear Ms. Spieler:

Pursuant to Section 160.254, RSMo, I am appointing Senator Brian Nieves to the Joint Committee on Education to replace Senator Yvonne Wilson, whose term has expired.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

January 18, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

**RE: Appointment to the Joint Committee on Education**

Dear Ms. Spieler:

Pursuant to Section 160.254, RSMo, I am appointing Senator Maria Chappelle-Nadal to the Joint Committee on Education to replace Senator Rita Days, whose term has expired.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

January 18, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

**RE: Reappointments to the Joint Committee on Education**

Dear Ms. Spieler:

Pursuant to Section 160.254, RSMo, I hereby reappoint Senators Scott Rupp and Joseph Keaveny to the Joint Committee on Education.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

## **INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, Krista Crider, Alexandra Logan and Whitney Jones.

Senator Pearce introduced to the Senate, Timothy Campbell.

Senator Stouffer introduced to the Senate, Angela Zhang, Sarah Zaghouani, Abby Thompson and Marilyn Toalson.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

---

EIGHTH DAY—WEDNESDAY, JANUARY 19, 2011

---

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 51-Cunningham	SB 86-Lembke
SB 52-Cunningham	SB 87-Parson
SB 53-Cunningham	SB 88-Schaaf
SB 54-Cunningham	SB 89-Lembke
SB 55-Brown	SB 90-Dempsey
SB 56-Rupp	SB 91-Engler
SB 57-Callahan	SB 92-Schaaf
SB 58-Stouffer	SB 93-Kraus
SB 59-Keaveny	SB 94-Munzlinger
SB 60-Keaveny	SB 95-Munzlinger
SB 61-Keaveny	SB 96-Engler
SB 62-Schaaf	SB 97-Engler
SB 63-Mayer	SB 98-Schaaf
SB 64-Parson	SB 99-Chappelle-Nadal
SB 65-Mayer, et al	SB 100-Stouffer
SB 67-Cunningham	SB 101-Parson
SB 68-Mayer	SB 102-Green
SB 69-Schaefer	SB 103-Green
SB 70-Schaefer	SB 104-Green
SB 71-Parson	SB 105-Green
SB 72-Kraus	SB 106-Green
SB 73-Kraus	SB 107-Green
SB 74-Kraus	SB 108-Schmitt, et al
SB 75-Kraus	SB 109-Crowell
SB 76-Schaaf	SB 110-Crowell
SB 77-Stouffer	SB 111-Schaaf
SB 78-Brown	SB 112-Kraus
SB 79-Justus	SB 113-Parson and Engler
SB 80-Justus	SB 114-Justus
SB 81-Pearce	SB 115-Justus
SB 82-Pearce	SB 116-Justus
SB 83-Pearce	SB 117-Engler
SB 84-Wright-Jones	SB 118-Stouffer
SB 85-Lembke	SB 119-Schaefer

SB 120-Stouffer	SB 133-Rupp
SB 121-Stouffer	SB 134-Rupp
SB 122-Schaaf	SJR 1-Ridgeway
SB 123-Keaveny	SJR 2-Stouffer
SB 124-Keaveny	SJR 3-Goodman
SB 125-Keaveny	SJR 5-Chappelle-Nadal
SB 126-Wasson	SJR 6-Chappelle-Nadal
SB 127-Chappelle-Nadal	SJR 7-Lembke
SB 128-Lembke	SJR 8-Kraus
SB 129-Lembke	SJR 9-Engler
SB 130-Rupp	SJR 10-Lembke and Green
SB 131-Rupp	SJR 11-Munzlinger
SB 132-Rupp and Kehoe	SJR 12-Green

## INFORMAL CALENDAR

## RESOLUTIONS

SR 65-Dempsey

Reported from Committee

SR 27-Cunningham

SCR 1-Ridgeway

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### EIGHTH DAY—WEDNESDAY, JANUARY 19, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

President Pro Tem Mayer offered the following prayer:

Your Gracious Heavenly Father, we thank You today for the opportunity to serve this great state in our capacity as State Senators. We ask, Lord, that You bestow upon us the wisdom that You promise us in the Book of James, saying that if we lack wisdom to come and ask You and so we do that this day Lord. We ask that You bestow upon us Your wisdom as we proceed with this session in 2011. Lord, we understand that there are a lot of issues that face our great state today and so, Lord, we ask that You help us, guide and direct us as we tackle those issues and Lord we thank You in advance for answering this prayer and to You goes all the glory. For it's in the name of Jesus Christ I pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—1

The Lieutenant Governor was present.

Senator Dempsey announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.



## RESOLUTIONS

Senator Crowell offered Senate Resolution No. 67, regarding Infinity Recycling Solutions, LLC, Cape Girardeau, which was adopted.

Senator Cunningham offered Senate Resolution No. 68, regarding JL Brown Contracting Service, Florissant, which was adopted.

Senator Cunningham offered Senate Resolution No. 69, regarding the One Hundredth Birthday of Charlotte Stone Passanise, which was adopted.

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 135**—By Schaefer.

An Act to repeal sections 260.965 and 414.072, RSMo, and to enact in lieu thereof five new sections relating to environmental protection.

**SB 136**—By Schaaf.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to physician privileges.

**SB 137**—By Brown.

An Act to repeal section 197.705, RSMo, and to enact in lieu thereof one new section relating to health care professional identification badges.

**SB 138**—By Keaveny.

An Act to amend chapter 578, RSMo, by adding thereto sixteen new sections relating to private possession of nonhuman primates, with penalty provisions.

**SB 139**—By Crowell.

An Act to repeal sections 32.105, 32.110, 32.111, 32.112, 32.115, 99.1205, 100.286, 100.297, 100.850, 135.015, 135.020, 135.090, 135.110, 135.305, 135.327, 135.352, 135.460, 135.484, 135.490, 135.535, 135.545, 135.546, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.680, 135.700, 135.750, 135.766, 135.967, 135.1150, 143.119, 143.471, 148.030, 148.400, 208.770, 253.550, 253.559, 320.093, 348.430, 348.432, 348.434, 348.505, 375.774, 376.745, 376.975, 447.708, 620.495, 620.1039, 620.1881, and 660.055, RSMo, and to enact in lieu thereof fifty-one new sections relating to subjecting tax credit programs to appropriations.

**SB 140**—By Crowell.

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to the Missouri property tax credit.

**SB 141**—By Crowell.

An Act to repeal sections 135.800 and 135.802, RSMo, and to enact in lieu thereof three new sections relating to the receipt of tax credits by campaign contributors.

**SB 142**—By Crowell.

An Act to repeal sections 100.265 and 215.020, RSMo, and to enact in lieu thereof two new sections relating to conflicts of interest in certain boards and commissions.

**SB 143**—By Crowell.

An Act to repeal section 99.975, RSMo, and to enact in lieu thereof one new section relating to the Missouri downtown and rural economic stimulus act.

**SB 144**—By Crowell.

An Act to repeal sections 100.286 and 135.352, RSMo, and to enact in lieu thereof two new sections relating to a moratorium on the authorization of certain tax credits, with an emergency clause.

**SB 145**—By Dempsey.

An Act to repeal section 55.030, RSMo, and to enact in lieu thereof one new section relating to county inventory.

**SB 146**—By Schmitt.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a business income deduction for income tax purposes.

### **RESOLUTIONS**

Senator Dempsey moved that **SR 65** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SR 65** was adopted.

Senator Cunningham moved that **SR 27** be taken up for adoption, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Cunningham, **SR 27** was adopted.

On motion of Senator Dempsey, the Senate recessed until 6:30 p.m.

### **RECESS**

The time of recessing having expired, the Senate was called to order by President Kinder.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following escort committee to act with a like committee from the Senate pursuant to **HCR 1**. Representatives: Funderburk, Torpey, Dieckhaus, Korman, Scharnhorst, Parkinson, Meadows, Shieffer, Jones (63), Harris, Casey and Peters-Baker.

On motion of Senator Dempsey, the Senate recessed to the House of Representatives to receive the State of the State Address from His Excellency, Governor Jay Nixon.

### **JOINT SESSION**

The Joint Session was called to order by President Kinder.

The Color Guard from the Missouri State Highway Patrol, Troop F, presented the colors.

The Pledge of Allegiance to the Flag was recited.

On roll call the following Senators were present:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Goodman	Green
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

Absent—Senators

Cunningham Engler—2

Absent with leave—Senator Purgason—1

Vacancies—1

On roll call the following Representatives were present:

Present—Representatives

Allen	Anders	Asbury	Atkins	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus	McNeil	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland	Wyatt	Zerr	Zimmerman

Mr. Speaker—153

Absent and Absent with Leave—Representatives—10

Carter	Hodges	Holsman	Hughes	Lampe	Leara	McNary	Meadows
--------	--------	---------	--------	-------	-------	--------	---------

Scharnhorst      Wright

Vacancies—None

The Joint Committee appointed to wait upon His Excellency, Governor Jay Nixon, escorted the Governor to the dais where he delivered the State of the State Address to the Joint Assembly:

**State of the State Address**  
**Governor Jeremiah W. (Jay) Nixon**

Thank you, Legislative Leaders; Judges of the Missouri Supreme Court; Lieutenant Governor Kinder; state officials; members of the General Assembly; members of my cabinet; and my fellow Missourians.

I'd like to thank my wife Georganne, and our sons, Jeremiah and Will, for their strength and support every day.

Because every day, we are reminded that the world we live in can be a dangerous place.

From Afghanistan to Arizona, there is no shortage of violence and conflict.

Fortunately, there is no shortage of heroes ready to step up to defend others, and the freedoms we hold so dear.

One of them is here with us tonight.

Perry Coy is a member of the Greatest Generation.

His acts of bravery during the Second World War earned him three Purple Hearts, the Bronze Star and the Silver Star. And just last month, I was proud to present him with the French government's highest decoration for valor: the Legion of Honor.

Fresh out of Bolivar High School, Perry Coy joined the Army. The Allies had just landed in Normandy, and from the moment he set foot on French soil, he was in the thick of it. He fought through the Ardennes Forest in France and into the heart of the Third Reich.

Along the way, Staff Sergeant Coy braved enemy fire to pull back a wounded medic. And he took out a nest of Nazi gunners raining hellfire on the GIs serving beside him.

Certain, special people take an oath to serve. They may wear the uniform of our armed forces or our police, our firefighters or our state troopers. But they are alike in one fundamental way.

Like Staff Sergeant Coy, they have a spirit that compels them to run toward trouble – not away from it.

They put themselves in harm's way so that we might stay safe.

Out where the ice is thin and the storm rages...where the bombs burst and the bullets fly... that's where you'll find them.

On behalf of every man and woman who has ever worn a uniform of service, will Staff Sergeant Perry Coy please stand and accept the humble thanks of our state.

Perry Coy grew up in the Great Depression, fought the Nazis at the young age of 19, and came through it all an optimist.

With faith in God, faith in the future, and faith in himself, he married his sweetheart, Mary Lou, raised a family and started his own business, right here in Jefferson City.

He personifies the values that have made this nation great in war, and in peace.

Courage.

Tenacity.

Sacrifice.

Hard work.

And last, but surely not least, optimism.

The faith that no matter how difficult things are today, our best days lie ahead.

Times are tough.

Too many folks can't make ends meet, can't find the jobs they want, or worry they'll lose the jobs they have.

But even in these tough times, I'm optimistic.

I'm optimistic because I know that by working together ... focusing on shared values ... and putting progress above politics ... brighter days are ahead for the Show-Me State.

Together, we're fighting every day, for every job.

We're fighting for every worker who needs a new skill to compete.

We're fighting for every veteran looking for work.

We're fighting for every student who dreams of college and a career.

We're fighting every day for every small business on Main Street.

We're fighting every day for every established business that wants to expand.

And we're fighting every day for every new business that wants to set up shop in the Show-Me State.

My focus is crystal clear.

By fighting every day for every job, we are turning this economy around.

The recession that began three years ago cast a long shadow across our nation.

Millions of Americans are still unemployed.

And while there are signs that our economy is beginning to turn the corner, I won't be satisfied until all Missourians can provide for their families.

How will we do it?

By fighting hard every day for every job.

By making government smarter and more efficient.

By investing in strong communities to attract and keep good jobs, and by balancing our budget without raising taxes.

There are already signs that our hard work and fiscal discipline are paying off.

The number of Missourians filing new unemployment claims is down 17 percent, year over year.

Personal income grew last year, and is expected to keep on growing this year.

November and December revenues were up, indicating that people are cautiously beginning to spend.

That's good news for our economy in the short-term, and bodes well for the long-term.

Make no mistake: the national recession hit Missouri hard.

But after losing jobs back in 2008 and 2009, we turned the corner in 2010, and are poised for job growth this year.

We will continue to be aggressive and relentless, fighting every day for every job. And we'll continue to be aggressive and relentless in making government smarter and more efficient.

We've kept our fiscal house in order with prudent financial controls, rigorous cost reductions, and smarter, more efficient government.

That's earned Missouri a Triple-A credit rating – the best you can get – from all three rating agencies. We're one of the few states in the nation that can make that claim.

It's a big vote of confidence in our state, and saves taxpayers millions of dollars a year in interest.

Compare that to what's going on in other states.

- Texas has a \$15 billion deficit;
- Kansas hiked its sales tax last year;
- New Jersey's got a \$54 billion pension deficit; and

- Illinois just raised personal and corporate income taxes.

Now look at our state.

Fiscal responsibility is a value we share here in the Show-Me State.

With the cuts included in my budget tonight, I will have reduced government spending by more than \$1.8 billion since I took office.

I'll have cut state payroll by over 3,300 positions.

All across state government, a leaner workforce is doing more with less.

These decisions are never easy, but they are necessary.

And because we've been frugal, we have money to invest in the things that matter most to Missourians: jobs, education, health care, and law enforcement.

We've also got to grow our economy, creating a climate where the entrepreneurial spirit can thrive.

That spirit is alive and well in Missouri's small businesses that are mighty engines of job growth.

To help them move forward, we eliminated the franchise tax on 16,000 small businesses in 2009.

We created a small business loan fund to spur investment and job growth.

With us tonight are three outstanding Missouri entrepreneurs who are growing their own success.

With a \$25,000 small business loan, Kelly Burke bought new equipment at his saw mill in Marionville and hired three more workers. Burke Timber is now a diversified business, producing lumber, hardwood floors, pallets and railroad ties.

Marina Remmers used her small business loan to buy commercial printing equipment. She moved her fledgling design company out of her basement and into a storefront in Bethany – and quadrupled her sales.

Chris Heston in Columbia used his state loans to expand his woodworking business and hire another worker. His wooden toys won a Parents Choice Award in 2010.

America was built on the dreams of solitary self-starters like these, with the moxie to invest in themselves.

Please give these home-grown entrepreneurs a big hand.

Cynics say that such small wins don't add up to much.

Cynics don't build things.

Optimists do.

Every job we add matters.

It matters to the person who gets the job.

It matters to their families and communities.

And it matters to Missouri.

Fighting every day for every job, we are turning this economy around.

To compete for 21<sup>st</sup> Century jobs, we need a highly skilled and well-trained workforce. Our Training for Tomorrow and Caring for Missourians initiatives are preparing thousands more workers for the careers of tomorrow.

We've invested millions in training workers to meet the growing demand in fields like computer technology, clean energy, automotive technology and health care.

Much of that training is taking place at our excellent community colleges, where the link between education and employment has always been strong.

Moberly is training LPNs to become RNs – boosting their earning capacity.

St. Louis is training workers to repair hybrid cars.

Crowder has doubled the number of grads from its EMT program.

We've also invested \$40 million in training more than 1,000 doctors, dentists, nurses and other professionals through our Caring for Missourians initiative. With the booming demand for health care, they'll be ready to step into careers the minute they graduate.

That's why this year, I am expanding Caring for Missourians to provide more opportunities for nursing students at our four-year schools.

I ask the Legislature to join me in making this critical investment in our health, and the health of our economy.

Last year, I said that we needed to bring broadband to every corner of our state. We all know that technology drives today's job market. We live in a high-speed, digital world, where the most tech-savvy, early adapters will succeed.

Soon, 88 Missouri counties will be better connected, at faster speeds, to each other and to the world.

High-speed broadband will have a dramatic impact on our economy, and on our quality of life.

It will connect tens of thousands of homes in rural Missouri to a network of vital community services like fire and police, schools and hospitals, libraries and government.

For a family doc in Lancaster, it means real-time access to specialists in St. Louis.

For students in DeKalb County, it will widen the gateway to infinite online resources for research and class work, both at home and at school.

For cattlemen in Texas County, it will bring faster access to new markets in Brazil and Japan.

The competition for federal funds was steep. But our MoBroadbandNow partnership was a stunning success.

More than \$260 million will be coming to Missouri, which in turn will generate tens of millions of dollars in new investment, and create thousands of new jobs.

We're fighting every day for jobs for our veterans.

Last summer, I visited our troops in Iraq, Kuwait and Afghanistan.

And everywhere I went, I heard the same question: "Will there be a job for me when I come home?"

Tonight, I'm pleased to report that our efforts helped hundreds of veterans find jobs last year.

One year ago, I announced the "Show-Me Heroes" job initiative to help our veterans quickly regain their footing in civilian life. More than 1,000 Missouri employers stepped up to take the Show-Me Heroes pledge to give veterans first crack at a job interview.

I'd like to thank each and every employer who took the Show-Me Heroes pledge and hired a veteran, and I urge every employer in our state to do the same.

One of these employers is here tonight.

Tacony Manufacturing, which makes vacuum cleaners in St. James, took the Show-Me pledge and hired three veterans. The company also took advantage of our Work Ready Missouri program, which retrains unemployed workers to compete in today's economy.

Please give a hand to the Show-Me Heroes employers at Tacony: Nancy Montgomery and John Kaido.

Even during these challenging times, we're making steady progress in driving job growth in the short term, and laying the foundation for economic strength in the long term.

Because of our hard work of the past two years, major companies have announced plans to bring thousands of jobs to our state, including:

300 jobs at Unisys in St. Louis;

400 jobs at Sabreliner in Perryville;

500 jobs at Expedia in Springfield;

500 jobs at Jet Midwest in Kansas City;

and 800 jobs at IBM in Columbia.

And there's more.

Nordic Windpower USA, is relocating from California to Kansas City. It plans to invest \$16 million and create 200 jobs, making wind turbines that produce clean, renewable energy.

Express Scripts is investing \$73 million to expand in St. Louis. That will preserve more than 1,000 jobs, and create 150 more.

Pioneer Hi-Bred has broken ground on a \$55 million soybean research plant in New Madrid County, creating 50 new jobs and helping thousands

of Missouri farmers grow better beans.

Going forward, we will fight every day to help established Missouri businesses grow, and help new ones take root.

We're going to make things in Missouri, and keep the "P" for products in GDP.

Products like:

Boots at Redwing in Potosi;

Batteries at Energizer in Maryville;

Windows at Quaker Windows in Freeburg;

Aluminum at Noranda in Marston;

Engine parts at Bodine in Troy;

Bullets and brakes, aircraft and appliances.

And Missouri will keep on building things, and that includes automobiles.

For a hundred years, Missouri has been an automotive state.

The industry pumps billions of dollars into our economy, and supports nearly 26,000 Missouri jobs.

But as I stood here one year ago, those jobs were in peril.

There was real concern that Ford's Claycomo plant might be the latest casualty of the 20-year decline of the U.S. auto industry.

So last summer, I called the General Assembly into special session to strengthen Missouri's automotive industry.

We fought for every man and woman whose job was on the line.

And I'm proud to announce that working together, we won that fight.

Yesterday, I inked a deal with the Ford Motor Company that guarantees thousands of jobs, \$400 million of new capital investment, and a bright future for the Ford plant in Claycomo.

With us tonight to celebrate this partnership is Ford's director of strategic planning, Steve Lewis.

Steve, please stand up and say hello.

It sure feels nice to be at the wheel when the U.S. auto industry turns a corner.

Ford's commitment will help keep thousands of hard-working Missourians on the job at Claycomo, and at automotive suppliers in Hannibal, Nixa, Perryville, Joplin, Mexico – and every corner of our state.

And it's proof positive of what we already know: that the best darn workers in America are right here in the Show-Me State.

We've got some here with us tonight. Let's give them all a round of applause.

Missouri's workforce is one of our greatest assets.

And it's one of the reasons companies like Ford want to come to the Show-Me State, and stay in the Show-Me State.

But to be competitive, we constantly need to raise the level of our game.

As I listen to Missouri leaders in business, labor and education, I hear the same thing again and again: "We must make it easier for business to do business in Missouri."

They tell me that while we've made good use of our economic development tools to create jobs in the past, some of our incentives are outdated and need to be replaced.

Even the best tools need sharpening from time to time.

The feedback from our business experts is the foundation of my Compete Missouri jobs initiative. Compete Missouri is focused on providing smarter business incentives to drive job growth, and sharpening our competitive edge.

First, we will consolidate our six current business incentives, and roll them into one. To qualify for these incentives, companies will have to



provide good-paying jobs, and give their employees access to health care. For the first time, we'll give an extra bump to established Missouri companies, and offer added incentives to small business owners.

Second, we will roll our three worker training programs into one, and align it with our Compete Missouri incentives. Worker training assistance will be available to businesses as small as Ardent Outdoors, which employs 15 people in Macon, and as large as Boeing, which employs thousands.

Third, my budget for 2012 provides an additional \$5 million for job training. That will give employers more resources to maintain a highly skilled workforce, and sharpen their competitive edge.

That's good for business, good for our workers and great for our economy.

Every business in Missouri needs reliable, affordable energy to grow and prosper.

And every Missouri family needs reliable, affordable energy to heat and cool their homes.

In November, I announced a historic agreement that will transform the economy of our state – creating thousands of jobs and benefitting millions of Missouri consumers of electric power.

That agreement put the wheels in motion for the construction of a second, state-of-the-art nuclear power plant in Callaway County.

Missouri has some of the lowest electric rates in the nation. That's attractive to businesses and families. But as our energy needs grow, we need to be looking now for new sources of clean, abundant and affordable power.

Building a second nuclear plant will create thousands of good-paying jobs for all our construction trades: iron and sheet metal workers; carpenters and cement masons; boilermakers and bricklayers; plumbers and pipefitters; teamsters and laborers; electrical workers and operating engineers.

They built Callaway One. And they will build Callaway Two.

As we move ahead on Callaway Two, we must make sure that we protect the interests of Missouri ratepayers – and their pocketbooks. That is why my budget includes more funding for a strong office of public counsel.

Building the next generation of nuclear power plants. Advancing the frontiers of biotechnology. The 21<sup>st</sup> Century economy is knowledge-based, and the best jobs will belong to those with the best education.

Education is a lifelong journey that begins at birth.

That's why my budget for 2012 provides funding for programs to get our youngsters off to a good start, like First Steps, Head Start, and Early Childhood Special Education.

And we must continue to invest in young minds from the day our children enter their first classrooms, to the day they accept their diplomas.

So even in a difficult year, we will protect our investment in K-12 classrooms.

As you know, states received additional federal funds, to be allocated to school districts this year.

But in spite of receiving this money, some states are making cuts to their K-12 classrooms.

Not in Missouri.

In Missouri, we're partnering with our school districts to allow this money to be used to keep stable funding for our K-12 classrooms – not only for fiscal year 2011, but also for fiscal year 2012.

In the next ten years, Missouri student achievement must rank in the nation's top ten, if we expect to compete for the best jobs in the global economy.

How will we accomplish that?

Hard work, high standards and higher expectations.

It's an ambitious goal.

But as any parent or teacher will tell you, children will rise to meet our expectations.

And we must do more to help students make the leap from high school to college.

For too long, too many excellent Missouri high school students have been unable to get A+ scholarships – through no fault of their own – simply because their schools weren’t designated as A+ schools.

That’s just not fair.

Every good student in Missouri deserves the opportunity to go to college – whether they live in the urban core in St. Louis or Kansas City, or down a country road in the Bootheel.

I’m talking about students like Alicen Brown and Willie Love.

Alicen is a junior at Southwest High School in Kansas City.

She’s the president of the student body, a member of the district’s scholars committee and a peer mediator.

She gets good grades and has already taken courses that will count toward her college degree.

But Alicen can’t get an A+ scholarship because Southwest High has not been designated an A+ school.

That’s just not fair.

Willie Love is a senior at Carnahan High School in St. Louis.

He’s a scholar-athlete with honors in baseball, football and basketball.

He’s vice-president of a community service club at school, and works with youngsters at the Demetrius Johnson football camp.

Willie’s just the kind of young achiever that A+ scholarships are intended to help.

But because his school isn’t designated as an A+ school, he can’t even apply.

That’s just not fair.

Good students like Alicen and Willie deserve an equal opportunity to succeed – no matter what high school they attend.

I call on every member of the legislature to extend our A+ program so that outstanding students all across our state are guaranteed access to A+ college scholarships.

In recognition of their outstanding achievements, please welcome Alicen Brown and Willie Love.

My budget for 2012 also includes millions of dollars for Missouri’s most successful college scholarship programs, including:

Bright Flight, to help keep our top students at our excellent Missouri institutions;

Access Missouri, which serves students with the greatest financial need;

and A+, which has helped more than 50,000 students afford and attend college.

And to improve our students’ preparation for careers in science and technology, we’ll give a \$500 bonus to A+ and Access Missouri recipients who score well on Advanced Placement exams in math and science.

Because job prospects and lifetime earnings are tied directly to education, we’ve got to lift our aspirations for higher education as well.

Today, just 35 percent of Missouri adults hold college degrees.

We need to kick that number up to 60 percent if we want to compete for the best jobs in the new economy.

How?

By bringing the dream of a college education within reach for more Missouri families.

College affordability has been a top priority of mine since Day One.

So while tuition soared by double digits around the nation, Missouri schools kept tuition and fees flat for two years running. Even if some schools impose modest tuition increases next year, we’ll have protected Missouri families from the sharp tuition spikes seen in other states.

And the response has been overwhelming. College enrollment jumped by 10,000 students last year, hitting record highs at more than half of Missouri’s universities, and boosting applications at all of them.

That’s progress.

Creating jobs.

Balancing the budget without raising taxes.

Investing in our future.

Now let me tell you about what we're doing to make government smarter and more efficient.

- By merging the Highway Patrol and Water Patrol, we've kept the same number of troopers on our roads and waterways with less bureaucracy. Savings to taxpayers: \$3 million.
- We've sold government cars, cut mileage reimbursements and used technology to drastically reduce state travel. Savings to taxpayers: close to \$7 million in the next two years.
- We've gotten rid of unused office space, consolidated the state health and agriculture labs and renegotiated building leases. Savings to taxpayers: more than \$5 million.
- We've cut state energy bills by two percent, on top of last year's 5.6 percent. Savings to taxpayers: \$3 million.
- And we've reformed and modernized the state pension system, which will keep it solvent now, and for years to come.

But we must do more this year.

A bi-partisan tax credit commission spent four months reviewing Missouri's 61 tax credit programs. They looked at which credits are giving taxpayers a good return on their investment – and which are not.

I ask the members of the Legislature to allow this commission to present its recommendations at open hearings in the House and Senate.

We should give the commission's report serious and full consideration.

Because Missourians work hard for their money.

We owe it to taxpayers to make sure they get the best bang for their buck.

Creating jobs.

Balancing the budget without raising taxes.

Investing in the future.

Making government smarter and more efficient.

All of these things are essential to the well-being of our state.

But there are special moments when, touched by the better angels of our Nature, our work rises to meet a higher standard. At those moments, what we do here transforms lives.

January 1, 2011, was a landmark day for thousands of families across Missouri.

That was the day insurance companies had to start providing meaningful coverage for the diagnosis and treatment of children with autism.

Some day, when we look back at our shared history, at the battles won and lost in these chambers, this piece of legislation will be one of our landmarks, as well.

Last October, we took another bold step to help families caring for loved ones with other types of developmental disabilities, like Down Syndrome and cerebral palsy.

The Partnership for Hope is designed to keep families together, and improve their quality of life by providing support for their loved ones at home.

I'd like to introduce you to a young man sitting in the back gallery.

His name is Nick Ayers. He's 31 and lives in Lincoln County with his parents, Russell and Janet.

Nick has cerebral palsy. He can do a lot on his own, but he needs a hand preparing meals, managing personal business, and staying safe.

Janet and Russell want their son to live a full and happy life as an independent member of their community. But as they get older, they worry that keeping up with Nick will become a real challenge.

Like too many Missouri families, the Ayers had been on a waiting list for support services for years ... and years...and years. Today, we're providing those services for them, and hundreds more families – at home, at a fraction of the cost of institutional care.

Please join me in welcoming Nick, Janet and Russell Ayers, as representatives of Missouri's life-changing Partnership for Hope.

Last year, we passed historic DWI legislation with strong bipartisan support.

That new law is making our highways safer for everyone.

With us tonight are the superintendent of the Highway Patrol, Colonel Ron Replogle, and Sergeant Blaine Adams from Troop E in Poplar Bluff.

Sergeant Adams has made an amazing 1,060 DWI arrests – more than any other current member of the patrol.

1,060 DWI arrests.

Can you imagine how many lives this one Trooper has saved?

For its exceptional record of educating the public, and protecting Missourians from drunk drivers, the Patrol received the national 2010 Outstanding Law Enforcement Agency Award from Mothers Against Drunk Driving.

Colonel Replogle and Sergeant Adams, on behalf of all the men and women of the Highway Patrol, please stand and accept the gratitude of your state.

But we must do more to protect the health of our citizens.

This year, my budget will provide good nutrition for thousands of house-bound seniors who rely on home-delivered meals.

Our seniors also need help paying for their medicine.

We have a program to help low-income seniors and people with disabilities keep up with the skyrocketing costs of prescription drugs.

The Missouri Rx program is a lifeline for more than 200,000 Missourians every year.

But Missouri Rx is set to expire this summer.

We cannot let that happen.

My budget includes funds for the Missouri Rx program, but the Legislature must extend it.

Nobody should be forced to choose between paying for medicine and putting food on the table.

Nobody.

I urge the members of the General Assembly to reauthorize this vital program and send it to my desk.

There's another piece of the people's business that requires our attention: ethics reform.

The people of Missouri need to know that their elected representatives are working in the public interest – and not for personal gain.

Right now, anyone can write a check for any amount of money, and tip the balance of an election.

That is corrosive to our democracy.

We need to set strict limits on campaign contributions that are undermining the sovereignty of the people, and subverting the fundamental principle of free and fair elections.

We need meaningful ethics reform this year.

In the past year, I've visited businesses and schools, farms and factories, hospitals and veterans homes from Bethany to Bernie, and seen a lot of countryside in between.

One of the many things that make Missouri such a special place to live is our wonderful system of state parks. There's a quiet beauty to Missouri that weaves its own kind of magic.

That may explain why I've never lived anywhere else.

Never wanted to.

Like thousands of Missourians, I grew up hunting and fishing, hiking and canoeing with my Mom and Dad. Georganne and I have continued

that outdoor tradition with our family.

While visiting our state parks last year, Georganne and I saw Missouri's first State Parks Youth Corps in action.

At a time when it's been especially tough for young people to find jobs, the State Parks Youth Corps put money in the pockets of more than 1,000 young workers – at no cost to the state.

The National Association of State Park Directors gave our State Parks Youth Corps its top award for innovation in 2010. And I'm pleased to report that the Youth Corps will put hundreds more kids to work in our parks this summer.

Believe me, those young folks worked hard.

We saw them rebuilding stone walls at Roaring River, painting cabins at Montauk, and blazing trails at Cuivre River and Rock Bridge.

And while they were at it, they learned valuable life and work skills:

Show up on time;

Do your best;

and get the job done.

Working outside all summer long, they also gained a new respect and appreciation for Nature.

If you look up in the balcony, you'll see them in their green T-shirts.

Please welcome the members of Missouri's first State Parks Youth Corps.

This is a critical time for Missouri.

The shadows of the recession are lifting.

The bright rays of recovery are gathered on the horizon.

Now, more than ever, Missouri needs its leaders to focus on what is most important:

Creating jobs.

Making government smarter and more efficient.

Investing in strong communities;

And balancing the budget without raising taxes.

The people of Missouri want problem-solvers, not politicians.

The people of Missouri want results, not rhetoric.

Because as we've seen in Washington, when politicians cling to ideology, and kick common sense to the curb, when they focus on the party line and not the bottom line... nothing gets done.

Missouri is blessed with a long and strong tradition of bipartisanship.

And in Missouri, we get things done.

Why?

Because here in the heartland, we share common values and common goals.

We want the opportunity to work hard at work worth doing, whether it's building the next generation of fuel-efficient trucks, or growing better soybeans to feed a hungry world.

We want our children to get a first-rate education that prepares them to compete for the best jobs in the global economy.

We want safe, strong communities where neighbors help neighbors.

We want a vibrant and prosperous economy, where "Made in America" is still the gold standard – whether it's stamped on an F-150 or an F-15.

And we make them both, right here in the Show-Me State.

For as long as I've been a public servant — as a state senator, as attorney general and now, as your governor — my approach has been pretty

simple.

Bring folks together.

Hash things out.

Find solutions.

Now, we all know the folks in this room have differences of opinion.

And we all know we'll have some disagreements.

But it's worth remembering that we all serve the people of Missouri.

All of your constituents are my constituents... and the common good is our common goal.

I'd like to close tonight with the words of a native son.

He's been a strong and steadfast servant of the people, and a champion for Missouri commerce, education and agriculture for more than 40 years: Senator Christopher S. Bond.

Here's what Kit had to say last month, in his farewell address on the Senate floor:

"In a world today, where enemies are real ... it is important to remember there is a lot of real estate between a political opponent and a true enemy.

There will be issues where people of good conscience cannot come together.

But never let what cannot be done, interfere with what can be done."

In the days and weeks ahead, let us take those words to heart, and act on them in good faith.

Let us do what can be done... what must be done ... for the people of Missouri.

God bless Missouri.

God bless America.

Thank you, and good evening.

On motion of Senator Dempsey, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by President Pro Tem Mayer.

## **RESOLUTIONS**

Senator Wasson offered Senate Resolution No. 70, regarding Connor Burton, Nixa, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 71, regarding Normandy School District Board of Education, which was adopted.

Senator Justus offered Senate Resolution No. 72, regarding Greenability Magazine of Kansas City, which was adopted.

## **COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

January 19, 2011

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol  
Jefferson City, MO 65101

Dear Ms. Spieler:

Please be advised that I am hereby appointing the "Select" Committee on Redistricting to consist of the following members:

Senator Scott Rupp, Chairman  
 Senator Brad Lager, Vice-Chairman  
 Senator David Pearce, Member  
 Senator Jason Crowell, Member  
 Senator Brian Munzlinger, Member  
 Senator Jack Goodman, Member  
 Senator Victor Callahan, Member  
 Senator Robin Wright-Jones, Member

Please do not hesitate to contact me should you need any assistance.

Sincerely,  
 /s/ Robert N. Mayer  
 Robert N. Mayer  
 President Pro Tem

### INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Darren Doherty, Warrensburg; and his grandmother, Eileen Miles, Belton.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. John Lilly, M.D., Willard.

Senator Richard introduced to the Senate, former State Representative, Steve Hobbs, Mexico.

Senator Mayer introduced to the Senate, Terry Reese, MSN, RN, FNP, BC, Poplar Bluff; and Advanced Practice Nurses from around the state.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### SENATE CALENDAR

---

NINTH DAY—THURSDAY, JANUARY 20, 2011

---

### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 51-Cunningham	SB 61-Keaveny
SB 52-Cunningham	SB 62-Schaaf
SB 53-Cunningham	SB 63-Mayer
SB 54-Cunningham	SB 64-Parson
SB 55-Brown	SB 65-Mayer, et al
SB 56-Rupp	SB 67-Cunningham
SB 57-Callahan	SB 68-Mayer
SB 58-Stouffer and Lembke	SB 69-Schaefer
SB 59-Keaveny	SB 70-Schaefer
SB 60-Keaveny	SB 71-Parson

SB 72-Kraus	SB 112-Kraus
SB 73-Kraus	SB 113-Parson and Engler
SB 74-Kraus	SB 114-Justus
SB 75-Kraus	SB 115-Justus
SB 76-Schaaf	SB 116-Justus
SB 77-Stouffer	SB 117-Engler
SB 78-Brown	SB 118-Stouffer
SB 79-Justus	SB 119-Schaefer
SB 80-Justus	SB 120-Stouffer
SB 81-Pearce	SB 121-Stouffer
SB 82-Pearce	SB 122-Schaaf
SB 83-Pearce	SB 123-Keaveny
SB 84-Wright-Jones	SB 124-Keaveny
SB 85-Lembke	SB 125-Keaveny
SB 86-Lembke	SB 126-Wasson
SB 87-Parson	SB 127-Chappelle-Nadal
SB 88-Schaaf	SB 128-Lembke
SB 89-Lembke	SB 129-Lembke
SB 90-Dempsey	SB 130-Rupp
SB 91-Engler	SB 131-Rupp
SB 92-Schaaf	SB 132-Rupp and Kehoe
SB 93-Kraus	SB 133-Rupp
SB 94-Munzlinger	SB 134-Rupp
SB 95-Munzlinger	SB 135-Schaefer
SB 96-Engler	SB 136-Schaaf
SB 97-Engler	SB 137-Brown
SB 98-Schaaf	SB 138-Keaveny
SB 99-Chappelle-Nadal	SB 139-Crowell
SB 100-Stouffer	SB 140-Crowell
SB 101-Parson	SB 141-Crowell
SB 102-Green	SB 142-Crowell
SB 103-Green	SB 143-Crowell
SB 104-Green	SB 144-Crowell
SB 105-Green	SB 145-Dempsey
SB 106-Green	SB 146-Schmitt
SB 107-Green	SJR 1-Ridgeway
SB 108-Schmitt, et al	SJR 2-Stouffer
SB 109-Crowell	SJR 3-Goodman
SB 110-Crowell	SJR 5-Chappelle-Nadal
SB 111-Schaaf	SJR 6-Chappelle-Nadal



SJR 7-Lembke  
SJR 8-Kraus  
SJR 9-Engler

SJR 10-Lembke and Green  
SJR 11-Munzlinger  
SJR 12-Green

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

SCR 1-Ridgeway

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**NINTH DAY—THURSDAY, JANUARY 20, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“As we have therefor opportunity, let us do good unto all men.” (Galatians 6:10)

Almighty God, show us where to best express our concerns and kindness that we might be instruments of service and help to those You have called us to serve and have placed in our lives. Guide us this day so that we might make the best use of our time and ride with us as we travel back to those we love bringing us safely home. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

Absent—Senators—None

Absent with leave—Senators

Cunningham    Lamping    Purgason—3

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

On behalf of Senator Lamping, Senator Dempsey offered Senate Resolution No. 73, regarding Joe's Place, Maplewood, which was adopted.

On behalf of Senator Lamping, Senator Dempsey offered Senate Resolution No. 74, regarding the Thirty-fifth Anniversary of the Maryland Heights Chamber of Commerce, which was adopted.

On behalf of Senator Lamping, Senator Dempsey offered Senate Resolution No. 75, regarding the One Hundred Twenty-fifth Anniversary of the Saint Louis Artists Guild, Clayton, which was adopted.

Senator Kehoe offered Senate Resolution No. 76, regarding B.K. Bakery, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 77, regarding Joseph Miller, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 78, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Paul Mosher, Eldon, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 79, regarding BAM Contracting, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 80, regarding the American Heart Association Midwest Affiliate, which was adopted.

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 147**—By Schaefer.

An Act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to gifted education.

**SB 148**—By Schaefer.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance reimbursement for physical therapist services.

**SB 149**—By Schaaf.

An Act to amend chapter 491, RSMo, by adding thereto one new section relating to expert witnesses.

**SB 150**—By Munzlinger.

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to hand fishing, with penalty provisions.

**SB 151**—By Callahan and Stouffer.

An Act to repeal section 537.620, RSMo, and to enact in lieu thereof one new section relating to the acquisition of insurance coverage by certain political subdivision syndicates without the need for soliciting

competitive bids.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 18, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Sara Parker Pauley as the Director of the Department of Natural Resources, submitted to you on January 5, 2011. Line 1 should be amended to read:

Sara Parker Pauley, 5701 East Claysville Road, Hartsburg, Boone County Missouri,

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 18, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Betty Marver to the Child Abuse and Neglect Review Board, submitted to you on January 5, 2011. Line 1 should be amended to read:

Betty Marver, 4100 Forest Park #311, Saint Louis City, Missouri 63108,

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the following addendums to the Committee on Gubernatorial Appointments.

Senator Pearce assumed the Chair.

### **SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**SB 51**—General Laws.

**SB 52**—Ways and Means and Fiscal Oversight.

**SB 53**—Commerce, Consumer Protection, Energy and the Environment.

**SB 54**—Education.

**SB 55**—Agriculture, Food Production and Outdoor Resources.

**SB 56**—Health, Mental Health, Seniors and Families.

**SB 57**—Judiciary and Civil and Criminal Jurisprudence.

- SB 58**—Transportation.
- SB 59**—Judiciary and Civil and Criminal Jurisprudence.
- SB 60**—Judiciary and Civil and Criminal Jurisprudence.
- SB 61**—Financial and Governmental Organizations and Elections.
- SB 62**—Health, Mental Health, Seniors and Families.
- SB 63**—Agriculture, Food Production and Outdoor Resources.
- SB 64**—Commerce, Consumer Protection, Energy and the Environment.
- SB 65**—General Laws.
- SB 67**—General Laws.
- SB 68**—Governmental Accountability.
- SB 69**—Judiciary and Civil and Criminal Jurisprudence.
- SB 70**—Judiciary and Civil and Criminal Jurisprudence.
- SB 71**—Financial and Governmental Organizations and Elections.
- SB 72**—Governmental Accountability.
- SB 73**—Jobs, Economic Development and Local Government.
- SB 74**—Health, Mental Health, Seniors and Families.
- SB 75**—Rules, Joint Rules, Resolutions and Ethics.
- SB 76**—Health, Mental Health, Seniors and Families.
- SB 77**—Transportation.
- SB 78**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 79**—Jobs, Economic Development and Local Government.
- SB 80**—Health, Mental Health, Seniors and Families.
- SB 81**—Education.
- SB 82**—Governmental Accountability.
- SB 83**—Financial and Governmental Organizations and Elections.
- SB 84**—Financial and Governmental Organizations and Elections.
- SB 85**—Judiciary and Civil and Criminal Jurisprudence.
- SB 86**—Health, Mental Health, Seniors and Families.
- SB 87**—Judiciary and Civil and Criminal Jurisprudence.
- SB 88**—Governmental Accountability.
- SB 89**—Judiciary and Civil and Criminal Jurisprudence.
- SB 90**—Health, Mental Health, Seniors and Families.

- SB 91**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 92**—Small Business, Insurance and Industry.
- SB 93**—Commerce, Consumer Protection, Energy and the Environment.
- SB 94**—Jobs, Economic Development and Local Government.
- SB 95**—Agriculture, Food Production and Outdoor Resources.
- SB 96**—Governmental Accountability.
- SB 97**—Governmental Accountability.
- SB 98**—Small Business, Insurance and Industry.
- SB 99**—Education.
- SB 100**—Ways and Means and Fiscal Oversight.
- SB 101**—Commerce, Consumer Protection, Energy and the Environment.
- SB 102**—Commerce, Consumer Protection, Energy and the Environment.
- SB 103**—Commerce, Consumer Protection, Energy and the Environment.
- SB 104**—Commerce, Consumer Protection, Energy and the Environment.
- SB 105**—Financial and Governmental Organizations and Elections.
- SB 106**—Transportation.
- SB 107**—Transportation.
- SB 108**—Jobs, Economic Development and Local Government.
- SB 109**—General Laws.
- SB 110**—Small Business, Insurance and Industry.
- SB 111**—Health, Mental Health, Seniors and Families.
- SB 112**—Judiciary and Civil and Criminal Jurisprudence.
- SB 113**—Agriculture, Food Production and Outdoor Resources.
- SB 114**—Education.
- SB 115**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 116**—Judiciary and Civil and Criminal Jurisprudence.
- SB 117**—Ways and Means and Fiscal Oversight.
- SB 118**—Health, Mental Health, Seniors and Families.
- SB 119**—Agriculture, Food Production and Outdoor Resources.
- SB 120**—Transportation.
- SB 121**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 122**—Health, Mental Health, Seniors and Families.

**SB 123**—Education.

**SB 124**—Education.

**SB 125**—Financial and Governmental Organizations and Elections.

**SJR 1**—Ways and Means and Fiscal Oversight.

**SJR 2**—Financial and Governmental Organizations and Elections.

**SJR 3**—Judiciary and Civil and Criminal Jurisprudence.

**SJR 5**—Transportation.

**SJR 6**—Jobs, Economic Development and Local Government.

**SJR 7**—General Laws.

**SJR 8**—Ways and Means and Fiscal Oversight.

**SJR 9**—Financial and Governmental Organizations and Elections.

**SJR 10**—Governmental Accountability.

**SJR 11**—Agriculture, Food Production and Outdoor Resources.

**SJR 12**—Financial and Governmental Organizations and Elections.

### **INTRODUCTION OF BILLS**

The following Bill was read the 1st time and ordered printed:

**SB 152**—By Crowell.

An Act to repeal sections 86.252, 86.255, 86.256, 86.294, and 86.354, RSMo, and to enact in lieu thereof six new sections relating to the police retirement system of St. Louis.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, January 24, 2011.

### **SENATE CALENDAR**

---

TENTH DAY—MONDAY, JANUARY 24, 2011

---

### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 126-Wasson  
 SB 127-Chappelle-Nadal  
 SB 128-Lembke  
 SB 129-Lembke  
 SB 130-Rupp  
 SB 131-Rupp

SB 132-Rupp and Kehoe  
 SB 133-Rupp  
 SB 134-Rupp  
 SB 135-Schaefer  
 SB 136-Schaaf  
 SB 137-Brown

SB 138-Keaveny  
SB 139-Crowell  
SB 140-Crowell  
SB 141-Crowell  
SB 142-Crowell  
SB 143-Crowell  
SB 144-Crowell  
SB 145-Dempsey

SB 146-Schmitt  
SB 147-Schaefer  
SB 148-Schaefer  
SB 149-Schaaf  
SB 150-Munzlinger  
SB 151-Callahan and Stouffer  
SB 152-Crowell

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

SCR 1-Ridgeway

✓



# Journal of the Senate

FIRST REGULAR SESSION

---

**TENTH DAY—MONDAY, JANUARY 24, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“This is the victory that conquers the world - our faith.” (1 John 5:15)

Lord God, help us have faith in the future for it will give us power to deal effectively with the present. Help us to rely on Your promptings for they will help us make good decisions this day. And help us understand our worth and that of those we serve for we matter to You O God. So bless us and watch over us this day we ask, and in Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 20, 2011 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—32

Absent—Senators—None

Absent with leave—Senator Wright-Jones—1

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Engler offered Senate Resolution No. 81, regarding Betty F. Schaper, Farmington, which was adopted.

Senator Ridgeway offered Senate Resolution No. 82, regarding the death of Mark Revenaugh, which was adopted.

Senator Nieves offered Senate Resolution No. 83, regarding Tech Manufacturing, LLC, Wright City, which was adopted.

Senator Stouffer offered Senate Resolution No. 84, regarding William J. Simmons, Boonville, which was adopted.

Senator Kehoe offered Senate Resolution No. 85, regarding Ronald R. Klatt, Russellville, which was adopted.

Senator Kehoe offered Senate Resolution No. 86, regarding Carol Jean Harrison, Henley, which was adopted.

Senator Cunningham offered Senate Resolution No. 87, regarding the city of Chesterfield, which was adopted.

Senator Kehoe offered Senate Resolution No. 88, regarding Frederick N. Marsh, Eugene, which was adopted.

Senator Brown offered Senate Resolution No. 89, regarding Meramec Electrical Products Company, Cuba, which was adopted.

Senator Brown offered Senate Resolution No. 90, regarding Forest City Footwear, St. James, which was adopted.

Senator Nieves offered Senate Resolution No. 91, regarding Jeremy Broadbooks, Wildwood, which was adopted.

Senator Ridgeway offered Senate Resolution No. 92, regarding Dick Holwick, Kansas City, which was adopted.

Senator Brown offered Senate Resolution No. 93, regarding Ray Cordry, Waynesville, which was adopted.

Senator Pearce offered Senate Resolution No. 94, regarding the Bates County Historical Society, which was adopted.

Senator Pearce offered Senate Resolution No. 95, regarding the University of Central Missouri, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 96, regarding Chilhowee Grocery, Chilhowee, which was adopted.

Senator Dixon offered Senate Resolution No. 97, regarding The Taylor-Martin Family of Companies, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 98, regarding the Missouri State University handball sports program, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 99, regarding Julie Bloodworth, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 100, regarding Lisa Rose, Springfield, which was adopted.

Senator Wasson offered Senate Resolution No. 101, regarding Greenwood Engineering and Manufacturing, LLC, Strafford, which was adopted.

Senator Crowell offered Senate Resolution No. 102, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Howard “Butch” Boyd, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 103, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. R. Wayne Nesslein, Cape Girardeau, which was adopted.

Senator Goodman offered Senate Resolution No. 104, regarding Joseph Pingleton, Branson, which was adopted.

Senator Goodman offered Senate Resolution No. 105, regarding Jeremiah Goldberg, Branson, which was adopted.

Senator McKenna offered Senate Resolution No. 106, regarding MidAmerica Solar, LLC, Imperial, which was adopted.

Senator Nieves offered Senate Resolution No. 107, regarding Adam J. Rhoads, Warrenton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 108, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Leslie Fowler, Unionville, which was adopted.

Senator Crowell offered Senate Resolution No. 109, regarding the Sixty-first Wedding Anniversary of Mr. and Mrs. Roy Lee Glass, Jackson, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 153**—By Schaaf.

An Act to amend chapter 376.475, RSMo, by adding thereto one new section relating to transparency in the health care market, with penalty provisions.

**SB 154**—By Schaaf.

An Act to repeal section 70.660, RSMo, and to enact in lieu thereof one new section relating to the Missouri local government employees' retirement system.

**SB 155**—By Rupp.

An Act to repeal sections 99.820 and 99.825, RSMo, and to enact in lieu thereof two new sections relating to tax increment financing.

**SB 156**—By Rupp.

An Act to repeal sections 566.032, 566.034, 566.062, and 566.064, RSMo, and to enact in lieu thereof

four new sections relating to suspended sentences for certain crimes, with penalty provisions in existing language.

**SB 157**—By Schaefer.

An Act to repeal section 568.060, RSMo, and to enact in lieu thereof one new section relating to child abuse, with existing penalty provisions.

**SB 158**—By Keaveny.

An Act to repeal sections 644.036 and 644.054, RSMo, and to enact in lieu thereof two new sections relating to clean water permit fees, with an emergency clause.

**SB 159**—By Cunningham.

An Act to repeal sections 430.020 and 430.082, RSMo, and to enact in lieu thereof two new sections relating to statutory liens against personalty.

**SB 160**—By Cunningham.

An Act to repeal section 311.297, RSMo, and to enact in lieu thereof one new section relating to the tasting of liquor.

**SB 161**—By Munzlinger.

An Act to repeal sections 348.400, 348.407, and 348.412, RSMo, and to enact in lieu thereof three new sections relating to business development loans for agribusinesses.

**SB 162**—By Munzlinger.

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the farm-to-table advisory board, with an expiration date for a certain section.

**SJR 13**—By Justus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 50 and 52(a) of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to petitions for referenda and initiatives.

## **REPORTS OF STANDING COMMITTEES**

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Deborah J. Smith, Democrat, as a member of the Missouri Western State University Board of Governors;

Also,

Jacklyn J. Crow, as a member of the Board of Cosmetology and Barber Examiners;

Also,

Michael Hall, as a member of the Advisory Committee for 911 Service Oversight;

Also,

Willis Jackson Magruder, Democrat, as a member of the State Fair Commission;

Also,

Darren M. Doherty, as the student representative of the University of Central Missouri Board of Governors;

Also,

Leonard Toenjes, as a member of the State Board of Mediation;

Also,

Casey Cash Gill, Democrat, as a member of the Missouri Real Estate Appraisers Commission;

Also,

Brandy Mouser, as a member of the Board of Therapeutic Massage;

Also,

Janette Call, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists;

Also,

Jeanne M. Serra, as a member of the Missouri Quality Home Care Council;

Also,

James J. McMillen, as a member of the MO HealthNet Oversight Committee;

Also,

Todd Streff and Jennifer Kirby, as members of the Behavior Analyst Advisory Board;

Also,

Vergil L. Belfi, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Tracy M. Reed, as a member of the Missouri Genetic Advisory Committee.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 45**, entitled:

An Act to repeal section 1.310, RSMo, and to enact in lieu thereof two new sections relating to small businesses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 21, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robert Culler, 205 South Moore, Hayti, Pemiscot County, Missouri 63851, as a member of the Missouri Agricultural and Small Business Development Authority, for a term ending June 30, 2014; vice, Gordon Spilker, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 21, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael Marlo, 718 Winding Creek Drive, Wentzville, Saint Charles County, Missouri 63385, as a member of the Missouri Fire Safety Advisory Board, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Gregory Pottberg.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 21, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Deborah Polc, 4203 South Kerrington Drive, Independence, Jackson County, Missouri 64055, as a member of the Missouri Dental Board, for a term ending January 10, 2014; vice, Patricia Lepp, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

January 21, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Sara Zorich, 3301 South Elizabeth Avenue, Independence, Jackson County, Missouri 64057, as a member of the Jackson County Board of Election Commissioners, for a term ending April 4, 2014; vice, William Baker, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

January 21, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Colleen Scott for the Jackson County Election Board submitted to you on January 5, 2011. Line 2 should read:

County, Missouri 64086, as a member and Secretary of the Jackson County Board of

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above appointments and addendum to the Committee on Gubernatorial Appointments.

### CONCURRENT RESOLUTIONS

Senator Ridgeway moved that **SCR 1** be taken up for 3rd reading and final passage, which motion prevailed.

**SCR 1**, entitled:

#### SENATE CONCURRENT RESOLUTION NO. 1

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

Was taken up.

On motion of Senator Ridgeway, **SCR 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

NAYS—Senators

Justus                Keaveny—2

Absent—Senators—None

Absent with leave—Senators

Crowell             Wright-Jones—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Ridgeway, title to the bill was agreed to.

Senator Ridgeway moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Neil Jackson, Jefferson City.

Senator Mayer introduced to the Senate, Brad Miller, Springfield.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### SENATE CALENDAR

---

ELEVENTH DAY—TUESDAY, JANUARY 25, 2011

---

### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 126-Wasson  
 SB 127-Chappelle-Nadal  
 SB 128-Lembke  
 SB 129-Lembke  
 SB 130-Rupp  
 SB 131-Rupp  
 SB 132-Rupp and Kehoe  
 SB 133-Rupp  
 SB 134-Rupp  
 SB 135-Schaefer

SB 136-Schaaf  
 SB 137-Brown  
 SB 138-Keaveny  
 SB 139-Crowell  
 SB 140-Crowell  
 SB 141-Crowell  
 SB 142-Crowell  
 SB 143-Crowell  
 SB 144-Crowell  
 SB 145-Dempsey



SB 146-Schmitt	SB 155-Rupp
SB 147-Schaefer	SB 156-Rupp
SB 148-Schaefer	SB 157-Schaefer
SB 149-Schaaf	SB 158-Keaveny
SB 150-Munzlinger	SB 159-Cunningham
SB 151-Callahan and Stouffer	SB 160-Cunningham
SB 152-Crowell	SB 161-Munzlinger
SB 153-Schaaf	SB 162-Munzlinger
SB 154-Schaaf	SJR 13-Justus

HOUSE BILLS ON SECOND READING

HCS for HB 45

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### ELEVENTH DAY—TUESDAY, JANUARY 25, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...if you indeed cry out for insight and raise your voice for understanding, then you will understand righteousness and justice and equity, every good path.” (Proverbs 2:3, 9)

Heavenly Father, we recognize how in Your presence we are given the opportunity to help those who are in serious need in our state. We recognize the limited resources available and how we must set priorities on how we make use of them. Let us be open to all Your prompting in whom You place Your teaching and help us see what we must do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Stouffer offered Senate Resolution No. 110, regarding Meaghann Maggert, Concordia, which was adopted.

Senator Stouffer offered Senate Resolution No. 111, regarding Darion Austell, Saint Louis, which was adopted.

Senator Stouffer offered Senate Resolution No. 112, regarding Abigail Thomas, Renick, which was adopted.

Senator Stouffer offered Senate Resolution No. 113, regarding Shawna Scott, Jefferson City, which was adopted.

Senator Stouffer offered Senate Resolution No. 114, regarding Lorna Dreyer, Warrenton, which was adopted.

Senator Stouffer offered Senate Resolution No. 115, regarding Imani Bennett, Saint Louis, which was adopted.

Senator Stouffer offered Senate Resolution No. 116, regarding Trent Ludwig, Linn, which was adopted.

Senator Stouffer offered Senate Resolution No. 117, regarding Jeff Durbin, Monroe City, which was adopted.

Senator Stouffer offered Senate Resolution No. 118, regarding Jessica Lehman, Peculiar, which was adopted.

Senator Stouffer offered Senate Resolution No. 119, regarding Brittany Dodd, Rolla, which was adopted.

Senator Stouffer offered Senate Resolution No. 120, regarding Lauren Crudup, Belton, which was adopted.

Senator Stouffer offered Senate Resolution No. 121, regarding Taylor Bryant, Auxvasse, which was adopted.

Senator Crowell offered Senate Resolution No. 122, regarding Fredericktown R-I School District, which was adopted.

Senator Crowell offered Senate Resolution No. 123, regarding Calvary Temple Church, which was adopted.

Senator Crowell offered Senate Resolution No. 124, regarding the Fredericktown Fire Department, which was adopted.

Senator Kehoe offered the following resolution:

**SENATE RESOLUTION NO. 125**

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing rooms for the purposes of its State Convention on November 10, 2011 through November 12, 2011 and December 1, 2011 through December 3, 2011.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 125** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 125** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 126

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-sixth General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on Saturday, October 1, 2011, for the purpose of a citizens assembly and workshops.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 126** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 126** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 127

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Jefferson City Downtown Rotary Club has sought to instill values of high integrity within our youth and to provide an opportunity for Missouri students to experience state government firsthand; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the Senate and House Chambers for beneficial purposes; and

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-sixth General Assembly hereby grant the Jefferson City Rotary Club permission to use the Senate Chamber for the purpose of conducting Student Government Day on the morning of Monday, March 21, 2011.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 127** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 127** was adopted.

Senator Crowell offered Senate Resolution No. 128, regarding Jonathan James “Jonny” Deneke, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 129, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Gerald Keller, Cape Girardeau, which was adopted.

## CONCURRENT RESOLUTIONS

Senator Justus offered the following concurrent resolution:

### SENATE CONCURRENT RESOLUTION NO. 5

Relating to the ratification of the Equal Rights Amendment to the United States Constitution.

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women's Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

“Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.”; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby ratify the Equal Rights Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the Missouri Congressional Delegation with request that it be printed in the Congressional Record.

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 163**—By Pearce.

An Act to repeal sections 172.030 and 174.450, RSMo, and to enact in lieu thereof two new sections relating to higher education governing boards.

**SB 164**—By Pearce.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to science, technology, engineering, and mathematics education.

**SB 165**—By Goodman.

An Act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

**SB 166**–By Goodman.

An Act to repeal section 381.115, RSMo, and to enact in lieu thereof one new section relating to the licensure of title agencies and title agents.

**SB 167**–By Goodman.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to special event motor vehicle auction licenses, with penalty provisions.

**SB 168**–By Crowell.

An Act to repeal section 478.711, RSMo, and to enact in lieu thereof one new section relating to the circuit court of Cape Girardeau County.

**SB 169**–By Crowell.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

**SB 170**–By Crowell.

An Act to repeal section 105.661, RSMo, and to enact in lieu thereof one new section relating to public employee retirement.

**SB 171**–By Crowell.

An Act to repeal sections 217.750, 559.600, 559.602, and 559.604, RSMo, and to enact in lieu thereof four new sections relating to private probation services.

**SB 172**–By Crowell.

An Act to repeal sections 105.711, 105.716, and 105.726, RSMo, and to enact in lieu thereof three new sections relating to the state legal expense fund.

**SB 173**–By Dixon and Kehoe.

An Act to repeal section 21.920, RSMo, and to enact in lieu thereof one new section relating to the joint committee on Missouri's promise.

**SB 174**–By Dempsey.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to the imposition of fees for the repair of water service lines in certain municipalities.

### **INTRODUCTIONS OF GUESTS**

Senator Kehoe introduced to the Senate, Jerry Gladden and Karrie and Karissa Sandfort, New Bloomfield; Joetta and Abrianna York, Lincoln County; Barbra Muellenbach and Pastan Gladden, Jefferson City; and Zachary York, John Hunter, Traci Sinn, Daesha Sinn and James Nelson; and Abrianna, Pastan and Karissa were made honorary pages.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Brian McKenna, M.D. St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

TWELFTH DAY—WEDNESDAY, JANUARY 26, 2011

## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 126-Wasson	SB 151-Callahan and Stouffer
SB 127-Chappelle-Nadal	SB 152-Crowell
SB 128-Lembke	SB 153-Schaaf
SB 129-Lembke	SB 154-Schaaf
SB 130-Rupp	SB 155-Rupp
SB 131-Rupp	SB 156-Rupp
SB 132-Rupp and Kehoe	SB 157-Schaefer
SB 133-Rupp	SB 158-Keaveny
SB 134-Rupp	SB 159-Cunningham
SB 135-Schaefer	SB 160-Cunningham
SB 136-Schaaf	SB 161-Munzlinger
SB 137-Brown	SB 162-Munzlinger
SB 138-Keaveny	SB 163-Pearce
SB 139-Crowell	SB 164-Pearce
SB 140-Crowell	SB 165-Goodman
SB 141-Crowell	SB 166-Goodman
SB 142-Crowell	SB 167-Goodman
SB 143-Crowell	SB 168-Crowell
SB 144-Crowell	SB 169-Crowell
SB 145-Dempsey	SB 170-Crowell
SB 146-Schmitt	SB 171-Crowell
SB 147-Schaefer	SB 172-Crowell
SB 148-Schaefer	SB 173-Dixon and Kehoe
SB 149-Schaaf	SB 174-Dempsey
SB 150-Munzlinger	SJR 13-Justus

## HOUSE BILLS ON SECOND READING

HCS for HB 45

## INFORMAL CALENDAR

## RESOLUTIONS

To be Referred

SCR 5-Justus

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**TWELFTH DAY—WEDNESDAY, JANUARY 26, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You know the value of prayer: it is precious beyond all price. Never, never neglect it.” (Sir Thomas Buxton)

Gracious God, we know our need of prayer and yet we often don’t take time to enter into serious conversation with You. Help us to see that all in which we are engaged, prayer can be a plumb line to keep us centered in You. Help us to see that prayer can make us attentive and more receptive to what is happening about us and how best to respond to them. Lord, help us to pray. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.



## **RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 130, regarding Eric Michael Eschmann, which was adopted.

Senator Kraus offered Senate Resolution No. 131, regarding Kevin Matthew Curdy, Lee's Summit, which was adopted.

Senator Munzlinger offered Senate Resolution No. 132, regarding the One Hundredth Birthday of Evafae Jeffries, Downing, which was adopted.

Senator Goodman offered Senate Resolution No. 133, regarding Jolene Garoutte, Monett, which was adopted.

Senator Goodman offered Senate Resolution No. 134, regarding Ron Creek, Eagle Rock, which was adopted.

Senator Kraus offered Senate Resolution No. 135, regarding the Sixtieth Anniversary of the Missouri City Clerks and Finance Officers Association, which was adopted.

Senator Richard offered Senate Resolution No. 136, regarding the Fiftieth Anniversary of the Good Shepherd Nursing Home, Lockwood, which was adopted.

Senator McKenna offered Senate Resolution No. 137, regarding Richard J. King, Hillsboro, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 138, regarding Mrs. Theresa Ferguson, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 139, regarding Minds Eye Information Service, Belleville, Illinois, which was adopted.

Senator Parson offered Senate Resolution No. 140, regarding Barbara Cooney, Sedalia, which was adopted.

## **CONCURRENT RESOLUTIONS**

Senator Munzlinger offered the following concurrent resolution:

### **SENATE CONCURRENT RESOLUTION NO. 6**

WHEREAS, U.S. and Missouri agriculture has an impressive track record of successfully addressing the economic and market-based issues associated with coexistence, whether via neighbor-to-neighbor or through state seed certifying agencies or other local, state or regional initiatives; and

WHEREAS, the U.S. Department of Agriculture has indicated that it may deregulate genetically-engineered alfalfa with certain conditions in an effort to protect organic growers' claims of potential harm. The American Farm Bureau and several other grower-based organizations strongly believe that such a conditional deregulation is not science-based, and would restrict or even eliminate the use of a valuable tool from growers in many parts of this country; and

WHEREAS, in the field of agricultural biotechnology, Missouri growers have worked closely with the seed industry to meet their respective stewardship obligations through contractual arrangements and other mechanisms, which is where matters of coexistence and stewardship are addressed most effectively and efficiently; and

WHEREAS, the National Alfalfa and Forage Alliance developed its Best Management Practices for Roundup Ready Alfalfa seed production in 2008 and has taken the lead in providing coexistence documents for alfalfa hay export markets, alfalfa seed export markets, and organic alfalfa seed and hay markets; and

WHEREAS, issues of coexistence are always best dealt with farmer-to-farmer, and any proposals to change federal policy on agricultural biotechnology regulation must be done through a thoughtful dialogue inclusive of all U.S. government agencies:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the U.S. Secretary of Agriculture and the U.S. Department of Agriculture to make regulatory decisions based on sound science and to deregulate genetically-engineered alfalfa without any conditions as soon as possible to enable alfalfa farmers in Missouri and other states to have access to genetically-engineered alfalfa seeds in time for the spring planting season; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution to the U.S. Secretary of Agriculture, each member of the Missouri Congressional delegation, and the director of the Missouri Department of Agriculture.

### **INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 175**—By Munzlinger, Nieves, Lager, Richard and Ridgeway.

An Act to repeal sections 34.203, 34.206, 34.209, 34.212, 34.216, and 34.217, RSMo, and to enact in lieu thereof eight new sections relating to public contracts.

**SB 176**—By Munzlinger, Nieves, Lager, Richard and Ridgeway.

An Act to repeal sections 290.210, 290.250, 290.260, 290.262, 290.290, and 290.340, RSMo, and to enact in lieu thereof six new sections relating to public construction, with existing penalty provisions.

**SB 177**—By Brown.

An Act to repeal section 630.167, RSMo, and to enact in lieu thereof one new section relating to department of mental health investigative reports.

**SB 178**—By Brown.

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to surgical technology.

**SB 179**—By Brown.

An Act to repeal sections 79.050 and 79.055, RSMo, and to enact in lieu thereof two new sections relating to marshals in fourth class cities.

**SB 180**—By Kraus.

An Act to amend chapter 9, RSMo, by adding thereto two new sections relating to bicycling state holidays.

**SB 181**—By Stouffer.

An Act to repeal sections 303.400, 303.403, 303.406, 303.409, 303.412, and 303.415, RSMo, and to enact in lieu thereof six new sections relating to the motorist insurance identification database program, with penalty provisions.

**SB 182**—By Ridgeway.

An Act to repeal section 536.310, RSMo, and to enact in lieu thereof one new section relating to the small business regulatory fairness board.

**SB 183**—By Ridgeway.

An Act to repeal section 407.1355, RSMo, and to enact in lieu thereof one new section relating to social security numbers.

**SB 184**—By Wright-Jones.

An Act to repeal sections 160.400 and 160.405, RSMo, and to enact in lieu thereof two new sections relating to charter schools.

**SB 185**—By Purgason.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to the imposition of a sunset upon certain tax credit programs.

**SB 186**—By Crowell.

An Act to repeal sections 478.711 and 483.420, RSMo, and to enact in lieu thereof two new sections relating to the circuit court of Cape Girardeau County.

**SB 187**—By Lager, Purgason, Brown, Kehoe, Parson, Munzlinger, Mayer and Stouffer.

An Act to repeal section 537.296, RSMo, and to enact in lieu thereof one new section relating to private nuisance actions.

**SB 188**—By Lager, Purgason, Rupp, Lembke, Munzlinger, Wasson, Richard, Brown, Schaaf, Cunningham, Pearce, Dixon, Nieves, Kehoe, Mayer, Dempsey, Parson, Lamping, Ridgeway, Goodman and Schmitt.

An Act to repeal sections 213.010, 213.070, 213.101, and 213.111, RSMo, and to enact in lieu thereof four new sections relating to unlawful discriminatory practices.

**SJR 14**—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 30(a) and 30(b) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the collection of state highway revenues, with an effective date.

Senator Crowell requested unanimous consent of the body to withdraw **SB 168**, which request was granted.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 25, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David Steward, Republican, 309 Wyndmoor Terrace Court, Saint Louis, Saint Louis County, Missouri 63141, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, David Wasinger, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above appointment to the Committee on Gubernatorial Appointments.

## **SECOND READING OF CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

**SCR 5**—Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate recessed until 4:00 p.m.

## **RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

## **REPORTS OF STANDING COMMITTEES**

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following report:

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 68**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

## **RESOLUTIONS**

Senator Munzlinger offered Senate Resolution No. 141, regarding the Ninety-fifth Birthday of Hazel Florine Garrett Forrester, Memphis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 142, regarding Juan Williams Chavez, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 143, regarding Jazz St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 144, regarding Elliott Edmond Telle, which was adopted.

Senator Crowell offered Senate Resolution No. 145, regarding Versa-Tech, Incorporated, Fredericktown, which was adopted.

Senator Crowell offered Senate Resolution No. 146, regarding Denny Ward, Marquand, which was adopted.

Senator Crowell offered Senate Resolution No. 147, regarding Trish Brewington, Fredericktown, which was adopted.

Senator Crowell offered Senate Resolution No. 148, regarding Allison Boyer, Marquand, which was adopted.

Senator Crowell offered Senate Resolution No. 149, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Albert Lunsford, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 150, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Robert White, Cape Girardeau, which was adopted.

Senator Green offered Senate Resolution No. 151, regarding David Martin Benjamin, which was adopted.

Senator Green offered Senate Resolution No. 152, regarding Terrance Rasheed Filer, which was adopted.

### COMMUNICATIONS

President Pro Tem Mayer submitted the following:

January 26, 2011

Senator Rob Mayer  
Senate President Pro Tem  
State Capitol, Room 326  
Jefferson City, MO 65101

Dear Senator Mayer:

This letter is to advise you that, due to other commitments, I wish to resign my position as a member of the Missouri Consolidated Health Care Plan Board of Trustees effective immediately. I do appreciate being given the opportunity to serve as a member of the Board.

Thank you.

Sincerely,  
/s/ Tom Dempsey  
Tom Dempsey

Also,

January 26, 2011

Senator Jim Lembke  
Chairman, Government Accountability Committee  
Room 419, State Capitol  
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your committee investigate the bonding protocol and practices of the Missouri Development Finance Board, Missouri Health and Educational Facilities Authority, Missouri Higher Education Loan Authority, Missouri Housing Development Commission, and Environmental Improvement and Energy Resources Authority.

With economic uncertainty and scarce resources, it is imperative that authorities and commissions issuing bonds strictly adhere to statute, specifically RSMo 100.282, by confirming that an interested entity has an identifiable source of revenue.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
District 25 Senator

Also,

January 26, 2011

Senator Jim Lembke  
Chairman, Government Accountability Committee  
Room 419, State Capitol  
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your committee investigate the recent controversy surrounding the Department of Economic Development's approval of \$2 million in tax incentives for the Watch Me Smile project in Cape Girardeau, MO.

I believe it is imperative that we spend tax dollars wisely, which is why I am asking that your committee pursue a thorough investigation to determine if funds were initially granted without regard for possible discrepancies in the company's application.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
District 25 Senator

## **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Lana Oleen, Bob Downer and Pam Schutt, representatives of the Midwestern Higher Education Compact.

Senator Parson introduced to the Senate, the Physician of the Day, Dr. Wayne Morton, M.D., and his granddaughter, Olivia Hairston, Osceola.

Senator Munzlinger introduced to the Senate, Evelyn Jorgenson, Moberly.

Senator Wasson introduced to the Senate, Danny and Carol Minor, Strafford.

Senator Wasson introduced to the Senate, Nick Myers, Joplin; Kelly Hair, St. Louis; Kathy Meyer, Overland; and David Ruth, St. Louis.

Senator Richard introduced to the Senate, Abby Kittrell, Joplin.

Senator Wright-Jones introduced to the Senate, Brian and Nina Murphy, St. Louis.

Senator Kehoe introduced to the Senate, Brandon Kelley, Jefferson City; and Chris Thompson, Callaway County.

Senator Dixon introduced to the Senate, J. Martin and Nathan Taylor, Springfield.

Senator Schaefer introduced to the Senate, Yungshen Xu, Lorenzo Williams and Monte Wyrick, Columbia.

Senator Pearce introduced to the Senate, Brandon and Chris Kerksieck, Chilhowee.

Senator Schaaf introduced to the Senate, former State Senator Marvin Singleton, Fayetteville, Arkansas.

Senator Mayer introduced to the Senate, Grace Zoeller, Kansas City.

On behalf of himself and Senator Wasson, the President introduced to the Senate, former State Senator Dan Clemens, Marshfield.

On behalf of Senator Dempsey and himself, Senator Rupp introduced to the Senate, Donna Weiss and Toni Milan, St. Charles County.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

THIRTEENTH DAY—THURSDAY, JANUARY 27, 2011

---

## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 126-Wasson	SB 156-Rupp
SB 127-Chappelle-Nadal	SB 157-Schaefer
SB 128-Lembke	SB 158-Keaveny
SB 129-Lembke	SB 159-Cunningham
SB 130-Rupp	SB 160-Cunningham
SB 131-Rupp	SB 161-Munzlinger
SB 132-Rupp and Kehoe	SB 162-Munzlinger
SB 133-Rupp	SB 163-Pearce
SB 134-Rupp	SB 164-Pearce
SB 135-Schaefer	SB 165-Goodman
SB 136-Schaaf	SB 166-Goodman
SB 137-Brown	SB 167-Goodman
SB 138-Keaveny	SB 169-Crowell
SB 139-Crowell	SB 170-Crowell
SB 140-Crowell	SB 171-Crowell
SB 141-Crowell	SB 172-Crowell
SB 142-Crowell	SB 173-Dixon and Kehoe
SB 143-Crowell	SB 174-Dempsey
SB 144-Crowell	SB 175-Munzlinger, et al
SB 145-Dempsey	SB 176-Munzlinger, et al
SB 146-Schmitt	SB 177-Brown
SB 147-Schaefer	SB 178-Brown
SB 148-Schaefer	SB 179-Brown
SB 149-Schaaf	SB 180-Kraus
SB 150-Munzlinger	SB 181-Stouffer
SB 151-Callahan and Stouffer	SB 182-Ridgeway
SB 152-Crowell	SB 183-Ridgeway
SB 153-Schaaf	SB 184-Wright-Jones
SB 154-Schaaf	SB 185-Purgason
SB 155-Rupp	SB 186-Crowell

SB 187-Lager, et al  
SB 188-Lager, et al

SJR 13-Justus  
SJR 14-Schaaf

HOUSE BILLS ON SECOND READING

HCS for HB 45

SENATE BILLS FOR PERFECTION

SB 68-Mayer, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 6-Munzlinger

✓



# Journal of the Senate

FIRST REGULAR SESSION

---

**THIRTEENTH DAY—THURSDAY, JANUARY 27, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Walk in wisdom towards them that are without...Let your speech be always with grace.” (Colossians 4:5-6)

Almighty God, help us that we might use our intelligence wisely, at every opportunity to effectively help those who are hurting and provide direction for those who are lost. Help us do our best behaving as You would have Your children “who walk in wisdom” live. And may You bless and watch our travel bringing us safely home to those we love and serve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

Absent—Senators—None

Absent with leave—Senators

Lager                      Rupp—2

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Crowell offered Senate Resolution No. 153, regarding Denny Henke, Fredericktown, which was adopted.

Senator Keaveny offered Senate Resolution No. 154, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Edward Mullenschlager, Jr., Florissant, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Dempsey offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 7**

WHEREAS, Section 21.760 of the Revised Statutes of Missouri provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the provisions of Section 21.760; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

**INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 189**—By Schmitt.

An Act to repeal sections 620.1878 and 620.1881, RSMo, and to enact in lieu thereof two new sections relating to the quality jobs act.

**SB 190**—By Pearce.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for processed biomass engineered fiber fuel.

**SB 191**—By Pearce.

An Act to repeal sections 335.036, 335.200, 335.203, 335.206, and 335.209, RSMo, and to enact in lieu thereof three new sections relating to the caring for Missourians program.

**SB 192**—By Pearce.

An Act to amend chapter 630, RSMo, by adding thereto one new section relating to continuing

professional education curriculum in eating disorders for certain school personnel.

**SB 193**—By Pearce.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to county municipal courts.

**SB 194**—By Pearce.

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to abatement of nuisances in certain counties.

**SB 195**—By Stouffer.

An Act to repeal section 302.171, RSMo, and to enact in lieu thereof one new section relating to the issuance of driver's licenses and nondriver's licenses to noncitizens.

**SB 196**—By Cunningham.

An Act to repeal sections 287.120 and 287.800, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation.

**SB 197**—By Ridgeway.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions, and a referendum clause.

**SB 198**—By Crowell.

An Act to repeal sections 145.009, 145.011, 145.041, 145.051, 145.091, 145.101, 145.102, 145.201, 145.301, 145.481, 145.511, 145.551, 145.552, 145.601, 145.711, 145.801, 145.846, 145.871, 145.961, 145.971, 145.985, 145.995, and 145.1000, RSMo, relating to the repeal of the estate tax.

**SB 199**—By Crowell.

An Act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to telephone calls.

**SB 200**—By Crowell.

An Act to repeal sections 100.270, 100.282, 173.385, 176.080, 215.030, 260.035, and 360.045, RSMo, and to enact in lieu thereof eight new sections relating to bond issuances.

**SB 201**—By Crowell.

An Act to repeal sections 105.915 and 105.927, RSMo, and to enact in lieu thereof two new sections relating to the state employee deferred compensation program.

**SB 202**—By Crowell.

An Act to repeal section 33.103, RSMo, and to enact in lieu thereof two new sections relating to labor organizations.

**SB 203**—By Schmitt, Richard, Dempsey, Justus, Schaefer, Callahan, Wasson and Wright-Jones.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to tax incentives to attract sporting events to Missouri.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 26, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Donald Cupps, Democrat, 1 Persimmon Hill Road, Cassville, Barry County, Missouri 65625, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, John Carnahan III, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 26, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Craig Van Matre, Democrat, 450 Covered Bridge Road, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2013, and until his successor is duly appointed and qualified; vice, Buford Fraser, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 26, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Harry Ratliff, 4554 Laclede Unit 207, Saint Louis City, Missouri 63108, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until his successor is duly appointed and qualified; vice, Lisa Britt, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 26, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lane Roberts, 1801 E. Natalie Lane, Joplin, Jasper County, Missouri 64801, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2012, and until his successor is duly appointed and qualified; vice, James Lynch, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 26, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mark Sanford, 5103 Washington Place, Saint Louis, Saint Louis County, Missouri 63108, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011; vice, Laura Neal, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 26, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Diane Scagna, 762 Camelot Estates Drive, Hillsboro, Jefferson County, Missouri 63050, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2012, and until her successor is duly appointed and qualified; vice, Kenneth Gregory, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

January 26, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Debra Simaitis, 32446 Golden Acres Road, Lincoln, Benton County, Missouri 65338, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Lori Hodges, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above appointments to the Committee on Gubernatorial Appointments.

**REFERRALS**

President Pro Tem Mayer referred **SCR 6** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**SENATE BILLS FOR PERFECTION**

Senator Mayer moved that **SB 68**, with **SCS**, be taken up for perfection, which motion prevailed.  
**SCS** for **SB 68**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 68**

An Act to repeal section 21.400, RSMo, and to enact in lieu thereof one new section relating to subpoenas issued by the general assembly, with an emergency clause.

Was taken up.

Senator Stouffer assumed the Chair.

Senator Mayer moved that **SCS** for **SB 68** be adopted, which motion prevailed.

On motion of Senator Mayer, **SCS** for **SB 68** was declared perfected and ordered printed.

**REPORTS OF STANDING COMMITTEES**

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Russell A. Unger, Democrat, as a member of the Missouri Community Service Commission;

Also,

Kurt Finklang, as a member of the State Board of Optometry;

Also,

Scott Englund, as a member of the Missouri Veterans' Commission;

Also,

Teresa Rodgers and Karen Greiner, as members of the Behavior Analyst Advisory Board;

Also,

Corinne Walentik, as a member of the MO HealthNet Oversight Committee;

Also,

Rodney W. Herring, as a member of the Advisory Committee for 911 Service Oversight;

Also,

Herbert Hardwick, Democrat, as a member of the Lincoln University Board of Curators;

Also,

Charles McKenzie, Jennifer Tyus and Dorothy Rowland, as members of the Child Abuse and Neglect Review Board;

Also,

Margaret Pigg, as a member of the Committee for Professional Counselors;

Also,

Colleen Scott, Republican, as a member and Secretary of the Jackson County Board of Election Commissioners;

Also,

Teddy E. Sheppard, Republican, as a member of the State Fair Commission;

Also,

Randy Holman, Democrat, as a member of the State Tax Commission;

Also,

Mark S. Lester, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Donald W. McNutt, as a member of the Petroleum Storage Tank Insurance Fund Board of Trustees.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **SB 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 68**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Stouffer assumed the Chair.

Senator Pearce assumed the Chair.

## **SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

- SB 126**—Financial and Governmental Organizations and Elections.
- SB 127**—Health, Mental Health, Seniors and Families.
- SB 128**—Education.
- SB 129**—Education.
- SB 130**—Education.
- SB 131**—Transportation.
- SB 132**—Small Business, Insurance and Industry.
- SB 133**—Transportation.
- SB 134**—Judiciary and Civil and Criminal Jurisprudence.
- SB 135**—Commerce, Consumer Protection, Energy and the Environment.
- SB 136**—Health, Mental Health, Seniors and Families.
- SB 137**—Financial and Governmental Organizations and Elections.
- SB 138**—Agriculture, Food Production and Outdoor Resources.
- SB 139**—Ways and Means and Fiscal Oversight.
- SB 140**—Ways and Means and Fiscal Oversight.
- SB 141**—Ways and Means and Fiscal Oversight.
- SB 142**—Jobs, Economic Development and Local Government.
- SB 143**—Ways and Means and Fiscal Oversight.
- SB 144**—Ways and Means and Fiscal Oversight.
- SB 145**—Jobs, Economic Development and Local Government.
- SB 146**—Jobs, Economic Development and Local Government.
- SB 147**—Education.
- SB 148**—Small Business, Insurance and Industry.
- SB 149**—Judiciary and Civil and Criminal Jurisprudence.
- SB 150**—Agriculture, Food Production and Outdoor Resources.
- SB 151**—Jobs, Economic Development and Local Government.
- SB 152**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 153**—Small Business, Insurance and Industry.
- SB 154**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 155**—Ways and Means and Fiscal Oversight.
- SB 156**—Judiciary and Civil and Criminal Jurisprudence.
- SB 157**—Judiciary and Civil and Criminal Jurisprudence.



**SB 158**—Commerce, Consumer Protection, Energy and the Environment.

**SB 159**—Commerce, Consumer Protection, Energy and the Environment.

**SB 160**—Agriculture, Food Production and Outdoor Resources.

**SB 161**—Agriculture, Food Production and Outdoor Resources.

**SB 162**—Agriculture, Food Production and Outdoor Resources.

**SB 163**—Education.

**SB 164**—Education.

**SB 165**—Judiciary and Civil and Criminal Jurisprudence.

**SB 166**—Small Business, Insurance and Industry.

**SB 167**—Transportation.

**SB 169**—Health, Mental Health, Seniors and Families.

**SB 170**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**SB 171**—Judiciary and Civil and Criminal Jurisprudence.

**SB 172**—Judiciary and Civil and Criminal Jurisprudence.

**SB 173**—Transportation.

**SB 174**—Jobs, Economic Development and Local Government.

**SB 175**—Jobs, Economic Development and Local Government.

**SB 176**—Small Business, Insurance and Industry.

**SB 177**—Health, Mental Health, Seniors and Families.

**SB 178**—Health, Mental Health, Seniors and Families.

**SB 179**—Jobs, Economic Development and Local Government.

**SB 180**—Health, Mental Health, Seniors and Families.

**SB 181**—Small Business, Insurance and Industry.

**SB 182**—Small Business, Insurance and Industry.

**SB 183**—General Laws.

**SB 184**—Education.

**SB 185**—Ways and Means and Fiscal Oversight.

**SB 186**—Judiciary and Civil and Criminal Jurisprudence.

**SB 187**—Agriculture, Food Production and Outdoor Resources.

**SB 188**—Commerce, Consumer Protection, Energy and the Environment.

**SJR 13**—Financial and Governmental Organizations and Elections.

**SJR 14**—Transportation.

**INTRODUCTION OF BILLS**

The following Bill was read the 1st time and ordered printed:

**SB 204**—By Dempsey, Ridgeway, Nieves, Lembke, Stouffer, Engler, Mayer, Keaveny, Schaaf, Green, Dixon, Pearce, Chappelle-Nadal, Schaefer, Richard, Lamping, McKenna, Parson, Wasson, Goodman, Munzlinger, Schmitt, Brown, Kehoe, Callahan and Kraus.

An Act to repeal section 135.630, RSMo, and to enact in lieu thereof one new section relating to a tax credit for contributions to pregnancy resource centers.

**COMMUNICATIONS**

Senator Callahan submitted the following:

January 27, 2011

The Honorable Senator Rob Mayer – President Pro-Tem  
State Capitol, Room 326  
Jefferson City, Missouri 65101

Dear Senator Mayer:

Pursuant to the provisions of section 42.007.2 RSMo and acting within my capacity as Minority Floor Leader, I hereby appoint myself to the Missouri Veterans Commission.

Sincerely,  
/s/ Victor E. Callahan  
Victor Callahan

**INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, former Governor Roger Wilson, Columbia.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, January 31, 2011.

**SENATE CALENDAR**

\_\_\_\_\_

FOURTEENTH DAY—MONDAY, JANUARY 31, 2011

\_\_\_\_\_

**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

SB 189-Schmitt  
SB 190-Pearce  
SB 191-Pearce  
SB 192-Pearce  
SB 193-Pearce  
SB 194-Pearce  
SB 195-Stouffer  
SB 196-Cunningham

SB 197-Ridgeway  
SB 198-Crowell  
SB 199-Crowell  
SB 200-Crowell  
SB 201-Crowell  
SB 202-Crowell  
SB 203-Schmitt, et al  
SB 204-Dempsey, et al

HOUSE BILLS ON SECOND READING

HCS for HB 45

THIRD READING OF SENATE BILLS

SCS for SB 68-Mayer

SENATE BILLS FOR PERFECTION

SB 11-McKenna, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 7-Dempsey

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### FOURTEENTH DAY—MONDAY, JANUARY 31, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“God never promises to remove us from our struggles. He does promise, however, to change the way we look at them.” (Max Lucado)

Lord, we are grateful for our safe travel through difficult weather and Your bringing us here to do the work that is required of us. We ask that this week You help us see Your promise in the difficulties that face us this session and grant us wisdom and compassion so all we do is as unto You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 27, 2011 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Engler	Goodman
Green	Keaveny	Kehoe	Kraus	Lager	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

Absent—Senators—None

Absent with leave—Senators

Cunningham	Justus	Lamping	Ridgeway	Rupp—5
------------	--------	---------	----------	--------

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 155, regarding Joe Briscoe, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 156, regarding Gary Shaw, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 157, regarding Lynne Tomlinson, St. Peters, which was adopted.

Senator Dempsey offered Senate Resolution No. 158, regarding Mimi Jackson, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 159, regarding Mike Ricketts, St. Charles, which was adopted.

Senator Engler offered Senate Resolution No. 160, regarding Judy A. Cook, Centerville, which was adopted.

Senator Engler offered Senate Resolution No. 161, regarding Southern Reynolds County R-II School District, which was adopted.

Senator Crowell offered Senate Resolution No. 162, regarding Leet EyeCare, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 163, regarding Paula Myers, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 164, regarding Janet Esicar, Cape Girardeau, which was adopted.

Senator Pearce offered Senate Resolution No. 165, regarding Garrick Otto Zinecker, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 166, regarding Krischan Andor Zinecker, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 167, regarding Steven Nevels, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 168, regarding Damin Dukane Dixon, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 169, regarding Albert Fleer, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 170, regarding Alex Reed, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 171, regarding Levi Perry Dunkeson, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 172, regarding Matthew G. Zackschewski, Centerville, Virginia, which was adopted.

Senator Pearce offered Senate Resolution No. 173, regarding Colin A. Munley, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 174, regarding Weston Herman, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 175, regarding Clifford K. Howe, Warrensburg, which was adopted.

Senators Callahan, Chappelle-Nadal, Dempsey, Green, Justus, Mayer, McKenna and Wright-Jones offered Senate Resolution No. 176, regarding the Thirtieth Wedding Anniversary of Mr. and Mrs. Joseph P. Keaveny, St. Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 177, regarding Richard Schroeder, California, which was adopted.

Senator Purgason offered the following resolution:

SENATE RESOLUTION NO. 178

NOTICE OF PROPOSED RULE CHANGE

BE IT RESOLVED by the Senate of the Ninety-sixth General Assembly, First Regular Session, that Senate Rule 96, be amended to read as follows:

“Rule 96. 1. Laptop computers may be used [by the press at the press table and by the research staff at the research table] in the Senate Chamber as long as their use does not violate Rule 78 or is otherwise disruptive to the business of the Senate. **If a senator is engaged in debate or discussion, he or she shall close the screen of his or her laptop computer completely during the period of debate or discussion.** No person shall take any photograph in the Senate Gallery. Persons with cameras, flash cameras, lights, or other paraphernalia may be allowed to use such devices at committee meetings with the permission of the Chairman as long as they do not prove disruptive to the decorum of the committee. Smoking is not permissible in the Senate Chamber or Gallery, the Kirchoff Gallery, the Pershing Gallery, the Bingham Gallery, committee rooms, lounge, the hallways, restrooms or elevators.

2. For the purpose of compliance with the Americans with Disabilities Act, the President Pro Tem may designate a portion of the Senate Chamber as handicap accessible and such areas shall not be considered a part of the floor of the Senate for the purposes of section 21.420, RSMo. Persons using such area shall not lobby members of the Senate while going to and from or while using the designated area.”.

Senator Purgason offered the following resolution:

SENATE RESOLUTION NO. 179

NOTICE OF PROPOSED RULE CHANGE

BE IT RESOLVED by the Senate of the Ninety-sixth General Assembly, First Regular Session, that Senate Rule 33, be amended to read as follows:

“Rule 33. No report of a committee of conference, or any house amendment to a senate bill shall be declared adopted without the assent of the majority of all the senators elected, and the yeas and nays taken thereon and entered upon the Journal. **No conference committee report shall be taken up and considered unless the same has been distributed to the senators at least one legislative day prior to consideration.**”.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 27, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2010, while the Senate was not in session.

Angela Beshears, Republican, 15810 Oakmont Circle, Kearney, Clay County, Missouri 64060, as Secretary of the Clay County Board of Election Commissioners, for a term ending at the pleasure of the Governor and until her successor is duly appointed and qualified; vice, RSMo 115.027.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 27, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and comissioned by me on July 29, 2010, while the Senate was not in session.

Jack Lary, Republican, 3915 Olive, Apt. 302, City of St. Louis, Missouri 63108, as Secretary of the St. Louis City Board of Election Commissioners, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Eileen McCann.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 25, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Dalton Wright for the Coordinating Board for Higher Education, submitted to you on January 5, 2011. Line 1 should read:

Dalton Wright, Republican, 21125 Aster Road, Conway, Laclede County, Missouri

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 31, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you on January 5, 2011, for your advice and consent:

Benjamin Lampert, 4367 East Bogey Court, Springfield, Greene County, Missouri 65809, as a member of the Advisory Commission for Anesthesiologist Assistants, for a term ending July 1, 2012, and until his successor is duly appointed and qualified; vice, Toni Smith, withdrawn.

Christopher J. Young, 36 Rio Vista Drive, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Advisory Commission for Anesthesiologist Assistants, for a term ending July 1, 2013, and until his successor is duly appointed and qualified; vice, Charles Bowen, term expired.

Alan H. Wells, 1415 Highway H, Farmington, Saint Francois County, Missouri 63640, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2012 and until his successor is duly appointed and qualified; vice, Sam Coryell, term expired.

Tamara Burlis, 1834 Hollow Tree Court, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2013, and until her successor is duly appointed and qualified; vice, Mark Mattingly, term expired.

Charles J. Gulas, 2054 Wild Horse Creek Road, Wildwood, Saint Louis County, Missouri 63038, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2012, and until his successor is duly appointed and qualified; vice, Paula Burnett, term expired.

Michelle R. Bernth, Independent, 528 Queens Court Place, Saint Peters, Saint Charles County, Missouri 63376, as a member of the Air Conservation Commission, for a term ending October 13, 2013, and until her successor is duly appointed and qualified; vice, Kevin Rosenbohm, term expired.

Thomas Davis, 13308 East 93rd Street, Kansas City, Jackson County, Missouri 64138, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2013, and until his successor is duly appointed and qualified; vice, RSMo 337.305.

Jessa R. Love, 5555 East Mount Zion Church Road, Hallsville, Boone County, Missouri 65255, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2014, and until her successor is duly appointed and qualified; vice, RSMo 337.305.

Bassem F. Armaly, 1711 Line Avenue, Rolla, Phelps County, Missouri 65401, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2010, and until his successor is duly appointed and qualified; vice, Edward "Sandy" Renshaw, III, withdrawn.

Cynthia Prudden, Democrat, 1012 Southway Drive, Bowling Green, Pike County, Missouri 63334, as a member of the Board of Probation and Parole, for a term ending April 25, 2015, and until her successor is duly appointed and qualified; vice, Robert Robinson, term expired.

Kristi Kenney, 2302 N. Antioch Road, Clinton, Henry County, Missouri 64735, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Katherine Hilton, term expired.

Barbara Kuebler, 3204 Pembroke Square, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2013, and until her successor is duly appointed and qualified; vice, Barbara Kuebler, reappointed.

James Cunningham, 2315 West 5th Street, Sedalia, Pettis County, Missouri 65301, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until his successor is duly appointed and qualified; vice, James Cunningham, reappointed.

Betty Marver, 4100 Forest Park #311, Saint Louis City, Missouri 63108, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Jeanette Brown, term expired.

Betty Skinner, 1120 S. 18th Street, Saint Louis, Saint Louis County, Missouri 63104, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Jane Henke, term expired.

Craig Miner, 1434 Schulte Rd, St. Louis, St. Louis County, Missouri 63146, as a member of the Committee for Professional Counselors, for a term ending August 28, 2012, and until his successor is duly appointed and qualified; vice, Naomi Hunter, withdrawn.

Elizabeth G. Sims, Republican, 18 Ladue Manor, Ladue, Saint Louis County, Missouri 63124, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2016 and until her successor is duly appointed and qualified; vice, Gregory Upchurch, term expired.

Thomas Strong, Independent, 3967 Eaglescliffe Drive, Springfield, Greene County, Missouri 65809, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2012, and until his successor is duly appointed and qualified; vice, David Cole, resigned.

Dalton Wright, Republican, 21125 Aster Road, Conway, Laclede County, Missouri 65632, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2014, and until his successor is duly appointed and qualified; vice, Duane Schreimann, withdrawn.

Sara Parker Pauley, 5701 East Claysville Road, Hartsburg, Boone County Missouri, 65039, as Director of the Department of Natural Resources, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

William Dalton, Democrat, 2336 East Glenwood, Springfield, Greene County, Missouri 65804, as a member of the State Environmental Improvement and Energy Resources Authority, for a term ending January 22, 2012, and until his successor is duly appointed and qualified; vice, Jason Morgan, term expired.



Deron Sugg, Democrat, 805 Mississippi Avenue, Crystal City, Jefferson County, Missouri 63019, as a member of the Hazardous Waste Management Commission, for a term ending April 3, 2013 and until his successor is duly appointed and qualified; vice, Suzan Ponder-Bates, withdrawn.

Sarah R. Maguffee, Democrat, 3705 Dublin Avenue, Columbia, Boone County, Missouri 65203, as a member of the Health and Educational Facilities Authority, for a term ending July 30, 2013, and until her successor is duly appointed and qualified; vice, Steven Hoven, withdrawn.

Garry Kemp, Democrat, 2514 NW Windwood Drive, Lee's Summit, Jackson County, Missouri 64081, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2015, and until his successor is duly appointed and qualified; vice, Michael Smith, term expired.

Patrice L. Komoroski, Independent, 65 West Meath Ring, Saint Charles, Saint Charles County, Missouri 63304, as a member of the Missouri Board for Respiratory Care, for a term ending April 3, 2012, and until her successor is duly appointed and qualified; vice, Martha Gragg, term expired.

Patrick Lamping, Democrat, 2164 Timber Lane, Barnhart, Jefferson County, Missouri 63012, as a member of the Missouri Development Finance Board, for a term ending September 14, 2012, and until his successor is duly appointed and qualified; vice, Brian May, resigned.

Reuben Shelton, Democrat, 5155 Westminster Place, Saint Louis City, Missouri 63108, as a member of the Missouri Development Finance Board, for a term ending September 14, 2014, and until his successor is duly appointed and qualified; vice, Danette Proctor, term expired.

Dorothy Grange, 639 West Polo Drive, Saint Louis, Saint Louis County, Missouri 63105, as a member of the Missouri Genetic Advisory Committee, for a term ending April 9, 2011, and until her successor is duly appointed and qualified; vice, Christopher Beck, withdrawn.

Saleem Abdulrauf, 7520 Buckingham Drive 1E, Saint Louis, Saint Louis County, Missouri 63105, as a member of the Missouri Head Injury Advisory Council, for a term ending May 12, 2013, and until his successor is duly appointed and qualified; vice, Robert Forget, term expired.

William A. Krodinger, Independent, 866 Craig Forest Lane, Kirkwood, Saint Louis County, Missouri 63122, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2012, and until his successor is duly appointed and qualified; vice, Gordon Kinne, term expired.

Marvin Wright, 1200 Danforth Drive, Columbia, Boone County, Missouri 65201, as a member of the Missouri Higher Education Loan Authority, for a term ending October 22, 2014, and until his successor is duly appointed and qualified; vice, Marvin Wright, withdrawn.

Deborah S. Fritz, 13544 Highway KK, Marshfield, Webster County, Missouri 65706, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2013, and until her successor is duly appointed and qualified; vice, Stanley Schmidt, withdrawn.

Kecia Leary, 609 N. Jerico, Nixa, Christian County, Missouri 65714, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until her successor is duly appointed and qualified; vice, James McMillen, term expired.

Timothy D. McBride, 4 Spoede Hills Drive, Creve Coeur, Saint Louis County, Missouri 63141, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until his successor is duly appointed and qualified; vice, Stephen Bradford, term expired.

Bridget M. McCandless, 4801 South Maybrook Court, Independence, Jackson County, Missouri 64055, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2012, and until her successor is duly appointed and qualified; vice, Renee Walker, term expired.

Carmen D. Parker-Bradshaw, 1600 E. Olive Street, Springfield, Greene County, Missouri 65802, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until her successor is duly appointed and qualified; vice, Gwendolyn Crimm, term expired.

Ingrid D. Taylor, 900 South Hanley, Unit 14B, Clayton, Saint Louis County, Missouri 63105, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until her successor is duly appointed and qualified; vice, Heidi Miller, term expired.

Virginia A. Beatty, 6736 State Road UU, Fulton, Callaway County, Missouri 65251, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Virginia A. Beatty, reappointed.

Heidi M. Hernandez, 5917 NE Coral Circle, Lee's Summit, Jackson County, Missouri 64064, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Tammy McLane, term expired.

Joan M. Keiser, 3676 South Broadway, Springfield, Greene County, Missouri 65807, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Michael C. Perry, term expired.

Archie Camden, 322 Rue Terre Bonne, Bonne Terre, St. Francois County, Missouri 63628, as a member of the State Board of Embalmers and Funeral Directors, for a term ending September 1, 2011, and until his successor is duly appointed and qualified; vice, Joy Gerstein, term expired.

Donald J. Vanderfeltz, 26683 Highway D, California, Moniteau County, Missouri 65018, as a member of the State Board of Optometry, for a term ending June 20, 2013, and until his successor is duly appointed and qualified; vice, Christy Fowler, term expired.

Pamela L. Marshall, 4280 Washington Boulevard, Saint Louis City, Missouri 63108, as a member of the State Board of Pharmacy, for a term ending September 24, 2015, and until her successor is duly appointed and qualified; vice, Pamela L. Marshall, reappointed.

Dale Smith, 1212 NE 96th Terrace, Kansas City, Clay County, Missouri 64155, as a member of the State Board of Pharmacy, for a term ending December 2, 2015, and until his successor is duly appointed and qualified; vice, Elaina Wolzak, term expired.

Fareesa Khan, Democrat, 543 Oakhaven Lane, St. Louis, St. Louis County, Missouri 63141, as a member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2011, and until her successor is duly appointed and qualified; vice, Toni Smith, withdrawn.

Dianne Modrell, Democrat, 12987 Burning Bush Court, Saint Louis, Saint Louis County, Missouri 63146, as a member of the State Committee of Marital and Family Therapists, for a term ending October 8, 2015, and until her successor is duly appointed and qualified; vice, RSMo 337.739.

Christopher A. Gordon, 123 Couch Avenue, Kirkwood, Saint Louis County, Missouri 63122, as a member of the State Historical Records Advisory Board, for a term ending November 01, 2012, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Charlie Ausfahl, Democrat, 7165 S. Silver Drive, Fulton, Callaway County, Missouri 65251, as a member of the State Soil and Water District Commission, for a term ending August 15, 2012, and until his successor is duly appointed and qualified; vice, Dan Devlin, term expired.

Jeff Schaeperkoetter, Democrat, 5014 Willowby Drive, Jefferson City, Cole County, Missouri 65109, as a member of the State Tax Commission, for a term ending January 23, 2012, and until his successor is duly appointed and qualified; vice, Billy Lee Ransdall, withdrawn.

Michael A. Zito, 851 North Glebe Road, Unit 1809, Arlington, Arlington County, Virginia 22203, as a member of the Truman State University Board of Governors, for a term ending January 1, 2016, and until his successor is duly appointed and qualified; vice, Peter Ewell, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
January 31, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you on January 27, 2011, for your advice and consent:

Jack Lary, Republican, 3915 Olive, Apt. 302, City of St. Louis, Missouri 63108, as Secretary of the St. Louis City Board of Election Commissioners, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Eileen McCann.

Angela Beshears, Republican, 15810 Oakmont Circle, Kearney, Clay County, Missouri 64060, as Secretary of the Clay County Board of Election Commissioners, for a term ending at the pleasure of the Governor and until her successor is duly appointed and qualified; vice, RSMo 115.027.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer moved that the above appointments and addendum be returned to the Governor per his request, which motion prevailed.

**REFERRALS**

President Pro Tem Mayer referred **SCR 7** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

Senator Pearce assumed the Chair.

**THIRD READING OF SENATE BILLS**

**SCS** for **SB 68**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 68**

An Act to repeal section 21.400, RSMo, and to enact in lieu thereof one new section relating to subpoenas issued by the general assembly, with an emergency clause.

Was taken up by Senator Mayer.

On motion of Senator Mayer, **SCS** for **SB 68** was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Engler	Goodman
Green	Keaveny	Kehoe	Kraus	Lager	Lembke	Mayer	McKenna
Munzlinger	Parson	Pearce	Purgason	Richard	Schaaf	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

**NAYS—Senators—None**

Absent—Senator Nieves—1

**Absent with leave—Senators**

Cunningham	Justus	Lamping	Ridgeway	Rupp—5
------------	--------	---------	----------	--------

**Vacancies—1**

The President declared the bill passed.

The emergency clause was adopted by the following vote:

**YEAS—Senators**

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Engler	Goodman
Green	Keaveny	Kehoe	Kraus	Lager	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

**NAYS—Senators—None**

Absent—Senators—None

**Absent with leave—Senators**

Cunningham	Justus	Lamping	Ridgeway	Rupp—5
------------	--------	---------	----------	--------

Vacancies—1

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### **COMMUNICATIONS**

Senator Crowell submitted the following:

January 31, 2011

The Honorable Rob Mayer  
State Capitol – Room 326  
Jefferson City, MO 65101

Dear Sen. Mayer:

Thank you again for the recent committee appointments. However, I once again respectfully request to be removed as a member of the Financial, Governmental Organizations and Elections Committee and the Government Accountability Committee.

Thank you.

Sincerely,  
/s/ Jason Crowell  
Jason G. Crowell  
State Senator

### **INTRODUCTIONS OF GUESTS**

Senator Schaaf introduced to the Senate, his daughter, Renee, Chicago.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

---

FIFTEENTH DAY—TUESDAY, FEBRUARY 1, 2011

---

### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 189-Schmitt  
SB 190-Pearce  
SB 191-Pearce  
SB 192-Pearce  
SB 193-Pearce  
SB 194-Pearce  
SB 195-Stouffer  
SB 196-Cunningham

SB 197-Ridgeway  
SB 198-Crowell  
SB 199-Crowell  
SB 200-Crowell  
SB 201-Crowell  
SB 202-Crowell  
SB 203-Schmitt, et al  
SB 204-Dempsey, et al

HOUSE BILLS ON SECOND READING

HCS for HB 45

SENATE BILLS FOR PERFECTION

SB 11-McKenna, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SR 178-Purgason

SR 179-Purgason

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FIFTEENTH DAY—TUESDAY, FEBRUARY 1, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

President Pro Tem Mayer offered the following prayer:

Gracious Heavenly Father, as we observe Your almighty power, we ask You to be with us and protect us. We know You will watch over us in everything we encounter. Guide our thoughts and actions as we serve the people of this great state. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Schmitt	Stouffer

Wasson—25

Absent—Senators—None

Absent with leave—Senators

Cunningham	Lamping	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Wright-Jones—8
------------	---------	---------	----------	------	--------	----------	----------------

Vacancies—1

The Lieutenant Governor was present.

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 205**—By Stouffer.

An Act to repeal sections 115.275, 115.291, and 115.293, RSMo, and to enact in lieu thereof seven new

sections relating to advance voting.

**SB 206**—By Purgason.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

**SB 207**—By Lager.

An Act to repeal section 386.850, RSMo, relating to the Missouri energy task force.

**SB 208**—By Lager.

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

**SB 209**—By Lager.

An Act to repeal section 392.460, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

**SB 210**—By Lembke.

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to property tax levy revisions.

**SB 211**—By Lembke.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to liability for damages in tort actions.

**SB 212**—By Lembke.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the establishment of minimal yellow light change interval times for traffic control devices.

Senator Dempsey announced that photographers from the Jefferson City News Tribune were given permission to take pictures in the Senate Chamber today.

### **SENATE BILLS FOR PERFECTION**

Senator McKenna moved that **SB 11**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 11**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 11**

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to the banning of text messaging while operating a motor vehicle.

Was taken up.

Senator McKenna moved that **SCS** for **SB 11** be adopted.

Senator Stouffer assumed the Chair.

Senator Lembke offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 11, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to the regulation of motor vehicles.”; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

**“304.289. The timing of any traffic-control signal shall conform to regulations promulgated by the Department of Transportation. The department of transportation shall establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard.”; and**

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 11, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to the regulation of motor vehicles.”; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term “tandem axle” shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An “axle load” is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet  
between the extremes  
of any group of two or  
more consecutive axles,  
measured to the nearest



foot, except where

indicated otherwise

Maximum load in pounds

feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500

32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to

enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsection 9 of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36.

**10. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, for the period between October fifteenth and December fifteenth of each year, any motor vehicle or combination of motor vehicles carrying agricultural products may operate with a load that exceeds the maximum weight load permitted by this chapter by ten percent on any tandem axle, group of axles, and gross weight. If enforcement action is taken pursuant to this section, the fine or penalty shall only apply to that portion of the load that is more than ten percent above the legal limit. The weight tolerance authorized in this subsection shall apply to all highways within the state of Missouri except for the interstate highway system. As used in this subsection, the term “agricultural products” shall have the same meaning ascribed to it in section 274.020.”; and**

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator McKenna moved that **SCS for SB 11**, as amended, be adopted, which motion prevailed.

On motion of Senator McKenna, **SCS** for **SB 11**, as amended, was declared perfected and ordered printed.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 73** and **47**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 163**, entitled:

An Act to repeal sections 288.062, and 288.330, RSMo, and to enact in lieu thereof two new sections relating to unemployment compensation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 1**.

Concurrent Resolution ordered enrolled.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **SB 33**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 8**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Dempsey, the Senate recessed until 12:00 noon.

### **RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

**REPORTS OF STANDING COMMITTEES**

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 18**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 19**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 7, 2011.

**SENATE CALENDAR**  
—

SIXTEENTH DAY—MONDAY, FEBRUARY 7, 2011

  
—**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

SB 189-Schmitt	SB 201-Crowell
SB 190-Pearce	SB 202-Crowell
SB 191-Pearce	SB 203-Schmitt, et al
SB 192-Pearce	SB 204-Dempsey, et al
SB 193-Pearce	SB 205-Stouffer
SB 194-Pearce	SB 206-Purgason
SB 195-Stouffer	SB 207-Lager
SB 196-Cunningham	SB 208-Lager
SB 197-Ridgeway	SB 209-Lager
SB 198-Crowell	SB 210-Lembke
SB 199-Crowell	SB 211-Lembke
SB 200-Crowell	SB 212-Lembke

**HOUSE BILLS ON SECOND READING**

HCS for HB 45  
HCS for HBs 73 & 47

HCS for HB 163

SENATE BILLS FOR PERFECTION

SB 33-Stouffer  
SB 8-Goodman, with SCS

SB 18-Schmitt, with SCS  
SB 19-Schmitt, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SR 178-Purgason

SR 179-Purgason

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### SIXTEENTH DAY—MONDAY, FEBRUARY 7, 2011

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Blessed be god because he has not rejected my prayers or removed his steadfast love from me.” (Psalm 66:20)

Merciful God, we give You thanks for this new day and new week and Your willingness to listen to our prayers. Hear us now in Your steadfast love that our work may be pleasing to You and our lives reflect Your will for us. Hear us as we give thanks for our safe travel and opportunity to do the work You have called us to do. And bless us and watch over us this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Tuesday, February 1, 2011 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Schaefer offered Senate Resolution No. 180, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Carroll Dean Roberts, Columbia, which was adopted.

Senator Mayer offered Senate Resolution No. 181, regarding D & S Drug and Soda Fountain, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 182, regarding Holden Pallet, Inc., Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 183, regarding Heartland Furniture & Appliance Sales & Leasing, LLC, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 184, regarding the Dexter Bearcat Booster Club, which was adopted.

Senator Mayer offered Senate Resolution No. 185, regarding Mary Ruth Boone, which was adopted.

Senator Parson offered Senate Resolution No. 186, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bernard Newton, Sedalia, which was adopted.

Senator Kehoe offered Senate Resolution No. 187, regarding the Eightieth Birthday of Helen Scherr, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 188, regarding Barbara Graham, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 189, regarding Thomas H. Holt, Jefferson City, which was adopted.

Senator Nieves offered Senate Resolution No. 190, regarding the One Hundredth Birthday of Raphael "Ray" Donner, St. Clair, which was adopted.

Senator Lembke offered Senate Resolution No. 191, regarding Thomas P. O'Driscoll, Saint Louis, which was adopted.

Senator Nieves offered Senate Resolution No. 192, regarding Sabrina Dawn Reed, Wildwood, which was adopted.

Senator Munzlinger offered Senate Resolution No. 193, regarding the Missouri Farm Bureau, which was adopted.

Senator Munzlinger offered Senate Resolution No. 194, regarding Stephen W. Hendren, Hannibal, which was adopted.

Senator Schmitt offered Senate Resolution No. 195, regarding Christian Family Services, Inc., Webster Groves, which was adopted.

Senator Schmitt offered Senate Resolution No. 196, regarding Dave Sanders, Webster Groves, which was adopted.

Senator Schmitt offered Senate Resolution No. 197, regarding Embroider the Occasion, Webster Groves, which was adopted.

Senator Schmitt offered Senate Resolution No. 198, regarding Andy Jones, Webster Groves, which was



adopted.

Senator Munzlinger offered Senate Resolution No. 199, regarding the Ninetieth Birthday of Mary Louise Baxter, Memphis, which was adopted.

Senator Munzlinger offered Senate Resolution No. 200, regarding Kathryn A. Coon, Bethel, which was adopted.

Senator Mayer offered Senate Resolution No. 201, regarding Caleb Earl Johns, Dudley, which was adopted.

Senator Ridgeway offered Senate Resolution No. 202, regarding the city of Gladstone and the Friends of Atkins-Johnson, which was adopted.

Senator Brown offered Senate Resolution No. 203, regarding Sergeant Joe Feick, Fort Leonard Wood, which was adopted.

Senator Purgason offered Senate Resolution No. 204, regarding Faith Masterson, Huggins, which was adopted.

Senator Purgason offered Senate Resolution No. 205, regarding Kayla L. Wells, Cabool, which was adopted.

Senator Engler offered Senate Resolution No. 206, regarding Modern Woodmen Club 4911-1, Ellington, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 213**—By Schaefer.

An Act to repeal sections 475.060 and 475.061, RSMo, and to enact in lieu thereof twenty-six new sections relating to guardianship.

**SB 214**—By Schaaf.

An Act to amend chapter 431, RSMo, by adding thereto one new section relating to restrictive physician employment covenants.

**SB 215**—By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prompt credentialing act.

**SB 216**—By Schaaf.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to student athlete brain injuries.

**SB 217**—By Richard and Schmitt.

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to tax incentives for data storage centers.

**SB 218**—By Wasson.

An Act to repeal section 478.170, RSMo, and to enact in lieu thereof four new sections relating to

judicial circuits.

**SB 219**—By Wasson.

An Act to repeal section 362.111, RSMo, and to enact in lieu thereof one new section relating to international transactions.

**SB 220**—By Wasson.

An Act to repeal section 429.015, RSMo, and to enact in lieu thereof one new section relating to liens for architects, professional engineers, land surveyors, and landscape architects.

**SB 221**—By Cunningham.

An Act to repeal sections 213.111 and 287.780, RSMo, and to enact in lieu thereof two new sections relating to damages in discrimination cases.

**SB 222**—By Cunningham.

An Act to repeal sections 294.021, 294.022, 294.024, 294.027, 294.030, 294.040, 294.045, 294.051, 294.054, 294.060, 294.070, 294.080, 294.090, and 294.100, RSMo, and to enact in lieu thereof two new sections relating to child labor.

**SB 223**—By Mayer.

An Act to repeal section 181.060, RSMo, and to enact in lieu thereof two new sections relating to public library district sales taxes.

**SB 224**—By Stouffer.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to property tax relief for the alleviation of blight in certain counties.

### **REPORTS OF STANDING COMMITTEES**

President Pro Tem Mayer assumed the Chair.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 11**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 1**, begs leave to report that it has examined the same and finds that the concurrent resolution has been duly enrolled and that the printed copies furnished the Senators are correct.

### **SIGNING OF CONCURRENT RESOLUTIONS**

The President Pro Tem announced that all other business would be suspended and **SCR 1**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the concurrent resolution would be signed by the President Pro Tem to the end that it may become law. No objections being made, the concurrent resolution was so read by the Secretary and signed by the President Pro Tem.

**CONCURRENT RESOLUTIONS  
DELIVERED TO THE GOVERNOR**

**SCR 1**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

Senator Pearce assumed the Chair.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Bassem F. Armaly, 1711 Line Avenue, Rolla, Phelps County, Missouri 65401, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2010, and until his successor is duly appointed and qualified; vice, Bassem F. Armaly, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Charlie Ausfahl, Democrat, 7165 S. Silver Drive, Fulton, Callaway County, Missouri 65251, as a member of the State Soil and Water District Commission, for a term ending August 15, 2012, and until his successor is duly appointed and qualified; vice, Charlie Ausfahl, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Virginia A. Beatty, 6736 State Road UU, Fulton, Callaway County, Missouri 65251, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Virginia A. Beatty, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michelle R. Bernth, Independent, 528 Queens Court Place, Saint Peters, Saint Charles County, Missouri 63376, as a member of the Air Conservation Commission, for a term ending October 13, 2013, and until her successor is duly appointed and qualified; vice, Michelle R. Bernth, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Tamara Burlis, 1834 Hollow Tree Court, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2013, and until her successor is duly appointed and qualified; vice, Tamara Burlis, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Archie Camden, 322 Rue Terre Bonne, Bonne Terre, St. Francois County, Missouri 63628, as a member of the State Board of Embalmers and Funeral Directors, for a term ending September 1, 2011, and until his successor is duly appointed and qualified; vice, Archie Camden, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

William Dalton, Democrat, 2336 East Glenwood, Springfield, Greene County, Missouri 65804, as a member of the State Environmental Improvement and Energy Resources Authority, for a term ending January 22, 2012, and until his successor is duly appointed and qualified;

vice, William Dalton, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Thomas Davis, 13308 East 93rd Street, Kansas City, Jackson County, Missouri 64138, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2013, and until his successor is duly appointed and qualified; vice, Thomas Davis, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Deborah S. Fritz, 13544 Highway KK, Marshfield, Webster County, Missouri 65706, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2013, and until her successor is duly appointed and qualified; vice, Deborah S. Fritz, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Christopher A. Gordon, 123 Couch Avenue, Kirkwood, Saint Louis County, Missouri 63122, as a member of the State Historical Records Advisory Board, for a term ending November 01, 2012, and until his successor is duly appointed and qualified; vice, Christopher A. Gordon, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joan M. Keiser, 3676 South Broadway, Springfield, Greene County, Missouri 65807, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Joan M. Keiser, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Patrice L. Komoroski, Independent, 65 West Meath Ring, Saint Charles, Saint Charles County, Missouri 63304, as a member of the Missouri Board for Respiratory Care, for a term ending April 3, 2012, and until her successor is duly appointed and qualified; vice, Patrice L. Komoroski, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

William A. Krodinger, Independent, 866 Craig Forest Lane, Kirkwood, Saint Louis County, Missouri 63122, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2012, and until his successor is duly appointed and qualified; vice, William A. Krodinger, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Patrick Lamping, Democrat, 2164 Timber Lane, Barnhart, Jefferson County, Missouri 63012, as a member of the Missouri Development Finance Board, for a term ending September 14, 2012, and until his successor is duly appointed and qualified; vice, Patrick Lamping, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kecia Leary, 609 N. Jerico, Nixa, Christian County, Missouri 65714, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until her successor is duly appointed and qualified; vice, Kecia Leary, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jessa R. Love, 5555 East Mount Zion Church Road, Hallsville, Boone County, Missouri 65255, as a member of the Behavior Analyst Advisory Board, for a term ending January 4, 2014, and until her successor is duly appointed and qualified; vice, Jessa R. Love, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Sarah R. Maguffee, Democrat, 3705 Dublin Avenue, Columbia, Boone County, Missouri 65203, as a member of the Health and Educational Facilities Authority, for a term ending July 30, 2013, and until her successor is duly appointed and qualified; vice, Sarah R. Maguffee, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Pamela L. Marshall, 4280 Washington Boulevard, Saint Louis City, Missouri 63108, as a member of the State Board of Pharmacy, for a term ending September 24, 2015, and until her successor is duly appointed and qualified; vice, Pamela L. Marshall, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Betty Marver, 4100 Forest Park #311, Saint Louis City, Missouri 63108, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Betty Marver, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Bridget M. McCandless, 4801 South Maybrook Court, Independence, Jackson County, Missouri 64055, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2012, and until her successor is duly appointed and qualified; vice, Bridget M. McCandless, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dianne Modrell, Democrat, 12987 Burning Bush Court, Saint Louis, Saint Louis County, Missouri 63146, as a member of the State Committee of Marital and Family Therapists, for a term ending October 8, 2015, and until her successor is duly appointed and qualified; vice, Dianne Modrell, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carmen D. Parker-Bradshaw, 1600 E. Olive Street, Springfield, Greene County, Missouri 65802, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until her successor is duly appointed and qualified; vice, Carmen D. Parker-



Bradshaw, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Sara Parker Pauley, 5701 East Claysville Road, Hartsburg, Boone County Missouri, 65039, as Director of the Department of Natural Resources, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jeff Schaeperkoetter, Democrat, 5014 Willowby Drive, Jefferson City, Cole County, Missouri 65109, as a member of the State Tax Commission, for a term ending January 23, 2012, and until his successor is duly appointed and qualified; vice, Jeff Schaeperkoetter, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Reuben Shelton, Democrat, 5155 Westminster Place, Saint Louis City, Missouri 63108, as a member of the Missouri Development Finance Board, for a term ending September 14, 2014, and until his successor is duly appointed and qualified; vice, Reuben Shelton, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Betty Skinner, 1120 S. 18<sup>th</sup> Street, Saint Louis City, Missouri 63104, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Betty Skinner, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Thomas Strong, Independent, 3967 Eaglescliffe Drive, Springfield, Greene County, Missouri 65809, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2012, and until his successor is duly appointed and qualified; vice, Thomas Strong, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Deron Sugg, Democrat, 805 Mississippi Avenue, Crystal City, Jefferson County, Missouri 63019, as a member of the Hazardous Waste Management Commission, for a term ending April 3, 2013 and until his successor is duly appointed and qualified; vice, Deron Sugg, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ingrid D. Taylor, 900 South Hanley, Unit 14B, Clayton, Saint Louis County, Missouri 63105, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until her successor is duly appointed and qualified; vice, Ingrid D. Taylor, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Alan H. Wells, 1415 Highway H, Farmington, Saint Francois County, Missouri 63640, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2012 and until his successor is duly appointed and qualified; vice, Alan H. Wells, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Marvin Wright, 1200 Danforth Drive, Columbia, Boone County, Missouri 65201, as a member of the Missouri Higher Education Loan Authority, for a term ending October 22, 2014, and until his successor is duly appointed and qualified; vice, Marvin Wright, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 3, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael A. Zito, 851 North Glebe Road, Unit 1809, Arlington, Arlington County, Virginia 22203, as a member of the Truman State University Board of Governors, for a term ending January 1, 2016, and until his successor is duly appointed and qualified; vice, Michael A. Zito, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above appointments to the Committee on Gubernatorial Appointments.

## REFERRALS

President Pro Tem Mayer referred **SR 178** and **SR 179** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Mayer referred **SCS** for **SB 11** to the Committee on Ways and Means and Fiscal Oversight.

**SENATE BILLS FOR PERFECTION**

At the request of Senator Stouffer, **SB 33** was placed on the Informal Calendar.

At the request of Senator Goodman, **SB 8**, with **SCS**, was placed on the Informal Calendar.

Senator Schmitt moved that **SB 18**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 18**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 18**

An Act to repeal section 147.010, RSMo, and to enact in lieu thereof one new section relating to limits upon corporate franchise tax liabilities.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 18** be adopted.

President Kinder assumed the Chair.

Senator Pearce assumed the Chair.

Senator Schmitt moved that **SCS** for **SB 18** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SB 18** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 19**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 19**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 19**

An Act to repeal section 147.010, RSMo, and to enact in lieu thereof one new section relating to the phase-out of the corporate franchise tax.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 19** be adopted.

Senator Schmitt offered **SA 1**, which was read:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 19, Page 2, Section 147.010, Lines 33-34, by striking the following: "but before January 1, 2012," and inserting in lieu thereof the following: "**but ending before December 31, 2011,**"; and further amend line 37, by striking the following: "but before January 1, 2016," and inserting in lieu thereof the following: "**but ending before December 31, 2015,**".

Senator Schmitt moved that the above amendment be adopted.

At the request of Senator Schmitt, **SA 1** was withdrawn.

Senator Schmitt offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for Senate Bill No. 19, Page 1, Section 147.010, Line 18, by

inserting immediately after the word “state” the following: **“exceed”**; and

Further amend said bill and section, page 2, line 34, by striking the words “January 1, 2012,” and inserting in lieu thereof the following: **“December 31, 2011,”**; and

Further amend said bill, section, and page, line 37, by striking the words “January 1, 2016,” and inserting in lieu thereof the following: **“December 31, 2015,”**

Further amend said bill, section, and page, line 40, by inserting immediately after the word “revenue” the following:

**“For all taxable years beginning on or after January 1, 2011 but before December 31, 2015, a corporation's annual tax liability under this chapter shall not exceed the amount of annual franchise tax liability of such corporation for the taxable year ending on or before December 31, 2010. If the corporation had no annual franchise tax liability under this chapter for the taxable year ending on or before December 31, 2010, because such corporation was not in existence or doing business in Missouri, the annual franchise tax for the first taxable year in which such corporation exists shall be determined by applying the applicable rate of tax provided under the provisions of this subsection to the corporation's outstanding shares and surplus if the outstanding shares and surplus exceed ten million dollars, but in no case shall such corporation's tax liability for any subsequent taxable year exceed the amount of annual franchise tax liability of such corporation for the first full taxable year such corporation was in existence or doing business in Missouri.”.**

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer assumed the Chair.

Senator Crowell offered **SA 3**:

#### SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 19, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to taxation.”; and

Further amend said bill, Section 147.010, page 4, line 102, by inserting after all of said line the following:

“[145.009. Sections 145.011 to 145.995 shall become effective January 1, 1981, but it shall apply only with respect to decedents dying on or after January 1, 1981. The repeal of the provisions of chapter 145 shall become effective January 1, 1981, but it shall not affect any decedents dying before January 1, 1981, in any respect, including, but not limited to, the determination of tax, interest, penalties, procedures, and periods of limitations.]

[145.011. A tax is imposed on the transfer of every decedent's estate which consists in whole or in part of property having a tax situs within the state of Missouri. The Missouri estate tax shall be the maximum credit for state death taxes allowed by Internal Revenue Code Section 2011 but not less than the maximum credit for state death taxes allowable to the estate of a decedent against the federal estate tax by Section 2011 or any other provision of the laws of the United States.]

[145.041. If the decedent's estate contains property having a tax situs not within the state of Missouri, then the tax determined by section 145.011 shall be reduced to an amount determined

by multiplying the tax by a fraction whose numerator is the gross estate excluding all property having a tax situs not within the state of Missouri at the decedent's death and whose denominator is the gross estate. In determining the fraction, no deductions shall be considered and the gross estate shall not be reduced by a mortgage or other indebtedness for which the decedent's estate is not liable.]

[145.051. The liability imposed by sections 145.011 to 145.995 shall be paid by the executor.]

[145.091. Any term used in sections 145.011 to 145.995 shall have the same meaning as when used in a comparable context in the laws of the United States, unless a different meaning is clearly required by the provisions of sections 145.011 to 145.995. Any reference in sections 145.011 to 145.995 to the Internal Revenue Code or other laws of the United States shall mean the Internal Revenue Code of 1954, and amendments thereto, and other provisions of the laws of the United States, as they may be or become effective, at any time or from time to time.]

[145.101. 1. "Executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, then any person in actual or constructive possession of any property of the decedent.

2. "Nonresident" means an individual who is not a resident.

3. "Resident" means an individual who is domiciled in this state at the time of death.

4. "State" means any state or territory of the United States and the District of Columbia.]

[145.102. Property shall have a tax situs within the state of Missouri if:

(1) It is real estate or tangible personal property and has actual situs within the state of Missouri; or

(2) It is intangible personal property and the decedent was a resident.]

[145.201. When the director of revenue claims that a decedent was domiciled in this state at the time of his death and the taxing authorities of another state or states make a like claim on behalf of their state or states, the director may make a written agreement of compromise with the other taxing authorities and the executor that a certain sum shall be accepted in full satisfaction of any and all death taxes imposed by this state, including any interest or penalties to the date of filing the agreement. The agreement shall also fix the amount to be accepted by the other states in full satisfaction of death taxes. The executor is hereby authorized to make such agreement. The director shall assess the agreed tax and the tax shall be deemed conclusively fixed as therein provided. Unless the tax is paid within ninety days after filing the agreement, interest shall accrue upon the amount fixed in the agreement from the time of the decedent's death.]

[145.301. If an executor or other fiduciary receives a discharge pursuant to Internal Revenue Code Section 2204 (a) or (b) and if the fiduciary makes written application to the director of revenue for determination of the amount of the tax and discharge from personal liability, the director within two months after receiving satisfactory evidence of the Section 2204 discharge, but not after the expiration of the period prescribed for the assessment of the tax in section 145.711, shall notify the fiduciary of the amount of the tax. The fiduciary, on payment of the amount of which he is notified (other than any amount the time payment of which is extended

under section 145.551), and on furnishing any bond which may be required for any amount for which the time for payment is extended, shall be discharged from personal liability for any deficiency in tax thereafter found to be due and shall be entitled to a receipt or writing showing the discharge.]

[145.481. A tax return with respect to the tax imposed by sections 145.011 to 145.995 shall be made:

(1) With respect to a resident, by every executor who is required to file a federal estate tax return;

(2) With respect to a nonresident, by every executor who is required to file a federal estate tax return if that part of the gross estate having a tax situs within the state of Missouri exceeds ten thousand dollars.]

[145.511. Returns required by section 145.481 shall be filed within nine months after the death of the decedent. A person required to make and file a return under sections 145.011 to 145.995 shall without assessment, notice, or demand, pay any tax due thereon to the director of revenue on or before the date fixed for filing such return (determined without regard to any extension of time for filing the return). The director shall prescribe the place for filing any return, declaration, statement, or other document required pursuant to this chapter and for the payment of any tax.]

[145.551. 1. The director of revenue may grant a reasonable extension of time for payment of tax, or for filing any return, declaration, statement, or other document required by sections 145.011 to 145.995 on such terms and conditions as he may require. No extension for filing any return, declaration, statement or document shall exceed six months.

2. If a taxpayer has been granted an extension of time for filing the federal estate tax return, the filing of a copy of the extension with the director of revenue shall automatically extend the due date of the tax return required by sections 145.011 to 145.995.

3. If a taxpayer has been granted an extension of time for paying any portion of the federal estate tax, the filing of a copy of the extension with the director of revenue shall automatically extend the time for the payment of the tax or a portion of the tax required by sections 145.011 to 145.995 to the applicable limitations specified in Internal Revenue Code Section 2011(c) or 2015. The portion of the Missouri estate tax which is subject to deferral or payable in installments shall be determined by multiplying the total Missouri estate tax payable by a fraction, the numerator of which is the gross value of those assets of the decedent's estate having a taxable situs in Missouri which qualify for deferred or installment payment under Internal Revenue Code Section 6161, 6163, or 6166, and the denominator of which is the gross value of all assets of the decedent's estate having a taxable situs in Missouri. For purposes of this section, the value of property shall be that determined for federal estate tax purposes. Deferred payments and installment payments with interest shall be paid at the same time and in the same manner as payments of the federal estate tax are required to be made under the applicable sections of the Internal Revenue Code. Acceleration of payments under this section shall occur under the same circumstances and in the same manner as provided in Internal Revenue Code Section 6166(g). During such extension, interest shall accrue and become due annually on the Missouri estate tax at the same rate as provided in Section 6601 of Title 26, United States Code for the extension of federal estate taxes

during the same period.

If more than one rate is applicable to amounts owed by a taxpayer under the federal estate tax during such period of extension, the same rates shall apply to the Missouri estate tax, and in the same proportion in which such rates are applicable to the amount owed under the federal estate tax attributable to assets having a taxable situs in Missouri. After the period of extension for the payment of Missouri estate taxes has expired, interest shall accrue as provided in section 143.731.]

[145.552. Unless the decedent otherwise directs by will, if any part of the decedent's gross estate for federal estate tax purposes consists of property the value of which is includable in the gross estate by reason of Internal Revenue Code section 2044, the decedent's estate shall be entitled to recover from the person receiving the property the amount by which the total Missouri estate tax paid exceeds the total Missouri estate tax which would have been payable if the value of such property had not been included in the gross estate. For purposes of this section, if there is more than one person receiving the property, the right of recovery shall be against each such person, based on his pro rata share of the property received. Further, for purposes of this section, interest and penalties attributable to additional Missouri estate tax on property described in this section shall be treated as additional Missouri estate tax which the decedent's estate shall be entitled to recover in accordance with the provisions of this section.]

[145.601. If the amount of a taxpayer's federal taxable estate, adjusted taxable gifts, or credit for state death taxes reported on his federal estate tax return is changed or corrected by the United States Internal Revenue Service or other competent authority, the taxpayer shall report the change or correction within ninety days after the final determination of the change or correction or as otherwise required by the director of revenue. Each report shall state whether and wherein the determination is believed to be erroneous. Any taxpayer filing an amended federal estate tax return shall also file within ninety days thereafter an amended return under sections 145.011 to 145.995 and shall give such information as the director of revenue may require. The imposition of an additional tax by Internal Revenue Code Section 2032A shall constitute a change. The director of revenue may by regulation prescribe exceptions to the requirements of this section as he deems appropriate.]

[145.711. 1. Except as otherwise provided in this section, a notice of deficiency shall be mailed to the taxpayer within three years after the return was filed. No deficiency shall be assessed or collected unless the notice is mailed within the three-year period or the period otherwise fixed.

2. If no return is filed or a false and fraudulent return is filed with intent to evade the tax imposed by sections 145.011 to 145.995, a notice of deficiency may be mailed to the taxpayer at any time.

3. If a taxpayer fails to comply with the requirements of section 145.601 by not reporting a change or correction or by not filing an amended return, a notice of deficiency may be mailed to the taxpayer within one year after the director of revenue shall become aware of the determination. A notice under this subsection shall be limited to the effects on the Missouri estate tax of the issues on which the federal determination is based.

4. If the taxpayer shall, pursuant to section 145.601, report a change or correction or file an amended return or report a change or correction which is treated in the same manner as if it were a deficiency for federal estate tax purposes, the assessment (if not deemed to have been made upon



the filing of the report or amended return) may be made at any time within one year after the report or amended return was filed. A notice under this subsection shall be limited in the manner provided in subsection 3 of this section.

5. Where, before the expiration of the time prescribed in this section for the assessment of a deficiency, both the director of revenue and the taxpayer shall have consented in writing to its assessment after such time, the deficiency may be assessed at any time prior to the expiration of period agreed upon. The period so agreed may be extended by subsequent agreement in writing made before the expiration of the period previously agreed upon.

6. For purposes of this section a return filed before the last day prescribed by law or by regulation promulgated pursuant to law for the filing thereof shall be deemed to be filed on such last day.]

[145.801. 1. A claim for credit or refund of an overpayment of any tax imposed by sections 145.011 to 145.995 shall be filed by the taxpayer within three years from the time the return was filed or two years from the time the tax was paid, whichever of the periods expires the later; or if no return was filed by the taxpayer, within two years from the time the tax was paid. No credit or refund shall be allowed or made after the expiration of the period of limitation prescribed in this subsection for the filing of a claim for credit or refund, unless a claim for credit or refund is filed by the taxpayer within the period.

2. If the claim is filed by the taxpayer during the three-year period prescribed in subsection 1, the amount of the credit or refund shall not exceed the portion of the tax paid within the three years immediately preceding the filing of the claim plus the period of any extension of time for filing the return. If the claim is not filed within the three-year period, but is filed within the two-year period, the amount of the credit or refund shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim. If no claim is filed, the credit or refund shall not exceed the amount which would be allowable under either of the preceding sentences, as the case may be, if a claim was filed on the date the credit or refund is allowed.

3. If pursuant to subsection 5 of section 145.711 an agreement for an extension of the period for assessment is made within the period prescribed in subsection 1 of this section for the filing of a claim for credit or refund, the period for filing a claim for credit or for making a credit or refund if no claim is filed, shall not expire prior to six months after the expiration of the period within which an assessment may be made pursuant to the agreement or any extension. The amount of the credit or refund shall not exceed the portion of the tax paid after the execution of the agreement and before the filing of the claim or the making of the credit or refund, as the case may be, plus the portion of the tax paid within the period which would be applicable under subsection 1 of this section if a claim had been filed on the date the agreement was executed.

4. If a taxpayer is required by section 145.601 to report a change or correction which is treated in the same manner as if it were an overpayment for federal estate tax purposes, an amended return or a claim for credit or refund of any resulting overpayment of tax shall be filed by the taxpayer within one year from the time the notice of such change or correction or such amended return was required to be filed with the director of revenue. If the report or amended return required by section 145.601 is not filed within the ninety-day period therein specified, interest on any resulting refund or credit shall cease to accrue after the ninetieth day. The amount

of such credit or refund shall not exceed the amount of the reduction in Missouri estate tax attributable to the effect of the issues on which the federal change or correction or the items amended on the taxpayer's amended federal estate tax return are based.]

[145.846. An application for review of the director of revenue's determination pursuant to sections 145.011 to 145.995 shall be filed by the executor with the administrative hearing commission under section 621.050.]

[145.871. The courts of this state shall recognize and enforce liabilities for estate and transfer taxes lawfully imposed by any state which extends a like comity to this state, and the duly authorized officer of any such state may sue for the collection of such a tax in the courts of this state. A certificate by the secretary of state of the other state that an officer suing for the collection of the tax is duly authorized to collect the tax shall be conclusive proof of such authority. For the purposes of this section, the word "TAXES" shall include additions to tax, interest, and penalties, and liabilities for the taxes, additions to tax, interest, and penalties shall be recognized and enforced by the courts of this state to the same extent that the laws of the other state permit the enforcement in its courts of liability for the taxes, additions to a tax, interest, and penalties due this state under sections 145.011 to 145.995.]

[145.961. 1. The director of revenue shall administer and enforce the tax imposed by sections 145.011 to 145.995 and he is authorized to make such rules and regulations and to require such facts and information to be reported as he may deem necessary to enforce the provisions of sections 145.011 to 145.995.

2. The rules and regulations prescribed by the director of revenue shall follow as nearly as practicable the rules and regulations of the Secretary of the Treasury of the United States. This construction of sections 145.011 to 145.995 will further its purposes to simplify the preparation of tax returns, aid in its interpretation through use of federal precedents, and improve its enforcement.]

[145.971. 1. The director of revenue may prescribe the form and contents of any return or other documents, including a copy of part or all of a federal return, required to be filed under the provisions of sections 145.011 to 145.995.

2. The director of revenue for the purpose of ascertaining the corrections of any return, or for the purpose of making an estimate of any person, shall have power to examine or to cause to have examined, by any agent or representative designated by him for that purpose, any books, papers, records, or memoranda bearing upon the matters required to be included in the return, and may require the attendance of the person rendering the return or any officer or employee of such person, or the attendance of any other person having knowledge in the premises, and may take testimony and require proof material for his information, with power to administer oaths to such person or persons.

3. Reports and returns required to be filed under sections 145.011 to 145.995 shall be preserved for four years and thereafter until the director of revenue orders them destroyed.]

[145.985. Except as otherwise specifically provided in sections 145.011 to 145.995, procedural matters under the provisions of sections 145.011 to 145.995 shall be determined pursuant to and in the manner prescribed in the following sections of the revised statutes of

Missouri, the state income tax law, governing similar procedures thereunder: sections 143.561, 143.571, 143.611, 143.621, 143.631, 143.641, 143.651, 143.661, 143.671, 143.681, 143.691, 143.701, 143.721, 143.731, 143.741, 143.751, 143.771, 143.781, 143.791, 143.811, 143.821, 143.831, 143.841, 143.851, 143.861, 143.881, 143.891, 143.901, and 143.986.]

[145.995. 1. A generation-skipping credit tax is imposed on every generation-skipping transfer which consists in whole or in part of property having a tax situs within the state of Missouri. The Missouri generation-skipping credit tax shall be the maximum credit for state death taxes allowed by Internal Revenue Code, section 2604.

2. The other sections of sections 145.011 to 145.995 shall be applied by substituting:

- (1) "Missouri generation-skipping credit tax" for "Missouri estate tax";
- (2) "Tax imposed by section 145.995" for "tax imposed by section 145.011";
- (3) "Property included in the generation-skipping transfer" for "gross estate";
- (4) "Generation-skipping tax credit" for "credit for state death taxes"; and
- (5) "Federal generation-skipping tax return" for "federal estate tax return".]

[145.1000. Other provisions of this chapter to the contrary notwithstanding, if the federal estate tax imposed pursuant to Section 2011 of the Internal Revenue Code, as amended, is repealed, then no tax shall be imposed on the transfer of a decedent's estate in Missouri. The provisions of this section shall become effective on the same date as the effective date of the repeal of the federal estate tax.]; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted.

Senator Schmitt raised the point of order that **SA 3** is out of order as it is not germane to the purpose of the original bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Schmitt moved that **SCS** for **SB 19**, as amended, be adopted, which motion prevailed.

Senator Schmitt moved that **SCS** for **SB 19**, as amended, be declared perfected and ordered printed and requested a roll call vote be taken. He was joined in his request by Senators Justus, Pearce, Richard and Schaefer.

**SCS** for **SB 19**, as amended, was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Goodman	Keaveny
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Chappelle-Nadal	Green	Justus—3
-----------------	-------	----------

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—1

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 24**.

#### HOUSE CONCURRENT RESOLUTION NO. 24

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 2:00 p.m., Wednesday, February 9, 2011, to receive a message from the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

### SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 189**—Jobs, Economic Development and Local Government.

**SB 190**—Ways and Means and Fiscal Oversight.

**SB 191**—Education.

**SB 192**—Health, Mental Health, Seniors and Families.

**SB 193**—Judiciary and Civil and Criminal Jurisprudence.

**SB 194**—Jobs, Economic Development and Local Government.

**SB 195**—Transportation.

**SB 196**—Judiciary and Civil and Criminal Jurisprudence.

**SB 197**—General Laws.

**SB 198**—Ways and Means and Fiscal Oversight.

**SB 199**—Commerce, Consumer Protection, Energy and the Environment.

**SB 200**—Governmental Accountability.

**SB 201**—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

**SB 202**—Small Business, Insurance and Industry.

**SB 203**—Jobs, Economic Development and Local Government.

**SB 204**—Health, Mental Health, Seniors and Families.

**SB 205**—Financial and Governmental Organizations and Elections.

**SB 206**—General Laws.

**SB 207**—Commerce, Consumer Protection, Energy and the Environment.

**SB 208**—Commerce, Consumer Protection, Energy and the Environment.

**SB 209**—Commerce, Consumer Protection, Energy and the Environment.

**SB 210**—Ways and Means and Fiscal Oversight.

**SB 211**—Judiciary and Civil and Criminal Jurisprudence.

**SB 212**—Transportation.

### COMMUNICATIONS

President Pro Tem Mayer submitted the following:

February 7, 2011

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

Please be advised that I am hereby appointing Senator Chuck Purgason to the Governmental Accountability Committee.

Please do not hesitate to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
ROBERT N. MAYER  
President Pro Tem

On motion of Senator Dempsey, the Senate adjourned under the rules.

### SENATE CALENDAR

---

SEVENTEENTH DAY—TUESDAY, FEBRUARY 8, 2011

---

### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 213-Schaefer  
SB 214-Schaaf  
SB 215-Schaaf

SB 216-Schaaf  
SB 217-Richard and Schmitt  
SB 218-Wasson

SB 219-Wasson  
SB 220-Wasson  
SB 221-Cunningham

SB 222-Cunningham  
SB 223-Mayer  
SB 224-Stouffer

#### HOUSE BILLS ON SECOND READING

HCS for HB 45  
HCS for HBs 73 & 47

HCS for HB 163

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna  
(In Fiscal Oversight)

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SB 8-Goodman, with SCS

SB 33-Stouffer

#### RESOLUTIONS

HCR 24-Jones (89) Dempsey

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### SEVENTEENTH DAY—TUESDAY, FEBRUARY 8, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Great peace have those who love your law' nothing can make them stumble.” (Psalm 119:165)

Gracious God, You have given us guidelines for living in all that we do. Many of the laws we write flow from Your law in order to help guide and protect lives in Missouri. So we acknowledge Your blessings and give You praise for the work we have to do and the gifts we enjoy each day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Stouffer offered Senate Resolution No. 207, regarding LeadingAge Missouri, Jefferson City, which was adopted.

Senator Parson offered Senate Resolution No. 208, regarding Grace Kelley, Sedalia, which was adopted.

Senator Parson offered Senate Resolution No. 209, regarding Jessica Covert, Halfway, which was adopted.

Senator Parson offered Senate Resolution No. 210, regarding Andrea Jones, Warsaw, which was adopted.

Senator Ridgeway offered Senate Resolution No. 211, regarding James Martin Larson, which was adopted.

Senator Crowell offered Senate Resolution No. 212, regarding the Fifty-seventh Wedding Anniversary of Mr. and Mrs. James D. Priest, Marquand, which was adopted.

Senator Crowell offered Senate Resolution No. 213, regarding Jess Bolen, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Dempsey moved that **HCR 24** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **HCR 24** was adopted by the following vote:

**YEAS—Senators**

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

**NAYS—Senator Lembke—1****Absent—Senators**

Kraus                      Ridgeway                      Rupp—3

**Absent with leave—Senator Mayer—1****Vacancies—1****INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 225**—By Engler.

An Act to repeal sections 478.010 and 478.320, RSMo, and to enact in lieu thereof three new sections relating to nonpartisan judicial elections, with an effective date for a certain section.

**SB 226**—By Engler.

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to recall elections for



board members of ambulance districts.

**SB 227**—By Engler.

An Act to amend chapter 544, RSMo, by adding thereto one new section relating to field tests for controlled substances.

**SB 228**—By Pearce.

An Act to repeal sections 162.459, 162.471, and 162.492, RSMo, and to enact in lieu thereof three new sections relating to school district board of directors.

**SB 229**—By Pearce.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

**SB 230**—By Lager.

An Act to amend chapter 260, RSMo, by adding thereto one new section relating to scrap tires.

**SB 231**—By Lager, Lembke, Schmitt, Goodman, McKenna, Lamping, Kehoe and Wright-Jones.

An Act to amend chapter 85, RSMo, by adding thereto one new section relating to paid members of any fire department or fire district.

**SB 232**—By Crowell.

An Act to repeal section 89.145, RSMo, relating to peripheral zoning.

**SB 233**—By Parson.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance coverage for licensed athletic trainer services.

**SB 234**—By Dempsey.

An Act to repeal section 143.161, RSMo, and to enact in lieu thereof one new section relating to Missouri dependency exemptions.

**SJR 15**—By Nieves, Lembke and Purgason.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, relating to state sovereignty.

#### **SENATE BILLS FOR PERFECTION**

Senator Stouffer moved that **SB 33** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Stouffer, **SB 33** was declared perfected and ordered printed.

#### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred

**SCS for SB 19** and **SCS for SB 18**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### CONCURRENT RESOLUTIONS

Senator Rupp offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, the United States Army Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the estimated \$6 billion expense of the construction of 500-year levees along these Rivers as not cost effective; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north 500-year levees are recommended for both sides of the River; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impact of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Senator Rupp offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION NO. 9

Relating to rescinding Missouri's 1983 call for a constitutional convention for the purpose of adopting a balanced budget amendment.

WHEREAS, the Missouri General Assembly, acting with the best of intentions, applied to the Congress of the United States by resolution in accordance with Article V, Constitution of the United States, for a constitutional convention for the purpose of amending the Constitution of the United States; and

WHEREAS, Senate Concurrent Resolution No. 3, was passed by the Eighty-second General Assembly of the State of Missouri in 1983 specifically proposing a constitutional convention for the sole purpose of adopting an amendment requiring a balanced federal budget; and

WHEREAS, over the course of time, the will of the people of the State of Missouri has changed with regards to Missouri's previous call for a constitutional convention to amend the Constitution of the United States; and

WHEREAS, certain persons or states have called for a constitutional convention on issues that may be directly in opposition to the will of the people of this state; and

WHEREAS, the people of this state do not want their previous applications for a constitutional convention to be aggregated with those calls for a convention from other states; and

WHEREAS, former Justice of the United States Supreme Court Warren E. Burger, former Associate Justice of the United States Supreme Court Arthur J. Goldberg and many other leading constitutional scholars are in general agreement that a convention, notwithstanding whatever limitation might be placed on it by the call for a convention, may propose sweeping constitutional changes or, by virtue of the authority of a constitutional convention, redraft the Constitution of the United States creating an imminent peril to the well established rights of citizens and to the duties of various levels of government; and

WHEREAS, the Constitution of the United States has been amended many times in the history of this nation and may be amended many more times without the need to resort to a constitutional convention, and has been interpreted for more than two hundred years and found to be a sound document that protects the lives and liberties of citizens; and

WHEREAS, there is no need for, and in fact there is great danger in, a new constitution or in opening the Constitution of the United States to radical changes, the adoption of which could create legal chaos in this nation and begin the process of another two centuries of litigation over its meaning and interpretation; and

WHEREAS, changes or amendments that may be needed in the present Constitution of the United States may be proposed and enacted without resorting to a constitutional convention by using the process provided in the Constitution and previously used throughout the history of this nation:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, that the Missouri General Assembly hereby repeals, rescinds, cancels, renders null and void and supersedes any and all existing applications to the Congress of the United States for a constitutional convention under Article V of the Constitution of the United States for any purpose, whether limited or general; and

BE IT FURTHER RESOLVED that the Missouri General Assembly urges the legislature of each and every state that has applied to Congress for either a general or limited constitutional convention to repeal and rescind their applications; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, the Administrator of General Services in Washington, D.C., each member of Missouri's Congressional delegation, and the Secretaries of State and presiding officers of both houses of the legislatures of each state in the Union.

Read 1st time.

## COMMUNICATIONS

President Pro Tem Mayer submitted the following:

February 7, 2011

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

Please be advised that I am hereby appointing Senator John Lamping to the Financial and Governmental Organizations and Elections Committee.

Please do not hesitate to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
ROBERT N. MAYER  
President Pro Tem

**INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Lt. Colonel Chris Leljedal, Warrensburg.

Senator Schaefer introduced to the Senate, members of the Missouri Athletic Trainers Association.

Senator Munzlinger introduced to the Senate, the Physician of the Day, Dr. Arthur Freeland, M.D., Kirksville.

Senator Munzlinger introduced to the Senate, a group representing Missouri Farm Bureau.

On motion of Senator Dempsey, the Senate adjourned under the rules.

**SENATE CALENDAR**


---

EIGHTEENTH DAY—WEDNESDAY, FEBRUARY 9, 2011

---

**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

SB 213-Schaefer	SB 225-Engler
SB 214-Schaaf	SB 226-Engler
SB 215-Schaaf	SB 227-Engler
SB 216-Schaaf	SB 228-Pearce
SB 217-Richard and Schmitt	SB 229-Pearce
SB 218-Wasson	SB 230-Lager
SB 219-Wasson	SB 231-Lager, et al
SB 220-Wasson	SB 232-Crowell
SB 221-Cunningham	SB 233-Parson
SB 222-Cunningham	SB 234-Dempsey
SB 223-Mayer	SJR 15-Nieves, et al
SB 224-Stouffer	

**HOUSE BILLS ON SECOND READING**

HCS for HB 45	HCS for HB 163
HCS for HBs 73 & 47	

**THIRD READING OF SENATE BILLS**

SCS for SB 11-McKenna (In Fiscal Oversight)	SCS for SB 18-Schmitt
SCS for SB 19-Schmitt	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 8-Goodman, with SCS

RESOLUTIONS

To be Referred

SCR 8-Rupp

SCR 9-Rupp

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**EIGHTEENTH DAY—WEDNESDAY, FEBRUARY 9, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“He has told you, O mortal, what is good and what does the Lord require of you but to do justice, and to love kindness and to walk humbly with your God.” (Micah 6:8)

Almighty God, You have required us to make sure justice is practiced in our land and to do all we are capable to assure our people the right to seek protection under the law. So guide us to understand what is needed and that all our bills are the best suited to fulfill Your will. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

Senator Pearce assumed the Chair.

### RESOLUTIONS

Senator Parson offered Senate Resolution No. 214, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ralph Buckner, Bolivar, which was adopted.

Senator Stouffer offered Senate Resolution No. 215, regarding James Perkins, Marshall, which was adopted.

Senator Nieves offered Senate Resolution No. 216, regarding Ethan Ben Goforth, St. Clair, which was adopted.

Senator Keaveny offered Senate Resolution No. 217, regarding the Missouri Dermatological Society Association, which was adopted.

Senator Kehoe offered Senate Resolution No. 218, regarding George Paul White, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 219, regarding Alvina Collins, Jefferson City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 220, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Robert Ebeling, Wyaconda, which was adopted.

Senator Munzlinger offered Senate Resolution No. 221, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gerald Thomas, Taylor, which was adopted.

Senator Munzlinger offered Senate Resolution No. 222, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Albert Barnard, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 223, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Stephen Wilson, Kahoka, which was adopted.

Senator Schaaf offered Senate Resolution No. 224, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jack Gibbons, which was adopted.

Senator Schaaf offered Senate Resolution No. 225, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Fred L. Organ, which was adopted.

Senator Richard offered Senate Resolution No. 226, regarding Daniel E. “Dan” Scorse, which was adopted.

### INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 235**—By Schaefer.

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to certain provider taxes.

**SB 236**—By Schaefer.

An Act to amend chapters 338 and 376, RSMo, by adding thereto six new sections relating to pharmacy services, with penalty provisions.

**SB 237**—By Schaefer and Justus.

An Act to repeal section 484.350, RSMo, and to enact in lieu thereof one new section relating to standards for representation of children by guardians ad litem.

**SB 238**—By Schmitt, McKenna, Nieves, Goodman, Kehoe, Lamping, Cunningham, Wright-Jones, Engler, Lembke, Richard, Chappelle-Nadal, Callahan, Parson, Justus and Schaefer.

An Act to repeal sections 87.005 and 87.006, RSMo, and to enact in lieu thereof two new sections relating to diseases presumed incurred in the line of duty by firefighters.

**SB 239**—By Justus, Keaveny, Engler, Wright-Jones and Green.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to human rights.

**SB 240**—By Justus, Keaveny, Wright-Jones and Green.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

**SB 241**—By Brown and Wasson.

An Act to repeal sections 144.010, 144.020, 144.030, and 144.070, RSMo, and to enact in lieu thereof four new sections relating to sales tax exemptions for captive wildlife.

**SB 242**—By Cunningham.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to school enrollment.

**SB 243**—By Cunningham.

An Act to repeal section 177.088, RSMo, and to enact in lieu thereof two new sections relating to the utilization of resources and services.

**SB 244**—By Green.

An Act to repeal sections 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, and 199.051, RSMo, and to enact in lieu thereof eleven new sections relating to the brain injury advisory council.

**SB 245**—By Lembke.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to the inclusion of chiropractic services in the MO HealthNet program.

**SB 246**—By Lamping and Schmitt.

An Act to amend chapter 348, RSMo, by adding thereto two new sections relating to a tax credit for equity investments in technology-based early stage Missouri companies.

**SB 247**—By Pearce.

An Act to repeal sections 163.011, 163.031, and 163.037, RSMo, and to enact in lieu thereof two new sections relating to state funding for elementary and secondary education, with an emergency clause.



**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 33**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

**REFERRALS**

President Pro Tem Mayer referred **SCR 8** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**SECOND READING OF  
CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

**SCR 9**—Rules, Joint Rules, Resolutions and Ethics.

**REFERRALS**

President Pro Tem Mayer referred **SCS** for **SB 19** and **SB 33** to the Committee on Ways and Means and Fiscal Oversight.

**COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following escort committee pursuant to **HCR 24**: Schmitt, Ridgeway, Chappelle-Nadal, Goodman, Schaefer, McKenna, Wright-Jones, Justus and Keaveny.

**SENATE BILLS FOR PERFECTION**

Senator Goodman moved that **SB 8**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 8**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 8**

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

Was taken up.

Senator Goodman moved that **SCS** for **SB 8** be adopted.

Senator Goodman offered **SS** for **SCS** for **SB 8**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 8**

An Act to repeal sections 287.020, 287.067, and 287.120, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

Senator Goodman moved that **SS** for **SCS** for **SB 8** be adopted.

Senator Schmitt assumed the Chair.

Senator Goodman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 7, Section 287.067, Line 23 of said page, by inserting immediately after “chemical” the following: “, **substance, or material**”; and further amend line 25 of said page, by inserting immediately after the word “consumed” the following: “, **inhaled, or absorbed**”.

Senator Goodman moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 8, Section 287.067, Line 1, by inserting after the word “section”, the following:

“**or a disease caused by exposure to cigarette smoke**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Goodman moved that **SS** for **SCS** for **SB 8**, as amended, be adopted, which motion prevailed.

On motion of Senator Goodman, **SS** for **SCS** for **SB 8**, as amended, was declared perfected and ordered printed.

**RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 227, regarding Andrew Gregory Swetnam, Lee’s Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 228, regarding David James Andreasen, Lee’s Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 229, regarding Dominick Joseph Fiorello, Lee’s Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 230, regarding Arthur Sabin Davis, Lee’s Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 231, regarding William Dean Rogers, Lee’s Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 232, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. William E. Evans, which was adopted.

Senator Kraus offered Senate Resolution No. 233, regarding Alan Lloyd Preston, Lee’s Summit, which was adopted.

On motion of Senator Dempsey, the Senate recessed until 1:40 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 8**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Dempsey moved that the Senate recess to repair to the House of Representatives to receive the State of the Judiciary Address from the Chief Justice of the Supreme Court, the Honorable William Ray Price, Jr., which motion prevailed.

**JOINT SESSION**

The Joint Session was called to order by President Pro Tem Mayer.

On roll call the following Senators were present:

## Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

## Absent—Senators

Purgason      Rupp—2

Absent with leave—Senator Crowell—1

Vacancies—1

On roll call the following Representatives were present:

## Present—Representatives

Allen	Anders	Asbury	Atkins	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee	McManus	McNeil

Meadows	Molendorp	Montecillo	Nance	Nasheed	Neth	Nichols	Oxford
Peters-Baker	Phillips	Pierson	Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr	Mr Speaker—142		

## Absent and Absent with Leave—Representatives

Brown 50	Brown 116	Carter	Cross	Curls	Diehl	Franz	Funderburk
Harris	Hodges	Holsman	Korman	McNary	Newman	Nolte	Pace
Parkinson	Rizzo	Scharnhorst	Webb	Zimmerman—21			

## Vacancies—None

The Joint Committee appointed to wait upon the Chief Justice of the Supreme Court, William Ray Price, Jr., escorted the Chief Justice to the dais where he delivered the State of the Judiciary Address to the Joint Assembly:

**2011 State of the Judiciary Address****Chief Justice William Ray Price, Jr.**

Mr. Speaker, Mr. President, Mr. President pro tem, members of the General Assembly: It is my honor to deliver this 38<sup>th</sup> State of the Judiciary Address.

I never have seen a more challenging time for our state. Regardless of political philosophy, one thing is clear. Significant cuts have been made and will be made to Missouri's budget. To the extent necessary and possible, the courts have shared and will continue to share in budget withholdings without complaint.

The Missouri court system, the third separate but equal constitutional branch of government, operates on less than 2 percent of the state budget. Yet in 2010 we heard more than 171,000 contract cases, 42,000 landlord tenant cases, 17,000 juvenile cases, 12,000 probate cases, 110,000 family and domestic cases, 41,000 felony cases and 115,000 misdemeanor cases. Despite the state's economic condition, whether dipping or hopefully recovering, our work load does not diminish. The court system is a core function of government that must perform, and perform well, for our state to function and thrive.

Don't overlook the obvious. Even in this time of economic challenge, we are still the greatest civilization in the history of human kind; supported by a free market economy that can exist only within the certainty of law. Goods and services can be bought and sold, money can be exchanged, people can plan for the future, but only because they can trust in a fair and impartial court system to protect their property and their rights.

There are two specific concerns I want to talk with you about. I spoke about them last year, and they are still the two most important issues that we face together for the future of Missouri. One calls for action; one does not.

First, we continue to over-incarcerate nonviolent offenders, while we have failed to expand drug courts and other diversionary and reentry programs to capacity. The result is a state that is not as safe as we want it to be and a waste of tax dollars.

From the 1980s, in Missouri and across the nation, we attempted to incarcerate our way out of crime and illegal drug use. We thought just putting people in prison would make them better. We spent billions of dollars and it did not work. We were tough on crime, but we were not smart on crime. Consider these numbers.

In 1982, 612,000 people were behind bars in state prisons across the country. By 2008, that number had risen almost fourfold to 2.3 million people. In 2010, the United States incarcerated a higher share of its population than any other country in the world. The cost has been staggering. State correctional spending, across our country increased from \$11.7 billion, in 1988, to \$47.3 billion in 2008. (*One in 31 The Long Reach of American Corrections*, The Pew Center on the States, [www.pewcenteronthestates.org](http://www.pewcenteronthestates.org); *The High Budgetary Cost of Incarceration*, Center for Economic and Policy Research, June 2010, [www.cepr.net](http://www.cepr.net))

In an article published just this January, Stanford law professor Joan Petersilia noted,

What we are seeing today is a growing recognition that our approach to dealing with convicted criminals is simply too costly. Not only is the price too high, but the benefits are too low. The states now spend an estimated \$50 billion on corrections annually, and the growth of these outlays over the past 20 years has outpaced budget increases of nearly all other essential government services, including transportation, higher education, and public assistance. (Beyond the Prison Bubble, *The Wilson Quarterly*, Winter 2011, p.52)

Missouri had 5,953 individuals in state prison in 1982; by 2009 the number had grown fivefold to 30,432, while the population of our state grew only by 21 percent. In that same time period, from 1982 until 2009, our Department of Corrections budget rose from \$55 million to \$665 million.

It costs more than \$16,400 per year to incarcerate an individual, without counting the cost of the prison itself. The cost of building a prison is, at least, \$100 million. For violent criminals, who endanger innocent men, women, and children, there may be little choice. But for many of the 14,700 nonviolent offenders, this prison-based strategy is not working and it is costing us an arm and a leg.

The key measurement of the failure of this strategy is the recidivism rate. That is the number of people who are returned to prison after they have been released. In Missouri, 44.6 percent of nonviolent offenders are reincarcerated within two years of release; 52 percent of nonviolent offenders are reincarcerated within three years; and 58.5 percent of non violent offenders are reincarcerated within five years of release. More than one half of the people released from our penitentiaries are returned within five years.

A real life example of recidivism was the 35-year-old St. Joseph man who was arrested for drunk driving on June 16, 2010, just three hours after he was released from prison. (The Kansas City Star, July 17, 2010)

Punishment is a necessary part of our criminal justice system. But our real goal for nonviolent offenders is to teach them their lesson so they can become productive law abiding members of our society. The goal is not to lock them into a life of crime, to make them permanent wards of the state on an installment program of incarceration after incarceration, at \$16,400 per year. Newt Gingrich wrote this:

The key to public safety and fiscal sanity is not just getting dangerous people off the streets but also making sure that men and women who eventually leave prison have changed and can stay crime-free on the outside. (Atlanta Journal Constitution, March 23, 2010)

Governor Rick Perry of Texas said it this way,

I believe we can take an approach that is both tough and smart ... [T]here are thousands of non-violent offenders in the system whose future we cannot ignore. Let's focus more resources on rehabilitating those offenders so we can ultimately spend less money locking them up again. ([www.rightoncrime.com](http://www.rightoncrime.com))

It should be absolutely clear that when half of the nonviolent offenders are returned to prison after release, we have not taught them the right lesson. And, the danger of crime – the millions of dollars of cost to the Missouri taxpayer – goes on and on and on.

Over-incarceration of nonviolent offenders has been a big-government, throw-money-at-the-problem strategy that simply did not and does not work. Despite our tough-on-crime rhetoric, it is time we face reality. Prison is the most expensive and least effective strategy for a significant number of nonviolent offenders. All it does is house them in expensive buildings, guard them with state workers, feed and give them health care paid for with precious state dollars and force them to associate with criminals more dangerous than they are. By spending all of our money on prison, there is not enough left to spend on the alcohol and drug treatment and the education and job training, necessary to break their cycle of crime. Proof is in the numbers: 44.6 percent are back in two years, 58.5 percent are back in five years.

A group called Right on Crime; whose members include Grover Norquist, Edwin Meese and William Bennett, said this:

... the corrections system must align incentives with our goals of public safety, victim restitution and satisfaction, and cost-effectiveness, thereby moving from a system that grows when it fails to one that rewards results. ([www.rightoncrime.com](http://www.rightoncrime.com))

Professor Petersilia said it this way:

It should not come as a surprise to learn that we have a corrections system that does not correct .... Former prisoners account for an estimated 15 to 20 percent of all arrests among adults. That means thousands of Americans are being victimized every year by criminals who have already done time without experiencing "correction." (Beyond the Prison Bubble, *The Wilson Quarterly*, Winter 2011, p.53)

There is a better way. All across the country, states are turning to cheaper and more effective alternative sanctions than prison for nonviolent offenders.

Drug courts are one of the best examples of tough, effective, local alternatives to prisons. Depending on the study, between 60 and 80 percent of people in prison are there for drug related crimes or have drug or alcohol issues. Study after study, nationally and in Missouri, show

that drug courts are the most effective way to deal with drug and alcohol addicted people at a fraction of the cost of prison. Missouri has more than 9,700 drug court graduates with a minimal recidivism rate.

There are other evidence-based criminal sanction strategies, each matched to the particular risks and characteristics of the offender that also work far less expensively and far more effectively than prison. We need to move from anger-based, prison-focused sentencing that ignores cost and effectiveness to evidence-based alternative sanctions that change troubled lives and focus on results.

With your help, we have expanded drug courts and DWI courts across Missouri. Unfortunately, they are still underfunded by half. We barely have scratched the surface with family drug courts and reentry courts. But I especially want to tell you about two new pilot programs. First, in Jackson, Greene and St. Louis counties and in St. Louis City, we tested a program to divert juveniles from detention facilities. The program reduced detention admissions by approximately 50 percent with better results from the juveniles. The savings from this program will be substantial. We are expanding this program into five additional circuits.

The other pilot program is veterans court. Veterans court focuses on returning veterans whose psychological scars from service lead them to drugs and trouble and sometimes violence when they get home. In St. Louis City, Drug Court Commissioner Jim Sullivan has established a veterans court with 12 participants. Drug Court Commissioner Phil Britt is in the process of establishing a rural veterans court in Butler, Carter, Dunklin, Ripley, Stoddard and Wayne counties with a target population of 20 to 25 veterans. We owe our veterans this kind of help when they need it. But our resources are already stretched thin.

From a moral, a fiscal and a law-and-order perspective, drug courts, DWI courts, juvenile diversion programs, veterans courts, reentry courts and community supervision strategies are better investments of taxpayer money, for their target populations, than prisons.

I want to be absolutely clear. I am not advocating that we reduce prison populations just to save money. Nonviolent offenders are still law breakers, and they will break laws until they learn their lesson. What I am saying is that we need to do a better job teaching nonviolent offenders the right lessons. That takes more than prison, more than slap-on-the-wrist-probation. Drug and alcohol addiction must be broken; discipline and job skills must be learned. When that can be done better, outside of expensive prison walls, that is what we should do. Results matter, public safety matters, taxpayer dollars matter, saving lives and restoring families matter.

I also want to make clear that this is not a management problem at the Department of Corrections. Director Lombardi, his staff, and the probation and parole officers of this state, are excellent and dedicated public servants. Because of their leadership and because of the nearly 3,000 drug court diversions each year, we have avoided building at least two new prisons. That is, at least, \$200 million of avoided costs, just for the buildings; let alone the tens of millions of dollars of operational costs. Missouri has started in the right direction. But we need to go farther and to do better.

The people of America are ready for a change. A poll taken last September showed that 86 percent of Americans agreed that “We have too many low risk, nonviolent offenders in prison. We need alternatives to incarceration that cost less and save our expensive prison space for violent and career criminals.” Eighty-nine percent of Americans agreed that “Ninety-five percent of people in prison will be released. If we are serious about public safety, we must increase access to treatment and job training programs so they can become productive citizens once they are back in the community.” And 84 percent of Americans agreed that “Prisons are a government program, and just like any other government program they need to be put to the cost-benefit test to make sure taxpayers are getting the best bang for their buck.” (*Public Attitudes on Crime and Punishment*, The Pew Center on the States, [www.pewcenteronthestates.org](http://www.pewcenteronthestates.org))

We need to expand our existing diversionary treatment court programs. We need to require as a condition for early release from prison, education or job training and drug treatment, if needed. We need to establish a more robust program for reentry supervision for those who are released. The reduction in the number of nonviolent offenders in our prisons will more than fund these efforts. We need to be tough and smart on crime.

The second major issue that I want to talk with you about is a fair and impartial judiciary. Solomon is the example of the greatest judge. When he first became King of Israel, the Revised Standard Version of the Bible says he asked the Lord for “an understanding mind to govern thy people, that I may discern between good and evil.” The New Jerusalem Bible and most other translations have Solomon asking for an understanding “heart,” instead.

I never have worried about this difference in translation, because both are true. A good judge needs an understanding mind and an understanding heart to find justice.

It is not easy finding justice. Justice isn’t a physical thing that you can touch or hold or measure. Often it is shaped by the eye of the beholder and, often, relative to the beholder’s particular point of view. What seems just to one may seem unjust to another.

A good judge must have the courage to accept that not all people will see justice as he or she does. Sometimes, a good judge must have the courage to risk the anger of the majority, to protect the rights of the individual – rights that we prize and that are guaranteed by our national

and state constitutions. That is why Alexander Hamilton said the “independence of the judges is ... requisite to guard the Constitution and the rights of individuals.” (The Federalist #78)

Our job is different than yours. You serve the majority. You make broad policy decisions that apply to everyone. You make campaign promises and are expected to uphold them. If something does not work, if it is worded incorrectly, or if the will of the majority changes, you can change your laws year by year.

Our job is more limited. We rule individual case by individual case. Whether it is a case for a business fighting for its economic life, a crippled plaintiff who no longer can support himself, parents fighting for the custody of a loved child, or a person accused of a crime with his liberty or life at stake, we rule individual case by individual case, with each individual having only that one chance for justice. In every case, someone loses. Fairness, impartiality, and a level playing field, not subject to outside influence or manipulation, not dependent upon a preexisting promise, are the absolute necessity.

With this in mind, we need to talk about the Missouri Plan for selecting judges. The plan was adopted by the people of Missouri by initiative petition in 1940. It was in response to the Pendergast political machine’s attempt to control the Supreme Court of Missouri. It was a plan established by the people to protect their courts from political manipulation and control.

For those of you who are new to the legislature, let me explain how the Missouri Plan works. For vacancies on the Supreme Court and the Court of Appeals, there is a seven-member commission. The commission is made up of three lawyers elected by lawyers from the eastern, western and southern districts of the state. The lawyers’ role is to safeguard the professional quality of the candidates. The lawyers serve staggered six-year terms. The commission also has three members who cannot be lawyers, appointed by the governor, again for staggered six-year terms. They evaluate the candidates from the point of view of regular citizens of Missouri. To the extent these commissioners are appointed by the governor, they reflect the political mood of the state. Finally the chief justice of the Supreme Court serves on the commission. In my experience, the chief justice functions neither as a lawyer, nor as a lay person, but as a representative of the judicial system as a whole. The nominating commission for trial judges in Jackson, Clay, Platte, Greene and St. Louis counties and St. Louis City has one fewer lawyer and non-lawyer, and the presiding judge of the local court of appeals replaces the chief justice.

The commission evaluates the applicants. It screens out those who from a legal or any other point of view might not be the best choice to serve as a judge and selects the three candidates the commission believes would be best. The governor may appoint any of the three individuals submitted to him, for any reason. The governor’s appointee begins to serve immediately but is subject to a retention vote of the people at the next general election after a year of service, and again, every 12 years thereafter. Missouri Plan judges are accountable directly to the people.

The brilliance of the Missouri Plan is that it balances the need for legal ability, everyday common sense and responsibility to the people, in a way that preserves the integrity, fairness and impartiality of the judge. We do not campaign. We do not raise money. It also checks the power of all concerned, the lawyers, the citizens, the chief justice, the governor, and most importantly, it allows a very real check and balance to the people by the retention vote.

But, in some ways, the quality of a judge is like the quality of justice. It is perceived in the eye of the beholder, colored by the beholder’s interests and desires. What one person sees as a great appointment may be criticized by another; perhaps not relative to ability, integrity, or fairness, but by a desire for a particular ideological viewpoint and the expectation of a particular type of ruling. The Missouri Plan was created to seek judges of ability, integrity and fairness; not to lock in any particular viewpoint.

There are two alternatives that have been suggested by critics of the Missouri Plan. I am certain that those who suggest these alternatives are sincere in their concerns, but I do not believe that they understand the dangers inherent in their suggested alternatives.

The worst alternative is direct elections of judges. The reason is simple. Money. The amount of money involved in conducting statewide races will destroy the public’s perception, and perhaps the actual integrity, of our judicial system.

As special interest politics have increased, the amount of money directed to judicial elections has skyrocketed. For the 10- year period from 1990 to 1999, \$83.3 million was spent on judicial elections. For the 10-year period from 2000 to 2009, that amount more than doubled to \$206.9 million. (*The New Politics of Judicial Elections: 2000-2009*, The Brennan Center for Justice, [www.brennancenter.org](http://www.brennancenter.org))

It is even more shocking that most of this money comes from a small group of big spenders. A study of 29 elections in the nation’s 10 most costly states from 2000 to 2009 showed that the top five contributors in each race invested an average of \$473,000, while the remaining 116,000 contributors averaged just \$850 each. (*The New Politics of Judicial Elections: 2000-2009*, The Brennan Center for Justice, [www.brennancenter.org](http://www.brennancenter.org))

There can be no way that this much money from so few people can be good. In fact, a Harris poll released this past September revealed that 70 percent of Americans, both democrats and republicans, believed that campaign contributions have had a significant impact on courtroom

decisions. (The Birmingham News, September 11, 2010)

Remember the *Avery* case from Illinois in which an Illinois Supreme Court justice cast the deciding vote in a \$450 million lawsuit in favor of a company after receiving more than \$1 million in campaign contributions from those connected to the company. Remember the *Massey* case from West Virginia in which a new West Virginia Supreme Court justice cast the deciding vote in a \$50 million lawsuit after the CEO of that company spent approximately \$3 million of independent expenditures to defeat the new judge's opponent.

Big money in judicial elections is a scandal.

I am not naive. There are political and ideological issues that divide our nation and that divide our state. It is our strength as a democracy to allow the full debate and resolution of those issues by and before the people. But that is a process for you to conduct here in the legislative chambers of government. It is not a process to be confused with the fair and just resolution of individual disputes, each case according to its evidence, each case according to the law, each case with fairness and impartiality. Most importantly, each case as the only opportunity for justice for the Missouri citizens involved.

Whether rich, poor, black, white, plaintiff, defendant, individual, corporation, prosecutor, accused, republican, democrat or independent, the people of Missouri deserve justice when they come to court. They deserve a level playing field and a fair chance. They deserve judges who make decisions on evidence and law, not judges who have been influenced by big money contributions from special interests.

Judges who have been bought and paid for have not been the Missouri way since 1940, and they should not be the Missouri way of the future.

Another suggestion is to adopt a plan modeled after the federal system. That, too, is problematic. Federal judges have life tenure and are not subject to retention votes. The federal plan has no commission of lawyers or lay people to filter the candidates regarding legal ability, reputation or simple common sense. It would be a purely political system where only, the governor and senators, are included. I am sure you can imagine the bargaining that might take place, perhaps involving issues wholly unrelated to the nominee. You don't have to imagine the gridlock that takes place when the senate is controlled by one party and the governor is of the other party. In a 2002 speech then attorney general John Ashcroft declared that the federal system "has broken down" because the United States Senate would not act on President Bush's nominees for judges. That may well happen again with President Obama's nominees. Modifications to the federal system might attempt to solve these problems, but they would only increase the uncertainty and risk about how a federal plan might work in Missouri, with untested modifications.

Other, more measured, changes also might be proposed to the Missouri Plan; changes that preserve the structure of the plan, but focus on the political balance of the commissioners, the timing of the commissioners' terms, or the number of nominees on the panel submitted to the governor. Such changes might be less dangerous, but they are still fraught with the risk of unintended consequences. The greater the change, the greater the number of changes, the greater the risk.

In the past two years, the Court has taken great strides to increase the transparency of the Missouri Plan to make it more open to the people. Last year, we amended the rules to release the names of the applicants. This year, we amended the rules to open the interview process to the public, to release the final vote for the panel of nominees and to encourage nominations directly from the public. These changes will allow the people of Missouri to see for themselves how the Missouri Plan works and to see the choices it makes when presenting a panel of nominees to the governor. These are significant and good changes. Both Kansas and Iowa have followed our lead and opened their interviews to the public.

A detailed study published in May 2008 titled, *Is The 'Missouri Plan' Good for Missouri? The Economics of Judicial Selection*, authored by professors Joshua Hall and Russell Sobel, noted:

"A growing literature in economics has found that judicial independence and quality matter for economic growth across countries and states.

Most significantly, they concluded:

"Based on our analysis Missouri's current system is far superior to several of the alternatives such as partisan elections, nonpartisan elections, and gubernatorial appointment with the approval only of some type of executive council." (Policy Study No. 15, Show-Me Institute, May 21, 2008)

Justice is sacred but fragile. It belongs to the people, not to either political party, not to any special interest. A system of justice is necessary to support our economy and to preserve our individual rights and freedoms. A system of justice can exist only so long as the people have trust and confidence that it is fair and impartial. Any proposed change to the Missouri Plan should be considered only with the greatest care and caution. I am afraid that it is more likely that any change may result in more harm than good.

Each of you has been chosen by your fellow citizens to come here and represent them in our government. It is a great honor that they have



bestowed upon you. It is an honor that comes with great responsibility. Do not take for granted your individual importance. What you do will make a difference, not in theory, not in political sound bytes, but in the real lives of real Missourians now and for years to come.

Having served here for nearly 18 years, I understand your sacrifices. I understand some of your pressures. I understand your best intentions. I respect you for your willingness to serve.

I know that each of you want to do your best. I know that each of you want to do what is right and good. It is not my place to advise you on most matters. But preserving a system of justice in Missouri that our people can have faith and confidence in, that cannot be bought, is something right and good; reforming our criminal sentencing practices to save millions and millions of dollars, to break the cycle of addiction and crime, and to make Missouri a safer place is something right and good. It is what should be done. It is something you and your families and all of the people of Missouri can be proud of.

On motion of Senator Dempsey, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by Senator Goodman.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following escort committee to act with a like committee from the Senate pursuant to **HCR 24**. Representatives: Jones (117), Barnes, Elmer, Marshall, Richardson, Sifton, Carlson, Ellinger, Peters-Baker and McManus.

On motion of Senator Dempsey, the Senate recessed until 4:00 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by Senator Schmitt.

### SENATE BILLS FOR PERFECTION

#### PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Goodman moved that the vote by which **SS** for **SCS** for **SB 8**, as amended was declared perfected and ordered printed be reconsidered, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

#### NAYS—Senators—None

Absent—Senator Rupp—1

#### Absent with leave—Senators

Crowell      Munzlinger—2

#### Vacancies—1

Having voted on the prevailing side, Senator Goodman moved that the vote by which **SS** for **SCS** for

**SB 8**, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Crowell      Munzlinger—2

Vacancies—1

**SS** for **SCS** for **SB 8**, as amended, was again taken up.

Senator Goodman offered **SA 3**:

### SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 8, Section 287.120, Line 5 of said page, by inserting immediately after the word “accident” the following: “**or by occupational disease**”; and further amend line 23 of said page, by striking the word “accidental”; and further amend said line by inserting after the word “death” the following: “**by accident or occupational disease**”.

Senator Goodman moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Goodman, **SB 8**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

### INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 248**—By Parson.

An Act to amend chapter 348, RSMo, by adding thereto one new section relating to business development.

**SB 249**—By McKenna, Green, Callahan, Richard, Engler and Schmitt.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to the political subdivision construction bidding standards act.

**SB 250**—By Kehoe.

An Act to repeal section 589.040, RSMo, and to enact in lieu thereof one new section relating to requirements for persons imprisoned by the department of corrections for sexual assault offenses.

**SB 251**—By Kehoe.

An Act to repeal sections 137.016 and 137.080, RSMo, and to enact in lieu thereof two new sections relating to watercraft.

**SB 252**—By Kehoe.

An Act to repeal section 620.1039, RSMo, and to enact in lieu thereof one new section relating to tax credits for qualified research expenses related solely to animal and plant sciences.

**RESOLUTIONS**

Senator Green offered Senate Resolution No. 234, regarding Samuel G. Boyd IV, Florissant, which was adopted.

Senator Kraus offered Senate Resolution No. 235, regarding Maggie Chase, Raytown, which was adopted.

Senator Justus offered Senate Resolution No. 236, regarding Benjamin Jeffries “Ben” Gallagher, Kansas City, which was adopted.

Senator Justus offered Senate Resolution No. 237, regarding Edward James “Ted” Gallagher, Kansas City, which was adopted.

Senator Justus offered Senate Resolution No. 238, regarding Hunter Michael Redmond, Mission Hills, Kansas, which was adopted.

Senator Justus offered Senate Resolution No. 239, regarding Thatcher Hill Anderson, Kansas City, which was adopted.

Senator Justus offered Senate Resolution No. 240, regarding Nathan Michael Kent, Kansas City, which was adopted.

Senator Schaefer offered Senate Resolution No. 241, regarding John Kadlec, Columbia, which was adopted.

Senator Lamping offered Senate Resolution No. 242, regarding Jacob Alexander Hopcraft, St. Louis, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Richard introduced to the Senate, dental hygienist students and faculty from Missouri Southern University, Joplin.

Senator Wright-Jones introduced to the Senate, Ashley Cook.

Senator Kehoe introduced to the Senate, Matt Alsager, Jefferson City.

Senator Dixon introduced to the Senate, Debra Pascali-Bonaro, New Jersey; Summer Eyberg, Rolla; Jessica Solberg, Rebecca Block and Sarah Greek, Springfield; and Halley Watson, St. Louis.

Senator Dixon introduced to the Senate, the Physician of the Day, Dr. James Wolfe, M.D., Springfield.

Senator Kraus introduced to the Senate, Michelle Miller, Carol Kelly and Annette Phillips, representatives of the Independence School District.

On behalf of Senator Pearce, the President introduced to the Senate, Scott Sommer and Matt

Schmeringer, Nevada.

Senator Justus introduced to the Senate, David Byrd, Dave Thomas and Kevin Hornbeck, Kansas City.

Senator Green introduced to the Senate, Brenda Shields, St. Joseph.

Senator Mayer introduced to the Senate, Dr. Lou Sharp and his wife Martha, Dexter.

Senator Wright-Jones introduced to the Senate, members of 100 Blackmen of Metropolitan St. Louis.

Senator Wright-Jones introduced to the Senate, Dorothy Lockard, Eddie Davis, Lonnie Scott, Janet Poppen, David Steward and Jim Webb, St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

NINETEENTH DAY—THURSDAY, FEBRUARY 10, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 213-Schaefer	SB 234-Dempsey
SB 214-Schaaf	SB 235-Schaefer
SB 215-Schaaf	SB 236-Schaefer
SB 216-Schaaf	SB 237-Schaefer and Justus
SB 217-Richard and Schmitt	SB 238-Schmitt, et al
SB 218-Wasson	SB 239-Justus, et al
SB 219-Wasson	SB 240-Justus, et al
SB 220-Wasson	SB 241-Brown and Wasson
SB 221-Cunningham	SB 242-Cunningham
SB 222-Cunningham	SB 243-Cunningham
SB 223-Mayer	SB 244-Green
SB 224-Stouffer	SB 245-Lembke
SB 225-Engler	SB 246-Lamping and Schmitt
SB 226-Engler	SB 247-Pearce
SB 227-Engler	SB 248-Parson
SB 228-Pearce	SB 249-McKenna, et al
SB 229-Pearce	SB 250-Kehoe
SB 230-Lager	SB 251-Kehoe
SB 231-Lager, et al	SB 252-Kehoe
SB 232-Crowell	SJR 15-Nieves, et al
SB 233-Parson	

## HOUSE BILLS ON SECOND READING

HCS for HB 45  
HCS for HBs 73 & 47

HCS for HB 163

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)  
SCS for SB 19-Schmitt (In Fiscal Oversight)

SCS for SB 18-Schmitt  
SB 33-Stouffer (In Fiscal Oversight)

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 8-Goodman, with SCS & SS for SCS  
(pending)

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### NINETEENTH DAY—THURSDAY, FEBRUARY 10, 2011

---

The Senate met pursuant to adjournment.

Senator Rupp in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will bind up the injured, and I will strengthen the weak, says the Lord.” (Ezekiel 34:16)

Merciful God, we are mindful of those who are in need of Your help, those injured in accidents and from dealing with the snow that fell these several days. We are grateful for those called to clear our roads and assist those needing help. Watch over our travel and bring us safely home so we may do the work You would have us do and give assistance only we can provide. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

Absent—Senators—None

Absent with leave—Senators

Crowell            Munzlinger—2

Vacancies—1

The Senate observed moments of silence in memory of former State Senator Walt Mueller, Valley Park; and in memory of Elmer Munzlinger, Williamstown.

Senator Dempsey announced that photographers from the Gasconade County Republican were given

permission to take pictures in the Senate Chamber today.

### **RESOLUTIONS**

On behalf of Senator Munzlinger, Senator Dempsey offered Senate Resolution No. 243, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bruce Tague, Wyaconda, which was adopted.

On behalf of Senator Munzlinger, Senator Dempsey offered Senate Resolution No. 244, regarding Dale R. Ludwig, Jefferson City, which was adopted.

Senator Lamping offered Senate Resolution No. 245, regarding James Kerr, Clayton, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 253**—By Callahan and Cunningham.

An Act to repeal sections 163.036 and 163.037, RSMo, and to enact in lieu thereof one new section relating to summer school.

**SB 254**—By Stouffer.

An Act to repeal sections 302.309 and 577.023, RSMo, and to enact in lieu thereof two new sections relating to intoxicated-related traffic offenses, with existing penalty provisions.

**SB 255**—By Keaveny.

An Act to repeal section 130.011, RSMo, and to enact in lieu thereof two new sections relating to campaign finance.

**SB 256**—By Kraus.

An Act to repeal sections 135.300, 135.305, 135.307, 135.309, 135.311, 135.313, 135.535, 135.700, 135.750, 137.1018, 143.119, and 620.495, RSMo, and to enact in lieu thereof one new section relating to the repeal of certain tax credit programs.

**SB 257**—By Kraus.

An Act to repeal section 135.352, RSMo, and to enact in lieu thereof one new section relating to low-income housing tax credits.

**SB 258**—By Kraus.

An Act to repeal sections 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof three new sections relating to the historic preservation tax credit program.

**SB 259**—By Kraus.

An Act to repeal sections 32.115, 100.286, 100.297, 100.850, 135.150, 135.352, 135.460, 135.487, 135.550, 135.600, 135.967, 143.471, 148.064, 148.400, 253.559, 348.430, 348.432, 348.505, 375.774, 376.745, 376.975, 447.708, 620.1881, and 660.055, RSMo, and to enact in lieu thereof twenty-four new sections relating to the imposition of sunset provisions on certain tax credit programs.

**SB 260**—By Wasson.

An Act to repeal section 302.302, RSMo, and to enact in lieu thereof four new sections relating to the endangerment of emergency workers, with penalty provisions.

**SB 261**—By Goodman.

An Act to repeal section 568.040, RSMo, and to enact in lieu thereof one new section relating to the crime of nonsupport, with existing penalty provisions.

**SB 262**—By Goodman.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

**SB 263**—By Green.

An Act to amend chapter 367, RSMo, by adding thereto one new section relating to pawnbrokers, with penalty provisions.

**SB 264**—By Rupp.

An Act to repeal sections 128.346 and 128.348, RSMo, and to enact in lieu thereof two new sections relating to the composition of congressional districts.

**SB 265**—By Rupp.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to an advanced placement incentive grant.

**SB 266**—By Dempsey.

An Act to repeal section 115.015, RSMo, and to enact in lieu thereof one new section relating to election authorities.

**SJR 16**—By Goodman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 5 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to religious freedom.

**REPORTS OF STANDING COMMITTEES**

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Marvin Wright, as a member of the Missouri Higher Education Loan Authority;

Also,



Sara Parker Pauley, as Director of the Department of Natural Resources;

Also,

William Dalton, Democrat, as a member of the State Environmental Improvement and Energy Resources Authority;

Also,

Dianne Modrell, Democrat, as a member of the State Committee of Marital and Family Therapists;

Also,

Reuben Shelton, Democrat, as a member of the Missouri Development Finance Board;

Also,

William A. Krodinger, Independent, as a member of the Missouri Health Facilities Review Committee;

Also,

Ingrid D. Taylor, as a member of the MO HealthNet Oversight Committee;

Also,

Sarah R. Maguffee, Democrat, as a member of the Health and Educational Facilities Authority;

Also,

Patrice L. Komoroski, Independent, as a member of the Missouri Board for Respiratory Care.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 7**, **SB 5**, **SB 74** and **SB 169** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SJR 2**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which

was referred **SB 3**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 61**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 71**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 83**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 36**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

On behalf of Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, Senator Dempsey submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 113** and **SB 95**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp assumed the Chair.

### **SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

**SB 213**—Judiciary and Civil and Criminal Jurisprudence.

**SB 214**—Health, Mental Health, Seniors and Families.

**SB 215**—Health, Mental Health, Seniors and Families.

**SB 216**—Health, Mental Health, Seniors and Families.

**SB 217**—Jobs, Economic Development and Local Government.

**SB 218**—Judiciary and Civil and Criminal Jurisprudence.

**SB 219**—Financial and Governmental Organizations and Elections.

**SB 220**—General Laws.

**SB 221**—Commerce, Consumer Protection, Energy and the Environment.

**SB 222**—General Laws.

**SB 223**—Jobs, Economic Development and Local Government.

**SB 224**—Ways and Means and Fiscal Oversight.

**SB 225**—Financial and Governmental Organizations and Elections.

**SB 226**—Financial and Governmental Organizations and Elections.

**SB 227**—Judiciary and Civil and Criminal Jurisprudence.

**SB 228**—Education.

**SB 229**—Small Business, Insurance and Industry.

**SB 230**—Commerce, Consumer Protection, Energy and the Environment.

**SB 231**—Jobs, Economic Development and Local Government.

**SB 232**—Jobs, Economic Development and Local Government.

**SB 233**—Health, Mental Health, Seniors and Families.

**SB 234**—Health, Mental Health, Seniors and Families.

**SB 235**—Health, Mental Health, Seniors and Families.

**SB 236**—Health, Mental Health, Seniors and Families.

**SB 237**—Judiciary and Civil and Criminal Jurisprudence.

**SB 238**—Judiciary and Civil and Criminal Jurisprudence.

**SB 239**—Progress and Development.

**SB 240**—Progress and Development.

**SB 241**—Ways and Means and Fiscal Oversight.

**SB 242**—General Laws.

**SB 243**—General Laws.

**SB 244**—Health, Mental Health, Seniors and Families.

**SB 245**—Health, Mental Health, Seniors and Families.

**SB 246**—Jobs, Economic Development and Local Government.

**SB 247**—Education.

**SB 248**—Jobs, Economic Development and Local Government.

**SB 249**—Jobs, Economic Development and Local Government.

**SB 250**—Judiciary and Civil and Criminal Jurisprudence.

**SB 251**—Ways and Means and Fiscal Oversight.

**SB 252**—Jobs, Economic Development and Local Government.

**SJR 15**—General Laws.

## COMMUNICATIONS

Senator Keaveny submitted the following:

February 10, 2011

Terry Spieler  
Secretary of the Senate  
State Capitol  
Jefferson City, MO 65101

Dear Ms. Spieler:

For purposes of clarification of subject matter, I respectfully request Senate Bill 61 to be removed from the Consent Calendar.

Sincerely,  
/s/ Joseph P. Keaveny  
Senator Joseph Keaveny  
District 4

## INTRODUCTIONS OF GUESTS

Senator Cunningham introduced to the Senate, Diane Buhr, Debbie Smith, Jane Vickery and nineteen students representing Fred Saigh Leadership Group.

Senator Cunningham introduced to the Senate, Ben Swidenski, St. Louis.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 14, 2011.

## SENATE CALENDAR

---

TWENTIETH DAY—MONDAY, FEBRUARY 14, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 253-Callahan and Cunningham  
SB 254-Stouffer  
SB 255-Keaveny  
SB 256-Kraus

SB 257-Kraus  
SB 258-Kraus  
SB 259-Kraus  
SB 260-Wasson

SB 261-Goodman  
SB 262-Goodman  
SB 263-Green  
SB 264-Rupp

SB 265-Rupp  
SB 266-Dempsey  
SJR 16-Goodman

#### HOUSE BILLS ON SECOND READING

HCS for HB 45  
HCS for HBs 73 & 47

HCS for HB 163

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)  
SCS for SB 19-Schmitt (In Fiscal Oversight)

SCS for SB 18-Schmitt  
SB 33-Stouffer (In Fiscal Oversight)

#### SENATE BILLS FOR PERFECTION

SBs 7, 5, 74 & 169-Goodman, with SCS  
SJR 2-Stouffer

SB 3-Stouffer  
SBs 113 & 95-Parson and Engler, with SCS

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SB 8-Goodman, with SCS & SS for SCS (pending)

#### CONSENT CALENDAR

Senate Bills

Reported 2/10

SB 71-Parson  
SB 83-Pearce

SB 36-Lembke

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### TWENTIETH DAY—MONDAY, FEBRUARY 14, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You shall love the Lord your God with all your heart, and with all your soul, and with all your mind...You shall love your neighbor as yourself.” (Matthew 22:37, 39)

Lord of Love, each day we greet each other, shake hands most hospitably and that is a good thing to do. Yet on this Valentine's Day let us convey our love to those who mean a lot to us, treating them as we would have them treat us. May we express our love to those You have given us to love and find ways, even though away, that lets our hearts sing to them what they mean to us so that each day is a day of love given and expressed. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 10, 2011 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senator Munzlinger—1

Vacancies—1

The Lieutenant Governor was present.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

### **RESOLUTIONS**

Senator Goodman offered Senate Resolution No. 246, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Junior Pendergraft, Washburn, which was adopted.

Senator Goodman offered Senate Resolution No. 247, regarding Randy Swanson, Kimberling City, which was adopted.

Senator Mayer offered Senate Resolution No. 248, regarding Michael Elder, Malden, which was adopted.

Senator Mayer offered Senate Resolution No. 249, regarding Mark Gregory, Malden, which was adopted.

Senator Wasson offered Senate Resolution No. 250, regarding Cody Cosper, Nixa, which was adopted.

Senator Rupp offered Senate Resolution No. 251, regarding Stephannie Finch, Defiance, which was adopted.

Senator Dempsey offered Senate Resolution No. 252, regarding the St. Louis Gaelic Athletic Club, which was adopted.

Senator Dempsey offered Senate Resolution No. 253, regarding Amy Rogers, St. Charles, which was adopted.

Senator Schaaf offered Senate Resolution No. 254, regarding Logan Ward, which was adopted.

Senator Schaaf offered Senate Resolution No. 255, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Leland Orth, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 256, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jerry Milton Sampson, De Kalb, which was adopted.

Senator Schaaf offered Senate Resolution No. 257, regarding Keller Seth Anderson, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 258, regarding Alexander Yoshihara Watson, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 259, regarding Adam David Luton, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 260, regarding Christian Daniel Dunker, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 261, regarding Patrick Kenneth Stifter, which was adopted.

Senator Schaaf offered Senate Resolution No. 262, regarding Quinn Frederick McCollom, which was adopted.

Senator Schaaf offered Senate Resolution No. 263, regarding Michael Patrick Kegin, which was adopted.

Senator Schaaf offered Senate Resolution No. 264, regarding Matthew Christopher Downs, which was adopted.

Senator Richard offered Senate Resolution No. 265, regarding Redings Mill Fire Protection District, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 266, regarding the One Hundred Second Birthday of Daisy Maybell Parker, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 267, regarding McGowan Brothers Development, Saint Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 268, regarding Crown Square Historic Development, LLC, Saint Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 269, regarding Major James Curl, Saint Louis, which was adopted.

Senator Schaefer offered Senate Resolution No. 270, regarding Lieutenant Michael Keating, which was adopted.

Senator Parson offered Senate Resolution No. 271, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. William Robert Noel, Bolivar, which was adopted.

Senator Crowell offered Senate Resolution No. 272, regarding Mr. and Mrs. Joshua E. Ford, which was adopted.

Senator Justus offered Senate Resolution No. 273, regarding Robert Taylor Riggs, Kansas City, which was adopted.

Senator Brown offered Senate Resolution No. 274, regarding Baird Farm, Salem, which was adopted.

Senator Brown offered Senate Resolution No. 275, regarding Duckworth Heritage Farm, Salem, which was adopted.

Senator Schaaf offered Senate Resolution No. 276, regarding Wade Alan Callow, Weston, which was adopted.

Senator Engler offered Senate Resolution No. 277, regarding Daniel Parker, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 278, regarding Jared Austin Koller, which was adopted.

Senator Ridgeway offered Senate Resolution No. 279, regarding Ryan Jacob Roberts, Kansas City, which was adopted.

Senator Ridgeway offered Senate Resolution No. 280, regarding Henry Marion Biggs, Kansas City, which was adopted.

### **CONCURRENT RESOLUTIONS**

Senator Cunningham offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 10**

WHEREAS, Article I of the United States Constitution begins “All legislative powers herein granted shall be vested in a Congress”; and



WHEREAS, the Congress has exceeded the legislative powers granted in the Constitution thereby encroaching on the powers that are “reserved to the states respectively, or to the people” as the Tenth Amendment affirms and the rights “retained by the people” to which the Ninth Amendment refers; and

WHEREAS, this encroachment includes the accumulation of federal debt, which combined with interest represents a future tax, and is of such great proportion that responsibility for its payment will be passed to future, unborn generations of Americans to assume without their consent, thereby disparaging their rights; and

WHEREAS, this encroachment also includes compelling state and local governments to comply with federal laws and regulations without accompanying funding for such mandates; and

WHEREAS, the Constitution should be amended in order to halt federal encroachment and restore a proper balance between the powers of Congress and those of the several states, and to prevent the denial or disparagement of the rights retained by the people:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge Congress to adopt an amendment to the United States Constitution that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures, and the language of such amendment shall be as follows: “Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of two-thirds of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed”; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Missouri Congressional delegation.

### **INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 267**—By Schaaf.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to immunizations for hospital employees.

**SB 268**—By Stouffer.

An Act to repeal section 172.803, RSMo, and to enact in lieu thereof one new section relating to funding for research projects by the University of Missouri board of curators.

**SB 269**—By Brown.

An Act to repeal sections 29.200, 29.270, and 393.710, RSMo, and to enact in lieu thereof three new sections relating to joint municipal utility commissions.

**SB 270**—By Kraus.

An Act to repeal sections 65.600 and 115.123, RSMo, and to enact in lieu thereof two new sections relating to dates for conducting elections.

**SB 271**—By Kraus.

An Act to repeal sections 86.900, 86.1030, 86.1100, 86.1110, 86.1120, 86.1140, 86.1150, 86.1230, 86.1240, 86.1250, 86.1310, 86.1420, 86.1480, 86.1490, 86.1500, 86.1510, 86.1540, 86.1560, 86.1600, 86.1610, and 86.1620, RSMo, and to enact in lieu thereof twenty-one new sections relating to retirement systems of the police department of Kansas City.

**SB 272**—By Green.

An Act to repeal section 536.087, RSMo, and to enact in lieu thereof one new section relating to appropriations of awards for attorney fees and expenses against a state agency.

**SB 273**—By Lembke.

An Act to repeal sections 87.120, 87.325, 87.330, 87.335, 87.340, and 87.345, RSMo, and to enact in lieu thereof seven new sections relating to the firemen's retirement system of St. Louis.

**SB 274**—By Lembke.

An Act to amend chapters 386 and 441, RSMo, by adding thereto two new sections relating to water and sewer services for rental property.

**SB 275**—By Lembke.

An Act to repeal section 70.695, RSMo, and to enact in lieu thereof one new section relating to deducting certain insurance premiums from allowances paid by the Missouri local government employees' retirement system.

**SB 276**—By Schaefer.

An Act to amend chapter 33, RSMo, by adding thereto one new section relating to collection of fees by state agencies.

**SJR 17**—By Lembke.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 25(a) and 25(d) of article V of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the judicial selection process.

Senator Pearce assumed the Chair.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 162**, entitled:

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 46**, entitled:

An Act to repeal section 67.281 as enacted by senate substitute no. 2 for senate committee substitute for house bill no. 103, ninety-fifth general assembly, first regular session, and section 67.281 as enacted by

conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, and to enact in lieu thereof one new section relating to fire sprinkler system installation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 11, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joan M. Burger, Democrat, 3512 Crittenden St., Saint Louis City, Missouri 63118, as a member and Chair of the St. Louis City Board of Election Commissioners, for a term ending January 10, 2013, and until her successor is duly appointed and qualified; vice, Eileen McCann, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael Jones, Democrat, 2 West Pine Court, Saint Louis City, Missouri 63108, as a member of the State Board of Education, for a term ending July 1, 2018, and until his successor is duly appointed and qualified; vice, David G. Liechti, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jack Lary, Republican, 3915 Olive, Apt. 302, City of St. Louis, Missouri 63108, as a member and Secretary of the St. Louis City Board of Election Commissioners, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice,

Jack Lary, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 11, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Benjamin Phillips, Democrat, 4163 Russell Boulevard, Saint Louis City, Missouri 63110, as a member of the St. Louis City Board of Election Commissioners, for a term ending January 10, 2013, and until his successor is duly appointed and qualified; vice, Clarence Dula, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Martin Rucker, Democrat, 2703 Meadow Ridge Drive, Saint Joseph, Buchanan County, Missouri 64504, as a member of the Board of Probation and Parole, for a term ending April 3, 2016, and until his successor is duly appointed and qualified; vice, Penny Hubbard, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 11, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Andrew Schwartz, Republican, 10 Homeland Place, Saint Louis City, Missouri 63109, as a member of the St. Louis City Board of Election Commissioners, for a term ending January 10, 2013, and until his successor is duly appointed and qualified; vice, Carol Wilson, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 10, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

The following addendum should be made to the appointment of Sara Zorich for the Jackson County Board of Election Commissioners, submitted to you on January 21, 2011. Line 1 should be amended to read:

Sara Zorich, Democrat, 3301 South Elizabeth Avenue, Independence, Jackson County, Missouri

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 14, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

The following addendum should be made to the appointment of Michael Marlo for the Missouri Fire Safety Advisory Board, submitted to you on January 21, 2011. Line 4 should be amended to read:

Gregory Pottberg, RSMo 320.205.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above appointments and addendums to the Committee on Gubernatorial Appointments.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SCS** for **SB 19**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce assumed the Chair.

### **SENATE BILLS FOR PERFECTION**

At the request of Senator Goodman, **SB 7**, **SB 5**, **SB 74** and **SB 169**, with **SCS**, were placed on the Informal Calendar.

Senator Stouffer moved that **SJR 2** be taken up for perfection, which motion prevailed.

Senator Callahan offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend Senate Joint Resolution No. 2, Page 1, In the Title, Lines 3-4, of the title, by striking “voter photo identification” and inserting in lieu thereof the following: “elections”; and

Further amend said resolution, Page 1, Section 8, Lines 1 to 7, by striking all of said lines and inserting in lieu thereof the following:

**“Section 8. Qualified electors of the state may be enabled by general law to vote in person in advance of election day at all elections by the people according to the following terms:**

**1. Advance voting may be conducted at such locations as are determined by general law to be necessary or desirable to balance reasonable access to advance voting, accountability, integrity, and security of the election, efficiency in the administration of the election, and appropriate and responsible uses of public funds and other resources. The number of advance voting sites may vary depending on expected voter turnout for an election. A general law that requires election authorities to establish a certain number of advance voting sites based solely on the number of registered voters in an election jurisdiction conflicts with this subsection and is not valid.**

**2. Votes cast in advance of election day shall not be tabulated before the election day.**

**3. If a voter identification requirement is provided by general law for in-person voting on election day, persons who desire to vote in advance of election day shall also comply with that identification requirement.**

**4. The name and other identifying information of persons who vote in advance of the election shall be treated confidentially by election officials and lists of persons who have voted in advance shall not be disclosed to members of the public by election officials during the advance voting period, except as necessary for the administration of the election, for law enforcement, or to comply with a court order requiring disclosure for good cause shown. Election officials may disclose lists with the names or other identifying information for persons who have voted in advance of the election to the public after the advance voting period has closed. This section does not prohibit election officials, election judges, challengers, watchers, or any other member of the public from observing or participating in the election process. This section does not alter or effect any change in any provision of law relating to nondisclosure of how any voter voted and the exceptions thereto.**

**5. This section shall not apply to absentee voting laws.**

**6. Any law that conflicts with this section shall not be valid or enforceable.**

**7. This section is not self-executing. Implementing general laws shall be required before any person may vote in advance of an election. In order to allow election authorities sufficient time to prepare for advance voting if authorized by general law, advance voting shall not be effective for any election held on or before January 1, 2012.**

**Section 9. A person seeking to vote in person in public elections may be required by general law to identify himself or herself and verify his or her qualifications as a citizen of the United States of America and a resident of the state of Missouri by providing election officials with a form of identification, which may include valid government-issued photo identification. Exceptions to the identification requirement may also be provided for by general law.**

**Section 10. Different requirements for absentee voting when the voter does not appear before the election authority may be established by general law as may be necessary or desirable in order to accommodate the different purposes and administration requirements of this method of voting.**

**Section 11. All costs associated with the implementation of advanced voting and the photo**

**identification requirements relating to voting under sections 8 to 10 of this article shall be paid through an appropriation by the state for those purposes. If there is not a sufficient appropriation of state funds in a fiscal year for either the advanced voting requirements or the photo identification requirements, or both, then both such advanced voting and photo identification requirements shall be in conflict with this section and shall not apply to any election during such fiscal year.**

**Section 12. If any portion, clause, or phrase of sections 8, 9, 10, and 11 of this article is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses, and phrases shall be invalid and of no further force or effect.”; and**

Further amend said bill and page, section B, lines 1-5, by striking all of said lines, and inserting in lieu thereof the following:

““Shall the Missouri Constitution be amended to establish advance voting procedures and allow the General Assembly to provide by general law for advance voting prior to election day, voter photo identification requirements, and voter requirements based on whether one appears to vote in person by absentee ballot?”.”; and

Further amend the title and preamble accordingly.

Senator Callahan moved that the above amendment be adopted.

Senator Stouffer raised the point of order that **SA 1** is out of order as it goes beyond the scope of the underlying legislation.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Callahan offered **SA 2**, which was read:

#### SENATE AMENDMENT NO. 2

Amend Senate Joint Resolution No. 2, Page 1, Section 8, Line 6 by inserting immediately after “identification” as it appears the first time in said line, the following “, **except that the general assembly may not require a person to produce any identification that conforms with United States Public Law 109-13, also known as the REAL ID Act.**”.

Senator Callahan moved that the above amendment be adopted.

Senator Schmitt assumed the Chair.

At the request of Senator Callahan, **SA 2** was withdrawn.

Senator Green offered **SA 3**, which was read:

#### SENATE AMENDMENT NO. 3

Amend Senate Joint Resolution No. 2, Page 1, Section 8, Line 6, by inserting immediately after the first use of “identification” the following: “**or fingerprint**”.

Senator Green moved that the above amendment be adopted.

At the request of Senator Stouffer, **SJR 2**, with **SA 3** (pending), was placed on the Informal Calendar.

### COMMUNICATIONS

President Pro Tem Mayer submitted the following:

February 10, 2011

Senator Robert Mayer  
President Pro Tem  
Room 326  
Jefferson City, MO 65101

Dear Mr. President:

I am honored to have been assigned to the Senate Standing Committee on Financial and Governmental Organizations and Elections.

However, upon my assignment to that committee, I was told that the weekly meetings are held at 2 PM on Mondays. Presently, the 2 PM meeting time conflicts with other obligations that I have. As a result, I respectfully ask to be removed from my appointment to that committee.

I sincerely thank you for your consideration of this request and am happy to discuss further with you if you would like.

Sincerely,  
/s/ John Lamping  
Senator John T. Lamping

Also,

February 10, 2011

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

Please be advised that I am hereby appointing Senator Will Kraus to the Financial and Governmental Organization and Elections Committee.

Please do not hesitate to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
ROBERT N. MAYER  
President Pro Tem

Senator Crowell submitted the following:

February 10, 2011

Ms. Terry Spieler  
Secretary of Senate  
State Capitol Building – Room 325  
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that the following bills be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

**SB 61 (Keaveny)** - Requires that two of three commissioners appointed in condemnation cases in St. Louis City, St. Louis County, and Jackson County be real estate brokers or appraisers

**SB 71 (Parson)** - Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission

**SB 83 (Pearce)** - Allows for the sale of deficiency waiver addendums and other similar products with respect to certain loan transactions



**SB 36 (Lembke)** - Allows employees of certain employers to take a leave of absence for civil air patrol emergency service duty or counter narcotics missions

Sincerely,  
/s/ Jason Crowell  
Jason G. Crowell  
State Senator

President Pro Tem Mayer submitted the following:

February 14, 2011

Senator Jim Lembke  
Chairman, Government Accountability Committee  
Room 419, State Capitol  
Jefferson City, MO 65101

Dear Chairman Lembke:

As you are aware, the Senate recently met in “Rebooting Government” groups to streamline state government. Your group on General Government and the Office of Administration discussed consolidating and terminating property and office space that is leased by the state, as well as continuing to analyze state lease agreements to ensure maximum returns.

It is with that recommendation from your group that pursuant to Senate Rule 28 Section 8, I am requesting that your committee on Government Accountability look into the privatization of the duties, such as building maintenance and repairs, for the Office of Administration.

Sincerely,  
/s/ Robert N. Mayer  
District 25 Senator

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

TWENTY-FIRST DAY—TUESDAY, FEBRUARY 15, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 253-Callahan and Cunningham  
SB 254-Stouffer  
SB 255-Keaveny  
SB 256-Kraus  
SB 257-Kraus  
SB 258-Kraus  
SB 259-Kraus  
SB 260-Wasson  
SB 261-Goodman  
SB 262-Goodman

SB 263-Green  
SB 264-Rupp  
SB 265-Rupp  
SB 266-Dempsey  
SB 267-Schaaf  
SB 268-Stouffer  
SB 269-Brown  
SB 270-Kraus  
SB 271-Kraus  
SB 272-Green

SB 273-Lembke  
SB 274-Lembke  
SB 275-Lembke

SB 276-Schaefer  
SJR 16-Goodman  
SJR 17-Lembke

HOUSE BILLS ON SECOND READING

HCS for HB 45  
HCS for HBs 73 & 47  
HCS for HB 163

HB 162-Fisher, et al  
HCS for HB 46

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)  
SCS for SB 19-Schmitt

SCS for SB 18-Schmitt  
SB 33-Stouffer (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 3-Stouffer

SBs 113 & 95-Parson and Engler, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 8-Goodman, with SCS & SS for SCS  
(pending)

SJR 2-Stouffer, with SA 3 (pending)

RESOLUTIONS

To be Referred

SCR 10-Cunningham

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**TWENTY-FIRST DAY—TUESDAY, FEBRUARY 15, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For whoever finds me finds life and receives favor from the Lord.” (Proverbs 8:35)

Gracious God, give us wisdom to love, desire, seek and serve You with our whole heart. Provide us hope and trust that knows with You there is knowledge about living that the world cannot give. Provide us intelligence about the world we live in so we may be more effective and gracious as we are able. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Crowell offered Senate Resolution No. 281, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Roman Dobsch, which was adopted.

Senator Crowell offered Senate Resolution No. 282, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert E. Deneke, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 283, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Cooper, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 284, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Fred Brockmeyer, Scott City, which was adopted.

Senator Crowell offered Senate Resolution No. 285, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dennis Holland, Benton, which was adopted.

Senator Crowell offered Senate Resolution No. 286, regarding Hull Trucking, Incorporated, Old Appleton, which was adopted.

Senator Crowell offered Senate Resolution No. 287, regarding Mr. and Mrs. Cody C. Bailey, which was adopted.

Senator Purgason offered Senate Resolution No. 288, regarding Wayne Scharnhorst, West Plains, which was adopted.

**INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 277**—By Lager.

An Act to repeal section 304.120, RSMo, and to enact in lieu thereof two new sections relating to the use of public roads by motor vehicles.

**SB 278**—By Munzlinger, Parson and Brown.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to private nuisances.

**SB 279**—By Schmitt.

An Act to repeal sections 144.062, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, and 620.482, RSMo, and to enact in lieu thereof ten new sections relating to tax incentives for business development.

**SB 280**—By Purgason and Lager.

An Act to repeal sections 32.115, 99.1205, 100.286, 100.297, 100.850, 135.010, 135.025, 135.030, 135.150, 135.300, 135.305, 135.307, 135.309, 135.311, 135.313, 135.327, 135.352, 135.460, 135.487, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.700, 135.750, 135.967, 135.1150, 137.1018, 143.119, 143.471, 148.064, 148.400, 208.770, 253.550, 253.557, 253.559, 348.430, 348.432, 348.505, 375.774, 376.745, 376.975, 447.708, 620.495, 620.1881, and 660.055, RSMo, and to enact in lieu thereof thirty-eight new sections relating to tax credits.

Senator Rupp assumed the Chair.

**THIRD READING OF SENATE BILLS**

**SCS** for **SB 19**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 19**

An Act to repeal section 147.010, RSMo, and to enact in lieu thereof one new section relating to the phase-out of the corporate franchise tax.

Was taken up by Senator Schmitt.

On motion of Senator Schmitt, **SCS** for **SB 19** was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson—28				

**NAYS—Senators**

Chappelle-Nadal	Green	Justus	Wright-Jones—4
-----------------	-------	--------	----------------

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**REFERRALS**

President Pro Tem Mayer referred **SCR 10** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**SENATE BILLS FOR PERFECTION**

Senator Stouffer moved that **SB 3** be taken up for perfection, which motion prevailed.

Senator Green offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Bill No. 3, Page 1, Section A, Line 3, by inserting immediately after all of said line the following:

“115.085. No person shall be appointed to serve as an election judge who is not a registered voter in this state **unless the person is under the age of eighteen years and over the age of fifteen year and six**

**months and is otherwise qualified to serve as an election judge;** provided that, before any election authority may appoint judges who are registered voters of another election authority's jurisdiction, the election authority shall obtain the written consent of the election authority for the jurisdiction where the prospective judges are registered to vote. Each election judge shall be a person of good repute and character who can speak, read, and write the English language. No person shall serve as an election judge at any polling place in which his or her name or the name of a relative within the second degree, by consanguinity or affinity, appears on the ballot. However, no relative of any unopposed candidate shall be disqualified from serving as an election judge in any election jurisdiction of the state. No election judge shall, during his or her term of office, hold any other elective public office, other than as a member of a political party committee or township office, except any person who is elected to a board or commission of a political subdivision or special district may serve as an election judge except at a polling place where such political subdivision or special district has an issue or candidate on the ballot. In any county having a population of less than two hundred fifty thousand inhabitants, any candidate for the county committee of a political party who is not a candidate for any other office and who is unopposed for election as a member of the committee shall not be disqualified from serving as an election judge."

And further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Justus offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Bill No. 3, Page 3, Section 115.427, Line 61, by inserting immediately after the word "for" the following:

**"or obtain".**

Senator Justus moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 2**, which was read:

#### SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 2

Amend Senate Bill No. 3, Page 3, Section 115.427, Line 61, by inserting immediately after the word "for" the following:

**"or obtain";** and further amend said bill, page and section, line 83, by inserting after the word "for" the following:

**"or obtain".**

Senator Schaaf moved that the above substitute amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 3**:

#### SENATE AMENDMENT NO. 3

Amend Senate Bill No. 3, Page 3, Section 115.427, Line 66, by inserting after all of said line the following:

**"(5) The voter had his or her driver's license confiscated following arrest or summons for a traffic**

**or other offense. In order to vote under the provisions of this subdivision, the voter must produce to the election authority a copy of the traffic summons or temporary permit.”.**

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Wright-Jones offered SA 4:

**SENATE AMENDMENT NO. 4**

Amend Senate Bill No. 3, Page 1, In the Title, Line 3 of the title, by striking “voter photo identification, with” and inserting in lieu thereof the following: “elections, with penalty provisions and”; and

Further amend said bill and page, section A, line 3, by inserting immediately after said line the following:

**“115.148. 1. Each individual who requests fifty or more voter registration applications from the secretary of state and who is not a deputy registration official, whether such person is making the request on his or her own behalf or on behalf of a group, organization, or some other entity, shall be at least eighteen years of age and shall submit the information required by subsection 2 of section 115.205 before receiving the applications. The secretary of state shall keep this information on file with the number of the voter registration applications supplied to that individual.**

**2. Any person who knowingly signs any name other than their own to any voter registration application shall be guilty of a class one election offense.**

**3. The secretary of state shall make available to persons making a request for voter registration applications a computer-based registration training or other registration training in a manner prescribed by the secretary of state. If a request is made on behalf of a group or organization, the training shall be made available to each person who will distribute the voter registration applications provided to that group or organization.**

115.205. 1. Any person who is paid or otherwise compensated for soliciting more than ten voter registration applications, other than a governmental entity or a person who is paid or compensated by a governmental entity for such solicitation, shall be registered with the secretary of state as a voter registration solicitor. A voter registration solicitor shall register for every election cycle that begins on the day after the general election and ends on the day of the general election two years later. A voter registration solicitor shall be at least eighteen years of age and shall be a registered voter in the state of Missouri.

2. Each voter registration solicitor shall provide the following information in writing to the secretary of state's office **on a form prescribed by the secretary of state:**

- (1) The name of the voter registration solicitor;
- (2) The residential address, including street number, city, state, and zip code;
- (3) The mailing address, if different from the residential address;
- (4) Whether the voter registration solicitor expects to be paid for soliciting voter registrations;
- (5) If the voter registration solicitor expects to be paid, the identity of the payor; [or]
- (6) **Whether the voter registration solicitor is acting on behalf of a group or organization;**
- (7) **If the voter registration solicitor is acting on behalf of a group or organization, the identity**

**of the group or organization; and**

(8) The signature of the voter registration solicitor.

3. The solicitor information required in subsection 2 of this section shall be submitted to the secretary of state's office with the following oath and affirmation: "I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

4. Any voter registration solicitor who knowingly fails to register with the secretary of state **or who falsely swears to the above oath or affirmation knowing it to be false** is guilty of a class three election offense. Voter registration applications shall be accepted by the election authority if such applications are otherwise valid, even if the voter registration solicitor who procured the applications fails to register with or submits false information to the secretary of state."; and

Further amend said bill, page 14, section 115.430, line 242, by inserting immediately after said line the following:

"115.631. The following offenses, and any others specifically so described by law, shall be class one election offenses and are deemed felonies connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than five years or by fine of not less than two thousand five hundred dollars but not more than ten thousand dollars or by both such imprisonment and fine:

(1) Willfully and falsely making any certificate, affidavit, or statement required to be made pursuant to any provision of sections 115.001 to 115.641 and sections 51.450 and 51.460, including but not limited to statements specifically required to be made "under penalty of perjury"; or in any other manner knowingly furnishing false information to an election authority or election official engaged in any lawful duty or action in such a way as to hinder or mislead the authority or official in the performance of official duties. **Any other provision in this section notwithstanding**, if an individual willfully and falsely makes any certificate, affidavit, or statement required to be made under section 115.155, including but not limited to statements specifically required to be made "under penalty of perjury", such individual shall be guilty of a class C felony, **except that an individual who knowingly signs any name other than his or her own to any voter registration application shall be guilty of a class B felony. Any other provision in this section notwithstanding, if an individual furnishes identification to an election official in order to cast a ballot as required under section 115.427 with the knowledge that such identification is false, such individual shall be guilty of a class B felony;**

(2) Voting more than once or voting at any election knowing that the person is not entitled to vote or that the person has already voted on the same day at another location inside or outside the state of Missouri;

(3) Procuring any person to vote knowing the person is not lawfully entitled to vote or knowingly procuring an illegal vote to be cast at any election;

(4) Applying for a ballot in the name of any other person, whether the name be that of a person living or dead or of a fictitious person, or applying for a ballot in his own or any other name after having once voted at the election inside or outside the state of Missouri;

(5) Aiding, abetting or advising another person to vote knowing the person is not legally entitled to vote or knowingly aiding, abetting or advising another person to cast an illegal vote;

(6) An election judge knowingly causing or permitting any ballot to be in the ballot box at the opening



of the polls and before the voting commences;

(7) Knowingly furnishing any voter with a false or fraudulent or bogus ballot, or knowingly practicing any fraud upon a voter to induce him to cast a vote which will be rejected, or otherwise defrauding him of his vote;

(8) An election judge knowingly placing or attempting to place or permitting any ballot, or paper having the semblance of a ballot, to be placed in a ballot box at any election unless the ballot is offered by a qualified voter as provided by law;

(9) Knowingly placing or attempting to place or causing to be placed any false or fraudulent or bogus ballot in a ballot box at any election;

(10) Knowingly removing any legal ballot from a ballot box for the purpose of changing the true and lawful count of any election or in any other manner knowingly changing the true and lawful count of any election;

(11) Knowingly altering, defacing, damaging, destroying or concealing any ballot after it has been voted for the purpose of changing the lawful count of any election;

(12) Knowingly altering, defacing, damaging, destroying or concealing any poll list, report, affidavit, return or certificate for the purpose of changing the lawful count of any election;

(13) On the part of any person authorized to receive, tally or count a poll list, tally sheet or election return, receiving, tallying or counting a poll list, tally sheet or election return the person knows is fraudulent, forged or counterfeit, or knowingly making an incorrect account of any election;

(14) On the part of any person whose duty it is to grant certificates of election, or in any manner declare the result of an election, granting a certificate to a person the person knows is not entitled to receive the certificate, or declaring any election result the person knows is based upon fraudulent, fictitious or illegal votes or returns;

(15) Willfully destroying or damaging any official ballots, whether marked or unmarked, after the ballots have been prepared for use at an election and during the time they are required by law to be preserved in the custody of the election judges or the election authority;

(16) Willfully tampering with, disarranging, altering the information on, defacing, impairing or destroying any voting machine or marking device after the machine or marking device has been prepared for use at an election and during the time it is required by law to remain locked and sealed with intent to impair the functioning of the machine or marking device at an election, mislead any voter at the election, or to destroy or change the count or record of votes on such machine;

(17) Registering to vote knowing the person is not legally entitled to register or registering in the name of another person, whether the name be that of a person living or dead or of a fictitious person;

(18) Procuring any other person to register knowing the person is not legally entitled to register, or aiding, abetting or advising another person to register knowing the person is not legally entitled to register;

(19) Knowingly preparing, altering or substituting any computer program or other counting equipment to give an untrue or unlawful result of an election;

(20) On the part of any person assisting a blind or disabled person to vote, knowingly failing to cast such person's vote as such person directs;

(21) On the part of any registration or election official, permitting any person to register to vote or to vote when such official knows the person is not legally entitled to register or not legally entitled to vote;

(22) On the part of a notary public acting in his official capacity, knowingly violating any of the provisions of sections 115.001 to 115.627 or any provision of law pertaining to elections;

(23) Violation of any of the provisions of sections 115.275 to 115.303, or of any provision of law pertaining to absentee voting. **Any other provision in this section notwithstanding, if an individual willfully and falsely completes the certificate, affidavit, statement, or ballot of another individual under the provisions of sections 115.283 or 115.284, including but not limited to statements specifically required to be made under penalty of perjury, such individual shall be guilty of a class B felony;**

(24) Assisting a person to vote knowing such person is not legally entitled to such assistance, or while assisting a person to vote who is legally entitled to such assistance, in any manner coercing, requesting or suggesting that the voter vote for or against, or refrain from voting on any question, ticket or candidate;

(25) Engaging in any act of violence, destruction of property having a value of five hundred dollars or more, or threatening an act of violence with the intent of denying a person's lawful right to vote or to participate in the election process; and

(26) Knowingly providing false information about election procedures for the purpose of preventing any person from going to the polls.”; and

Further amend the title and enacting clause accordingly.

Senator Wright-Jones moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered SA 5:

#### SENATE AMENDMENT NO. 5

Amend Senate Bill No. 3, Section A, Line 3, by inserting immediately after all of said line the following:

“115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence [no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, an intrastate new resident or a new resident, as defined in section 115.275. In no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.] **on any date up to and including the date of the election.**

2. A person applying to register with an election authority or a deputy registration official shall identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document, other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification at the time of registration.

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote.”.

And further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion failed.

Senator Callahan offered **SA 6**:

**SENATE AMENDMENT NO. 6**

Amend Senate Bill No. 3, Page 4, Section 115.427, Line 118, by inserting immediately after “state” the following “, **including any license fee office,**”;

And further amend same page and section, line 121 by inserting immediately after “vote.” the following “**Any other provisions of law notwithstanding, the state or any agency of the state shall provide at least one form of documents required to obtain the personal identification required to vote at no cost to any otherwise qualified voter who does not already possess such documents and who desires the documents in order to obtain an identification to vote.**”.

Senator Callahan moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway assumed the Chair.

Senator Justus offered **SA 7**, which was read:

**SENATE AMENDMENT NO. 7**

Amend Senate Bill No. 3, Page 4, Section 115.427, Line 102, by inserting after “115.407”, the following: “**or to the election authority within three days of the election**”.

Senator Justus moved that the above amendment be adopted, which motion failed.

On motion of Senator Stouffer, **SB 3**, as amended, was declared perfected and ordered printed.

On motion of Senator Dempsey, the Senate recessed until 4:00 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

**REPORTS OF STANDING COMMITTEES**

On behalf of Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, Senator Dempsey submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 108**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, has approved the Senate Majority Caucus, with the hereto attached list of members.

Dan Brown

Brad Lager

Ron Richard

Jason Crowell

John Lamping

Luann Ridgeway

Jane Cunningham

Jim Lembke

Scott Rupp

Tom Dempsey

Rob Mayer

Rob Schaaf

Bob Dixon	Brian Munzlinger	Kurt Schaefer
Kevin Engler	Brian Nieves	Eric Schmitt
Jack Goodman	Mike Parson	Bill Stouffer
Mike Kehoe	David Pearce	Jay Wasson
Will Kraus	Chuck Purgason	

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics has approved the Senate Minority Caucus, with the hereto attached list of members.

Victor Callahan	Jolie Justus
Tim Green	Robin Wright-Jones
Maria Chappelle-Nadal	Joe Keaveny
Ryan McKenna	

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 3**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Mayer referred **SB 3** to the Committee on Ways and Means and Fiscal Oversight.

### **RESOLUTIONS**

Senator Goodman offered Senate Resolution No. 289, regarding John Thompson, Marshfield, which was adopted.

Senator Goodman offered Senate Resolution No. 290, regarding Doug Sexton, Mount Vernon, which was adopted.

Senator Goodman offered Senate Resolution No. 291, regarding Chip Mason, Branson, which was adopted.

Senator Goodman offered Senate Resolution No. 292, regarding Alps Supermarket, Mount Vernon, which was adopted.

Senator Goodman offered Senate Resolution No. 293, regarding Kornerstone, Shell Knob, which was adopted.

Senator Goodman offered Senate Resolution No. 294, regarding Crosslines-Monett, Monett, which was adopted.

Senator Goodman offered Senate Resolution No. 295, regarding Byron E. Taylor Christian Service Center, Aurora, which was adopted.

Senator Goodman offered Senate Resolution No. 296, regarding St. Susanne Food Pantry, Mount Vernon, which was adopted.

Senator Goodman offered Senate Resolution No. 297, regarding Crosslines-Anderson, Anderson, which was adopted.

Senator Goodman offered Senate Resolution No. 298, regarding Ozark County Food Pantry, Gainesville, which was adopted.

Senator Goodman offered Senate Resolution No. 299, regarding Christian Associates of Table Rock Lake-South, Kimberling City, which was adopted.

Senator Goodman offered Senate Resolution No. 300, regarding Christian Associates of Table Rock Lake-North, Crane, which was adopted.

Senator Goodman offered Senate Resolution No. 301, regarding Christian Action Ministries, Branson, which was adopted.

Senator Goodman offered Senate Resolution No. 302, regarding Jolene Garoutte, Monett, which was adopted.

Senator Goodman offered Senate Resolution No. 303, regarding Ann Hall, Purdy, which was adopted.

Senator Goodman offered Senate Resolution No. 304, regarding Karen Benson, Mount Vernon, which was adopted.

Senator Goodman offered Senate Resolution No. 305, regarding Gene Hall, Anderson, which was adopted.

Senator Goodman offered Senate Resolution No. 306, regarding Rhonda Sueter, Gainesville, which was adopted.

Senator Goodman offered Senate Resolution No. 307, regarding David and Mary Morrison, Gainesville, which was adopted.

Senator Goodman offered Senate Resolution No. 308, regarding Connie Johnson, Galena, which was adopted.

Senator Goodman offered Senate Resolution No. 309, regarding Elaine Sjobring, Kimberling City, which was adopted.

Senator Goodman offered Senate Resolution No. 310, regarding Christopher Welch, Branson, which was adopted.

Senator Goodman offered Senate Resolution No. 311, regarding Dr. Sue Head, Point Lookout, which was adopted.

Senator Goodman offered Senate Resolution No. 312, regarding the Honorable Raeanne Presley, Branson, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Lager introduced to the Senate, representatives of the Great Northwest.

Senator Lager introduced to the Senate, representatives of Missouri State Teachers Association from Northwest Missouri.

Senator Schaaf introduced to the Senate, Mayor Bill Faulkner, St. Joseph; Buchanan County Commissioner Dan Hausman, St. Joseph; former State Representative Dan Hegeman, Cosby; representatives of the Great Northwest; and students from Missouri Western State University.

Senator Schaaf introduced to the Senate, representatives of the Missouri Society of Anesthesiologists

from around the state.

Senator Dixon introduced to the Senate, Thomas G. Strong, Springfield.

Senator Pearce introduced to the Senate, Derek Wiseman, Ali Weinel, Kayla Meine, Trevor Cunningham, Tyler Laughlin, Ashley Brauner, Alexandra Carpenter, Amanda Copeland, Manuel Bryant, Shannon Kennedy and Megan Anderson, representatives of University of Central Missouri Student Government, Warrensburg.

Senator Stouffer introduced to the Senate, Denise Clemonds, Jefferson City.

Senator Kehoe introduced to the Senate, Denny Galkowski, Winfield.

Senator Lembke introduced to the Senate, Josh Foster, Lauren Robertson, Ryan Kohler and Ayush Argarwal, Truman State University.

Senator Nieves introduced to the Senate, Sara Baczewski and twenty-six fourth grade students from Marthasville Elementary School.

Senator Munzlinger introduced to the Senate, Sarah Ray, Paris; and representatives of FFA from around the state.

Senator Keaveny introduced to the Senate, Aydin Danaci, St. Louis.

On behalf of Senator Rupp, the President introduced to the Senate, Kyle Olmstead and Taylor Mason, Troy.

On behalf of Senator Rupp, the President introduced to the Senate, representatives of Troy Vision Leadership Group.

Senator Justus introduced to the Senate, Peg Pendergast, Kansas City.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

TWENTY-SECOND DAY—WEDNESDAY, FEBRUARY 16, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 253-Callahan and Cunningham

SB 254-Stouffer

SB 255-Keaveny

SB 256-Kraus

SB 257-Kraus

SB 258-Kraus

SB 259-Kraus

SB 260-Wasson

SB 261-Goodman

SB 262-Goodman

SB 263-Green	SB 273-Lembke
SB 264-Rupp	SB 274-Lembke
SB 265-Rupp	SB 275-Lembke
SB 266-Dempsey	SB 276-Schaefer
SB 267-Schaaf	SB 277-Lager
SB 268-Stouffer	SB 278-Munzlinger, et al
SB 269-Brown	SB 279-Schmitt
SB 270-Kraus	SB 280-Purgason and Lager
SB 271-Kraus	SJR 16-Goodman
SB 272-Green	SJR 17-Lembke

#### HOUSE BILLS ON SECOND READING

HCS for HB 45	HB 162-Fisher, et al
HCS for HBs 73 & 47	HCS for HB 46
HCS for HB 163	

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SB 33-Stouffer (In Fiscal Oversight)
SCS for SB 18-Schmitt	SB 3-Stouffer (In Fiscal Oversight)

#### SENATE BILLS FOR PERFECTION

SBs 113 & 95-Parson and Engler, with SCS	SB 108-Schmitt, et al, with SCS
------------------------------------------	---------------------------------

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SBs 7, 5, 74 & 169-Goodman, with SCS	SJR 2-Stouffer, with SA 3 (pending)
SB 8-Goodman, with SCS & SS for SCS (pending)	

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**TWENTY-SECOND DAY—WEDNESDAY, FEBRUARY 16, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“True faith does not contradict its words by its conduct.” (Unknown)

Almighty God, we like to think of ourselves as a people of faith and practice our faith in what we do and say both here and at home. Grant that our actions and words do not contradict our faith in You and shows itself with those we love and love us and may we remain open to Your prompting. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon and KCTV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.



## RESOLUTIONS

Senator Lager offered Senate Resolution No. 313, regarding Alexander Bryce Hager, which was adopted.

Senator Lager offered Senate Resolution No. 314, regarding the One Hundredth Birthday of Vivian Polaski, Oregon, which was adopted.

Senator Lager offered Senate Resolution No. 315, regarding Joshua James Thieme, which was adopted.

Senator Lager offered Senate Resolution No. 316, regarding the One Hundred Tenth Birthday of Helen Netherton, Maysville, which was adopted.

Senator Lager offered Senate Resolution No. 317, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dan Hottel, Brookfield, which was adopted.

Senator Lager offered Senate Resolution No. 318, regarding Thomas Nichols Chapman, Chillicothe, which was adopted.

Senator Munzlinger offered Senate Resolution No. 319, regarding Corrections Officer II Chad Ream, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 320, regarding Corrections Officer I Glen Fowler, Center, which was adopted.

Senator Lembke offered Senate Resolution No. 321, regarding Dr. John and Eva G'Sell, which was adopted.

## INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 281**—By Kraus.

An Act to repeal section 144.080, RSMo, and to enact in lieu thereof one new section relating to requiring the cumulative state and local sales tax rate to be printed on sales receipts, with existing penalty provisions.

**SB 282**—By Engler.

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof one new section relating to the date of the presidential primary.

**SB 283**—By Munzlinger.

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to the regulation of motor vehicles hauling agricultural products during harvest time, with penalty provisions.

**SB 284**—By Wasson.

An Act to repeal sections 338.055 and 338.330, RSMo, and to enact in lieu thereof two new sections relating to the authority of the board of pharmacy.

**SB 285**—By McKenna and Lamping.

An Act to repeal section 9.010, RSMo, and to enact in lieu thereof one new section relating to the state holiday commemorating Lincoln's birthday.

**SB 286**—By McKenna.

An Act to amend chapter 160, RSMo, by adding thereto two new sections relating to the task force on the prevention of sexual abuse of children.

**SB 287**—By Ridgeway.

An Act to amend chapter 311, RSMo, by adding thereto one new section relating to liquor control licensing.

**SB 288**—By Ridgeway.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to the state and local sales and use tax exemption for fees paid to places of amusement.

**SB 289**—By Lembke.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to use of tobacco products in state correctional facilities.

**SB 290**—By Lembke.

An Act to repeal section 434.100, RSMo, and to enact in lieu thereof one new section relating to the treatment of indemnification and hold harmless clauses within construction work contracts.

Senator Pearce assumed the Chair.

#### **SENATE BILLS FOR PERFECTION**

Senator Stouffer moved that **SJR 2**, with **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 3** was again taken up.

At the request of Senator Green, **SA 3** was withdrawn.

On motion of Senator Stouffer, **SJR 2** was declared perfected and ordered printed.

At the request of Senator Parson, **SB 113** and **SB 95**, with **SCS**, were placed on the Informal Calendar.

Senator Schmitt moved that **SB 108**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 108**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 108**

An Act to repeal section 67.281 as enacted by senate substitute no. 2 for senate committee substitute for house bill no. 103, ninety-fifth general assembly, first regular session, and section 67.281 as enacted by conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, and to enact in lieu thereof one new section relating to the installation of fire sprinklers in certain dwellings.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 108** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SB 108** was declared perfected and ordered printed.

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, his brother, Mark Pearce and Don Peterson, Warrensburg.

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Dean Hainsworth, M.D., Columbia.

Senator Schaefer introduced to the Senate, Dr. Dustin McKnight, M.D. and Dr. James Fox, M.D., Columbia; Dr. Nick Binder, M.D. and Dr. Luke Rebenitsch, M.D., Kansas City; and Dr. Jennifer Thompson, M.D., St. Louis.

Senator Brown introduced to the Senate, Amy Aubuchon, Gasconade County.

Senator Brown introduced to the Senate, Roberta Morgan and international students from Missouri University of Science and Technology.

Senator Brown introduced to the Senate, President Donald Claycomb, Ph.D and John W. Nilges, representatives of Lynn State Technical College.

On behalf of Senator Dempsey and himself, Senator Green introduced to the Senate, Dave and Marvalee Ewing and Jeanette Wappelhorst, St. Charles.

The President introduced to the Senate, Levi, Eli, Chris, Pam, Steve and Janet Magruder, Jackson.

The President introduced to the Senate, Amy Pool and Ann Gifford, Southeast Missouri.

The President introduced to the Senate, Pam Dixon, St. Louis.

On behalf of Senator Pearce, the President introduced to the Senate, international students from universities around the state.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

---

**TWENTY-THIRD DAY—THURSDAY, FEBRUARY 17, 2011**

---

### **FORMAL CALENDAR**

#### **SECOND READING OF SENATE BILLS**

SB 253-Callahan and Cunningham  
SB 254-Stouffer  
SB 255-Keaveny  
SB 256-Kraus  
SB 257-Kraus  
SB 258-Kraus

SB 259-Kraus  
SB 260-Wasson  
SB 261-Goodman  
SB 262-Goodman  
SB 263-Green  
SB 264-Rupp

SB 265-Rupp	SB 279-Schmitt
SB 266-Dempsey	SB 280-Purgason, et al
SB 267-Schaaf	SB 281-Kraus
SB 268-Stouffer	SB 282-Engler
SB 269-Brown	SB 283-Munzlinger
SB 270-Kraus	SB 284-Wasson
SB 271-Kraus	SB 285-McKenna and Lamping
SB 272-Green	SB 286-McKenna
SB 273-Lembke	SB 287-Ridgeway
SB 274-Lembke	SB 288-Ridgeway
SB 275-Lembke	SB 289-Lembke
SB 276-Schaefer	SB 290-Lembke
SB 277-Lager	SJR 16-Goodman
SB 278-Munzlinger, et al	SJR 17-Lembke

#### HOUSE BILLS ON SECOND READING

HCS for HB 45	HB 162-Fisher, et al
HCS for HBs 73 & 47	HCS for HB 46
HCS for HB 163	

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SB 33-Stouffer (In Fiscal Oversight)
SCS for SB 18-Schmitt	SB 3-Stouffer (In Fiscal Oversight)

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SBs 7, 5, 74 & 169-Goodman, with SCS	SBs 113 & 95-Parson and Engler, with SCS
SB 8-Goodman, with SCS & SS for SCS (pending)	

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### TWENTY-THIRD DAY—THURSDAY, FEBRUARY 17, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Saying ‘Yes’ to God’s gift of love and life primarily and above all else means choosing love as a life principle.” (John Powell)

As we complete this day and journey back to those we love, O God, we give You thanks and praise for teaching us the meaning of loving imperfect people as ourselves so that we may learn to overlook the flaws of those whom You have given us to love and who love us. Help us to make love our “life principle” and express it in the varied and many relationships we have and in Your presence this weekend make it known unto You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 322, regarding Kraft Foods Oscar Mayer Plant,

Columbia, which was adopted.

Senator Cunningham offered Senate Resolution No. 323, regarding Flexway Trucking, Incorporated, Hazelwood, which was adopted.

Senator Cunningham offered Senate Resolution No. 324, regarding Caroline Levens, Town and Country, which was adopted.

Senator Schaefer offered Senate Resolution No. 325, regarding Niyonzima Etienne, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 326, regarding John and Vicki Ott, which was adopted.

Senator Stouffer offered Senate Resolution No. 327, regarding Brody Jack Baker, which was adopted.

Senator Stouffer offered Senate Resolution No. 328, regarding the Sixty-ninth Wedding Anniversary of Mr. and Mrs. Warren George, Bunceton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 329, regarding Henry Givens, Jr., Saint Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 330, regarding Matthew Lamont Bell, Lee's Summit, which was adopted.

### **CONCURRENT RESOLUTIONS**

Senator Wright-Jones offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 11**

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week

WHEREAS, Diabetic Peripheral Neuropathy (DPN) is a serious condition that results from damage to nerves due to prolonged exposure to high amounts of glucose in the bloodstream as a result of diabetes; and

WHEREAS, more than half of all diabetics suffer from DPN, and the areas of the body most commonly affected by DPN are the feet and legs; and

WHEREAS, nerve damage in the feet can result in the loss of foot sensation, increasing risk of foot problems and which manifests itself in intense pain often described as aching, tingling, burning, and numbness; and

WHEREAS, in 2009, 364,000 Missourians were diagnosed with diabetes; and

WHEREAS, DPN is the leading cause of amputations, and as many as 40 to 60 percent of lower extremity amputations are due to severe forms of DPN; and

WHEREAS, DPN is preventable only to the extent that the underlying cause is preventable, requiring the individual patient's alert awareness of bodily deficiency, illness, infection or injury that can cause DPN, and the individual's willingness to seek early diagnosis and treatment; and

WHEREAS, it is absolutely fitting and proper to designate a special week to raise public awareness of DPN and its symptoms:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize the third week of June of each year as Diabetic Peripheral Neuropathy (DPN) Week in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate and the House of Representatives encourage citizens throughout Missouri to observe this week by raising public awareness regarding the symptoms and treatment of this painful and dangerous neuropathy; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution

to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 291**—By Pearce.

An Act to repeal sections 160.400, 160.405, 160.415, and 160.420, RSMo, and to enact in lieu thereof four new sections relating to charter schools.

**SB 292**—By Schaaf.

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to qualifications for certification of presidential and vice presidential candidates by the secretary of state.

**SB 293**—By Schaaf.

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to nonresident entertainer income taxes.

**SB 294**—By Keaveny.

An Act to repeal sections 160.405, 160.410, and 160.539, RSMo, and to enact in lieu thereof three new sections relating to charter schools.

**SB 295**—By Keaveny.

An Act to repeal sections 408.500 and 408.505, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with penalty provisions.

**SB 296**—By Schmitt, Lamping, Engler, Cunningham, Richard, Parson, Goodman and Schaefer.

An Act to repeal sections 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, and 620.482, RSMo, and to enact in lieu thereof four new sections relating to the compete Missouri training program.

**SB 297**—By Munzlinger.

An Act to repeal sections 407.500 and 407.505, RSMo, and to enact in lieu thereof two new sections relating to the purchase of rifles and shotguns.

**SB 298**—By Munzlinger.

An Act to repeal section 571.101, RSMo, and to enact in lieu thereof one new section relating to concealed carry endorsements, with existing penalty provisions.

**SB 299**—By Munzlinger.

An Act to repeal section 252.040, RSMo, and to enact in lieu thereof two new sections relating to restrictions on reintroducing wild elk, with penalty provisions.

**SB 300**—By Munzlinger.

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to deer season.

**SB 301**—By Mayer.

An Act to amend chapter 379, RSMo, by adding thereto ten new sections relating to the creation of the Missouri homeowners mutual insurance company.

### **INTRODUCTION OF GUESTS**

Senator Schaefer introduced to the Senate, University of Missouri Men's Basketball Head Coach, Mike Anderson. Coach Anderson assumed the dais and addressed the members of the body.

President Kinder assumed the Chair.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Saleem Abdulrauf, 7520 Buckingham Drive 1E, Saint Louis, Saint Louis County, Missouri 63105, as a member of the Missouri Head Injury Advisory Council, for a term ending May 12, 2013, and until his successor is duly appointed and qualified; vice, Saleem Abdulrauf, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Albright, 40 Brookhaven Court, Sunrise Beach, Camden County, Missouri 65079, as a member of the Missouri Community Service Commission, for a term ending December 15, 2013, and until his successor is duly appointed and qualified; vice, John Albright, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:



Angela Beshears, Republican, 15810 Oakmont Circle, Kearney, Clay County, Missouri 64060, as Secretary of the Clay County Board of Election Commissioners, for a term ending at the pleasure of the Governor and until her successor is duly appointed and qualified; vice, Angela Beshears, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Barbara Brown, 4248 East Linwood Drive, Springfield, Greene County, Missouri 65809, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Susan Phillips, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Edna Chavis, 2223 Merlin Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Quality Homecare Council, for a term ending October 1, 2015, and until her successor is duly appointed and qualified; vice, Debra Catlett, RSMO 208.856.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Derek Conard, 3001 Southeast Galvin Road, Saint Joseph, Buchanan County, Missouri 64504, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2012, and until his successor is duly appointed and qualified; vice, Derek Conard, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James Corwin, 4901 Northwest Old Trail Road, Kansas City, Platte County, Missouri 64151, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2013, and until his successor is duly appointed and qualified; vice, Carl Kinnison, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James Cunningham, 2315 West 5<sup>th</sup> Street, Sedalia, Pettis County, Missouri 65301, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until his successor is duly appointed and qualified; vice, James Cunningham, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James Dronberger, 5714 McGee Street, Kansas City, Jackson County, Missouri 64113, as a member of the Advisory Committee for Physical Therapists, for a term ending October 1, 2015, and until his successor is duly appointed and qualified; vice, Dawn Standley, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Phillip Duncan, 8200 East 189<sup>th</sup> Street, Belton, Cass County, Missouri 64012, as a member of the Organ Donation Advisory Committee, for a term ending September 4, 2013, and until his successor is duly appointed and qualified; vice, Lisa Atkins, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Marilyn Durk, 2611 Briarwood Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Head Injury Advisory Council, for a term ending May 12, 2012, and until her successor is duly appointed and qualified; vice, Charity Shelton, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Leslie Gertsch, Independent, 10981 Thompson Drive, Rolla, Phelps County, Missouri 65401, as a member of the Land Reclamation Commission, for a term ending September 28, 2013, and until her successor is duly appointed and qualified; vice, Nick Matherly, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dorothy Grange, 639 West Polo Drive, Saint Louis, Saint Louis County, Missouri 63105, as a member of the Missouri Genetic Advisory Committee, for a term ending April 9, 2011, and until her successor is duly appointed and qualified; vice, Dorothy Grange, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Charles J. Gulas, 2054 Wild Horse Creek Road, Wildwood, Saint Louis County, Missouri 63038, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2012, and until his successor is duly appointed and qualified; vice, Charles J. Gulas, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Richard Hashagen, 19324 County Road 1250, Saint James, Phelps County, Missouri 65559, as a member of the Missouri Head Injury Advisory Council, for a term ending May 12, 2013, and until his successor is duly appointed and qualified; vice, Timothy Imhoff, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Heidi M. Hernandez, 5917 NE Coral Circle, Lee's Summit, Jackson County, Missouri 64064, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Heidi M. Hernandez, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Cheryl Hibbeler, Democrat, 819 Lauralee Drive, O'Fallon, Saint Charles County, Missouri 63366, as a member of the Missouri Community Service Commission, for a term ending December 15, 2013, and until her successor is duly appointed and qualified; vice, Jolene M. Schulz, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Garry Kemp, Democrat, 2514 NW Windwood Drive, Lee's Summit, Jackson County, Missouri 64081, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2015, and until his successor is duly appointed and qualified; vice, Garry Kemp, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kristi Kenney, 2302 N. Antioch Road, Clinton, Henry County, Missouri 64735, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Kristi Kenney, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Fareesa Khan, Democrat, 543 Oakhaven Lane, St. Louis, St. Louis County, Missouri 63141, as a member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2011, and until her successor is duly appointed and qualified; vice, Fareesa Khan, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Barbara Kuebler, 3204 Pembroke Square, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2013, and until her successor is duly appointed and qualified; vice, Barbara Kuebler, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Benjamin Lampert, 4367 East Bogey Court, Springfield, Greene County, Missouri 65809, as a member of the Advisory Commission for Anesthesiologist Assistants, for a term ending July 1, 2012, and until his successor is duly appointed and qualified; vice, Benjamin Lampert, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Eric Latimer, 1801 West Finley River Drive, Nixa, Stone County, Missouri 65714, as a member of the Missouri Fire Safety Advisory Board, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Andrew Nimmo.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Timothy D. McBride, 4 Spoede Hills Drive, Creve Coeur, Saint Louis County, Missouri 63141, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until his successor is duly appointed and qualified; vice, Timothy D. McBride, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Craig Miner, 1434 Schulte Rd, St. Louis, St. Louis County, Missouri 63146, as a member of the Committee for Professional Counselors, for a term ending August 28, 2012, and until his successor is duly appointed and qualified; vice, Craig Miner, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mary Sharlene Morgan, 12012 County Road 3000, Rolla, Phelps County, Missouri 65401, as a member of the Well Installation Board, for a term ending February 24, 2014, and until her successor is duly appointed and qualified; vice, Harriett Beard, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Peter Nicastro, 2169 Willow Ridge Lane, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until his successor is duly appointed and qualified; vice, Peter Nicastro, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Elizabeth G. Sims, Republican, 18 Ladue Manor, Ladue, Saint Louis County, Missouri 63124, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2016 and until her successor is duly appointed and qualified; vice, Elizabeth G. Sims, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Donald J. Vanderfeltz, 26683 Highway D, California, Moniteau County, Missouri 65018, as a member of the State Board of Optometry, for a term ending June 20, 2013, and until his successor is duly appointed and qualified; vice, Donald J. Vanderfeltz, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dalton Wright, Republican, 21125 Aster Road, Conway, Laclede County, Missouri 65632, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2014, and until his successor is duly appointed and qualified; vice, Dalton Wright, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 16, 2011

To the Senate of the 96th General Assembly of the State of Missouri:



I have the honor to transmit to you herewith for your advice and consent the following appointment:

Christopher J. Young, 36 Rio Vista Drive, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Advisory Commission for Anesthesiologist Assistants, for a term ending July 1, 2013, and until his successor is duly appointed and qualified; vice, Charles Bowen, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above appointments to the Committee on Gubernatorial Appointments.

Senator Lager assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Bassem F. Armaly, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Sara Zorich, Democrat, as a member of the Jackson County Board of Election Commissioners;

Also,

Joan M. Keiser and Virginia A. Beatty, as members of the Organ Donation Advisory Committee;

Also,

Betty Marver and Betty Skinner, as members of the Child Abuse and Neglect Review Board;

Also,

Lane Roberts, as a member of the Peace Officer Standards and Training Commission;

Also,

Patrick Lamping, Democrat, as a member of the Missouri Development Finance Board;

Also,

Deron Sugg, Democrat, as a member of the Hazardous Waste Management Commission;

Also,

Bridget M. McCandless, as a member of the MO HealthNet Oversight Committee;

Also,

Tamara Burlis, as a member of the Advisory Commission for Physical Therapists;

Also,

Archie Camden, as a member of the State Board of Embalmers and Funeral Directors;

Also,

Alan H. Wells, as a member of the Advisory Committee for 911 Service Oversight;

Also,

Charlie Ausfahl, Democrat, as a member of the State Soil and Water District Commission;

Also,

Christopher A. Gordon, as a member of the State Historical Records Advisory Board;

Also,

Pamela L. Marshall, as a member of the State Board of Pharmacy.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 3**, begs leave to report that it has considered the same and recommends that the bill do pass.

### THIRD READING OF SENATE BILLS

At the request of Senator Schmitt, **SCS** for **SB 18** was placed on the Informal Calendar.

**SB 3**, introduced by Senator Stouffer, entitled:

An Act to repeal sections 115.205, 115.427, 115.430, and 115.631, RSMo, and to enact in lieu thereof five new sections relating to elections, with penalty provisions and a contingent effective date.

Was taken up.

On motion of Senator Stouffer, **SB 3** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt
Stouffer	Wasson—26						

#### NAYS—Senators

Callahan	Chappelle-Nadal	Green	Justus	Keaveny	McKenna	Wright-Jones—7
----------	-----------------	-------	--------	---------	---------	----------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 71**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 58**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 77**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 28**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 57**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which were referred **SB 1** and **SB 206**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 13**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 97**, begs

leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 96**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 174**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

#### SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 174, Page 1, Section 67.319, Line 2, by striking “any county with a”; and further amend lines 3-4, by striking all of said lines and inserting in lieu thereof the following: “**this state may**,”.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 187**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 161**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SJR 2** and **SCS** for **SB 108**, begs leave to report that it has examined the same and finds that the joint resolution and bill have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Lager assumed the Chair.

#### REFERRALS

President Pro Tem Mayer referred **SJR 2** to the Committee on Ways and Means and Fiscal Oversight.

#### SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**SB 253**—Education.

**SB 254**—Transportation.

- SB 255**—Rules, Joint Rules, Resolutions and Ethics.
- SB 256**—Ways and Means and Fiscal Oversight.
- SB 257**—Ways and Means and Fiscal Oversight.
- SB 258**—Ways and Means and Fiscal Oversight.
- SB 259**—Ways and Means and Fiscal Oversight.
- SB 260**—Transportation.
- SB 261**—Judiciary and Civil and Criminal Jurisprudence.
- SB 262**—Small Business, Insurance and Industry.
- SB 263**—Commerce, Consumer Protection, Energy and the Environment.
- SB 264**—Select Committee on Redistricting.
- SB 265**—Education.
- SB 266**—Financial and Governmental Organizations and Elections.
- SB 267**—Health, Mental Health, Seniors and Families.
- SB 268**—Education.
- SB 269**—Governmental Accountability.
- SB 270**—Financial and Governmental Organizations and Elections.
- SB 271**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 272**—Judiciary and Civil and Criminal Jurisprudence.
- SB 273**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 274**—General Laws.
- SB 275**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 276**—General Laws.
- SB 277**—General Laws.
- SB 278**—Agriculture, Food Production and Outdoor Resources.
- SB 279**—Jobs, Economic Development and Local Government.
- SB 280**—Ways and Means and Fiscal Oversight.
- SB 281**—Ways and Means and Fiscal Oversight.
- SB 282**—Financial and Governmental Organizations and Elections.
- SB 283**—Transportation.
- SB 284**—Financial and Governmental Organizations and Elections.
- SB 285**—General Laws.
- SB 286**—General Laws.

**SB 287**—Commerce, Consumer Protection, Energy and the Environment.

**SB 288**—Ways and Means and Fiscal Oversight.

**SB 289**—General Laws.

**SB 290**—Small Business, Insurance and Industry.

**SJR 16**—General Laws.

**SJR 17**—General Laws.

## RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 331, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Robert Hayes, Edina, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 332, regarding the death of Pastor Robert Maurice Franklin, Sr., Saint Louis, which was adopted.

## COMMUNICATIONS

President Pro Tem Mayer submitted the following:

February 16, 2011

Honorable Robert N. Mayer  
Senate President Pro Tem  
State Capitol, Room 326  
Jefferson City, MO 65101

Honorable Steven Tilley  
Speaker of the House  
State Capitol, Room 308  
Jefferson City, MO 65101

Honorable Victor Callahan  
Senate Minority Floor Leader  
State Capitol, Room 333  
Jefferson City, MO 65101

Honorable Mike Talboy  
House Minority Floor Leader  
State Capitol, Room 204  
Jefferson City, MO 65101

Dear Gentlemen:

This letter shall serve as notice of my action on Senate Concurrent Resolution No. 1.

On January 26, 2011, the Public Service Commission approved an order withdrawing 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 pertaining to geographic sourcing. Twelve days later, on February 7, 2011, I was presented with Senate Concurrent Resolution No. 1 which purports to disapprove those same regulations. The action of the Public Service Commission approving an order to withdraw the relevant regulations renders Senate Concurrent Resolution No. 1 moot and therefore makes the approval or disapproval of Senate Concurrent Resolution No. 1 unnecessary.<sup>1</sup>

Sincerely,  
Jeremiah W. (Jay) Nixon  
Governor

---

<sup>1</sup> I am cognizant of the argument asserted by two members of the Public Service Commission that the Commission lacked authority to withdraw these regulations. I disagree with that view and find that the Public Service Commission was clearly vested with the necessary power to issue its January 26, 2011 order. While I am not approving this legislative resolution rendered unnecessary by mootness, I recognize that my action will allow Senate Concurrent Resolution No. 1 to become effective through Article III, Section 31 of the Missouri Constitution. This approach will not change the inevitable result – the relevant rules being withdrawn – but will eliminate future uncertainty surrounding the status of these rules and appropriately return our collective focus to developing a vibrant renewable energy industry in Missouri.

### **INTRODUCTIONS OF GUESTS**

Senator Schaaf introduced to the Senate, Mayor Bill Falkner and Lisa Robertson, St. Joseph.

Senator Kraus introduced to the Senate, former State Senator Bob Johnson, Lee's Summit.

Senator Parson introduced to the Senate, Chris McClay, Ellis Hall, Audra Morgan, Scott Daniel, Karen Bruce, Patricia Schneider, Belinda Presley and Mike Campbell, representatives of Leadership Bolivar.

Senator Schmitt introduced to the Senate, Mayor Felicity Buckley, Alderman Chris Gorman and Jonathan Greever, Shrewsbury.

The President introduced to the Senate, Pam Carter.

Senator Schaefer introduced to the Senate, Athletic Director Mike Alden and Deputy Chancellor Mike Middleton, University of Missouri, Columbia.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 21, 2011.

### **SENATE CALENDAR**

---

TWENTY-FOURTH DAY—MONDAY, FEBRUARY 21, 2011

---

### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 291-Pearce  
SB 292-Schaaf  
SB 293-Schaaf  
SB 294-Keaveny  
SB 295-Keaveny  
SB 296-Schmitt, et al

SB 297-Munzlinger  
SB 298-Munzlinger  
SB 299-Munzlinger  
SB 300-Munzlinger  
SB 301-Mayer

### **HOUSE BILLS ON SECOND READING**

HCS for HB 45  
HCS for HBs 73 & 47  
HCS for HB 163

HB 162-Fisher, et al  
HCS for HB 46

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna  
(In Fiscal Oversight)

SB 33-Stouffer (In Fiscal Oversight)

SJR 2-Stouffer (In Fiscal Oversight)

SCS for SB 108-Schmitt, et al

## SENATE BILLS FOR PERFECTION

SB 71-Parson

SB 58-Stouffer and Lembke, with SCS

SB 28-Brown

SBs 1 & 206-Ridgeway, with SCS

SB 13-Pearce, with SCS

SB 174-Dempsey, with SCA 1

SB 187-Lager, et al

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 7, 5, 74 & 169-Goodman, with SCS

SB 8-Goodman, with SCS & SS for SCS  
(pending)

SBs 113 & 95-Parson and Engler, with SCS

## CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 77-Stouffer

SB 57-Callahan, with SCS

SB 97-Engler

SB 96-Engler

SB 161-Munzlinger

## RESOLUTIONS

To be Referred

SCR 11-Wright-Jones



# Journal of the Senate

FIRST REGULAR SESSION

---

**TWENTY-FOURTH DAY—MONDAY, FEBRUARY 21, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“We cannot forget history...we will be remembered for good or for ill...we cannot escape the burden nor responsibility.” (Abraham Lincoln)

Almighty God, on this Presidents’ Day we are mindful how You have called forth leaders to take us through perilous times and how they are remembered today. Help us be mindful of the history we create through these difficult times and the effect our actions will have on our people. So we pray for guidance and direction for what we will say and do and the bills we will produce and are enacted into law. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 17, 2011 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

Senator Lager assumed the Chair.

### **RESOLUTIONS**

Senator Pearce offered Senate Resolution No. 333, regarding Anthony Joseph Willard, Belton, which was adopted.

Senator Lembke offered Senate Resolution No. 334, regarding Daniel Schroeder, Oakville, which was adopted.

Senator Lager offered Senate Resolution No. 335, regarding the One Hundredth Birthday of Verna Carol Wilson, Plattsburg, which was adopted.

Senator Lager offered Senate Resolution No. 336, regarding Aaron Baker, Savannah, which was adopted.

Senator Lager offered Senate Resolution No. 337, regarding Zackery Dunn, Savannah, which was adopted.

Senator Rupp offered Senate Resolution No. 338, regarding the Sixty-fifth Wedding Anniversary of Dr. and Mrs. Edward Newberry, Troy, which was adopted.

Senator Kehoe offered Senate Resolution No. 339, regarding Grace A. Fennewald, Jefferson City, which was adopted.

Senator Green offered Senate Resolution No. 340, regarding Nita Griffin, Columbia, Illinois, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 302**—By Engler.

An Act to repeal sections 383.015, 383.016, 383.035, 383.037, and 383.206, RSMo, and to enact in lieu thereof seven new sections relating to malpractice insurance.

**SB 303**—By Engler.

An Act to repeal sections 324.043, 334.040, 334.070, 334.090, 334.100, 334.102, 334.103, 334.107, 334.127, 334.715, 536.063, 536.067, 536.070, 621.045, 621.100, and 621.110, RSMo, and to enact in lieu thereof twenty-two new sections relating to licensure of certain professions, with penalty provisions.

**SB 304**—By Rupp.

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to life and health reinsurance contracts.

**SB 305**—By Parson.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to the sale of plastic bulk merchandise containers, with penalty provisions.

**SB 306**—By Wasson.

An Act to repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions, with penalty provisions.

**SB 307**—By Justus.

An Act to amend chapter 488, RSMo, by adding thereto one new section relating to court costs for certain municipal ordinance violations.

**SB 308**—By Nieves.

An Act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

**SB 309**—By Kehoe.

An Act to repeal sections 190.035, 190.040, and 321.552, RSMo, and to enact in lieu thereof three new sections relating to taxes to fund emergency services.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 45**—Ways and Means and Fiscal Oversight.

**HCS** for **HBs 73** and **47**—Health, Mental Health, Seniors and Families.

**HCS** for **HB 163**—Small Business, Insurance and Industry.

### **SECOND READING OF CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

**SCR 11**—Rules, Joint Rules, Resolutions and Ethics.

### **SENATE BILLS FOR PERFECTION**

Senator Parson moved that **SB 71** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 71** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 58**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 58**, entitled:

### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 58**

An Act to repeal sections 387.040, 387.050, 387.080, 387.110, 390.051, 390.061, 390.081, 390.101, 390.116, and 390.280, RSMo, and to enact in lieu thereof fourteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 58** be adopted.

Senator Stouffer offered **SS** for **SCS** for **SB 58**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 58

An Act to repeal sections 387.040, 387.050, 387.080, 387.137, 387.139, 387.207, 387.110, 390.051, 390.061, 390.081, 390.101, 390.116, and 390.280, RSMo, and to enact in lieu thereof fifteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

Senator Stouffer moved that **SS** for **SCS** for **SB 58** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 58** was declared perfected and ordered printed.

### COMMUNICATIONS

Senator Crowell submitted the following:

February 18, 2011

Ms. Terry Spieler  
Secretary of Senate  
State Capitol Building – Room 325  
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that the following bills be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

**SB 77 (Stouffer)** – Expands the types of directional signs which may be erected and maintained within highway right-of-ways

**SB 161 (Munzlinger)** – Allows the Missouri Agricultural and Small Business Development Authority to provide loan guarantees for loans to agribusinesses

Sincerely,  
/s/ Jason Crowell  
Jason G. Crowell  
State Senator

### INTRODUCTIONS OF GUESTS

Senator Rupp introduced to the Senate, his children, Noelle and Scottie, Wentzville; and Noelle and Scottie were made honorary pages.

Senator Dixon introduced to the Senate, his wife, Amanda, Springfield.

Senator Lager introduced to the Senate, Andrew County Eagle Scouts.

Senator Stouffer introduced to the Senate, members of 4-H Legislative Academy.

Senator Wright-Jones introduced to the Senate, representatives of Delta Sigma Theta, Sorority, Inc., from around the state.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

---

TWENTY-FIFTH DAY—TUESDAY, FEBRUARY 22, 2011

---

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 291-Pearce	SB 301-Mayer
SB 292-Schaaf	SB 302-Engler
SB 293-Schaaf	SB 303-Engler
SB 294-Keaveny	SB 304-Rupp
SB 295-Keaveny	SB 305-Parson
SB 296-Schmitt, et al	SB 306-Wasson
SB 297-Munzlinger	SB 307-Justus
SB 298-Munzlinger	SB 308-Nieves
SB 299-Munzlinger	SB 309-Kehoe
SB 300-Munzlinger	

HOUSE BILLS ON SECOND READING

HB 162-Fisher, et al	HCS for HB 46
----------------------	---------------

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SJR 2-Stouffer (In Fiscal Oversight)
SB 33-Stouffer (In Fiscal Oversight)	SCS for SB 108-Schmitt, et al

SENATE BILLS FOR PERFECTION

SB 28-Brown	SB 174-Dempsey, with SCA 1
SBs 1 & 206-Ridgeway, with SCS	SB 187-Lager, et al
SB 13-Pearce, with SCS	

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 8-Goodman, with SCS & SS for SCS  
(pending)

SBs 113 & 95-Parson and Engler, with SCS

## CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**TWENTY-FIFTH DAY—TUESDAY, FEBRUARY 22, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Prayer—secret, fervent, believing prayer—lies at the root of all personal godliness.” (William Carey)

Holy God, we begin each day with prayer and are hopeful that it comes to You with fervent desire to be at one with You. We pray that our personal foundation is strongly rooted in You and that it stands firmly against all the temptations that challenge us each day. We pray that we will use this day in accomplishing all You desire for us to do and we may be faithful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Schmitt offered Senate Resolution No. 341, regarding Alexander Kehm, Fenton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 342, regarding Halbert Sullivan, St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 343, regarding the Ninetieth Birthday of John Henry Sears, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 344, regarding Ali M. Cavanaugh, Kirkwood, which was adopted.

Senator Goodman offered Senate Resolution No. 345, regarding Steelman Transportation, which was adopted.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

**SB 310**—By Justus.

An Act to repeal sections 701.300, 701.301, 701.305, 701.309, 701.310, 701.311, 701.312, 701.313, 701.314, 701.316, 701.320, and 701.334, RSMo, and to enact in lieu thereof eleven new sections relating to lead licensing, with penalty provisions.

**SB 311**—By Pearce.

An Act to repeal section 167.194, RSMo, and to enact in lieu thereof one new section relating to the children's vision examination program.

**SB 312**—By Keaveny.

An Act to repeal section 454.475, RSMo, and to enact in lieu thereof one new section relating to child support administrative decisions.

**SB 313**—By Schaaf.

An Act to repeal section 67.1956, RSMo, and to enact in lieu thereof one new section relating to tourism community enhancement districts.

**SB 314**—By Chappelle-Nadal.

An Act to amend chapter 292, RSMo, by adding thereto one new section relating to workplace violence, with a penalty provision.

**SB 315**—By Chappelle-Nadal.

An Act to amend chapters 34 and 390, RSMo, by adding thereto two new sections relating to employment practices.

**SB 316**—By McKenna.

An Act to amend chapter 36, RSMo, by adding thereto one new section relating to a four-day work week for state employees.



**SB 317**—By Stouffer.

An Act to repeal sections 409.1-102 and 409.2-201, RSMo, and to enact in lieu thereof two new sections relating to agricultural cooperative corporations.

**SB 318**—By Dixon.

An Act to repeal section 115.162, RSMo, and to enact in lieu thereof one new section relating to voter registration for hunting and fishing permit applicants.

**SB 319**—By Dixon.

An Act to repeal section 143.790, RSMo, and to enact in lieu thereof two new sections relating to a debt setoff for unpaid healthcare expenses.

**SB 320**—By Lamping, Schmitt, Wright-Jones, McKenna, Rupp, Dempsey, Nieves, Kraus, Chappelle-Nadal, Dixon, Schaefer, Lager, Engler, Ridgeway, Green, Kehoe, Schaaf, Purgason, Callahan, Justus, Keaveny, Munzlinger, Cunningham, Pearce, Goodman, Brown and Wasson.

An Act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.027, 455.035, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, and 595.100, RSMo, and to enact in lieu thereof twenty-one new sections relating to domestic violence, with penalty provisions.

**SJR 18**—By Munzlinger.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

**SJR 19**—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33 of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the city and county of St. Louis.

**SJR 20**—By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the commonsense obligation to provide accountability and spending stabilization act.

## **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 71** and **SS** for **SCS** for **SB 58**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

## **SENATE BILLS FOR PERFECTION**

At the request of Senator Brown, **SB 28** was placed on the Informal Calendar.

At the request of Senator Ridgeway, **SB 1** and **SB 206**, with **SCS**, were placed on the Informal Calendar.

Senator Pearce moved that **SB 13**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 13**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 13

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to a task force to study teacher compensation.

Was taken up.

Senator Pearce moved that **SCS** for **SB 13** be adopted.

Senator Pearce offered **SS** for **SCS** for **SB 13**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 13

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to a task force to study teacher compensation.

Senator Pearce moved that **SS** for **SCS** for **SB 13** be adopted.

Senator Schmitt assumed the Chair.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 13, Page 1, In the Title, Lines 3-4, by striking the words “a task force to study teacher compensation” and inserting in lieu thereof the following: “the joint committee on education”; and

Further amend said bill, Section A, page 1, line 3, by inserting after all of said line the following:

“160.254. 1. There is hereby established a joint committee of the general assembly, which shall be known as the “Joint Committee on Education”, which shall be composed of seven members of the senate and seven members of the house of representatives. The senate members of the committee shall be appointed by the president pro tem of the senate and the house members by the speaker of the house.

2. The committee shall meet at least twice a year. In the event of three consecutive absences on the part of any member, such member may be removed from the committee.

3. The committee shall select either a chairman or cochairmen, one of whom shall be a member of the senate and one a member of the house. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairman or chairmen designate.

4. The committee shall:

(1) Review and monitor the progress of education in the state's public schools and institutions of higher education;

(2) Receive reports from the commissioner of education concerning the public schools and from the commissioner of higher education concerning institutions of higher education;

(3) Conduct a study and analysis of the public school system;

(4) Make recommendations to the general assembly for legislative action;

(5) Conduct an in-depth study concerning all issues relating to the equity and adequacy of the distribution of state school aid, teachers' salaries, funding for school buildings, and overall funding levels for schools and any other education funding-related issues the committee deems relevant;

(6) Monitor the establishment of performance measures as required by section 173.1006 and report on their establishment to the governor and the general assembly;

(7) Conduct studies and analysis regarding:

(a) The higher education system, including financing public higher education and the provision of financial aid for higher education; and

(b) The feasibility of including students enrolled in proprietary schools, as that term is defined in section 173.600, in all state-based financial aid programs;

(8) Annually review the collection of information under section 173.093 to facilitate a more accurate comparison of the actual costs at public and private higher education institutions;

(9) Within three years of August 28, 2007, review a new model for the funding of public higher education institutions upon submission of such model by the coordinating board for higher education;

(10) Within three years of August 28, 2007, review the impact of the higher education student funding act established in sections 173.1000 to 173.1006;

(11) Beginning August 28, 2008, upon review, approve or deny any expenditures made by the commissioner of education pursuant to section 160.530, as provided in subsection 5 of section 160.530.

5. [During the legislative interim between the first regular session of the ninety-fifth general assembly through January 29, 2010, of the second regular session of the ninety-fifth general assembly, the joint committee on education shall study the issue of open enrollment for public school students across school district boundary lines in this state. In studying this issue, the joint committee may solicit input and information necessary to fulfill its obligation, including but not limited to soliciting input and information from any state department, state agency, school district, political subdivisions of this state, teachers, and the general public. The joint committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary for submission to the general assembly by December 31, 2009.] **During the legislative interim between the first regular session of the ninety-sixth general assembly through December 31, 2011, the joint committee shall study the issue of a year-round educational program for school districts. The joint committee may consult with state departments, state boards, public school districts, and individuals in the education community. The joint committee shall prepare a final report, together with any recommendations for any legislative action deemed necessary for submission to the general assembly by December 31, 2011.**

6. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research, as well as the department of elementary and secondary education, the department of higher education, the coordinating

board for higher education, the state tax commission, the department of economic development, all school districts and other political subdivisions of this state, teachers and teacher groups, business and other commercial interests and any other interested persons.

7. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Crowell raised the point of order that **SA 1** is out of order as it goes beyond the scope of the underlying legislation.

The point of order was referred to the President Pro Tem.

At the request of Senator Lager, **SA 1** was withdrawn rendering the point of order moot.

Senator Green offered **SA 2**, which was read:

#### SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 13, Page 1, Section 160.256, Line 11, by inserting after “**education**,” the following: “**one**”; and further amend line 12 by inserting after the word “**senate**” the following: “**and one to be appointed by the minority leader of the senate**”; and further amend line 13 by inserting after “**education**,” the following: “**one**”; and further amend line 14 by inserting after the word “**representatives**” the following: “**and one to be appointed by the minority leader of the house of representatives**”.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SS** for **SCS** for **SB 13**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SS** for **SCS** for **SB 13**, as amended, was declared perfected and ordered printed.

Senator Dempsey moved that **SB 174**, with **SCA 1**, be taken up for perfection, which motion prevailed.

**SCA 1** was taken up.

Senator Dempsey moved that the above committee amendment be adopted, which motion prevailed.

On motion of Senator Dempsey, **SB 174**, as amended, was declared perfected and ordered printed.

#### MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 18, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of John Albright for the Missouri Community Service Commission submitted to you on February 16, 2011. Line 1 should read:

John Albright, Republican, 40 Brookhaven Court, Sunrise Beach, Camden County, Missouri 65079,

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 18, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Christopher J. Young for the Advisory Commission for Anesthesiologist Assistants submitted to you on February 16, 2011. Line 4 should read:

Christopher J. Young, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above addendums to the Committee on Gubernatorial Appointments.

## **COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

February 21, 2011

Senator Jim Lembke  
Chairman, Governmental Accountability Committee  
Room 419, State Capitol  
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your Committee on Governmental Accountability investigate the privatization of the Missouri Lottery and the potential cost savings of doing so.

Specifically, I would like you to review the services of GTECH Corporation. GTECH has been awarded new contracts to provide online or instant ticket printing, services, and systems for lotteries in New York, South Dakota, Michigan, West Virginia, Kansas, Virginia, Oregon, Rhode Island, Connecticut, and our very own Missouri.

Please let me know if I can be of additional help.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
District 25 Senator

## **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Misty Curtright and Jim Peters, Belton.

Senator Schaefer introduced to the Senate, John Kadlec, Columbia.

Senator Kraus introduced to the Senate, Scott Knoche, Lee's Summit; and Mike Woodward,

Independence.

The President introduced to the Senate, Katelyn Wiles, Farmington; Janet Vanderbeck and Michael Gorman, Chesterfield; Bob Sherrill, Cape Girardeau; and Mark Mattingly, Perryville.

Senator Mayer introduced to the Senate, representatives of Missouri Ambulatory Surgery Center Association.

Senator Mayer introduced to the Senate, twenty-three eighth grade students from Caruthersville Middle School, and Myrical Jones, Mariah Bullington, Landon Stricklin, Victoria Menton and Tori Hepler were made honorary pages.

Senator Wasson introduced to the Senate, representatives of the Missouri Nurses Association.

Senator Parson introduced to the Senate, Dr. Herb Hamann and physical therapy students from Southwest Baptist University, Bolivar.

Senator Goodman introduced to the Senate, Scott George, Mt. Vernon.

Senator Lager introduced to the Senate, Congressman Sam Graves.

Senator Schaefer introduced to the Senate, his wife, Stacia and their son, Max; and three hundred gifted students from the Columbia Public Schools.

Senator Goodman introduced to the Senate, his sons, Jack Elliott and William True Goodman, Mt. Vernon; and Jack Elliott and William True were made honorary pages.

Senator Pearce introduced to the Senate, Gloria Rapkin, Angela Grigsby, Nicole Yanak, Liz Uptegrove, Carrie Roberts, Katie Warnock, Jessica Luark and Anna Campbell, students from University of Central Missouri, Warrensburg.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

TWENTY-SIXTH DAY—WEDNESDAY, FEBRUARY 23, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 291-Pearce  
 SB 292-Schaaf  
 SB 293-Schaaf  
 SB 294-Keaveny  
 SB 295-Keaveny  
 SB 296-Schmitt, et al  
 SB 297-Munzlinger  
 SB 298-Munzlinger

SB 299-Munzlinger  
 SB 300-Munzlinger  
 SB 301-Mayer  
 SB 302-Engler  
 SB 303-Engler  
 SB 304-Rupp  
 SB 305-Parson  
 SB 306-Wasson

SB 307-Justus  
SB 308-Nieves  
SB 309-Kehoe  
SB 310-Justus  
SB 311-Pearce  
SB 312-Keaveny  
SB 313-Schaaf  
SB 314-Chappelle-Nadal  
SB 315-Chappelle-Nadal

SB 316-McKenna  
SB 317-Stouffer  
SB 318-Dixon  
SB 319-Dixon  
SB 320-Lamping, et al  
SJR 18-Munzlinger  
SJR 19-Chappelle-Nadal  
SJR 20-Lager

#### HOUSE BILLS ON SECOND READING

HB 162-Fisher, et al

HCS for HB 46

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)  
SB 33-Stouffer (In Fiscal Oversight)  
SJR 2-Stouffer (In Fiscal Oversight)

SCS for SB 108-Schmitt, et al  
SB 71-Parson  
SS for SCS for SB 58-Stouffer

#### SENATE BILLS FOR PERFECTION

SB 187-Lager, et al

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

#### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 8-Goodman, with SCS & SS for SCS  
(pending)

SB 28-Brown  
SBs 113 & 95-Parson and Engler, with SCS

#### CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

✓



# Journal of the Senate

## FIRST REGULAR SESSION

---

**TWENTY-SIXTH DAY—WEDNESDAY, FEBRUARY 23, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Difficult as it is really to listen to someone in affliction, it is just as difficult for him to know that compassion is listening to him.” (Simone Weil)

Merciful God, we know that there is compassion within this body in the work that must be done to help those who are in need. Help us during our committee hearings to listen with ruth and kindness so we have understanding and grace to what is testified and help us be able to communicate our compassion and concern for what we have heard and what is required of each of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Richard offered Senate Resolution No. 346, regarding Missouri City Clerks and Finance Officers Association of Missouri, which was adopted.

Senator Kehoe offered Senate Resolution No. 347, regarding Joseph Shawn Sommerer, Lohman, which was adopted.

Senator Kehoe offered Senate Resolution No. 348, regarding Larry Kolb and Steve Rollins, which was adopted.

Senator Kehoe offered Senate Resolution No. 349, regarding Twehous Excavating Company, Incorporated, Jefferson City, which was adopted.

Senator Richard offered Senate Resolution No. 350, regarding the Ninetieth Birthday of Dorothy K. Claxton, Joplin, which was adopted.

Senator Kraus offered Senate Resolution No. 351, regarding the Bank of Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 352, regarding Michelle Rusert, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 353, regarding David Wildschuetz, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 354, regarding Kevin Quinn, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 355, regarding Gary D. Smith, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 356, regarding Sarah Vaughn, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 357, regarding Matthew Farlin, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 358, regarding Alyssa N. Webb, Grain Valley, which was adopted.

Senator Engler offered Senate Resolution No. 359, regarding Teren Andrew Burns, Park Hills, which was adopted.

Senator Crowell offered Senate Resolution No. 360, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Laddie Bridwell, Chaffee, which was adopted.

**RE-REFERRALS**

President Pro Tem Mayer re-referred **SB 175** to the Committee on Small Business, Insurance and Industry.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 321**—By Kehoe, Richard, Parson, Dempsey, McKenna, Engler, Schaefer, Stouffer, Lager, Wasson, Chappelle-Nadal, Nieves, Lembke, Cunningham, Green, Dixon, Schaaf, Rupp and Wright-Jones.

An Act to repeal section 393.135, RSMo, and to enact in lieu thereof one new section relating to site development for energy generation facilities.

**SB 322**—By Schaefer.

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to certain provider taxes.

**SB 323**—By Schaefer.

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to audits.

**SB 324**—By Kraus and Nieves.

An Act to repeal sections 301.120, 301.130, and 301.144, RSMo, section 301.064 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 301.064 as enacted by house bill no. 769, eighty-ninth general assembly, first regular session, and to enact in lieu thereof four new sections relating to the issuance of state license plates.

**SB 325**—By Wasson.

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to notifying employers regarding the licensing status of employees.

**SB 326**—By Wasson.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

**SB 327**—By Richard.

An Act to repeal sections 643.151 and 644.076, RSMo, and to enact in lieu thereof two new sections relating to recycling companies that convert animal parts into petroleum, with penalty provisions.

**SB 328**—By Goodman.

An Act to repeal section 351.340, RSMo, and to enact in lieu thereof one new section relating to board meetings of corporations.

**SB 329**—By Nieves.

An Act to repeal section 162.1250, RSMo, and to enact in lieu thereof one new section relating to virtual schools.

**SB 330**—By Dixon.

An Act to repeal section 571.107, RSMo, and to enact in lieu thereof one new section relating to the carrying of concealed firearms in the state capitol building.

**SB 331**—By Lamping and Goodman.

An Act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and

566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

**SB 332**—By Justus, Wright-Jones and Keaveny.

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to sexual education.

**SJR 21**—By Lembke and Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 32(a) of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the city of St. Louis.

### SENATE BILLS FOR PERFECTION

Senator Lager moved that **SB 187** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Schaaf offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Bill No. 187, Page 1, In the Title, Line 3, by striking the word “private”; and

Further amend said bill, section A, line 2, by inserting immediately after said line the following:

“67.402. 1. The governing body of **the following counties may enact nuisance abatement ordinances as provided in this section:**

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but [less] **fewer** than one hundred thirty-five thousand five hundred inhabitants[.];

(2) Any county of the first classification with more than seventy-one thousand three hundred but [less] **fewer** than seventy-one thousand four hundred inhabitants[, and];

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but [less] **fewer** than one hundred ninety-nine thousand two hundred inhabitants;

(4) **Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;**

(5) **Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;**

(6) **Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants.**

**2. The governing body of any county described in subsection 1 of this section** may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions

or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

[2.] **3.** Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

[3.] **4.** Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

226.720. 1. No junkyard shall be established, maintained or operated within two hundred feet of any other state or county road in this state unless such junkyard is **fully** screened from the **state or county** road by a **permanent** tight board or other screen fence not less than ten feet high, or of sufficient height to **fully** screen the wrecked or disabled automobiles or junk kept therein from the view of persons using the **state**

**or county** road on foot or in vehicles in the ordinary manner, except that nothing in this section shall apply to any junkyard located in any incorporated town, village or city. The provisions of sections 226.650 through 226.710 shall not apply to this section except the definitions appearing in section 226.660.

2. Any person, firm or corporation who establishes, conducts, owns, maintains or operates a junkyard without complying with the provisions of this section shall, [on] **upon their first** conviction, be guilty of a **class C** misdemeanor **and shall be ordered to either remove the junk from the property or build a fence as described in this section.** Any person, firm, or corporation who establishes, conducts, owns, maintains, or operates a junkyard without complying with the provisions of this section shall, **upon their second or subsequent violation, be guilty of a class A misdemeanor and shall be ordered to either remove the junk from the property or build a fence as described in this section.**"; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Callahan offered **SA 2:**

#### SENATE AMENDMENT NO. 2

Amend Senate Bill No. 187, page 2, section 537.296, Line 42 by inserting immediately after all of said line the following

**"7. A copy of the final judgement in any action alleging a private nuisance shall be filed with the recorder of deeds in the county in which the final judgment was issued and shall operate as notice to any purchaser of the claimant's property that the property was related to a previous claim and judgment for nuisance."**

Senator Callahan moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 3:**

#### SENATE AMENDMENT NO. 3

Amend Senate Bill No. 187, Page 2, Section 537.296, Line 42, by inserting after all of said line the following:

**"7. The provisions of this section shall not apply to any claim for private nuisance by a plaintiff whose property ownership precedes the defendant's activities giving rise to the cause of action."**

Senator Justus moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Crowell, Green, Keaveny and Mayer.

Senator Schmitt assumed the Chair.

**SA 3** failed of adoption by the following vote:

#### YEAS—Senators

Callahan	Chappelle-Nadal	Crowell	Dixon	Green	Justus	Keaveny	McKenna
Wright-Jones—9							

#### NAYS—Senators

Brown	Cunningham	Dempsey	Engler	Goodman	Kehoe	Kraus	Lager
-------	------------	---------	--------	---------	-------	-------	-------

Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson—23	

Absent—Senators—None

Absent with leave—Senator Schaefer—1

Vacancies—1

On motion of Senator Lager, **SB 187**, as amended, was declared perfected and ordered printed.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 174** and **SS** for **SCS** for **SB 13**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 71**, entitled:

An Act to repeal section 84.010, RSMo, and to enact in lieu thereof eight new sections relating to the St. Louis police force with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Tom Dempsey to the following committee:

Joint Committee on Gaming and Wagering

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am reappointing Senator Tom Dempsey to the following commission:

Mississippi River Parkway Commission

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Brad Lager to the following committees/board:

Joint Committee on Corrections

Joint Committee on Legislative Research

Joint Committee on Tax Policy

Missouri Investment Trust Board of Trustees

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am accepting appointment to the following committee/board:

Joint Committee on Wetlands



Board of Public Buildings

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am accepting reappointment to the following commissions:

Missouri Commission on the Delta Regional Authority  
Seismic Safety Commission

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Mrs. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Mike Parson to the following board/committees:

Missouri Fire Education Trust Fund Board of Trustees  
Joint Committee on Legislative Research  
Joint Committee on Terrorism, Bioterrorism and Homeland Security  
Joint Committee on Wetlands

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Chuck Purgason to the following committee:

Joint Committee on Government Accountability

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am reappointing Senator Scott Rupp to the following committee/commissions:

Joint Committee on Public Employees Retirement

Children's Services Commission

Missouri Commission on Autism Spectrum Disorders

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Scott Rupp to the following committees:

Small Business Compliance Advisory Committee

Joint Committee on Gaming and Wagering

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Kurt Schaefer to the following committees:

Joint Legislative Committee on Court Automation  
Joint Committee on Government Accountability  
Linked Deposits Review Committee  
Joint Committee on Legislative Research  
Joint Committee on MO Healthnet

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Jay Wasson to the following committees:

Advisory Committee on Tobacco Securitization  
Joint Committee on County Salaries  
Joint Committee on Corrections  
Joint Committee on the Life Sciences  
Missouri Job Training Joint Legislative Oversight Committee  
Joint Committee on Transportation Oversight

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

**RESOLUTIONS**

Senator Wright-Jones offered Senate Resolution No. 361, regarding the death of Max Starkloff, Saint Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 362, regarding M.D. "Pete" Rothschild, II, Saint Louis, which was adopted.

**INTRODUCTIONS OF GUESTS**

The President introduced to the Senate, representatives of the Missouri Dermatological Society.

Senator Pearce introduced to the Senate, Allison Mollenhour, Harrisonville; Rusty Sproat and Julie Akers, Warrensburg; Micaela Fisk, Knob Noster; Allyson Smith, Centerview; Jim Spencer, Cass County; and Jordan Ryerson, Brianna Jackson and Amy Franklin, Pleasant Hill.

Senator Schaefer introduced to the Senate, Marissa Tierney, Norborne; Christy Blakemore, Boone County Circuit Clerk; and the Physician of the Day, Dr. Nicholas Golda, M.D., Columbia.

Senator Munzlinger introduced to the Senate, Jordan Henry, Mexico; and Alyssa Talkington, Bowling Green.

Senator Brown introduced to the Senate, Jodi Minor, Chamois; Butch O'Riley, Waynesville; and Cindy Rumpf and John McColloch, Salem.

Senator Kehoe introduced to the Senate, Kimberlie Koechner, Tipton; and Josey Stevens, Prairie Home.

Senator Engler introduced to the Senate, Keila Nesler, Bonne Terre.

On behalf of Senator Wasson and himself, Senator Dixon introduced to the Senate, Steve Helms, Greene County Circuit Clerk; and students from Missouri State University School of Social Work.

Senator Stouffer introduced to the Senate, Rebecca Felten, Pilot Grove.

Senator Goodman introduced to the Senate, Brit Isbell, LeeAnn Morris and Marlana Heimer, Monett.

Senator Justus introduced to the Senate, Jackie Pottier, Gower.

Senator Parson introduced to the Senate, Vicki Hillsman, Rachel Lusk, Samantha Clark, Megan Purdom, Brooke Monge', Jill Carter, Janell Allred and Micah Melling, El Dorado.

Senator Purgason introduced to the Senate, Alexis Duncan, West Plains.

Senator Lager introduced to the Senate, Haley Creason, Trenton.

Senator Mayer introduced to the Senate, Jade Peel, Clarkton; and April Hager, Holcomb.

Senator Ridgeway introduced to the Senate, Sarah Jackson.

Senator Wright-Jones introduced to the Senate, Darion Austell and Imani Bennett, St. Louis.

Senator Crowell introduced to the Senate, Jennifer Brown, Jackson.

Senator Chappelle-Nadal introduced to the Senate, representatives of Hispanic Days.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

---

TWENTY-SEVENTH DAY—THURSDAY, FEBRUARY 24, 2011

---

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 291-Pearce	SB 314-Chappelle-Nadal
SB 292-Schaaf	SB 315-Chappelle-Nadal
SB 293-Schaaf	SB 316-McKenna
SB 294-Keaveny	SB 317-Stouffer
SB 295-Keaveny	SB 318-Dixon
SB 296-Schmitt, et al	SB 319-Dixon
SB 297-Munzlinger	SB 320-Lamping, et al
SB 298-Munzlinger	SB 321-Kehoe, et al
SB 299-Munzlinger	SB 322-Schaefer
SB 300-Munzlinger	SB 323-Schaefer
SB 301-Mayer	SB 324-Kraus and Nieves
SB 302-Engler	SB 325-Wasson
SB 303-Engler	SB 326-Wasson
SB 304-Rupp	SB 327-Richard
SB 305-Parson	SB 328-Goodman
SB 306-Wasson	SB 329-Nieves
SB 307-Justus	SB 330-Dixon
SB 308-Nieves	SB 331-Lamping and Goodman
SB 309-Kehoe	SB 332-Justus, et al
SB 310-Justus	SJR 18-Munzlinger
SB 311-Pearce	SJR 19-Chappelle-Nadal
SB 312-Keaveny	SJR 20-Lager
SB 313-Schaaf	SJR 21-Lembke and Chappelle-Nadal

HOUSE BILLS ON SECOND READING

HB 162-Fisher, et al	HB 71-Nasheed, et al
HCS for HB 46	

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SB 33-Stouffer (In Fiscal Oversight) SJR 2-Stouffer (In Fiscal Oversight)
------------------------------------------------	------------------------------------------------------------------------------

SCS for SB 108-Schmitt, et al  
SB 71-Parson  
SS for SCS for SB 58-Stouffer

SB 174-Dempsey  
SS for SCS for SB 13-Pearce

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

#### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 8-Goodman, with SCS & SS for SCS  
(pending)

SB 28-Brown  
SBs 113 & 95-Parson and Engler, with SCS

#### CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**TWENTY-SEVENTH DAY—THURSDAY, FEBRUARY 24, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Blessed are those who can give without remembering and take without forgetting.” (Elizabeth Bibesco)

We pray, O Lord, that this day and weekend will find Your blessings upon us and that charitable love will lubricate our varied relationships in life. May our love be soothing for those we live with bringing harmony and deep caring for one another. And we would pray You help us have a sense of charity as we minister to those in our district who stand in need of our help and what we have to offer. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 363, regarding Tony R. Ward, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 364, regarding James M. Schmidt, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 365, regarding Sandy Morain, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 366, regarding Jon Davidson, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 367, regarding Barbara Murry, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 368, regarding Yolanda M. West, Grain Valley, which was adopted.

Senator Ridgeway offered Senate Resolution No. 369, regarding Zachery Ildza, which was adopted.

Senator Ridgeway offered Senate Resolution No. 370, regarding Joshua Coday, which was adopted.

Senator McKenna offered Senate Resolution No. 371, regarding William “Billy” Pruneau, Jr., Festus, which was adopted.

Senator McKenna offered Senate Resolution No. 372, regarding the Fiftieth Birthday of Lynden Craig Sherman, Festus, which was adopted.

Senator McKenna offered Senate Resolution No. 373, regarding the Fiftieth Birthday of Christina Marie Haggard Sherman, Festus, which was adopted.

Senator Richard offered Senate Resolution No. 374, regarding the 2010-2011 Class 3 State Champion Neosho High School Wrestling team, which was adopted.

Senator Kehoe offered Senate Resolution No. 375, regarding Ken and Karen McCutcheon, Versailles, which was adopted.

Senator Goodman offered Senate Resolution No. 376, regarding Sheryl Brashear, Rockaway Beach, which was adopted.

Senator Goodman offered Senate Resolution No. 377, regarding LaVaughn “Vonnie” Fuqua-Mathiesen, Hollister, which was adopted.

Senator Brown offered Senate Resolution No. 378, regarding Walmart Transportation, Saint James, which was adopted.

Senator Brown offered Senate Resolution No. 379, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Norman Ray Drewel, Belle, which was adopted.

Senator Kehoe offered Senate Resolution No. 380, regarding Benjamin Joseph Struempf, Jefferson City, which was adopted.

Senator Dixon offered Senate Resolution No. 381, regarding Joe E. Roberds, Springfield, which was adopted.



## **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 333**—By Schaaf.

An Act to amend chapters 192, 208, 376, and 630, RSMo, by adding thereto four new sections relating to health care.

**SB 334**—By Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet managed care data.

**SB 335**—By Schaaf.

An Act to repeal section 32.057, RSMo, and to enact in lieu thereof one new section relating to confidentiality of department of revenue records, with existing penalty provisions.

**SB 336**—By Munzlinger.

An Act to repeal sections 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, and 263.450, RSMo, and to enact in lieu thereof five new sections relating to agriculture, with penalty provisions.

**SB 337**—By Munzlinger.

An Act to repeal section 268.121, RSMo, and to enact in lieu thereof one new section relating to agriculture.

**SB 338**—By Lager.

An Act to repeal section 565.035, RSMo, and to enact in lieu thereof one new section relating to supreme court records.

**SB 339**—By Rupp.

An Act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof four new sections relating to child care, with a penalty provision.

**SB 340**—By Wasson.

An Act to repeal sections 333.041, 333.042, 333.051, 333.061, and 333.091, RSMo, and to enact in lieu thereof five new sections relating to licensing by the board of embalmers and funeral directors.

**SB 341**—By Nieves.

An Act to repeal sections 8.172 and 8.460, RSMo, and to enact in lieu thereof two new sections relating to the preferential use of the capitol complex by private entities.

**SB 342**—By Justus.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to foster care students.

**SB 343**—By Wright-Jones.

An Act to amend chapter 565, RSMo, by adding thereto three new sections relating to the creation of the crime of assaulting an employee of a mass transit system while in the scope of his or her duties, with

penalty provisions.

**SB 344**—By Wright-Jones.

An Act to repeal section 376.782, RSMo, and to enact in lieu thereof one new section relating to health insurance coverage for mammography screenings.

**SB 345**—By Wright-Jones.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the council on digital inclusion.

**SB 346**—By Wright-Jones.

An Act to amend chapter 192, RSMo, by adding thereto eleven new sections relating to reporting of medical harm events, with penalty provisions.

**SB 347**—By Wright-Jones.

An Act to repeal section 70.441, RSMo, and to enact in lieu thereof one new section relating to reimbursing bi-state development agency for the reasonable costs attributable to investigating and prosecuting fare evasion offenses, with penalty provisions.

**SB 348**—By Wright-Jones, Keaveny and Justus.

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof seven new sections relating to increasing preventive health services through the prevention first act.

**SB 349**—By Ridgeway.

An Act to repeal section 558.019, RSMo, and to enact in lieu thereof one new section relating to abolishing the sentencing advisory commission, with existing penalty provisions.

**SB 350**—By Dixon and Ridgeway.

An Act to amend chapter 536, RSMo, by adding thereto one new section relating to the repromulgation of state administrative rules.

**SB 351**—By Lamping.

An Act to repeal section 453.121, RSMo, and to enact in lieu thereof two new sections relating to adoption records.

**SB 352**—By Engler.

An Act to amend chapter 559, RSMo, by adding thereto one new section relating to a mental health assessment pilot program.

Senator Rupp assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SJR 2**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 33**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 187**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Heidi M. Hernandez and Debra Simaitis, as members of the Organ Donation Advisory Committee;

Also,

Kristi Kenney and James Cunningham, as members of the Child Abuse and Neglect Review Board;

Also,

Michael Marlo, as a member of the Missouri Fire Safety Advisory Board;

Also,

Deborah S. Fritz, as a member of the Missouri State Board of Accountancy;

Also,

Charles J. Gulas, as a member of the Advisory Commission for Physical Therapists;

Also,

Dalton Wright and Elizabeth G. Sims, Republicans, as members of the Coordinating Board for Higher Education;

Also,

Dorothy Grange, as a member of the Missouri Genetic Advisory Committee;

Also,

Craig Miner, as a member of the Committee for Professional Counselors;

Also,

Timothy D. McBride, Carmen D. Parker-Bradshaw, Mark Sanford and Kecia Leary, as members of the MO HealthNet Oversight Committee;

Also,

Jessa R. Love and Thomas Davis, as members of the Behavior Analyst Advisory Board.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion.

There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

### THIRD READING OF SENATE BILLS

**SB 33**, introduced by Senator Stouffer, entitled:

An Act to repeal section 226.095, RSMo, relating to the abolishment of mandatory arbitration in negligence actions where the department of transportation is a defendant.

Was taken up.

On motion of Senator Stouffer, **SB 33** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SJR 2**, introduced by Senator Stouffer, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to voter photo identification.

Was taken up.

On motion of Senator Stouffer, **SJR 2** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt
Stouffer	Wasson—26						

NAYS—Senators

Callahan      Chappelle-Nadal      Green      Justus      Keaveny      McKenna      Wright-Jones—7

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the joint resolution passed.

On motion of Senator Stouffer, title to the joint resolution was agreed to.

Senator Stouffer moved that the vote by which the joint resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 108**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 108

An Act to repeal section 67.281 as enacted by senate substitute no. 2 for senate committee substitute for house bill no. 103, ninety-fifth general assembly, first regular session, and section 67.281 as enacted by conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, and to enact in lieu thereof one new section relating to the installation of fire sprinklers in certain dwellings.

Was taken up by Senator Schmitt.

On motion of Senator Schmitt, **SCS for SB 108** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Lager moved that motion lay on the table, which motion prevailed.

**SB 71**, introduced by Senator Parson, entitled:

An Act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

Was taken up.

On motion of Senator Parson, **SB 71** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senator Crowell—1

Absent—Senators

McKenna Purgason—2

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Callahan moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 58**, introduced by Senator Stouffer, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 58

An Act to repeal sections 387.040, 387.050, 387.080, 387.137, 387.139, 387.207, 387.110, 390.051, 390.061, 390.081, 390.101, 390.116, and 390.280, RSMo, and to enact in lieu thereof fifteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

Was taken up.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 58** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 174**, introduced by Senator Dempsey, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to the imposition of fees for the repair of water service lines in certain municipalities.

Was taken up.

On motion of Senator Dempsey, **SB 174** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke
Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

**SS for SCS for SB 13**, introduced by Senator Pearce, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 13

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to a task force to study teacher compensation.

Was taken up.

On motion of Senator Pearce, **SS** for **SCS** for **SB 13** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senator McKenna—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Lager raised the point of order that Senator Pearce violated the provisions of Senate Rule 81 when answering roll.

The point of order was referred to the President Pro Tem who ruled it well taken.

President Pro Tem Mayer assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Callahan, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 23**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 204**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 180**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,



Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 38**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 83**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 219**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 226**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 77**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 133**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 163**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 166**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 101**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

#### SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 101, Page 1, Section 407.725, Lines 19-21, by striking said lines and inserting

in lieu thereof the following: “**item of monetary value for any reason.**”; and

Further amend said bill and section, Page 3, Lines 86 and 87, by striking said lines and inserting in lieu thereof the following: “**be considered an unfair practice pursuant to the Missouri merchandising practices act as codified in this chapter.**”.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 188**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 243**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 145**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 55**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 161**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 63**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Pearce assumed the Chair.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 14**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 15**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 139**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto four new sections relating to the Missouri accountability portal.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 209**, entitled:

An Act to repeal section 537.296, RSMo, and to enact in lieu thereof one new section relating to private nuisances.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 107**, entitled:

An Act to repeal sections 28.190, 29.280, 30.060, 30.070, 30.080, 105.030, 105.040, and 105.050, RSMo, and to enact in lieu thereof nine new sections relating to vacancies in certain statewide offices.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 205**, entitled:

An Act to repeal sections 213.010, 213.101, and 213.111, RSMo, and to enact in lieu thereof four new sections relating to unlawful practices in employment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**SB 291**—Education.

**SB 292**—General Laws.

**SB 293**—Ways and Means and Fiscal Oversight.

**SB 294**—Education.

**SB 295**—Commerce, Consumer Protection, Energy and the Environment.

**SB 296**—Jobs, Economic Development and Local Government.

**SB 297**—Commerce, Consumer Protection, Energy and the Environment.

**SB 298**—General Laws.

**SB 299**—Agriculture, Food Production and Outdoor Resources.

**SB 300**—Agriculture, Food Production and Outdoor Resources.

**SB 301**—Small Business, Insurance and Industry.

**SB 302**—Health, Mental Health, Seniors and Families.

**SB 303**—Financial and Governmental Organizations and Elections.

**SB 304**—Small Business, Insurance and Industry.

**SB 305**—Commerce, Consumer Protection, Energy and the Environment.

**SB 306**—Financial and Governmental Organizations and Elections.

**SB 307**—Judiciary and Civil and Criminal Jurisprudence.

**SB 308**—Judiciary and Civil and Criminal Jurisprudence.

**SB 309**—Jobs, Economic Development and Local Government.

**SB 310**—Agriculture, Food Production and Outdoor Resources.

**SB 311**—Health, Mental Health, Seniors and Families.

**SB 312**—Health, Mental Health, Seniors and Families.

**SB 313**—Jobs, Economic Development and Local Government.

**SB 314**—Judiciary and Civil and Criminal Jurisprudence.

**SB 315**—Small Business, Insurance and Industry.

**SB 316**—General Laws.

**SB 317**—Financial and Governmental Organizations and Elections.

**SB 318**—Financial and Governmental Organizations and Elections.

**SB 319**—Health, Mental Health, Seniors and Families.

**SB 320**—Judiciary and Civil and Criminal Jurisprudence.

**SJR 18**—Ways and Means and Fiscal Oversight.

**SJR 19**—Jobs, Economic Development and Local Government.

**SJR 20**—Ways and Means and Fiscal Oversight.

### COMMUNICATIONS

President Pro Tem Mayer submitted the following:

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Jason Crowell to the following council/committee:

Missouri Arts Council Trust Fund Board of Trustees  
Joint Committee on Gaming and Wagering

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Mike Kehoe to the following committees/boards/commission:

Joint Committee on Corrections  
Joint Review Committee on Downtown & Rural Economic Stimulus Act  
Joint Committee on Transportation Oversight  
Joint Committee on Urban Voluntary School Transfer Programs  
Low Level Radioactive Waste Compact Advisory Committee  
Highway Employees' and Highway Patrol Retirement System Board of Trustees  
Southern States Energy Board

Missouri State Capitol Commission

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Brad Lager to the following committees:

Joint Committee on Tax Increment Financing  
Simplified Sales Tax Project

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator John Lamping to the following board/committees/commission:

Children's Trust Fund Board  
Joint Review Committee on Downtown & Rural Economic Stimulus Act  
Joint Committee on Public Employee Retirement  
Joint Committee on Transportation Oversight  
Joint Committee on Tax Policy  
State Employees Voluntary Life Insurance Commission

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Brian Nieves to the following council/committees:

Missouri Humanities Council Trust Fund  
Advisory Committee on Tobacco Securitization  
Joint Committee on Urban Voluntary School Transfer Programs

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Ron Richard to the following committees:

Advisory Committee on Tobacco Securitization  
Joint Committee on County Salaries  
Joint Committee on the Life Sciences  
Missouri Job Training on Joint Legislative Oversight Committee  
Workers Memorial Committee

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Eric Schmitt to the following committees:

Administrative Law Judge Review Committee

## Quality Jobs Advisory Task Force

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am reappointing Senator Eric Schmitt to the following committees:

Joint Committee on MO Healthnet

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Bill Stouffer to the following council/commission:

Coordinating Council on Special Transportation  
Midwestern Interstate Passage Rail Compact Commission

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

## INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, Sheldon Toepke, Morgan Kerr-Totten, Nancy Francis, Kelly Wildorf, H.C. Russell and William Kessler, University of Missouri Extension Center.

Senator Schaefer introduced to the Senate, Rose Hayden, Nancy Fay, Joe Moore, Taryn Ellis, Jeff Carr, Meredith Huffman and Kelsey Finnegan, University of Missouri, Columbia.



The President introduced to the Senate, Steve Boyers, Poplar Bluff.

Senator Lembke introduced to the Senate, Wimpy Kenner, John Grissom, Bud Reber and Roxanne Miller, First Senatorial District.

Senator Dixon introduced to the Senate, Lela Panagides and Wes Pratt, Springfield.

Senator Brown introduced to the Senate, Chancellor John F. Carney, III, Missouri University of Science and Technology, Rolla.

Senator McKenna introduced to the Senate, Linda Wolf and Linda Dollas.

Senator Wasson introduced to the Senate, Walt Martens and Bill and Charlotte Edwards.

Senator Pearce introduced to the Senate, Congresswoman Vicky Hartzler.

Senator Brown introduced to the Senate, his grandson, Brody Neal Brown and one hundred twenty fourth grade students from Mark Twain Elementary School, Rolla; and Brody was made an honorary page.

Senator Ridgeway introduced to the Senate, Peggy Mosbacher, Nicole Harringer, Karlin Peters, Paige Carter and Carol Kesler, Kearney.

Senator Justus introduced to the Senate, Amber and Harper Charles Hatcher, Columbia; and Joe and Nancy Schwierjohn, Highland Springs.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 28, 2011.

## SENATE CALENDAR

---

TWENTY-EIGHTH DAY—MONDAY, FEBRUARY 28, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 321-Kehoe, et al	SB 334-Schaaf
SB 322-Schaefer	SB 335-Schaaf
SB 323-Schaefer	SB 336-Munzlinger
SB 324-Kraus and Nieves	SB 337-Munzlinger
SB 325-Wasson	SB 338-Lager
SB 326-Wasson	SB 339-Rupp
SB 327-Richard	SB 340-Wasson
SB 328-Goodman	SB 341-Nieves
SB 329-Nieves	SB 342-Justus
SB 330-Dixon	SB 343-Wright-Jones
SB 331-Lamping and Goodman	SB 344-Wright-Jones
SB 332-Justus, et al	SB 345-Wright-Jones
SB 333-Schaaf	SB 346-Wright-Jones

SB 347-Wright-Jones  
 SB 348-Wright-Jones, et al  
 SB 349-Ridgeway  
 SB 350-Dixon and Ridgeway

SB 351-Lamping  
 SB 352-Engler  
 SJR 21-Lembke and Chappelle-Nadal

#### HOUSE BILLS ON SECOND READING

HB 162-Fisher, et al  
 HCS for HB 46  
 HB 71-Nasheed, et al  
 HCS for HB 14  
 HB 15-Silvey

HB 139-Smith (150), et al  
 HB 209-Guernsey, et al  
 HB 107-Smith (150), et al  
 HCS for HB 205

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)      SB 187-Lager, et al

#### SENATE BILLS FOR PERFECTION

1. SB 23-Keaveny, with SCS
2. SB 204-Dempsey, et al
3. SB 180-Kraus and Justus
4. SB 38-Wright-Jones
5. SB 83-Pearce
6. SB 77-Stouffer
7. SB 133-Rupp, with SCS

8. SB 166-Goodman, with SCS
9. SB 101-Parson, with SCA 1
10. SB 188-Lager, et al, with SCS
11. SB 243-Cunningham
12. SB 55-Brown
13. SB 161-Munzlinger

#### HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS (Pearce)

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

#### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS  
 SBs 7, 5, 74 & 169-Goodman, with SCS

SB 8-Goodman, with SCS & SS for SCS  
 (pending)

SB 28-Brown

SBs 113 & 95-Parson and Engler, with SCS

CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

Reported 2/24

SB 219-Wasson, with SCS  
SB 226-Engler

SB 145-Dempsey  
SB 63-Mayer

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**TWENTY-EIGHTH DAY—MONDAY, FEBRUARY 28, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Cultivate a thankful spirit! It will be to thee a perpetual feast.” (J.R. MacDuff)

Dear God, in spite of rain and wind damage we are thankful that no one died in the fury that passed through Missouri last night and we are grateful for our safe travel here this day. We ask that You continue to abide with us and guide our thoughts and actions this week as we deal with what is most important for us to accomplish. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 24, 2011 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

Absent—Senators—None

Absent with leave—Senators

Crowell      Rupp—2

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Nieves offered Senate Resolution No. 382, regarding Kristen Beineke, Lake St. Louis, which was adopted.

Senator Nieves offered Senate Resolution No. 383, regarding Rita Nikonowicz, Washington, which was adopted.

Senator Nieves offered Senate Resolution No. 384, regarding Erin Gaebe, New Haven, which was adopted.

Senator Nieves offered Senate Resolution No. 385, regarding Penny Heisel, Labadie, which was adopted.

Senator Nieves offered Senate Resolution No. 386, regarding Michael Pelts, Warrenton, which was adopted.

Senator Engler offered Senate Resolution No. 387, regarding William C. and Mary Beth Miller, Farmington, which was adopted.

Senator Engler offered Senate Resolution No. 388, regarding John and Arlene Jackson, Farmington, which was adopted.

Senator Kehoe offered Senate Resolution No. 389, regarding Marvin W. Opie, Versailles, which was adopted.

Senator Munzlinger offered Senate Resolution No. 390, regarding the 2010-2011 Mexico High School wrestling team, which was adopted.

Senator Munzlinger offered Senate Resolution No. 391, regarding the 2011 Missouri Military Academy rifle team, which was adopted.

Senators Lamping and Chappelle-Nadal offered Senate Resolution No. 392, regarding Linda Ballard, University City, which was adopted.

Senator Lamping offered Senate Resolution No. 393, regarding Susan Denise Baum, Maryland Heights, which was adopted.

Senator Justus offered Senate Resolution No. 394, regarding Faultless Starch/Bon Ami Company, Kansas City, which was adopted.

Senator Justus offered Senate Resolution No. 395, regarding Sally Schwenk, which was adopted.

Senator Justus offered Senate Resolution No. 396, regarding Charles A. and Lisa Schmitz, which was adopted.

Senator Lager offered Senate Resolution No. 397, regarding Kristen Ehrich, Laclede, which was adopted.

Senator Kraus offered Senate Resolution No. 398, regarding Linda Wessel, Buckner, which was adopted.

Senator Kraus offered Senate Resolution No. 399, regarding the One Hundredth Birthday of Veatrice Henson, Grain Valley, which was adopted.

## **INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 353**—By Engler.

An Act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to surplus highway patrol property.

**SB 354**—By Schaaf.

An Act to repeal section 195.017, RSMo, and to enact in lieu thereof one new section relating to controlled substances, with an existing penalty provision.

**SB 355**—By Schaaf.

An Act to repeal section 105.463, RSMo, and to enact in lieu thereof two new sections relating to gubernatorial appointments.

**SB 356**—By Munzlinger.

An Act to repeal sections 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof four new sections relating to grain sale and storage, with existing penalty provisions.

**SB 357**—By Munzlinger.

An Act to repeal sections 137.010 and 137.080, RSMo, and section 137.115 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 137.115 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 2058 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 711 merged with conference committee substitute for house committee substitute no. 2 for senate substitute for senate committee substitute for senate bill no. 718, ninety-fourth general assembly, second regular session, and to enact in lieu thereof three new sections relating to the assessment of hydroelectric power generating property for tax purposes.

**SB 358**—By Wasson.

An Act to repeal sections 337.500 and 337.510, RSMo, and to enact in lieu thereof two new sections relating to licensed professional counselors.

**SB 359**—By Lager.

An Act to repeal section 393.135, RSMo, and to enact in lieu thereof one new section relating to site development for energy generation facilities.

**SB 360**—By Lager.

An Act to amend chapter 67, RSMo, by adding thereto five new sections relating to a county drinking water supply lake authority.

**SB 361**—By Justus.

An Act to repeal sections 534.030, 534.310, and 535.300, RSMo, and to enact in lieu thereof three new sections relating to the landlord-tenant law.

**SB 362**—By Justus.

An Act to amend chapter 455, RSMo, by adding thereto three new sections relating to domestic violence fatality review panels.

**SB 363**—By Justus.

An Act to repeal sections 221.105, 559.100, 566.067, 595.036, 595.037, and 595.060, RSMo, and to enact in lieu thereof ten new sections relating to crime, with penalty provisions.

**SB 364**—By Pearce.

An Act to amend chapter 67, RSMo, by adding thereto twenty-one new sections relating to recreational systems of political subdivisions.

**SB 365**—By Goodman.

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to trusts to pay for funeral services, facilities, or merchandise.

**SB 366**—By Goodman.

An Act to amend chapter 351, RSMo, by adding thereto seventy-seven new sections relating to the Missouri cooperative associations act, with penalty provisions.

**SB 367**—By Nieves and Stouffer.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the health care compact.

**SB 368**—By Stouffer.

An Act to repeal sections 60.510, 60.530, 60.540, 60.550, 60.560, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 261.023, and 640.010, RSMo, and to enact in lieu thereof fifteen new sections relating to the state land survey program, with existing penalty provisions.

**SB 369**—By Cunningham.

An Act to repeal sections 160.400, 160.410, 160.415, 160.420, 167.131, 167.241, 171.171, and 177.011, RSMo, and to enact in lieu thereof nine new sections relating to school enrollment.

**SB 370**—By Cunningham.

An Act to repeal sections 160.410, 160.415, 160.420, 167.131, 167.241, and 171.171, RSMo, and to enact in lieu thereof six new sections relating to school enrollment.

**SB 371**—By Cunningham.

An Act to repeal section 162.081, RSMo, and to enact in lieu thereof one new section relating to lapsed school districts.

**SB 372**—By Cunningham.

An Act to repeal sections 160.045, 163.172, 168.102, 168.221, and 168.410, RSMo, and to enact in lieu thereof nineteen new sections relating to teacher continuing contracts.

**SB 373**—By Dempsey.

An Act to repeal sections 287.120, 287.220, 287.690, and 287.715, RSMo, and to enact in lieu thereof four new sections relating to workers' compensation.

**SB 374**—By Parson.

An Act to amend chapter 59, RSMo, by adding thereto two new sections relating to county recorders.

**SB 375**—By Parson.

An Act to repeal section 196.1003, RSMo, and to enact in lieu thereof one new section relating to the tobacco master settlement agreement, with an emergency clause.

**SB 376**—By Parson.

An Act to repeal sections 393.275 and 660.122, RSMo, and to enact in lieu thereof two new sections relating to utilities.

**SB 377**—By Parson.

An Act to repeal section 137.1018, RSMo, and to enact in lieu thereof one new section relating to the extension of the sunset on the rolling stock tax credit.

**SB 378**—By Kehoe.

An Act to repeal section 227.107, RSMo, and to enact in lieu thereof one new section relating to highway design-build project contracts.

**SB 379**—By Kehoe.

An Act to amend chapters 516 and 537, RSMo, by adding thereto two new sections relating to products liability.

**SB 380**—By Green.

An Act to amend chapter 33, RSMo, by adding thereto one new section relating to the transfer of certain fund balances to the general revenue fund.

**SB 381**—By Dixon.

An Act to amend chapter 488, RSMo, by adding thereto one new section relating to court costs.

**SB 382**—By Chappelle-Nadal.

An Act to amend chapter 324, RSMo, by adding thereto sixteen new sections relating to the licensing of clinical laboratory science personnel, with penalty provisions.

**SB 383**—By Richard.

An Act to repeal section 144.054, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for manufacturing.

**SJR 22**—By Parson.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article III of the Constitution of Missouri, and adopting one new section relating to a member of the General Assembly removing himself or herself from the state for the purpose of avoiding any official duty or vote.



Senator Schmitt assumed the Chair.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 14**—Appropriations.

**HB 15**—Appropriations.

### **SENATE BILLS FOR PERFECTION**

At the request of Senator Keaveny, **SB 23**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dempsey, **SB 204** was placed on the Informal Calendar.

Senator Kraus moved that **SB 180** be taken up for perfection, which motion prevailed.

On motion of Senator Kraus, **SB 180** was declared perfected and ordered printed.

Senator Wright-Jones moved that **SB 38** be taken up for perfection, which motion prevailed.

On motion of Senator Wright-Jones, **SB 38** was declared perfected and ordered printed.

Senator Pearce moved that **SB 83** be taken up for perfection, which motion prevailed.

On motion of Senator Pearce, **SB 83** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 77** be taken up for perfection, which motion prevailed.

On motion of Senator Stouffer, **SB 77** was declared perfected and ordered printed.

**SB 133**, with **SCS**, was placed on the Informal Calendar.

Senator Goodman moved that **SB 166**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 166**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 166**

An Act to repeal section 381.115, RSMo, and to enact in lieu thereof one new section relating to the licensure of title agencies and title agents.

Was taken up.

Senator Goodman moved that **SCS** for **SB 166** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **SB 166** was declared perfected and ordered printed.

Senator Parson moved that **SB 101**, with **SCA 1**, be taken up for perfection, which motion prevailed.

At the request of Senator Parson, **SB 101**, with **SCA 1**, was placed on the Informal Calendar.

### **THIRD READING OF SENATE BILLS**

**SB 187**, introduced by Senator Lager, et al, entitled:

An Act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions.

Was taken up.

On motion of Senator Lager, **SB 187** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Ridgeway	Schaaf	Schmitt	Stouffer	Wasson—24

NAYS—Senators

Chappelle-Nadal	Green	Justus	Keaveny	McKenna	Wright-Jones—6
-----------------	-------	--------	---------	---------	----------------

Absent—Senator Schaefer—1

Absent with leave—Senators

Crowell	Rupp—2
---------	--------

Vacancies—1

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 3**, entitled:

#### HOUSE CONCURRENT RESOLUTION NO. 3

Relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

---

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, under Article V of the Constitution of the United States:

“The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress”; and

WHEREAS, the following Amendment to the United States Constitution is proposed:

“Section 1. The annual expenditures of the Congress shall not exceed the annual revenue for any year, save for the use of monetary reserves, except as provided for in Sections 2 and 3.

Section 2. The Congress shall not borrow from any source, including its own funds and trusts, for any expense, except for the extraordinary costs of a declared war or armed conflict, or for a fiscal emergency declared by Congress and signed by the President of the United States.

Section 3. The Congress may issue special bonds for specific capital projects, which shall, in turn, be extinguished within twenty years of issuance. The cumulative total of all bonds issued in this manner shall never exceed twenty percent of the total private sector earned income.

Section 4. This amendment shall take effect beginning the third fiscal year after its ratification.

Section 5. This resolution shall not be construed as an application for a constitutional convention to the United States Constitution pursuant to Article V thereof.”:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby submit this resolution for a federal balanced budget Amendment to the United States Constitution and, pursuant to Article V of the United States Constitution, respectfully urge the United States Congress to submit the proposed Amendment to the United States Constitution to the States for ratification and inclusion in the United States Constitution; and

BE IT RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### COMMUNICATIONS

Senator Crowell submitted the following:

February 24, 2011

Ms. Terry Spieler  
Secretary of Senate  
State Capitol Building – Room 325  
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that the following bills be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

**SB 63 (Mayer)** – Prohibits large water consumers from taking water outside of the Southeast Missouri Water District if such activity interferes with certain others’ use of the water.

**SB 145 (Dempsey)** – Requires the auditor of any county with a charter form of government to take an annual inventory of county property with an original value of \$1,000 or more, rather than \$250.

**SB 219 (Wasson)** – Allows owners of automated teller machines to charge access fees to those with bank accounts in foreign countries.

**SB 226 (Engler)** – Allows members of an ambulance district board of directors to be subject to recall from office.

Sincerely,  
/s/ Jason Crowell  
Jason G. Crowell  
State Senator

President Pro Tem Mayer submitted the following:

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Dan Brown to the following commission/committees:

Missouri Boundary Commission

Joint Review Committee on Downtown & Rural Economic Stimulus Act  
Joint Committee on the Life Sciences

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Jane Cunningham to the following committees/council:

Missouri Humanities Council Trust Fund  
Joint Committee on Urban Voluntary School Transfer Programs

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Bob Dixon to the following commission/council:

State Records Commission  
Missouri State Unemployment Council

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Jack Goodman to the following committees/commission:

Court Automation Committee  
Joint Legislative Committee on Court Automation  
Joint Committee on Terrorism, Bioterrorism and Homeland Security  
Commission on Judicial Resources

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Will Kraus to the following committees/commissions:

Joint Review Committee on Downtown & Rural Economic Stimulus Act  
Joint Committee on Government Accountability  
Joint Committee on Tax Increment Financing  
Joint Committee on Terrorism, Bioterrorism and Homeland Security  
Missouri Emergency Response Commission  
Missouri Military Preparedness and Enhancement Commission  
Missouri Personal Independence Commission

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Jim Lembke to the following board/commissions/committees:

Missouri Fire Education Trust Fund Board of Trustees  
Missouri Commission on the Delta Regional Authority  
Joint Committee on County Salaries  
Joint Committee on Government Accountability  
Multistate Tax Compact Advisory Committee  
Joint Committee on Tax Policy

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Brian Munzlinger to the following commissions/committees:

Missouri Alternative Fuels Commission  
Missouri Personal Independence Commission  
Joint Review Committee on Downtown & Rural Economic Stimulus Act  
Joint Committee on the Life Sciences  
Joint Committee on Wetlands

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Luann Ridgeway to the following councils/committees:

Missouri Women's Council  
Missouri Area Health Education Centers Council  
Advisory Committee on Lead Poisoning  
Joint Committee on MO Healthnet

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Rob Schaaf to the following committees/councils/board/commission:

MO Healthnet Oversight Committee  
Suicide Prevention Advisory Committee  
Governor's Council on Physical Fitness and Health  
Missouri Head Injury Advisory Council  
Missouri Technology Corporation  
Commission on the Special Health, Psychological and Social Needs of Minority Older Individuals

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 28, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

Pursuant to RSMo 21.553, I am appointment Senator Maria Chappelle-Nadal to the Joint Committee on Public Employee Retirement.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

February 28, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Brad Lager as Vice-Chairman to the Senate Committee on Governmental Accountability. This appointment would

replace Senator Jason Crowell who resigned from the committee.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

### INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, John and Loretta Cowling, Cuba; Ronald Young, Leasburg; Jim Freeman, Salem; Jim and Jan Crook, Owensville; and James and Dorothy Koepke, Cuba, representatives of Farm Bureau.

Senator Kehoe introduced to the Senate, Staff Sergeant Matthew Todd, Holts Summit; and his parents, Philip and Donna Todd.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### SENATE CALENDAR

---

TWENTY-NINTH DAY—TUESDAY, MARCH 1, 2011

---

### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 321-Kehoe, et al	SB 339-Rupp
SB 322-Schaefer	SB 340-Wasson
SB 323-Schaefer	SB 341-Nieves
SB 324-Kraus and Nieves	SB 342-Justus
SB 325-Wasson	SB 343-Wright-Jones
SB 326-Wasson	SB 344-Wright-Jones
SB 327-Richard	SB 345-Wright-Jones
SB 328-Goodman	SB 346-Wright-Jones
SB 329-Nieves	SB 347-Wright-Jones
SB 330-Dixon	SB 348-Wright-Jones, et al
SB 331-Lamping and Goodman	SB 349-Ridgeway
SB 332-Justus, et al	SB 350-Dixon and Ridgeway
SB 333-Schaaf	SB 351-Lamping
SB 334-Schaaf	SB 352-Engler
SB 335-Schaaf	SB 353-Engler
SB 336-Munzlinger	SB 354-Schaaf
SB 337-Munzlinger	SB 355-Schaaf
SB 338-Lager	SB 356-Munzlinger



SB 357-Munzlinger	SB 372-Cunningham
SB 358-Wasson	SB 373-Dempsey
SB 359-Lager	SB 374-Parson
SB 360-Lager	SB 375-Parson
SB 361-Justus	SB 376-Parson
SB 362-Justus	SB 377-Parson
SB 363-Justus	SB 378-Kehoe
SB 364-Pearce	SB 379-Kehoe
SB 365-Goodman	SB 380-Green
SB 366-Goodman	SB 381-Dixon
SB 367-Nieves and Stouffer	SB 382-Chappelle-Nadal
SB 368-Stouffer	SB 383-Richard
SB 369-Cunningham	SJR 21-Lembke and Chappelle-Nadal
SB 370-Cunningham	SJR 22-Parson
SB 371-Cunningham	

#### HOUSE BILLS ON SECOND READING

HB 162-Fisher, et al	HB 209-Guernsey, et al
HCS for HB 46	HB 107-Smith (150), et al
HB 71-Nasheed, et al	HCS for HB 205
HB 139-Smith (150), et al	

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)

#### SENATE BILLS FOR PERFECTION

SB 188-Lager, et al, with SCS	SB 55-Brown
SB 243-Cunningham	SB 161-Munzlinger

#### HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS (Pearce)

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 8-Goodman, with SCS & SS for SCS  
(pending)  
SB 23-Keaveny, with SCS

SB 28-Brown  
SB 101-Parson, with SCA 1  
SBs 113 & 95-Parson and Engler, with SCS  
SB 133-Rupp, with SCS  
SB 204-Dempsey, et al

CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

RESOLUTIONS

To be Referred

HCR 3-Scharnhorst, et al

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### TWENTY-NINTH DAY—TUESDAY, MARCH 1, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“We are living in a world that is absolutely transparent, and God is shining through it all the time.” (Thomas Merton)

Gracious God, help us this day to have our spiritual houses in order so that we will constantly see You “shining” through all that is about us and in so doing see that our lives express and are conduits of Your love. May we bring comfort to those around us in need and share the joy of knowing You our God with one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Rupp offered Senate Resolution No. 400, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Bob Cox, Troy, which was adopted.

Senator Kehoe offered Senate Resolution No. 401, regarding John W. Karsten, Jefferson City, which was adopted.

Senator Dempsey offered Senate Resolution No. 402, regarding John Hesskamp, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 403, regarding Robert “Bob” Vancleve, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 404, regarding Allen Speckhals, Hermann, which was adopted.

Senator Dempsey offered Senate Resolution No. 405, regarding David “Dave” Killian, Saint Peters, which was adopted.

Senator Dempsey offered Senate Resolution No. 406, regarding Bob Cutright, Wright City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 407, regarding the 2010-2011 Kirksville High School wrestling program, which was adopted.

Senator Pearce offered Senate Resolution No. 408, regarding Janie Scaife, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 409, regarding Edna Ratliff, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 410, regarding Sandra Bouldin, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 411, regarding Clarissa Brown, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 412, regarding Charlotte Phelps, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 413, regarding Michael Phelps, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 414, regarding Sonny Phelps, Knob Noster, which was adopted.

Senator Goodman offered Senate Resolution No. 415, regarding Michael Garrett, Monett, which was adopted.

Senator Goodman offered Senate Resolution No. 416, regarding the Community Kitchen, Monett, which was adopted.

Senator Dempsey offered Senate Resolution No. 417, regarding Austin Michael Kneemiller, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 418, regarding Gary Dillon, Saint Peters, which was adopted.

Senator Dempsey offered Senate Resolution No. 419, regarding Charlie Elmendorf, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 420, regarding Ron Snider, Saint Peters, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 384**—By Schaefer.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to pharmacy benefit managers.

**SB 385**—By Munzlinger.

An Act to repeal section 313.820, RSMo, and to enact in lieu thereof one new section relating to an additional admission fee for excursion gambling boat licensees to fund veterans' commission capital improvements.

**SB 386**—By Richard.

An Act to repeal sections 301.140 and 301.560, RSMo, and to enact in lieu thereof two new sections relating to the registration of motor vehicles.

**SB 387**—By Wasson.

An Act to repeal sections 221.105, 544.470, and 557.011, RSMo, and to enact in lieu thereof four new sections relating to electronic monitoring of certain offenders.

**SB 388**—By Wasson.

An Act to repeal sections 8.650, 8.900, 21.475, 21.780, 26.600, 26.603, 26.605, 26.607, 26.609, 26.611, 26.614, 32.250, 32.260, 105.1006, 105.1010, 105.1012, 162.1000, 162.1060, 166.200, 166.201, 166.203, 166.205, 166.207, 166.209, 166.212, 166.215, 166.218, 166.220, 166.222, 166.225, 166.228, 166.231, 166.233, 166.235, 166.237, 166.240, 166.242, 190.176, 192.350, 192.352, 192.355, 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, 199.051, 208.175, 208.195, 208.275, 208.530, 208.533, 208.535, 208.792, 208.955, 210.101, 210.102, 210.496, 260.372, 260.705, 260.720, 260.725, 260.735, 286.001, 286.005, 286.200, 286.205, 286.210, 302.136, 304.028, 320.094, 320.205, 324.600, 324.603, 324.606, 324.609, 324.612, 324.615, 324.618, 324.621, 324.624, 324.627, 324.630, 324.635, 324.1100, 324.1102, 324.1103, 324.1104, 324.1106, 324.1108, 324.1110, 324.1112, 324.1114, 324.1116, 324.1118, 324.1120, 324.1122, 324.1124, 324.1128, 324.1130, 324.1132, 324.1134, 324.1136, 324.1138, 324.1144, 334.721, 344.060, 344.105, 344.108, 361.070, 361.092, 361.093, 361.094, 361.095, 361.096, 361.097, 361.098, 361.105, 362.040, 362.111, 362.325, 369.014, 369.024, 369.144, 369.159, 369.294, 369.299, 369.304, 369.309, 369.314, 369.319, 369.329, 371.060, 371.090, 371.240, 620.638, 620.641, 620.644, 620.647, 620.650, 620.653, 630.900, 630.910, 630.915, 632.020, 660.010, and 701.302, RSMo, section 362.105 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 362.105 as enacted by senate committee substitute for house committee substitute

for house bill no. 221 merged with house substitute for senate committee substitute for senate bill no. 346, ninety-second general assembly, first regular session, and to enact in lieu thereof one hundred eight new sections relating to repealing and revising certain state boards, councils, committees, and commissions, with existing penalty provisions.

**SB 389**—By McKenna.

An Act to repeal sections 571.030, 571.101, and 571.107, RSMo, and to enact in lieu thereof four new sections relating to concealed carry endorsements for residents of Missouri, with existing penalty provisions.

**SB 390**—By Schmitt, Munzlinger and Stouffer.

An Act to amend chapter 135, RSMo, by adding thereto eleven new sections relating to tax incentives to encourage foreign trade.

**SB 391**—By Lager.

An Act to repeal section 168.128, RSMo, and to enact in lieu thereof two new sections relating to teacher evaluation.

**SB 392**—By Rupp.

An Act to repeal sections 384.015, 384.017, 384.021, 384.043, 384.051, 384.057, and 384.061, RSMo, and to enact in lieu thereof seven new sections relating to the regulation of surplus lines insurance.

**SB 393**—By Goodman.

An Act to repeal sections 168.133, 210.025, 210.221, 210.900, 210.903, 210.906, and 210.921, RSMo, and to enact in lieu thereof seven new sections relating to the family care safety registry, with existing penalty provisions.

**SB 394**—By Goodman and Lamping.

An Act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

**SB 395**—By Goodman.

An Act to repeal sections 374.702, 374.705, 374.710, 374.715, 374.720, 374.730, 374.740, 374.755, 374.757, 374.760, 374.763, 374.770, 374.783, and 374.784, RSMo, and to enact in lieu thereof fifteen new sections relating to bail bond regulations, with existing penalty provisions.

**SB 396**—By Wright-Jones.

An Act to amend chapter 191, RSMo, by adding thereto two new sections relating to the compassionate assistance for rape emergencies act.

**SB 397**—By Cunningham.

An Act to amend chapter 320, RSMo, by adding thereto nine new sections relating to fire sprinkler contractor regulation.

**SB 398**—By Kraus.

An Act to repeal section 115.117, RSMo, and to enact in lieu thereof one new section relating to polling

places.

**SB 399**—By Kraus.

An Act to repeal section 578.150, RSMo, and to enact in lieu thereof one new section relating to the crime of stealing leased or rented property, with penalty provisions.

**SB 400**—By Kraus.

An Act to repeal section 566.086, RSMo, and to enact in lieu thereof one new section relating to the crime of sexual contact with a student, with existing penalty provisions.

**SB 401**—By Lamping.

An Act to repeal sections 425.010, 425.020, 425.025, 425.027, and 425.040, RSMo, and to enact in lieu thereof six new sections relating to debt adjusters, with existing penalty provisions.

**SB 402**—By Kehoe.

An Act to repeal sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, RSMo, and to enact in lieu thereof nine new sections relating to motor vehicle windshield stickers, with an effective date.

**SB 403**—By Nieves.

An Act to repeal sections 621.250, 643.130, and 644.071, RSMo, and to enact in lieu thereof three new sections relating to appeals of decisions by environmental commissions.

**SB 404**—By Ridgeway.

An Act to repeal section 104.335, RSMo, and to enact in lieu thereof two new sections relating to an election to pay the present value of a deferred annuity.

**SB 405**—By Ridgeway.

An Act to repeal sections 208.909, 210.900, 210.903, 210.906, 210.909, 210.915, 210.921, 210.927, 210.933, and 660.317, RSMo, and to enact in lieu thereof eleven new sections relating to background screening for long-term care providers, with exiting penalty provisions and an effective date.

**SB 406**—By Crowell and Mayer.

An Act to repeal sections 386.370, 393.135, and 620.010, RSMo, and to enact in lieu thereof five new sections relating to utilities, with an emergency clause.

**SB 407**—By Crowell.

An Act to repeal sections 100.286, 135.010, 135.020, 135.025, 135.030, 135.352, 208.798, and 253.559, RSMo, and to enact in lieu thereof eight new sections relating to the provision of sufficient funding to continue the MO RX prescription drug program, with an emergency clause.

**SB 408**—By Crowell.

An Act to repeal section 208.798, RSMo, and to enact in lieu thereof one new section relating to the extension of MO RX prescription drug plan.

**SB 409**—By Crowell.

An Act to repeal section 163.031, RSMo, and to enact in lieu thereof one new section relating to state

funding for transportation of elementary and secondary pupils.

**SB 410**—By Crowell.

An Act to amend chapter 104, RSMo, by adding thereto one new section relating to reciprocal service transfers between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system.

**SB 411**—By Crowell.

An Act to repeal sections 99.975, 100.286, and 100.297, RSMo, and to enact in lieu thereof four new sections relating to the Missouri Development Finance Board, with an emergency clause for certain sections.

**SB 412**—By Crowell.

An Act to repeal sections 104.190 and 104.480, RSMo, and to enact in lieu thereof two new sections relating to retirement.

**SB 413**—By Crowell.

An Act to repeal section 169.020, RSMo, and to enact in lieu thereof one new section relating to retirement.

**SB 414**—By Crowell.

An Act to repeal sections 56.809 and 70.605, RSMo, and to enact in lieu thereof three new sections relating to retirement.

**SB 415**—By Crowell.

An Act to repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to the crime of unlawful possession of a firearm, with penalty provisions.

**SB 416**—By Crowell.

An Act to repeal section 571.030, RSMo, and to enact in lieu thereof one new section relating to exemptions from certain provisions of the crime of unlawful use of weapons for United States attorneys, with existing penalty provisions.

**SB 417**—By Crowell.

An Act to repeal section 287.220, RSMo, and to enact in lieu thereof one new section relating to the second injury fund, with an emergency clause.

**SECOND READING OF  
CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

**HCR 3**—Rules, Joint Rules, Resolutions and Ethics.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 163**, with **SCS**, entitled:

An Act to repeal sections 288.062, and 288.330, RSMo, and to enact in lieu thereof two new sections relating to unemployment compensation, with an emergency clause.



Was taken up by Senator Pearce.

**SCS** for **HCS** for **HB 163**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 163

An Act to repeal sections 288.040, 288.062, 288.330, and 288.398, RSMo, and to enact in lieu thereof four new sections relating to unemployment compensation, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **HCS** for **HB 163** be adopted.

Senator Pearce offered **SS** for **SCS** for **HCS** for **HB 163**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 163

An Act to repeal sections 288.040, 288.062, and 288.398, RSMo, and to enact in lieu thereof three new sections relating to unemployment compensation, with an emergency clause.

Senator Pearce moved that **SS** for **SCS** for **HCS** for **HB 163** be adopted.

Senator Ridgeway assumed the Chair.

Senator Lembke offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163, Page 25, Section B, Lines 9-15, by striking all of said section from the bill; and

Further amend the title accordingly.

Senator Lembke moved that the above amendment be adopted.

At the request of Senator Pearce, **HCS** for **HB 163**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

**SENATE BILLS FOR PERFECTION**

Senator Parson moved that **SB 101**, with **SCA 1**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCA 1** was taken up.

Senator Parson moved that the above committee amendment be adopted, which motion prevailed.

On motion of Senator Parson, **SB 101**, as amended, was declared perfected and ordered printed.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 28, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Diane Scanga as a member of the Peace Officer Standards and Training Commission, submitted to you on January 26, 2011. Line 1 should be amended to read:

Diane Scanga, 762 Camelot Estates Drive, Hillsboro, Jefferson County, Missouri 63050,

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 28, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Edna Chavis as a member of the Missouri Quality Home Care Council, submitted to you on February 16, 2011. Line 2 should be amended to read:

member of the Missouri Quality Home Care Council, for a term ending October 1, 2015,

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 28, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of James Dronberger as a member of the Advisory Commission for Physical Therapists, submitted to you on February 16, 2011. Line 2 should be amended to read:

a member of the Advisory Commission for Physical Therapists, for a term ending October

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above addendums to the Committee on Gubernatorial Appointments.

### REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 38**; **SB 77**; **SB 83**; **SCS for SB 166**; and **SB 180**, begs leave to report that it has examined the same and

finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

### **RESOLUTIONS**

Senator Rupp offered Senate Resolution No. 421, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ray Schroeder, Lake Saint Louis, which was adopted.

Senator Green offered Senate Resolution No. 422, regarding Greg Bernal, Florissant, which was adopted.

Senator Lembke offered Senate Resolution No. 423, regarding the American Nurses Association, which was adopted.

Senator Pearce offered Senate Resolution No. 424, regarding Eric Czerniewski, which was adopted.

### **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 418**—By Chappelle-Nadal and Lamping.

An Act to repeal sections 115.225 and 115.237, RSMo, and to enact in lieu thereof two new sections relating to voting methods.

**SB 419**—By Kraus.

An Act to repeal section 84.830, RSMo, and to enact in lieu thereof one new section relating to the Kansas City police department, with existing penalty provisions.

**SB 420**—By Mayer.

An Act to repeal sections 287.141, 287.150, 287.210, 287.220, 287.266, 287.280, 287.310, 287.430, 287.710, 287.713, and 287.715, RSMo, and to enact in lieu thereof eight new sections relating to the second injury fund.

**SB 421**—By Pearce.

An Act to repeal sections 115.350 and 561.021, RSMo, and to enact in lieu thereof one new section relating to felons holding public office.

**SB 422**—By Lager.

An Act to repeal sections 393.1030 and 393.1045, RSMo, and to enact in lieu thereof two new sections relating to the renewable energy standard.

**SB 423**—By Lager.

An Act to repeal sections 621.250, 640.013, 640.100, 644.051, 644.054, and 701.033, RSMo, and to enact in lieu thereof fourteen new sections relating to natural resources.

**SB 424**—By Cunningham.

An Act to amend chapter 28, RSMo, by adding thereto one new section relating to the secretary of state.

**SB 425**—By Goodman.

An Act to repeal section 570.080, RSMo, and to enact in lieu thereof one new section relating to offenses in which the value of property or services is an element of the crime, with penalty provisions.

**SB 426**—By Lamping.

An Act to repeal section 535.300, RSMo, and to enact in lieu thereof one new section relating to security deposits.

**SB 427**—By Lamping.

An Act to repeal sections 67.1545, 144.011, 144.012, 144.014, 144.030, 144.034, 144.037, 144.038, 144.039, 144.043, 144.044, 144.045, 144.046, 144.054, 144.057, 144.063, 144.155, 144.157, 144.440, 144.450, 144.455, 144.518, 144.600, 144.605, 144.610, 144.613, 144.615, 144.617, 144.620, 144.625, 144.630, 144.635, 144.640, 144.645, 144.650, 144.655, 144.660, 144.665, 144.670, 144.675, 144.690, 144.695, 144.696, 144.700, 144.701, 144.705, 144.710, 144.715, 144.720, 144.725, 144.730, 144.735, 144.740, 144.745, 144.757, 144.759, and 144.761, RSMo, and to enact in lieu thereof nineteen new sections relating to the repeal of the compensating use tax.

### SENATE BILLS FOR PERFECTION

At the request of Senator Lager, **SB 188**, with **SCS**, was placed on the Informal Calendar.

Senator Cunningham moved that **SB 243** be taken up for perfection, which motion prevailed.

Senator Chappelle-Nadal offered **SA 1**, which was read:

#### SENATE AMENDMENT NO. 1

Amend Senate Bill No. 243, Page 4, Section 177.250, Line 8, by striking the word “shall” and inserting in lieu thereof the following: “**may**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Cunningham, **SB 243** was placed on the Informal Calendar.

Senator Lager moved that **SB 188**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 188**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 188

An Act to repeal sections 213.010, 213.070, 213.101, and 213.111, RSMo, and to enact in lieu thereof five new sections relating to unlawful discriminatory practices.

Was taken up.

Senator Lager moved that **SCS** for **SB 188** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 188, Page 5, Section 213.070, Line 18, by inserting immediately after the word “subdivisions”, the following: “**and shall not provide a basis for any individual liability**”; and

Further amend said bill, page 6, section 213.101, line 29, by inserting immediately after the word “progeny”, the following: “**including the 1991 Amendments to Title VII of the Civil Rights Act,**”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer assumed the Chair.

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 188, Page 7, Section 213.111, Lines 36-56, by striking all of said lines; and

Further amend said bill and section, Page 8, Lines 57 to 60, by striking all of said lines; and further amend lines 65 to 67, by striking all of said lines; and

Further amend said bill, Page 9, Section 1, Lines 35 to 57, by striking all of said lines.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

Senator Callahan offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 188, Page 7, Section 213.111, Line 41 by striking said line and inserting in lieu thereof the following “**(1) Actual back pay, interest on back pay, other equitable relief, and other damages up to the limits in subdivision (2) of this subsection; and**”.

And further amend page 9, section 1, Line 42 by striking said line and inserting in lieu thereof the following “**(1) Actual back pay, interest on back pay, other equitable relief, and other damages up to the limits in subdivision (2) of this subsection; and**”.

Senator Callahan moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 188, Page 6, Section 213.101, Lines 42-43, by deleting all of said lines and inserting in lieu thereof the following:

“Waterhouse v. Hopkins, 490 U.S. 228, 258 (1989).”.

Senator Justus moved that the above amendment be adopted.

At the request of Senator Lager, **SB 188**, with **SCS** and **SA 4** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted

the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 101**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

**SB 428**—By Ridgeway.

An Act to amend chapter 632, RSMo, by adding thereto one new section relating to reimbursement for the transport of persons to and from mental health facilities.

**SB 429**—By Ridgeway.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to nurse staffing levels in health care facilities.

**SB 430**—By Mayer.

An Act to repeal sections 287.120, 287.140, 287.143, 287.149, 287.210, 287.220, 287.690, and 287.715, RSMo, and to enact in lieu thereof nine new sections relating to workers' compensation, with an emergency clause.

**SB 431**—By Munzlinger.

An Act to amend chapter 407, RSMo, by adding thereto three new sections relating to direct mail marketing, with penalty provisions and an effective date.

**SB 432**—By Munzlinger.

An Act to amend chapter 34, RSMo, by adding thereto three new sections relating to transparency in state purchases.

**SB 433**—By Kraus.

An Act to amend chapter 443, RSMo, by adding thereto one new section relating to deeds of trust.

### COMMUNICATIONS

President Pro Tem Mayer submitted the following:

March 1, 2011

Senator Jim Lembke  
Chairman, Governmental Accountability Committee  
Room 419, State Capitol  
Jefferson City, MO 65101

Dear Chairman Lembke:

On February 21, I sent you a letter requesting that your Committee on Governmental Accountability investigate the privatization of the Missouri Lottery and the potential cost savings of doing so.

In my letter I asked you to review the services of GTECH Corporation. I would like to extend my earlier request so that any corporation that

provides online or instant ticket printing, services, and systems for lotteries receive an invitation to appear before the committee and present information on their services.

Please let me know if I can be of additional help.

Sincerely,

/s/ Robert N. Mayer

Robert N. Mayer

District 25 Senator

Also,

February 23, 2011

Ms. Terry Spieler

Secretary of the Missouri Senate

State Capitol, Room 325

Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Jolie Justus to the Joint Committee on Administrative Rules.

Please feel free to contact me should you have any questions.

Sincerely,

/s/ Robert N. Mayer

Robert N. Mayer

President Pro Tem

## **INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, Kelly and Angie Gatts and their children, Haley and Tabitha, and Jeff DeShon, Homeschoolers from Moberly.

Senator Schaefer introduced to the Senate, Associated Students of the University of Missouri.

Senator Engler introduced to the Senate, Advisors Debbie Lee and Keith Mitchell and Jason Underwood, Hannah Craft, Aimee Gigax, Christina Wood, Melissa DeSerio, Lee Wilson and Chelsea Wiles, students from Mineral Area College.

Senator Justus introduced to the Senate, Senator-elect Shalonn “KiKi” Curls, Kansas City.

Senator Nieves introduced to the Senate, teachers Erin Gaebe, Kristen Beineke, Penny Heisel and Rita Nikonowicz and students Savannah Christain, Brent Crismon, Rodolfo Flores and Kate Garza Washington.

Senator Kehoe introduced to the Senate, Recorder of Deeds Christine Kleindienst and Ken Dillon, Callaway County.

Senator Rupp introduced to the Senate, Recorder of Deeds Dottie Crenshaw, Lincoln County.

Senator Rupp introduced to the Senate, the Physician of the Day, Dr. Rick Bowen, M.D., St. Louis.

Senator Mayer introduced to the Senate, Jason Comfort, Wes Howard and Ed Gargas, Dexter.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

THIRTIETH DAY—WEDNESDAY, MARCH 2, 2011

## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 321-Kehoe, et al	SB 352-Engler
SB 322-Schaefer	SB 353-Engler
SB 323-Schaefer	SB 354-Schaaf
SB 324-Kraus and Nieves	SB 355-Schaaf
SB 325-Wasson	SB 356-Munzlinger
SB 326-Wasson	SB 357-Munzlinger
SB 327-Richard	SB 358-Wasson
SB 328-Goodman	SB 359-Lager
SB 329-Nieves	SB 360-Lager
SB 330-Dixon	SB 361-Justus
SB 331-Lamping and Goodman	SB 362-Justus
SB 332-Justus, et al	SB 363-Justus
SB 333-Schaaf	SB 364-Pearce
SB 334-Schaaf	SB 365-Goodman
SB 335-Schaaf	SB 366-Goodman
SB 336-Munzlinger	SB 367-Nieves and Stouffer
SB 337-Munzlinger	SB 368-Stouffer
SB 338-Lager	SB 369-Cunningham
SB 339-Rupp	SB 370-Cunningham
SB 340-Wasson	SB 371-Cunningham
SB 341-Nieves	SB 372-Cunningham
SB 342-Justus	SB 373-Dempsey
SB 343-Wright-Jones	SB 374-Parson
SB 344-Wright-Jones	SB 375-Parson
SB 345-Wright-Jones	SB 376-Parson
SB 346-Wright-Jones	SB 377-Parson
SB 347-Wright-Jones	SB 378-Kehoe
SB 348-Wright-Jones, et al	SB 379-Kehoe
SB 349-Ridgeway	SB 380-Green
SB 350-Dixon and Ridgeway	SB 381-Dixon
SB 351-Lamping	SB 382-Chappelle-Nadal



SB 383-Richard	SB 410-Crowell
SB 384-Schaefer	SB 411-Crowell
SB 385-Munzlinger	SB 412-Crowell
SB 386-Richard	SB 413-Crowell
SB 387-Wasson	SB 414-Crowell
SB 388-Wasson	SB 415-Crowell
SB 389-McKenna	SB 416-Crowell
SB 390-Schmitt, et al	SB 417-Crowell
SB 391-Lager	SB 418-Chappelle-Nadal and Lamping
SB 392-Rupp	SB 419-Kraus
SB 393-Goodman	SB 420-Mayer
SB 394-Goodman and Lamping	SB 421-Pearce
SB 395-Goodman	SB 422-Lager
SB 396-Wright-Jones	SB 423-Lager
SB 397-Cunningham	SB 424-Cunningham
SB 398-Kraus	SB 425-Goodman
SB 399-Kraus	SB 426-Lamping
SB 400-Kraus	SB 427-Lamping
SB 401-Lamping	SB 428-Ridgeway
SB 402-Kehoe	SB 429-Ridgeway
SB 403-Nieves	SB 430-Mayer
SB 404-Ridgeway	SB 431-Munzlinger
SB 405-Ridgeway	SB 432-Munzlinger
SB 406-Crowell and Mayer	SB 433-Kraus
SB 407-Crowell	SJR 21-Lembke and Chappelle-Nadal
SB 408-Crowell	SJR 22-Parson
SB 409-Crowell	

#### HOUSE BILLS ON SECOND READING

HB 162-Fisher, et al	HB 209-Guernsey, et al
HCS for HB 46	HB 107-Smith (150), et al
HB 71-Nasheed, et al	HCS for HB 205
HB 139-Smith (150), et al	

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SB 38-Wright-Jones SB 77-Stouffer
------------------------------------------------	--------------------------------------

SB 83-Pearce  
SCS for SB 166-Goodman

SB 180-Kraus and Justus  
SB 101-Parson

#### SENATE BILLS FOR PERFECTION

SB 55-Brown

SB 161-Munzlinger

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

#### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 8-Goodman, with SCS & SS for SCS  
(pending)  
SB 23-Keaveny, with SCS  
SB 28-Brown

SBs 113 & 95-Parson and Engler, with SCS  
SB 133-Rupp, with SCS  
SB 188-Lager, et al, with SCS & SA 4  
(pending)  
SB 204-Dempsey, et al  
SB 243-Cunningham

#### HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

#### CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**THIRTIETH DAY—WEDNESDAY, MARCH 2, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You know the value of prayer: it is precious beyond all price. Never, never neglect it.” (Sir Thomas Buxton)

We began this morning in prayer, O God, and ask that we each live our prayers before You so that all we say and do are reflections of what You are to us. Give us patience with one another and the rough and tumble of life so we may realize that life’s difficulties help smooth our rough places and we become all You created us to be. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from the University of Central Missouri were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 425, regarding the 2010-2011 Class 2 State Champion Oak Grove High School Wrestling Team, which was adopted.

Senator Dempsey offered Senate Resolution No. 426, regarding the Ninetieth Birthday of Sister Madelene Reiners, CPPS, O'Fallon, which was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Lager moved that **SB 188**, with **SCS** and **SA 4** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Schmitt assumed the Chair.

**SA 4** was again taken up.

At the request of Senator Lager, **SB 188**, with **SCS** and **SA 4** (pending), was placed on the Informal Calendar.

Senator Cunningham moved that **SB 243**, as amended, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Chappelle-Nadal offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Bill No. 243, Page 5, Section 177.250, Lines 37-38, by striking all of said lines and inserting in lieu thereof the following:

**“6. Nothing in this section shall be construed to prohibit any of the entities identified in this section from entering into any cooperative agreement as described in this section or to prohibit any entity identified in this section from altering any current agreement it may have with another entity described in this section without agreement from all the parties to the agreement or expiration of the contract that is in force upon the effective date of this section.”.**

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Cunningham, **SB 243**, as amended, was declared perfected and ordered printed.

Senator Rupp moved that **SB 133**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 133**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 133**

An Act to repeal section 227.107, RSMo, and to enact in lieu thereof one new section relating to highway design-build project contracts.

Was taken up.

Senator Rupp moved that **SCS** for **SB 133** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **SB 133** was declared perfected and ordered printed.

### THIRD READING OF SENATE BILLS

**SB 38**, introduced by Senator Wright-Jones, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the prostate cancer pilot program.

Was taken up.

On motion of Senator Wright-Jones, **SB 38** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Purgason—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wright-Jones, title to the bill was agreed to.

Senator Wright-Jones moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 77**, introduced by Senator Stouffer, entitled:

An Act to repeal section 226.520, RSMo, and to enact in lieu thereof one new section relating to directional signs.

Was taken up.

On motion of Senator Stouffer, **SB 77** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 83**, introduced by Senator Pearce, entitled:

An Act to repeal sections 408.140, 408.233, and 408.300, RSMo, and to enact in lieu thereof four new sections relating to the sale of deficiency waiver addendums and other similar products in certain loan transactions.

Was taken up.

On motion of Senator Pearce, **SB 83** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 166**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 166

An Act to repeal section 381.115, RSMo, and to enact in lieu thereof one new section relating to the licensure of title agencies and title agents.

Was taken up by Senator Goodman.

On motion of Senator Goodman, **SCS for SB 166** was read the 3rd time and passed by the following

vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Goodman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell Green—2

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 180**, introduced by Senators Kraus and Justus, entitled:

An Act to amend chapter 9, RSMo, by adding thereto two new sections relating to bicycling state holidays.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SB 180** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Dempsey	Dixon	Goodman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Rupp	Schaaf	Schmitt	Wasson
Wright-Jones—25							

NAYS—Senators

Crowell	Cunningham	Engler	Green	Ridgeway	Schaefer	Stouffer—7
---------	------------	--------	-------	----------	----------	------------

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 101**, introduced by Senator Parson, entitled:

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to home exterior contractors, with penalty provisions.

Was taken up.

On motion of Senator Parson, **SB 101** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Purgason      Ridgeway—2

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### HOUSE BILLS ON THIRD READING

Senator Pearce moved that **HCS** for **HB 163**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

Senator Lembke moved that the above amendment be adopted.

At the request of Senator Pearce, **HCS** for **HB 163**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.



## **RESOLUTIONS**

Senator Crowell offered Senate Resolution No. 427, regarding Delta Companies, Incorporated/Delta Concrete, Cape Girardeau, which was adopted.

Senators Pearce and Kehoe offered Senate Resolution No. 428, regarding Betty Jo Schubert, Jefferson City, which was adopted.

Senator Crowell offered Senate Resolution No. 429, regarding Joyce M. Statler, Patton, which was adopted.

Senator Crowell offered Senate Resolution No. 430, regarding Nan Beussink, which was adopted.

Senator Goodman offered Senate Resolution No. 431, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Orville Mitchell, Hollister, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 432, regarding Victoria Kaufman, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 433, regarding Katherine Marguerite Fleissner, Chesterfield, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 434, regarding Julia Marie Eagan, Union, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 435, regarding Amanda Cooley, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 436, regarding Sarah Elizabeth Broom, Wildwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 437, regarding Amanda Marie Bright, Maryland Heights, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 438, regarding Rachel Ann Breece, Festus, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 439, regarding Malinka Lauran Berlin, Bowling Green, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 440, regarding Theresa Mary Baker, St. Peters, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 441, regarding Caroline Elisabeth Ayers, Ballwin, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 442, regarding Makayla Breann Lantos, Maryland Heights, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 443, regarding Maria Therese Lawless, Florissant, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 444, regarding Sarah Louise McAlevey, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 445, regarding Kelly Virginia McCann, St. Louis,

which was adopted.

Senator Wright-Jones offered Senate Resolution No. 446, regarding Jennifer Rose Mueller, Ste. Genevieve, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 447, regarding Katlyn Diana Sansone, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 448, regarding Andrea Jean Shaw, Bowling Green, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 449, regarding Ann Carolyn Shipley, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 450, regarding Allison Elizabeth Smith, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 451, regarding Carol Evelyn St. Amour, Chesterfield, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 452, regarding Christina Lynn Stewart, Troy, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 453, regarding Megan Marie Thebeau, Cadet, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 454, regarding Katelyn Leigh Weibrecht, Imperial, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 455, regarding Allison Ann Werkmeister, Ballwin, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 456, regarding Chelsey Bridgette Roberts, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 457, regarding the death of Beverly J. “Bev” Buchheit, St. Louis, which was adopted.

### **SENATE BILLS FOR PERFECTION**

Senator Lager moved that **SB 188**, with **SCS** and **SA 4** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 4** was again taken up.

At the request of Senator Justus, the above amendment was withdrawn.

Senator Justus offered **SA 5**:

### **SENATE AMENDMENT NO. 5**

Amend Senate Committee Substitute for Senate Bill No. 188, Page 5, Section 213.101, Line 11, by inserting immediately after “2.” the following: “**Except as provided in subsection 3 of section 213.111, relating to the presentation of evidence to a jury,**”; and

Further amend said bill, page 7, section 213.111, line 35, by inserting at the end of said line the

following: **“If such trial occurs in the circuit courts of the state of Missouri, the Missouri common law relating to the presentation of evidence to a jury shall apply at trial, whether before a judge or jury.”**

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 6**:

**SENATE AMENDMENT NO. 6**

Amend Senate Committee Substitute for Senate Bill No. 188, Page 7, Section 213.111, Line 55, by inserting immediately after said line, the following:

**“5. The limits set forth in subsection 4 of this section shall increase or decrease in the same amounts as any corresponding limits are increased or decreased in section 42 U.S.C. 1981a(b)(3).”**; and further renumber the remaining subsections accordingly; and

Further amend said bill, page 9, section 1, line 57 by inserting immediately after said line, the following:

**“8. The limits set forth in subsection 7 of this section shall increase or decrease in the same amounts as any corresponding limits are increased or decreased in section 42 U.S.C. 1981a(b)(3).”**.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway offered **SA 7**, which was read:

**SENATE AMENDMENT NO. 7**

Amend Senate Committee Substitute for Senate Bill No. 188, Page 8, Section 213.111, Lines 65-67, by striking all of said lines from the bill.

Senator Ridgeway moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Lamping offered **SA 8**:

**SENATE AMENDMENT NO. 8**

Amend Senate Committee Substitute for Senate Bill No. 188, Page 9, Section 1, Line 57, by inserting after all of said line the following:

**“Section B. Any provision of sections 213.010, 213.070, 213.101, and 213.111 as enacted by this act that cause the denial of federal funding for noncompliance as federal law is established upon the enactment of this act, shall terminate immediately after the adjournment of two full regular legislative sessions after notification to the Revisor of Statutes by the Missouri Commission on Human Rights that the state has been denied federal funding for noncompliance resulting from the enactment of such provision. The Missouri Commission on Human Rights shall notify the Revisor of Statutes when the state is denied federal funding for noncompliance resulting from the enactment of such provision.”**; and

Further amend the title accordingly.

Senator Lamping moved that the above amendment be adopted, which motion failed.

Senator Ridgeway offered **SA 9**:

## SENATE AMENDMENT NO. 9

Amend Senate Committee Substitute for Senate Bill No. 188, Page 8, Section 1, Lines 9-11, by striking all of said lines and inserting in lieu thereof the following:

**“(3) “Protected person”, any person who has reported to the proper authorities, a good faith reasonable belief based upon facts then available to the protected person at the time of report that the act is an unlawful act of the employer or serious misconduct of the employer or its agent that”.**

Senator Ridgeway moved that the above amendment be adopted, which motion failed.

Senator Lager moved that **SCS** for **SB 188**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **SB 188**, as amended, was declared perfected and ordered printed.

## HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

**HB 162**—Judiciary and Civil and Criminal Jurisprudence.

## SENATE BILLS FOR PERFECTION

Senator Goodman moved that **SB 8**, with **SCS** and **SS** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Goodman, **SS** for **SCS** for **SB 8**, as amended, was withdrawn.

Senator Goodman offered **SS No. 2** for **SCS** for **SB 8**, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 8

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

Senator Goodman moved that **SS No. 2** for **SCS** for **SB 8** be adopted.

Senator Crowell raised the point of order that **SS No. 2** for **SCS** for **SB 8** and **SCS** for **SB 8** are out of order as both bills go beyond the original subject matter contained in the underlying bill.

The point of order was referred to the President Pro Tem who rules it not well taken.

Senator Pearce assumed the Chair.

**SS No. 2** for **SCS** for **SB 8** was again taken up.

Senator Nieves assumed the Chair.

Senator Pearce assumed the Chair.

At the request of Senator Goodman, **SB 8**, with **SCS** and **SS No. 2** for **SCS** (pending), was placed on

the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 188; SB 243; and SCS for SB 133**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **INTRODUCTIONS OF GUESTS**

Senator Schaaf introduced to the Senate, his wife, Debbie, St. Joseph.

Senator Brown introduced to the Senate, Kim Werman, Chantae Alfred, Amanda Schaefer, Tania Lambert, Aimee Campbell, Karen Richards, Letha Young, Patsy Watts and Tina Pridgeon, representatives of Leadership Phelps County.

Senator Cunningham introduced to the Senate, Eileen Tyrell and her daughter, Haley, Eureka; and Maddie Seiler, Wildwood; and Haley and Maddie were made honorary pages.

Senator Lamping introduced to the Senate, Kristen Piontek, St. Louis.

Senator Pearce introduced to the Senate, Head Football Coach Jim Svoboda, Assistant Athletic Director Shawn Jones and Harlon Hill Award Winner Quarterback Eric Czerniewski, University of Central Missouri; and Kaye and Tom Benney, Montgomery City.

Senator Green introduced to the Senate, representatives of the American Red Cross, Missouri Chapter.

Senator Dixon introduced to the Senate, the Physician of the Day, Dr. Norm Knowlton, M.D., Springfield.

Senator Brown introduced to the Senate, his wife, Kathy, Rolla.

Senator Crowell introduced to the Senate, ninth grade students from St. Vincent DePaul School, Perryville.

On behalf of Senator Schmitt, the President introduced to the Senate, Dr. Robert and Jane Furey, Webster Groves.

Senator Pearce introduced to the Senate, students from Harrisonville Elementary Schools.

Senator Wright-Jones introduced to the Senate, Marvin Blake, Andrew Cleveland and James Coburn, St. Louis.

Senator Pearce introduced to the Senate, Teen Pact Students Emily Matthews, Belton; Kimberlee Bryson, Nevada; Maddie Wheeler, Warrensburg; Celeste Miauk, Higginsville; Brooks Farman, Peculiar; and Bret Roof, Adrian.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

THIRTY-FIRST DAY—THURSDAY, MARCH 3, 2011

## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 321-Kehoe, et al	SB 355-Schaaf
SB 322-Schaefer	SB 356-Munzlinger
SB 323-Schaefer	SB 357-Munzlinger
SB 324-Kraus and Nieves	SB 358-Wasson
SB 325-Wasson	SB 359-Lager
SB 326-Wasson	SB 360-Lager
SB 327-Richard	SB 361-Justus
SB 328-Goodman	SB 362-Justus
SB 329-Nieves	SB 363-Justus
SB 330-Dixon	SB 364-Pearce
SB 331-Lamping and Goodman	SB 365-Goodman
SB 332-Justus, et al	SB 366-Goodman
SB 333-Schaaf	SB 367-Nieves and Stouffer
SB 334-Schaaf	SB 368-Stouffer
SB 335-Schaaf	SB 369-Cunningham
SB 336-Munzlinger	SB 370-Cunningham
SB 337-Munzlinger	SB 371-Cunningham
SB 338-Lager	SB 372-Cunningham
SB 339-Rupp	SB 373-Dempsey
SB 340-Wasson	SB 374-Parson
SB 341-Nieves	SB 375-Parson
SB 342-Justus	SB 376-Parson
SB 343-Wright-Jones	SB 377-Parson
SB 344-Wright-Jones	SB 378-Kehoe
SB 345-Wright-Jones	SB 379-Kehoe
SB 346-Wright-Jones	SB 380-Green
SB 347-Wright-Jones	SB 381-Dixon
SB 348-Wright-Jones, et al	SB 382-Chappelle-Nadal
SB 349-Ridgeway	SB 383-Richard
SB 350-Dixon and Ridgeway	SB 384-Schaefer
SB 351-Lamping	SB 385-Munzlinger
SB 352-Engler	SB 386-Richard
SB 353-Engler	SB 387-Wasson
SB 354-Schaaf	SB 388-Wasson

SB 389-McKenna	SB 413-Crowell
SB 390-Schmitt, et al	SB 414-Crowell
SB 391-Lager	SB 415-Crowell
SB 392-Rupp	SB 416-Crowell
SB 393-Goodman	SB 417-Crowell
SB 394-Goodman and Lamping	SB 418-Chappelle-Nadal and Lamping
SB 395-Goodman	SB 419-Kraus
SB 396-Wright-Jones	SB 420-Mayer
SB 397-Cunningham	SB 421-Pearce
SB 398-Kraus	SB 422-Lager
SB 399-Kraus	SB 423-Lager
SB 400-Kraus	SB 424-Cunningham
SB 401-Lamping	SB 425-Goodman
SB 402-Kehoe	SB 426-Lamping
SB 403-Nieves	SB 427-Lamping
SB 404-Ridgeway	SB 428-Ridgeway
SB 405-Ridgeway	SB 429-Ridgeway
SB 406-Crowell and Mayer	SB 430-Mayer
SB 407-Crowell	SB 431-Munzlinger
SB 408-Crowell	SB 432-Munzlinger
SB 409-Crowell	SB 433-Kraus
SB 410-Crowell	SJR 21-Lembke and Chappelle-Nadal
SB 411-Crowell	SJR 22-Parson
SB 412-Crowell	

#### HOUSE BILLS ON SECOND READING

HCS for HB 46	HB 209-Guernsey, et al
HB 71-Nasheed, et al	HB 107-Smith (150), et al
HB 139-Smith (150), et al	HCS for HB 205

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SB 243-Cunningham
SCS for SB 188-Lager, et al	SCS for SB 133-Rupp

#### SENATE BILLS FOR PERFECTION

SB 55-Brown	SB 161-Munzlinger
-------------	-------------------

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 1 &amp; 206-Ridgeway, with SCS

SBs 7, 5, 74 &amp; 169-Goodman, with SCS

SB 8-Goodman, with SCS & SS#2 for SCS  
(pending)

SB 23-Keaveny, with SCS

SB 28-Brown

SBs 113 &amp; 95-Parson and Engler, with SCS

SB 204-Dempsey, et al

## HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS & SA 1  
(pending) (Pearce)

## CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS

SB 97-Engler

SB 96-Engler

✓



# Journal of the Senate

FIRST REGULAR SESSION

---

**THIRTY-FIRST DAY—THURSDAY, MARCH 3, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“And I said, Oh, that I had wings like a dove! For then would I fly away and be at rest.” (Psalm 55:6)

O Lord our God, amid all the demands and growing pressures on us it is good to return to our homes yet even there we have obligations and responsibilities that need our attention and it would be nice to “fly away” from everything. But You have promised to be with us and help us “stay the course”. Whatever we do let us do it as unto You and help us find rest and joy in doing so. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Munzlinger offered Senate Resolution No. 458, regarding Corrections Officer Michael T. Davis, Vandalia, which was adopted.

Senator Munzlinger offered Senate Resolution No. 459, regarding Corrections Supervisor Stacy Wood, Frankford, which was adopted.

Senator Rupp offered Senate Resolution No. 460, regarding the Seventieth Birthday of David L. Schormann, Foristell, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 461, regarding Charles H. Hoessle, St. Louis, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 462, regarding Daryl Rosen-Huitt, St. Louis, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 463, regarding Karen Kelly Dawson, St. Louis, which was adopted.

**REFERRALS**

President Pro Tem Mayer referred **SCS** for **SB 188** to the Committee on Ways and Means and Fiscal Oversight.

**THIRD READING OF SENATE BILLS**

**SB 243**, introduced by Senator Cunningham, entitled:

An Act to repeal section 177.088, RSMo, and to enact in lieu thereof two new sections relating to the utilization of resources and services.

Was taken up.

On motion of Senator Cunningham, **SB 243** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal Keaveny—2

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 133**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 133**

An Act to repeal section 227.107, RSMo, and to enact in lieu thereof one new section relating to highway design-build project contracts.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SCS for SB 133** was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

**NAYS—Senators—None**

**Absent—Senators—None**

**Absent with leave—Senators—None**

**Vacancies—1**

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

**REPORTS OF STANDING COMMITTEES**

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 61**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 219**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 282**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 284**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 173**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 254**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 120**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 131**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 135**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 207**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 81**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 130**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 163**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 145**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 203**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 14**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HB 15**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 63**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 278**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 162**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer assumed the Chair.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 179**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 7**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 8**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Donald J. Vanderfeltz, as a member of the State Board of Optometry;

Also,

Deborah Polc, as a member of the Missouri Dental Board;

Also,

Benjamin Lampert and Christopher J. Young, as members of the Advisory Commission for Anesthesiologist Assistants;

Also,

Barbara Kuebler, as a member of the Child Abuse and Neglect Review Board.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

## **SECOND READING OF SENATE BILLS**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**SB 321**—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

**SB 322**—Appropriations.

**SB 323**—Financial and Governmental Organizations and Elections.

**SB 324**—Transportation.

**SB 325**—Financial and Governmental Organizations and Elections.

**SB 326**—Financial and Governmental Organizations and Elections.

- SB 327**—Agriculture, Food Production and Outdoor Resources.
- SB 328**—Judiciary and Civil and Criminal Jurisprudence.
- SB 329**—General Laws.
- SB 330**—General Laws.
- SB 331**—Judiciary and Civil and Criminal Jurisprudence.
- SB 332**—Health, Mental Health, Seniors and Families.
- SB 333**—Health, Mental Health, Seniors and Families.
- SB 334**—Health, Mental Health, Seniors and Families.
- SB 335**—General Laws.
- SB 336**—Agriculture, Food Production and Outdoor Resources.
- SB 337**—Agriculture, Food Production and Outdoor Resources.
- SB 338**—Judiciary and Civil and Criminal Jurisprudence.
- SB 339**—Health, Mental Health, Seniors and Families.
- SB 340**—Financial and Governmental Organizations and Elections.
- SB 341**—Financial and Governmental Organizations and Elections.
- SB 342**—Education.
- SB 343**—Judiciary and Civil and Criminal Jurisprudence.
- SB 344**—Small Business, Insurance and Industry.
- SB 345**—Education.
- SB 346**—Health, Mental Health, Seniors and Families.
- SB 347**—Judiciary and Civil and Criminal Jurisprudence.
- SB 348**—Health, Mental Health, Seniors and Families.
- SB 349**—Judiciary and Civil and Criminal Jurisprudence.
- SB 350**—Judiciary and Civil and Criminal Jurisprudence.
- SB 351**—Health, Mental Health, Seniors and Families.
- SB 352**—Judiciary and Civil and Criminal Jurisprudence.
- SB 353**—General Laws.
- SB 354**—Judiciary and Civil and Criminal Jurisprudence.
- SB 355**—Rules, Joint Rules, Resolutions and Ethics.
- SB 356**—Agriculture, Food Production and Outdoor Resources.
- SB 357**—Commerce, Consumer Protection, Energy and the Environment.
- SB 358**—Financial and Governmental Organizations and Elections.

**SB 359**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**SB 360**—Jobs, Economic Development and Local Government.

**SB 361**—General Laws.

**SB 362**—Judiciary and Civil and Criminal Jurisprudence.

**SB 363**—Judiciary and Civil and Criminal Jurisprudence.

**SB 364**—Jobs, Economic Development and Local Government.

**SB 365**—Financial and Governmental Organizations and Elections.

**SB 366**—Judiciary and Civil and Criminal Jurisprudence.

**SB 367**—Health, Mental Health, Seniors and Families.

**SB 368**—Agriculture, Food Production and Outdoor Resources.

**SB 369**—General Laws.

**SB 370**—General Laws.

**SB 371**—General Laws.

**SB 372**—General Laws.

**SB 373**—Small Business, Insurance and Industry.

**SB 374**—Jobs, Economic Development and Local Government.

**SB 375**—Commerce, Consumer Protection, Energy and the Environment.

**SB 376**—Commerce, Consumer Protection, Energy and the Environment.

**SB 377**—Ways and Means and Fiscal Oversight.

**SB 378**—Transportation.

**SB 379**—Judiciary and Civil and Criminal Jurisprudence.

**SB 380**—Ways and Means and Fiscal Oversight.

**SB 381**—Judiciary and Civil and Criminal Jurisprudence.

**SB 382**—Financial and Governmental Organizations and Elections.

**SB 383**—Ways and Means and Fiscal Oversight.

**SB 384**—Judiciary and Civil and Criminal Jurisprudence.

**SB 385**—Ways and Means and Fiscal Oversight.

**SB 386**—Transportation.

**SB 387**—Judiciary and Civil and Criminal Jurisprudence.

**SB 388**—General Laws.

**SB 389**—General Laws.

**SB 390**—Jobs, Economic Development and Local Government.



- SB 391**—Education.
- SB 392**—Small Business, Insurance and Industry.
- SB 393**—Health, Mental Health, Seniors and Families.
- SB 394**—Judiciary and Civil and Criminal Jurisprudence.
- SB 395**—Judiciary and Civil and Criminal Jurisprudence.
- SB 396**—Health, Mental Health, Seniors and Families.
- SB 397**—Jobs, Economic Development and Local Government.
- SB 398**—Financial and Governmental Organizations and Elections.
- SB 399**—Judiciary and Civil and Criminal Jurisprudence.
- SB 400**—Judiciary and Civil and Criminal Jurisprudence.
- SB 401**—Financial and Governmental Organizations and Elections.
- SB 402**—Transportation.
- SB 403**—Commerce, Consumer Protection, Energy and the Environment.
- SB 404**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 405**—Health, Mental Health, Seniors and Families.
- SB 406**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 407**—Health, Mental Health, Seniors and Families.
- SB 408**—Health, Mental Health, Seniors and Families.
- SB 409**—Education.
- SB 410**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 411**—Ways and Means and Fiscal Oversight.
- SB 412**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 413**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 414**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 415**—Judiciary and Civil and Criminal Jurisprudence.
- SB 416**—General Laws.
- SB 417**—Small Business, Insurance and Industry.
- SJR 21**—General Laws.
- SJR 22**—General Laws.

**COMMUNICATIONS:**

President Pro Tem Mayer submitted the following:

**SENATE HEARING SCHEDULE  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
MARCH 3, 2011**

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		<b>Appropriations SCR 2 (Schaefer)</b>	<b>Appropriations SCR 2 (Schaefer)</b>  <b>Transportation SCR 1 (Stouffer)</b>	
8:15 a.m.		<b>Health, Mental Health, Seniors and Families SCR 1 (Ridgeway)</b>		
8:30 a.m.			<b>Gubernatorial Appointments SL (Mayer)</b>	<b>Ways and Means and Fiscal Oversight SCR 1 (Purgason)</b>  <b>Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs SL (Crowell)</b>
9:00 a.m.		<b>Progress and Development SL (Callahan)</b>		
12:00 Noon		<b>Small Business, Insurance and Industry SCR 1 (Rupp)</b>  <b>Rules, Joint Rules, Resolutions and Ethics SL (Dempsey)</b>	<b>Jobs, Economic Development and Local Government SL (Schmitt)</b>  <b>Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)</b>	
12:30 p.m.	<b>Appropriations SCR 2 (Schaefer)</b>			
1:30 p.m.		<b>Commerce, Consumer Protection, Energy and the Environment SL (Lager)</b>  <b>General Laws SCR 1 (Cunningham)</b>	<b>Governmental Accountability SCR 1 (Lembke)</b>  <b>Education SL (Pearce)</b>	
2:30 p.m.	<b>Financial and Governmental Organizations and Elections SL (Engler)</b>			
7:00 p.m.	<b>Judiciary and Civil and Criminal Jurisprudence SL (Goodman)</b>			

## INTRODUCTIONS OF GUESTS

Senator Munzlinger introduced to the Senate, First Sergeant Randal Jacobson and Cadets Jeong Yong “Kevin” Choi, Kyle Perkinson, Matthew Reindel, Jefferson Green, Hsin Wei “Eric” Chiu, members of Missouri Military Academy Rifle Team.

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Frank G. Rieger, M.D. and his wife, Reggie, Columbia.

Senator Kehoe introduced to the Senate, Kings of Historically Black College and Universities from around the state.

Senator Brown introduced to the Senate, students from Missouri University of Science and Technology, Rolla.

Senator Munzlinger introduced to the Senate, Coach Nick Hoth and Haylon Jacobs, Jake Vitale, Sinjon Adams, Josh Harlan and Monterio Burton, members of the Mexico High School Wrestling Team.

Senator Schaefer introduced to the Senate, students from the University of Missouri from around the state.

Senator McKenna introduced to the Senate, former State Representative George Engelbauch.

Senator Goodman introduced to the Senate, Melissa White, Crane.

Senator Pearce introduced to the Senate, students from Harrisonville McEowen Elementary School.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, March 7, 2011.

## SENATE CALENDAR

---

THIRTY-SECOND DAY—MONDAY, MARCH 7, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 418-Chappelle-Nadal and Lamping  
SB 419-Kraus  
SB 420-Mayer  
SB 421-Pearce  
SB 422-Lager  
SB 423-Lager  
SB 424-Cunningham  
SB 425-Goodman

SB 426-Lamping  
SB 427-Lamping  
SB 428-Ridgeway  
SB 429-Ridgeway  
SB 430-Mayer  
SB 431-Munzlinger  
SB 432-Munzlinger  
SB 433-Kraus

## HOUSE BILLS ON SECOND READING

HCS for HB 46  
HB 71-Nasheed, et al  
HB 139-Smith (150), et al

HB 209-Guernsey, et al  
HB 107-Smith (150), et al  
HCS for HB 205

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna  
(In Fiscal Oversight)

SCS for SB 188-Lager, et al  
(In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 55-Brown  
2. SB 161-Munzlinger  
3. SB 61-Keaveny  
4. SB 219-Wasson, with SCS  
5. SB 284-Wasson  
6. SB 173-Dixon and Kehoe  
7. SB 254-Stouffer, with SCS  
8. SB 120-Stouffer  
9. SB 135-Schaefer

10. SB 207-Lager  
11. SB 130-Rupp, with SCS  
12. SB 163-Pearce, with SCS  
13. SB 145-Dempsey  
14. SB 203-Schmitt, et al  
15. SB 63-Mayer  
16. SB 278-Munzlinger, et al  
17. SB 162-Munzlinger, with SCS

## HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS  
SBs 7, 5, 74 & 169-Goodman, with SCS

SB 8-Goodman, with SCS & SS#2 for SCS  
(pending)

SB 23-Keaveny, with SCS  
SB 28-Brown

SBs 113 & 95-Parson and Engler, with SCS  
SB 204-Dempsey, et al

HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

Reported 3/3

SB 282-Engler  
SB 131-Rupp, with SCS

SB 81-Pearce, with SCS

RESOLUTIONS

Reported from Committee

SR 179-Purgason  
SCR 7-Dempsey

SCR 8-Rupp

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**THIRTY-SECOND DAY—MONDAY, MARCH 7, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...with songs and everlasting joy upon their heads; they shall obtain joy and gladness, and sorrow and sighing shall flee away.” (Isaiah 35:10)

We are thankful to return to our work and responsibilities that You have given us. We thank You for safe travel. We thank You that You have shown us that we are to be a joyful people in our living and working and that gladness will accompany us through these days of service to the people of Missouri. So let us with boldness and confidence ask that we may trust always in Your love and mercy and find grace in our time of need. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 3, 2011 was read and approved.

Senator Dempsey announced that photographers from KOMU-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—1

The Lieutenant Governor was present.

### RESOLUTIONS

Senator Wright-Jones offered Senate Resolution No. 464, regarding JRO Ministries Divinity Dancers, which was adopted.

Senator Stouffer offered Senate Resolution No. 465, regarding the One Hundredth Birthday of Avanell “Nell” Houck, Concordia, which was adopted.

Senator Parson offered Senate Resolution No. 466, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Roland, Lamar, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 467, regarding Amy Richards, High Ridge, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 468, regarding Service International, Chesterfield, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 469, regarding Michael J. Meyer, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 470, regarding Johnny Furr, Jr., St. Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 471, regarding the 2010-2011 Class 4 State Champion Blue Springs High School Wrestling Team, which was adopted.

Senator Schmitt offered Senate Resolution No. 472, regarding David Holley, which was adopted.

Senator Schmitt offered Senate Resolution No. 473, regarding Anna Rawlings, Kirkwood, which was adopted.

Senator Munzlinger offered Senate Resolution No. 474, regarding Vicki Hildebrand, Center, which was adopted.

Senator Ridgeway offered Senate Resolution No. 475, regarding Marcus Burchett, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 476, regarding Zachary Green, Smithville, which was adopted.

Senator Crowell offered Senate Resolution No. 477, regarding Sergeant Dennis J. Horn, Cape Girardeau, which was adopted.

Senator Parson offered Senate Resolution No. 478, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Connie Mack McCurry, Fair Grove, which was adopted.

Senator McKenna offered Senate Resolution No. 479, regarding Jonah Zachary Tucker, which was adopted.

Senator Green offered Senate Resolution No. 480, regarding the One Hundredth Birthday of Theodore “Ted” Rozak, St. Louis, which was adopted.

### SENATE BILLS FOR PERFECTION

At the request of Senator Brown, **SB 55** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 161** was placed on the Informal Calendar.

Senator Keaveny moved that **SB 61** be taken up for perfection, which motion prevailed.

Senator Keaveny offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 61, Page 1, Section 523.040, Line 8, by striking the word “two” and inserting in lieu thereof the following: “**one**”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Keaveny, **SB 61**, as amended, was declared perfected and ordered printed.

Senator Wasson moved that **SB 219**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 219**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 219

An Act to repeal sections 362.111 and 370.073, RSMo, and to enact in lieu thereof two new sections relating to international transactions.

Was taken up.

Senator Wasson moved that **SCS** for **SB 219** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 219** was declared perfected and ordered printed.

Senator Wasson moved that **SB 284** be taken up for perfection, which motion prevailed.

Senator Ridgeway offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 284, Page 5, Section 338.330, Line 47, by inserting after all of said line, the following:

“Section B. Because immediate action is necessary to ensure the continuance of clinical trials in this state, the repeal and reenactment of section 338.330 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 338.330 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Wasson, **SB 284**, as amended, was declared perfected and ordered printed.

At the request of Senator Dixon, **SB 173** was placed on the Informal Calendar.

At the request of Senator Stouffer, **SB 254**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Stouffer, **SB 120** was placed on the Informal Calendar.



**SB 135** was placed on the Informal Calendar.

Senator Lager moved that **SB 207** be taken up for perfection, which motion prevailed.

On motion of Senator Lager, **SB 207** was declared perfected and ordered printed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 76**, entitled:

An Act to repeal sections 147.010, and 148.064, RSMo, and to enact in lieu thereof two new sections relating to the phase-out of the corporate franchise tax.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 276, 233 and 274**, entitled:

An Act to repeal sections 578.501, 578.502, and 578.503, RSMo, and to enact in lieu thereof four new sections relating to unlawful picketing of a funeral, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 116 and 316**, entitled:

An Act to repeal sections 32.028, 32.087, 105.716, 144.083, and 168.071, RSMo, and to enact in lieu thereof sixteen new sections relating to collection of state money, with a penalty provision and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 136**, entitled:

An Act to repeal sections 288.050, 288.090, and 288.100, RSMo, and to enact in lieu thereof four new sections relating to benefits for military spouses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 214**, entitled:

An Act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 61**, entitled:

An Act to repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to the minimum wage.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 108**, entitled:

An Act to repeal sections 130.031 and 130.036, RSMo, and to enact in lieu thereof two new sections relating to campaign finance, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 4, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Barbara Brown for the Child Abuse and Neglect Review Board, submitted to you on February 16, 2011. Line 1 should be amended to read:

Barbara Brown-Johnson, 4248 East Linwood Drive, Springfield, Greene County,

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above addendum to the Committee on Gubernatorial Appointments.

**COMMUNICATIONS**

Senator Crowell submitted the following:

March 4, 2011

Ms. Terry Spieler  
Secretary of Senate  
State Capitol Building – Room 325  
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that the following bills be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

**SB 81 (Pearce)** – Modifies provisions relating to fine arts education.

**SB 131 (Rupp)** – Exempts qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

**SB 282 (Engler)** – Moves the presidential primary from February to March.

Sincerely,  
/s/ Jason Crowell  
Jason G. Crowell  
State Senator

President Pro Tem Mayer submitted the following:

February 16, 2011

The Honorable Rob Mayer  
President Pro Tem  
Missouri Senate  
State Capitol, Room 326  
Jefferson City, MO 65101

Dear Senator Mayer:

I respectfully submit my resignation as a member of the Joint Committee on Legislative Research. Thank you for giving me the opportunity to serve in this capacity.

Sincerely,  
/s/ Tom Dempsey  
Tom Dempsey

Also,

March 7, 2011

Senator Jim Lembke  
Chairman, Governmental Accountability Committee  
Room 419, State Capitol  
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your committee study HB 381, passed and signed into law in 2009, which requires the Department of Revenue to award fee office contracts by a competitive bidding process and give preference to specified tax exempt entities and

to political subdivisions.

Please investigate the process of how fee offices are awarded in the State of Missouri and make sure the provisions in this law are being carried out.

Please let me know if you have additional questions.

Sincerely,

/s/ Robert N. Mayer

Robert N. Mayer

District 25 Senator

Also,

March 7, 2011

Senator Jim Lembke

Chairman, Governmental Accountability Committee

Room 419, State Capitol

Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your Committee on Governmental Accountability investigate allegations of food stamp fraud in Missouri.

It has recently come to my attention that Missouri EBT (Electronic Benefit Transfer) cardholders are not required to show identification when purchasing food with said cards. I have also learned that Missouri EBT cards were used in all fifty states this past January. While it is conceivable for cards to be used in Border States, it does appear strange that Missouri's cards were used in every state.

Please look into alleged misuses of these cards in the aforementioned areas.

Sincerely,

/s/ Robert N. Mayer

Robert N. Mayer

District 25 Senator

## **INTRODUCTIONS OF GUESTS**

Senator Goodman introduced to the Senate, Dan Mohn and his son Jackson, Homeschoolers from Hollister; and Jackson was made an honorary page.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## **SENATE CALENDAR**

---

**THIRTY-THIRD DAY—TUESDAY, MARCH 8, 2011**

---

## **FORMAL CALENDAR**

## **SECOND READING OF SENATE BILLS**

SB 418-Chappelle-Nadal and Lamping

SB 419-Kraus

SB 420-Mayer

SB 421-Pearce

SB 422-Lager  
SB 423-Lager  
SB 424-Cunningham  
SB 425-Goodman  
SB 426-Lamping  
SB 427-Lamping

SB 428-Ridgeway  
SB 429-Ridgeway  
SB 430-Mayer  
SB 431-Munzlinger  
SB 432-Munzlinger  
SB 433-Kraus

#### HOUSE BILLS ON SECOND READING

HCS for HB 46  
HB 71-Nasheed, et al  
HB 139-Smith (150), et al  
HB 209-Guernsey, et al  
HB 107-Smith (150), et al  
HCS for HB 205  
HCS for HB 76

HCS for HBs 276, 233 & 274  
HCS for HBs 116 & 316  
HCS for HB 136  
HCS for HB 214  
HCS for HB 61  
HCS for HB 108

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)

SCS for SB 188-Lager, et al (In Fiscal Oversight)

#### SENATE BILLS FOR PERFECTION

SB 130-Rupp, with SCS  
SB 163-Pearce, with SCS  
SB 145-Dempsey  
SB 203-Schmitt, et al

SB 63-Mayer  
SB 278-Munzlinger, et al  
SB 162-Munzlinger, with SCS

#### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 8-Goodman, with SCS & SS#2 for SCS  
(pending)  
SB 23-Keaveny, with SCS  
SB 28-Brown  
SB 55-Brown

SBs 113 & 95-Parson and Engler, with SCS  
SB 120-Stouffer  
SB 135-Schaefer  
SB 161-Munzlinger  
SB 173-Dixon and Kehoe  
SB 204-Dempsey, et al  
SB 254-Stouffer, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

RESOLUTIONS

Reported from Committee

SR 179-Purgason  
SCR 7-Dempsey

SCR 8-Rupp

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**THIRTY-THIRD DAY—TUESDAY, MARCH 8, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“To you, O LORD, I lift up my soul. O my God, in you I trust;” (Psalm 25:1-2a)

Grant us a faith that can rejoice in Your love and Your goodness despite the dark moments that we find around us. These are difficult times in our world and our country and we are grateful that You provide us the divine assurance of Your enduring comfort through the most stressful times. As we live each day as Your called servants who You have given the privilege to serve in this place may we trust in Your guidance in the decisions we must make. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV and Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

The Senate observed a moment of silence honoring law enforcement officers from across the state.

### RESOLUTIONS

Senator Crowell offered Senate Resolution No. 481, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Vernon Schlichting, Wittenberg, which was adopted.

### SENATE BILLS FOR PERFECTION

Senator Keaveny moved that **SB 23**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schmitt assumed the Chair.

**SCS** for **SB 23**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 23

An Act to repeal sections 84.010, 86.200, and 86.213, RSMo, and to enact in lieu thereof ten new sections relating to the St. Louis police force, with penalty provisions and a contingent effective date.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 23** be adopted.

Senator Kraus offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 23, Page 1, In the Title, Line 3, by striking “the St. Louis police force” and inserting in lieu thereof the following: “police forces”; and

Further amend said bill, page 7, section 84.349, line 73, by inserting immediately after said line the following:

**“84.900. Notwithstanding any other provision of law to the contrary, as of August 28, 2011, any home rule city with more than four hundred thousand inhabitants and located in more than one county may establish, and thereafter maintain, a municipal police force under sections 84.905 and 84.910.**

**84.905. Any home rule city with more than four hundred thousand inhabitants and located in more than one county may establish a municipal police force for the purposes of:**

- (1) Preserving the public peace, welfare, and order;**
- (2) Preventing crime and arresting suspected offenders;**
- (3) Enforcing the laws of the state and ordinances of the city;**
- (4) Exercising all powers available to a police force under generally applicable state law; and**
- (5) Regulating and licensing all private watchmen, private detectives, and private policemen serving or acting as such in said cities.**



No person shall act as a private watchman, private detective, or private policeman in said cities without first having obtained a written license from said police force.

**84.910. 1.** A home rule city with more than four hundred thousand inhabitants and located in more than one county that establishes and maintains a municipal police force pursuant to section 84.900 and section 84.905 shall provide for the employment in the municipal police force, immediately upon the effective date of the establishment of the municipal police force, of all officers and employees of any police force previously established under sections 84.350 to 84.850 at their then current salaries, and for their entitlement to all accrued benefits, including but not limited to, vacation time, sick leave, health insurance, life insurance, and pensions. Any such home rule city with more than four hundred thousand inhabitants and located in more than one county shall recognize any regulation concerning residence of police officers adopted by the board of police commissioners. Any retired officers shall also maintain their accrued benefits, including but not limited to health and life insurance.

**2.** Notwithstanding the provisions of subsection 1 of this section to the contrary, the city shall recognize the designated exclusive bargaining representative of the uniformed members of the municipal police force to the rank of sergeant and shall, to the extent permitted by federal and state law, engage in negotiations with said representative over terms, conditions, and benefits of employment in a good faith effort to enter into a binding contract covering such terms, conditions, and benefits.

**84.915.** The provisions of sections 84.350 to 84.850, and the terms of office of the commissioners of the board of police under sections 84.350 and 84.360 shall expire upon the effective date of this act.

**84.920.** Any police pension system created under chapter 86 for the benefit of a police force established under sections 84.350 to 84.850 shall continue to be governed by chapter 86, and shall apply to any police force established under sections 84.900 and 84.905.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted.

Senator Keaveny raised the point of order that **SA 1** is out of order as it goes beyond the scope of the title of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Lembke offered **SS** for **SCS** for **SB 23**:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 23

An Act to repeal sections 84.010, 86.200, and 86.213, RSMo, and to enact in lieu thereof eleven new sections relating to the St. Louis police force, with penalty provisions and a contingent effective date.

Senator Lembke moved that **SS** for **SCS** for **SB 23** be adopted.

At the request of Senator Keaveny, **SB 23**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

## MESSAGES FROM THE SECRETARY OF STATE

TO THE SECRETARY OF THE SENATE

Ms. Terry Spieler  
Jefferson City, MO

Madam:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 9<sup>th</sup> Senatorial District in the State of Missouri, on the 22<sup>nd</sup> day of February, 2011, as provided by law, the following named person was elected to the office of State Senator, 9<sup>th</sup> Senatorial District as shown by the election results certified to this office by the election authority of the 9<sup>th</sup> Senatorial District.

<b>Name</b>	<b>Office</b>
Shalonn (Kiki) Curls 1909 Myrtle Ave. Kansas City, MO 64127-3407	State Senate 9 <sup>th</sup> Senatorial District

IN WITNESS WHEREOF, I have hereunto set my  
hand and affixed the seal of my office this 2<sup>nd</sup> day of  
March, 2011.

Seal

/s/ Robin Carnahan  
Robin Carnahan  
Secretary of State

Senator Curls approached the dais and received her oath of office administered by President Pro Tem Mayer.

## REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 284**; **SCS** for **SB 219**; **SB 207**; and **SB 61**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

## RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

Senator Dempsey announced that photographers from KMIZ-TV and KOMU-TV were given permission to take pictures in the Senate Chamber today.

## RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 482, regarding Dale Ellis, St. Joseph, which was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Parson moved that **SB 113** and **SB 95**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SBs 113** and **95**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 113 and 95**

An Act to repeal section 273.345, RSMo, and to enact in lieu thereof one new section relating to commercial dog breeders, with existing penalty provisions and an emergency clause.

Was taken up.

Senator Parson moved that **SCS** for **SBs 113** and **95** be adopted.

Senator Parson offered **SS** for **SCS** for **SBs 113** and **95**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 113 and 95**

An Act to repeal sections 273.327 and 273.345, RSMo, and to enact in lieu thereof four new sections relating to the care of dogs, with penalty provisions and an emergency clause.

Senator Parson moved that **SS** for **SCS** for **SBs 113** and **95** be adopted.

Senator Kehoe assumed the Chair.

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Justus offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 113 and 95, Page 1, In the Title, Line 4 of the title, by striking “an emergency” and inserting in lieu thereof the following: “a referendum”; and

Further amend said bill, Page 9, Section B, Lines 17 to 23 of said page, by striking said lines and inserting in lieu thereof the following:

“Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November, 2012, or at a special election to be called by the governor for that purpose, pursuant to the laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.”.

Senator Justus moved that the above amendment be adopted.

Senator Justus offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 113 and 95, Page 1, Section B, Line 6, by striking “2012” and inserting in lieu thereof “2011”.

Senator Justus moved that the above amendment be adopted, which motion failed.

**SA 1** was again taken up.

Senator Justus moved that the above amendment be adopted, which motion failed.

Senator Parson moved that **SS** for **SCS** for **SBs 113** and **95** be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **SCS** for **SBs 113** and **95** was declared perfected and ordered printed.

Senator Schaefer moved that **SB 135** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schaefer offered **SS** for **SB 135**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 135

An Act to repeal sections 260.965 and 414.072, RSMo, and to enact in lieu thereof four new sections relating to environmental protection.

Senator Schaefer moved that **SS** for **SB 135** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SB 135** was declared perfected and ordered printed.

**INTRODUCTIONS OF GUESTS**

Senator Wright-Jones introduced to the Senate, Jill and Bob Johnson and their children, Mariam and Brandon, Homeschoolers from St. Louis; and Mariam and Brandon were made honorary pages.

Senator Pearce introduced to the Senate, representatives of MSTA from Bronaugh.

Senator Schaefer introduced to the Senate, teachers Lisa Schenker and Jim Steelman, parents, student Ben Ertle and other fourth grade students from U.S. Grant Elementary School, Columbia.

Senator Wright-Jones introduced to the Senate, Teri Buscom, St. Louis; Yolanda Lockhart, Jefferson City; Kay Gage; and representatives of Alpha Kappa Alpha Sorority, Inc.

Senator Wright-Jones introduced to the Senate, representatives of National Pan-Hellenic Council, Inc. from Lincoln University.

Senator Stouffer introduced to the Senate, Ed and Pat Richards, Pachyderms from Marshall.

Senator Lembke introduced to the Senate, Detective Joe Clark, his wife, Tracy and their children, Jehna, Sarah, Luke and Grace, St. Louis County.

Senator Lamping introduced to the Senate, Jeanine Stewart and Tom Wilsdon, St. Louis.

Senator Green introduced to the Senate, Principal McDaniel, teachers, Mrs. Scurry, Mrs. Wineland, parents and sixty-five fourth grade students from Robinwood Elementary School, Florissant; and JaKayla Ray, Emily Signaigo and Jamar Hinton were made honorary pages.

Senator Lamping introduced to the Senate, Andrew Sher, St. Louis; and Theckla Spainhower, Jefferson City.

On behalf of Senator Engler and himself, Senator McKenna introduced to the Senate, students from Festus Senior High School.

Senator Curls introduced to the Senate, her parents, Darwin and Sandra Curls, her son and daughter, James and Michaelen, her brother and his wife, Lenny and Norma Curls, nephews, Leonardo and Caesar, and her aunt, former State Representative Melba Curls, Monica Curls, Monique Jamerson, Captain Londell Jamerson, Bishop James Tindall, former State Senator Mary Bland, Judy Groves, Mr. John McDaniel, Darron McGee and Representative Chris Carter.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

THIRTY-FOURTH DAY—WEDNESDAY, MARCH 9, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 418-Chappelle-Nadal and Lamping  
SB 419-Kraus  
SB 420-Mayer  
SB 421-Pearce  
SB 422-Lager  
SB 423-Lager  
SB 424-Cunningham  
SB 425-Goodman

SB 426-Lamping  
SB 427-Lamping  
SB 428-Ridgeway  
SB 429-Ridgeway  
SB 430-Mayer  
SB 431-Munzlinger  
SB 432-Munzlinger  
SB 433-Kraus

### HOUSE BILLS ON SECOND READING

HCS for HB 46  
HB 71-Nasheed, et al  
HB 139-Smith (150), et al  
HB 209-Guernsey, et al  
HB 107-Smith (150), et al  
HCS for HB 205  
HCS for HB 76

HCS for HBs 276, 233 & 274  
HCS for HBs 116 & 316  
HCS for HB 136  
HCS for HB 214  
HCS for HB 61  
HCS for HB 108

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SCS for SB 219-Wasson
SCS for SB 188-Lager, et al (In Fiscal Oversight)	SB 207-Lager
SB 284-Wasson	SB 61-Keaveny

## SENATE BILLS FOR PERFECTION

SB 130-Rupp, with SCS	SB 63-Mayer
SB 163-Pearce, with SCS	SB 278-Munzlinger, et al
SB 145-Dempsey	SB 162-Munzlinger, with SCS
SB 203-Schmitt, et al	

## HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)	HB 15-Silvey (Schaefer)
------------------------------------	-------------------------

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS	SB 55-Brown
SBs 7, 5, 74 & 169-Goodman, with SCS	SB 120-Stouffer
SB 8-Goodman, with SCS & SS#2 for SCS	SB 161-Munzlinger
(pending)	SB 173-Dixon and Kehoe
SB 23-Keaveny, with SCS & SS for SCS	SB 204-Dempsey, et al
(pending)	SB 254-Stouffer, with SCS
SB 28-Brown	

## HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS & SA 1  
(pending) (Pearce)

CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

RESOLUTIONS

Reported from Committee

SR 179-Purgason  
SCR 7-Dempsey

SCR 8-Rupp

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### THIRTY-FOURTH DAY—WEDNESDAY, MARCH 9, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“God never promises to remove us from our struggles. He does promise, however, to change the way we look at them.” (Max Lucado)

Merciful God, we begin this period we Christians observe as Lent; so on this Ash Wednesday, open us to know You and therefore to know ourselves as Your people. It is a special time to hear Your call to repent and return to You our God. Help us know that whatever struggles we encounter You are here to help us and please give us faithfulness to see life as You do and to be filled with hope and forgiveness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Kraus offered Senate Resolution No. 483, regarding the city of Blue Springs, which was



adopted.

Senators Rupp and Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 484

Whereas, the members of the Missouri Senate proudly pause to recognize an outstanding young Missouri citizen who has distinguished herself as a leader of her peers; and

Whereas, Sara von Harz of St. Charles, Missouri, a junior at Francis Howell North High School, is to be commended for her efforts to establish a cheerleading squad for children with special needs; and

Whereas, Adrenaline Explosion Cheerleading currently operates through the Northside Gymnastic Academy in O'Fallon and works with children of all disabilities in ages ranging from 5-18; and

Whereas, the squad was created with heart and a vision to help special needs children by promoting self-esteem, teamwork, exercise, patience, and perseverance; and

Whereas, Sara loves to cheer and got the idea to start a special squad after watching her brother, who has autism, try to do her routines while sitting on the sidelines; and

Whereas, Sara has achieved all of this and more with the love and support of her proud family, including her parents, Benjamin and Shannon von Harz, her siblings, Nicholas, Katherine, and Matthew; teachers; and friends:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-sixth General Assembly, join in extending our most hearty congratulations to Sara von Harz at this proud moment of well-deserved distinction, and in wishing her only the very best of success in all her future endeavors; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Sara von Harz.

Senator Mayer offered Senate Resolution No. 485, regarding Robert "Bob" Kushner, Piedmont, which was adopted.

Senator Mayer offered Senate Resolution No. 486, regarding Charlie Kruse, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 487, regarding David Sells, Piedmont, which was adopted.

Senator Kraus offered Senate Resolution No. 488, regarding Dylan Hobson, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 489, regarding Joshua Hunt Reilly, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 490, regarding Ian M. Dobyns, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 491, regarding William M. Kamp, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 492, regarding Christopher S. Lykins, Lee's Summit, which was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Brown moved that **SB 55** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Brown offered **SS** for **SB 55**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 55

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to classification of certain real property.

Senator Brown moved that **SS** for **SB 55** be adopted.

At the request of Senator Brown, **SB 55**, with **SS** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 135** and **SS** for **SCS** for **SBs 113** and **95**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

**REFERRALS**

President Pro Tem Mayer referred **SS** for **SB 135** and **SS** for **SCS** for **SBs 113** and **95** to the Committee on Ways and Means and Fiscal Oversight.

**SENATE BILLS FOR PERFECTION**

**SB 130**, with **SCS**, was placed on the Informal Calendar.

Senator Stouffer assumed the Chair.

Senator Pearce moved that **SB 163**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 163**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 163

An Act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education boards.

Was taken up.

Senator Pearce moved that **SCS** for **SB 163** be adopted.

Senator Green offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 163, Page 1, Section 173.005, Line 7, by striking the word “Coordinating”; and further amend line 8 by striking both occurrences of the word “coordinating”; and further amend said section, page 2, line 16 by striking the word “coordinating”; and further amend line 21, by striking the word “coordinating”; and further amend line 23 by striking the word “coordinating”; and further amend line 29 by striking the word “coordinating”; and further amend line 31 by striking the word “coordinating”; and further amend 34 by striking the word “coordinating”; and further amend line 45 by striking the word “coordinating”; and further page 3 line 52 by striking the word “coordinating”; and further amend line 59 by striking the word “coordinating”; and further amend line 61

by striking the word “coordinating”; and further amend line 63 by striking the word “coordinating”; and further amend line 65 by striking the word “coordinating”; and further amend line 72 by striking the word “coordinating”; and further amend line 78 by striking the word “coordinating”; and further amend line 80 by striking the word “coordinating”; and further amend line 82 by striking the word “coordinating”; and further amend page 4, line 83 by striking the word “coordinating”; and further amend line 85 by striking the word “coordinating”; and further amend line 86 by striking the word “coordinating”; and further amend line 89 by striking the word “coordinating”; and further amend line 90 by striking the word “coordinating”; and further amend line 92 by striking both occurrences of the word “coordinating”; and further amend line 94 by striking the word “coordinating”; and further amend line 105 by striking the word “coordinating”; and further amend page 5, line 124 by striking the word “coordinating”; and further amend line 136 by striking the word “coordinating”; and further amend line 137 by striking the word “coordinating”; and further amend line 154 by striking the word “coordinating”; and further amend page 6, line 156, by striking the word “coordinating”; and further amend line 165 by striking the word “coordinating”; and further amend line 169 by striking the word “coordinating”; and further amend line 170 by striking the word “coordinating”; and further amend line 184 by striking the word “coordinating”; and further amend line 189 by striking the word “coordinating”.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **SB 163**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 163**, as amended, was declared perfected and ordered printed.

At the request of Senator Dempsey, **SB 145** was placed on the Informal Calendar.

At the request of Senator Schmitt, **SB 203** was placed on the Informal Calendar.

Senator Mayer moved that **SB 63** be taken up for perfection, which motion prevailed.

Senator Schaaf assumed the Chair.

On motion of Senator Mayer, **SB 63** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 161** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 161** was declared perfected and ordered printed.

Senator Brown moved that **SB 55**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SB 55** was again taken up.

Senator Brown moved that **SS** for **SB 55** be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **SB 55** was declared perfected and ordered printed.

Senator Dixon moved that **SB 173** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Dixon, **SB 173** was declared perfected and ordered printed.

## **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 8, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Marilyn Durk to the Missouri Head Injury Advisory Council submitted to you on February 16, 2011. Line 3, 4, and 5 should be amended to read:

member of the Missouri Head Injury Advisory Council, for a term ending July 23, 2012, and until her successor is duly appointed and qualified; vice, Raymond Mungenast, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 8, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Richard Hashagen to the Missouri Head Injury Advisory Council submitted to you on February 16, 2011. Line 4 should be amended to read:

vice, Richard Hashagen, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above addendums to the Committee on Gubernatorial Appointments.

## **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 63**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

## **INTRODUCTIONS OF GUESTS**

Senator Kraus introduced to the Senate, Representative Noel Torpey, Independence; and the Physician of the Day, Dr. Sean Clinefelter, Grain Valley.

Senator Nieves introduced to the Senate, Ron Howe and his daughter, Rachel, Ballwin; and Rachel was made an honorary page.

Senator Rupp introduced to the Senate, Sara von Harz, her parents, Benjamin and Shannon; and Lily Jackson, Chris Jackson and Trudy Giancola, St. Charles County; and Lily was made an honorary page.

Senator Wright-Jones introduced to the Senate, Mayor Francis Slay, St. Louis.

Senator Ridgeway introduced to the Senate, Stacie Bratcher, Stacie Coons, Ashley Williams, Christina Winters, Kathi Alexander, Amanda Martinez, Wendy Wells, Connie Harrison and Debbie, Vicki, Liz, Kerah, Rose, Sarah Jane and Tia, visitors from Immacolata Manor, Liberty.

Senator Pearce introduced to the Senate, Head Coach Tammy Holcomb, Assistant Coach Ryan Talley and members of the 2010 Class 3 State Champion Nevada R-V girls softball team.

Senator Kehoe introduced to the Senate, Professor Deborah Word and Lincoln University students, participants in Missouri Association of Social Welfare Student Lobby Day.

Senator Lembke introduced to the Senate, members of Big Brothers and Big Sisters Amachi Missouri from the First Senatorial District.

Senator Schmitt introduced to the Senate, Jackie Swinnie and Nic Yowell, Manchester.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

THIRTY-FIFTH DAY—THURSDAY, MARCH 10, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 418-Chappelle-Nadal and Lamping

SB 419-Kraus

SB 420-Mayer

SB 421-Pearce

SB 422-Lager

SB 423-Lager

SB 424-Cunningham

SB 425-Goodman

SB 426-Lamping

SB 427-Lamping

SB 428-Ridgeway

SB 429-Ridgeway

SB 430-Mayer

SB 431-Munzlinger

SB 432-Munzlinger

SB 433-Kraus

### HOUSE BILLS ON SECOND READING

HCS for HB 46

HB 71-Nasheed, et al

HB 139-Smith (150), et al

HB 209-Guernsey, et al

HB 107-Smith (150), et al	HCS for HB 136
HCS for HB 205	HCS for HB 214
HCS for HB 76	HCS for HB 61
HCS for HBs 276, 233 & 274	HCS for HB 108
HCS for HBs 116 & 316	

### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SS for SB 135-Schaefer
SCS for SB 188-Lager, et al (In Fiscal Oversight)	(In Fiscal Oversight)
SB 284-Wasson	SS for SCS for SBs 113 & 95-Parson
SCS for SB 219-Wasson	(In Fiscal Oversight)
SB 207-Lager	SB 63-Mayer
SB 61-Keaveny	

### SENATE BILLS FOR PERFECTION

SB 278-Munzlinger, et al	SB 162-Munzlinger, with SCS
--------------------------	-----------------------------

### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)	HB 15-Silvey (Schaefer)
------------------------------------	-------------------------

### INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS	SB 120-Stouffer
SBs 7, 5, 74 & 169-Goodman, with SCS	SB 130-Rupp, with SCS
SB 8-Goodman, with SCS & SS#2 for SCS	SB 145-Dempsey
(pending)	SB 203-Schmitt, et al
SB 23-Keaveny, with SCS & SS for SCS	SB 204-Dempsey, et al
(pending)	SB 254-Stouffer, with SCS
SB 28-Brown	

## HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

## CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

## RESOLUTIONS

Reported from Committee

SR 179-Purgason  
SCR 7-Dempsey

SCR 8-Rupp

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**THIRTY-FIFTH DAY—THURSDAY, MARCH 10, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Your word was into me the joy and rejoicing of my heart.” (Jeremiah 15:16)

Gracious God, as we complete our work for this week we pray that Your word continues to bring joy to our hearts so that we live that word and share it with loved ones whom we return to this day. As we discern Your word this weekend may we keep Your judgements and live in Your grace so that we may have peace with one another. And we pray O Lord, that You will continue to touch and heal our doorkeeper, Bill Wyrick, so he may be strengthened and return to full health. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV and Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.



### RESOLUTIONS

Senator Crowell offered Senate Resolution No. 493, regarding David Hitt, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 494, regarding Roger Hudson, which was adopted.

Senator Lager offered Senate Resolution No. 495, regarding Wesley Henry Scherler McDowell, which was adopted.

Senator Lager offered Senate Resolution No. 496, regarding the One Hundredth Birthday of Lois Margaret Brown Martin, Rock Port, which was adopted.

Senator Lager offered Senate Resolution No. 497, regarding Betty L. Dunscombe, Hamilton, which was adopted.

Senator Lager offered Senate Resolution No. 498, regarding Benjamin Wendt, which was adopted.

Senator Crowell offered Senate Resolution No. 499, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Roy Darter, Cape Girardeau, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 500, regarding Noles Properties, St. Louis, which was adopted.

Senator Schaefer offered Senate Resolution No. 501, regarding Samuel P. Jones, Ashland, which was adopted.

### MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 9, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Marylin Durk to the Missouri Head Injury Advisory Council submitted to you on February 16, 2011. Line 1, 2, 3, should be amended to read:

Marylin Durk, 2611 Briarwood Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Head Injury Advisory Council, for a term ending July 23, 2012, and until her successor is duly appointed and qualified; vice, Raymond Mungenast, term

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above addendum to the Committee on Gubernatorial Appointments.

### REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 173**; **SCS** for **SB 163**; **SB 161**; and **SS** for **SB 55**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **SS** for **SCS** for **SBs 113** and **95**; **SS** for **SB 135**; and **SCS** for **SB 188**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Edna Chavis, as a member of the Missouri Quality Home Care Council;

Also,

Marylin Durk and Saleem Abdulrauf, as members of the Missouri Head Injury Advisory Council;

Also,

Martin Rucker, Democrat, as a member of the Board of Probation and Parole;

Also,

Robert Culler, as a member of the Missouri Agricultural and Small Business Development Authority;

Also,

Michael A. Zito, as a member of the Truman State University Board of Governors;

Also,

Angela Beshears, Republican, as Secretary of the Clay County Board of Election Commissioners;

Also,

Jack Lary, Republican, as a member and Secretary of the St. Louis City Board of Election Commissioners;

Also,

James Dronberger, as a member of the Advisory Commission for Physical Therapists;

Also,

Diane Scanga, as a member of the Peace Officer Standards and Training Commission;

Also,

Phillip Duncan, as a member of the Organ Donation Advisory Committee;

Also,

Michael Jones, Democrat, as a member of the State Board of Education.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

### THIRD READING OF SENATE BILLS

**SCS** for **SB 188**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 188

An Act to repeal sections 213.010, 213.070, 213.101, and 213.111, RSMo, and to enact in lieu thereof five new sections relating to unlawful discriminatory practices.

Was taken up by Senator Lager.

Senator Pearce assumed the Chair.

On motion of Senator Lager, **SCS** for **SB 188** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer

Wasson—25

#### NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Ridgeway
----------	-----------------	-------	-------	--------	---------	---------	----------

Wright-Jones—9

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 284**, introduced by Senator Wasson, entitled:

An Act to repeal sections 338.055 and 338.330, RSMo, and to enact in lieu thereof two new sections relating to the authority of the board of pharmacy, with an emergency clause for a certain section.

Was taken up.

On motion of Senator Wasson, **SB 284** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
-------	----------	-----------------	---------	------------	-------	---------	-------

Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Callahan moved that motion lay on the table, which motion prevailed.

**SCS for SB 219**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 219

An Act to repeal sections 362.111 and 370.073, RSMo, and to enact in lieu thereof two new sections relating to international transactions.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS for SB 219** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 207**, introduced by Senator Lager, entitled:

An Act to repeal section 386.850, RSMo, relating to the Missouri energy task force.

Was taken up.

On motion of Senator Lager, **SB 207** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 61**, introduced by Senator Keaveny, entitled:

An Act to repeal section 523.040, RSMo, and to enact in lieu thereof one new section relating to condemnation commissioners.

Was taken up.

On motion of Senator Keaveny, **SB 61** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Crowell	Goodman	Schmitt—3
---------	---------	-----------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS for SB 135**, introduced by Senator Schaefer, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 135

An Act to repeal sections 260.965 and 414.072, RSMo, and to enact in lieu thereof four new sections relating to environmental protection.

Was taken up.

On motion of Senator Schaefer, **SS for SB 135** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS for SCS for SBs 113 and 95**, introduced by Senator Parson, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 113 and 95

An Act to repeal sections 273.327 and 273.345, RSMo, and to enact in lieu thereof four new sections relating to the care of dogs, with penalty provisions and an emergency clause.

Was taken up.

On motion of Senator Parson, **SS for SCS for SBs 113 and 95** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Dixon	Engler	Goodman	Kehoe	Lager
Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Rupp
Schaaf	Schaefer	Stouffer	Wasson—20				

NAYS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Green	Justus	Keaveny	Kraus
Lamping	Lembke	McKenna	Ridgeway	Schmitt	Wright-Jones—14		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Dixon	Engler	Goodman	Kehoe	Lager
Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Schaaf

Stouffer                      Wasson—18

NAYS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Green	Justus	Keaveny	Kraus
Lamping	Lembke	McKenna	Ridgeway	Rupp	Schmitt	Wright-Jones—15	

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 63**, introduced by Senator Mayer, entitled:

An Act to repeal section 256.400, RSMo, and to enact in lieu thereof two new sections relating to major water users.

Was taken up.

On motion of Senator Mayer, **SB 63** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.



**REPORTS OF STANDING COMMITTEES**

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 62**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 280**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 306**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 282**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 226**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **SB 131**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 237**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 165**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 250**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 116**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 202**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 176**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 175**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 242**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 65**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 37**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 220**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 247**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 81**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 54**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 200**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 72**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 36**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **SB 322**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 29**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SJR 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 174**, entitled:

An Act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new

sections relating to higher education governing boards, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 112** and **285**, entitled:

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to classification of certain real property.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 266**, entitled:

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to weight limitations for vehicles hauling livestock and agricultural products.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 339**, entitled:

An Act to repeal section 392.460, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 167**, entitled:

An Act to repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to drivers' examinations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 2**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 5 of

article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right to pray.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Pearce assumed the Chair.

### **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 418**—Financial and Governmental Organizations and Elections.

**SB 419**—General Laws.

**SB 420**—Small Business, Insurance and Industry.

**SB 421**—Financial and Governmental Organizations and Elections.

**SB 422**—Commerce, Consumer Protection, Energy and the Environment.

**SB 423**—Commerce, Consumer Protection, Energy and the Environment.

**SB 424**—General Laws.

**SB 425**—Judiciary and Civil and Criminal Jurisprudence.

**SB 426**—General Laws.

**SB 427**—Ways and Means and Fiscal Oversight.

**SB 428**—Judiciary and Civil and Criminal Jurisprudence.

**SB 429**—Health, Mental Health, Seniors and Families.

**SB 430**—Small Business, Insurance and Industry.

**SB 431**—Commerce, Consumer Protection, Energy and the Environment.

**SB 432**—Judiciary and Civil and Criminal Jurisprudence.

**SB 433**—Judiciary and Civil and Criminal Jurisprudence.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS for HB 46**—Jobs, Economic Development and Local Government.

**HB 71**—Financial and Governmental Organizations and Elections.

**HB 139**—General Laws.

### **COMMUNICATIONS**

Senator Callahan submitted the following:

Terry Spieler  
Secretary of the Missouri Senate  
State Capitol Room 325  
Jefferson City, Mo. 65101

March 10, 2011

Dear Mrs. Spieler,

This letter serves as notice that I am appointing Senator Kiki Curls to the Joint Committee on Tax Policy, effective immediately.

Please give me a call if you have any questions or need additional information.

Sincerely yours,  
/s/ Victor E. Callahan  
Victor E. Callahan  
State Senator – 11<sup>th</sup> District

### **RESOLUTIONS**

Senator Parson offered Senate Resolution No. 502, regarding Jerry Sue Hollis, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 503, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Cowardin, Carl Junction, which was adopted.

Senator Parson offered Senate Resolution No. 504, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Herschel Cantrell, Sedalia, which was adopted.

Senator Goodman offered Senate Resolution No. 505, regarding Karen Benson, Mount Vernon, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. Bill Reynolds M.D., and his daughter, Rachel, Nixa.

Senator Green introduced to the Senate, Bishop Edward M. Rice, Archdiocese of St. Louis; Bishop John R. Gaydos, Diocese of Jefferson City; and Bishop James V. Johnston, Jr., Diocese of Springfield-Cape Girardeau.

Senator Stouffer introduced to the Senate, Nate, Amber, Alize and Natalie Burnam and Allan, Sherry and Dakota Muncy, Macon; and Dakota, Alize and Natalie were made honorary pages.

Senator Dempsey introduced to the Senate, Chris Burnett, St. Charles.

Senator Schmitt introduced to the Senate, sixty-eight fourth grade students from Robinson Elementary School, Kirkwood; and Grace Cunningham, DeShaun Jackson and Riley Morgan were made honorary pages.

Senator Schmitt introduced to the Senate, Don and Susan Sears and their children, Mason and Carson, Valley Park; and Mason and Carson were made honorary pages.

Senator Schmitt introduced to the Senate, Lance and Erin Greer and their daughter, Gabriella, Valley Park; and Gabriella was made an honorary page.

Senator Schmitt introduced to the Senate, Sara Carpenter and her son Isaac Bruns, Valley Park; and

Isaac was made an honorary page.

Senator Schmitt introduced to the Senate, Brain Cockrell, Valley Park.

On behalf of Senator Pearce, the President introduced to the Senate, Mayor Ernie Jungmeyer and Brad Ratliff, Peculiar.

Senator Engler introduced to the Senate, representatives of Trojan Intermediate, Potosi.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, March 14, 2011.

## SENATE CALENDAR

---

THIRTY-SIXTH DAY—MONDAY, MARCH 14, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 209-Guernsey, et al	HCS for HB 61
HB 107-Smith (150), et al	HCS for HB 108
HCS for HB 205	HCS for HB 174
HCS for HB 76	HCS for HBs 112 & 285
HCS for HBs 276, 233 & 274	HCS for HB 266
HCS for HBs 116 & 316	HB 339-Pollock, et al
HCS for HB 136	HB 167-Nolte, et al
HCS for HB 214	HJR 2-McGhee, et al

### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SB 161-Munzlinger
SB 173-Dixon and Kehoe	SS for SB 55-Brown
SCS for SB 163-Pearce	

### SENATE BILLS FOR PERFECTION

1. SB 278-Munzlinger, et al	7. SB 282-Engler
2. SB 162-Munzlinger, with SCS	8. SB 226-Engler
3. SB 17-Lembke, with SCS	9. SB 131-Rupp, with SCS
4. SB 62-Schaaf, with SCS	10. SB 250-Kehoe
5. SB 280-Purgason, et al, with SCS	11. SB 202-Crowell
6. SB 306-Wasson	12. SB 176-Munzlinger, et al

- |                                  |                                 |
|----------------------------------|---------------------------------|
| 13. SB 175-Munzlinger, et al     | 20. SB 54-Cunningham, with SCS  |
| 14. SB 242-Cunningham, with SCS  | 21. SB 200-Crowell              |
| 15. SB 65-Mayer, et al, with SCS | 22. SB 72-Kraus                 |
| 16. SB 37-Lembke, with SCS       | 23. SB 36-Lembke                |
| 17. SB 220-Wasson                | 24. SB 322-Schaefer             |
| 18. SB 247-Pearce                | 25. SB 29-Brown, with SCS       |
| 19. SB 81-Pearce, with SCS       | 26. SJR 11-Munzlinger, with SCS |

#### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)	HB 15-Silvey (Schaefer)
------------------------------------	-------------------------

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

#### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS	SB 120-Stouffer
SBs 7, 5, 74 & 169-Goodman, with SCS	SB 130-Rupp, with SCS
SB 8-Goodman, with SCS & SS#2 for SCS	SB 145-Dempsey
(pending)	SB 203-Schmitt, et al
SB 23-Keaveny, with SCS & SS for SCS	SB 204-Dempsey, et al
(pending)	SB 254-Stouffer, with SCS
SB 28-Brown	

#### HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS & SA 1  
(pending) (Pearce)

#### CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS	SB 96-Engler
SB 97-Engler	



Reported 3/10

SB 237-Schaefer and Justus  
SB 165-Goodman, with SCS

SB 116-Justus

RESOLUTIONS

Reported from Committee

SR 179-Purgason  
SCR 7-Dempsey

SCR 8-Rupp

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**THIRTY-SIXTH DAY—MONDAY, MARCH 14, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Faith is what makes life bearable, with all its tragedies and ambiguities and sudden, startling joys.” (Madeleine L'Engle)

Lord God, we are so mindful of the tragedies of Japan and the loss of life and property there and in our own country. We pray for the injured and for those who walk through grief at the loss of loved ones. So we ask that You provide healing and comfort to all in need. We are thankful for faith that allows us to trust in You and see light in dark places. We are thankful for safe travel through this morning's winter wonderland and are grateful to be here to do what is required of us. So we give You thanks and praise for all You provide us to make it through these tough times. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 10, 2011 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## REMONSTRANCES

Senator Schaaf offered the following remonstrance, which was read:

### SENATE REMONSTRANCE NO. 1

WHEREAS, investigative journalism has a storied history that dates back to the original muckrackers of the 19th century who bravely investigated political corruption and abuses of power knowing full well of the personal and professional consequences that would result from such investigations and the reports that followed; and

WHEREAS, the rich tradition of investigative journalism includes such notable figures as Nellie Bly, Upton Sinclair, and Woodward and Bernstein; and

WHEREAS, investigative journalism has the power to shine a light upon political corruption and expose the unlawful use of power by elected officials; and

WHEREAS, the exposing of such corruption can lead to needed reforms in ethics and political governance, and, at the very least, the removal of corrupt public officials; and

WHEREAS, at a recent hearing of the Senate Committee on Progress and Development regarding Senate Bill No. 23, the Committee heard the testimony of a St. Louis City police officer; and

WHEREAS, such officer testified that the officer was on duty and investigating a commotion, and that the officer encountered a street vendor operating without a permit issued by the City of St. Louis; and

WHEREAS, during the course of the investigation, the vendor told the officer that a permit was not needed because he had paid the fee to an alderman and proceeded to show the officer a business card from the alderman; and

WHEREAS, the officer reported the findings of the investigation to his supervisor, but told the Committee that no further investigation was completed; and

WHEREAS, during the hearing on Senate Bill No. 23, including the testimony of the officer, members of the St. Louis press corps were present; and

WHEREAS, following the hearing, there have been no reports of such testimony or investigation into the allegations raised by such testimony by any member of the St. Louis press corps; and

WHEREAS, such failure to investigate and report fails the great tradition of investigative journalism and allows potential political corruption to continue unabated; and

WHEREAS, the St. Louis press corps, as part of the fourth estate, has a duty and responsibility to investigate and report on such allegations; and

WHEREAS, by failing to do so, the St. Louis press corps has failed the citizens of St. Louis:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, hereby remonstrates against the St. Louis press corps for its disregard of the proper role of a journalist to investigate and report upon corruption within the City of St. Louis regardless of the political implications or consequences to such investigation or reporting; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to send a copy of this remonstrance to the Missouri Press Association.

## RESOLUTIONS

Senator Dixon offered Senate Resolution No. 506, regarding Gary A. Cyr, Sr., Springfield, which was adopted.

Senator Crowell offered Senate Resolution No. 507, regarding Kay Vangilder, which was adopted.

Senator Crowell offered Senate Resolution No. 508, regarding Scott Vangilder, which was adopted.

Senator Crowell offered Senate Resolution No. 509, regarding Tina Sides, which was adopted.

Senator Crowell offered Senate Resolution No. 510, regarding Becky Loenneke, which was adopted.

Senator Crowell offered Senate Resolution No. 511, regarding Andy Helle, which was adopted.

Senator Crowell offered Senate Resolution No. 512, regarding Kathy Jordan, Cape Girardeau, which was adopted.

Senator Engler offered Senate Resolution No. 513, regarding Victoria Ann Damba, D.O., Farmington, which was adopted.

Senator Munzlinger offered Senate Resolution No. 514, regarding Ray Klinginsmith, Kirksville, which was adopted.

Senator Kraus offered Senate Resolution No. 515, regarding Steve M. Engeman, Lee's Summit, which was adopted.

Senator Munzlinger offered Senate Resolution No. 516, regarding the Seventieth Wedding Anniversary of Gilbert and Kathleen Brown, Unionville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 517, regarding Ronald Maggard, Vandalia, which was adopted.

Senator Munzlinger offered Senate Resolution No. 518, regarding Carl Mefford, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 519, regarding Clayton Schoneboom, Rush Hill, which was adopted.

Senator Munzlinger offered Senate Resolution No. 520, regarding Jason Woodhurst, Perry, which was adopted.

Senator Brown offered Senate Resolution No. 521, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Alfred F. Richardson, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 522, regarding the Crawford County R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 523, regarding the Dent-Phelps R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 524, regarding the Dixon R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 525, regarding the Gasconade County R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 526, regarding the Gasconade County R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 527, regarding the Green Forest R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 528, regarding the Maries County R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 529, regarding the North Wood R-IV School District, which was adopted.

Senator Brown offered Senate Resolution No. 530, regarding the Osage County R-I School District,

which was adopted.

Senator Brown offered Senate Resolution No. 531, regarding the Osage County R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 532, regarding the Osage County R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 533, regarding the Rolla 31 School District, which was adopted.

Senator Brown offered Senate Resolution No. 534, regarding the Salem R-80 School District, which was adopted.

Senator Brown offered Senate Resolution No. 535, regarding the St. James R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 536, regarding the Waynesville R-VI School District, which was adopted.

Senator Kraus offered Senate Resolution No. 537, regarding Amanda Marshall, Oak Grove, which was adopted.

Senator Kraus offered Senate Resolution No. 538, regarding Eternity Haynie, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 539, regarding Ann Campbell, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 540, regarding Jozianne Brennan, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 541, regarding Sarah Bechtold, Lee's Summit, which was adopted.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Stephen Cox, 12531 Liv 222, Chillicothe, Livingston County, Missouri 64601, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2011, and until his successor is duly appointed and qualified; vice, Steven Bruce, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Marvin Ferguson, Republican, 6502 Northwest Melody Lane, Parkville, Platte County, Missouri 64152, as a member of the Platte County Election Board, for a term ending January 11, 2013, and until his successor is duly appointed and qualified; vice, Christopher C. Dalton, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John J. Hickey, 701 Wildrose Place, Columbia, Boone County, Missouri 65201, as a member of the Labor and Industrial Relations Commission, for a term ending July 27, 2014, and until his successor is duly appointed and qualified; vice, John J. Hickey, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Daniel Kappel, Republican, 16730 Kingstowne Estate Drive, Wildwood, Saint Louis County, Missouri 63011, as a member of the Missouri Community Service Commission, for a term ending December 15, 2013, and until his successor is duly appointed and qualified; vice, Mary Potter, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Randall Relford, 504 Country Club Square Drive, Cameron, Clinton County, Missouri 64429, as a member of the Missouri Dental Board,

for a term ending October 16, 2012, and until his successor is duly appointed and qualified; vice, Sharlene Rimiller, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Brenda Tinnen, Independent, 406 South Main Street, Plattsburg, Clinton County, Missouri 64477, as a member of the Tourism Commission, for a term ending January 15, 2015, and until her successor is duly appointed and qualified; vice, Kelly D. Swanson, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kristen Weber, 1733 Purity Court, Fenton, Saint Louis County, Missouri 63026, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Noella Buchanan, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gregory Wheelen, 2757 West Roxbury Street, Springfield, Greene County, Missouri 65807, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2013, and until his successor is duly appointed and qualified; vice, Jennifer Charleston, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

March 14, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Richard Hashagen to the Missouri Head Injury Advisory Council submitted to you on February 16, 2011. Line 3 and 4 should be amended to read:

May 12, 2013, and until his successor is duly appointed and qualified; vice, Richard Hashagen, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above appointments and addendum to the Committee on Gubernatorial Appointments.

### **SENATE BILLS FOR PERFECTION**

Senator Ridgeway moved that **SB 1** and **SB 206**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SBs 1** and **206**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 1 and 206**

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

Was taken up.

Senator Rupp assumed the Chair.

Senator Ridgeway moved that **SCS** for **SBs 1** and **206** be adopted.

Senator Callahan offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bills Nos. 1 and 206, Page 2, Section 290.590, Line 44, by striking “or”; and

Further amend same page and section, line 49, by inserting immediately after “agreement” the following “; or (6) To any business or corporation that, in the five years preceding a legal action under this section, has terminated the employment of two-hundred or more employees as part of a lay-off or reduction in force and has hired, either directly or through a subsidiary, parent or related corporation or entity, more than two-hundred employees who are not citizens of the United States of America.”.

Senator Callahan moved that the above amendment be adopted.

At the request of Senator Ridgeway, **SB 1** and **SB 206**, with **SCS** and **SA 1** (pending), were placed on the Informal Calendar.



**COMMUNICATIONS**

Senator Crowell submitted the following:

March 11, 2011

Ms. Terry Spieler  
Secretary of Senate  
State Capitol Building – Room 325  
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that the following bills be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

**SB 116 (Justus)** – Updates the Uniform Interstate Family Support Act.

**SB 165 (Goodman)** – Extends the sunset on the Basic Civil Legal Services Fund.

**SB 237 (Schaefer)** – Requires that the September 1996 Supreme Court standards for representation by guardians ad litem be updated.

Sincerely,  
/s/ Jason Crowell  
Jason G. Crowell  
State Senator

President Pro Tem Mayer submitted the following:

March 10, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senators Maria Chappelle-Nadal and Kiki Curls to the Joint Committee on Corrections.  
Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

March 10, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Joe Keaveny to the Joint Committee on Legislative Research.  
Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

March 14, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Kiki Curls to the following committees:

Appropriations

General Laws

Health, Mental Health, Seniors and Families

I am removing Senator Jolie Justus from the Appropriations Committee and the Health, Mental Health, Seniors and Families Committee.

Also, I am removing Senator Ryan McKenna from the General Laws Committee.

Please feel free to contact me should you have any questions.

Sincerely,

/s/ Robert N. Mayer

Robert N. Mayer

President Pro Tem

### **INTRODUCTIONS OF GUESTS**

Senator Chappelle-Nadal introduced to the Senate, Dr. Colin Nichols, his wife, Diana and their children, Will and George, University City; and Will and George were made honorary pages.

Senator Kehoe introduced to the Senate, Rylee King, and her grandfather, David, Jasper, Alabama.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

---

THIRTY-SEVENTH DAY–TUESDAY, MARCH 15, 2011

---

### **FORMAL CALENDAR**

### **HOUSE BILLS ON SECOND READING**

HB 209-Guernsey, et al

HB 107-Smith (150), et al

HCS for HB 205

HCS for HB 76

HCS for HBs 276, 233 & 274

HCS for HBs 116 & 316

HCS for HB 136

HCS for HB 214

HCS for HB 61

HCS for HB 108

HCS for HB 174

HCS for HBs 112 & 285

HCS for HB 266

HB 339-Pollock, et al

HB 167-Nolte, et al

HJR 2-McGhee, et al

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)  
 SB 173-Dixon and Kehoe  
 SCS for SB 163-Pearce

SB 161-Munzlinger  
 SS for SB 55-Brown

## SENATE BILLS FOR PERFECTION

1. SB 278-Munzlinger, et al  
 2. SB 162-Munzlinger, with SCS  
 3. SB 17-Lembke, with SCS  
 4. SB 62-Schaaf, with SCS  
 5. SB 280-Purgason, et al, with SCS  
 6. SB 306-Wasson  
 7. SB 282-Engler  
 8. SB 226-Engler  
 9. SB 131-Rupp, with SCS  
 10. SB 250-Kehoe  
 11. SB 202-Crowell  
 12. SB 176-Munzlinger, et al  
 13. SB 175-Munzlinger, et al

14. SB 242-Cunningham, with SCS  
 15. SB 65-Mayer, et al, with SCS  
 16. SB 37-Lembke, with SCS  
 17. SB 220-Wasson  
 18. SB 247-Pearce  
 19. SB 81-Pearce, with SCS  
 20. SB 54-Cunningham, with SCS  
 21. SB 200-Crowell  
 22. SB 72-Kraus  
 23. SB 36-Lembke  
 24. SB 322-Schaefer  
 25. SB 29-Brown, with SCS  
 26. SJR 11-Munzlinger, with SCS

## HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
 (pending)  
 SBs 7, 5, 74 & 169-Goodman, with SCS  
 SB 8-Goodman, with SCS & SS#2 for SCS  
 (pending)

SB 23-Keaveny, with SCS & SS for SCS  
 (pending)  
 SB 28-Brown  
 SB 120-Stouffer  
 SB 130-Rupp, with SCS

SB 145-Dempsey  
SB 203-Schmitt, et al

SB 204-Dempsey, et al  
SB 254-Stouffer, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

RESOLUTIONS

Reported from Committee

SR 179-Purgason  
SCR 7-Dempsey

SCR 8-Rupp

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Schaaf

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**THIRTY-SEVENTH DAY—TUESDAY, MARCH 15, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Wisdom is the power to see and the inclination to choose the best and highest goal, together with the surest means of attaining it.” (J.I. Packer)

Almighty God, we like Solomon ask for wisdom to discern among the difficult choices about us. Help us to make use of the collective wisdom of this senate so to choose the “best and highest goal”, and to find ways of implementing what must happen for those goals to be reached. Help us to find ways to listen to each other’s concerns so we might see errors on our bills and improve what is put forth from this body. And help us know Your abiding love so we might learn to love one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV and Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

President Pro Tem Mayer assumed the Chair.

### RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 542, regarding Joshua Mark Walden, Hartsburg, which was adopted.

Senator Crowell offered Senate Resolution No. 543, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Francis Welker, which was adopted.

Senator Crowell offered Senate Resolution No. 544, regarding Amelia Mae Peters, Marble Hill, which was adopted.

Senator Curls offered Senate Resolution No. 545, regarding the death of Michael Charles, Kansas City, which was adopted.

Senator Kehoe offered Senate Resolution No. 546, regarding the Fortieth Anniversary of the Concord Baptist Church, Jefferson City, which was adopted.

Senator Mayer offered Senate Resolution No. 547, regarding the 2011 All-Missouri Academic Team and the Missouri Community College Association, which was adopted.

Senator Richard offered Senate Resolution No. 548, regarding Rob O'Brian, which was adopted.

### REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 147**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schmitt assumed the Chair.

### SENATE BILLS FOR PERFECTION

Senator Goodman moved that **SB 8**, with **SCS** and **SS No. 2** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS No. 2** for **SCS** for **SB 8** was again taken up.

Senator Crowell offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, Page 1, Section A, Line 3 of said page, by inserting after all of said line the following:

“287.067. 1. In this chapter the term “occupational disease” is hereby defined to mean, unless a different meaning is clearly indicated by the context, an identifiable disease arising with or without human fault out of and in the course of the employment. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where the diseases follow as an incident of an occupational disease as defined in this section. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin in a risk connected with the employment and to have flowed from that source as a rational consequence.

2. An injury **or death** by occupational disease is compensable only if the occupational exposure was

the prevailing factor in causing both the resulting medical condition and disability. The “prevailing factor” is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

3. An injury due to repetitive motion is recognized as an occupational disease for purposes of this chapter. An occupational disease due to repetitive motion is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The “prevailing factor” is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

4. “Loss of hearing due to industrial noise” is recognized as an occupational disease for purposes of this chapter and is hereby defined to be a loss of hearing in one or both ears due to prolonged exposure to harmful noise in employment. “Harmful noise” means sound capable of producing occupational deafness.

5. “Radiation disability” is recognized as an occupational disease for purposes of this chapter and is hereby defined to be that disability due to radioactive properties or substances or to Roentgen rays (X-rays) or exposure to ionizing radiation caused by any process involving the use of or direct contact with radium or radioactive properties or substances or the use of or direct exposure to Roentgen rays (X-rays) or ionizing radiation.

6. Disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart or cardiovascular system, including carcinoma, may be recognized as occupational diseases for the purposes of this chapter and are defined to be disability due to exposure to smoke, gases, carcinogens, inadequate oxygen, of paid firefighters of a paid fire department or paid police officers of a paid police department certified under chapter 590 if a direct causal relationship is established, or psychological stress of firefighters of a paid fire department if a direct causal relationship is established.

7. Any employee who is exposed to and contracts any contagious or communicable disease arising out of and in the course of his or her employment shall be eligible for benefits under this chapter as an occupational disease.

8. With regard to occupational disease due to repetitive motion, if the exposure to the repetitive motion which is found to be the cause of the injury is for a period of less than three months and the evidence demonstrates that the exposure to the repetitive motion with the immediate prior employer was the prevailing factor in causing the injury, the prior employer shall be liable for such occupational disease.”; and

Further amend said bill, Page 5, Section 287.120, Lines 5-10 of said page, by striking all of said lines and inserting in lieu thereof the following:

“287.150. 1. Where a third person is liable to the employee or to the dependents, for the injury or death, the employer shall be subrogated to the right of the employee or to the dependents against such third person, and the recovery by such employer shall not be limited to the amount payable as compensation to such employee or dependents, but such employer may recover any amount which such employee or his dependents would have been entitled to recover. Any recovery by the employer against such third person shall be apportioned between the employer and employee or his dependents using the provisions of subsections 2 and 3 of this section.

2. When a third person is liable for the death of an employee and compensation is paid or payable under this chapter, and recovery is had by a dependent under this chapter either by judgment or settlement for the wrongful death of the employee, the employer shall have a subrogation lien on any recovery and shall receive or have credit for sums paid or payable under this chapter to any of the dependents of the deceased employee to the extent of the settlement or recovery by such dependents for the wrongful death. Recovery by the employer and credit for future installments shall be computed using the provisions of subsection 3 of this section relating to comparative fault of the employee.

3. Whenever recovery against the third person is effected by the employee or his dependents, the employer shall pay from his share of the recovery a proportionate share of the expenses of the recovery, including a reasonable attorney fee. After the expenses and attorney fee have been paid, the balance of the recovery shall be apportioned between the employer and the employee or his dependents in the same ratio that the amount due the employer bears to the total amount recovered if there is no finding of comparative fault on the part of the employee, or the total damages determined by the trier of fact if there is a finding of comparative fault on the part of the employee. Notwithstanding the foregoing provision, the balance of the recovery may be divided between the employer and the employee or his dependents as they may otherwise agree. Any part of the recovery found to be due to the employer, the employee or his dependents shall be paid forthwith and any part of the recovery paid to the employee or his dependents under this section shall be treated by them as an advance payment by the employer on account of any future installments of compensation in the following manner:

(1) The total amount paid to the employee or his dependents shall be treated as an advance payment if there is no finding of comparative fault on the part of the employee; or

(2) A percentage of the amount paid to the employee or his dependents equal to the percentage of fault assessed to the third person from whom recovery is made shall be treated as an advance payment if there is a finding of comparative fault on the part of the employee.

4. In any case in which an injured employee has been paid benefits from the second injury fund as provided in subsection 3 of section 287.141, and recovery is had against the third party liable to the employee for the injury, the second injury fund shall be subrogated to the rights of the employee against said third party to the extent of the payments made to him from such fund, subject to provisions of subsections 2 and 3 of this section.

5. No construction design professional who is retained to perform professional services on a construction project or any employee of a construction design professional who is assisting or representing the construction design professional in the performance of professional services on the site of the construction project shall be liable for any injury resulting from the employer's failure to comply with safety standards on a construction project for which compensation is recoverable under the workers' compensation law, unless responsibility for safety practices is specifically assumed by contract. The immunity provided by this subsection to any construction design professional shall not apply to the negligent preparation of design plans or specifications.

6. Any provision in any contract or subcontract, where one party is an employer in the construction group of code classifications, which purports to waive subrogation rights provided under this section in anticipation of a future injury or death is hereby declared against public policy and void. Each contract of insurance for workers' compensation shall require the insurer to diligently pursue all subrogation rights of the employer and shall require the employer to fully cooperate with the insurer in pursuing such recoveries,



except that the employer may enter into compromise agreements with an insurer in lieu of the insurer pursuing subrogation against another party. The amount of any subrogation recovery by an insurer shall be credited against the amount of the actual paid losses in the determination of such employer's experience modification factor within forty-five days of the collection of such amount.

**7. Notwithstanding any other provision of this section, when a third person is liable to the employee or to the dependents of an employee in a case when there is a finding that an occupational disease was caused by toxic exposure and the employee or dependents are compensated under this chapter, in no case shall the employer be subrogated to the rights of an employee or to the dependents of an employee against such third person when the employer caused the occupational disease. As used in this subsection, the term “toxic exposure” is defined to mean exposure to chemicals, dusts, particulates, fumes, mists, fibers, solvents, vapors, radiation, or other substances or materials that, when ingested, consumed, inhaled, or absorbed are sufficient to cause disease, death, mutations, cancer, deformities, or reproductive abnormalities in humans.”; and**

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

Senator Goodman moved that **SS No. 2 for SCS for SB 8**, as amended, be adopted, which motion prevailed.

On motion of Senator Goodman, **SS No. 2 for SCS for SB 8**, as amended, was re-perfected and ordered printed.

## COMMUNICATIONS

President Pro Tem Mayer submitted the following:

March 14, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senators Rob Schaaf and Kiki Curls to the Missouri Consolidated Health Care Plan Board of Trustees.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Senator Crowell submitted the following:

March 15, 2011

Ms. Terry Spieler  
Secretary of Senate  
State Capitol Building – Room 325  
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that the following bills be removed from the Senate Consent Calendar in accordance with the provisions of Senate

Rule 45.

**SB 147 (Schaefer)** – Requires school districts to include in their school accountability report cards whether they have a gifted education program and the percentage and number of students enrolled.

Sincerely,  
/s/ Jason Crowell  
Jason G. Crowell  
State Senator

## **RESOLUTIONS**

Senator Engler offered Senate Resolution No. 549, regarding Alfred Swaringam, Fredericktown, which was adopted.

## **INTRODUCTIONS OF GUESTS**

Senator Chappelle-Nadal introduced to the Senate, representatives of Express Scripts, St. Louis.

Senator Pearce introduced to the Senate, Daryl Veatch, Butler; and Jarrod Campbell, Clinton.

Senator Justus introduced to the Senate, Sally and Anna Williams and Caroline Pryor, Kansas City; and Sally, Anna and Caroline were made honorary pages.

Senator Kraus introduced to the Senate, Debra Knapp and Rebecca, Elise and Ian Collins, Raytown; and Rebecca, Elise and Ian were made honorary pages.

Senator Engler introduced to the Senate, Ron Shy, Pevely.

Senator Nieves introduced to the Senate, his daughter, Alexandra; and Keaton Keenum, Washington.

Senator Kehoe introduced to the Senate, his wife, Claudia, Jefferson City; and Patty Mullins and her sons, Michael and Steven, St. Louis; and Michael was made an honorary page.

Senator Lager introduced to the Senate, fourth grade students from Hamilton School District.

Senator Richard introduced to the Senate, Head Coach Jeremy Phillips, Assistant Coaches Crocker and Sonis, Volunteer Coaches Espinosa and Jackson; and Tanner Schaak, Rimo Elwise, Nate Rodriguez, Ethan Pogue, Trevor Hughes, Payne Hatter, Paxon Fowler, Chase Espinosa, Carter Boatright, Blake Stauffer, Dallas Smith, Matt Milard, Riley Plew and River Buttram, members of the Neosho High School Wrestling team.

Senator Nieves introduced to the Senate, Heather, Isabelle and Aimee Hanratty and Dawn Grimes, Warrenton.

Senator Munzlinger introduced to the Senate, Mark Colvin and students from Scotland County High School, Memphis.

Senator Pearce introduced to the Senate, Aren Dameron and Tanner Wagoner, Centerview.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

---

THIRTY-EIGHTH DAY—WEDNESDAY, MARCH 16, 2011

---

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 209-Guernsey, et al	HCS for HB 61
HB 107-Smith (150), et al	HCS for HB 108
HCS for HB 205	HCS for HB 174
HCS for HB 76	HCS for HBs 112 & 285
HCS for HBs 276, 233 & 274	HCS for HB 266
HCS for HBs 116 & 316	HB 339-Pollock, et al
HCS for HB 136	HB 167-Nolte, et al
HCS for HB 214	HJR 2-McGhee, et al

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SCS for SB 163-Pearce
SB 173-Dixon and Kehoe	SB 161-Munzlinger
	SS for SB 55-Brown

SENATE BILLS FOR PERFECTION

1. SB 278-Munzlinger, et al	14. SB 242-Cunningham, with SCS
2. SB 162-Munzlinger, with SCS	15. SB 65-Mayer, et al, with SCS
3. SB 17-Lembke, with SCS	16. SB 37-Lembke, with SCS
4. SB 62-Schaaf, with SCS	17. SB 220-Wasson
5. SB 280-Purgason, et al, with SCS	18. SB 247-Pearce
6. SB 306-Wasson	19. SB 81-Pearce, with SCS
7. SB 282-Engler	20. SB 54-Cunningham, with SCS
8. SB 226-Engler	21. SB 200-Crowell
9. SB 131-Rupp, with SCS	22. SB 72-Kraus
10. SB 250-Kehoe	23. SB 36-Lembke
11. SB 202-Crowell	24. SB 322-Schaefer
12. SB 176-Munzlinger, et al	25. SB 29-Brown, with SCS
13. SB 175-Munzlinger, et al	26. SJR 11-Munzlinger, with SCS

## HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)

SBs 7, 5, 74 &amp; 169-Goodman, with SCS

SB 23-Keaveny, with SCS & SS for SCS  
(pending)

SB 28-Brown

SB 120-Stouffer

SB 130-Rupp, with SCS

SB 145-Dempsey

SB 203-Schmitt, et al

SB 204-Dempsey, et al

SB 254-Stouffer, with SCS

## HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

## CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS

SB 97-Engler

SB 96-Engler

## RESOLUTIONS

Reported from Committee

SR 179-Purgason

SCR 7-Dempsey

SCR 8-Rupp

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Schaaf

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**THIRTY-EIGHTH DAY—WEDNESDAY, MARCH 16, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will lift up mine eyes unto the hills, from where comes my help? My help comes from the LORD.” (Psalm 121:1-2)

As we are midway through this week and session we come to You Gracious God for we are pressed from every side dealing with the affairs of state as well as our personal situations. Help us O Lord when we are stressed and perplexed and provide us wisdom and peace, love and mercy so we may deal with the challenges of this day with confidence in Your guidance. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Kehoe offered Senate Resolution No. 550, regarding the Public School and Education Employee Retirement Systems of Missouri, which was adopted.

Senator Pearce offered Senate Resolution No. 551, regarding Herbert Nelson, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 552, regarding Mae A. Dollar, Warrensburg, which was adopted.

**HOUSE BILLS ON THIRD READING**

Senator Pearce moved that **HCS** for **HB 163**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

Senator Schmitt assumed the Chair.

At the request of Senator Pearce, **HCS** for **HB 163**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Dempsey announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

**SENATE BILLS FOR PERFECTION**

Senator Rupp moved that **SB 130**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 130**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 130**

An Act to amend chapter 173, RSMo, by adding thereto four new sections relating to the early high school graduation scholarship program.

Was taken up.

Senator Rupp moved that **SCS** for **SB 130** be adopted.

Senator Rupp offered **SS** for **SCS** for **SB 130**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 130**

An Act to repeal section 173.385, RSMo, and to enact in lieu thereof six new sections relating to higher education financial aid programs.

Senator Rupp moved that **SS** for **SCS** for **SB 130** be adopted.

At the request of Senator Rupp, **SB 130**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Dempsey moved that **SB 145** be called from the Informal Calendar and taken up for

perfection, which motion prevailed.

On motion of Senator Dempsey, **SB 145** was declared perfected and ordered printed.

At the request of Senator Munzlinger, **SB 278** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 162**, with **SCS**, was placed on the Informal Calendar.

Senator Lembke moved that **SB 17**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 17**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 17

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to cord blood banking.

Was taken up.

Senator Lembke moved that **SCS** for **SB 17** be adopted.

Senator Lembke offered **SS** for **SCS** for **SB 17**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 17

An Act to amend chapter 191, RSMo, by adding thereto two new sections relating to cord blood banking.

Senator Lembke moved that **SS** for **SCS** for **SB 17** be adopted, which motion failed.

**SCS** for **SB 17** was again taken up.

Senator Lembke moved that **SCS** for **SB 17** be adopted, which motion prevailed.

On motion of Senator Lembke, **SCS** for **SB 17** was declared perfected and ordered printed.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SCS** for **SB 8**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

**MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 15, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on March 14, 2011, for your



advice and consent:

Marvin Ferguson, Republican, 6502 Northwest Melody Lane, Parkville, Platte County, Missouri 64152, as a member of the Platte County Election Board, for a term ending January 11, 2013, and until his successor is duly appointed and qualified; vice, Christopher C. Dalton, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer moved that the above appointment be returned to the Governor per his request, which motion prevailed.

### **REFERRALS**

President Pro Tem Mayer referred **SRM 1** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 83**, entitled:

An Act to repeal sections 362.111 and 370.073, RSMo, and to enact in lieu thereof two new sections relating to international transactions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 109**, entitled:

An Act to repeal sections 30.260, 30.750, 30.758, 30.767, 30.810, and 30.860, RSMo, and to enact in lieu thereof five new sections relating to linked deposits, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 137**, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by certain state universities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 142**, entitled:

An Act to repeal section 55.030, RSMo, and to enact in lieu thereof one new section relating to political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 149**, entitled:

An Act to repeal section 143.1004, RSMo, and to enact in lieu thereof one new section relating to the Missouri military family relief fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 151**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to donations to the organ donor program fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 153**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 171**, entitled:

An Act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 184**, entitled:

An Act to repeal section 233.280, RSMo, and to enact in lieu thereof one new section relating to the compensation of road district commissioners.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 186**, entitled:

An Act to repeal section 51.050, RSMo, and to enact in lieu thereof one new section relating to qualifications of clerks of county commissions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 189**, entitled:

An Act to repeal section 306.109, RSMo, and to enact in lieu thereof one new section relating to possession and use of certain alcohol containers and devices on certain rivers, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 145**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Dempsey, the Senate recessed until 3:15 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Schmitt.

### **RESOLUTIONS**

Senator Schaaf offered Senate Resolution No. 553, regarding the Sixty-fifth Anniversary of the Parkville Rotary Club, which was adopted.

Senator Pearce offered Senate Resolution No. 554, regarding Kori Sproat, which was adopted.

Senator Pearce offered Senate Resolution No. 555, regarding Terri Horine Helmig, Warrensburg, which was adopted.

Senator Mayer offered Senate Resolution No. 556, regarding Sergeant Dale Moreland, Dexter, which was adopted.

Senator Curls offered Senate Resolution No. 557, regarding Alexander Lee Daffer, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 558, regarding Ryan Ellis Allen, Kansas City, which was adopted.

Senator Lager offered Senate Resolution No. 559, regarding the Hale R-I School District, which was adopted.

Senator Lager offered Senate Resolution No. 560, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Tom McCaughey, Oak Grove, which was adopted.

Senator Lager offered Senate Resolution No. 561, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lyndell Tharp, Green Castle, which was adopted.

### **SENATE BILLS FOR PERFECTION**

Senator Munzlinger moved that **SB 162**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 162**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 162**

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the farm-to-table advisory board, with an expiration date for a certain section.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 162** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 162** was declared perfected and ordered printed.

Senator Schaaf moved that **SB 62**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 62**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 62**

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 62** be adopted.

Senator Schaaf offered **SS** for **SCS** for **SB 62**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 62**

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to

medical records.

Senator Schaaf moved that **SS** for **SCS** for **SB 62** be adopted.

At the request of Senator Schaaf, **SB 62**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

**SB 280**, with **SCS**, was placed on the Informal Calendar.

Senator Wasson moved that **SB 306** be taken up for perfection, which motion prevailed.

Senator Wasson offered **SS** for **SB 306**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 306

An Act to repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions, with penalty provisions.

Senator Wasson moved that **SS** for **SB 306** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SB 306** was declared perfected and ordered printed.

Senator Engler moved that **SB 282** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 282, Page 1, In the Title, Line 3, by striking the following: “the date of the presidential primary” and inserting in lieu thereof the following: “dates of conducting elections”; and

Further amend said bill and page, section 115.123, line 2, by striking “, 3, and 4” and inserting in lieu thereof the following: “**and 3**”; and further amend line 5, by striking “February or”; and further amend line 6, by striking “the first Tuesday after the first Monday in June”.

Senator Kraus moved that the above amendment be adopted.

At the request of Senator Engler, **SB 282**, with **SA 1** (pending), was placed on the Informal Calendar.

At the request of Senator Engler, **SB 226** was placed on the Informal Calendar.

Senator Rupp moved that **SB 131**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 131**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 131

An Act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

Was taken up.

Senator Rupp moved that **SCS** for **SB 131** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **SB 131** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 250** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Callahan offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Bill No. 250, Page 1, In the Title, Line 3 of the title, by striking: “imprisoned by the department of corrections for” and inserting in lieu thereof the following: “convicted of”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“566.147. 1. Any person who, since July 1, 1979, has been or hereafter has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of subsection 2 of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, use of a child in a sexual performance; section 568.090, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting child pornography in the second degree; section 573.037, possession of child pornography, or section 573.040, furnishing pornographic material to minors; or

(2) Any offense in any other state or foreign country, or under federal, tribal, or military jurisdiction which, if committed in this state, would be a violation listed in this section; shall not reside within one thousand feet of:

(a) Any public school as defined in section 160.011[, or];

(b) Any private school giving instruction in a grade or grades not higher than the twelfth grade[, or];

(c) **Any** child-care facility [as defined in section 210.201, which] **that is licensed under chapter 210;**  
**or**

(d) **Any residence, business, nonprofit organization, or church that holds itself out to be a child-care facility;**

**where the school or facility** is in existence at the time the individual begins to reside at the location.

2. If such person has already established a residence and a public school, a private school, or child-care facility is subsequently built or placed within one thousand feet of such person's residence, then such person shall, within one week of the opening of such public school, private school, or child-care facility, notify the county sheriff where such public school, private school, or child-care facility is located that he or she is now residing within one thousand feet of such public school, private school, or child-care facility and shall provide verifiable proof to the sheriff that he or she resided there prior to the opening of such public school, private school, or child-care facility.

3. For purposes of this section, “resides” means sleeps in a residence, which may include more than one location and may be mobile or transitory.

4. Violation of the provisions of subsection 1 of this section is a class D felony except that the second or any subsequent violation is a class B felony. Violation of the provisions of subsection 2 of this section is a class A misdemeanor except that the second or subsequent violation is a class D felony.”; and

Further amend the title and enacting clause accordingly.

Senator Callahan moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kehoe, **SB 250**, as amended, was declared perfected and ordered printed.

At the request of Senator Crowell, **SB 202** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 176** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 175** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 242**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Mayer, **SB 65**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Lembke, **SB 37**, with **SCS**, was placed on the Informal Calendar.

Senator Wasson moved that **SB 220** be taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 220** was declared perfected and ordered printed.

### CONCURRENT RESOLUTIONS

Senator Dempsey moved that **SCR 7** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SCR 7** was adopted by the following vote:

#### YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

### SENATE BILLS FOR PERFECTION

Senator Engler moved that **SB 282**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 2**, which was read:

#### SENATE AMENDMENT NO. 2

Amend Senate Bill No. 282, Page 1, Section 115.123, Line 10, by striking “**on the first Tuesday after the first Monday in March**” and inserting in lieu thereof, the following: “**seven days after the presidential primary is conducted in the state of New Hampshire**”.

Senator Lager moved that the above amendment be adopted.

Senator Engler requested a roll call vote be taken on the adoption of **SA 2** and was joined in his request by Senators Justus, Callahan, Kraus and Lembke.

**SA 2** was adopted by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dixon	Kehoe	Lager	Lamping	Lembke
Munzlinger	Nieves	Parson	Rupp	Schaaf	Schaefer	Stouffer	Wasson—16

NAYS—Senators

Callahan	Curls	Dempsey	Engler	Goodman	Justus	Keaveny	Kraus
Mayer	Pearce	Richard	Ridgeway	Schmitt	Wright-Jones—14		

Absent—Senators

Green	Purgason—2
-------	------------

Absent with leave—Senators

Chappelle-Nadal	McKenna—2
-----------------	-----------

Vacancies—None

Senator Lager offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 282, Page 1, Section 115.123, Line 23, by inserting after all of said line, the following:

**“Section 1. All public elections held in order to comply with the provisions of Article X Section 18 (e) or Article X Section 22 of the Missouri Constitution shall only be held on the general election day.”; and**

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Justus raised the point of order that **SA 3** is out of order as it goes beyond the scope and subject matter of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Nieves assumed the Chair.

Senator Schaefer offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Bill No. 282, Page 2, Section 115.123, Line 27, by inserting after all of said line, the following:

**“Section 1. The state or national party organization of an established political party seeking to include a candidate on the presidential preference primary ballot shall provide the secretary of state a petition containing signatures of five thousand registered voters attesting to their approval of the candidate's inclusion on the presidential preference primary ballot. The petition shall be delivered**



**to the secretary of state on or before the eleventh Tuesday prior to the date of the presidential preference primary. The form of the petition shall be provided by the secretary of state.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Callahan requested a roll call vote be taken and was joined in his request by Senators Engler, Justus, Keaveny and Lamping.

**SA 4** failed of adoption by the following vote:

YEAS—Senators

Brown	Crowell	Dempsey	Dixon	Kehoe	Lager	Lamping	Lembke
Mayer	Munzlinger	Nieves	Parson	Schaaf	Schaefer—14		

NAYS—Senators

Callahan	Cunningham	Curls	Engler	Goodman	Justus	Keaveny	Kraus
Pearce	Richard	Ridgeway	Rupp	Schmitt	Stouffer	Wasson	Wright-Jones—16

Absent—Senators

Green	Purgason—2
-------	------------

Absent with leave—Senators

Chappelle-Nadal	McKenna—2
-----------------	-----------

Vacancies—None

Senator Schaaf offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Bill No. 282, Page 2, Section 115.123, Line 27, by inserting after all of said line, the following:

**“115.757. 1. The secretary of state shall not certify any candidate for president or vice-president unless that candidate has provided the secretary of state with proof that the requirements of 8 U.S.C. 1401, 8 U.S.C. 1402, 8 U.S.C. 1406, and 8 U.S.C. 1407 are satisfied. For proof of live birth, a certification of live birth that does not record the name of the birthing facility or street address of the location where the birth occurred, or does not display the signature of the certifying administrator, designated representative of the birthing facility, physician, midwife, or other legally authorized person in attendance at birth will not be accepted by the secretary of state for consideration as proof. A long form birth certificate that does record the name of the birthing facility or street address of the location where the birth occurred and does display the signature of the certifying administrator, designated representative of the birthing facility, physician, midwife, or other legally authorized person in attendance at birth will be required as proof if one exists.**

**2. The secretary of state shall make the proof of birth required pursuant to subsection 1 of this section, including a long-form birth certificate, if one is provided, available for public viewing via the internet.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Justus raised the point of order that **SA 5** is out of order as it goes beyond the scope and intent of the original bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

On motion of Senator Engler, **SB 282**, as amended, was declared perfected and ordered printed.

Senator Schaaf moved that **SB 62**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Schaaf, **SS** for **SCS** for **SB 62** was withdrawn.

Senator Schaaf offered **SS No. 2** for **SCS** for **SB 62**, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 62

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

Senator Schaaf moved that **SS No. 2** for **SCS** for **SB 62** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SS No. 2** for **SCS** for **SB 62** was declared perfected and ordered printed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 190**, entitled:

An Act to repeal section 253.082, RSMo, and to enact in lieu thereof three new sections relating to cash transactions by the department of natural resources.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 204**, entitled:

An Act to repeal section 41.950, RSMo, and to enact in lieu thereof two new sections relating to driver's license renewal for military personnel.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 250**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to well water.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 217**, entitled:

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to electronic voter identification verification systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 338**, entitled:

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 363**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 415**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 442**, entitled:

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to preferences for state contracts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 229**, entitled:

An Act to repeal sections 169.270, 169.280, 169.301, 169.324, and 169.328, RSMo, and to enact in lieu thereof five new sections relating to school retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 282**, entitled:

An Act to repeal sections 105.915 and 105.927, RSMo, and to enact in lieu thereof two new sections relating to the state employee deferred contribution program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 315**, entitled:

An Act to repeal sections 144.018 and 144.019, RSMo, and section 32.125 as enacted by house substitute for senate bill no. 374, eighty-eighth general assembly, first regular session, section 52.315 as enacted by house committee substitute for senate committee substitute for senate bill no. 497, ninety-fourth general assembly, first regular session, section 67.281 as enacted by conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, section 67.1305 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 58 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 210 merged with conference committee substitute for house committee substitute for senate substitute for senate bill no. 343, ninety-third general assembly, first regular session, section 91.055 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, section 115.348 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 58, ninety-third general assembly, first regular session, section 135.100 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.100 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 827, eighty-ninth general assembly, second regular session, section 135.200 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.200 as enacted

by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session, section 135.200 as enacted by senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1656, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session, section 171.035 as enacted by conference committee substitute for house committee substitute for senate bill no. 376, ninety-fourth general assembly, first regular session, section 171.035 as enacted by house committee substitute for house bill no. 678, ninety-fourth general assembly, first regular session, section 217.777 as enacted by senate committee substitute for senate bill no. 430, eighty-ninth general assembly, first regular session, section 227.381 as enacted by house bill no. 1488, ninety-third general assembly, second regular session, section 228.362 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bill no. 180, eighty-seventh general assembly, first regular session, section 286.060 as enacted by senate committee substitute for house committee substitute for house bills nos. 300 & 95, eighty-eighth general assembly, first regular session, section 301.064 as enacted by house committee substitute for senate substitute for senate bill no 3, eighty-eighth general assembly, first regular session, section 301.064 as enacted by house bill no. 769, eighty-ninth general assembly, first regular session, section 301.630 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 895, ninety-first general assembly, second regular session, section 304.156 as enacted by senate committee substitute for house bill no. 996 and house bill no. 1142 and house committee substitute for house bill no. 1201 and house bill no. 1489, ninety-second general assembly, second regular session, section 304.678 as enacted by house committee substitute for senate committee substitute for senate bill no. 372, ninety-third general assembly, first regular session, section 321.701 as enacted by conference committee substitute no. 2 for senate substitute no. 2 for house committee substitute for house bills nos. 484, 199 & 72, eighty-eighth general assembly, first regular session, section 321.714 as enacted by senate substitute for senate committee substitute for house committee substitute for house bills nos. 452, 203, 377, 472, 473, 556 & 647, eighty-eighth general assembly, first regular session, section 324.712 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 567, ninety-first general assembly, first regular session, section 335.067 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 780, ninety-fourth general assembly, first regular session, section 339.040 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bill no. 754, ninety-fifth general assembly, second regular session, section 361.170 as enacted by house committee substitute for house bill no. 379, ninety-third general assembly, first regular session, section 370.107 as enacted by senate bill no. 318, ninety-third general assembly, first regular session, section 376.1500 as enacted by senate substitute no. 2 for senate committee substitute for house committee substitute for house bill no. 818, ninety-fourth general assembly, first regular session, section 393.906 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, section 393.921 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, section 441.236 as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 89 & 37, ninety-first general assembly, first regular session, section 470.270 as enacted by conference committee substitute for house substitute for house committee substitute for senate

substitute for senate bill no. 1248, ninety-first general assembly, second regular session, section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session, section 644.031 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, and section 644.568 as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 160 & 82, ninetieth general assembly, first regular session, and to enact in lieu thereof four new sections for the sole purpose of repealing statutes with multiple versions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 358**, entitled:

An Act to repeal sections 86.252, 86.255, 86.256, 86.294, and 86.354, RSMo, and to enact in lieu thereof six new sections relating to police retirement.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 360**, entitled:

An Act to repeal section 70.695, RSMo, and to enact in lieu thereof one new section relating to the Missouri local government employees' retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 459**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the new Mississippi River bridge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 465**, entitled:

An Act to repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 250**; **SCS** for **SB 17**; **SB 220**; **SCS** for **SB 131**; **SS** for **SB 306**; and **SCS** for **SB 162**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **RESOLUTIONS**

Senator Ridgeway offered Senate Resolution No. 562, regarding Elliott Kiefer, Liberty, which was adopted.

Senator Ridgeway offered Senate Resolution No. 563, regarding Jacob Manka, Smithville, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Kehoe introduced to the Senate, Morgan County Treasurer Louella Pryor, Moniteau County Treasurer Sarah Jones and members of the Missouri County Treasurers Association.

Senator Callahan introduced to the Senate, David and Laura Bower, and their sons, Scott and Seth, Independence.

Senator Mayer introduced to the Senate, Mrs. Lisa Burkhalter, Heather King, Lauren Hickson, Logan Blackburn, Dennis Amos, D'Erica Rucker, Layla Russell, Cierra Lott and Josiah Gouldman, members of the Clarkton High School Student Council.

Senator Dixon introduced to the Senate, Lacey Nunnally, Donna Washburn, Keith Ray Mackie, Maria Beckett, Britani Benoit, Anna Higley, Melissa Weinkauff, Christine Hannan, Loree Lynn Kinsella, Megan Kirsh, Rachel Roy, Andrew Hanks, Alyssa Miller and Logan Seebach, Evangel University; and Alyssa and Logan were made honorary pages.

Senator Schaaf introduced to the Senate, former State Senator Marvin Singleton and Mitch and Barbara Singleton, Fayetteville, Arkansas.

Senator Kehoe introduced to the Senate, teachers Sherry Holland, Kim Pragman, Heather Dixon and seventy-six fourth grade students from Blair Oaks Elementary School, Wardsville.

Senator Lager introduced to the Senate, Tana Snyder and twelfth grade students from Maysville R-I High School.

Senator Nieves introduced to the Senate, Jedidiah Smith and students from Cornerstone Baptist Academy, St. Clair.

Senator McKenna introduced to the Senate, students from Windsor High School, Imperial.

On behalf of himself and Senators Green, Chappelle-Nadal and Rupp, Senator Keaveny introduced to the Senate, Stephanie Kraus, Catrell Churchman, Victor Whittier and Christopher Howard, representatives

of Shearwater Education Foundation, St. Louis; and Catrell, Victor and Christopher were made honorary pages.

On behalf of Senator Schmitt, the President introduced to the Senate, Troy Walton, Edwardsville, Illinois.

Senator Lamping introduced to the Senate, former State Senator Betty Sims, Ladue, and her grandchildren, Morgan, Liam and Sophia Weber, St. Louis; and Morgan, Liam and Sophia were made honorary pages.

Senator Kraus introduced to the Senate, Yvonne and Rick Foreman, Lee's Summit; and Kendall Foreman, Hawaii.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

THIRTY-NINTH DAY—THURSDAY, MARCH 17, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 209-Guernsey, et al	HB 151-Kelly (24) and Mollendorp
HB 107-Smith (150), et al	HB 153-Black, et al
HCS for HB 205	HB 171-Ruzicka, et al
HCS for HB 76	HB 184-Dugger
HCS for HBs 276, 233 & 274	HB 186-Entlicher, et al
HCS for HBs 116 & 316	HB 189-Ruzicka
HCS for HB 136	HB 190-Ruzicka
HCS for HB 214	HB 204-Hoskins, et al
HCS for HB 61	HCS for HB 250
HCS for HB 108	HB 217-Dugger and Entlicher
HCS for HB 174	HCS for HB 338
HCS for HBs 112 & 285	HCS for HB 363
HCS for HB 266	HB 415-Richardson, et al
HB 339-Pollock, et al	HB 442-Franz
HB 167-Nolte, et al	HB 229-Curls and Leara
HJR 2-McGhee, et al	HB 282-Franz
HCS for HB 83	HCS for HB 315
HB 109-Wells, et al	HB 358-Leara and Colona
HB 137-Thomson, et al	HB 360-Leara
HB 142-Gatschenberger	HCS for HB 459
HB 149-Day, et al	HCS for HB 465



## THIRD READING OF SENATE BILLS

- |                                                   |                               |
|---------------------------------------------------|-------------------------------|
| 1. SCS for SB 11-McKenna<br>(In Fiscal Oversight) | 7. SB 145-Dempsey             |
| 2. SB 173-Dixon and Kehoe                         | 8. SB 250-Kehoe               |
| 3. SCS for SB 163-Pearce                          | 9. SCS for SB 17-Lembke       |
| 4. SB 161-Munzlinger                              | 10. SB 220-Wasson             |
| 5. SS for SB 55-Brown                             | 11. SCS for SB 131-Rupp       |
| 6. SS#2 for SCS for SB 8-Goodman                  | 12. SS for SB 306-Wasson      |
|                                                   | 13. SCS for SB 162-Munzlinger |

## SENATE BILLS FOR PERFECTION

- |                            |                             |
|----------------------------|-----------------------------|
| SB 247-Pearce              | SB 36-Lembke                |
| SB 81-Pearce, with SCS     | SB 322-Schaefer             |
| SB 54-Cunningham, with SCS | SB 29-Brown, with SCS       |
| SB 200-Crowell             | SJR 11-Munzlinger, with SCS |
| SB 72-Kraus                |                             |

## HOUSE BILLS ON THIRD READING

- |                                    |                         |
|------------------------------------|-------------------------|
| HCS for HB 14, with SCS (Schaefer) | HB 15-Silvey (Schaefer) |
|------------------------------------|-------------------------|

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

- |                                                    |                                  |
|----------------------------------------------------|----------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 175-Munzlinger, et al         |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 176-Munzlinger, et al         |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SB 202-Crowell                   |
| SB 28-Brown                                        | SB 203-Schmitt, et al            |
| SB 37-Lembke, with SCS                             | SB 204-Dempsey, et al            |
| SB 65-Mayer, et al, with SCS                       | SB 226-Engler                    |
| SB 120-Stouffer                                    | SB 242-Cunningham, with SCS      |
| SB 130-Rupp, with SCS & SS for SCS<br>(pending)    | SB 254-Stouffer, with SCS        |
|                                                    | SB 278-Munzlinger, et al         |
|                                                    | SB 280-Purgason, et al, with SCS |

HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS & SA 1  
(pending) (Pearce)

CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

RESOLUTIONS

Reported from Committee

SR 179-Purgason

SCR 8-Rupp

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**THIRTY-NINTH DAY—THURSDAY, MARCH 17, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You who seek God, let your hearts revive.” (Psalm 69:32)

Gracious God, as we prepare to take our Spring break help us to remember You alone can truly refresh us and renew our hearts, minds and souls. Help us to be open vessels to receive Your blessings that we may be a blessing to those around us and especially those who share this time away from here. Help us to use this time for recreation and rest in You so we are prepared better to continue the work You have for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Lembke offered Senate Resolution No. 564, regarding the Missouri Wing of the Civil Air Patrol, which was adopted.

Senator Curls offered Senate Resolution No. 565, regarding former State Senator Yvonne Wilson, Kansas City, which was adopted.

Senator Lager offered Senate Resolution No. 566, regarding Jacob William Ward, Trimble, which was adopted.

Senator Engler offered Senate Resolution No. 567, regarding the Ninetieth Birthday of Leamay Laplant, Desloge, which was adopted.

Senator Goodman offered Senate Resolution No. 568, regarding the death of Army Specialist Christopher Stark, Monett, which was adopted.

Senator Lembke offered Senate Resolution No. 569, regarding Karen Cordia, Fenton, which was adopted.

Senator Lembke offered Senate Resolution No. 570, regarding Erin Ludwick, Saint Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 571, regarding Alison Helmer, Saint Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 572, regarding Anna Hutchinson, Valley Park, which was adopted.

Senator Lembke offered Senate Resolution No. 573, regarding Susan Weedman, Saint Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 574, regarding Liz Murphy, Saint Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 575, regarding Jennifer Hejlik, Imperial, which was adopted.

Senator Lembke offered Senate Resolution No. 576, regarding David Tidwell, Webster Groves, which was adopted.

Senator Lembke offered Senate Resolution No. 577, regarding Kenneth E. Horvath, Imperial, which was adopted.

Senator Brown offered Senate Resolution No. 578, regarding Joan Goans, Linn, which was adopted.

**THIRD READING OF SENATE BILLS**

**SB 173**, introduced by Senators Dixon and Kehoe, entitled:

An Act to repeal section 21.920, RSMo, and to enact in lieu thereof one new section relating to the joint committee on Missouri's promise.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SB 173** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators

Chappelle-Nadal    McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 163**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 163

An Act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education boards.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 163** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal    McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 161**, introduced by Senator Munzlinger, entitled:

An Act to repeal sections 348.400, 348.407, and 348.412, RSMo, and to enact in lieu thereof three new sections relating to business development loans for agribusinesses.

Was taken up.

Senator Ridgeway assumed the Chair.

On motion of Senator Munzlinger, **SB 161** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Goodman	Justus
Keaveny	Kehoe	Lager	Lamping	Mayer	Munzlinger	Nieves	Parson
Pearce	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—25

NAYS—Senators

Crowell	Engler	Green	Kraus	Lembke	Purgason	Ridgeway—7
---------	--------	-------	-------	--------	----------	------------

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal    McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SB 55**, introduced by Senator Brown, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 55

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to classification of certain real property.

Was taken up.

On motion of Senator Brown, **SS** for **SB 55** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Green—1

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS No. 2** for **SCS** for **SB 8**, introduced by Senator Goodman, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 8

An Act to repeal sections 287.067, 287.120, and 287.150, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

Was taken up.

On motion of Senator Goodman, **SS No. 2** for **SCS** for **SB 8** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Justus	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Callahan Green Keaveny—3

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 145**, introduced by Senator Dempsey, entitled:

An Act to repeal section 55.030, RSMo, and to enact in lieu thereof one new section relating to county inventory.

Was taken up.

On motion of Senator Dempsey, **SB 145** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal    McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

**SB 250**, introduced by Senator Kehoe, entitled:

An Act to repeal sections 566.147 and 589.040, RSMo, and to enact in lieu thereof two new sections relating to requirements for persons convicted of sexual assault offenses, with penalty provisions.

Was taken up.

On motion of Senator Kehoe, **SB 250** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32



NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 17**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 17

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to cord blood banking.

Was taken up by Senator Lembke.

On motion of Senator Lembke, **SCS** for **SB 17** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 220**, introduced by Senator Wasson, entitled:

An Act to repeal section 429.015, RSMo, and to enact in lieu thereof one new section relating to liens

for architects, professional engineers, land surveyors, and landscape architects.

Was taken up.

On motion of Senator Wasson, **SB 220** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 131**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 131

An Act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SCS** for **SB 131** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SB 306**, introduced by Senator Wasson, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 306

An Act to repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions, with penalty provisions.

Was taken up.

On motion of Senator Wasson, **SS** for **SB 306** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 162**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 162

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the farm-to-table advisory board, with an expiration date for a certain section.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SCS** for **SB 162** was read the 3rd time and passed by the following

vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Goodman	Justus
Keaveny	Kehoe	Lager	Lamping	Mayer	Munzlinger	Parson	Pearce
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—24

NAYS—Senators

Crowell	Engler	Green	Kraus	Lembke	Nieves	Purgason	Ridgeway—8
---------	--------	-------	-------	--------	--------	----------	------------

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

## REPORTS OF STANDING COMMITTEES

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 118**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 177**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 241**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 323**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence,

submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 59**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 60**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 70**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 165**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 116**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 10**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 9**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 208**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 209**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SJR 15**, begs leave to report

that it has considered the same and recommends that the joint resolution do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 147**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following report:

Mr. President: Your Committee on Governmental Accountability, to which was referred **SJR 10**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 390**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 189**, **SB 217**, **SB 246**, **SB 252** and **SB 79**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 231**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 25**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 356**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 368**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS No. 2** for **SCS** for **SB 62** and **SB 282**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 127**, entitled:

An Act to repeal section 57.970, RSMo, and to enact in lieu thereof one new section relating to the sheriffs' retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 6**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to guaranteeing the right to vote by secret ballot.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 29**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Ridgeway assumed the Chair.

### HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

**HB 209**—Agriculture, Food Production and Outdoor Resources.

**HB 107**—Financial and Governmental Organizations and Elections.

**HCS for HB 205**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HB 76**—Jobs, Economic Development and Local Government.

**HCS for HBs 276, 233 and 274**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HBs 116 and 316**—Ways and Means and Fiscal Oversight.

**HCS for HB 136**—Financial and Governmental Organizations and Elections.

**HCS for HB 214**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 61**—Small Business, Insurance and Industry.

**HCS for HB 108**—Rules, Joint Rules, Resolutions and Ethics.

**HCS for HB 174**—Education.

**HCS for HBs 112 and 285**—Agriculture, Food Production and Outdoor Resources.

**HCS for HB 266**—Transportation.

**HB 339**—Commerce, Consumer Protection, Energy and the Environment.

**HB 167**—General Laws.

**HJR 2**—General Laws.

### COMMUNICATIONS

President Pro Tem Mayer submitted the following:

March 17, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Kiki Curls to the Joint Committee on Capital Improvements to replace Senator Jolie Justus.

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

### INTRODUCTIONS OF GUESTS

Senator Stouffer introduced to the Senate, Janelle Doza and fourth grade students from New Franklin Elementary School.

Senator Engler introduced to the Senate, Erin Petersen, St. Louis.

Senator Kehoe introduced to the Senate, Milena Fein, Muenchberg, Germany; Andy Small, California; and Anne Rottmann, Jefferson City.

Senator Schaefer introduced to the Senate, representatives of Freedom Scholars, Homeschoolers from the Nineteenth Senatorial District.

On behalf of Senator Mayer, the President introduced to the Senate, Lugenia Counce, Kara and Gavin Kingston, Trina Hollomon, Patricia Gibbens, Lisa Griffin, Katie Houston; and Lillie Hollomon, Dallas Richardson, Alijah Veasley, Coltin Griffin, Kayla Rodgers, Melissa Ibarra, Payton Gibbens, Mya Young, Kelsey Kingston, Morgan Stansell and Marneasha Wiley, fourth grade students from Caruthersville



Elementary School; and Mya, Kelsey, Morgan and Marneasha were made honorary pages.

On motion of Senator Dempsey, the Senate adjourned until 10:30 a.m., Friday, March 25, 2011.

SENATE CALENDAR

---

FORTIETH DAY—FRIDAY, MARCH 25, 2011

---

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 83  
HB 109-Wells, et al  
HB 137-Thomson, et al  
HB 142-Gatschenberger  
HB 149-Day, et al  
HB 151-Kelly (24) and Mollendorp  
HB 153-Black, et al  
HB 171-Ruzicka, et al  
HB 184-Dugger  
HB 186-Entlicher, et al  
HB 189-Ruzicka  
HB 190-Ruzicka  
HB 204-Hoskins, et al  
HCS for HB 250  
HB 217-Dugger and Entlicher

HCS for HB 338  
HCS for HB 363  
HB 415-Richardson, et al  
HB 442-Franz  
HB 229-Curls and Leara  
HB 282-Franz  
HCS for HB 315  
HB 358-Leara and Colona  
HB 360-Leara  
HCS for HB 459  
HCS for HB 465  
HB 127-Barnes  
HJR 6-Cierpiot, et al  
HJR 29-Solon, et al

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna  
(In Fiscal Oversight)

SS#2 for SCS for SB 62-Schaaf  
SB 282-Engler

SENATE BILLS FOR PERFECTION

1. SB 247-Pearce
2. SB 81-Pearce, with SCS

3. SB 54-Cunningham, with SCS
4. SB 200-Crowell

- |                                |                                                      |
|--------------------------------|------------------------------------------------------|
| 5. SB 72-Kraus                 | 19. SB 10-Rupp                                       |
| 6. SB 36-Lembke                | 20. SB 9-Rupp                                        |
| 7. SB 322-Schaefer             | 21. SB 208-Lager                                     |
| 8. SB 29-Brown, with SCS       | 22. SB 209-Lager                                     |
| 9. SJR 11-Munzlinger, with SCS | 23. SJR 15-Nieves, et al                             |
| 10. SB 118-Stouffer            | 24. SB 147-Schaefer                                  |
| 11. SB 177-Brown, with SCS     | 25. SJR 10-Lembke and Green                          |
| 12. SB 241-Brown and Wasson    | 26. SB 390-Schmitt, et al                            |
| 13. SB 323-Schaefer, with SCS  | 27. SBs 189, 217, 246, 252 & 79-Schmitt,<br>with SCS |
| 14. SB 59-Keaveny              | 28. SB 231-Lager, et al                              |
| 15. SB 60-Keaveny, with SCS    | 29. SB 25-Schaaf, with SCS                           |
| 16. SB 70-Schaefer, with SCS   | 30. SB 356-Munzlinger, with SCS                      |
| 17. SB 165-Goodman, with SCS   | 31. SB 368-Stouffer, with SCS                        |
| 18. SB 116-Justus              |                                                      |

#### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

#### SENATE BILLS FOR PERFECTION

- |                                                    |                                  |
|----------------------------------------------------|----------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 175-Munzlinger, et al         |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 176-Munzlinger, et al         |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SB 202-Crowell                   |
| SB 28-Brown                                        | SB 203-Schmitt, et al            |
| SB 37-Lembke, with SCS                             | SB 204-Dempsey, et al            |
| SB 65-Mayer, et al, with SCS                       | SB 226-Engler                    |
| SB 120-Stouffer                                    | SB 242-Cunningham, with SCS      |
| SB 130-Rupp, with SCS & SS for SCS<br>(pending)    | SB 254-Stouffer, with SCS        |
|                                                    | SB 278-Munzlinger, et al         |
|                                                    | SB 280-Purgason, et al, with SCS |

HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

RESOLUTIONS

Reported from Committee

SR 179-Purgason

SCR 8-Rupp

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FORTIETH DAY—FRIDAY, MARCH 25, 2011**

---

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

## **RESOLUTIONS**

Senator Stouffer offered Senate Resolution No. 579, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Junior Henley, Sweet Springs, which was adopted.

Senator Stouffer offered Senate Resolution No. 580, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lewis Roberts, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 581, regarding the Fortieth Anniversary of the LaGrange Lions Club, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 582, regarding Justin McCollum, Vandalia, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 583, regarding Sarah Yates, Vandalia, which was adopted.

On behalf of Senators Keaveny and Wright-Jones, Senator Kehoe offered Senate Resolution No. 584, regarding the death of Francis R. Slay, St. Louis, which was adopted.

On behalf of Senator Wright-Jones, Senator Kehoe offered Senate Resolution No. 585, regarding the Missouri Girls State program of the American Legion Auxiliary, which was adopted.

On behalf of Senator Wright-Jones, Senator Kehoe offered Senate Resolution No. 586, regarding the One Hundred First Birthday of Julia Johnson, St. Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 587, regarding Linda “Lynn” Gerhart, California, which was adopted.

On behalf of Senator Schmitt, Senator Kehoe offered Senate Resolution No. 588, regarding the Twenty-fifth Anniversary of Saint Louis Crisis Nursery, St. Louis, which was adopted.

On behalf of Senator Schmitt, Senator Kehoe offered Senate Resolution No. 589, regarding Brian

Richard Jacobi, Manchester, which was adopted.

On behalf of Senator Crowell, Senator Kehoe offered Senate Resolution No. 590, regarding the Class 4 State Champion Sikeston R-VI High School Boys Basketball Team, which was adopted.

On behalf of Senator Crowell, Senator Kehoe offered Senate Resolution No. 591, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ronnie Ray Chappell, which was adopted.

On behalf of Senator Nieves, Senator Kehoe offered Senate Resolution No. 592, regarding Dallin M. Robinson, Wildwood, which was adopted.

On behalf of Senator Nieves, Senator Kehoe offered Senate Resolution No. 593, regarding Evan W. Robinson, Wildwood, which was adopted.

On behalf of Senator Lager, Senator Kehoe offered Senate Resolution No. 594, regarding the Ninetieth Birthday of Annabel Baugher, Trenton, which was adopted.

Senator Stouffer offered Senate Resolution No. 595, regarding Lindsey Kay Walker, Kearney, which was adopted.

Senator Stouffer offered Senate Resolution No. 596, regarding Adriel Marie Benningfield, Kearney, which was adopted.

On behalf of Senator Nieves, Senator Kehoe offered Senate Resolution No. 597, regarding Jacob Schultz, Villa Ridge, which was adopted.

On behalf of Senator Engler, Senator Kehoe offered Senate Resolution No. 598, regarding Theodore “Ted” Miller, Farmington, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 599, regarding the 2010-2011 Class I State Champion Marion County High School girls basketball program, which was adopted.

On motion of Senator Stouffer, the Senate adjourned until 4:00 p.m., Monday, March 28, 2011.

## SENATE CALENDAR

---

FORTY-FIRST DAY—MONDAY, MARCH 28, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HCS for HB 83

HB 109-Wells, et al

HB 137-Thomson, et al

HB 142-Gatschenberger

HB 149-Day, et al

HB 151-Kelly (24) and Mollendorp

HB 153-Black, et al

HB 171-Ruzicka, et al

HB 184-Dugger  
HB 186-Entlicher, et al  
HB 189-Ruzicka  
HB 190-Ruzicka  
HB 204-Hoskins, et al  
HCS for HB 250  
HB 217-Dugger and Entlicher  
HCS for HB 338  
HCS for HB 363  
HB 415-Richardson, et al  
HB 442-Franz

HB 229-Curls and Leara  
HB 282-Franz  
HCS for HB 315  
HB 358-Leara and Colona  
HB 360-Leara  
HCS for HB 459  
HCS for HB 465  
HB 127-Barnes  
HJR 6-Cierpiot, et al  
HJR 29-Solon, et al

### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)      SB 282-Engler  
SS#2 for SCS for SB 62-Schaaf

### SENATE BILLS FOR PERFECTION

- |                                |                                                      |
|--------------------------------|------------------------------------------------------|
| 1. SB 247-Pearce               | 17. SB 165-Goodman, with SCS                         |
| 2. SB 81-Pearce, with SCS      | 18. SB 116-Justus                                    |
| 3. SB 54-Cunningham, with SCS  | 19. SB 10-Rupp                                       |
| 4. SB 200-Crowell              | 20. SB 9-Rupp                                        |
| 5. SB 72-Kraus                 | 21. SB 208-Lager                                     |
| 6. SB 36-Lembke                | 22. SB 209-Lager                                     |
| 7. SB 322-Schaefer             | 23. SJR 15-Nieves, et al                             |
| 8. SB 29-Brown, with SCS       | 24. SB 147-Schaefer                                  |
| 9. SJR 11-Munzlinger, with SCS | 25. SJR 10-Lembke and Green                          |
| 10. SB 118-Stouffer            | 26. SB 390-Schmitt, et al                            |
| 11. SB 177-Brown, with SCS     | 27. SBs 189, 217, 246, 252 & 79-Schmitt,<br>with SCS |
| 12. SB 241-Brown and Wasson    | 28. SB 231-Lager, et al                              |
| 13. SB 323-Schaefer, with SCS  | 29. SB 25-Schaaf, with SCS                           |
| 14. SB 59-Keaveny              | 30. SB 356-Munzlinger, with SCS                      |
| 15. SB 60-Keaveny, with SCS    | 31. SB 368-Stouffer, with SCS                        |
| 16. SB 70-Schaefer, with SCS   |                                                      |

### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)      HB 15-Silvey (Schaefer)

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 1 &amp; 206-Ridgeway, with SCS &amp; SA 1

(pending)

SBs 7, 5, 74 &amp; 169-Goodman, with SCS

SB 23-Keaveny, with SCS &amp; SS for SCS

(pending)

SB 28-Brown

SB 37-Lembke, with SCS

SB 65-Mayer, et al, with SCS

SB 120-Stouffer

SB 130-Rupp, with SCS &amp; SS for SCS

(pending)

SB 175-Munzlinger, et al

SB 176-Munzlinger, et al

SB 202-Crowell

SB 203-Schmitt, et al

SB 204-Dempsey, et al

SB 226-Engler

SB 242-Cunningham, with SCS

SB 254-Stouffer, with SCS

SB 278-Munzlinger, et al

SB 280-Purgason, et al, with SCS

## HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &amp; SA 1

(pending) (Pearce)

## CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS

SB 97-Engler

SB 96-Engler

## RESOLUTIONS

Reported from Committee

SR 179-Purgason

SCR 8-Rupp

# Journal of the Senate

## FIRST REGULAR SESSION

---

**FORTY-FIRST DAY—MONDAY, MARCH 28, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be glad and rejoice forever in what I am creating.” (Isaiah 65:18)

Gracious Father, we are grateful for the time away from here that has allowed us re-creating our minds and bodies so that we might be revigorated and energized for what is ahead. We thank You for the nourishment of Your word for our souls that we might always be mindful of what is important to You in the work we are to accomplish and priorities You have for us.

And Lord, we are thankful for before You blessed are Your saints who have died. And we pray that You will be an abiding presence to Senator Brown and his family at the death of his mother and You will provide comfort and peace to them in their grief. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, March 17, 2011 and Friday, March 25, 2011 were read and approved.

Senator Dempsey announced that photographers from KOMU-TV and Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1



Vacancies—None

The Lieutenant Governor was present.

### **RESOLUTIONS**

Senator Schmitt offered Senate Resolution No. 600, regarding the One Hundredth Birthday of Ruth I. Hendrickson, Fenton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 601, regarding the death of Patrice Dionne Thimes, St. Louis, which was adopted.

Senator Richard offered Senate Resolution No. 602, regarding Joshua Ryan Fox, which was adopted.

Senator Curls offered Senate Resolution No. 603, regarding Montrai Spikes, Kansas City, which was adopted.

Senator Engler offered Senate Resolution No. 604, regarding Kimberly Collins, Ellsinore, which was adopted.

Senator Schaefer offered Senate Resolution No. 605, regarding Daniel J. Moser, Columbia, which was adopted.

Senator Nieves offered Senate Resolution No. 606, regarding Nola Ewers, Wildwood, which was adopted.

Senator Dixon offered Senate Resolution No. 607, regarding Ronald Hoover, Casper, Wyoming, which was adopted.

Senator Dixon offered Senate Resolution No. 608, regarding Archie McCourt, Bergholz, Ohio, which was adopted.

Senator Crowell offered Senate Resolution No. 609, regarding the 2010-2011 State Champion Scott County Central High School boys basketball program, which was adopted.

Senator Dixon offered Senate Resolution No. 610, regarding John R. Twitty, Springfield, which was adopted.

Senator Engler offered Senate Resolution No. 611, regarding Kallie Mae Middleton, Vulcan, which was adopted.

Senator Engler offered Senate Resolution No. 612, regarding Wilma Buffington Bedell Ball, which was adopted.

Senator Purgason offered Senate Resolution No. 613, regarding Susan Leslie, which was adopted.

Senator Purgason offered Senate Resolution No. 614, regarding Janice L. Drover, which was adopted.

### **CONCURRENT RESOLUTIONS**

Senator Schaaf offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 12**

WHEREAS, atrial fibrillation (AFib) is the most common serious heart rhythm disorder and causes 15 percent of all strokes in the United States; and

WHEREAS, AFib affects more than 2.3 million Americans and is expected to more than double to 5.6 million Americans by 2050; and  
WHEREAS, one in four people aged 40 years or older develop AFib during their lifetime; and

WHEREAS, AFib causes the heart to beat irregularly or out of rhythm. As a result, people with AFib are nearly five times more likely to have a stroke than someone without the condition. In addition, AFib-related strokes are about twice as likely to be fatal and about twice as likely to be severely disabling than strokes that are not related to AFib; and

WHEREAS, three out of four AFib-related strokes can be prevented, but many patients are not aware of their risk and do not take action to prevent stroke; and

WHEREAS, the estimated direct medical cost of stroke for 2007 was \$25.2 billion. This includes hospital outpatient or office-based provider visits, hospital inpatient stays, emergency room visits, prescribed medicines, and home health; and

WHEREAS, appropriate stroke prevention in AFib can effectively reduce the overall financial burden of the illness within public programs such as Medicaid and Medicare; and

WHEREAS, reducing the risk of stroke related to AFib may maintain self sufficiency on the part of patients cared for within public programs:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the MO HealthNet Division to pursue the feasibility of implementing a program to assess chronic disease management of stroke prevention in atrial fibrillation using available general appropriations and/or private sources of funding in an effort to identify opportunities to reduce the financial and clinical burden of AFib-related strokes upon Missouri, and public programs including Medicare and Medicaid; and

BE IT FURTHER RESOLVED that at the conclusion of such an assessment, a report of findings and recommendations be prepared and provided to the General Assembly by December 31, 2011, so that it can evaluate the effectiveness of the current quality of care within public programs including Medicare and Medicaid and in providing recommendations for improved health and well being of the affected patients; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the director of the MO HealthNet Division.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 213**, entitled:

An Act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 294, 123, 125, 113, 271 and 215**, entitled:

An Act to repeal sections 407.500, 407.505, 571.020, 571.030, 571.101, 571.107, and 571.117, RSMo, and to enact in lieu thereof eleven new sections relating to firearms, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 252**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto three new sections relating to business premises safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 731**, entitled:

An Act to repeal section 589.407, RSMo, and to enact in lieu thereof two new sections relating to possible deportation of aliens who are listed in the state sexual offender registry.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 431**, entitled:

An Act to repeal sections 210.112, 210.498, 210.565, and 210.566, RSMo, and to enact in lieu thereof seven new sections relating to foster care and adoption promotion.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 89**, entitled:

An Act to repeal sections 253.090, 644.036, and 644.054, RSMo, and to enact in lieu thereof three new sections relating to funding for the department of natural resources, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 29**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto seven new sections relating to the volunteer health services act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 361**, entitled:

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to the Missouri firearms freedom act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 25, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

The following addendum should be made to the appointment of Eric Latimer for the Missouri Fire Safety Advisory Board submitted to you on February 16, 2011:

Eric Latimer, 625 E. Loren, Springfield, Greene County, Missouri 65807, as a member of

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

President Pro Tem Mayer referred the above addendum to the Committee on Gubernatorial Appointments.

The Senate observed a moment of silence in memory of Mrs. Thelma Brown and former Speaker Pro Tem Mark Abel.

### **SENATE BILLS FOR PERFECTION**

Senator Engler moved that **SB 226** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Stouffer assumed the Chair.

Senator Engler offered **SS** for **SB 226**, entitled:

SENATE SUBSTITUTE FOR

SENATE BILL NO. 226

An Act to repeal sections 190.035 and 190.040, RSMo, and to enact in lieu thereof three new sections relating to ambulance districts.

Senator Engler moved that **SS** for **SB 226** be adopted, which motion prevailed.

On motion of Senator Engler, **SS** for **SB 226** was declared perfected and ordered printed.

Senator Pearce moved that **SB 247** be taken up for perfection, which motion prevailed.

Senator Pearce offered **SS** for **SB 247**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 247

An Act to repeal sections 163.011, 163.031, 163.036, and 163.037, RSMo, and to enact in lieu thereof three new sections relating to state funding for elementary and secondary education, with an emergency clause for certain sections and an effective date for certain sections.

Senator Pearce moved that **SS** for **SB 247** be adopted.

At the request of Senator Pearce, **SB 247**, with **SS** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 226**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

**INTRODUCTIONS OF GUESTS**

Senator Munzlinger introduced to the Senate, former Florida Attorney General Bill McCollum.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

---

FORTY-SECOND DAY—TUESDAY, MARCH 29, 2011

---

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 83  
HB 109-Wells, et al  
HB 137-Thomson, et al  
HB 142-Gatschenberger  
HB 149-Day, et al  
HB 151-Kelly (24) and Mollendorp  
HB 153-Black, et al  
HB 171-Ruzicka, et al  
HB 184-Dugger  
HB 186-Entlicher, et al  
HB 189-Ruzicka  
HB 190-Ruzicka  
HB 204-Hoskins, et al

HCS for HB 250  
HB 217-Dugger and Entlicher  
HCS for HB 338  
HCS for HB 363  
HB 415-Richardson, et al  
HB 442-Franz  
HB 229-Curls and Leara  
HB 282-Franz  
HCS for HB 315  
HB 358-Leara and Colona  
HB 360-Leara  
HCS for HB 459  
HCS for HB 465

HB 127-Barnes	HB 731-Parkinson, et al
HJR 6-Cierpiot, et al	HCS for HB 431
HJR 29-Solon, et al	HCS for HB 89
HCS for HB 213	HCS for HB 29
HCS for HBs 294, 123, 125, 113, 271 & 215	HB 361-Leara
HB 252-Cox, et al	

### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SB 282-Engler
SS#2 for SCS for SB 62-Schaaf	SS for SB 226-Engler

### SENATE BILLS FOR PERFECTION

1. SB 81-Pearce, with SCS	17. SB 116-Justus
2. SB 54-Cunningham, with SCS	18. SB 10-Rupp
3. SB 200-Crowell	19. SB 9-Rupp
4. SB 72-Kraus	20. SB 208-Lager
5. SB 36-Lembke	21. SB 209-Lager
6. SB 322-Schaefer	22. SJR 15-Nieves, et al
7. SB 29-Brown, with SCS	23. SB 147-Schaefer
8. SJR 11-Munzlinger, with SCS	24. SJR 10-Lembke and Green
9. SB 118-Stouffer	25. SB 390-Schmitt, et al
10. SB 177-Brown, with SCS	26. SBs 189, 217, 246, 252 & 79-Schmitt, with SCS
11. SB 241-Brown and Wasson	27. SB 231-Lager, et al
12. SB 323-Schaefer, with SCS	28. SB 25-Schaaf, with SCS
13. SB 59-Keaveny	29. SB 356-Munzlinger, with SCS
14. SB 60-Keaveny, with SCS	30. SB 368-Stouffer, with SCS
15. SB 70-Schaefer, with SCS	
16. SB 165-Goodman, with SCS	

### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)	HB 15-Silvey (Schaefer)
------------------------------------	-------------------------

### INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1 (pending)	SB 175-Munzlinger, et al
SBs 7, 5, 74 & 169-Goodman, with SCS	SB 176-Munzlinger, et al
SB 23-Keaveny, with SCS & SS for SCS (pending)	SB 202-Crowell
SB 28-Brown	SB 203-Schmitt, et al
SB 37-Lembke, with SCS	SB 204-Dempsey, et al
SB 65-Mayer, et al, with SCS	SB 242-Cunningham, with SCS
SB 120-Stouffer	SB 247-Pearce, with SS (pending)
SB 130-Rupp, with SCS & SS for SCS (pending)	SB 254-Stouffer, with SCS
	SB 278-Munzlinger, et al
	SB 280-Purgason, et al, with SCS

## HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

## CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS	SB 96-Engler
SB 97-Engler	

## RESOLUTIONS

Reported from Committee

SR 179-Purgason	SCR 8-Rupp
-----------------	------------

To be Referred

SCR 12-Schaaf

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### FORTY-SECOND DAY—TUESDAY, MARCH 29, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Place me where you will and use me according to your wisdom. I am in your hand as your servant ready to do all that you command.”  
(Thomas a Kempis)

Gracious God, we are here to serve not ourselves but the people whom You have given us to care for. Let us always be mindful that the demands and responsibilities we feel come as a result of the many blessings which You have given us and may we always use them in service to Your people and the caring one for another required of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.



**RESOLUTIONS**

Senator Schaefer offered Senate Resolution No. 615, regarding Benjamin M. Loftin, Ashland, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 616, regarding the Honorable John “Jack” Agnew, Dellwood, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 617, regarding Dan Chapman, Saint Charles, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 618, regarding Rita Bovinett, Dellwood, which was adopted.

Senator Dempsey offered Senate Resolution No. 619, regarding Patriot Machine, Inc., Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 620, regarding The Boys & Girls Clubs of Missouri, which was adopted.

Senator Parson offered Senate Resolution No. 621, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Dooley, Pleasant Hope, which was adopted.

Senator Lembke offered Senate Resolution No. 622, regarding Debbie Staufenbiel, Arnold, which was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Munzlinger moved that **SB 175** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Pearce assumed the Chair.

Senator Callahan offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Bill No. 175, Page 1, Section A, Line 4, by inserting after all of said line the following:

**“34.056. 1. No public body shall enter into a public works contract, as defined in section 34.058, with any company if it has been proven that within the past five years such company has violated section 285.503.**

**2. As used in this section, “public body” means the state of Missouri or any public officer, official, authority, board, or commission of the state, or other political subdivision thereof, or any institution supported in whole or in part by public funds.”; and**

Further amend the title and enacting clause accordingly.

Senator Callahan moved that the above amendment be adopted.

At the request of Senator Munzlinger, **SB 175**, with **SA 1** (pending), was placed on the Informal Calendar.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Ridgeway.

**RESOLUTIONS**

Senator Justus offered Senate Resolution No. 623, regarding Jack Cooper Transport, Kansas City, which was adopted.

Senator McKenna offered Senate Resolution No. 624, regarding the death of Mark C. Abel, Festus, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 625, regarding the death of Helen Wallace Fox, which was adopted.

Senator Engler offered Senate Resolution No. 626, regarding Jo A. Govreau, which was adopted.

Senator Engler offered Senate Resolution No. 627, regarding Cindy Marie Danieley, which was adopted.

Senator Engler offered Senate Resolution No. 628, regarding Steven Nausley, which was adopted.

Senator Engler offered Senate Resolution No. 629, regarding Edwin Edwards, which was adopted.

Senator Engler offered Senate Resolution No. 630, regarding Kathleen Wiesehan, which was adopted.

Senator Engler offered Senate Resolution No. 631, regarding Judith Janos, which was adopted.

Senator Mayer offered Senate Resolution No. 632, regarding Three Rivers Community College, which was adopted.

Senator Cunningham offered Senate Resolution No. 633, regarding Carolyn Marty, Florissant, which was adopted.

Senator Cunningham offered Senate Resolution No. 634, regarding the Honorable Douglas R. Beach, Chesterfield, which was adopted.

Senator Cunningham offered Senate Resolution No. 635, regarding Scott Schneider, St. Charles, which was adopted.

Senator Cunningham offered Senate Resolution No. 636, regarding Bob Gianino, Florissant, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 637, regarding Amber Dale Russo, Arnold, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 638, regarding Marissa Christine Buechel, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 639, regarding Megan Elizabeth Buechel, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 640, regarding Grace Lenden Ahlering, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 641, regarding Teresa Margaret Boschert, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 642, regarding Danielle Nicole Cicka, Ballwin, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 643, regarding Catherine Ann Dillon, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 644, regarding Kathleen Kinsella Dorr, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 645, regarding Alexandra Gantt, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 646, regarding Sonja Glaser, Wildwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 647, regarding Erin McDonald Guthrie, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 648, regarding Claire Heckenkamp, Affton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 649, regarding Rachel Hennessey, Kirkwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 650, regarding Kristen Marie Hyde, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 651, regarding Savannah Marie Paletta, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 652, regarding Victoria Lorraine Pollvogt, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 653, regarding Jaclyn Margaret Shea, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 654, regarding Samantha Short, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 655, regarding Nicolette Jean Snyder, St. Louis, which was adopted.

Senator Lager offered Senate Resolution No. 656, regarding the 2010 Class 2 State Champion Penney High School football program.

#### **SENATE BILLS FOR PERFECTION**

Senator Mayer moved that **SB 65**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 65**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 65

An Act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

Was taken up.

Senator Mayer moved that **SCS for SB 65** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 65, Page 5, Section 188.030, Line 102, by inserting after “abortion” the following: “, **except that such prohibition shall not apply to physicians whose legal or financial affiliation or relationship is a result of being employed by or having staff privileges at the same hospital as the term “hospital” is defined in section 197.020**”.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 65, Page 2, Section 188.015, Line 24, by striking the word “physical”; and

Further amend said bill, page 3, section 188.030, line 28, by striking all of said line and inserting in lieu thereof the following: “**endangered by a disorder, illness, or injury,**”; and further amend line 29, by striking the word “physical”; and further amend line 31, by striking the word “physical”; and further amend line 32, by striking the word “For”; and further amend lines 33-36, by striking all of said lines; and

Further amend said bill and section, page 4, line 71, by striking the word “physical”; and further amend lines 78-79, by striking all of said lines and inserting in lieu thereof the following: “**of substantial and irreversible impairment of the pregnant woman. Upon completion of the abortion, the**”; and

Further amend said bill and section, page 5, line 93, by striking the word “physical”; and

Further amend said bill and section, page 6, lines 126-127, by striking all of said lines and inserting in lieu thereof the following: “**increased risk of substantial and irreversible impairment.**”.

Senator Justus moved that the above amendment be adopted.

At the request of Senator Mayer, **SB 65**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

**INTRODUCTIONS OF GUESTS**

Senator Justus introduced to the Senate, Michele Newby, Judy Morgan, Chere Chaney, Derecka Purnell, Kansas City; and Taylor Dukes, Columbia.

Senator Goodman introduced to the Senate, Caitlin and Rhiannon Morrow, Bolivar; and Caitlin and Rhiannon were made honorary pages.

Senator Brown introduced to the Senate, his grandchildren, Tristin, Brody and Kennedy Brown, Maya and Rio Sherrill; and Amanda Smith, Rolla.

On behalf of Senator Schmitt, the President introduced to the Senate, Ann Mangelsdorf, and Kate Hettiger, Webster Groves; and Julie Backer, Kirkwood.

On behalf of Senator Pearce, the President introduced to the Senate, Baillie James, Warrensburg; and Issac Robinson, St. Louis County.

Senator Lembke introduced to the Senate, Lt. Col. Randy Fuller, Lt. Col. David Miller and Cadet 2nd Lt. Stephen Couture, representatives of the Civil Air Patrol.

Senator Cunningham introduced to the Senate, Bryan Britt and one hundred thirty eighth grade students from Parkway Central Middle School, St. Louis County.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

FORTY-THIRD DAY—WEDNESDAY, MARCH 30, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HCS for HB 83	HB 229-Curls and Leara
HB 109-Wells, et al	HB 282-Franz
HB 137-Thomson, et al	HCS for HB 315
HB 142-Gatschenberger	HB 358-Leara and Colona
HB 149-Day, et al	HB 360-Leara
HB 151-Kelly (24) and Mollendorp	HCS for HB 459
HB 153-Black, et al	HCS for HB 465
HB 171-Ruzicka, et al	HB 127-Barnes
HB 184-Dugger	HJR 6-Cierpiot, et al
HB 186-Entlicher, et al	HJR 29-Solon, et al
HB 189-Ruzicka	HCS for HB 213
HB 190-Ruzicka	HCS for HBs 294, 123, 125, 113, 271 & 215
HB 204-Hoskins, et al	HB 252-Cox, et al
HCS for HB 250	HB 731-Parkinson, et al
HB 217-Dugger and Entlicher	HCS for HB 431
HCS for HB 338	HCS for HB 89
HCS for HB 363	HCS for HB 29
HB 415-Richardson, et al	HB 361-Leara
HB 442-Franz	

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)

SB 282-Engler

SS#2 for SCS for SB 62-Schaaf

SS for SB 226-Engler

SENATE BILLS FOR PERFECTION

- |                                |                                                      |
|--------------------------------|------------------------------------------------------|
| 1. SB 81-Pearce, with SCS      | 17. SB 116-Justus                                    |
| 2. SB 54-Cunningham, with SCS  | 18. SB 10-Rupp                                       |
| 3. SB 200-Crowell              | 19. SB 9-Rupp                                        |
| 4. SB 72-Kraus                 | 20. SB 208-Lager                                     |
| 5. SB 36-Lembke                | 21. SB 209-Lager                                     |
| 6. SB 322-Schaefer             | 22. SJR 15-Nieves, et al                             |
| 7. SB 29-Brown, with SCS       | 23. SB 147-Schaefer                                  |
| 8. SJR 11-Munzlinger, with SCS | 24. SJR 10-Lembke and Green                          |
| 9. SB 118-Stouffer             | 25. SB 390-Schmitt, et al                            |
| 10. SB 177-Brown, with SCS     | 26. SBs 189, 217, 246, 252 & 79-Schmitt,<br>with SCS |
| 11. SB 241-Brown and Wasson    | 27. SB 231-Lager, et al                              |
| 12. SB 323-Schaefer, with SCS  | 28. SB 25-Schaaf, with SCS                           |
| 13. SB 59-Keaveny              | 29. SB 356-Munzlinger, with SCS                      |
| 14. SB 60-Keaveny, with SCS    | 30. SB 368-Stouffer, with SCS                        |
| 15. SB 70-Schaefer, with SCS   |                                                      |
| 16. SB 165-Goodman, with SCS   |                                                      |

HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS

SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 28-Brown

SB 37-Lembke, with SCS  
SB 65-Mayer, et al, with SCS & SA 2  
(pending)  
SB 120-Stouffer  
SB 130-Rupp, with SCS & SS for SCS  
(pending)  
SB 175-Munzlinger, et al, with SA 1  
(pending)  
SB 176-Munzlinger, et al

SB 202-Crowell  
SB 203-Schmitt, et al  
SB 204-Dempsey, et al  
SB 242-Cunningham, with SCS  
SB 247-Pearce, with SS (pending)  
SB 254-Stouffer, with SCS  
SB 278-Munzlinger, et al  
SB 280-Purgason, et al, with SCS

### HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS & SA 1  
(pending) (Pearce)

### CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

### RESOLUTIONS

Reported from Committee

SR 179-Purgason

SCR 8-Rupp

To be Referred

SCR 12-Schaaf

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FORTY-THIRD DAY—WEDNESDAY, MARCH 30, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“...but those who listen to me will be secure and will live at ease, without dread of disaster.” (Proverbs 1:33)

Loving God, help us this day to hear Your word, understand its wisdom, obey Your directions and rest secure in Your grace. Help us not to confuse our search for courage, love and wisdom with fame, fortune and status, but help us to embrace what we have, Your teachings, guidance and counseling. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.



President Pro Tem Mayer requested unanimous consent of the Senate to allow members of the Missouri Sheriffs' Association to enter the Chamber with side arms, which request was granted.

### **REFERRALS**

President Pro Tem Mayer referred **SCR 12** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **RESOLUTIONS**

Senator Wasson offered Senate Resolution No. 657, regarding the death of Kevin Lynn Rudolph, which was adopted.

Senator Wright-Jones offered the following resolution:

#### **SENATE RESOLUTION NO. 658**

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June 2011, the American Legion Auxiliary, Department of Missouri, is conducting the annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the Senate Chamber at our State Capitol where participants could gather to gain a more realistic insight into official governmental and electoral proceedings:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-sixth General Assembly, hereby grant the adult leaders and participants of Missouri Girls State permission to use the Senate Chamber for the purpose of swearing in mock legislative officials and conducting a mock legislative session from 9:00 am to 12:30 pm on June 22, 2011.

Senator Wright-Jones requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 658** up for adoption, which request was granted.

On motion of Senator Wright-Jones, **SR 658** was adopted.

Senator Brown offered Senate Resolution No. 659, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. John Heckman, Folk, which was adopted.

Senator Brown offered Senate Resolution No. 660, regarding the death of Paul Lloyd Bell, which was adopted.

Senator Brown offered Senate Resolution No. 661, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Kurtis Lambiel, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 662, regarding Sister Twylla McKendry, Winnipeg, Province of Manitoba, Canada, which was adopted.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which were referred **SB 369** and **SB 370**, begs

leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, which was read:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 29, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you on February 1, 2011, for your advice and consent:

Jeff Schaeperkoetter, Democrat, 5014 Willowby Drive, Jefferson City, Cole County, Missouri 65109, as a member of the State Tax Commission, for a term ending January 23, 2012, and until his successor is duly appointed and qualified; vice, Jeff Schaeperkoetter, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer moved that the above appointment be returned to the Governor per his request, which motion prevailed.

### **SENATE BILLS FOR PERFECTION**

Senator Purgason moved that **SB 280**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 280**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 280**

An Act to repeal sections 32.105, 32.110, 32.115, 32.117, 32.120, 99.1205, 100.286, 100.297, 135.010, 135.025, 135.030, 135.090, 135.313, 135.326, 135.327, 135.352, 135.460, 135.481, 135.484, 135.487, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.802, 135.815, 135.825, 135.1150, 137.1018, 143.119, 144.062, 147.010, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.545, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof fifty-seven new sections relating to tax credits, with an emergency clause.

Was taken up.

Senator Purgason moved that **SCS** for **SB 280** be adopted.

Senator Purgason offered **SS** for **SCS** for **SB 280**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 280

An Act to repeal sections 32.105, 32.110, 32.115, 32.117, 32.120, 99.1205, 100.286, 100.297, 135.010, 135.025, 135.030, 135.090, 135.313, 135.326, 135.327, 135.352, 135.460, 135.481, 135.484, 135.487, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.802, 135.815, 135.825, 135.1150, 137.1018, 143.119, 144.062, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.545, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof fifty-seven new sections relating to tax incentives, with an emergency clause.

Senator Purgason moved that **SS** for **SCS** for **SB 280** be adopted.

Senator Ridgeway offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 280, Page 184, Section 620.803, Line 12, by striking the words “publish guidelines and may”; and further amend line 26, by striking the word “guidelines” and inserting in lieu thereof the following: “**applicable rules and regulations**”.

Senator Ridgeway moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

President Kinder assumed the Chair.

At the request of Senator Ridgeway, **SA 1** was withdrawn.

At the request of Senator Purgason, **SB 280**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 3**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 4**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.

Senator Dempsey announced that photographers from the Associated Press and Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

### RESOLUTIONS

Senator Wright-Jones offered Senate Resolution No. 663, regarding Betty Jean Kerr People's Health Centers, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 664, regarding the State Chapter Senior Citizens' 31st Annual "Bringing It Together" event, which was adopted.

Senator Parson offered Senate Resolution No. 665, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Means, Lincoln, which was adopted.

Senator Parson offered Senate Resolution No. 666, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ralph Benham, Stockton, which was adopted.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 5**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 6**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be

expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 7**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 8**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 9**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 10**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 11**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 12**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 13**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

#### **SENATE BILLS FOR PERFECTION**

Senator Schmitt moved that **SB 203** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schmitt offered **SS** for **SB 203**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 203**

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to tax incentives to attract sporting events to Missouri.

Senator Schmitt moved that **SS** for **SB 203** be adopted.

At the request of Senator Schmitt, **SB 203**, with **SS** (pending), was placed on the Informal Calendar.

Senator Mayer moved that **SB 65**, with **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 2** was again taken up.

At the request of Senator Justus, the above amendment was withdrawn.

Senator Mayer offered **SS** for **SCS** for **SB 65**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 65**

An Act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

Senator Mayer moved that **SS** for **SCS** for **SB 65** be adopted, which motion prevailed.

On motion of Senator Mayer, **SS** for **SCS** for **SB 65** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 242**, with **SCS**, be called from the Informal Calendar and taken



up for perfection, which motion prevailed.

**SCS** for **SB 242**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 242

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to school enrollment.

Was taken up.

Senator Cunningham offered **SS** for **SCS** for **SB 242**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 242

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to school enrollment.

Senator Cunningham moved that **SS** for **SCS** for **SB 242** be adopted.

Senator Ridgeway assumed the Chair.

At the request of Senator Cunningham, **SB 242**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

### REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 65**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### REFERRALS

President Pro Tem Mayer referred **SS** for **SCS** for **SB 65** to the Committee on Ways and Means and Fiscal Oversight.

### RESOLUTIONS

Senator Rupp offered Senate Resolution No. 667, regarding Geneva Dawson, Moscow Mills, which was adopted.

Senator Rupp offered Senate Resolution No. 668, regarding Janet McGlaughlin, Troy, which was adopted.

### INTRODUCTIONS OF GUESTS

Senator Lager introduced to the Senate, Coach David Fairchild and members of the Penney High School Hornets football team, Hamilton.

Senator Parson introduced to the Senate, members of the Sheriffs' Association from around the state.

On behalf of Senators Keaveny, Cunningham, Schmitt and herself, Senator Chappelle-Nadal introduced to the Senate, representatives of St. Louis Community Colleges: President Marcia Pfeffer, Craig Larson and Laura Stevens, Florissant Valley Campus; President Dr. Cindy Hess, Vice Chancellor Carla Chance, Christy Hart and students Ashlee Holmes and Jonathan Edwards, Forest Park Campus; President Pam McIntyre, Vice President Patrick Vaughn and Ellen Gough, Wildwood Campus; and President George Wasson, Vice President Lin Crawford, Kevin Metzler and student Edward Ellersman, Meramec Campus.

Senator Rupp introduced to the Senate, Robin Carnett, O'Fallon; and Janet Dobson and Julie Uglow, St. Charles County.

On behalf of Senator Pearce, the President introduced to the Senate, the Physician of the Day, Dr. Curtis Long, M.D., Butler.

On behalf of Senator Pearce, the President introduced to the Senate, Donni Kuck, MSW, LCSW, Adriatik Likcani, Ph.D Cand. LMFT, CRAADC, and Esther Gear, representatives of Missouri Recovery Network.

Senator Stouffer introduced to the Senate, the Missouri Trucking Association 2010 Drivers of the Month.

Senator Mayer introduced to the Senate, Steve Halter, Sheila Calvert, Carrie Whitely, Tabitha Thomas, Penny McGath, Sharon Kissinger, Michelle Witts, Faye McCleroy, Stephanie Clark, Pat Nobles, Anita Freeman, Regina Morris, Deb Halter, Randy Ferrell, Mike Morton, Jane Baron, Melody Melloy and Mark Melloy, Poplar Bluff Chamber of Commerce Leadership Group.

Senator Brown introduced to the Senate, students from CSTAR, Rolla.

On behalf of Senator Dempsey and himself, Senator Mayer introduced to the Senate, representatives of 40 Days for Life from around the state.

Senator Dixon introduced to the Senate, John Twitty, Springfield.

Senator Engler introduced to the Senate, Pastor King and students from St. Paul Lutheran School, Farmington.

Senator Goodman introduced to the Senate, Larry Moennig and Kevin Jones, Pierce City; and Ann Hall and Randy Henderson, Purdy.

Senator Mayer introduced to the Senate, President Dr. Devin Stephenson, Emily Clark-Parks, Judy Stephenson, Wilbur Thornton, Steve Boyers, Patty Boyers, Doug Lilla, Megan Keathley, Teresa Johnson, Kathy Richardson, Chris Adams, Cassie Walters, Will Doherty, Aaron Smothers, Kayleigh Evans, Eddy Justice and Jeff Shawan, Three Rivers Community College, Poplar Bluff.

Senator Schaefer introduced to the Senate, representatives of Randolph County EXCEL Leadership Group.

Senator Ridgeway introduced to the Senate, Rebecca Taylor and Roxi Griffin, Kansas City.

Senator Brown introduced to the Senate, Ami, Dustin, Anica and Wyatt Wilson, Edgar Springs.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

FORTY-FOURTH DAY—THURSDAY, MARCH 31, 2011

## FORMAL CALENDAR

## HOUSE BILLS ON SECOND READING

HCS for HB 83	HCS for HB 465
HB 109-Wells, et al	HB 127-Barnes
HB 137-Thomson, et al	HJR 6-Cierpiot, et al
HB 142-Gatschenberger	HJR 29-Solon, et al
HB 149-Day, et al	HCS for HB 213
HB 151-Kelly (24) and Mollendorp	HCS for HBs 294, 123, 125, 113, 271 & 215
HB 153-Black, et al	HB 252-Cox, et al
HB 171-Ruzicka, et al	HB 731-Parkinson, et al
HB 184-Dugger	HCS for HB 431
HB 186-Entlicher, et al	HCS for HB 89
HB 189-Ruzicka	HCS for HB 29
HB 190-Ruzicka	HB 361-Leara
HB 204-Hoskins, et al	HCS for HB 1
HCS for HB 250	HCS for HB 2
HB 217-Dugger and Entlicher	HCS for HB 3
HCS for HB 338	HCS for HB 4
HCS for HB 363	HCS for HB 5
HB 415-Richardson, et al	HCS for HB 6
HB 442-Franz	HCS for HB 7
HB 229-Curls and Leara	HCS for HB 8
HB 282-Franz	HCS for HB 9
HCS for HB 315	HCS for HB 10
HB 358-Leara and Colona	HCS for HB 11
HB 360-Leara	HCS for HB 12
HCS for HB 459	HCS for HB 13

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SS for SB 226-Engler
SS#2 for SCS for SB 62-Schaaf	SS for SCS for SB 65-Mayer (In Fiscal Oversight)
SB 282-Engler	

SENATE BILLS FOR PERFECTION

- |                                |                                                      |
|--------------------------------|------------------------------------------------------|
| 1. SB 81-Pearce, with SCS      | 17. SB 116-Justus                                    |
| 2. SB 54-Cunningham, with SCS  | 18. SB 10-Rupp                                       |
| 3. SB 200-Crowell              | 19. SB 9-Rupp                                        |
| 4. SB 72-Kraus                 | 20. SB 208-Lager                                     |
| 5. SB 36-Lembke                | 21. SB 209-Lager                                     |
| 6. SB 322-Schaefer             | 22. SJR 15-Nieves, et al                             |
| 7. SB 29-Brown, with SCS       | 23. SB 147-Schaefer                                  |
| 8. SJR 11-Munzlinger, with SCS | 24. SJR 10-Lembke and Green                          |
| 9. SB 118-Stouffer             | 25. SB 390-Schmitt, et al                            |
| 10. SB 177-Brown, with SCS     | 26. SBs 189, 217, 246, 252 & 79-Schmitt,<br>with SCS |
| 11. SB 241-Brown and Wasson    | 27. SB 231-Lager, et al                              |
| 12. SB 323-Schaefer, with SCS  | 28. SB 25-Schaaf, with SCS                           |
| 13. SB 59-Keaveny              | 29. SB 356-Munzlinger, with SCS                      |
| 14. SB 60-Keaveny, with SCS    | 30. SB 368-Stouffer, with SCS                        |
| 15. SB 70-Schaefer, with SCS   | 31. SBs 369 & 370-Cunningham, with SCS               |
| 16. SB 165-Goodman, with SCS   |                                                      |

HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SENATE BILLS FOR PERFECTION

- |                                                    |                                                            |
|----------------------------------------------------|------------------------------------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 176-Munzlinger, et al                                   |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 202-Crowell                                             |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SB 203-Schmitt, et al, with SS (pending)                   |
| SB 28-Brown                                        | SB 204-Dempsey, et al                                      |
| SB 37-Lembke, with SCS                             | SB 242-Cunningham, with SCS & SS for SCS<br>(pending)      |
| SB 120-Stouffer                                    | SB 247-Pearce, with SS (pending)                           |
| SB 130-Rupp, with SCS & SS for SCS<br>(pending)    | SB 254-Stouffer, with SCS                                  |
| SB 175-Munzlinger, et al, with SA 1<br>(pending)   | SB 278-Munzlinger, et al                                   |
|                                                    | SB 280-Purgason, et al, with SCS & SS<br>for SCS (pending) |

## HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

## CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS  
SB 97-Engler

SB 96-Engler

## RESOLUTIONS

Reported from Committee

SR 179-Purgason

SCR 8-Rupp

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**FORTY-FOURTH DAY—THURSDAY, MARCH 31, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“I love the Lord, because he has heard my voice of my supplications, because he has inclined his ear to me whenever I call upon him.”  
(Psalm 116:1)

Almighty God, we thank You daily for we call upon You and You hear our voice and listen to our prayers. We thank You for Your blessing us with Your guidance and presence. We thank You for those You have given us to love and teaching us to love others You have placed in our lives. We ask You to watch over us this day in the work we complete here and in our traveling to be with loved ones. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

## RESOLUTIONS

Senator Parson offered Senate Resolution No. 669, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Kreisler, Clinton, which was adopted.

Senator Parson offered Senate Resolution No. 670, regarding the One Hundredth Birthday of Leona P. Moore, Sedalia, which was adopted.

Senator Green offered Senate Resolution No. 671, regarding Diane Dowdy, North Saint Louis County, which was adopted.

Senator Lembke offered Senate Resolution No. 672, regarding James W. Bodenstein, Saint Louis, which was adopted.

## CONCURRENT RESOLUTIONS

Senator Lembke offered the following concurrent resolution:

### SENATE CONCURRENT RESOLUTION NO. 13

WHEREAS, the United States Environmental Protection Agency (EPA) has proposed or is proposing numerous new regulations, particularly in the area of air quality and regulation of greenhouse gases, that are likely to have major effects on the economy, jobs, and the competitiveness of the United States in worldwide markets; and

WHEREAS, EPA's regulatory activity as to air quality and greenhouse gases has numerous and overlapping requirements and may have a potentially devastating consequence on the economy; and

WHEREAS, concern is growing that, with Cap-and-Trade legislation having failed in the United States Congress, the EPA is attempting to obtain the same results through the adoption of regulations; and

WHEREAS, EPA over-regulation is driving jobs and industry out of the United States; and

WHEREAS, neither the EPA nor the Administration has undertaken any comprehensive study of the cumulative effect that the new regulatory activity will have on the economy, jobs, and competitiveness; and

WHEREAS, the EPA has not performed any comprehensive study of what the environmental benefits of its greenhouse gas regulation will be in terms of impacts on global climate; and

WHEREAS, state agencies are routinely required to identify the costs of their regulations and to justify those costs in light of the benefits; and

WHEREAS, since the EPA has identified "taking action on climate change and improving air quality" as its first strategic goal for the 2011-15 time period, the EPA should be required to identify the specific actions it intends to take to achieve these goals and to assess the total cost of all these actions together; and

WHEREAS, the Missouri General Assembly supports continuing improvements in the quality of the nation's air and believes that such improvements can be made in a sensible fashion without damaging the economy so long as there is a full understanding of the cost of the regulation at issue; and

WHEREAS, the primary goal of government at the present time must be to promote economic recovery and to foster a stable and predictable business environment that will lead to the creation of jobs; and

WHEREAS, public health and welfare will suffer without significant new job creation and economic improvement, because people with good jobs are better able to take care of themselves and their families than the unemployed and environmental improvement is only possible in a society that generates wealth:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to:

(1) Adopt legislation prohibiting the EPA, by any means necessary, from regulating greenhouse gas emissions, including defunding EPA greenhouse gas regulatory activities, if necessary;

(2) Impose a moratorium on promulgation of any new air quality regulation by the EPA, by any means necessary, except to directly address an imminent health or environmental emergency, for a period of at least two years, including defunding EPA air quality regulatory

activities; and

(3) Require the Administration to undertake a study identifying all regulatory activity the EPA intends to undertake in furtherance of its goal of “taking action on climate change and improving air quality” and specifying the cumulative effect of all of these regulations on the economy, jobs, and the economic competitiveness of the United States. The study should be a multi-agency study drawing on the expertise both of EPA and of agencies and departments having expertise in and responsibility for the economy and the electric system and should provide an objective cost-benefit analysis of all the EPA’s current and planned regulation together; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States; the Majority and Minority Leaders of the United States House of Representatives and Senate; Lisa P. Jackson, the Administrator of the Environmental Protection Agency; and each member of the Missouri congressional delegation.

### THIRD READING OF SENATE BILLS

**SS No. 2 for SCS for SB 62**, introduced by Senator Schaaf, entitled:

#### SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 62

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

Was taken up.

On motion of Senator Schaaf, **SS No. 2 for SCS for SB 62** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

#### NAYS—Senators

Chappelle-Nadal	Kraus	Nieves—3
-----------------	-------	----------

Absent—Senator Crowell—1

Absent with leave—Senator Wright-Jones—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 282**, introduced by Senator Engler, entitled:

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof one new section relating to dates of conducting elections.



Was taken up.

On motion of Senator Engler, **SB 282** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Green
Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

NAYS—Senators

Curls	Goodman	Justus—3
-------	---------	----------

Absent—Senator Crowell—1

Absent with leave—Senator Wright-Jones—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SB 226**, introduced by Senator Engler, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 226

An Act to repeal sections 190.035 and 190.040, RSMo, and to enact in lieu thereof three new sections relating to ambulance districts.

Was taken up.

On motion of Senator Engler, **SS** for **SB 226** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wright-Jones—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 57**, with **SCS**, introduced by Senator Callahan, entitled:

An Act to repeal section 475.115, RSMo, and to enact in lieu thereof one new section relating to public administrators.

Was called from the Consent Calendar and taken up.

**SCS** for **SB 57**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 57

An Act to repeal section 475.115, RSMo, and to enact in lieu thereof one new section relating to public administrators.

Was taken up.

Senator Callahan moved that **SCS** for **SB 57** be adopted, which motion prevailed.

On motion of Senator Callahan, **SCS** for **SB 57** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Wright-Jones—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Callahan, title to the bill was agreed to.

Senator Callahan moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 97**, introduced by Senator Engler, entitled:

An Act to authorize the conveyance of state property owned by the state to the City of Farmington.

Was called from the Consent Calendar and taken up.

On motion of Senator Engler, **SB 97** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Curls	Justus	Rupp	Wasson—4
-------	--------	------	----------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 96**, introduced by Senator Engler, entitled:

An Act to authorize the conveyance of state properties in St. Francois County.

Was called from the Consent Calendar and taken up.

On motion of Senator Engler, **SB 96** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 351**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 90**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 122**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 100**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 117**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which were referred **SB 26** and **SB 106**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which were referred **SB 394** and **SB 331**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was

referred **SB 366**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 237**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 213**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 420**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 286**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 268**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 228**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which were referred **SB 291**, **SB 184** and **SB 294**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following report:

Mr. President: Your Committee on Governmental Accountability, to which were referred **SB 88** and **SB 82**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 299**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Barbara Brown-Johnson and Derek Conard, as members of the Child Abuse and Neglect Review Board;

Also,

Joan M. Burger, Democrat, as a member and Chair of the St. Louis City Board of Election Commissioners;

Also,

Harry Ratliff and Peter Nicastro, as members of the Organ Donation Advisory Committee;

Also,

Stephen Cox and Gregory Wheelen, as members of the Peace Officer Standards and Training Commission;

Also,

Leslie Gertsch, Independent, as a member of the Land Reclamation Commission;

Also,

Fareesa Khan, Democrat, as a member of the State Board of Registration for the Healing Arts;

Also,

John Albright, Republican, as a member of the Missouri Community Service Commission.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 434**, entitled:

An Act to repeal sections 287.120 and 287.800, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 475**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto three new sections relating to disclosure of health care data, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 423**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the health care compact.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 38**, entitled:

An Act to amend chapter 221, RSMo, by adding thereto one new section relating to jailors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 68**, entitled:

An Act to repeal section 190.308, RSMo, and to enact in lieu thereof one new section relating to misuse of emergency telephone service, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 98**, entitled:

An Act to repeal sections 260.262, 260.380, and 260.475, RSMo, and to enact in lieu thereof three new sections relating to environmental control, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 118**, entitled:

An Act to repeal sections 455.038 and 455.040, RSMo, and to enact in lieu thereof two new sections relating to orders of protection.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 183**, entitled:

An Act to repeal sections 86.900, 86.1030, 86.1100, 86.1110, 86.1120, 86.1140, 86.1150, 86.1230, 86.1240, 86.1250, 86.1310, 86.1420, 86.1480, 86.1490, 86.1500, 86.1510, 86.1540, 86.1560, 86.1600, 86.1610, and 86.1620, RSMo, and to enact in lieu thereof twenty-one new sections relating to police and civilian employees' retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 187** and **54**, entitled:

An Act to repeal section 115.241, RSMo, relating to political party emblems on ballots.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 263**, entitled:

An Act to repeal section 70.660, RSMo, and to enact in lieu thereof one new section relating to the Missouri local government employees' retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 287**, entitled:

An Act to repeal section 197.705, RSMo, and to enact in lieu thereof one new section relating to health care professional identification badges.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.



Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 340**, entitled:

An Act to repeal section 49.310, RSMo, and to enact in lieu thereof one new section relating to the erection and maintenance of jails, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **HOUSE BILLS ON SECOND READING**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**HCS for HB 83**—Financial and Governmental Organizations and Elections.

**HB 109**—Financial and Governmental Organizations and Elections.

**HB 137**—Governmental Accountability.

**HB 142**—Jobs, Economic Development and Local Government.

**HB 149**—Financial and Governmental Organizations and Elections.

**HB 151**—Ways and Means and Fiscal Oversight.

**HB 153**—Transportation.

**HB 171**—Financial and Governmental Organizations and Elections.

**HB 184**—Jobs, Economic Development and Local Government.

**HB 186**—Jobs, Economic Development and Local Government.

**HB 189**—Judiciary and Civil and Criminal Jurisprudence.

**HB 190**—Agriculture, Food Production and Outdoor Resources.

**HB 204**—Transportation.

**HCS for HB 250**—Agriculture, Food Production and Outdoor Resources.

**HB 217**—Financial and Governmental Organizations and Elections.

**HCS for HB 338**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HB 363**—Transportation.

**HB 415**—Transportation.

**HB 442**—General Laws.

**HB 229**—Education.

**HB 282**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**HCS for HB 315**—General Laws.

**HB 358**—Jobs, Economic Development and Local Government.

**HB 360**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**HCS for HB 459**—Transportation.

**HCS for HB 465**—Financial and Governmental Organizations and Elections.

**HB 127**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**HJR 6**—General Laws.

**HJR 29**—Ways and Means and Fiscal Oversight.

**HCS for HB 213**—General Laws.

**HCS for HBs 294, 123, 125, 113, 271 and 215**—General Laws.

**HB 252**—Judiciary and Civil and Criminal Jurisprudence.

**HB 731**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 431**—Health, Mental Health, Seniors and Families.

**HCS for HB 89**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HB 29**—Health, Mental Health, Seniors and Families.

**HB 361**—General Laws.

**HCS for HB 1**—Appropriations.

**HCS for HB 2**—Appropriations.

**HCS for HB 3**—Appropriations.

**HCS for HB 4**—Appropriations.

**HCS for HB 5**—Appropriations.

**HCS for HB 6**—Appropriations.

**HCS for HB 7**—Appropriations.

**HCS for HB 8**—Appropriations.

**HCS for HB 9**—Appropriations.

**HCS for HB 10**—Appropriations.

**HCS for HB 11**—Appropriations.

**HCS for HB 12**—Appropriations.

**HCS for HB 13**—Appropriations.

### **INTRODUCTIONS OF GUESTS**

On behalf of Senator Pearce, the President introduced to the Senate, the Physician of the Day, Dr. Bill Turner, M.D. and Marie Wessley McCullough, Nevada.

Senator Stouffer introduced to the Senate, members of Farm Bureau Youth Leadership, Fayette.

Senator Stouffer introduced to the Senate, Jamie Wilson and members of Macon Farm Bureau Youth Leadership: Loryssa Biegel, Joseph Lolli, Dalton Green and Matt Gladbach.

Senator Stouffer introduced to the Senate, Colton Jacobs, Kelli Reichert, Allen Fletcher, Paige McHugh and Zach Lester, members of Chariton County Farm Bureau Youth Leadership.

Senator Kehoe introduced to the Senate, Dan Cassidy, Hadley Linnenbringer and members of North Callaway County Farm Bureau Youth Leadership: Alyssa Cassidy, Cody Jones, Ariana Alton and Kurt Linnenbringer.

Senator Kehoe introduced to the Senate, Jeremy Krouk.

Senator Engler introduced to the Senate, Tracy Sample, Farmington.

Senator Lager introduced to the Senate, members of Farm Bureau Youth Leadership, Grundy and Sullivan Counties.

Senator Dixon introduced to the Senate, twenty-five fourth grade students from Greenwood Laboratory School, Springfield.

Senator Brown introduced to the Senate, Chris Brundick and members of Maries County Farm Bureau Youth Leadership: Elizabeth Brundick, Kellie Tappel, Hallie Fanning, Audrey Helton and Aleah Pardoe.

Senator Kehoe introduced to the Senate, Sandi Knipp, Joanne Blankenship, Holly Eschenbrenner and members of Moniteau County Farm Bureau Youth Leadership: Seth Rohrbach, William English, Bailey Glenn, Becca Knipp and Zoe Huhmann.

Senator Purgason introduced to the Senate, Scott Long and members of Texas County Farm Bureau Youth Leadership: Kayla Cox, Tara Raysdale and Josh Luerseen.

Senator Purgason introduced to the Senate, Chris Sinning and members of Wright County Farm Bureau Youth Leadership: Shianne Russell, Teresa Wilkerson, Keeland Nix, Bethany Pridemore, Shawn Smart, Jered Pounds and Stephanie Robertson.

Senator Dempsey introduced to the Senate, Jim Radi, St. Peters.

Senator Wasson introduced to the Senate, David Emerson and members of Douglas County Farm Bureau Youth Leadership: Taylor McDonald, James Elijah and Colton Hall.

Senator Wasson introduced to the Senate, Brenda Leap, Gary Don Letterman and members of Webster County Farm Bureau Youth Leadership: Christian Sanchez, Mark Sams, Sean McCowan and Cory Collier.

Senator Lager introduced to the Senate, members of Farm Bureau Youth Leadership, Daviess and Harrison Counties.

On behalf of Senator Pearce, the President introduced to the Senate, Patrick Anderson, Mike Moreland and members of Cass County Farm Bureau Youth Leadership: Luke Bartholomew, Nathan Warner, Dusty Bennett, Erin Dunnagan and Breanna Newhouse.

Senator Schmitt introduced to the Senate, Dr. Adam Shariff, Ballwin; and Adbul Aden, St. Louis City.

Senator Munzlinger introduced to the Senate, Chris Chinn and members of the Shelby County Farm Bureau Youth Leadership: Nick Werr, Madelin Neill, Adam Smoot and Rhian Beldon.

Senator Munzlinger introduced to the Senate, Brody James and Leon James, members of Farm Bureau Youth Leadership, Knox County.

Senator Munzlinger introduced to the Senate, Joy Boling, Michael Boling, Kelsey Clark and Dustin Dandridge, members of Farm Bureau Youth Leadership, Ralls County.

Senator Munzlinger introduced to the Senate, Megan Morgan, Ashley Kendrick and members of Monroe County Farm Bureau Youth Leadership: Cody Dawson, Meaghan Dye and Heather DeOrnellis.

Senator Munzlinger introduced to the Senate, Michele Koelling, Barb Wilson, Janis Deimeke and members of Audrain County Farm Bureau Youth Leadership: Justin Gastler, Daniel Ahrens, Caroline Schafer, Josh Sims, Lui Dungan and Ashley Foreman.

Senator Wasson introduced to the Senate, Tammy Lowery and members of Greene County Farm Bureau Youth Leadership: Taylor Iosefa, Paige Lafferty, Karra Williams, Jaena Jensen, Rebecca Pummill and Savannah Cook.

Senator Goodman introduced to the Senate, Eleesa Gaedden, Mt. Vernon; Hannah Chute and Boyd Arthur, Miller; Rachel Welters, Verona; and Jake Horner, Pierce City.

Senator Engler introduced to the Senate, Tony Harbison, Don Barzowski and members of Iron County Farm Bureau Youth Leadership.

Senator Wright-Jones introduced to the Senate, Lee Fetter, Rick Majzun, Becky Hadfield, Barbara Miller, Sam Vance, Kel Ward and representatives of St. Louis Children's Hospital Advocacy Day.

Senator Lager introduced to the Senate, members of Farm Bureau Youth Leadership, Linn County.

Senator Parson introduced to the Senate, members of Farm Bureau Youth Leadership, Henry County.

Senator Kehoe introduced to the Senate, Gene and Janice Martin and members of Miller County Farm Bureau Youth Leadership: Amanda Lumpkin, Cori Haley, Cole Lawson and Cole Wyrick.

Senator Kehoe introduced to the Senate, Dwayne Schad, Brian Lehman and members of Morgan County Farm Bureau Youth Leadership: Bethany Gerlt, Grace Waller, Evan Reinert, Kelly Marriott, Morgan Marriott and Dakota Kroeschen.

Senator Dempsey introduced to the Senate, Mary Detjen, Jill Likens, parents and fourth grade students from St. Cletus Elementary School, St. Charles.

Senator Crowell introduced to the Senate, fourth grade students from Cape Christian Elementary School, Cape Girardeau.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, April 4, 2011.

## SENATE CALENDAR

FORTY-FIFTH DAY—MONDAY, APRIL 4, 2011

## FORMAL CALENDAR

## HOUSE BILLS ON SECOND READING

HB 434-Nolte  
HCS for HB 475  
HB 423-Burlison, et al  
HCS for HB 38  
HB 68-Scharnhorst  
HB 98-Ruzicka

HB 118-Peters-Baker  
HB 183-Silvey  
HCS for HBs 187 & 54  
HB 263-Weter  
HCS for HB 287  
HB 340-Klippenstein, et al

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)

SS for SCS for SB 65-Mayer (In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 81-Pearce, with SCS  
2. SB 54-Cunningham, with SCS  
3. SB 200-Crowell  
4. SB 72-Kraus  
5. SB 36-Lembke  
6. SB 322-Schaefer  
7. SB 29-Brown, with SCS  
8. SJR 11-Munzlinger, with SCS  
9. SB 118-Stouffer  
10. SB 177-Brown, with SCS  
11. SB 241-Brown and Wasson  
12. SB 323-Schaefer, with SCS  
13. SB 59-Keaveny  
14. SB 60-Keaveny, with SCS  
15. SB 70-Schaefer, with SCS  
16. SB 165-Goodman, with SCS

17. SB 116-Justus  
18. SB 10-Rupp  
19. SB 9-Rupp  
20. SB 208-Lager  
21. SB 209-Lager  
22. SJR 15-Nieves, et al  
23. SB 147-Schaefer  
24. SJR 10-Lembke and Green  
25. SB 390-Schmitt, et al  
26. SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS  
27. SB 231-Lager, et al  
28. SB 25-Schaaf, with SCS  
29. SB 356-Munzlinger, with SCS  
30. SB 368-Stouffer, with SCS  
31. SBs 369 & 370-Cunningham, with SCS

- |                                     |                                         |
|-------------------------------------|-----------------------------------------|
| 32. SB 351-Lamping, with SCS        | 41. SB 213-Schaefer, with SCS           |
| 33. SB 90-Dempsey                   | 42. SB 420-Mayer, with SCS              |
| 34. SB 122-Schaaf, with SCS         | 43. SB 286-McKenna                      |
| 35. SB 100-Stouffer, with SCS       | 44. SB 268-Stouffer                     |
| 36. SB 117-Engler, with SCS         | 45. SB 228-Pearce                       |
| 37. SBs 26 & 106-Wasson, with SCS   | 46. SBs 291, 184 & 294-Pearce, with SCS |
| 38. SBs 394 & 331-Goodman, with SCS | 47. SBs 88 & 82-Schaaf, with SCS        |
| 39. SB 366-Goodman, with SCS        | 48. SB 299-Munzlinger, with SCS         |
| 40. SB 237-Schaefer                 |                                         |

#### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

#### SENATE BILLS FOR PERFECTION

- |                                                    |                                                            |
|----------------------------------------------------|------------------------------------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 176-Munzlinger, et al                                   |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 202-Crowell                                             |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SB 203-Schmitt, et al, with SS (pending)                   |
| SB 28-Brown                                        | SB 204-Dempsey, et al                                      |
| SB 37-Lembke, with SCS                             | SB 242-Cunningham, with SCS & SS for SCS<br>(pending)      |
| SB 120-Stouffer                                    | SB 247-Pearce, with SS (pending)                           |
| SB 130-Rupp, with SCS & SS for SCS<br>(pending)    | SB 254-Stouffer, with SCS                                  |
| SB 175-Munzlinger, et al, with SA 1<br>(pending)   | SB 278-Munzlinger, et al                                   |
|                                                    | SB 280-Purgason, et al, with SCS & SS for SCS<br>(pending) |

#### HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS & SA 1  
(pending) (Pearce)

## RESOLUTIONS

## Reported from Committee

SR 179-Purgason

SCR 8-Rupp

## To be Referred

SCR 13-Lembke

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FORTY-FIFTH DAY—MONDAY, APRIL 4, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Walk in wisdom towards them that are without...Let your speech be always with grace.” (Colossians 4:5-6)

Gracious God, help us this week to be those “who walk in wisdom”. Help us that we might use our intelligence wisely in all the circumstances we find ourselves. May our daily behavior express warm hearts, kindly voices and an open hand for those in need about us. And let us be Your servants in all we do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 31, 2011 was read and approved.

Senator Dempsey announced that photographers from KOMU-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.



Senator Goodman requested unanimous consent of the Senate to correct the report made by the Committee on the Judiciary and Civil and Criminal Jurisprudence on March 31, 2011, by submitting the correct senate committee substitute for **SBs 394** and **331**, which request was granted.

### **RESOLUTIONS**

Senator Munzlinger offered Senate Resolution No. 673, regarding Betty Kristofferson, Vandalia, which was adopted.

Senator Munzlinger offered Senate Resolution No. 674, regarding Randall Kristofferson, Vandalia, which was adopted.

Senator Munzlinger offered Senate Resolution No. 675, regarding Richard Porter, which was adopted.

Senator Munzlinger offered Senate Resolution No. 676, regarding Rhonda Remley, Laddonia, which was adopted.

Senator Wasson offered Senate Resolution No. 677, regarding the Christian County Emergency Services/Emergency 911/Communications Center, Ozark, which was adopted.

Senator Rupp offered Senate Resolution No. 678, regarding Jordan Paul Hespen, Defiance, which was adopted.

Senator Stouffer offered Senate Resolution No. 679, regarding the One Hundred Second Birthday of Irene Balke, Concordia, which was adopted.

Senator Schmitt offered Senate Resolution No. 680, regarding the One Hundredth Anniversary of the Eagle Bank and Trust Company of Missouri, which was adopted.

Senator Schmitt offered Senate Resolution No. 681, regarding Conor Gerard Schilling, Marlborough, which was adopted.

Senator Richard offered Senate Resolution No. 682, regarding the One Hundred First Birthday of Emilia Cramsey, Sarcxie, which was adopted.

Senator Mayer offered Senate Resolution No. 683, regarding Phillip Britt, 35th Circuit Treatment Court Commissioner, which was adopted.

Senator Schaefer offered Senate Resolution No. 684, regarding Timothy Robertson, Columbia, which was adopted.

Senator Crowell offered Senate Resolution No. 685, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Kermit Meystedt, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 686, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Eldon Boswell, Scott City, which was adopted.

Senator Crowell offered Senate Resolution No. 687, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Albert Enderle, Oran, which was adopted.

Senator Rupp offered Senate Resolution No. 688, regarding Theodore Adam Campbell, St. Peters, which was adopted.

Senator Engler offered Senate Resolution No. 689, regarding Pat Jones, Williamsburg, which was adopted.

Senator Engler offered Senate Resolution No. 690, regarding Lisa G. Hubbard, which was adopted.

Senator Engler offered Senate Resolution No. 691, regarding Dr. Connie S. Waters, Farmington, which was adopted.

Senator Engler offered Senate Resolution No. 692, regarding Michael Yount, which was adopted.

### **SENATE BILLS FOR PERFECTION**

Senator Pearce moved that **SB 81**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 81**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 81**

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to fine arts education.

Was taken up.

Senator Pearce moved that **SCS** for **SB 81** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 81** was declared perfected and ordered printed.

Senator Lager assumed the Chair.

Senator Cunningham moved that **SB 54**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 54**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 54**

An Act to repeal sections 37.710, 160.261, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037, RSMo, and to enact in lieu thereof sixteen new sections relating to protecting children from sexual offenders, with penalty provisions.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 54** be adopted.

Senator McKenna offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 54, Page 11, Section 160.262, Line 35, by inserting immediately after said line the following:

**“160.2100. 1. Sections 160.2100 and 160.2110 shall be known and may be cited as “Erin's Law”.**

**2. The “Task Force on the Prevention of Sexual Abuse of Children” is hereby created to study the issue of sexual abuse of children until January 1, 2013. The task force shall consist of all of the following members:**

- (1) One member of the general assembly appointed by the president pro tem of the senate;**
- (2) One member of the general assembly appointed by the minority floor leader of the senate;**
- (3) One member of the general assembly appointed by the speaker of the house of**

**representatives;**

**(4) One member of the general assembly appointed by the minority leader of the house of representatives;**

**(5) The director of the department of social services or his or her designee;**

**(6) The commissioner of education or his or her designee;**

**(7) The director of the department of health and senior services or his or her designee;**

**(8) The director of the office of prosecution services or his or her designee;**

**(9) A representative representing law enforcement appointed by the governor;**

**(10) Three active teachers employed in Missouri appointed by the governor;**

**(11) A representative of an organization involved in forensic investigation relating to child abuse in this state appointed by the governor;**

**(12) A school superintendent appointed by the governor;**

**(13) A representative of the state domestic violence coalition appointed by the governor;**

**(14) A representative from the juvenile and family court appointed by the governor;**

**(15) A representative from Missouri Network of Child Advocacy Centers appointed by the governor;**

**(16) An at-large member appointed by the governor.**

**3. Members of the task force shall be individuals who are actively involved in the fields of the prevention of child abuse and neglect and child welfare. The appointment of members shall reflect the geographic diversity of the state.**

**4. The task force shall elect a presiding officer by a majority vote of the membership of the task force. The task force shall meet at the call of the presiding officer.**

**5. The task force shall make recommendations for reducing child sexual abuse in Missouri. In making those recommendations, the task force shall:**

**(1) Gather information concerning child sexual abuse throughout the state;**

**(2) Receive reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations;**

**(3) Create goals for state policy that would prevent child sexual abuse; and**

**(4) Submit a final report with its recommendations to the governor, general assembly, and the state board of education by January 1, 2013.**

**6. The recommendations may include proposals for specific statutory changes and methods to foster cooperation among state agencies and between the state and local government.**

**7. The task force shall consult with employees of the department of social services, the department of public safety, department of elementary and secondary education, and any other state agency, board, commission, office, or department as necessary to accomplish the task force's responsibilities under this section.**

**8. The members of the task force shall serve without compensation and shall not be reimbursed for their expenses.**

**9. The provisions of sections 160.2100 and 160.2110 shall expire on January 1, 2013.**

**160.2110. 1. The task force on the prevention of sexual abuse of children established in section 160.2100 may adopt and implement a policy addressing sexual abuse of children that may include:**

**(1) Age-appropriate curriculum for students in pre-K through fifth grade;**

**(2) Training for school personnel on child sexual abuse;**

**(3) Educational information to parents or guardians provided in the school handbook on the warning signs of a child being abused, along with any needed assistance, referral, or resource information;**

**(4) Available counseling and resources for students affected by sexual abuse; and**

**(5) Emotional and educational support for a child of abuse to continue to be successful in school.**

**2. Any policy adopted may address without limitation:**

**(1) Methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse;**

**(2) Actions that a child who is a victim of sexual abuse could take to obtain assistance and intervention; and**

**(3) Available counseling options for students affected by sexual abuse.”; and**

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SCS for SB 54**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS for SB 54**, as amended, was declared perfected and ordered printed.

At the request of Senator Crowell, **SB 200** was placed on the Informal Calendar.

At the request of Senator Kraus, **SB 72** was placed on the Informal Calendar.

At the request of Senator Lembke, **SB 36** was placed on the Informal Calendar.

At the request of Senator Schaefer, **SB 322** was placed on the Informal Calendar.

Senator Brown moved that **SB 29**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS for SB 29**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 29**

An Act to repeal sections 338.010, 338.140, 338.150, 338.210, 338.220, and 338.240, RSMo, and to enact in lieu thereof six new sections relating to veterinary legend drugs.

Was taken up.

Senator Brown moved that **SCS** for **SB 29** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 29, Page 7, Section 338.240, Line 15, by inserting after the word “sold” the following:

**“. Except that a person or company in the business of providing supplies for animals, including veterinary legend drugs, that has been in continuous operation since January 1, 1975 shall not be subject to the provisions of this subdivision”.**

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SCS** for **SB 29**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 29**, as amended, was declared perfected and ordered printed.

At the request of Senator Munzlinger, **SJR 11**, with **SCS**, was placed on the Informal Calendar.

Senator Stouffer moved that **SB 118** be taken up for perfection, which motion prevailed.

Senator Stouffer offered **SS** for **SB 118**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 118

An Act to repeal section 198.074, RSMo, and to enact in lieu thereof one new section relating to sprinkler system requirements in long-term care facilities.

Senator Stouffer moved that **SS** for **SB 118** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SS** for **SB 118** was declared perfected and ordered printed.

Senator Brown moved that **SB 177**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 177**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 177

An Act to repeal sections 630.053, 630.095, and 630.167, RSMo, and to enact in lieu thereof three new sections relating to the department of mental health.

Was taken up.

Senator Brown moved that **SCS** for **SB 177** be adopted.

Senator Brown offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 177, Page 1, Section 630.053, Line 11, by striking “and 4” and inserting in lieu thereof the following: “, **4, and 5**”.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SCS** for **SB 177**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 177**, as amended, was declared perfected and ordered printed.

At the request of Senator Brown, **SB 241** was placed on the Informal Calendar.

At the request of Senator Schaefer, **SB 323**, with **SCS**, was placed on the Informal Calendar.

Senator Keaveny moved that **SB 59** be taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 59** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 60**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 60**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 60

An Act to repeal sections 404.710, 456.3-301, 456.8-813, 469.411, 469.437, and 469.459, RSMo, and to enact in lieu thereof six new sections relating to fiduciaries.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 60** be adopted, which motion prevailed.

On motion of Senator Keaveny, **SCS** for **SB 60** was declared perfected and ordered printed.

At the request of Senator Schaefer, **SB 70**, with **SCS**, was placed on the Informal Calendar.

Senator Goodman moved that **SB 165**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 165**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 165

An Act to repeal sections 477.650 and 488.031, RSMo, and to enact in lieu thereof two new sections relating to the basic civil legal services fund.

Was taken up.

Senator Goodman moved that **SCS** for **SB 165** be adopted, which motion failed.

On motion of Senator Goodman, **SB 165** was declared perfected and ordered printed.

Senator Justus moved that **SB 116** be taken up for perfection, which motion prevailed.

On motion of Senator Justus, **SB 116** was declared perfected and ordered printed.

**SB 10** was placed on the Informal Calendar.

**SB 9** was placed on the Informal Calendar.

Senator Pearce assumed the Chair.

At the request of Senator Lager, **SB 208** was placed on the Informal Calendar.

At the request of Senator Lager, **SB 209** was placed on the Informal Calendar.

At the request of Senator Nieves, **SJR 15** was placed on the Informal Calendar.

Senator Schaefer moved that **SB 147** be taken up for perfection, which motion prevailed.

Senator Cunningham offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Bill No. 147, Page 1, In the Title, Line 3 of the title, by striking the words “gifted education” and inserting in lieu thereof the following: “the school accountability report card”; and

Further amend said bill, Page 2, Section 160.522, Line 29 by striking the first occurrence of the word “and”; and inserting in lieu thereof the following: “**including the number of applications or resumes received by the school district for a teaching position from individuals who have obtained a baccalaureate or master's degree in the area of mathematics, engineering, technology, or science, or individuals who have obtained a certificate of license to teach based on certification by the American Board for Certification of Teacher Excellence or had a career specialty in the fields of mathematics, engineering, technology, or science, and the number of such individuals employed by the school district. The information shall also include**”.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schaefer, **SB 147**, as amended, was declared perfected and ordered printed.

Senator Lembke moved that **SJR 10** be taken up for perfection, which motion prevailed.

On motion of Senator Lembke, **SJR 10** was declared perfected and ordered printed.

Senator Rupp moved that **SB 9** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Rupp offered **SS** for **SB 9**, entitled:

#### SENATE SUBSTITUTE FOR SENATE BILL NO. 9

An Act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

Senator Rupp moved that **SS** for **SB 9** be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SB 9** was declared perfected and ordered printed.

#### REFERRALS

President Pro Tem Mayer referred **SCR 13** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

#### MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Anthony Bologna, Democrat, 432 Kings Ridge, Liberty, Clay County, Missouri 64068, as a member and Chair of the Clay County Board of Election Commissioners, for a term ending June 15, 2013, and until his successor is duly appointed and qualified; vice, Gerald Lee Randall, deceased.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joseph Cavato, Democrat, 7101 Cambridge Avenue, University City, Saint Louis County, Missouri 63130, as a member of the Health and Educational Facilities Authority, for a term ending July 30, 2013, and until his successor is duly appointed and qualified; vice, Donald Thompson, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Catherine Crum-Thompson, Independent, 1919 Green Meadow, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Women's Council, for a term ending December 6, 2013, and until her successor is duly appointed and qualified; vice, Michelle Esswein, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Cecilia Davis, 508 Vivian Street, Liberty, Clay County, Missouri 64068, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2012, and until her successor is duly appointed and qualified; vice, Mary L. Buren, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,



GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gerard Grimaldi, 12206 Washington Court, Kansas City, Jackson County, Missouri 64145, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2011, and until his successor is duly appointed and qualified; vice, Steven Lipstein, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Bryan Hampton, 1155 Spencer Hill Drive, Saint Peters, Saint Charles County, Missouri 63376, as a member of the Crime Laboratory Review Commission, for a term ending April 1, 2015, and until his successor is duly appointed and qualified; vice, MO RSMo 650.059.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

William Hopfinger, 12001 Foursome Place, Sunset Hills, Saint Louis County, Missouri 63128, as a member of the Advisory Commission for Physical Therapists, for a term ending May 9, 2012, and until his successor is duly appointed and qualified; vice, William Hopfinger, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ted Hunt, 1200 West Gregory Boulevard, Kansas City, Jackson County, Missouri 64114, as a member of the Crime Laboratory Review

Commission, for a term ending April 1, 2013, and until his successor is duly appointed and qualified; vice, MO RSMO 650.059.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Thomas McVeigh, 3412 Northeast State Route 92, Smithville, Clay County, Missouri 64089, as a member of the Missouri Planning Council for Developmental Disabilities, for a term ending June 20, 2012, and until his successor is duly appointed and qualified; vice, William Horn, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Shane Mecham, 6429 North Amoret Avenue, Kansas City, Platte County, Missouri 64151, as a member of the Missouri Head Injury Advisory Council, for a term ending May 12, 2013, and until his successor is duly appointed and qualified; vice, Reginald Turnbull, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mary Ellen Miller, Democrat, 37 Anchor Drive, Lake Tapawingo, Jackson County, Missouri 64015, as a member and Chair of the Jackson County Board of Election Commissioners, for a term ending April 2, 2014, and until her successor is duly appointed and qualified; vice, Charles Dumsky, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jenifer Placzek, Democrat, 5459 East Dunrobin, Springfield, Greene County, Missouri 65809, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2015, and until her successor is duly appointed and qualified; vice, Adolfo Castillo, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lisa Reynolds-Korobey, 439 Bridget Drive, Saint Louis, Saint Louis County, Missouri 63125, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, W. Craig McGuire, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael Sparks, 17 Hickory Court, Arnold, Jefferson County, Missouri 63010, as a member of the Missouri Head Injury Advisory Council, for a term ending May 12, 2013, and until his successor is duly appointed and qualified; vice, Donna English, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Thomas Springer, 49 Forest Glen, Kirkwood, Saint Louis County, Missouri 63122, as a member of the Missouri State Board of

Accountancy, for a term ending January 1, 2013, and until his successor is duly appointed and qualified; vice, Sandra Thomas, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Suzanne Taggart, 24010 Highway D, California, Moniteau County, Missouri 65018, as a member of the Child Abuse and Neglect Review Board, for a term ending April 27, 2013, and until her successor is duly appointed and qualified; vice, Suzanne Taggart, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 1, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael Whitehead, Republican, 4613 Northeast Jamestown Drive, Lee's Summit, Jackson County, Missouri 64064, as a member of the Jackson County Board of Election Commissioners, for a term ending April 4, 2014, and until his successor is duly appointed and qualified; vice, Michael Whitehead, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above appointments to the Committee on Gubernatorial Appointments.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 344**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the farm-to-table advisory board.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 462**, entitled:

An Act to repeal section 386.850, RSMo, relating to the Missouri energy task force.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 503**, entitled:

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof one new section relating to public election dates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 578**, entitled:

An Act to amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of tires.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 15**.

#### HOUSE CONCURRENT RESOLUTION NO. 15

WHEREAS, baseball players called him “Skip” because John Jordan “Buck” O’Neil was the captain of the ship that sent more Negro League veterans ashore to the white Majors than any man in baseball history; and

WHEREAS, Buck O’Neil played briefly in 1937 with the Memphis Red Sox and debuted as a first baseman for the Kansas City Monarchs in 1938. In 1942, O’Neil led the Monarchs to a Negro American League title, hitting .353 during the Negro World Series in the Monarchs four-game sweep of the Homestead Grays; and

WHEREAS, O’Neil’s achievements included being named to the East-West All-Star Classic in 1942, 1943, and 1949, managing the West squad in 1950, 1953, 1954, and 1955, and playing for the 1946 Satchel Paige All Stars; and

WHEREAS, in 1944, O’Neil enlisted for a two-year stint with the United States Navy, briefly interrupted his playing career. He returned to the Monarchs in 1946, admitting that he regretted the fact that he was not a member of the Monarchs in 1945 when the great Jackie Robinson played in Kansas City before signing with the Brooklyn Dodgers; and

WHEREAS, in 1948, O’Neil succeeded Frank Duncan as manager of the Kansas City Monarchs, continuing to manage the team until 1955. He guided the Monarchs to league titles in 1948, 1950, 1951, and 1953; and

WHEREAS, in 1956, O’Neil was hired by the Chicago Cubs as a scout, helping the team sign future Hall of Famer Lou Brock, and superstars Oscar Gamble, Lee Smith, and Joe Carter;

WHEREAS, O’Neil’s greatest achievement came in 1962 when he became the first African-American coach in the Major Leagues with

the Cubs. After 33 years as a Cubbie, he returned home in 1988 to scout for the Kansas City Royals; and

WHEREAS, in 1990, O'Neil began raising money for a museum to preserve and celebrate the history of the Negro Leagues. His efforts led to the opening of the Negro League Baseball Museum in Kansas City, serving as Chair of the Board of Directors from 1990 until his death in 2006. O'Neil also served on the Veterans' Committee of the National Baseball Hall of Fame, was posthumously awarded the Presidential Medal of Freedom, and is a member of the Missouri Sports Hall of Fame; and

WHEREAS, O'Neil gained national prominence with his compelling descriptions of the Negro Leagues as part of Ken Burns' 1994 PBS documentary on baseball; and

WHEREAS, on April 2, 2007, the Kansas City Royals honored O'Neil by placing a fan in the Buck O'Neil Legacy Seat in Kauffman Stadium each game who best exemplifies O'Neil's spirit. The seat is a red seat amidst the all-blue seats behind home plate in Section 127, Seat 9, Row C. The first person to sit in "Buck's seat" was Buck O'Neil's brother, Warren; and

WHEREAS, Buck O'Neil will be remembered as the first African-American coach in Major League Baseball and as one of the finest players in the Negro Leagues. Through his willingness to share his memories of the Negro Leagues, fans everywhere have a greater understanding and deeper appreciation for a significant period in baseball history:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby designate November 13, 2011, as "Buck O'Neil Day" in Missouri and recommends to the people of the state that the day be appropriately observed with activities, events, and ceremonies in honor of the first African-American coach in Major League Baseball; and

BE IT FURTHER RESOLVED that the General Assembly requests that the Governor issue a proclamation setting apart November 13, 2011, as "Buck O'Neil Day" in Missouri; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Governor Jay Nixon.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 33**.

#### HOUSE CONCURRENT RESOLUTION NO. 33

WHEREAS, while war deaths have been a part of our heritage since the birth of this nation, the United States has not instituted an official symbol commemorating fallen servicepersons; and

WHEREAS, H.R. 1034 was introduced in the 111th Congress designating the Honor and Remember Flag, created by Honor and Remember, Inc., as an official recognition and in honor of fallen members of the United States Armed Forces; and

WHEREAS, the Honor and Remember Flag's red field represents the brave men and women who sacrificed their lives for freedom. The flag's blue star is a symbol of active service in military conflict that dates back to World War I. The flag's white border recognizes the purity of sacrifice. The flag's gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given. The folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, the Honor and Remember Flag is a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen servicepersons throughout history and the families and communities who mourn their loss:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty and urges the United States Congress to enact a similar resolution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Veterans Commission and each member of the Missouri Congressional Delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 34**.

HOUSE CONCURRENT RESOLUTION NO. 34

WHEREAS, the Mark Twain National Forest, the only national forest in Missouri, is 1.5 million acres spread across 29 counties, with 1.4 million acres open to public hunting, 14 floatable streams, and 16 lakes ranging from 3 to 44 acres; and

WHEREAS, the Mark Twain National Forest is located in southern and central Missouri, and extends from the St. Francois Mountains in the southeast to dry rocky glades in the southwest, from the prairies lands along the Missouri River to the nation's most ancient mountains in the south; and

WHEREAS, the Mark Twain National Forest is popular with hunters, trappers, anglers, and persons who enjoy observing, studying, and photographing wildflowers and wildlife; and

WHEREAS, the Mark Twain National Forest has approximately 320 species of birds, 75 species of mammals, and 125 species of amphibians and reptiles; and

WHEREAS, named after Missouri native, Mark Twain, the National Forest gets a variety of visitors through the year, including spring and fall, when color changes the forest; and

WHEREAS, on January 8, 2009, the United States Forest Service Travel Management Rule, 36 CFR 212, Subpart B, became effective. This Rule requires each national forest or ranger district to designate those roads, trails, and areas open to motor vehicles; and

WHEREAS, the designations under the Rule include class of vehicle and, where appropriate, time of year for motor vehicle use; and

WHEREAS, once these designations are completed, the Rule will prohibit motor vehicle use off the designated system or inconsistent with the designations; and

WHEREAS, these designations will be made locally, with public input and in coordination with state, local, and tribal governments; and

WHEREAS, these designations will be shown on a motor vehicle map, with any use inconsistent with those designations prohibited; and

WHEREAS, the Travel Management Rule limits access to areas of the forest, especially for the disabled and elderly. Many disabled and elderly persons enjoy hunting, fishing, and observing nature and wildlife; and

WHEREAS, many areas of the forest are only accessible by hiking, so further restrictions on motor vehicle usage in the National Forest will significantly reduce access to the wide range of learning and recreational opportunities available in the Mark Twain National Forest:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Forest Service to amend or rescind the Travel Management Rule, 36 CFR 212, Subpart B, and allow an increase in motor vehicle access to areas of the Mark Twain National Forest; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Tom Tidwell, Chief of the United States Forest Service, and each member of the Missouri Congressional Delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 11**.

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, more than 4,000,000 Americans served in World War I; and

WHEREAS, there is no nationally recognized memorial honoring the service of those over 4,000,000 Americans; and

WHEREAS, in 1919, the people of Kansas City, Missouri, expressed an outpouring of support and raised more than \$2 million in two weeks for a memorial to the service of Americans who served in World War I. This fund was an accomplishment unparalleled by any other city in the United States, irrespective of population; and

WHEREAS, on November 1, 1921, more than 100,000 people witnessed the dedication of the site for the Liberty Memorial in Kansas

City, Missouri; and

WHEREAS, General of the Armies John J. Pershing, a native of Missouri and the Commander of the American Expeditionary Forces in World War I, noted at the November 1, 1921, dedication that “the people of Kansas City, Missouri, are deeply proud of the beautiful memorial, erected in tribute to the patriotism, the gallant achievements, and the heroic sacrifices of their sons and daughters who served in our country’s armed forces during the World War. It symbolized their grateful appreciation of duty well done, an appreciation which I share, because I know so well how richly it is merited”; and

WHEREAS, the 217 foot Liberty Memorial Tower has an inscription that reads, “In Honor of Those Who Served in the World War in Defense of Liberty and Our Country” as well as four stone “Guardian Spirits” representing courage, honors, patriotism, and sacrifices, which rise above the observation deck, making the Liberty Memorial a noble tribute to all who served in World War I; and

WHEREAS, the 106th Congress recognized the Liberty Memorial as a national symbol of World War I; and

WHEREAS, the 108th Congress designated the museum at the base of the Liberty Memorial as “American’s National World War I Museum”; and

WHEREAS, the American’s World War I Museum is the only public museum in the United States specifically dedicated to the history of World War I; and

WHEREAS, the National World War I Museum is known throughout the world as a major center of World War I remembrance:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urges the United States Congress to designate the Liberty Memorial, Kansas City, Missouri, at the National World War I Museum in Kansas City, Missouri, as the “National World War I Memorial”; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority Leader and Minority Leader of the United States Senate and United States House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 7**.

#### HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, women have served honorably and with courage in all of America’s wars and conflicts since the American Revolution; and

WHEREAS, the United States military has evolved from a predominantly male force to a force of over 14% women who are currently serving on active duty, and nearly 17% serving in the Reserves and National Guard; and

WHEREAS, the population of women veterans is increasing exponentially from 1.1 million in 1980 to a projection of nearly 2 million by 2020, and will comprise more than 10% of the veteran population; and

WHEREAS, the projected population of male veterans is expected to continue to decline; and

WHEREAS, given that an unprecedented number of women are serving in the military and participating in Operation Enduring Freedom and Operation Iraqi Freedom, the United States Department of Veterans Affairs (VA) is working to provide consistent, comprehensive, and quality health care and benefits to women veterans of all eras; and

WHEREAS, the number of women veterans has increased over the last decade because there is an increasing number and proportion of women who are entering and leaving the military, and women are living longer than men and have a younger age distribution compared to male veterans; and

WHEREAS, even though the VA has been at the forefront of health care and lifestyle solutions affecting an aging male population, there is now a growing need to improve health care services for women veterans, ensure clinicians are properly trained to provide primary care and gender specific care to women of all ages, and identify innovative courses of treatment and solutions to obstacles that are unique to women veterans; and

WHEREAS, with a rapidly increasing number of women serving in the military today and returning from deployments as seasoned veterans, and some with exposure to combat, VA facilities and veterans service organizations are working to ensure that the post-deployment mental and physical health needs unique to women veterans are also met; and



WHEREAS, even though the roles of women in the military have changed over time and will continue to change, they deserve to be acknowledge for their military service and treated with equal respect:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby encourages the Missouri Veterans Commission and its women veterans state coordinator to work in conjunction with the National Foundation for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to reach out to all women veterans within the State of Missouri to encourage them to bring their specific needs and concerns to the attention of agency officials so that state legislators and agency officials may work together to identify unique issues impacting women veterans and consider policy solutions that will improve the quality of life for women veterans within this state; and

BE IT FURTHER RESOLVED that the Missouri General Assembly formally honors all of the women in this state who have heroically answered their call to duty and recognizes the important role women have played in shaping this great nation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Veterans Commission.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 17**.

HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 17

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these Rivers (estimated to be \$6 billion) as it does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for a better data based upon new hydrology and flow studies and the need to study tributaries to the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the River; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructures, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantify the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H is totally unacceptable to Lincoln, Pike, and St. Charles Counties and we ask the Missouri Congressional Delegation to support modifications of the comprehensive plan, by the Corps of Engineers, to this plan; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

In which the concurrence of the Senate is respectfully requested.

### INTRODUCTIONS OF GUESTS

On behalf of Senator Munzlinger and himself, Senator Pearce introduced to the Senate, Jerry and Pat Byrn, Greentop.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### SENATE CALENDAR

---

FORTY-SIXTH DAY—TUESDAY, APRIL 5, 2011

---

### FORMAL CALENDAR

#### HOUSE BILLS ON SECOND READING

HB 434-Nolte	HCS for HBs 187 & 54
HCS for HB 475	HB 263-Weter
HB 423-Burlison, et al	HCS for HB 287
HCS for HB 38	HB 340-Klippenstein, et al
HB 68-Scharnhorst	HCS for HB 344
HB 98-Ruzicka	HB 462-Pollock
HB 118-Peters-Baker	HB 503-Dugger, et al
HB 183-Silvey	HCS for HB 578

#### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SS for SCS for SB 65-Mayer (In Fiscal Oversight)
---------------------------------------------	--------------------------------------------------

#### SENATE BILLS FOR PERFECTION

- |                                                     |                                       |
|-----------------------------------------------------|---------------------------------------|
| 1. SB 390-Schmitt, et al                            | 4. SB 25-Schaaf, with SCS             |
| 2. SBs 189, 217, 246, 252 & 79-Schmitt, with<br>SCS | 5. SB 356-Munzlinger, with SCS        |
| 3. SB 231-Lager, et al                              | 6. SB 368-Stouffer, with SCS          |
|                                                     | 7. SBs 369 & 370-Cunningham, with SCS |

- |                                     |                                         |
|-------------------------------------|-----------------------------------------|
| 8. SB 351-Lamping, with SCS         | 17. SB 213-Schaefer, with SCS           |
| 9. SB 90-Dempsey                    | 18. SB 420-Mayer, with SCS              |
| 10. SB 122-Schaaf, with SCS         | 19. SB 286-McKenna                      |
| 11. SB 100-Stouffer, with SCS       | 20. SB 268-Stouffer                     |
| 12. SB 117-Engler, with SCS         | 21. SB 228-Pearce                       |
| 13. SBs 26 & 106-Wasson, with SCS   | 22. SBs 291, 184 & 294-Pearce, with SCS |
| 14. SBs 394 & 331-Goodman, with SCS | 23. SBs 88 & 82-Schaaf, with SCS        |
| 15. SB 366-Goodman, with SCS        | 24. SB 299-Munzlinger, with SCS         |
| 16. SB 237-Schaefer                 |                                         |

### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

### INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

### SENATE BILLS FOR PERFECTION

- |                                                    |                                                            |
|----------------------------------------------------|------------------------------------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 203-Schmitt, et al, with SS (pending)                   |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 204-Dempsey, et al                                      |
| SB 10-Rupp                                         | SB 208-Lager                                               |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SB 209-Lager                                               |
| SB 28-Brown                                        | SB 241-Brown and Wasson                                    |
| SB 36-Lembke                                       | SB 242-Cunningham, with SCS & SS for SCS<br>(pending)      |
| SB 37-Lembke, with SCS                             | SB 247-Pearce, with SS (pending)                           |
| SB 70-Schaefer, with SCS                           | SB 254-Stouffer, with SCS                                  |
| SB 72-Kraus                                        | SB 278-Munzlinger, et al                                   |
| SB 120-Stouffer                                    | SB 280-Purgason, et al, with SCS & SS for SCS<br>(pending) |
| SB 130-Rupp, with SCS & SS for SCS (pending)       | SB 322-Schaefer                                            |
| SB 175-Munzlinger, et al, with SA 1 (pending)      | SB 323-Schaefer, with SCS                                  |
| SB 176-Munzlinger, et al                           | SJR 11-Munzlinger, with SCS                                |
| SB 200-Crowell                                     | SJR 15-Nieves, et al                                       |
| SB 202-Crowell                                     |                                                            |

HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS & SA 1  
(pending) (Pearce)

RESOLUTIONS

Reported from Committee

SR 179-Purgason

SCR 8-Rupp

To be Referred

HCR 15-Brown (50), et al  
HCR 33-Davis, et al  
HCR 34-Hampton, et al

HCR 11-Nolte, et al  
HCR 7-Walton Gray, et al  
HCS for HCR 17

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FORTY-SIXTH DAY—TUESDAY, APRIL 5, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“If we live in the spirit, let us walk in the spirit.” (Galatians 5:25)

Heavenly Father, we know that “to walk in the Spirit” is good spiritual exercise - the exercise of “love, joy, peace, gentleness and faith”. The exercise of daily prayer and meditation on Your Holy Word helps to create a spiritual climate that insures health of our souls and vigor of our daily living. So grant us this day fruits of the Spirit along with Your abiding presence as we seek to serve You in this place. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator McKenna offered Senate Resolution No. 693, regarding Karen Jean “Kay Kay” Koerber, Saint Louis, which was adopted.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 177; SB 165; SB 147; SS for SB 118; SB 116; SCS for SB 81; SCS for SB 60; SB 59; SCS for SB 54; SCS for SB 29; SJR 10; and SS for SB 9**, begs leave to report that it has examined the same and finds that the bills and joint resolution have been truly perfected and that the printed copies furnished the Senators are correct.

**SENATE BILLS FOR PERFECTION**

Senator Schmitt moved that **SB 390** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

At the request of Senator Schmitt, **SB 390** was placed on the Informal Calendar.

Senator Kraus moved that **SB 72** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kraus offered **SS for SB 72**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE BILL NO. 72**

An Act to amend chapter 27, RSMo, by adding thereto one new section relating to federal enforcement of immigration laws, with a referendum clause.

Senator Kraus moved that **SS for SB 72** be adopted.

At the request of Senator Kraus, **SB 72**, with **SS** (pending), was placed on the Informal Calendar.

**REFERRALS**

President Pro Tem Mayer referred **SJR 10** and **SCS for SB 54** to the Committee on Ways and Means and Fiscal Oversight.

On motion of Senator Dempsey, the Senate recessed until 3:10 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

**RESOLUTIONS**

Senator Wasson offered Senate Resolution No. 694, regarding the Ninetieth Birthday of Curtis H. Wommack, Nixa, which was adopted.

Senator Munzlinger offered Senate Resolution No. 695, regarding Gary Godfrey, which was adopted.

Senator Goodman offered Senate Resolution No. 696, regarding Blue Eye High School, which was adopted.

### **SENATE BILLS FOR PERFECTION**

Senator Nieves moved that **SJR 15** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

At the request of Senator Nieves, **SJR 15** was placed on the Informal Calendar.

Senator Schaefer moved that **SB 70**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 70**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 70**

An Act to repeal sections 402.199, 402.200, 402.205, 402.210, 402.215, 402.217, 402.220, 473.657, and 475.093, RSMo, and to enact in lieu thereof twelve new sections relating to the Missouri family trust.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 70** be adopted.

At the request of Senator Schaefer, **SB 70**, with **SCS**, was placed on the Informal Calendar.

**SB 189**, **SB 217**, **SB 246**, **SB 252** and **SB 79**, with **SCS**, were placed on the Informal Calendar.

Senator Lager moved that **SB 231** be taken up for perfection, which motion prevailed.

Senator Lager offered **SS** for **SB 231**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 231**

An Act to amend chapter 85, RSMo, by adding thereto one new section relating to paid members of any fire department or fire district.

Senator Lager moved that **SS** for **SB 231** be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Lager, **SS** for **SB 231** was declared perfected and ordered printed.

Senator Dempsey announced that photographers from KOMU-TV were given permission to take pictures in the Senate Chamber today.

Senator Schaaf moved that **SB 25**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 25**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 25**

An Act to repeal sections 67.402, 226.720, and 479.011, RSMo, and to enact in lieu thereof four new sections relating to nuisances, with penalty provisions.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 25** be adopted.

Senator Schaaf offered **SS** for **SCS** for **SB 25**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 25

An Act to repeal sections 67.402, 226.720, and 479.011, RSMo, and to enact in lieu thereof four new sections relating to enforcement of nuisance-related laws by public bodies, with penalty provisions.

Senator Schaaf moved that **SS** for **SCS** for **SB 25** be adopted.

At the request of Senator Schaaf, **SB 25**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Munzlinger moved that **SB 356**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 356**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 356

An Act to repeal sections 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof four new sections relating to grain sale and storage, with existing penalty provisions.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 356** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 356** was declared perfected and ordered printed.

Senator Schaefer moved that **SB 70**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Schaefer offered **SS** for **SCS** for **SB 70**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 70

An Act to repeal sections 402.199, 402.200, 402.205, 402.210, 402.215, 402.217, 402.220, 473.657, and 475.093, RSMo, and to enact in lieu thereof twelve new sections relating to the Missouri family trust.

Senator Schaefer moved that **SS** for **SCS** for **SB 70** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **SB 70** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 368**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 368**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 368

An Act to repeal sections 60.510, 60.530, 60.540, 60.550, 60.560, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 261.023, and 640.010, RSMo, and to enact in lieu thereof fifteen new



sections relating to the state land survey program, with existing penalty provisions.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 368** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SCS** for **SB 368** was declared perfected and ordered printed.

At the request of Senator Cunningham, **SB 369** and **SB 370**, with **SCS**, were placed on the Informal Calendar.

Senator Lamping moved that **SB 351**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 351**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 351

An Act to repeal section 453.121, RSMo, and to enact in lieu thereof two new sections relating to adoption records.

Was taken up.

Senator Lamping moved that **SCS** for **SB 351** be adopted.

Senator Lamping offered **SS** for **SCS** for **SB 351**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 351

An Act to repeal section 453.121, RSMo, and to enact in lieu thereof one new section relating to adoption records.

Senator Lamping moved that **SS** for **SCS** for **SB 351** be adopted.

Senator Goodman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 2, Section 453.121, Line 23, by inserting after the word “deceased.” the following:

**“If the biological parents were married to each other at the time of the request for the identifying information or at the time of death of one of the biological parents, the information shall not be released until the death of the surviving biological parent, unless the surviving biological parent consents to such release.”**

Senator Goodman moved that the above amendment be adopted, which motion prevailed.

Senator Lamping moved that **SS** for **SCS** for **SB 351**, as amended, be adopted, which motion prevailed.

On motion of Senator Lamping, **SS** for **SCS** for **SB 351**, as amended, was declared perfected and ordered printed.

Senator Dempsey moved that **SB 90** be taken up for perfection, which motion prevailed.

Senator Ridgeway offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Bill No. 90, Page 1, In the Title, Lines 3-4 of the title, by striking the following: “health care benefits provided to Medicare eligible participants participating in”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“103.080. 1. As used in this section, the following terms shall mean:

(1) “Health savings account” or “account”, shall have the same meaning ascribed to it as in 26 U.S.C. Section 223(d), as amended;

(2) “High deductible health plan”, a policy or contract of health insurance or health care plan that meets the criteria established in 26 U.S.C. Section 223(c)(2), as amended, and any regulations promulgated thereunder.

2. Beginning with the open enrollment period for the 2009 plan year, the board shall offer to all qualified state employees and retirees, in addition to the plans currently offered including but not limited to health maintenance organization plans, preferred provider organization plans, copay plans, and participating public entities the option of receiving health care coverage through a high deductible health plan and the establishment of a health savings account. [In no instance shall a qualified employee or retiree be required to enroll in a high deductible health plan with a deductible greater than the minimum allowed by law, however, a qualified employee or retiree shall have the option to enroll in a high deductible health plan up to the maximum allowed by law.] The health savings account shall conform to the guidelines to be established by the Internal Revenue Service for the [2009] **current** tax year but in no case shall a qualified employee or retiree be required to contribute more than the minimum amount allowed by law. A qualified employee or retiree may contribute up to the maximum allowed by law. In order for a qualified individual to obtain a high deductible health plan through the Missouri consolidated health care plan, such individual shall present evidence, in a manner prescribed by regulation, to the board that he or she has established a health savings account in compliance with 26 U.S.C. Section 223, and any amendments and regulations promulgated thereto.

**3. Beginning with the open enrollment period for the 2012 plan year, the high deductible health plan offered under subsection 2 of this section shall have a monthly subscriber premium that is at least fifty percent lower than the non-high deductible health plan chosen by a plurality of qualified employees. The amount of the annual deductible for the high deductible health plan offered under subsection 2 of this section shall be no greater than one hundred and twenty-five percent of the minimum annual deductible for self-only coverage and family coverage as established by the Internal Revenue Service for the current tax year. The sum of the annual deductible and the other annual out-of-pocket expenses required to be paid under a high deductible health plan offered under subsection 2 of this section shall not exceed the amount set forth by the Internal Revenue Service for the current tax year. The coverage afforded by the high deductible health plan, after the applicable deductible has been met, shall be substantially similar to the coverage provided by the non-high deductible health plan chosen by a plurality of qualified employees.**

**4. It is the intent of the Missouri general assembly to promote the use of consumer-driven health care plans such as health savings account compatible high deductible health plans by active state employees as an alternative to using traditional managed care plans. If, after the completion of the open enrollment period for the 2012 plan year, fewer than ten percent of Missouri's active state**

**employees have enrolled in a high deductible health plan described in this section, then the board shall offer a more competitive high deductible health plan with increased financial and coverage incentives, including but not limited to alternative annual deductibles, out-of-pocket expenses, and other health plan design features, all within the established federal guidelines, with the goal of having forty percent of Missouri's active state employees enrolling in a health savings account compatible high deductible health plan by the open enrollment period for the 2015 plan year.**

5. The board is authorized to promulgate rules and regulations for the administration and implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

[4.] 6. The board shall issue a request for proposals from companies interested in offering a high deductible health plan in connection with a health savings account.”; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Dempsey, **SB 90**, as amended, was declared perfected and ordered printed.

Senator Schaaf moved that **SB 122**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 122**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 122

An Act to repeal section 354.535, RSMo, and to enact in lieu thereof three new sections relating to health insurance.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 122** be adopted.

Senator Schaaf offered **SS** for **SCS** for **SB 122**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 122

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, 354.535, and 633.401, RSMo, and to enact in lieu thereof eleven new sections relating to health care.

Senator Schaaf moved that **SS** for **SCS** for **SB 122** be adopted.

At the request of Senator Schaaf, **SB 122**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Schaefer moved that **SB 322** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schaaf offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Bill No. 322, Page 1, Section 190.839, Line 2, by inserting after all of said line the following:

**“191.1005. 1. Any provider who is subject to a reimbursement allowance or a provider tax shall be subject to the provisions of sections 191.1005 to 191.1011. For purposes of sections 191.1005 to 191.1011, the following terms shall mean:**

**(1) “Estimate of cost”, an estimate of the total cost and the out of pocket cost based on specific patient information or general assumptions about typical utilization and costs for medical services;**

**(2) “Insurer”, the same meaning as the term “health carrier” is defined in section 376.1350, and includes the state of Missouri for purposes of the rendering of health care services by providers under a medical assistance program of the state;**

**(3) “Provider”, the same meaning as such term is defined in section 376.1350.**

**2. For patients who do not have coverage under an individual or group health insurance policy or other third-party coverage arrangement, upon request by the patient, a provider shall be required to provide the patient a timely estimate of cost for any elective or nonemergent health care service to be performed by such provider. Such requirement shall not apply to emergency health care services. Any estimate of cost may include a disclaimer noting the actual amount billed may be different from the estimate of cost. Data regarding the estimate of cost may be provided to the public via the internet.**

**3. Every health carrier, as defined in section 376.1350, or third party benefit administrator shall, by July 1, 2012, utilize a web-based estimating system or other mechanism, by which covered individuals, or their parents or guardians, shall be able to enter, provide, or select from menus, the procedures, tests, or services the individual is considering having, and based upon the individual's benefit plan and the health carrier's internal data, receive timely estimates of the total cost and total out-of-pocket cost of the procedures, tests, or services specific to all available contracted providers or facilities for which such estimates are requested. The estimates of cost shall take into account any known unmet deductible obligation and shall be based upon assumptions of typical utilization and an assumption that, in the provision of the procedures, tests, or services, no complications or unexpected events would occur necessitating other expenses. The estimates of cost shall include related estimates of typically needed and expected ancillary costs such as those for radiology, pathology, or anesthesiology services, and shall indicate when no contracted providers of such services are available under the individual's benefit plan at a selected health care facility or provider. Any estimate given shall not be a guarantee of coverage and the health carrier shall not be held liable for differences between the estimated costs and the ultimate charges assessed to the individual and the estimate of cost on patient cost-sharing obligations may include a disclaimer noting the actual amount billed or owed may be different from the estimate of cost or cost-sharing. Nothing in this subsection shall be construed as violating any provider contract provisions with a health carrier that prohibits disclosure of a provider's fee schedule to third parties. Any health carrier that has not made a good faith effort to comply with the provisions of this section shall be subject to the provisions of section 374.280.**

**4. Programs of insurers that publicly assess and compare the quality and cost efficiency of health**

**care providers shall conform to the following criteria:**

**(1) The insurers shall retain, at their own expense, the services of a nationally recognized independent health care quality standard-setting organization to review the plan's programs for consumers that measure, report, and tier providers based on their performance. Such review shall include a comparison to national standards and a report detailing the measures and methodologies used by the health plan. The scope of the review shall encompass all elements described in this section and section 191.1008;**

**(2) The program measures shall provide performance information that reflects consumers' health needs. Programs shall clearly describe the extent to which they encompass particular areas of care, including primary care and other areas of specialty care;**

**(3) Performance reporting for consumers shall include both quality and cost efficiency information. While quality information may be reported in the absence of cost efficiency, cost efficiency information shall not be reported without accompanying quality information;**

**(4) When any individual measures or groups of measures are combined, the individual scores, proportionate weighting, and any other formula used to develop composite scores shall be disclosed. Such disclosure shall be done both when quality measures are combined and when quality and cost efficiency are combined;**

**(5) Consumers or consumer organizations shall be solicited to provide input on the program, including methods used to determine performance strata;**

**(6) A clearly defined process for receiving and resolving consumer complaints shall be a component of any program;**

**(7) Performance information presented to consumers shall include context, discussion of data limitations, and guidance on how to consider other factors in choosing a provider;**

**(8) Relevant providers and provider organizations shall be solicited to provide input on the program, including the methods used to determine performance strata;**

**(9) Providers shall be given reasonable prior notice before their individual performance information is publicly released;**

**(10) A clearly defined process for providers to request review of their own performance results and the opportunity to present information that supports what they believe to be inaccurate results, within a reasonable time frame, shall be a component of any program. Results determined to be inaccurate after the reconsideration process shall be corrected;**

**(11) Information about the comparative performance of providers shall be accessible and understandable to consumers and providers and shall recognize cost factors associated with medical education and research, patient characteristics, and specialized services;**

**(12) Information about factors that might limit the usefulness of results shall be publicly disclosed;**

**(13) Measures used to assess provider performance and the methodology used to calculate scores or determine rankings shall be published and made readily available to the public. Elements shall be assessed against national standards as defined in subdivision (17) of this subsection. Examples of**

measurement elements that shall be assessed against national standards include risk and severity adjustment, minimum observations, and statistical standards utilized. Examples of other measurement elements that shall be fully disclosed include data used, how providers' patients are identified, measure specifications and methodologies, known limitations of the data, and how episodes are defined;

(14) The rationale and methodologies supporting the unit of analysis reported shall be clearly articulated, including a group practice model versus the individual provider;

(15) Sponsors of provider measurement and reporting shall work collaboratively to aggregate data whenever feasible to enhance its consistency, accuracy, and use. Sponsors of provider measurement and reporting shall also work collaboratively to align and harmonize measures used to promote consistency and reduce the burden of collection. The nature and scope of such efforts shall be publicly reported;

(16) The program shall be regularly evaluated to assess its effectiveness, accuracy, reliability, validity, and any unintended consequences, including any effect on access to health care;

(17) All quality measures shall be endorsed by the National Quality Forum (NQF), or its successor organization. Where NQF-endorsed measures do not exist, the next level of measures to be considered, until such measures are endorsed by the National Quality Forum (NQF), or its successor organization, shall be those endorsed by the Ambulatory Care Quality Alliance, the National Committee for Quality Assurance, or the Joint Commission on the Accreditation of Healthcare Organizations, Healthcare Effectiveness and Data Information Set (HEDIS);

(18) A health plan shall be deemed compliant with this section if the health plan currently offers a program that has been granted or awarded certification from the National Committee for Quality Assurance (NCQA) as of January 1, 2012. The health plan is deemed to be in compliance for the length of time the NCQA certification is granted; and

(19) A nonaccredited health plan shall be in compliance with this section upon a renewal of any contract with a provider on or after January 1, 2013.

191.1008. 1. Any person or entity who sells or otherwise distributes to the public health care quality and cost efficiency data for disclosure in comparative format to the public shall identify the measure source or evidence-based science behind the measure and the national consensus, multi-stakeholder, or other peer review process, if any, used to confirm the validity of the data and its analysis as an objective indicator of health care quality.

2. Articles or research studies on the topic of health care quality or cost efficiency that are published in peer-reviewed academic journals that neither receive funding from nor are affiliated with a health care insurer or by state or local government shall be exempt from the requirements of subsection 1 of this section.

3. (1) Upon receipt of a complaint of an alleged violation of this section by a person or entity other than a health carrier, the department of health and senior services shall investigate the complaint and, upon finding that a violation has occurred, shall be authorized to impose a penalty in an amount not

to exceed one thousand dollars. The department shall promulgate rules governing its processes for conducting such investigations and levying fines authorized by law.

(2) Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

**191.1011. All alleged violations of sections 191.1005 to 191.1008 by a health insurer shall be investigated and enforced by the department of insurance, financial institutions and professional registration under the department's powers and responsibilities to enforce the insurance laws of this state in accordance with chapter 374.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Schaaf offered **SA 2:**

**SENATE AMENDMENT NO. 2**

Amend Senate Bill No. 322, Page 1, Section 190.839, Line 2, by striking “2016” and inserting in lieu thereof the following: “**2013**”; and

Further amend said bill and page, Section 198.439, line 2, by striking “2016” and inserting in lieu thereof the following: “**2013**”; and

Further amend said bill, page 2, Section 208.437, line 32, by striking “2016” and inserting in lieu thereof the following: “**2013**”; and

Further amend said bill and page, Section 208.480, line 2, by striking “2016” and inserting in lieu thereof the following: “**2013**”; and

Further amend said bill and page, Section 338.550, line 10, by striking “2016” and inserting in lieu thereof the following: “**2013**”; and

Further amend said bill and section, page 3, line 17, by striking “2016” and inserting in lieu thereof the following: “**2013**”; and

Further amend said bill, page 6, Section 633.401, line 114, by striking “2016” and inserting in lieu thereof the following: “**2013**”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Pearce assumed the Chair.

Senator Schaaf offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 322, Page 2, Section 208.437, Line 32, by inserting after all of said line the following:

**“6. Any managed care organization subject to the reimbursement allowance or provider tax under sections 208.431 to 208.437, or any accident and sickness insurers, health services corporations, health maintenance organizations, or insurance producers under the regulation of the department of insurance, financial institutions and professional registration shall be subject to the uniform claim form and uniform application form requirements under section 374.184.”; and**

Further amend said bill, page 3, section 338.550, line 17, by inserting after all of said line the following:

**“374.184. 1. The director of the department of insurance, financial institutions and professional registration shall prescribe by rule[,];**

**(1) After due consultation with providers of health care or treatment and their respective licensing boards, [accident and sickness insurers, health services corporations and health maintenance organizations,] and after a public hearing, uniform claim forms for reporting by health care providers. Such prescribed forms shall include but need not be limited to information regarding the medical diagnosis, treatment and prognosis of the patient, together with the details of charges incident to the providing of such care, treatment or services, sufficient for the purpose of meeting the proof requirements of an accident and sickness insurance or hospital, medical or dental services contract. Such prescribed forms shall be based upon the UB-82 form, with respect to hospital claims, and the HCFA 1500 form, with respect to physician claims, as such forms are modified or amended from time to time by the National Uniform Billing Committee or the federal Health Care Financing Administration; and**

**(2) After due consultation with accident and sickness insurers, health services corporations, health maintenance organizations, and insurance producers, and after a public hearing, uniform application forms for group health insurance policies.**

**2. The adoption of any uniform claim forms or uniform application forms by the director pursuant to this section shall not preclude an insurer, health services corporation, or health maintenance organization from requesting any necessary additional information in connection with a claims investigation from the claimant, provider of health care or treatment, or certifier of coverage, or in connection with an application for insurance from the applicant.** The provisions of this section shall not be deemed or construed to apply to electronic claims submission. Insurers and providers may by contract provide for modifications to the uniform billing document where both insurers and providers feel that such modifications streamline claims processing procedures relating to the claims of the insurer involved in such contract modification. However, a refusal by the provider to agree to modification of the uniform billing format shall not be used by the insurer as grounds for refusing to enter into a contract with the provider for



reimbursement or payment for health services rendered to an insured of the insurer.

3. Rules adopted or promulgated pursuant to this act shall be subject to notice and hearing as provided in chapter 536. The regulations so adopted shall specify an effective date, which shall not be less than one hundred eighty days after the date of adoption, after which no accident and sickness insurer, health services corporation or health maintenance organization shall require providers of health care or treatment to complete forms differing from those prescribed by the director pursuant to this section, [and] after which no health care provider shall submit claims except upon such prescribed forms; provided that the provisions of this section shall not preclude the use by any insurer, health services corporation or health maintenance organization of the UB-82 form or the HCFA 1500 form, **and after which no insurer shall require applicants for insurance coverage to complete forms differing from those prescribed by the director under this section.**”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Schaefer raised the point of order that **SA 3** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Schaaf offered **SA 4**:

#### SENATE AMENDMENT NO. 4

Amend Senate Bill No. 322, Page 2, Section 208.480, Line 1, by inserting immediately after “208.480.” the following: “**1.**”; and further amend line 2, by inserting after all of said line the following:

**“2. No hospital that is or would be subject to the reimbursement allowance or provider tax under sections 208.453 to 208.480, shall be subject to the certificate of need provisions under sections 197.300 to 197.367.”.**

Senator Schaaf moved that the above amendment be adopted.

Senator Schaefer raised the point of order that **SA 4** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Rupp assumed the Chair.

At the request of Senator Schaefer, **SB 322** was placed on the Informal Calendar.

#### REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 368**; **SCS** for **SB 356**; **SS** for **SB 231**; **SS** for **SCS** for **SB 351**; **SB 90**; and **SS** for **SCS** for **SB 70**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 5, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

The following addendum should be made to the appointment of Suzanne Taggart for the Missouri Child Abuse and Neglect Review Board submitted to you on April 1, 2011. Lines 3 and 4 should read:

and until her successor is duly appointed and qualified; vice, Suzanne Taggart, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above addendum to the Committee on Gubernatorial Appointments.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 550**, entitled:

An Act to repeal sections 301.600, 306.400, and 700.350, RSMo, and to enact in lieu thereof three new sections relating to liens and encumbrances.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 32**, entitled:

An Act to amend chapter 193, RSMo, by adding thereto one new section relating to heritage birth certificates and heritage marriage certificates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 70**, entitled:

An Act to repeal section 230.220, RSMo, and to enact in lieu thereof one new section relating to county highway commissions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 79**, entitled:

An Act to repeal sections 42.170, 42.200, and 42.220, RSMo, and to enact in lieu thereof three new sections relating to military medallions, medals, and certificates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 88**, entitled:

An Act to repeal section 475.115, RSMo, and to enact in lieu thereof one new section relating to public administrators.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 101**, entitled:

An Act to repeal section 311.297, RSMo, and to enact in lieu thereof one new section relating to the tasting of liquor.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 141**, entitled:

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof one new section relating to the heroes way interchange designation program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 143**, entitled:

An Act to repeal sections 210.135 and 210.145, RSMo, and to enact in lieu thereof two new sections relating to child abuse and neglect.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 182**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of dress in blue for colon cancer awareness day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 197**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto two new sections relating to cord blood banking.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 199**, entitled:

An Act to repeal section 577.023, RSMo, and to enact in lieu thereof one new section relating to community service requirements for intoxication-related traffic offenses, with existing penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 220**, entitled:

An Act to repeal section 339.190, RSMo, and to enact in lieu thereof one new section relating to real estate licensees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 256**, entitled:

An Act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 259**, entitled:

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to disclosure of certain foster care licensure information.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 260**, entitled:

An Act to repeal sections 210.844, 454.850, 454.853, 454.855, 454.857, 454.860, 454.862, 454.865, 454.867, 454.869, 454.871, 454.874, 454.877, 454.880, 454.882, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.900, 454.902, 454.905, 454.907, 454.910, 454.912, 454.915, 454.917, 454.920, 454.922, 454.927, 454.930, 454.932, 454.934, 454.936, 454.938, 454.941, 454.943, 454.946, 454.948, 454.951, 454.953, 454.956, 454.958, 454.961, 454.963, 454.966, 454.968, 454.971, 454.973, 454.976, 454.978, 454.981, 454.983, 454.986, 454.989, 454.991, 454.993, 454.995, and 454.999, RSMo, and to enact in lieu thereof eighty new sections relating to the uniform interstate family support act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 264**, entitled:

An Act to repeal section 620.1910, RSMo, and to enact in lieu thereof one new section relating to the manufacturing jobs act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 265**, entitled:

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to professional registration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 270**, entitled:

An Act to repeal section 103.089, RSMo, and to enact in lieu thereof one new section relating to state health insurance benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 272**, entitled:

An Act to repeal section 208.955, RSMo, and to enact in lieu thereof one new section relating to the MO HealthNet oversight committee.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 307**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special license plate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 327**, entitled:

An Act to repeal sections 478.711 and 483.420, RSMo, and to enact in lieu thereof two new sections relating to the circuit court of Cape Girardeau County.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 369**, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to the imposition of fees for the repair of water service lines in certain municipalities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 388**, entitled:

An Act to repeal section 376.1250, RSMo, and to enact in lieu thereof one new section relating to patient information provided in advance of certain surgical procedures.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 402**, entitled:

An Act to repeal sections 429.015 and 516.098, RSMo, and to enact in lieu thereof two new sections relating to liens for architects, professional engineers, land surveyors, and landscape architects.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 412**, entitled:

An Act to repeal section 338.330, RSMo, and to enact in lieu thereof one new section relating to wholesale drug distributors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 448**, entitled:

An Act to repeal sections 70.710, 70.720, and 70.730, RSMo, and to enact in lieu thereof three new sections relating to employer contributions under the Missouri local government employees' retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 499**, entitled:

An Act to repeal section 302.291, RSMo, and to enact in lieu thereof one new section relating to

driver's license competency assessment, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 506**, entitled:

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to property tax levy revisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 513**, entitled:

An Act to repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof three new sections relating to Sean's Law.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 525**, entitled:

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to life and health reinsurance contracts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 545**, entitled:

An Act to repeal section 67.1956, RSMo, and to enact in lieu thereof one new section relating to tourism community enhancement districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 548**, entitled:

An Act to repeal section 105.935, RSMo, and to enact in lieu thereof two new sections relating to state employees.



In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 556**, entitled:

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to disability history and awareness month in public schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 557**, entitled:

An Act to repeal sections 630.053 and 630.095, RSMo, and to enact in lieu thereof two new sections relating to the mental health earnings fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 560**, entitled:

An Act to repeal section 301.143, RSMo, and to enact in lieu thereof one new section relating to disabled parking signs, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 561**, entitled:

An Act to repeal section 208.955, RSMo, and to enact in lieu thereof one new section relating to the MO HealthNet oversight committee.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 604**, entitled:

An Act to repeal sections 210.496, 211.447, and 453.070, RSMo, and to enact in lieu thereof three new sections relating to parental rights of individuals with disabilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 630**, entitled:

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to the Missouri task force on prematurity and infant mortality.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 631**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to designation of tax refunds to the developmental disabilities waiting list equity trust fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 648**, entitled:

An Act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 210.900, 211.202, 211.203, 211.206, 211.207, 402.210, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.097, 630.120, 630.165, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, 633.309, and 660.405, RSMo, and to enact in lieu thereof seventy-four new sections relating to developmental disability, with existing penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 667**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the prostate cancer pilot program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 673**, entitled:

An Act to amend chapter 41, RSMo, by adding thereto three new sections relating to military honors.  
In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 675**, entitled:

An Act to repeal section 58.095, RSMo, and to enact in lieu thereof one new section relating to county coroner training.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 678**, entitled:

An Act to repeal sections 319.016 and 319.025, RSMo, and to enact in lieu thereof two new sections relating to underground facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 738**, entitled:

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to student study plans.  
In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 746**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to designation of tax refunds to the department of agriculture for puppy protection.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 749**, entitled:

An Act to amend chapters 9 and 10, RSMo, by adding thereto two new sections relating to child abuse prevention.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 795**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of school read-in day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 798**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 812**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special license plate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 813**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 825**, entitled:

An Act to repeal section 301.030, RSMo, and to enact in lieu thereof one new section relating to motor

vehicle registration periods.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Rupp, Chairman of the Senate Select Committee on Redistricting, submitted the following report:

Mr. President: Your Senate Select Committee on Redistricting, to which was referred **SB 264**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### **INTRODUCTIONS OF GUESTS**

Senator Kehoe introduced to the Senate, Rachel Muenks, parents, Thomas Boessen, Corinn Puleo, Sara Otto and Kelly Wieberg and eighteen third and fourth grade students from St. Thomas the Apostle School, St. Thomas.

Senator Schaaf introduced to the Senate, Dr. Alan Brewer and his wife, Marge, St. Joseph.

Senator Goodman introduced to the Senate, Wyatt, Nathan, Janice and Doug Bowen, Pierce City; and John Leach and Nancy Smith-Leach, Mt. Vernon; and Wyatt was made an honorary page.

Senator Ridgeway introduced to the Senate, Dr. Robert Franseen, his wife, Pat, and eleventh and twelfth grade students from Eagle Heights Christian School, Kansas City.

On behalf of Senator Stouffer, the President introduced to the Senate, fourth grade students from Sweet Springs.

Senator Schaaf introduced to the Senate, Scott Willett, Jefferson City; Rosanna Bisges, Lake Ozark; and Howard Charney and Mary Barnsdale, San Jose, California.

Senator Stouffer introduced to the Senate, Gordon Buckner and Betty Clements, Marshall.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

---

FORTY-SEVENTH DAY—WEDNESDAY, APRIL 6, 2011

---

### **FORMAL CALENDAR**

#### **HOUSE BILLS ON SECOND READING**

HB 434-Nolte  
HCS for HB 475  
HB 423-Burlison, et al  
HCS for HB 38

HB 68-Scharnhorst  
HB 98-Ruzicka  
HB 118-Peters-Baker  
HB 183-Silvey

HCS for HBs 187 & 54  
 HB 263-Weter  
 HCS for HB 287  
 HB 340-Klippenstein, et al  
 HCS for HB 344  
 HB 462-Pollock  
 HB 503-Dugger, et al  
 HCS for HB 578  
 HB 550-Day  
 HCS for HB 32  
 HCS for HB 70  
 HB 79-Nolte, et al  
 HB 88-Gatschenberger  
 HB 101-Loehner  
 HB 141-Black, et al  
 HCS for HB 143  
 HB 182-Walton Gray, et al  
 HCS for HB 197  
 HB 199-Kelley (126), et al  
 HCS for HB 220  
 HB 256-Cox, et al  
 HCS for HB 259  
 HB 260-Cox, et al  
 HB 264-Nolte and Weter  
 HCS for HB 265  
 HB 270-Burlison and Swinger  
 HB 272-Kirkton, et al  
 HB 307-Gatschenberger, et al  
 HB 327-Wallingford, et al  
 HCS for HB 369

HB 388-Burlison  
 HB 402-Diehl and Korman  
 HCS for HB 412  
 HB 448-Lair  
 HB 499-Wells, et al  
 HCS for HB 506  
 HB 513-Newman, et al  
 HB 525-Molendorp  
 HCS for HB 545  
 HCS for HB 548  
 HCS for HB 556  
 HCS for HB 557  
 HB 560-Grisamore  
 HB 561-Grisamore  
 HCS for HB 604  
 HCS for HB 630  
 HCS for HB 631  
 HB 648-Montecillo  
 HB 667-Carter, et al  
 HB 673-Largent  
 HB 675-Largent and Hoskins  
 HB 678-Schatz and Pollock  
 HB 738-Nasheed, et al  
 HB 746-Brown (85), et al  
 HB 749-Lasater, et al  
 HB 795-Kelley (126), et al  
 HB 798-Brown (85)  
 HB 812-Brattin, et al  
 HB 813-Dugger  
 HCS for HB 825

### THIRD READING OF SENATE BILLS

1. SCS for SB 11-McKenna  
(In Fiscal Oversight)
2. SS for SCS for SB 65-Mayer  
(In Fiscal Oversight)
3. SCS for SB 177-Brown
4. SB 165-Goodman
5. SB 147-Schaefer
6. SS for SB 118-Stouffer
7. SB 116-Justus
8. SCS for SB 81-Pearce

9. SCS for SB 60-Keaveny
10. SB 59-Keaveny
11. SCS for SB 54-Cunningham  
(In Fiscal Oversight)
12. SCS for SB 29-Brown
13. SJR 10-Lembke and Green  
(In Fiscal Oversight)
14. SS for SB 9-Rupp
15. SCS for SB 368-Stouffer
16. SCS for SB 356-Munzlinger

17. SS for SB 231-Lager  
18. SS for SCS for SB 351-Lamping

19. SB 90-Dempsey  
20. SS for SCS for SB 70-Schaefer

#### SENATE BILLS FOR PERFECTION

1. SB 100-Stouffer, with SCS  
2. SB 117-Engler, with SCS  
3. SBs 26 & 106-Wasson, with SCS  
4. SBs 394 & 331-Goodman, with SCS  
5. SB 366-Goodman, with SCS  
6. SB 237-Schaefer  
7. SB 213-Schaefer, with SCS  
8. SB 420-Mayer, with SCS

9. SB 286-McKenna  
10. SB 268-Stouffer  
11. SB 228-Pearce  
12. SBs 291, 184 & 294-Pearce, with SCS  
13. SBs 88 & 82-Schaaf, with SCS  
14. SB 299-Munzlinger, with SCS  
15. SB 264-Rupp, with SCS

#### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

HB 15-Silvey (Schaefer)

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

#### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 10-Rupp  
SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 25-Schaaf, with SCS & SS for SCS  
(pending)  
SB 28-Brown  
SB 36-Lembke  
SB 37-Lembke, with SCS  
SB 72-Kraus, with SS (pending)  
SB 120-Stouffer  
SB 122-Schaaf, with SCS & SS for SCS  
(pending)  
SB 130-Rupp, with SCS & SS for SCS  
(pending)

SB 175-Munzlinger, et al, with SA 1  
(pending)  
SB 176-Munzlinger, et al  
SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS  
SB 200-Crowell  
SB 202-Crowell  
SB 203-Schmitt, et al, with SS (pending)  
SB 204-Dempsey, et al  
SB 208-Lager  
SB 209-Lager  
SB 241-Brown and Wasson  
SB 242-Cunningham, with SCS & SS for SCS  
(pending)  
SB 247-Pearce, with SS (pending)  
SB 254-Stouffer, with SCS  
SB 278-Munzlinger, et al

SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)  
SB 322-Schaefer  
SB 323-Schaefer, with SCS

SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al

#### HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &  
SA 1 (pending) (Pearce)

#### RESOLUTIONS

##### Reported from Committee

SR 179-Purgason

SCR 8-Rupp

##### To be Referred

HCR 15-Brown (50), et al  
HCR 33-Davis, et al  
HCR 34-Hampton, et al

HCR 11-Nolte, et al  
HCR 7-Walton Gray, et al  
HCS for HCR 17

✓



# Journal of the Senate

FIRST REGULAR SESSION

---

**FORTY-SEVENTH DAY—WEDNESDAY, APRIL 6, 2011**

---

The Senate met pursuant to adjournment.

Senator Lager in the Chair.

Reverend Carl Gauck offered the following prayer:

“He shall be like a tree planted by the rivers of water, that brings forth his fruit in his season;...” (Psalm 1:3a)

Almighty God, You have planted us in You and there we have found a source of nourishment which sustains us from day to day. Our lives rooted deeply and firmly in Your promises provide us strength, assurance and final victory. And we are thankful that we can bear fruit by our efforts here to assist the people of Missouri. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Nieves offered Senate Resolution No. 697, regarding Downtown Washington, Inc., which was adopted.

Senator Parson offered Senate Resolution No. 698, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Beryl McCoy, Sedalia, which was adopted.

Senator Dempsey offered Senate Resolution No. 699, regarding Detective David Kleinschmidt of the Saint Charles Police Department, which was adopted.

Senator Dempsey offered Senate Resolution No. 700, regarding Detective Mike Myers of the Saint Charles Police Department, which was adopted.

Senator Dempsey offered Senate Resolution No. 701, regarding Detective Ray Juengst of the Saint Charles Police Department, which was adopted.

Senator Dempsey offered Senate Resolution No. 702, regarding Amber Choat, Autumn Boyd and Daniel Smith, which was adopted.

Senator Dempsey offered Senate Resolution No. 703, regarding Christopher Watson, which was adopted.

Senator Dempsey offered Senate Resolution No. 704, regarding Ryan French and Brian Braun, which was adopted.

Senator Dempsey offered Senate Resolution No. 705, regarding Elaine Stevenson and Jerry Congleton, which was adopted.

Senator Dempsey offered Senate Resolution No. 706, regarding John Barrett and Peter Ingracia, which was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Crowell moved that **SB 202** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Crowell offered **SS** for **SB 202**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE BILL NO. 202**

An Act to repeal section 33.103, RSMo, and to enact in lieu thereof two new sections relating to labor organizations, with a referendum clause.

Senator Crowell moved that **SS** for **SB 202** be adopted.

Senator Lamping offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 202, Pages 1-4, Section 33.103, by striking all of said section from the bill; and

Further amend said bill, page 4, section 105.504, lines 18-27 by striking all of said lines and inserting in lieu thereof, the following: "**labor organization, or individuals who are not members.**"; and further

amend said section, page 5, lines 1-7 by striking all of said lines; and further amend said section, page 6, line 12, by striking “**subsections 2 and**” and inserting in lieu thereof, the following: “**subsection**”; and further amend said section, page 7, line 1 by striking “**subsections 2 or**” and inserting in lieu thereof, the following: “**subsection**”; and further amend said section, lines 3-13, by striking all of said lines; and further renumber the remaining subsections accordingly; and

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted.

Senator Crowell offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 202, Page 1, Line 5 of said amendment, by inserting immediately before the word “**labor**” the following: “**public**”.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

**SA 1**, as amended, was again taken up.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Green offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 202, Page 7, Section 105.504, Line 21, by striking “**public employers**” and inserting in lieu thereof, the following: “**the state as an employer**”.

Senator Green moved that the above amendment be adopted.

Senator Crowell requested a roll call vote be taken on the adoption of **SA 2** and was joined in his request by Senators Brown, Callahan, Lamping and Richard.

**SA 2** failed of adoption by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Wright-Jones—8
----------	-----------------	-------	-------	--------	---------	---------	----------------

NAYS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer

Wasson—25

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

Senator Crowell moved that **SS** for **SB 202**, as amended, be adopted, which motion prevailed.

On motion of Senator Crowell, **SS** for **SB 202**, as amended, was declared perfected and ordered printed.

At the request of Senator Stouffer, **SB 100**, with **SCS**, was placed on the Informal Calendar.

Senator Engler moved that **SB 117**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 117**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 117

An Act to repeal section 144.032, RSMo, and to enact in lieu thereof two new sections relating to the imposition of a hospital district sales tax in lieu of a property tax to fund a hospital district, with an emergency clause.

Was taken up.

Senator Engler moved that **SCS** for **SB 117** be adopted, which motion prevailed.

On motion of Senator Engler, **SCS** for **SB 117** was declared perfected and ordered printed.

President Kinder assumed the Chair.

Senator Wasson moved that **SB 26** and **SB 106**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SBs 26** and **106**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 26 and 106

An Act to amend chapter 301, RSMo, by adding thereto two new sections relating to specialized license plates.

Was taken up.

Senator Pearce assumed the Chair.

Senator Wasson moved that **SCS** for **SBs 26** and **106** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SBs 26** and **106** was declared perfected and ordered printed.

Senator Goodman moved that **SB 394** and **SB 331**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SBs 394** and **331**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 394 and 331

An Act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

Was taken up.

Senator Goodman moved that **SCS** for **SBs 394** and **331** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **SBs 394** and **331** was declared perfected and ordered printed.

At the request of Senator Goodman, **SB 366**, with **SCS**, was placed on the Informal Calendar.

Senator Schaefer moved that **SB 237** be taken up for perfection, which motion prevailed.

On motion of Senator Schaefer, **SB 237** was declared perfected and ordered printed.

At the request of Senator Schaefer, **SB 213**, with **SCS**, was placed on the Informal Calendar.

### **REFERRALS**

President Pro Tem Mayer referred **SB 90** to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer referred **HCR 15; HCR 33; HCR 34; HCR 11; HCR 7; and HCS** for **HCR 17** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

Senator Dempsey announced that photographers from the Jefferson City News Tribune were given permission to take pictures in the Senate Chamber today.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 26** and **106; SCS** for **SB 117; SS** for **SB 202; SB 237; and SCS** for **SBs 394** and **331**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Mayer referred **SCS** for **SB 202** to the Committee on Ways and Means and Fiscal Oversight.

### **SENATE BILLS FOR PERFECTION**

Senator Dempsey moved that **SB 204** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Dempsey, **SB 204** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 100**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 100**, entitled:

### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 100**

An Act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax

credits for certain contributions.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 100** be adopted.

Senator Stouffer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 100, Page 4, Section 135.1150, Line 90, by striking the year “2017” and inserting in lieu thereof the following: “**2015**”; and

Further amend said bill, page 6, section 135.1180, line 90, by striking the word “six” and inserting in lieu thereof the following: “**four**”.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer moved that **SCS** for **SB 100**, as amended, be adopted, which motion prevailed.

On motion of Senator Stouffer, **SCS** for **SB 100**, as amended, was declared perfected and ordered printed.

Senator Goodman moved that **SB 366**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 366**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 366

An Act to amend chapter 351, RSMo, by adding thereto seventy-seven new sections relating to the Missouri cooperative associations act, with penalty provisions.

Was taken up.

Senator Goodman moved that **SCS** for **SB 366** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **SB 366** was declared perfected and ordered printed.

**SB 420**, with **SCS**, was placed on the Informal Calendar.

Senator McKenna moved that **SB 286** be taken up for perfection, which motion prevailed.

Senator McKenna offered **SS** for **SB 286**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 286

An Act to amend chapter 160, RSMo, by adding thereto two new sections relating to the task force on the prevention of sexual abuse of children.

Senator McKenna moved that **SS** for **SB 286** be adopted.

Senator Cunningham offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 286, Page 1, In the Title, Lines 3-4, by striking all of said lines and inserting in lieu thereof the following: “sections relating to protecting children from sex

offenders.”; and

Further amend said bill and page, section A, line 3, by inserting after all of said line the following:

“37.710. 1. The office shall have access to the following information:

(1) The names and physical location of all children in protective services, treatment, or other programs under the jurisdiction of the children’s division, the department of mental health, and the juvenile court;

(2) All written reports of child abuse and neglect; and

(3) All current records required to be maintained pursuant to chapters 210 and 211, RSMo.

2. The office shall have the authority:

(1) To communicate privately by any means possible with any child under protective services and anyone working with the child, including the family, relatives, courts, employees of the department of social services and the department of mental health, and other persons or entities providing treatment and services;

(2) To have access, including the right to inspect, copy and subpoena records held by the clerk of the juvenile or family court, juvenile officers, law enforcement agencies, institutions, public or private, and other agencies, or persons with whom a particular child has been either voluntarily or otherwise placed for care, or has received treatment within this state or in another state;

(3) To work in conjunction with juvenile officers and guardians ad litem;

(4) **To file any findings or reports of the child advocate regarding the parent or child with the court, and issue recommendations regarding the disposition of an investigation, which may be provided to the court and to the investigating agency;**

(5) To file amicus curiae briefs on behalf of the interests of the parent or child;

[(5)] (6) To initiate meetings with the department of social services, the department of mental health, the juvenile court, and juvenile officers;

[(6)] (7) To take whatever steps are appropriate to see that persons are made aware of the services of the child advocate’s office, its purpose, and how it can be contacted;

[(7)] (8) To apply for and accept grants, gifts, and bequests of funds from other states, federal, and interstate agencies, and independent authorities, private firms, individuals, and foundations to carry out his or her duties and responsibilities. The funds shall be deposited in a dedicated account established within the office to permit moneys to be expended in accordance with the provisions of the grant or bequest; [and]

[(8)] (9) Subject to appropriation, to establish as needed local panels on a regional or county basis to adequately and efficiently carry out the functions and duties of the office, and address complaints in a timely manner; **and**

**(10) To mediate between alleged victims of sexual misconduct and school districts as provided in subsection 1 of section 160.262.**

3. For any information obtained from a state agency or entity under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the state agency or entity providing such information to the office of child advocate. For information obtained directly by the office of child advocate under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply

to the children's division regarding information obtained during a child abuse and neglect investigation resulting in an unsubstantiated report.

**160.085. The provisions of sections 37.710, 160.085, 160.261, 160.262, 162.014, 162.068, 162.069, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037 relating to protecting children from sexual offenders shall be known as the "Amy Hestir Student Protection Act".**

160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030;
- (6) Forcible sodomy under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;



- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) Sexual assault under section 566.040;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) Deviate sexual assault pursuant to section 566.070;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse pursuant to section 566.100;
- (24) Harassment under section 565.090; or

(25) Stalking under section 565.225; committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons. 7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include

but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. [(1)] Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

**11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.**

[(2)] **12.** Upon receipt of any reports of child abuse by the children's division **other than reports provided under subsection 11 of this section**, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

**13.** If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. [(3)] In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

**14.** If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when

administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the juvenile officer of the county in which the alleged incident occurred.

**15.** The report shall be jointly investigated by the juvenile officer or a law enforcement officer designated by the juvenile officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by the juvenile officer or a law enforcement officer designated by the juvenile officer and the president of the school board or such president's designee.

[(4)] **16.** The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

**17.** The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

**18.** The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

[(5)] **19.** The school board shall consider the separate reports **referred to in subsection 17 of this section** and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

[(a)] **(1)** The report of the alleged child abuse is unsubstantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school board personnel agree that [the evidence shows that no] **there was not a preponderance of evidence to substantiate that** abuse occurred;

[(b)] **(2)** The report of the alleged child abuse is substantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel agree that the **preponderance of** evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

[(c)] **(3)** The issue involved in the alleged incident of child abuse is unresolved. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

[11.] **20.** The findings and conclusions of the school board under [subdivision (5) of] subsection [10] **19** of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central

registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

[12.] **21.** Any superintendent of schools, president of a school board or such person's designee or juvenile officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

[13.] **22.** In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

**160.262. 1. The office of the child advocate as created in section 37.705 shall be authorized to coordinate mediation efforts between school districts and students when requested by both parties when allegations of child abuse arise in a school setting. The office of the child advocate shall maintain a list of individuals who are qualified mediators. The child advocate shall be available as one of the mediators on the list from which parents can choose.**

**2. Mediation procedures shall meet the following requirements:**

**(1) The mediation process shall not be used to deny or delay any other complaint process available to the parties; and**

**(2) The mediation process shall be conducted by a qualified and impartial mediator trained in effective mediation techniques who is not affiliated with schools or school professional associations, is not a mandated reporter of child abuse under state law or regulation, and who is available as a public service.**

**3. No student, parent of a student, school employee, or school district shall be required to participate in mediation under this section. If either the school district or the student or student's parent does not wish to enter into mediation, mediation shall not occur.**

**4. Each session in the mediation process shall be scheduled in a timely manner and be held in a location that is convenient to the parties in dispute.**

**5. Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent administrative proceeding, administrative hearing, nor in any civil or criminal proceeding of any state or federal court.**

**6. If the parties resolve a dispute through the mediation process, the parties shall execute a legally binding agreement that sets forth the resolution and:**

**(1) States that all discussions that occurred during the mediation process shall remain confidential and may not be used as evidence in any subsequent administrative proceeding, administrative hearing, or civil proceeding of any federal or state court; and**

**(2) Is signed by a representative of each party who has authority to bind the party.”; and**

Further amend said bill, page 4, section 160.2110, line 22, by inserting after all of said line the following:

**“162.014. No person shall be a candidate for a member or director of the school board in any school district in this state if such person is registered or is required to be registered as a sex offender under sections 589.400 to 589.425. Any member or director of the school board of any school district who is registered or required to be registered as a sex offender under sections 589.400 to 589.425 shall be ineligible to serve as a member or director of a school board of any school district at the conclusion of his or her term of office.**

**162.068. 1. By July 1, 2012, every school district shall adopt a written policy on information that the district provides about former employees, both certificated and noncertificated, to other public schools. The policy shall include who is permitted to respond to requests for information from potential employers and the information the district would provide when responding to such a request. The policy shall require that notice of this provision be provided to all current employees and to all potential employers who contact the school district regarding the possible employment of a school district employee.**

**2. Any school district that employs a person about whom the children’s division conducts an investigation involving allegations of sexual misconduct with a student and reaches a finding of substantiated shall immediately suspend the employment of such person, notwithstanding any other provision of law, but the district may return the person to his or her employment if the child abuse and neglect review board’s finding that the allegation is substantiated is reversed by a court on appeal and becomes final. Nothing shall preclude a school district from otherwise lawfully terminating the employment of any employee about whom there has been a finding of unsubstantiated resulting from an investigation by the children’s division involving allegations of sexual misconduct with a student.**

**3. Any school district employee who is permitted to respond to requests for information regarding former employees under a policy adopted by his or her school district under subsection 2 of this section and who communicates only the information which such policy directs, and who acts in good faith and without malice shall be immune against any civil action for damages brought by the former employee arising out of the communication of such information. If any such action is brought, the school district employee may, at his or her option, request the attorney general to defend him or her in such suit and the attorney general shall provide such defense, except that if the attorney general represents the school district or the department of elementary and secondary education in a pending licensing matter under section 168.071 the attorney general shall not represent the school district employee.**

**4. Notwithstanding the provisions of subsection 2 of this section, if a district that has employed any employee whose job involves contact with children receives allegations of sexual misconduct concerning the employee and as a result of such allegations or as a result of such allegations being substantiated by the child abuse and neglect review board dismisses the employee or allows the employee to resign in lieu of being fired and fails to disclose the allegations of sexual misconduct when furnishing a reference for the former employee or responding to a potential employer’s request for information regarding such employee, the district shall be directly liable for damages to any student of a subsequent employing district who is found by a court of competent jurisdiction to be a victim of the former employee’s sexual misconduct, and the district shall bear third-party liability to the**

employing district for any legal liability, legal fees, costs, and expenses incurred by the employing district caused by the failure to disclose such information to the employing district.

5. If a school district has previously employed a person about whom the children's division has conducted an investigation involving allegations of sexual misconduct with a student and has reached a finding of substantiated and another public school contacts the district for a reference for the former employee, the district shall disclose the results of the children's division's investigation to the public school.

6. Any school district employee, acting in good faith, who reports alleged sexual misconduct on the part of a teacher or other school employee shall not be discharged or otherwise discriminated against in any fashion because of such reporting.

162.069. 1. Every school district shall, by January 1, 2012, promulgate a written policy concerning teacher-student communication and employee-student communication. Such policy shall contain at least the following elements:

(1) Appropriate oral and nonverbal personal communication, which may be combined with or included in any policy on sexual harassment; and

(2) Appropriate use of electronic media such as text messaging and internet sites for both instructional and personal purposes, with an element concerning use of social networking sites no less stringent than the provisions of subsections 2, 3, and 4 of this section.

2. As used in this section, the following terms shall mean:

(1) "Exclusive access", the information on the website is available only to the owner (teacher) and user (student) by mutual explicit consent and where third parties have no access to the information on the website absent an explicit consent agreement with the owner (teacher);

(2) "Former student", any person who was at one time a student at the school at which the teacher is employed and who is eighteen years of age or less and who has not graduated;

(3) "Nonwork-related internet site", any internet website or web page used by a teacher primarily for personal purposes and not for educational purposes;

(4) "Work-related internet site", any internet website or web pages used by a teacher for educational purposes.

3. No teacher shall establish, maintain, or use a work-related internet site unless such site is available to school administrators and the child's legal custodian, physical custodian, or legal guardian.

4. No teacher shall establish, maintain, or use a nonwork-related internet site which allows exclusive access with a current or former student. Nothing in this subsection shall be construed as prohibiting a teacher from establishing a nonwork related internet site, provided the site is used in accordance with this section.

5. Every school district shall, by July 1, 2012, include in its teacher and employee training, a component that provides up-to-date and reliable information on identifying signs of sexual abuse in children and danger signals of potentially abusive relationships between children and adults. The training shall emphasize the importance of mandatory reporting of abuse under section 210.115

**including the obligation of mandated reporters to report suspected abuse by other mandated reporters, and how to establish an atmosphere of trust so that students feel their school has concerned adults with whom they feel comfortable discussing matters related to abuse.**

168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

(1) By the state board, under rules and regulations prescribed by it:

- (a) Upon the basis of college credit;
- (b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (1) of subsection 3 of this section;

(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

(a) Recommendation of a state-approved baccalaureate-level teacher preparation program;

(b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and

(c) Upon completion of a background check **as prescribed in section 168.133** and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (1) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates; or

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach, except that such certificate shall not be granted for the areas of early childhood education, elementary education, or special education. Upon the completion of the



requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation; and

(d) Participate in a beginning teacher assistance program.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of his or her current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education **which shall include completion of a background check as prescribed in section 168.133**. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

(a) Participate in a mentoring program approved and provided by the district for a minimum of two years;

(b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and

(c) Participate in a beginning teacher assistance program;

(2) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year,

to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

- a. Has ten years of teaching experience as defined by the state board of education;
- b. Possesses a master's degree; or
- c. Obtains a rigorous national certification as approved by the state board of education.

4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate his or her last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate.

5. The state board shall, upon [an appropriate] **completion of a background check as prescribed in section 168.133**, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the armed forces stationed in Missouri;
  - (2) Relocated from another state within one year of the date of application;
  - (3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and
  - (4) Otherwise qualifies under this section.
6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into

the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to his or her original date of employment in a Missouri public school.

8. The provisions of subdivision (5) of subsection 1 of this section, as well as any other provision of this section relating to the American Board for Certification of Teacher Excellence, shall terminate on August 28, 2014.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; or

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are

also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061, RSMo, or murder in the first degree **under section 565.020**;

(2) Any of the following sexual offenses: rape **under section 566.030**; statutory rape in the first degree **under section 566.032**; statutory rape in the second degree **under section 566.034**; sexual assault **under section 566.040**; forcible sodomy **under section 566.060**; statutory sodomy in the first degree **under section 566.062**; statutory sodomy in the second degree **under section 566.064**; child molestation in the first degree **under section 566.067**; child molestation in the second degree **under section 566.068**; deviate sexual assault **under section 566.070**; sexual misconduct involving a child **under section 566.083**; **sexual contact with a student while on public school property under section 566.086**; sexual misconduct in the first degree **under section 566.090**; **sexual misconduct in the second degree under section 566.093**; **sexual misconduct in the third degree under section 566.095**; sexual abuse **under section 565.100**; enticement of a child **under section 566.151**; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest **under section 568.020**; abandonment of child in the first degree **under section 568.030**; abandonment of child in the second degree **under section 568.032**; endangering the welfare of a child in the first degree **under section 568.045**; abuse of a child **under section 568.060**; child used in a sexual performance **under section 568.080**; promoting sexual performance by a child **under section 568.090**; or trafficking in children **under section 568.175**; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree **under section 573.020**; promoting obscenity in the second degree when the penalty is enhanced to a class D felony **under section 573.030**; promoting child pornography in the first degree **under section 573.025**; promoting child pornography in the second degree **under section 573.035**; possession of child pornography [in the first degree] **under section 573.037**; [possession of child pornography in the second degree; furnishing child pornography to a minor;] furnishing pornographic materials to minors **under section 573.040**; or coercing acceptance of obscene material **under section 573.065**.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140, RSMo.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.

168.133. 1. The school district shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, and nurses. The school district shall also ensure that a criminal background check is conducted for school bus drivers. The district may allow such drivers to operate buses pending the result of the criminal background check. For bus drivers, the **school district shall be responsible for conducting the criminal background check** [shall be conducted] on drivers employed by the school district [or]. **For drivers** employed by a pupil transportation company under contract with the school district, **the criminal background check shall be conducted pursuant to section 43.540 and conform to the requirements established in the National Child Protection Act of 1993, as amended by the Volunteers for Children Act. Personnel who have successfully undergone a criminal background check and a check of the family care safety registry as part of the professional license application process under section 168.021 and who have received clearance on the checks within one prior year of employment shall be considered to have completed the background check requirement. A criminal background check under this section shall include a search of any information publicly available in an electronic format through a public index or single case display.**

2. In order to facilitate the criminal history background check [on any person employed after January 1, 2005], the applicant shall submit [two sets] **a set** of fingerprints collected pursuant to standards determined by the Missouri highway patrol. [One set of] **The** fingerprints shall be used by the highway patrol to search the criminal history repository [and the family care safety registry pursuant to sections

210.900 to 210.936, RSMo,] and [the second set] shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

3. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530, RSMo, and sections 210.900 to 210.936, RSMo, and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position authorized to have contact with pupils pursuant to this section. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri highway patrol.

4. **The department of elementary and secondary education shall facilitate an annual check of employed persons holding current active certificates under section 168.021 against criminal history records in the central repository under section 43.530, the sexual offender registry under sections 589.400 to 589.475, and child abuse central registry under sections 210.109 to 210.183. The department of elementary and secondary education shall facilitate procedures for school districts to submit personnel information annually for persons employed by the school districts who do not hold a current valid certificate who are required by subsection 1 of this section to undergo a criminal background check, sexual offender registry check, and child abuse central registry check. The Missouri state highway patrol shall provide ongoing electronic updates to criminal history background checks of those persons previously submitted, both those who have an active certificate and those who do not have an active certificate, by the department of elementary and secondary education. This shall fulfill the annual check against the criminal history records in the central repository under section 43.530.**

5. The school district may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530, RSMo.

[5.] 6. If, as a result of the criminal history background check mandated by this section, it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such information shall be reported to the department of elementary and secondary education.

[6.] 7. Any school official making a report to the department of elementary and secondary education in conformity with this section shall not be subject to civil liability for such action.

[7.] 8. For any teacher who is employed by a school district on a substitute or part-time basis within one year of such teacher's retirement from a Missouri school, the state of Missouri shall not require such teacher to be subject to any additional background checks prior to having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise restricting a school district from requiring additional background checks for such teachers employed by the school district.

[8.] 9. A criminal background check and fingerprint collection conducted under subsections 1 and 2 of this section shall be valid for at least a period of one year and transferrable from one school district to another district. **A school district may, in its discretion, conduct a new criminal background check and fingerprint collection under subsections 1 and 2 for a newly hired employee at the district's expense.** A teacher's change in type of certification shall have no effect on the transferability or validity of such records.

[9.] 10. Nothing in this section shall be construed to alter the standards for suspension, denial, or

revocation of a certificate issued pursuant to this chapter.

[10.] **11.** The state board of education may promulgate rules for criminal history background checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be invalid and void.

210.135. **1.** Any person, official, or institution complying with the provisions of sections 210.110 to 210.165 in the making of a report, the taking of color photographs, or the making of radiologic examinations pursuant to sections 210.110 to 210.165, or both such taking of color photographs and making of radiologic examinations, or the removal or retaining a child pursuant to sections 210.110 to 210.165, or in cooperating with the division, or any other law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state, in any of the activities pursuant to sections 210.110 to 210.165, or any other allegation of child abuse, neglect or assault, pursuant to sections 568.045 to 568.060, RSMo, shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such actions. Provided, however, any person, official or institution intentionally filing a false report, acting in bad faith, or with ill intent, shall not have immunity from any liability, civil or criminal. Any such person, official, or institution shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

**2. Any person, who is not a school district employee, who makes a report to any employee of the school district of child abuse by a school employee shall have immunity from any liability, civil or criminal, that otherwise might result because of such report. Provided, however, that any such person who makes a false report, knowing that the report is false, or who acts in bad faith or with ill intent in making such report shall not have immunity from any liability, civil or criminal. Any such person shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.**

210.145. **1.** The division shall develop protocols which give priority to:

(1) Ensuring the well-being and safety of the child in instances where child abuse or neglect has been alleged;

(2) Promoting the preservation and reunification of children and families consistent with state and federal law;

(3) Providing due process for those accused of child abuse or neglect; and

(4) Maintaining an information system operating at all times, capable of receiving and maintaining reports. This information system shall have the ability to receive reports over a single, statewide toll-free number. Such information system shall maintain the results of all investigations, family assessments and services, and other relevant information.

**2.** The division shall utilize structured decision-making protocols for classification purposes of all child abuse and neglect reports. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child. All child abuse and neglect reports shall be initiated within twenty-four

hours and shall be classified based upon the reported risk and injury to the child. The division shall promulgate rules regarding the structured decision-making protocols to be utilized for all child abuse and neglect reports.

3. Upon receipt of a report, the division shall determine if the report merits investigation, including reports which if true would constitute a suspected violation of any of the following: section 565.020, 565.021, 565.023, 565.024, or 565.050, RSMo, if the victim is a child less than eighteen years of age, section 566.030 or 566.060, RSMo, if the victim is a child less than eighteen years of age, or other crimes under chapter 566, RSMo, if the victim is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older, section 567.050, RSMo, if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, RSMo, section 573.025, 573.035, 573.037, or 573.040, RSMo, or an attempt to commit any such crimes. The division shall immediately communicate all reports that merit investigation to its appropriate local office and any relevant information as may be contained in the information system. The local division staff shall determine, through the use of protocols developed by the division, whether an investigation or the family assessment and services approach should be used to respond to the allegation. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child.

4. The local office shall contact the appropriate law enforcement agency immediately upon receipt of a report which division personnel determine merits an investigation and provide such agency with a detailed description of the report received. In such cases the local division office shall request the assistance of the local law enforcement agency in all aspects of the investigation of the complaint. The appropriate law enforcement agency shall either assist the division in the investigation or provide the division, within twenty-four hours, an explanation in writing detailing the reasons why it is unable to assist.

5. The local office of the division shall cause an investigation or family assessment and services approach to be initiated in accordance with the protocols established in subsection 2 of this section, except in cases where the sole basis for the report is educational neglect. If the report indicates that educational neglect is the only complaint and there is no suspicion of other neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the report. If the report indicates the child is in danger of serious physical harm or threat to life, an investigation shall include direct observation of the subject child within twenty-four hours of the receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct observation. If the parents of the child are not the alleged abusers, a parent of the child must be notified prior to the child being interviewed by the division. If the abuse is alleged to have occurred in a school or child-care facility the division shall not meet with the child in any school building or child-care facility building where abuse of such child is alleged to have occurred. When the child is reported absent from the residence, the location and the well-being of the child shall be verified. For purposes of this subsection, child-care facility shall have the same meaning as such term is defined in section 210.201.

6. The director of the division shall name at least one chief investigator for each local division office, who shall direct the division response on any case involving a second or subsequent incident regarding the same subject child or perpetrator. The duties of a chief investigator shall include verification of direct observation of the subject child by the division and shall ensure information regarding the status of an investigation is provided to the public school district liaison. The public school district liaison shall develop protocol in conjunction with the chief investigator to ensure information regarding an investigation is shared with appropriate school personnel. The superintendent of each school district shall designate a specific



person or persons to act as the public school district liaison. Should the subject child attend a nonpublic school the chief investigator shall notify the school principal of the investigation. Upon notification of an investigation, all information received by the public school district liaison or the school shall be subject to the provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34 C.F.R., Part 99.

7. The investigation shall include but not be limited to the nature, extent, and cause of the abuse or neglect; the identity and age of the person responsible for the abuse or neglect; the names and conditions of other children in the home, if any; the home environment and the relationship of the subject child to the parents or other persons responsible for the child's care; any indication of incidents of physical violence against any other household or family member; and other pertinent data.

8. When a report has been made by a person required to report under section 210.115, the division shall contact the person who made such report within forty-eight hours of the receipt of the report in order to ensure that full information has been received and to obtain any additional information or medical records, or both, that may be pertinent.

9. Upon completion of the investigation, if the division suspects that the report was made maliciously or for the purpose of harassment, the division shall refer the report and any evidence of malice or harassment to the local prosecuting or circuit attorney.

10. Multidisciplinary teams shall be used whenever conducting the investigation as determined by the division in conjunction with local law enforcement. Multidisciplinary teams shall be used in providing protective or preventive social services, including the services of law enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and other agencies, both public and private.

11. For all family support team meetings involving an alleged victim of child abuse or neglect, the parents, legal counsel for the parents, foster parents, the legal guardian or custodian of the child, the guardian ad litem for the child, and the volunteer advocate for the child shall be provided notice and be permitted to attend all such meetings. Family members, other than alleged perpetrators, or other community informal or formal service providers that provide significant support to the child and other individuals may also be invited at the discretion of the parents of the child. In addition, the parents, the legal counsel for the parents, the legal guardian or custodian and the foster parents may request that other individuals, other than alleged perpetrators, be permitted to attend such team meetings. Once a person is provided notice of or attends such team meetings, the division or the convenor of the meeting shall provide such persons with notice of all such subsequent meetings involving the child. Families may determine whether individuals invited at their discretion shall continue to be invited.

12. If the appropriate local division personnel determine after an investigation has begun that completing an investigation is not appropriate, the division shall conduct a family assessment and services approach. The division shall provide written notification to local law enforcement prior to terminating any investigative process. The reason for the termination of the investigative process shall be documented in the record of the division and the written notification submitted to local law enforcement. Such notification shall not preclude nor prevent any investigation by law enforcement.

13. If the appropriate local division personnel determines to use a family assessment and services approach, the division shall:

(1) Assess any service needs of the family. The assessment of risk and service needs shall be based on information gathered from the family and other sources;

(2) Provide services which are voluntary and time-limited unless it is determined by the division based on the assessment of risk that there will be a high risk of abuse or neglect if the family refuses to accept the services. The division shall identify services for families where it is determined that the child is at high risk of future abuse or neglect. The division shall thoroughly document in the record its attempt to provide voluntary services and the reasons these services are important to reduce the risk of future abuse or neglect to the child. If the family continues to refuse voluntary services or the child needs to be protected, the division may commence an investigation;

(3) Commence an immediate investigation if at any time during the family assessment and services approach the division determines that an investigation, as delineated in sections 210.109 to 210.183, is required. The division staff who have conducted the assessment may remain involved in the provision of services to the child and family;

(4) Document at the time the case is closed, the outcome of the family assessment and services approach, any service provided and the removal of risk to the child, if it existed.

14. Within thirty days of an oral report of abuse or neglect, the local office shall update the information in the information system. The information system shall contain, at a minimum, the determination made by the division as a result of the investigation, identifying information on the subjects of the report, those responsible for the care of the subject child and other relevant dispositional information. The division shall complete all investigations within thirty days, unless good cause for the failure to complete the investigation is documented in the information system. If a child involved in a pending investigation dies, the investigation shall remain open until the division's investigation surrounding the death is completed. If the investigation is not completed within thirty days, the information system shall be updated at regular intervals and upon the completion of the investigation. The information in the information system shall be updated to reflect any subsequent findings, including any changes to the findings based on an administrative or judicial hearing on the matter.

15. A person required to report under section 210.115 to the division and any person making a report of child abuse or neglect made to the division which is not made anonymously shall be informed by the division of his or her right to obtain information concerning the disposition of his or her report. Such person shall receive, from the local office, if requested, information on the general disposition of his or her report. Such person may receive, if requested, findings and information concerning the case. Such release of information shall be at the discretion of the director based upon a review of the reporter's ability to assist in protecting the child or the potential harm to the child or other children within the family. The local office shall respond to the request within forty-five days. The findings shall be made available to the reporter within five days of the outcome of the investigation. If the report is determined to be unsubstantiated, the reporter may request that the report be referred by the division to the office of child advocate for children's protection and services established in sections 37.700 to 37.730, RSMo. Upon request by a reporter under this subsection, the division shall refer an unsubstantiated report of child abuse or neglect to the office of child advocate for children's protection and services.

**16. The division shall provide to any individual, who is not satisfied with the results of an investigation, information about the office of child advocate and the services it may provide under sections 37.700 to 37.730.**

**17. In any judicial proceeding involving the custody of a child the fact that a report may have been made pursuant to sections 210.109 to 210.183 shall not be admissible. However:**

(1) Nothing in this subsection shall prohibit the introduction of evidence from independent sources to support the allegations that may have caused a report to have been made; and

(2) The court may on its own motion, or shall if requested by a party to the proceeding, make an inquiry not on the record with the children's division to determine if such a report has been made. If a report has been made, the court may stay the custody proceeding until the children's division completes its investigation.

[17.] **18.** In any judicial proceeding involving the custody of a child where the court determines that the child is in need of services pursuant to subdivision (d) of subsection 1 of section 211.031, RSMo, and has taken jurisdiction, the child's parent, guardian or custodian shall not be entered into the registry.

[18.] **19.** The children's division is hereby granted the authority to promulgate rules and regulations pursuant to the provisions of section 207.021, RSMo, and chapter 536, RSMo, to carry out the provisions of sections 210.109 to 210.183.

[19.] **20.** Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

210.152. 1. All identifying information, including telephone reports reported pursuant to section 210.145, relating to reports of abuse or neglect received by the division shall be retained by the division and removed from the records of the division as follows:

(1) For investigation reports contained in the central registry, identifying information shall be retained by the division;

(2) (a) For investigation reports initiated against a person required to report pursuant to section 210.115, where insufficient evidence of abuse or neglect is found by the division and where the division determines the allegation of abuse or neglect was made maliciously, for purposes of harassment or in retaliation for the filing of a report by a person required to report, identifying information shall be expunged by the division within forty-five days from the conclusion of the investigation;

(b) For investigation reports, where insufficient evidence of abuse or neglect is found by the division and where the division determines the allegation of abuse or neglect was made maliciously, for purposes of harassment or in retaliation for the filing of a report, identifying information shall be expunged by the division within forty-five days from the conclusion of the investigation;

(c) For investigation reports initiated by a person required to report under section 210.115, where insufficient evidence of abuse or neglect is found by the division, identifying information shall be retained for five years from the conclusion of the investigation. For all other investigation reports where insufficient evidence of abuse or neglect is found by the division, identifying information shall be retained for two years from the conclusion of the investigation. Such reports shall include any exculpatory evidence known by the division, including exculpatory evidence obtained after the closing of the case. At the end of such time period, the identifying information shall be removed from the records of the division and destroyed;

(3) For reports where the division uses the family assessment and services approach, identifying information shall be retained by the division;

(4) For reports in which the division is unable to locate the child alleged to have been abused or neglected, identifying information shall be retained for ten years from the date of the report and then shall be removed from the records of the division.

2. Within ninety days after receipt of a report of abuse or neglect that is investigated, the alleged perpetrator named in the report and the parents of the child named in the report, if the alleged perpetrator is not a parent, shall be notified in writing of any determination made by the division based on the investigation. The notice shall advise either:

(1) That the division has determined by a probable cause finding prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004, that abuse or neglect exists and that the division shall retain all identifying information regarding the abuse or neglect; that such information shall remain confidential and will not be released except to law enforcement agencies, prosecuting or circuit attorneys, or as provided in section 210.150; that the alleged perpetrator has sixty days from the date of receipt of the notice to seek reversal of the division's determination through a review by the child abuse and neglect review board as provided in subsection 3 of this section; or

(2) That the division has not made a probable cause finding or determined by a preponderance of the evidence that abuse or neglect exists.

**3. The children's division may reopen a case for review at the request of the alleged perpetrator, the alleged victim, or the office of the child advocate if new, specific, and credible evidence is obtained that the division's decision was based on fraud or misrepresentation of material facts relevant to the division's decision and there is credible evidence that absent such fraud or misrepresentation the division's decision would have been different. If the alleged victim is under the age of eighteen, the request for review may be made by the alleged victim's parent, legal custodian, or legal guardian. All requests to reopen an investigation for review shall be made within a reasonable time and not more than one year after the children's division made its decision. The division shall not reopen a case for review based on any information which the person requesting the review knew, should have known, or could by the exercise of reasonable care have known before the date of the division's final decision in the case, unless the person requesting the review shows by a preponderance of the evidence that he or she could not have provided such information to the division before the date of the division's final decision in the case. Any person, other than the office of the child advocate, who makes a request to reopen a case for review based on facts which the person knows to be false or misleading or who acts in bad faith or with the intent to harass the alleged victim or perpetrator shall not have immunity from any liability, civil or criminal, for providing the information and requesting that the division reopen the investigation. Any person who makes a request to reopen an investigation based on facts which the person knows to be false shall be guilty of a class A misdemeanor. The children's division shall not reopen an investigation under any circumstances while the case is pending before a court of this state nor when a court has entered a final judgment after de novo judicial review pursuant to section 210.152.**

4. Any person named in an investigation as a perpetrator who is aggrieved by a determination of abuse or neglect by the division as provided in this section may seek an administrative review by the child abuse and neglect review board pursuant to the provisions of section 210.153. Such request for review shall be

made within sixty days of notification of the division's decision under this section. In those cases where criminal charges arising out of facts of the investigation are pending, the request for review shall be made within sixty days from the court's final disposition or dismissal of the charges.

[4.] **5.** In any such action for administrative review, the child abuse and neglect review board shall sustain the division's determination if such determination was supported by evidence of probable cause prior to August 28, 2004, or is supported by a preponderance of the evidence after August 28, 2004, and is not against the weight of such evidence. The child abuse and neglect review board hearing shall be closed to all persons except the parties, their attorneys and those persons providing testimony on behalf of the parties.

[5.] **6.** If the alleged perpetrator is aggrieved by the decision of the child abuse and neglect review board, the alleged perpetrator may seek de novo judicial review in the circuit court in the county in which the alleged perpetrator resides and in circuits with split venue, in the venue in which the alleged perpetrator resides, or in Cole County. If the alleged perpetrator is not a resident of the state, proper venue shall be in Cole County. The case may be assigned to the family court division where such a division has been established. The request for a judicial review shall be made within sixty days of notification of the decision of the child abuse and neglect review board decision. In reviewing such decisions, the circuit court shall provide the alleged perpetrator the opportunity to appear and present testimony. The alleged perpetrator may subpoena any witnesses except the alleged victim or the reporter. However, the circuit court shall have the discretion to allow the parties to submit the case upon a stipulated record.

[6.] **7.** In any such action for administrative review, the child abuse and neglect review board shall notify the child or the parent, guardian or legal representative of the child that a review has been requested.

210.915. The department of corrections, the department of public safety, the department of social services, **the department of elementary and secondary education**, and the department of mental health shall collaborate with the department to compare records on child-care, elder-care, mental health, and personal-care workers, **including those individuals required to undergo a background check under the provisions of section 168.133**, and the records of persons with criminal convictions and the background checks pursuant to subdivisions (1) to (8) of subsection 2 of section 210.903, and to enter into any interagency agreements necessary to facilitate the receipt of such information and the ongoing updating of such information. The department shall promulgate rules and regulations concerning such updating, including subsequent background reviews as listed in subsection 1 of section 210.909.

210.922. The department of health and senior services, department of mental health, **department of elementary and secondary education**, and department of social services may use the registry information to carry out the duties assigned to the department pursuant to this chapter and chapters **168**, 190, 195, 197, 198, 630, and 660, RSMo.

556.037. Notwithstanding the provisions of section 556.036, prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within [twenty] **thirty** years after the victim reaches the age of eighteen unless the prosecutions are for forcible rape, attempted forcible rape, forcible sodomy, kidnapping, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.”; and

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Lager assumed the Chair.

Senator McKenna moved that **SS** for **SB 286**, as amended, be adopted, which motion prevailed.

On motion of Senator McKenna, **SS** for **SB 286**, as amended, was declared perfected and ordered printed.

Senator Stouffer moved that **SB 268** be taken up for perfection, which motion prevailed.

On motion of Senator Stouffer, **SB 268** was declared perfected and ordered printed.

Senator Pearce moved that **SB 228** be taken up for perfection, which motion prevailed.

At the request of Senator Pearce, **SB 228** was placed on the Informal Calendar.

### CONCURRENT RESOLUTIONS

Senator Rupp moved that **SCR 8** be taken up for adoption, which motion prevailed.

Senator Rupp offered **SS** for **SCR 8**:

#### SENATE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be \$6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Senator Rupp moved that **SS** for **SCR 8** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCR 8**, as amended by the **SS**, was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—32

NAYS—Senators—None

Absent—Senator Lembke—1

Absent with leave—Senator Wright-Jones—1

Vacancies—None

### SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 213**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 213**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 213

An Act to repeal sections 475.060 and 475.061, RSMo, and to enact in lieu thereof twenty-six new sections relating to guardianship.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 213** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 213** was declared perfected and ordered printed.

Senator Schaefer moved that **SB 323**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 323**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 323

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies, with an emergency clause.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 323** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 323** was declared perfected and ordered printed.

Senator Lembke moved that **SB 36** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Lembke, **SB 36** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 254**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 254**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 254

An Act to repeal sections 302.309 and 577.023, RSMo, and to enact in lieu thereof two new sections relating to intoxicated-related traffic offenses, with existing penalty provisions.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 254** be adopted.

Senator Stouffer offered **SS** for **SCS** for **SB 254**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 254

An Act to repeal sections 302.309, 302.530, 558.021, 577.017, and 577.023, RSMo, and to enact in lieu thereof five new sections relating to intoxicated-related traffic offenses, with existing penalty provisions.

Senator Stouffer moved that **SS** for **SCS** for **SB 254** be adopted.

Senator Stouffer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Pages 12-13, Section 577.017, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Callahan offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Pages 8-10, Section 302.530, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Callahan moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer moved that **SS** for **SCS** for **SB 254**, as amended, be adopted, which motion prevailed.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 254**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 241** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 241** was declared perfected and ordered printed.



Senator Munzlinger moved that **SB 278** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

At the request of Senator Munzlinger, **SB 278** was placed on the Informal Calendar.

Senator Pearce moved that **SB 291**, **SB 184** and **SB 294**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SBs 291**, **184** and **294**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 291, 184 and 294

An Act to repeal sections 160.400, 160.405, 160.410, 160.415, 160.420, and 160.539, RSMo, and to enact in lieu thereof six new sections relating to charter schools.

Was taken up.

Senator Pearce moved that **SCS** for **SBs 291**, **184** and **294** be adopted.

Senator Kehoe assumed the Chair.

Senator Stouffer assumed the Chair.

At the request of Senator Pearce, **SB 291**, **SB 184** and **SB 294**, with **SCS** (pending), were placed on the Informal Calendar.

Senator Schaaf moved that **SB 122**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Schaaf, **SS** for **SCS** for **SB 122** was withdrawn.

**SCS** for **SB 122** was again taken up.

Senator Schaaf moved that **SCS** for **SB 122** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 122** was declared perfected and ordered printed.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 366**; **SB 204**; and **SCS** for **SB 100**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 30**.

HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, the federal Patient Protection and Affordable Care Act (PPACA), also known as ObamaCare, has been ruled unconstitutional in its entirety by the Florida Federal District Court, and the individual mandate contained in the PPACA requiring the purchase of insurance

was ruled unconstitutional by Judge Henry Hudson in Federal District Court in Virginia; and

WHEREAS, the President of the United States, while addressing the issue of an individual mandate to purchase health insurance as a United States Senator in 2008, stated that “If a mandate was the solution, we can try that to solve homelessness by mandating everybody to buy a house.”; and

WHEREAS, in the August 2010 primary election, the citizens of Missouri have expressed their clear opposition to the individual mandate by passing Missouri Health Care Freedom, Proposition C by a 71% margin; and

WHEREAS, each house of the Missouri General Assembly has requested that the Governor and the Attorney General of the State of Missouri join in the legal challenge to the PPACA, so far to no avail; and

WHEREAS, considerable time, effort, and money has been, are being, and will continue to be expended attempting to comply with the mandates of the PPACA, which may ultimately be wasted time, energy, and money if the PPACA is subsequently found by the United States Supreme Court to be unconstitutional; and

WHEREAS, the federal Court of Appeals process can be protracted and may well take up to two years for this issue to work its way through the appellate process and then ultimately to the United States Supreme Court; and

WHEREAS, such a lengthy delay of a final determination by the United States Supreme Court regarding the constitutionality of the PPACA would be extremely harmful to the State of Missouri and will cause substantial waste of state resources at a time when such resources are scarce; and

WHEREAS, allowing the waste of substantial amounts of state resources and uncertainty to continue when clarity could be provided is not good stewardship on the part of any elected state official:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Governor and Attorney General of the State of Missouri to send a letter to the President of the United States informing him of the urgency with which they view the need for a prompt resolution to the constitutional questions that have arisen regarding the federal Patient Protection and Affordable Care Act and further urge the President to take all actions within his powers to facilitate a hearing of this constitutional question by the United States Supreme Court at the earliest possible time; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and President Barack Obama.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 31**.

#### HOUSE CONCURRENT RESOLUTION NO. 31

WHEREAS, the Land and Water Conservation Fund (LWCF) was established by the United States Congress in 1965 to preserve, develop, and assure accessibility to quality outdoor recreation resources “to strengthen the health and vitality of the citizens of the United States”; and

WHEREAS, the LWCF is principally funded by revenue received from offshore energy extraction and is authorized to receive \$900 million annually through the annual appropriations process; and

WHEREAS, the LWCF funds a federal land acquisition program and provides matching grants to states and localities for capital projects through the State Assistance program; and

WHEREAS, investments from the LWCF State Assistance program support the creation of public parks in rural and urban communities throughout America, protect green space and local water supplies, guarantee outdoor recreation opportunities, spur economic development, create jobs, and significantly aid national efforts to promote health, connect youth to nature and the outdoors, combat childhood obesity, and protect the environment; and

WHEREAS, in the original authorizing legislation, Congress recognized the important role of state and local parks in achieving its intended purpose by requiring the allocation of 60% of LWCF annual funding to the State Assistance program and 40% to the federal program; and

WHEREAS, the language protecting the State Assistance program was removed in the mid 1970s resulting in a disproportional amount

(84%) of LWCF funding going to the federal side of the program over the past 25 years; and

WHEREAS, no language exists to protect the State Assistance funding allocations, and Congress appropriated a total of approximately \$304 million to LWCF in FY 2009 but allocated only \$19 million (6%) to the State Assistance program, and in FY 2010 appropriated a total of approximately \$479 million to LWCF with a mere \$490 million (8%) going to the State Assistance program; and

WHEREAS, Missouri received only \$509,599 in FY 2009 and \$699,429 in FY 2010 based on Missouri's portion (.017%) of the 16% that is currently allocated to the states; and

WHEREAS, the disproportional allocation of LWCF funding between the two programs has severely limited state and local governments in their capacity to develop parks and open spaces and protect green space and local water supplies in light of rapidly increasing populations; and

WHEREAS, LWCF provides one-time funding for state and local capital projects and state and local governments equally match the federal dollars, then assume all costs of management and maintenance; and

WHEREAS, LWCF State Assistance program has invested more than \$84,125,968 in Missouri since 1965 and has funded 1,275 projects; and

WHEREAS, requiring 40% of LWCF funds to be annually allocated to the State Assistance program would not increase the national debt, but would ensure a more balanced allocation of resources between federal land acquisition and state and local community conservation efforts, as intended by the authorizing legislation. This would provide \$6 million for Missouri's 2012 LWCF budget:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby call on the United States Congress to implement legislation specifying an annual allocation of at least 40% of Land and Water Conservation Fund (LWCF) moneys to the State Assistance program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 39**.

HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 39

WHEREAS, Grant's Farm is an extraordinary treasure for the entire state and is one of the premiere attractions for visitors coming to St. Louis from across the country and the world; and

WHEREAS, Grant's Farm takes its name from our 18th President of the United States, Ulysses S. Grant. In the 1850s, Grant founded and owned the 281 acres comprising Grant's Farm; and

WHEREAS, Grant's Farm averages over 550,000 visitors per year over the last six years and is a vital economic engine in St. Louis County; and

WHEREAS, Grant's Farm, operated by Anheuser-Busch, Inc., has been a St. Louis tradition for more than five decades, employing more than 200 people and has welcomed more than 24 million visitors during its history; and

WHEREAS, Grant's Farm is home to more than 900 animals representing more than 100 different species, including a zoo with more than 400 animals; and

WHEREAS, in the U.S. Family Guide Zagat Survey of more than 11,000 avid travelers, Grant's Farm ranked overall as the 7th best family attraction nationwide; and

WHEREAS, some of Grant's Farm's attractions include:

(1) Deer Park, home to a variety of exotic animal species from six of the seven continents of the world and a variety of fish in the several beautiful lakes throughout Deer Park;

(2) Tier Garten, which provides visitors with an up close look at an amazing variety of animals and which includes an amphitheater

featuring educational and entertaining animal shows;

(3) Grant's Cabin, built on 80 acres received by Ulysses S. Grant and his new bride in 1848 as a wedding gift. In 1855, Grant did much of the log sawing and construction himself, completed the four-room, two-story cabin in just three days with the help of friends;

(4) The Bauernhof, the first building constructed on the Busch family estate which today is the home of the Busch family's world-renowned carriage collection and stables. Bauernhof is German for "farmstead";

(5) The Clydesdale Stables, home to one of the world's largest herd of Clydesdale horses with approximately 25 Clydesdale mares, geldings, stallions and foals. Only the finest Clydesdales from this stable become part of the Budweiser teams; and

WHEREAS, more than twenty local organizations and political subdivisions in the St. Louis County region have passed resolutions in support of incorporating Grant's Farm as a unit of the National Park Service; and

WHEREAS, to preserve this extraordinary treasure, Grant's Farm should be added as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly support the incorporation of, and urge the United States Department of the Interior to incorporate, Grant's Farm as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Secretary of the Interior, Ken Salazar, and each member of the Missouri Congressional Delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 354**, entitled:

An Act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 484**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the Missouri state transit assistance program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 108**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 19**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 193**, entitled:

An Act to repeal sections 128.345 and 128.346, RSMo, and to enact in lieu thereof ten new sections relating to the composition of congressional districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **REFERRALS**

President Pro Tem Mayer referred **SCS** for **SBs 26** and **106**; **SB 204**; and **SCS** for **SB 100** to the Committee on Ways and Means and Fiscal Oversight.

### **RESOLUTIONS**

Senator Keaveny offered Senate Resolution No. 707, regarding the Turkish American Society of Missouri, which was adopted.

Senator Lager offered Senate Resolution No. 708, regarding Karson Hill, which was adopted.

Senator Lager offered Senate Resolution No. 709, regarding Elizabeth Schieber, which was adopted.

Senator Lager offered Senate Resolution No. 710, regarding the One Hundredth Birthday of Marjorie Hackett Ware, Maryville, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 711, regarding The Empowerment Network, Incorporated, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Goodman introduced to the Senate, Billy Rader, Steven Mills and Tegan Rader, Branson; and Tegan was made an honorary page.

Senator Dempsey introduced to the Senate, representatives of Boys and Girls Clubs from around the state.

Senator Cunningham introduced to the Senate, the Physician of the Day, Dr. Ed Cabbabe, M.D., St. Louis.

Senator Dixon introduced to the Senate, President Jacob Swett and students representing the Missouri State University Student Government Association.

Senator Munzlinger introduced to the Senate, Bruce Lane, Kirksville; and representatives of Lincoln University Participant Training Program for USDA/FAS Cochran Fellowship Program, Armenia.

Senator Pearce introduced to the Senate, Chief Larry Jennings, Johnson County Fire Department, Warrensburg; and Russ Mason, Central County Fire and Rescue, St. Peters.

Senator Schaefer introduced to the Senate, students from Christian Fellowship School, Columbia.

Senator Engler introduced to the Senate, Sarah and Haley Jolly, JoAnn Ringo, Debbie and Josh Belfield and Roxanne Rook, representatives of Washington County G.O.P. Club.

On behalf of Senator Schaefer, the President introduced to the Senate, student education majors from the University of Missouri.

Senator Cunningham introduced to the Senate, Bill and Pat Swiderski, St. Louis.

Senator Munzlinger introduced to the Senate, Coach Brennan Scanlon and members of the Mexico High School boys' basketball team.

Senator Parson introduced to the Senate, Liz Blackburn and twenty-eight students from Northwest High School, Hughesville.

Senator Green introduced to the Senate, Ed Dafflito, chaperones and twenty-three fourth through eighth grade students from Christ, Light of the Nations Catholic School, St. Louis; and Stacie Davis, Michael Brooks and Grant Fisher were made honorary pages.

Senator McKenna introduced to the Senate, President Dr. Ray Cummisky, Jefferson College, Hillsboro.

On behalf of Senator Pearce, the President introduced to the Senate, Liam Buell, Youth of the Year, Boys and Girls Club of West Central Missouri, Leeton Unit.

Senator Ridgeway introduced to the Senate, Sister Sharon and fifteen eighth grade students from St. Andrew the Apostle Catholic School, Gladstone.

On behalf of Senator Pearce, the President introduced to the Senate, Nicole Valenzuela, Kimberly O'Brien and Gerald Torres, Whiteman Air Force Base High School.

On behalf of Senator Pearce, the President introduced to the Senate, Phil Yancey, Misty Hanson and Robert Klutts, Kansas City.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

FORTY-EIGHTH DAY—THURSDAY, APRIL 7, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 434-Nolte  
HCS for HB 475  
HB 423-Burlison, et al  
HCS for HB 38  
HB 68-Scharnhorst

HB 98-Ruzicka  
HB 118-Peters-Baker  
HB 183-Silvey  
HCS for HBs 187 & 54  
HB 263-Weter

HCS for HB 287	HB 448-Lair
HB 340-Klippenstein, et al	HB 499-Wells, et al
HCS for HB 344	HCS for HB 506
HB 462-Pollock	HB 513-Newman, et al
HB 503-Dugger, et al	HB 525-Molendorp
HCS for HB 578	HCS for HB 545
HB 550-Day	HCS for HB 548
HCS for HB 32	HCS for HB 556
HCS for HB 70	HCS for HB 557
HB 79-Nolte, et al	HB 560-Grisamore
HB 88-Gatschenberger	HB 561-Grisamore
HB 101-Loehner	HCS for HB 604
HB 141-Black, et al	HCS for HB 630
HCS for HB 143	HCS for HB 631
HB 182-Walton Gray, et al	HB 648-Montecillo
HCS for HB 197	HB 667-Carter, et al
HB 199-Kelley (126), et al	HB 673-Largent
HCS for HB 220	HB 675-Largent and Hoskins
HB 256-Cox, et al	HB 678-Schatz and Pollock
HCS for HB 259	HB 738-Nasheed, et al
HB 260-Cox, et al	HB 746-Brown (85), et al
HB 264-Nolte and Weter	HB 749-Lasater, et al
HCS for HB 265	HB 795-Kelley (126), et al
HB 270-Burlison and Swinger	HB 798-Brown (85)
HB 272-Kirkton, et al	HB 812-Brattin, et al
HB 307-Gatschenberger, et al	HB 813-Dugger
HB 327-Wallingford, et al	HCS for HB 825
HCS for HB 369	HCS for HB 354
HB 388-Burlison	HB 484-Faith
HB 402-Diehl and Korman	HCS for HB 193
HCS for HB 412	

### THIRD READING OF SENATE BILLS

- |                                                        |                           |
|--------------------------------------------------------|---------------------------|
| 1. SCS for SB 11-McKenna<br>(In Fiscal Oversight)      | 5. SB 147-Schaefer        |
| 2. SS for SCS for SB 65-Mayer<br>(In Fiscal Oversight) | 6. SS for SB 118-Stouffer |
| 3. SCS for SB 177-Brown                                | 7. SB 116-Justus          |
| 4. SB 165-Goodman                                      | 8. SCS for SB 81-Pearce   |
|                                                        | 9. SCS for SB 60-Keaveny  |
|                                                        | 10. SB 59-Keaveny         |

- |                                                       |                                                          |
|-------------------------------------------------------|----------------------------------------------------------|
| 11. SCS for SB 54-Cunningham<br>(In Fiscal Oversight) | 21. SCS for SBs 26 & 106-Wasson<br>(In Fiscal Oversight) |
| 12. SCS for SB 29-Brown                               | 22. SCS for SB 117-Engler                                |
| 13. SJR 10-Lembke and Green<br>(In Fiscal Oversight)  | 23. SS for SB 202-Crowell<br>(In Fiscal Oversight)       |
| 14. SS for SB 9-Rupp                                  | 24. SB 237-Schaefer                                      |
| 15. SCS for SB 368-Stouffer                           | 25. SCS for SBs 394 & 331-Goodman                        |
| 16. SCS for SB 356-Munzlinger                         | 26. SCS for SB 366-Goodman                               |
| 17. SS for SB 231-Lager                               | 27. SB 204-Dempsey, et al<br>(In Fiscal Oversight)       |
| 18. SS for SCS for SB 351-Lamping                     | 28. SCS for SB 100-Stouffer<br>(In Fiscal Oversight)     |
| 19. SB 90-Dempsey (In Fiscal Oversight)               |                                                          |
| 20. SS for SCS for SB 70-Schaefer                     |                                                          |

#### SENATE BILLS FOR PERFECTION

- |                              |                       |
|------------------------------|-----------------------|
| SBs 88 & 82-Schaaf, with SCS | SB 264-Rupp, with SCS |
| SB 299-Munzlinger, with SCS  |                       |

#### HOUSE BILLS ON THIRD READING

- |                                    |                         |
|------------------------------------|-------------------------|
| HCS for HB 14, with SCS (Schaefer) | HB 15-Silvey (Schaefer) |
|------------------------------------|-------------------------|

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

- SCS for SB 18-Schmitt

#### SENATE BILLS FOR PERFECTION

- |                                                    |                                               |
|----------------------------------------------------|-----------------------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 28-Brown                                   |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 37-Lembke, with SCS                        |
| SB 10-Rupp                                         | SB 72-Kraus, with SS (pending)                |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SB 120-Stouffer                               |
| SB 25-Schaaf, with SCS & SS for SCS<br>(pending)   | SB 130-Rupp, with SCS & SS for SCS (pending)  |
|                                                    | SB 175-Munzlinger, et al, with SA 1 (pending) |
|                                                    | SB 176-Munzlinger, et al                      |
|                                                    | SBs 189, 217, 246, 252 & 79-Schmitt, with SCS |



SB 200-Crowell	SB 280-Purgason, et al, with SCS & SS for SCS
SB 203-Schmitt, et al, with SS (pending)	(pending)
SB 208-Lager	SBs 291, 184 & 294-Pearce, with SCS (pending)
SB 209-Lager	SB 322-Schaefer
SB 228-Pearce	SBs 369 & 370-Cunningham, with SCS
SB 242-Cunningham, with SCS & SS for SCS	SB 390-Schmitt, et al
(pending)	SB 420-Mayer, with SCS
SB 247-Pearce, with SS (pending)	SJR 11-Munzlinger, with SCS
SB 278-Munzlinger, et al	SJR 15-Nieves, et al

### HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS & SA 1  
(pending) (Pearce)

### RESOLUTIONS

Reported from Committee

SR 179-Purgason

To be Referred

HCR 30-Frederick, et al  
HCR 31-Cookson, et al

HCS for HCR 39

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**FORTY-EIGHTH DAY—THURSDAY, APRIL 7, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You will keep him in perfect peace whose mind is stayed on you.” (Isaiah 26:3)

Gracious Lord, we place ourselves confidently in You, our God, and as we end this week we commit ourselves in You so our actions carry Your intent through us and help those who need what we are called to do here. And as we travel home to our loved ones free us to walk at their side as You walk at ours. And may Your Holy Spirit guide us safely through this day and all our tomorrows. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon and KRCG-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Nieves offered Senate Resolution No. 712, regarding Michael Kristich Proemsey, which was adopted.

Senator Kehoe offered the following resolution:

**SENATE RESOLUTION NO. 713**

Whereas, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

Whereas, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

Whereas, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

Whereas, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

Now, Therefore, Be It Resolved that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 4:30 p.m. on Tuesday, September 20 and 8:00 am - 12:00 pm on Wednesday, September 21, 2011.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 713** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 713** was adopted.

Senator Mayer offered Senate Resolution No. 714, regarding Captain Mike Elliott, Poplar Bluff, which was adopted.

Senator Crowell offered Senate Resolution No. 715, regarding Elizabeth S. Crites, which was adopted.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 36**; **SCS** for **SB 213**; **SB 241**; **SS** for **SCS** for **SB 254**; **SB 268**; and **SCS** for **SB 323**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **SCS** for **SB 54**; **SS** for **SB 202**; **SB 90**; and **SS** for **SCS** for **SB 65**, begs leave to report that it has considered the same and recommends that the bills do pass.

**THIRD READING OF SENATE BILLS**

**SS** for **SCS** for **SB 65**, introduced by Senator Mayer, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 65**

An Act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new

sections relating to abortion, with penalty provisions.

Was taken up.

On motion of Senator Mayer, **SS** for **SCS** for **SB 65** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schmitt	Stouffer	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Wright-Jones—5
-----------------	-------	--------	---------	----------------

Absent—Senators

Green	Schaefer—2
-------	------------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 177**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 177

An Act to repeal sections 630.053, 630.095, and 630.167, RSMo, and to enact in lieu thereof three new sections relating to the department of mental health.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 177** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

**SB 165**, introduced by Senator Goodman, entitled:

An Act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

Was taken up.

On motion of Senator Goodman, **SB 165** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 147**, introduced by Senator Schaefer, entitled:

An Act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to the school accountability report card.

Was taken up.

On motion of Senator Schaefer, **SB 147** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SB 118**, introduced by Senator Stouffer, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 118

An Act to repeal section 198.074, RSMo, and to enact in lieu thereof one new section relating to sprinkler system requirements in long-term care facilities.

Was taken up.

On motion of Senator Stouffer, **SS** for **SB 118** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Engler assumed the Chair.

**SB 116**, introduced by Senator Justus, entitled:

An Act to repeal sections 210.844, 454.850, 454.853, 454.855, 454.857, 454.860, 454.862, 454.865, 454.867, 454.869, 454.871, 454.874, 454.877, 454.880, 454.882, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.900, 454.902, 454.905, 454.907, 454.910, 454.912, 454.915, 454.917, 454.920, 454.922, 454.927, 454.930, 454.932, 454.934, 454.936, 454.938, 454.941, 454.943, 454.946, 454.948, 454.951, 454.953, 454.956, 454.958, 454.961, 454.963, 454.966, 454.968, 454.971, 454.973, 454.976, 454.978, 454.981, 454.983, 454.986, 454.989, 454.991, 454.993, 454.995, and 454.999, RSMo, and to enact in lieu thereof eighty new sections relating to the uniform interstate family support act, with a contingent effective date.

Was taken up.

On motion of Senator Justus, **SB 116** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 81**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 81

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to fine arts education.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 81** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 60**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 60

An Act to repeal sections 404.710, 456.3-301, 456.8-813, 469.411, 469.437, and 469.459, RSMo, and to enact in lieu thereof six new sections relating to fiduciaries.

Was taken up by Senator Keaveny.

On motion of Senator Keaveny, **SCS** for **SB 60** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None



Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 59**, introduced by Senator Keaveny, entitled:

An Act to repeal section 456.5-505, RSMo, and to enact in lieu thereof three new sections relating to fiduciaries.

Was taken up.

On motion of Senator Keaveny, **SB 59** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 54**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 54

An Act to repeal sections 37.710, 160.261, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037, RSMo, and to enact in lieu thereof eighteen new sections relating to protecting children from sexual offenders, with penalty provisions.

Was taken up by Senator Cunningham.

On motion of Senator Cunningham, **SCS** for **SB 54** was read the 3rd time and passed by the following

vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 29**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 29

An Act to repeal sections 338.010, 338.140, 338.150, 338.210, 338.220, and 338.240, RSMo, and to enact in lieu thereof six new sections relating to veterinary legend drugs.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS for SB 29** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SB 9**, introduced by Senator Rupp, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 9

An Act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

Was taken up.

On motion of Senator Rupp, **SS** for **SB 9** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Stouffer moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 368**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 368

An Act to repeal sections 60.510, 60.530, 60.540, 60.550, 60.560, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 261.023, and 640.010, RSMo, and to enact in lieu thereof fifteen new sections relating to the state land survey program, with existing penalty provisions.

Was taken up by Senator Stouffer.

On motion of Senator Stouffer, **SCS** for **SB 368** was read the 3rd time and passed by the following

vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 356**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 356

An Act to repeal sections 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof four new sections relating to grain sale and storage, with existing penalty provisions.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SCS for SB 356** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SB 231**, introduced by Senator Lager, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 231

An Act to amend chapter 85, RSMo, by adding thereto one new section relating to paid members of any fire department or fire district.

Was taken up.

At the request of Senator Lager, **SS** for **SB 231** was placed on the Informal Calendar.

Senator Dempsey announced that photographers from KMIZ-TV were given permission to take pictures in the Senate Chamber today.

Senator Pearce assumed the Chair.

**SS** for **SCS** for **SB 351**, introduced by Senator Lamping, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 351

An Act to repeal section 453.121, RSMo, and to enact in lieu thereof one new section relating to adoption records.

Was taken up.

On motion of Senator Lamping, **SS** for **SCS** for **SB 351** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 90**, introduced by Senator Dempsey, entitled:

An Act to repeal sections 103.080 and 103.089, RSMo, and to enact in lieu thereof two new sections relating to the state employee health insurance program.

Was taken up.

On motion of Senator Dempsey, **SB 90** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 70**, introduced by Senator Schaefer, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 70

An Act to repeal sections 402.199, 402.200, 402.205, 402.210, 402.215, 402.217, 402.220, 473.657, and 475.093, RSMo, and to enact in lieu thereof twelve new sections relating to the Missouri family trust.

Was taken up.

On motion of Senator Schaefer, **SS** for **SCS** for **SB 70** was read the 3rd time and passed by the

following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 117**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 117

An Act to repeal section 144.032, RSMo, and to enact in lieu thereof two new sections relating to the imposition of a hospital district sales tax in lieu of a property tax to fund a hospital district, with an emergency clause.

Was taken up by Senator Engler.

On motion of Senator Engler, **SCS for SB 117** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS for SB 202**, introduced by Senator Crowell, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 202

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

Was taken up.

On motion of Senator Crowell, **SS for SB 202** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt

Stouffer Wasson—26

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Wright-Jones—8
----------	-----------------	-------	-------	--------	---------	---------	----------------

Absent—Senators—None

Absent with leave—Senators—None



Vacancies—None

The President declared the bill passed.

On motion of Senator Crowell, title to the bill was agreed to.

Senator Crowell moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 237**, introduced by Senators Schaefer and Justus, entitled:

An Act to repeal section 484.350, RSMo, and to enact in lieu thereof one new section relating to standards for representation of children by guardians ad litem.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SB 237** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Lembke—1

Absent—Senators

Green Kraus—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SBs 394** and **331**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 394 and 331

An Act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

Was taken up by Senator Goodman.

On motion of Senator Goodman, **SCS** for **SBs 394** and **331** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green Kraus—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 366**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 366

An Act to amend chapter 351, RSMo, by adding thereto seventy-seven new sections relating to the Missouri cooperative associations act, with penalty provisions.

Was taken up by Senator Goodman.

On motion of Senator Goodman, **SCS for SB 366** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Ridgeway assumed the Chair.

### HOUSE BILLS ON THIRD READING

Senator Pearce moved that **HCS** for **HB 163**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

Senator Stouffer assumed the Chair.

At the request of Senator Lembke, **SA 1** was withdrawn.

Senator Kehoe offered **SA 2**:

### SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163, Page 11, Section 288.040, Line 16 of said page, by inserting after all of said line the following:

“288.060. 1. All benefits shall be paid through employment offices in accordance with such regulations as the division may prescribe.

2. Each eligible insured worker who is totally unemployed in any week shall be paid for such week a sum equal to his or her weekly benefit amount.

3. Each eligible insured worker who is partially unemployed in any week shall be paid for such week a partial benefit. Such partial benefit shall be an amount equal to the difference between his or her weekly benefit amount and that part of his or her wages for such week in excess of twenty dollars, and, if such partial benefit amount is not a multiple of one dollar, such amount shall be reduced to the nearest lower full dollar amount. For calendar year 2007 and each year thereafter, such partial benefit shall be an amount equal to the difference between his or her weekly benefit amount and that part of his or her wages for such week in excess of twenty dollars or twenty percent of his or her weekly benefit amount, whichever is greater, and, if such partial benefit amount is not a multiple of one dollar, such amount shall be reduced to the nearest lower full dollar amount. Termination pay, severance pay or pay received by an eligible insured worker who is a member of the organized militia for training or duty authorized by Section 502(a)(1) of Title 32, United States Code, shall not be considered wages for the purpose of this subsection.

4. The division shall compute the wage credits for each individual by crediting him or her with the wages paid to him or her for insured work during each quarter of his or her base period or twenty-six times his or her weekly benefit amount, whichever is the lesser. In addition, if a claimant receives wages in the form of termination pay or severance pay and such payment appears in a base period established by the filing of an initial claim, the claimant may, at his or her option, choose to have such payment included in the calendar quarter in which it was paid or choose to have it prorated equally among the quarters comprising the base period of the claim. The maximum total amount of benefits payable to any insured worker during any benefit year shall not exceed [twenty-six] **twenty** times his or her weekly benefit amount,

or thirty-three and one-third percent of his or her wage credits, whichever is the lesser. For the purpose of this section, wages shall be counted as wage credits for any benefit year, only if such benefit year begins subsequent to the date on which the employing unit by whom such wages were paid has become an employer. The wage credits of an individual earned during the period commencing with the end of a prior base period and ending on the date on which he or she filed an allowed initial claim shall not be available for benefit purposes in a subsequent benefit year unless, in addition thereto, such individual has subsequently earned either wages for insured work in an amount equal to at least five times his or her current weekly benefit amount or wages in an amount equal to at least ten times his or her current weekly benefit amount.

5. In the event that benefits are due a deceased person and no petition has been filed for the probate of the will or for the administration of the estate of such person within thirty days after his or her death, the division may by regulation provide for the payment of such benefits to such person or persons as the division finds entitled thereto and every such payment shall be a valid payment to the same extent as if made to the legal representatives of the deceased.

6. The division is authorized to cancel any benefit warrant remaining outstanding and unpaid one year after the date of its issuance and there shall be no liability for the payment of any such benefit warrant thereafter.

7. The division may establish an electronic funds transfer system to transfer directly to claimants' accounts in financial institutions benefits payable to them pursuant to this chapter. To receive benefits by electronic funds transfer, a claimant shall satisfactorily complete a direct deposit application form authorizing the division to deposit benefit payments into a designated checking or savings account. Any electronic funds transfer system created pursuant to this subsection shall be administered in accordance with regulations prescribed by the division.

8. The division may issue a benefit warrant covering more than one week of benefits.

9. Prior to January 1, 2005, the division shall institute procedures including, but not limited to, name, date of birth, and Social Security verification matches for remote claims filing via the use of telephone or the Internet in accordance with such regulations as the division shall prescribe. At a minimum, the division shall verify the Social Security number and date of birth when an individual claimant initially files for unemployment insurance benefits. If verification information does not match what is on file in division databases to what the individual is stating, the division shall require the claimant to submit a division-approved form requesting an affidavit of eligibility prior to the payment of additional future benefits. The division of employment security shall cross-check unemployment compensation applicants and recipients with Social Security Administration data maintained by the federal government at least weekly. The division of employment security shall cross-check at least monthly unemployment compensation applicants and recipients with department of revenue drivers license databases.”; and

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Crowell offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill No. 163, Page 22, Section 288.398, Line 12, by striking the opening and closing brackets on said line; and further amend line 13 by striking the word “shall”.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 4**, which was read:

#### SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163, Page 12, Section 288.062, Line 26 of said page, by striking the following: “August 28, 2013” and inserting in lieu thereof the following: “**May 1, 2012**”.

Senator Kraus moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Kraus offered **SA 5**, which was read:

#### SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163, Page 12, Section 288.062, Line 26, by striking the following: “**August 28, 2013**” and inserting in lieu thereof, the following: “**August 28, 2012**”.

Senator Kraus moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Crowell, Dempsey, Nieves and Lembke.

**SA 5** failed of adoption by the following vote:

#### YEAS—Senators

Cunningham	Dempsey	Dixon	Kehoe	Kraus	Lembke	Mayer	Nieves
Schaaf	Stouffer—10						

#### NAYS—Senators

Brown	Callahan	Crowell	Curls	Goodman	Justus	Keaveny	Lamping
McKenna	Munzlinger	Parson	Pearce	Richard	Rupp	Schaefer	Wasson
Wright-Jones—17							

#### Absent—Senators

Chappelle-Nadal	Engler	Green	Lager	Purgason	Ridgeway	Schmitt—7
-----------------	--------	-------	-------	----------	----------	-----------

Absent with leave—Senators—None

Vacancies—None

Senator Pearce moved that **SS** for **SCS** for **HCS** for **HB 163**, as amended, be adopted, which motion prevailed.

Senator Pearce moved that **SS** for **SCS** for **HCS** for **HB 163**, as amended, be read the 3rd time and finally passed and was recognized to close.

President Pro Tem Mayer referred **SS** for **SCS** for **HCS** for **HB 163**, as amended, to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

On behalf of Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, Senator Dempsey submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 45**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 71**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 325**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 238**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 320**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 387**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 132**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 61**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy

and the Environment, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 48**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 230**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 174**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 358**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 360**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 209**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 337**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 300**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 286** and **SCS** for **SB 122**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Richard Hashagen, as a member of the Missouri Head Injury Advisory Council;

Also,

David Steward, Republican, as a member of the University of Missouri Board of Curators;

Also,

Benjamin Phillips, Democrat, as a member of the St. Louis City Board of Election Commissioners.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 458**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the Missouri farmland trust.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 641**, entitled:

An Act to repeal sections 195.010, 195.017, 195.022, 195.202, 195.217, and 578.255, RSMo, and to enact in lieu thereof six new sections relating to controlled substances, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 192**, entitled:

An Act to repeal sections 253.082, 253.090, 260.262, 260.380, 260.475, 260.965, 414.072, 644.036, and 644.054, RSMo, and to enact in lieu thereof fifteen new sections relating to environmental protection,



with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 470** and **429**, entitled:

An Act to repeal sections 67.641 and 143.183, RSMo, and to enact in lieu thereof two new sections relating to the nonresident entertainers tax.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 336**, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to tax incentives to attract sporting events to Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 28**, entitled:

An Act to amend chapters 188 and 338, RSMo, by adding thereto two new sections relating to abortifacients, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 546**, entitled:

An Act to repeal sections 215.020, 215.030, and 215.034, RSMo, and to enact in lieu thereof three new sections relating to the housing development commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 468**, entitled:

An Act to repeal sections 135.950, 135.953, 135.957, 135.960, 135.963, 135.967, 196.1109, 196.1115, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof twenty-three new sections relating to job development, retention, and training.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 677**, entitled:

An Act to repeal section 167.194, RSMo, and to enact in lieu thereof one new section relating to vision examinations for school children.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 737**, entitled:

An Act to repeal sections 137.010, 137.073, and 137.080, RSMo, section 137.115 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 137.115 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 2058 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 711 merged with conference committee substitute for house committee substitute no. 2 for senate substitute for senate committee substitute for senate bill no. 718, ninety-fourth general assembly, second regular session, and to enact in lieu thereof four new sections relating to tangible personal property.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HB 434**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 475**—Health, Mental Health, Seniors and Families.

**HB 423**—Health, Mental Health, Seniors and Families.

**HCS for HB 38**—Jobs, Economic Development and Local Government.

**HB 68**—Jobs, Economic Development and Local Government.

**HB 98**—Commerce, Consumer Protection, Energy and the Environment.

**HB 118**—Judiciary and Civil and Criminal Jurisprudence.

**HB 183**—Jobs, Economic Development and Local Government.

**HCS for HBs 187 and 54**—Financial and Governmental Organizations and Elections.

**HB 263**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**HCS for HB 287**—Financial and Governmental Organizations and Elections.

**HB 340**—Jobs, Economic Development and Local Government.

**HCS for HB 344**—Agriculture, Food Production and Outdoor Resources.

**HB 462**—Commerce, Consumer Protection, Energy and the Environment.

**HB 503**—Financial and Governmental Organizations and Elections.

**HCS for HB 578**—Commerce, Consumer Protection, Energy and the Environment.

**HB 550**—Financial and Governmental Organizations and Elections.

**HCS for HB 32**—Health, Mental Health, Seniors and Families.

**HCS for HB 70**—Transportation.

**HB 79**—General Laws.

**HB 88**—Judiciary and Civil and Criminal Jurisprudence.

**HB 101**—Agriculture, Food Production and Outdoor Resources.

**HB 141**—Transportation.

**HCS for HB 143**—Health, Mental Health, Seniors and Families.

**HB 182**—Progress and Development.

**HCS for HB 197**—Health, Mental Health, Seniors and Families.

**HB 199**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 220**—Financial and Governmental Organizations and Elections.

**HB 256**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 259**—Health, Mental Health, Seniors and Families.

**HB 260**—Judiciary and Civil and Criminal Jurisprudence.

**HB 264**—Jobs, Economic Development and Local Government.

**HCS for HB 265**—Financial and Governmental Organizations and Elections.

**HB 270**—Health, Mental Health, Seniors and Families.

**HB 272**—Health, Mental Health, Seniors and Families.

**HB 307**—Transportation.

**HB 327**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 369**—Jobs, Economic Development and Local Government.

**HB 388**—Health, Mental Health, Seniors and Families.

**HB 402**—General Laws.

**HCS for HB 412**—Financial and Governmental Organizations and Elections.

**HB 448**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**HB 499**—Transportation.

**HCS for HB 506**—Ways and Means and Fiscal Oversight.

**HB 513**—Health, Mental Health, Seniors and Families.

**HB 525**—Small Business, Insurance and Industry.

**HCS for HB 545**—Jobs, Economic Development and Local Government.

**HCS for HB 548**—General Laws.

**HCS for HB 556**—Progress and Development.

**HCS for HB 557**—Ways and Means and Fiscal Oversight.

**HB 560**—Health, Mental Health, Seniors and Families.

**HB 561**—Health, Mental Health, Seniors and Families.

**HCS for HB 604**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 630**—Health, Mental Health, Seniors and Families.

**HCS for HB 631**—Ways and Means and Fiscal Oversight.

**HB 648**—General Laws.

**HB 667**—Health, Mental Health, Seniors and Families.

**HB 673**—General Laws.

**HB 675**—Jobs, Economic Development and Local Government.

**HB 678**—General Laws.

**HB 738**—Education.

**HB 746**—Ways and Means and Fiscal Oversight.

**HB 749**—Progress and Development.

**HB 795**—Progress and Development.

**HB 798**—Transportation.

**HB 812**—Transportation.

**HB 813**—Transportation.

**HCS for HB 825**—Transportation.

**HCS for HB 354**—Transportation.

**HB 484**—Transportation.

**HCS for HB 193**—Select Committee on Redistricting.

## **REFERRALS**

President Pro Tem Mayer referred **SS** for **SCS** for **SB 254**; **SCS** for **SB 323**; **SCS** for **SB 122**; and **SS** for **SB 286** to the Committee on Ways and Means and Fiscal Oversight.

**INTRODUCTIONS OF GUESTS**

Senator Mayer introduced to the Senate, former State Representative Phillip Britt, Drug Court Commissioner of the 35<sup>th</sup> Judicial Circuit and graduates, Josh Palmer, Rosanna Metcalf, Ashley Dodson and Tammy Murphy.

Senator Engler introduced to the Senate, the Physician of the Day, Dr. Terpstra, M.D., Potosi.

Senator Schaefer introduced to the Senate, Libbie Hoskins Adam, parents and ninety students from Fairview Elementary School, Columbia.

Senator Pearce introduced to the Senate, Bob Bennett, Nevada.

Senator Nieves introduced to the Senate, Van Sage, Glendale; and Jeremy Wright, St. Charles.

Senator Schaaf introduced to the Senate, Dr. Susan Vega, St. Joseph.

Senator Munzlinger introduced to the Senate, Courtney Smith and twenty eighth grade students from Holy Rosary Catholic School, Monroe City.

Senator Lembke introduced to the Senate, parents and students from Providence Christian Academy, South St. Louis County.

Senator Green introduced to the Senate, Principal Mrs. Kauffman, teachers, Mrs. Kremer and Mr. Kelly, parents and forty-nine seventh grade students from St. Angela Merici Elementary School, Florissant; and Hannah Mergen, Joseph Neiner and Anthony and Carly Vitale were made honorary pages.

Senator Pearce introduced to the Senate, Brad Seiner, Belton; and Tom Circo, Raymore.

Senator Mayer introduced to the Senate, former State Senator Bill Foster.

Senator Rupp introduced to the Senate, Dana Plato, St. Charles.

Senator Kraus introduced to the Senate, students from Summit Christian Academy, Lee's Summit.

On behalf of Senator Ridgeway, the President introduced to the Senate, Lee Ann Williams, Kearney.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, April 11, 2011.

**SENATE CALENDAR**


---

**FORTY-NINTH DAY—MONDAY, APRIL 11, 2011**

---

**FORMAL CALENDAR****HOUSE BILLS ON SECOND READING**

HB 458-Loehner, et al  
HCS for HB 641  
HCS for HB 192  
HCS for HBs 470 & 429  
HCS for HB 336

HCS for HB 28  
HCS for HB 546  
HCS for HB 468  
HB 677-Wells, et al  
HB 737-Redmon and Shumake

THIRD READING OF SENATE BILLS

- |                                                         |                                                            |
|---------------------------------------------------------|------------------------------------------------------------|
| 1. SCS for SB 11-McKenna<br>(In Fiscal Oversight)       | 7. SCS for SB 213-Schaefer                                 |
| 2. SJR 10-Lembke and Green<br>(In Fiscal Oversight)     | 8. SB 241-Brown and Wasson                                 |
| 3. SCS for SBs 26 & 106-Wasson<br>(In Fiscal Oversight) | 9. SS for SCS for SB 254-Stouffer<br>(In Fiscal Oversight) |
| 4. SB 204-Dempsey, et al<br>(In Fiscal Oversight)       | 10. SB 268-Stouffer                                        |
| 5. SCS for SB 100-Stouffer<br>(In Fiscal Oversight)     | 11. SCS for SB 323-Schaefer<br>(In Fiscal Oversight)       |
| 6. SB 36-Lembke                                         | 12. SS for SB 286-McKenna<br>(In Fiscal Oversight)         |
|                                                         | 13. SCS for SB 122-Schaaf<br>(In Fiscal Oversight)         |

SENATE BILLS FOR PERFECTION

- |                                    |                                    |
|------------------------------------|------------------------------------|
| 1. SBs 88 & 82-Schaaf, with SCS    | 8. SB 132-Rupp and Kehoe, with SCS |
| 2. SB 299-Munzlinger, with SCS     | 9. SB 48-Wright-Jones, with SCS    |
| 3. SB 264-Rupp, with SCS           | 10. SB 230-Lager, with SCS         |
| 4. SB 325-Wasson                   | 11. SB 360-Lager                   |
| 5. SB 238-Schmitt, et al           | 12. SB 337-Munzlinger, with SCS    |
| 6. SB 320-Lamping, et al, with SCS | 13. SB 300-Munzlinger, with SCS    |
| 7. SB 387-Wasson, with SCS         |                                    |

HOUSE BILLS ON THIRD READING

- |                                    |                                          |
|------------------------------------|------------------------------------------|
| HCS for HB 14, with SCS (Schaefer) | HCS for HB 61                            |
| HB 15-Silvey (Schaefer)            | HCS for HB 174                           |
| HCS for HB 45, with SCS (Pearce)   | HB 358-Leara and Colona (Schmitt)        |
| HB 71-Nasheed, et al               | HB 209-Guernsey, et al, with SCS (Lager) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

- |                       |                     |
|-----------------------|---------------------|
| SCS for SB 18-Schmitt | SS for SB 231-Lager |
|-----------------------|---------------------|

SENATE BILLS FOR PERFECTION

- |                                                    |                                                    |
|----------------------------------------------------|----------------------------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SBs 7, 5, 74 & 169-Goodman, with SCS<br>SB 10-Rupp |
|----------------------------------------------------|----------------------------------------------------|

SB 23-Keaveny, with SCS & SS for SCS  
 (pending)  
 SB 25-Schaaf, with SCS & SS for SCS  
 (pending)  
 SB 28-Brown  
 SB 37-Lembke, with SCS  
 SB 72-Kraus, with SS (pending)  
 SB 120-Stouffer  
 SB 130-Rupp, with SCS & SS for SCS  
 (pending)  
 SB 175-Munzlinger, et al, with SA 1  
 (pending)  
 SB 176-Munzlinger, et al  
 SBs 189, 217, 246, 252 & 79-Schmitt,  
 with SCS  
 SB 200-Crowell  
 SB 203-Schmitt, et al, with SS (pending)

SB 208-Lager  
 SB 209-Lager  
 SB 228-Pearce  
 SB 242-Cunningham, with SCS & SS for SCS  
 (pending)  
 SB 247-Pearce, with SS (pending)  
 SB 278-Munzlinger, et al  
 SB 280-Purgason, et al, with SCS & SS  
 for SCS (pending)  
 SBs 291, 184 & 294-Pearce, with SCS  
 (pending)  
 SB 322-Schaefer  
 SBs 369 & 370-Cunningham, with SCS  
 SB 390-Schmitt, et al  
 SB 420-Mayer, with SCS  
 SJR 11-Munzlinger, with SCS  
 SJR 15-Nieves, et al

#### HOUSE BILLS ON THIRD READING

SS for SCS for HCS for HB 163 (Pearce)  
 (In Fiscal Oversight)

#### RESOLUTIONS

Reported from Committee

SR 179-Purgason

To be Referred

HCR 30-Frederick, et al  
 HCR 31-Cookson, et al

HCS for HCR 39

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FORTY-NINTH DAY—MONDAY, APRIL 11, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“God is love. Therefore love. Without distinction, without calculation, without procrastination, love.” (Henry Drummond)

Gracious God, it is a new week which is bringing new and greater pressures on us and will increase stress and demands on us. So let us remember that in all that we do we may love one another “without distinction, without calculation” so we keep doing what must be done in gentle and courteous ways and follow the path of love You are leading us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 7, 2011 was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.



**RESOLUTIONS**

Senator Dixon offered Senate Resolution No. 716, regarding Avery Michael Webb, Springfield, which was adopted.

Senator Kehoe offered Senate Resolution No. 717, regarding Rita Ann Holtmeyer, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 718, regarding Andrew Ford, which was adopted.

Senator Kehoe offered Senate Resolution No. 719, regarding Caleb Gilmore, Russellville, which was adopted.

Senator Rupp offered Senate Resolution No. 720, regarding John Aleksick, St. Charles, which was adopted.

Senator Crowell offered Senate Resolution No. 721, regarding Scott K. Vangilder, Jackson, which was adopted.

Senator Rupp offered Senate Resolution No. 722, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Donald J. Lucchesi, Springfield, which was adopted.

Senator Curls offered Senate Resolution No. 723, regarding Frank White, Lee's Summit, which was adopted.

Senator Callahan offered Senate Resolution No. 724, regarding the death of Mary Ellen Carnes, Independence, which was adopted.

Senator Kraus offered Senate Resolution No. 725, regarding Richard L. Eubank, Eugene, Oregon, which was adopted.

Senator Crowell offered Senate Resolution No. 726, regarding Catherine Kapfer, which was adopted.

Senator Crowell offered Senate Resolution No. 727, regarding Stephanie Depro, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 728, regarding Rebecca Jane Coleman, which was adopted.

Senator Crowell offered Senate Resolution No. 729, regarding Karlton "Dean" Miller, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 730, regarding Judy Barks-Westrich, which was adopted.

Senator Lamping offered Senate Resolution No. 731, regarding Janet Cole, Brentwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 732, regarding John A. Urkevich, High Ridge, which was adopted.

Senator Richard offered Senate Resolution No. 733, regarding Jim Jackson, which was adopted.

Senator Richard offered Senate Resolution No. 734, regarding Susan Redden, which was adopted.

Senator Richard offered Senate Resolution No. 735, regarding Dowe Quick, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 736, regarding Agnes Wilcox, St. Louis, which was adopted.

Senator Justus offered Senate Resolution No. 737, regarding the Composting and Organics Association of Missouri, which was adopted.

President Pro Tem Mayer assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SS** for **SCS** for **HCS** for **HB 163**, as amended, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Senate Select Committee on Redistricting, submitted the following report:

Mr. President: Your Senate Select Committee on Redistricting, to which was referred **HCS** for **HB 193**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer assumed the Chair.

### HOUSE BILLS ON THIRD READING

Senator Pearce moved that **SS** for **SCS** for **HCS** for **HB 163**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Pearce, **SS** for **SCS** for **HCS** for **HB 163**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

#### NAYS—Senators

Kraus	Lembke	Nieves	Purgason	Schaaf—5
-------	--------	--------	----------	----------

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
-------	----------	-----------------	---------	------------	-------	---------	-------

Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Kraus	Lembke	Nieves	Purgason	Schaaf—5
-------	--------	--------	----------	----------

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 322** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Schaaf offered **SA 5**:

#### SENATE AMENDMENT NO. 5

Amend Senate Bill No. 322, Page 1, Section 190.839, Line 2, by striking “2016” and inserting in lieu thereof the following: “**2015**”; and

Further amend said bill and page, Section 198.439, line 2, by striking “2016” and inserting in lieu thereof the following: “**2015**”; and

Further amend said bill, page 2, Section 208.437, line 32, by striking “2016” and inserting in lieu thereof the following: “**2015**”; and

Further amend said bill and page, Section 208.480, line 2, by striking “2016” and inserting in lieu thereof the following: “**2013**”; and

Further amend said bill and page, Section 338.550, line 10, by striking “2016” and inserting in lieu thereof the following: “**2015**”; and

Further amend said bill and section, page 3, line 17, by striking “2016” and inserting in lieu thereof the following: “**2015**”; and

Further amend said bill, page 6, Section 633.401, line 114, by striking “2016” and inserting in lieu thereof the following: “**2015**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schaefer, **SB 322**, as amended, was declared perfected and ordered printed.

Senator Schaaf moved that **SB 88** and **SB 82**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SBs 88** and **82**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 88 and 82

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by state universities.

Was taken up.

Senator Schaaf moved that **SCS** for **SBs 88** and **82** be adopted.

Senator Lager offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 88 and 82, Page 5, Section 37.005, Line 150, by striking the opening and closing brackets on said line and further amend said line by striking the following: "August 28, 2011" and inserting in lieu thereof the following: "**August 28, 2013**".

Senator Lager moved that the above amendment be adopted.

At the request of Senator Schaaf, **SB 88** and **SB 82**, with **SCS** and **SA 1** (pending), were placed on the Informal Calendar.

Senator Munzlinger moved that **SB 299**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 299**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 299

An Act to repeal section 252.040, RSMo, and to enact in lieu thereof two new sections relating to restrictions on reintroducing wild elk, with penalty provisions.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 299** be adopted.

At the request of Senator Munzlinger, **SB 299**, with **SCS** (pending), was placed on the Informal Calendar.

At the request of Senator Rupp, **SB 264**, with **SCS**, was placed on the Informal Calendar.

Senator Wasson moved that **SB 325** be taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 325** was declared perfected and ordered printed.

At the request of Senator Schmitt, **SB 238** was placed on the Informal Calendar.

Senator Lamping moved that **SB 320**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 320**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 320

An Act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.027, 455.035, 455.038, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, 595.100, and 595.220, RSMo, and to enact in lieu thereof twenty-three new sections relating to domestic violence, with penalty provisions.

Was taken up.

Senator Lamping moved that **SCS** for **SB 320** be adopted.

Senator Lamping offered **SS** for **SCS** for **SB 320**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 320

An Act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.020, 455.027, 455.035, 455.038, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.505, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, 589.683, 595.100, and 595.220, RSMo, and to enact in lieu thereof twenty-five new sections relating to domestic violence, with penalty provisions.

Senator Lamping moved that **SS** for **SCS** for **SB 320** be adopted.

At the request of Senator Lamping, **SB 320**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Wasson moved that **SB 387**, with **SCS**, be taken up for perfection, which motion prevailed.  
**SCS** for **SB 387**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 387

An Act to repeal sections 544.455, 544.470, and 557.011, RSMo, and to enact in lieu thereof four new sections relating to electronic monitoring of certain offenders.

Was taken up.

Senator Wasson moved that **SCS** for **SB 387** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 387** was declared perfected and ordered printed.

Senator Rupp moved that **SB 132**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 132**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 132

An Act to repeal sections 385.206, and 385.208, RSMo, and to enact in lieu thereof six new sections relating to motor vehicle extended service contracts, with penalty provisions.

Was taken up.

Senator Rupp moved that **SCS** for **SB 132** be adopted.

Senator Rupp offered **SS** for **SCS** for **SB 132**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 132

An Act to repeal sections 385.200, 385.206, and 385.208, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle extended service contracts, with penalty provisions.

Senator Rupp moved that **SS** for **SCS** for **SB 132** be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SCS** for **SB 132** was declared perfected and ordered printed.

**THIRD READING OF SENATE BILLS**

**SB 36**, introduced by Senator Lembke, entitled:

An Act to repeal section 41.1000, RSMo, and to enact in lieu thereof one new section relating to leave for members of the civil air patrol, with an emergency clause.

Was taken up.

On motion of Senator Lembke, **SB 36** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Green	Lamping	Purgason	Ridgeway—4
-------	---------	----------	------------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Green	Purgason	Ridgeway—3
-------	----------	------------

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 213**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 213

An Act to repeal sections 475.060 and 475.061, RSMo, and to enact in lieu thereof twenty-six new sections relating to guardianship.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SCS for SB 213** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Purgason     Ridgeway—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 241**, introduced by Senators Brown and Wasson, entitled:

An Act to repeal sections 144.010, 144.020, 144.030, and 144.070, RSMo, and to enact in lieu thereof four new sections relating to sales tax exemptions for captive wildlife.

Was taken up by Senator Brown.

Senator Pearce assumed the Chair.

On motion of Senator Brown, **SB 241** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Green—1

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 268**, introduced by Senator Stouffer, entitled:

An Act to repeal section 172.803, RSMo, and to enact in lieu thereof one new section relating to funding for research projects by the University of Missouri board of curators.

Was taken up.

On motion of Senator Stouffer, **SB 268** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Green—1

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.



Senator Dempsey moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 3**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to the right to raise animals.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 291**, entitled:

An Act to repeal sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, RSMo, and to enact in lieu thereof nine new sections relating to motor vehicle windshield stickers, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 840**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto eleven new sections relating to tax incentives to encourage foreign trade.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 11, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

The following addendum should be made to the appointment of Thomas McVeigh for the Missouri Planning Council for Developmental Disabilities submitted to you on April 1, 2011. Line 4 should read:

William Horn, withdrawn

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 11, 2011

To the Senate of the 96th General Assembly for the State of Missouri:

The following addendum should be made to the appointment of Cecilia Davis for the Child Abuse and Neglect Review Board submitted to you on April 1, 2011. Line 3 should read:

her successor is duly appointed and qualified; vice, Mary L. Buren, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above addendums to the Committee on Gubernatorial Appointments.

### **REFERRALS**

President Pro Tem Mayer referred **HCS** for **HB 45** to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer referred **HCR 30**; **HCR 31**; and **HCS** for **HCR 39** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

April 7, 2011

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol  
Jefferson City, MO 65101

Dear Ms. Spieler:

Please be advised that I am hereby appointing Senator Mike Parson to the Missouri Health Facilities Review Committee.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

### **INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, Max and Annarose Overshiner, Lucy Muller, Ella Stroh, Sophia Casto, Xane Keenan, Zach Cuning, Tate Windmoeller, Pete Canfield, Thomas Jurczyk and Shannon Keyes, representatives of PedNet Coalition, Columbia.

Senator Pearce introduced to the Senate, Eastern Commissioner Scott Sader, Western Commissioner Destry Hough and Clerk Diane Thompson, Johnson County.

Senator Goodman introduced to the Senate, Tyler White, Reeds Spring.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

FIFTIETH DAY—TUESDAY, APRIL 12, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 458-Loehner, et al	HCS for HB 468
HCS for HB 641	HB 677-Wells, et al
HCS for HB 192	HB 737-Redmon and Shumake
HCS for HBs 470 & 429	HCS for HJR 3
HCS for HB 336	HB 291-Denison, et al
HCS for HB 28	HCS for HB 840
HCS for HB 546	

### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SS for SCS for SB 254-Stouffer (In Fiscal Oversight)
SJR 10-Lembke and Green (In Fiscal Oversight)	SCS for SB 323-Schaefer (In Fiscal Oversight)
SCS for SBs 26 & 106-Wasson (In Fiscal Oversight)	SS for SB 286-McKenna (In Fiscal Oversight)
SB 204-Dempsey, et al (In Fiscal Oversight)	SCS for SB 122-Schaaf (In Fiscal Oversight)
SCS for SB 100-Stouffer (In Fiscal Oversight)	

### SENATE BILLS FOR PERFECTION

SB 48-Wright-Jones, with SCS	SB 337-Munzlinger, with SCS
SB 230-Lager, with SCS	SB 300-Munzlinger, with SCS
SB 360-Lager	

### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)	HB 15-Silvey (Schaefer)
------------------------------------	-------------------------

HCS for HB 45, with SCS (Pearce)  
(In Fiscal Oversight)  
HB 71-Nasheed, et al  
HCS for HB 61  
HCS for HB 174

HB 358-Leara and Colona (Schmitt)  
HB 209-Guernsey, et al, with SCS  
(Lager)  
HCS for HB 193

## INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 10-Rupp  
SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 25-Schaaf, with SCS & SS for SCS  
(pending)  
SB 28-Brown  
SB 37-Lembke, with SCS  
SB 72-Kraus, with SS (pending)  
SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)  
SB 120-Stouffer  
SB 130-Rupp, with SCS & SS for SCS  
(pending)  
SB 175-Munzlinger, et al, with SA 1  
(pending)  
SB 176-Munzlinger, et al  
SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS  
SB 200-Crowell

SB 203-Schmitt, et al, with SS (pending)  
SB 208-Lager  
SB 209-Lager  
SB 228-Pearce  
SB 238-Schmitt, et al  
SB 242-Cunningham, with SCS & SS for SCS  
(pending)  
SB 247-Pearce, with SS (pending)  
SB 264-Rupp, with SCS  
SB 278-Munzlinger, et al  
SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)  
SBs 291, 184 & 294-Pearce, with SCS  
(pending)  
SB 299-Munzlinger, with SCS (pending)  
SB 320-Lamping, et al, with SCS & SS for  
SCS (pending)  
SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SB 420-Mayer, with SCS  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al

## RESOLUTIONS

Reported from Committee

SR 179-Purgason

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FIFTIETH DAY—TUESDAY, APRIL 12, 2011**

---

The Senate met pursuant to adjournment.

Senator Stouffer in the Chair.

Reverend Carl Gauck offered the following prayer:

“By love God may be gotten and held, but by thought or understanding, never.” (*The Cloud of Unknowing*)

Almighty God, we are often reminded that in our business we pray but don't take time to listen. Help us this day and everyday to seek You and Your love so that we may truly hold You and be fully connected to You and Your teachings. Bless us with Your presence and may we learn of You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV and Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Lembke offered Senate Resolution No. 738, regarding Angie Spitznagel, which was adopted.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 11**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 322; SB 325; SS for SCS for SB 132; and SCS for SB 387**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

**HOUSE BILLS ON THIRD READING**

**HCS for HB 193**, entitled:

An Act to repeal sections 128.345 and 128.346, RSMo, and to enact in lieu thereof ten new sections relating to the composition of congressional districts.

Was taken up by Senator Rupp, pursuant to the provisions of Senate Rule 6.

Senator Pearce assumed the Chair.

President Kinder assumed the Chair.

At the request of Senator Rupp, **HCS for HB 193** was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS for HCR 23**.

HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 23

WHEREAS, bicycling and walking are essential to millions of Missourians as basic transportation and enjoyed by millions of Missourians as healthful recreation and as part of a healthy lifestyle; and

WHEREAS, encouraging and promoting a complete network of safe bicycle and pedestrian ways and routes is essential for those Missourians who rely on bicycling and walking for transportation, recreation, and health; and

WHEREAS, a safe and complete bicycle and pedestrian system is important for Missouri's economy and economic development; and

WHEREAS, world-class bicycling and walking facilities help promote Missouri as a leading tourist and recreation destination; and

WHEREAS, walking and bicycling improve the public health and reduce treatment costs for conditions associated with reduced physical activity, including obesity, heart disease, lung disease, and diabetes; and

WHEREAS, the United Health Foundation estimates direct medical costs associated with physical inactivity in Missouri at \$1.9 billion in 2008, and projects an annual cost for Missouri of over \$8 billion per year by 2018 if current trends continue; and

WHEREAS, the annual per capita cost of obesity is \$450 per Missourian, among the highest per capita costs of any state in the United

States; and

WHEREAS, promoting walking and bicycling for transportation improves Missouri's environment, reduces congestion, reduces the need for expensive expansion of our road and highway systems, and reduces our dependence on foreign energy supplies; and

WHEREAS, creating healthy, walkable, bicycleable, and livable communities helps keep Missouri competitive in the global competition for high quality businesses and motivated, creative workers who consider transportation and recreation options an essential part of a healthy community; and

WHEREAS, Missourians who reach retirement age choose more often to walk and bicycle for fitness, recreation, enjoyment, and transportation; and

WHEREAS, citizens with disabilities often rely on walking, bicycling, and transit to meet basic transportation needs and to make connections with the transit system, face great obstacles within our current transportation system, and benefit greatly from complete and well designed accommodations for bicycling and walking; and

WHEREAS, all transit users depend on walking and bicycling to complete at least part of each transit trip; and

WHEREAS, the number of Missouri students who walk and bicycle to school has dropped dramatically over the past forty years, with 50% of students walking or bicycling in 1975 but only 15% in 2005. In the same period, the percentage of children clinically defined as overweight has increased from 8% to 25%; and

WHEREAS, the principles of Complete Streets are designed to create a transportation network that meets the needs of all users of the state's transportation system: pedestrians of all ages and abilities, bicyclists, disabled persons, public transportation vehicles and patrons, and those who travel in trucks, buses, and automobiles; and

WHEREAS, the term "Complete Streets" means creating roads, streets, and communities where all road users can feel safe, secure, and welcome on our roads and streets and throughout our communities; and

WHEREAS, the terms "livable streets" and "comprehensive street design" are also used to identify these same concepts; and

WHEREAS, coordination and cooperation among many different agencies and municipalities is required to fully implement Complete Streets and create a complete, connected, and safe transportation network for walking and bicycling; and

WHEREAS, the cities of Elsberry, Pevely, Herculaneum, Crystal City, Festus, De Soto, Ferguson, Columbia, Lee's Summit, Kansas City, and St. Louis City have adopted Complete Streets or Livable Streets policies; and

WHEREAS, metropolitan planning organizations in the St. Joseph area, the Kansas City area, and the St. Louis area have adopted Complete Streets policies as part of the long-range planning process:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby declare our support for Complete Streets policies and urge their adoption at the local, metropolitan, regional, state, and national levels; and

BE IT FURTHER RESOLVED that the General Assembly encourages and urges the United States Department of Transportation, the Missouri Department of Transportation, the governing bodies of Metropolitan Planning Organizations, and Regional Planning Commissions, municipalities, and other organizations and agencies that build, control, maintain, or fund roads, highways, and bridges in Missouri to adopt Complete Streets policies and to plan, design, build, and maintain their road and street system to provide complete, safe access to all road users; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Ray LaHood, Secretary of the United States Department of Transportation; members of the Missouri Highway and Transportation Commission; the director of each Metropolitan Planning Agency and Regional Planning Commission in the State of Missouri; and the Missouri Municipal League.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

## **RECESS**

The time of recess having expired, the Senate was called to order by Senator Ridgeway.

**RESOLUTIONS**

Senator Cunningham offered Senate Resolution No. 739, regarding Joan Schmelig, which was adopted.

Senator Cunningham offered Senate Resolution No. 740, regarding the death of Allen Pummill Klippel, MD, Ballwin, which was adopted.

Senator Schaaf offered Senate Resolution No. 741, regarding Bob Pierce, which was adopted.

Senator Kehoe offered Senate Resolution No. 742, regarding Roger Schwartze, Jefferson City, which was adopted.

Senator Goodman offered Senate Resolution No. 743, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. John L. Berning, Exeter, which was adopted.

Senator Goodman offered Senate Resolution No. 744, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Milton Earl Wolf, Jr., which was adopted.

Senator Pearce offered Senate Resolution No. 745, regarding the One Hundredth Birthday of Nellie Louise Archer, Raymore, which was adopted.

**SENATE BILLS FOR PERFECTION**

At the request of Senator Wright-Jones, **SB 48**, with **SCS**, was placed on the Informal Calendar.

**SB 230**, with **SCS**, was placed on the Informal Calendar.

**HOUSE BILLS ON THIRD READING**

At the request of Senator Schaefer, **HCS** for **HB 14**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HB 15** was placed on the Informal Calendar.

**HB 71** was placed on the Informal Calendar.

**HCS** for **HB 61** was placed on the Informal Calendar.

**HCS** for **HB 174**, entitled:

An Act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education governing boards, with an existing penalty provision.

Was taken up by Senator Pearce.

At the request of Senator Pearce, **HCS** for **HB 174** was placed on the Informal Calendar.

Senator Dempsey announced that photographers from KOMU-TV and Missouri Digital News were given permission to take pictures in the Senate Chamber today.

**HB 358**, introduced by Representatives Leara and Colona, entitled:

An Act to repeal sections 86.252, 86.255, 86.256, 86.294, and 86.354, RSMo, and to enact in lieu thereof six new sections relating to police retirement.

Was taken up by Senator Schmitt.

On motion of Senator Schmitt, **HB 358** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown

Callahan

Crowell

Cunningham

Curls

Dempsey

Dixon

Engler



Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal      Green      Schaaf—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Lager, **HB 209**, with **SCS**, was placed on the Informal Calendar.

### **SENATE BILLS FOR PERFECTION**

Senator Schmitt moved that **SB 238** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schmitt offered **SS** for **SB 238**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE BILL NO. 238**

An Act to repeal sections 87.005 and 87.006, RSMo, and to enact in lieu thereof two new sections relating to diseases presumed incurred in the line of duty by firefighters.

Senator Schmitt moved that **SS** for **SB 238** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SB 238** was declared perfected and ordered printed.

Senator Dempsey announced that photographers from ABC 17 were given permission to take pictures in the Senate Chamber today.

### **HOUSE BILLS ON THIRD READING**

Senator Pearce moved that **HCS** for **HB 174** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Crowell offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend House Committee Substitute for House Bill No. 174, Page 1, Section 172.030, Line 7, by inserting at the end of said line the following: “**Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011 from**

completing his or her term.”; and

Further amend said bill, page 2, section 173.005, line 19, by inserting after “expenses.” the following: **“Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011 from completing his or her term.”**; and

Further amend said bill, page 7, section 174.450, line 30, by inserting at the end of said line the following: **“Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011 from completing his or her term.”**.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Pearce, **HCS** for **HB 174**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### SENATE BILLS FOR PERFECTION

Senator Lager moved that **SB 360** be taken up for perfection, which motion prevailed.

Senator Lager offered **SS** for **SB 360**, entitled:

#### SENATE SUBSTITUTE FOR SENATE BILL NO. 360

An Act to amend chapter 67, RSMo, by adding thereto five new sections relating to a county drinking water supply lake authority.

Senator Lager moved that **SS** for **SB 360** be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **SB 360** was declared perfected and ordered printed.

**HOUSE BILLS ON THIRD READING**

**HB 209**, with **SCS**, introduced by Representative Guernsey, et al, entitled:

An Act to repeal section 537.296, RSMo, and to enact in lieu thereof one new section relating to private nuisances.

Was called from the Informal Calendar and taken up by Senator Lager.

**SCS** for **HB 209**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 209**

An Act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

Was taken up.

Senator Lager moved that **SCS** for **HB 209** be adopted.

Senator Lager offered **SS** for **SCS** for **HB 209**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 209**

An Act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

Senator Lager moved that **SS** for **SCS** for **HB 209** be adopted.

Senator Justus raised the point of order that **SS** for **SCS** for **HB 209** is out of order in that it contains language that goes beyond the scope of the original bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Lager, **SS** for **SCS** for **HB 209** was withdrawn rendering the point of order moot.

At the request of Senator Lager, **HB 209**, with **SCS** (pending), was placed on the Informal Calendar.

**SENATE BILLS FOR PERFECTION**

Senator Munzlinger moved that **SB 337**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 337**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 337**

An Act to repeal sections 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, and 268.121, RSMo, and to enact in lieu thereof five new sections relating to agriculture, with penalty provisions.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 337** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 337** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 300**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 300**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 300

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to deer season.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 300** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 300** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 120** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Stouffer offered **SS** for **SB 120**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 120

An Act to repeal section 226.540, RSMo, and to enact in lieu thereof two new sections relating to billboards.

Senator Stouffer moved that **SS** for **SB 120** be adopted.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

At the request of Senator Stouffer, **SB 120**, with **SS** (pending), was placed on the Informal Calendar.

**HOUSE BILLS ON THIRD READING**

Senator Lager moved that **HB 209**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HB 209** was again taken up.

Senator Lager offered **SS** for **SCS** for **HB 209**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 209

An Act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

Senator Lager moved that **SS** for **SCS** for **HB 209** be adopted.

Senator Schaaf offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 209, Page 2, Section 67.402, Line 12, by inserting after the word “inhabitants” the following:

**“(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;**

**(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;**

**(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; and**

**(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants”.**

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 2**, which was read:

## SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 209, Page 8, Section 537.296, Line 10, by striking the opening bracket “[” from said line; and further amend line 11 by striking the closing bracket “]” from said line.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SS** for **SCS** for **HB 209**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **SCS** for **HB 209**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Rupp	Schaaf	Schmitt	Stouffer	Wasson—24

## NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	Wright-Jones—7
----------	-----------------	-------	-------	--------	---------	----------------

## Absent—Senators

Purgason	Ridgeway	Schaefer—3
----------	----------	------------

## Absent with leave—Senators—None

## Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### **SENATE BILLS FOR PERFECTION**

Senator Lager moved that **SB 230**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 230**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 230**

An Act to amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of tires.

Was taken up.

Senator Lager moved that **SCS** for **SB 230** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **SB 230** was declared perfected and ordered printed.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 300**; **SCS** for **SB 337**; **SS** for **SB 238**; and **SS** for **SB 360**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS**, as amended, for **SCS** for **HCS** for **HB 163** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 163**, as amended.

Emergency clause adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, David Mudd, Fred Niblock and Bobbie Gums, Harrison Bron, Kenzee Ellison and Tyler Metz, representatives of American Legion State Youth in Government.

On behalf of Senator Parson and himself, Senator Pearce introduced to the Senate, Marie Bowen, Linda Messenger, Hollis Hensley, Larry Spencer and Chris Steward, representatives of Katy Trail Community Health.

Senator Schaefer introduced to the Senate, Kristin A. Sohl, M.D. and representatives of Missouri Chapter of the American Academy of Pediatrics.

On behalf of Senator Pearce, the President introduced to the Senate, Franklin County Presiding Commissioner, former State Senator John Griesheimer.

Senator Kehoe introduced to the Senate, Meredith Ziegler, Jefferson City.

Senator Richard introduced to the Senate, Senator Mark Norris, Majority Leader, Tennessee State Senate and Colleen Cousineau, Executive Director, Southern Legislative Conference, Atlanta.

Senator Lembke introduced to the Senate, Dr. Emily George, M.D., Dr. Sandra McKay, M.D. and Dr. Madalyn Ellis, M.D., St. Louis.

On behalf of Senator Lamping and himself, Senator Schmitt introduced to the Senate, Pam Bogosian, Dori Cannon and Kelli Winkelmann and fifth grade students from Barretts Elementary School, Manchester; and Joey Schuman, Grace Craig, Ben Shin, Natalie Crocker, Mason Epperly and Ashlyn Southard were made honorary pages.

On behalf of Senator Pearce, the President introduced to the Senate, Kaylinn and Kirsten Baker, Belton; and Hilke Famdrely, Hamburg, Germany.

Senator Parson introduced to the Senate, Rita Legan and Aric Gooch, Bolivar; Elizabeth Whaley, Fair Play; Bailey Moore, Halfway; Austin Wood, Humansville; and Lindsey Lower, Morrisville.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

FIFTY-FIRST DAY—WEDNESDAY, APRIL 13, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 458-Loehner, et al  
HCS for HB 641  
HCS for HB 192  
HCS for HBs 470 & 429  
HCS for HB 336  
HCS for HB 28  
HCS for HB 546

HCS for HB 468  
HB 677-Wells, et al  
HB 737-Redmon and Shumake  
HCS for HJR 3  
HB 291-Denison, et al  
HCS for HB 840

### THIRD READING OF SENATE BILLS

1. SCS for SB 11-McKenna  
(In Fiscal Oversight)  
2. SJR 10-Lembke and Green  
(In Fiscal Oversight)

3. SCS for SBs 26 & 106-Wasson  
(In Fiscal Oversight)  
4. SB 204-Dempsey, et al  
(In Fiscal Oversight)

- |                                                            |                                |
|------------------------------------------------------------|--------------------------------|
| 5. SCS for SB 100-Stouffer<br>(In Fiscal Oversight)        | 10. SB 322-Schaefer            |
| 6. SS for SCS for SB 254-Stouffer<br>(In Fiscal Oversight) | 11. SB 325-Wasson              |
| 7. SCS for SB 323-Schaefer<br>(In Fiscal Oversight)        | 12. SS for SCS for SB 132-Rupp |
| 8. SS for SB 286-McKenna<br>(In Fiscal Oversight)          | 13. SCS for SB 387-Wasson      |
| 9. SCS for SB 122-Schaaf<br>(In Fiscal Oversight)          | 14. SCS for SB 300-Munzlinger  |
|                                                            | 15. SCS for SB 337-Munzlinger  |
|                                                            | 16. SS for SB 238-Schmitt      |
|                                                            | 17. SS for SB 360-Lager        |

### HOUSE BILLS ON THIRD READING

HCS for HB 45, with SCS (Pearce)  
(In Fiscal Oversight)

### INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

### SENATE BILLS FOR PERFECTION

- |                                                    |                                                       |
|----------------------------------------------------|-------------------------------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 130-Rupp, with SCS & SS for SCS<br>(pending)       |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 175-Munzlinger, et al, with SA 1 (pending)         |
| SB 10-Rupp                                         | SB 176-Munzlinger, et al                              |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SBs 189, 217, 246, 252 & 79-Schmitt, with SCS         |
| SB 25-Schaaf, with SCS & SS for SCS<br>(pending)   | SB 200-Crowell                                        |
| SB 28-Brown                                        | SB 203-Schmitt, et al, with SS (pending)              |
| SB 37-Lembke, with SCS                             | SB 208-Lager                                          |
| SB 48-Wright-Jones, with SCS                       | SB 209-Lager                                          |
| SB 72-Kraus, with SS (pending)                     | SB 228-Pearce                                         |
| SBs 88 & 82-Schaaf, with SCS & SA 1<br>(pending)   | SB 242-Cunningham, with SCS & SS for SCS<br>(pending) |
| SB 120-Stouffer, with SS (pending)                 | SB 247-Pearce, with SS (pending)                      |
|                                                    | SB 264-Rupp, with SCS                                 |
|                                                    | SB 278-Munzlinger, et al                              |



SB 280-Purgason, et al, with SCS & SS for SCS  
(pending)  
SBs 291, 184 & 294-Pearce, with SCS (pending)  
SB 299-Munzlinger, with SCS (pending)  
SB 320-Lamping, et al, with SCS & SS for SCS  
(pending)

SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SB 420-Mayer, with SCS  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al

#### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)  
HB 15-Silvey (Schaefer)  
HCS for HB 61

HB 71-Nasheed, et al  
HCS for HB 193 (Rupp)

#### RESOLUTIONS

##### Reported from Committee

SR 179-Purgason

SCR 11-Wright-Jones

##### To be Referred

HCS for HCR 23

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FIFTY-FIRST DAY—WEDNESDAY, APRIL 13, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord is in his holy temple; let all the earth keep silent before him.” (Habakkuk 2:20)

Holy God, we are silent before You as we pray and seek to listen to Your voice and not ours. So speak to us that we might be bold in our living as Your servants here in the Senate as well as at home. In this difficult time, watch over us and lead us back to Your throne to find our peace in You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Engler offered Senate Resolution No. 746, regarding Nickolyn Sue Russell, which was adopted.

Senator Engler offered Senate Resolution No. 747, regarding Sandra S. Sonnenburg, which was adopted.

Senator Engler offered Senate Resolution No. 748, regarding Kathleen McCrady, which was adopted.

Senator Engler offered Senate Resolution No. 749, regarding Beth A. Yancey, which was adopted.

Senator Engler offered Senate Resolution No. 750, regarding Pamela Sumpter, which was adopted.

Senator Engler offered Senate Resolution No. 751, regarding Kristi Wakefield, which was adopted.

Senator Engler offered Senate Resolution No. 752, regarding Kelly Beth Skaggs Gray, which was adopted.

Senator Engler offered Senate Resolution No. 753, regarding Larry Keith Crowfoot Swearingen, which was adopted.

Senator Schaaf offered Senate Resolution No. 754, regarding Lori L. Miller, Kansas City, which was adopted.

## REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 230**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

## SENATE BILLS FOR PERFECTION

Senator Lamping moved that **SB 320**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Lamping, **SS** for **SCS** for **SB 320** was withdrawn.

Senator Lamping offered **SS No. 2** for **SCS** for **SB 320**, entitled:

### SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 320

An Act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.020, 455.027, 455.035, 455.038, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.505, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, 589.683, 595.100, and 595.220, RSMo, and to enact in lieu thereof twenty-seven new sections relating to domestic violence, with penalty provisions.

Senator Lamping moved that **SS No. 2** for **SCS** for **SB 320** be adopted, which motion prevailed.

On motion of Senator Lamping, **SS No. 2** for **SCS** for **SB 320** was declared perfected and ordered printed.

President Pro Tem Mayer assumed the Chair.

### SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS** for **SCS** for **HCS** for **HB 163**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

President Kinder assumed the Chair.

### SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 247**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SB 247** was again taken up.

Senator Rupp assumed the Chair.

At the request of Senator Pearce, **SB 247**, with **SS** (pending), was placed on the Informal Calendar.

### THIRD READING OF SENATE BILLS

**SB 322**, introduced by Senator Schaefer, entitled:

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to certain provider taxes.

Was taken up.

On motion of Senator Schaefer, **SB 322** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

#### NAYS—Senator Purgason—1

#### Absent—Senators

Chappelle-Nadal	Engler	Richard—3
-----------------	--------	-----------

#### Absent with leave—Senators—None

#### Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### **REFERRALS**

President Pro Tem Mayer referred **HCS** for **HCR 23** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

### **RESOLUTIONS**

Senator Wright-Jones offered Senate Resolution No. 755, regarding Dahlia Ariel Dyson, O'Fallon, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 756, regarding Jamie Dorise Holman, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 757, regarding Amanda Holly Kennedy, Hillsboro, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 758, regarding Andrea Melissa Strebler, Fenton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 759, regarding Taylor Lauren Wakeland, Fenton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 760, regarding Rachel Ann Patrick, Arnold, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 761, regarding Jennifer Marie Frasch, O'Fallon, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 762, regarding Andrea Rae Patrick, Arnold, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 763, regarding Elizabeth Anne Modde, Kirkwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 764, regarding Emily Rose Meiron, Wildwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 765, regarding Nicole Lynn Aronoff, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 766, regarding Amanda Marie Carlson, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 767, regarding Kyara Dia'u Story, Florissant, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 768, regarding Sydney Ann Becker, Ellisville, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 769, regarding Madeline Elizabeth Bowers, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 770, regarding Kimberly Elizabeth Butler, Ellisville, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 771, regarding Molly Elizabeth Flood, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 772, regarding Samantha Leigh Halfmann, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 773, regarding Courtney Marissa Haring, Kirkwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 774, regarding Jennifer Lunceford, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 775, regarding Nicolas Schmidt, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 776, regarding Sarah Harrington, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 777, regarding Xavier duMaine, which was adopted.

Senator Goodman offered Senate Resolution No. 778, regarding the 4-H Bit by Bit competitive robotics team, Aurora, which was adopted.

Senator Rupp offered Senate Resolution No. 779, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Dale Manies, St. Charles, which was adopted.

### **HOUSE BILLS ON THIRD READING**

Senator Rupp moved that **HCS** for **HB 193** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Rupp offered **SS** for **HCS** for **HB 193**, entitled:

#### **SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 193**

An Act to repeal sections 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof eleven new sections relating to the composition of congressional districts.

Senator Rupp moved that **SS** for **HCS** for **HB 193** be adopted, which motion prevailed.

Senator Rupp moved that **SS** for **HCS** for **HB 193** be read the 3rd time and passed.

### **PRIVILEGED MOTIONS**

Having voted on the prevailing side, Senator Schaaf moved that the vote by which **SS** for **HCS** for **HB 193** was adopted be reconsidered, which motion failed by the following vote:

## YEAS—Senators

Chappelle-Nadal	Cunningham	Keaveny	McKenna	Munzlinger	Purgason	Schaaf	Schmitt
Stouffer	Wright-Jones—10						

## NAYS—Senators

Brown	Callahan	Crowell	Curls	Dempsey	Dixon	Engler	Goodman
Justus	Kehoe	Kraus	Lager	Lembke	Mayer	Nieves	Parson
Pearce	Richard	Ridgeway	Rupp	Schaefer	Wasson—22		

Absent—Senator Lamping—1

Absent with leave—Senator Green—1

Vacancies—None

At the request of Senator Rupp, **SS** for **HCS** for **HB 193** was placed on the Informal Calendar.

**SENATE BILLS FOR PERFECTION**

Senator Pearce moved that **SB 291**, **SB 184** and **SB 294**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SCS** for **SBs 291**, **184** and **294** was again taken up.

Senator Kraus offered **SA 1**, which was read:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bills Nos. 291, 184 and 294, Page 5, Section 160.400, Line 133, by inserting after all of said line the following:

**“17. When a charter school closes, the sponsor shall ensure that any remaining cash assets of the charter school shall be returned to the department of elementary and secondary education for their disposition.”.**

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Lembke offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for Senate Bills Nos. 291, 184 and 294, Page 21, Section 160.539, Line 28, by inserting after all of said line the following:

**“Section 1. 1. Any school district that owns school buildings that have been vacant or unused for classroom instruction for two consecutive school years shall sell such buildings under the provisions of chapter 177 or make them available for use by any charter school free of any rent or lease charge. Any charter school that uses such buildings shall be responsible for paying any maintenance, upkeep, repairs, and any charges associated with the provision of any public utility service to such building.**

**2. The terms of any sale under this section shall not include a restriction in the deed that would prohibit use of the facilities for educational purposes.”; and**

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted.

Senator Pearce offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bills Nos. 291, 184 and 294, Page 1, Section 1, Line 5, by striking the word “shall” and inserting in lieu thereof the word “**may**”.

Senator Pearce moved that the above amendment be adopted.

At the request of Senator Pearce, **SA 1** to **SA 2** was withdrawn.

At the request of Senator Lembke, **SA 2** was withdrawn.

Senator Cunningham offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bills Nos. 291, 184 and 294, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“29.205. Notwithstanding any provision of law to the contrary, the state auditor shall have the power to audit any school district **or charter school** within the state in the same manner as the auditor may audit any agency of the state.”; and

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bills Nos. 291, 184 and 294, Pages 1-5, Section 160.400, by striking all of said section and inserting in lieu thereof the following:

“160.400. 1. A charter school is an independent public school.

2. **Except as further provided in subsection 4 of this section**, charter schools may be operated only:

(1) In a metropolitan school district [or];

(2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants [and may be sponsored by any of the following];

(3) **In a school district that has been declared unaccredited;**

(4) **In a provisionally accredited school district under the following conditions:**

(a) **A school district is first eligible for charter schools after three consecutive full school years in provisionally accredited status;**

(b) **The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529 or on financial hardship as defined by rule of the state board of education shall be decided by a vote of the state**



board of education during the third consecutive school year after the designation of provisional accreditation; and

(c) The sponsor is limited to the local school board or a sponsor who has met standards of accountability and performance in its sponsorship of other charter schools as determined by rule of the state board of education;

(5) In a school district that has been accredited without provisions, sponsored only by the local school board; and

(6) In any school district which for any three years since its previous accreditation classification by the state board of education has obtained a score on its annual performance review consistent with the classification of provisionally accredited or unaccredited.

3. Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor charter schools:

(1) The school board of the district **in any district which is sponsoring a charter school as of August 27, 2011, as permitted under subdivision (1) of subsection 2 of section 160.400;**

(2) A public four-year college or university [with its primary campus in the school district or in a county adjacent to the county in which the district is located,] with an approved teacher education program that meets regional or national standards of accreditation;

(3) A community college [located in], **the service area of which encompasses some portion of the district; [or]**

(4) Any private four-year college or university [located in a city not within a county] with an enrollment of at least one thousand students, **with its primary campus in Missouri**, and with an approved teacher preparation program;

(5) **Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended, which is a member of the North Central Association and accredited by the Higher Learning Commission, with its primary campus in Missouri;**

(6) **The Missouri charter public school commission created in section 160.425; or**

(7) **A nonprofit or charitable organization excluding a nonpublic sectarian or religious institution which is exempt from federal taxation under section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and is in compliance with the annual filing requirements of the secretary of state under section 355.011.**

4. **Changes in a school district's accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:**

(1) **As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation;**

(2) **A charter school in a district described in this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the school is**

operated.

[3.] **5.** The mayor of a city not within a county may request a sponsor under subdivision (2), (3), [or] (4), **(5), (6) or (7)** of subsection [2] **3** of this section to consider sponsoring a “workplace charter school”, which is defined for purposes of sections 160.400 to [160.420] **160.425** as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in the city.

[4.] **6.** No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

[5.] **7.** The charter school shall be **organized as** a Missouri nonprofit corporation incorporated pursuant to chapter 355. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

[6.] **8.** As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall select the method for election of officers pursuant to section 355.326 based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030[, the open meetings law].

[7.] **9.** A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

[8.] **10.** A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection [2] **3** of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. [The primary campus of the college or university must be located within the county in which the school district lies wherein the charter school is located or in a county adjacent to the county in which the district is located.] A university, college or community college may not charge or accept a fee for affiliation status.

[9.] **11.** The expenses associated with sponsorship of charter schools shall be defrayed by the department of elementary and secondary education retaining one and five-tenths percent of the amount of state and local funding allocated to the charter school under section 160.415, not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. [Such amount shall not be withheld when the sponsor is a school district or the state board of education.] The department of elementary and secondary education shall remit the retained funds for each charter school to the school’s sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship obligations under sections 160.400 to [160.420] **160.425** and 167.349 with regard to each charter school it sponsors, including appropriate demonstration of the following:

(1) Expends no less than ninety percent of its charter school sponsorship funds in support of its charter school sponsorship program, or as a direct investment in the sponsored schools;

(2) Maintains a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating

a quality charter school;

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences, and other material terms;

(4) Conducts contract oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law; and

(5) Designs and implements a transparent and rigorous process that uses comprehensive data to make merit-based renewal decisions.

**12. Sponsors receiving funds under subsection 11 of this section shall be required to submit annual reports to the joint committee on education demonstrating the sponsors are in compliance with subsection 16 of this section.**

[10.] **13.** No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

[11.] **14.** No sponsor shall grant a charter under sections 160.400 to [160.420] **160.425** and 167.349 without ensuring that a criminal background check and [child abuse] **family care safety** registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and [child abuse] **family care safety** registry check are conducted for each member of the governing board of the charter school.

[12.] **15.** No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.

[13.] **16.** A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to [160.420] **160.425** and 167.349.

[14.] **17. A sponsor shall develop the policies and procedures for:**

**(1) The review of a charter school proposal;**

**(2) The granting of a charter;**

**(3) The performance framework that the sponsor will use to evaluate the performance of charter schools;**

**(4) The sponsor's renewal, revocation, and nonrenewal processes;**

**(5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and**

**(6) Procedures to be implemented if a charter school should close, including but not limited to:**

(a) A notification plan to inform parents or guardians of students, the local school district, the retirement system in which the charter school's employees participate, and the state board of education upon closure;

(b) The transfer or repository of student records upon closure;

(c) The transfer or repository of personnel records upon closure;

(d) The disposition of the charter school's assets upon closure.

**The department shall provide guidance to sponsors in developing such policies and procedures.**

**18.** The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to [160.420] **160.425** and 167.349 for each charter school sponsored by any sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board, after a public hearing, may require remedial action for a sponsor that it finds has not fulfilled its obligations of sponsorship, such remedial actions including withholding the sponsor's funding and suspending [for a period of up to one year] the sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional school **until the sponsor is reauthorized by the department of elementary and secondary education under section 160.403**. If the state board removes the authority to sponsor a currently operating charter school **pursuant to any provision of law**, the state board shall become the interim sponsor of the school for a period of up to three years until the school finds a new sponsor or until the charter contract period lapses. **During such time, if the charter school fails to meet academic performance or other goals as prescribed in the school's charter, the state board shall revoke the charter.**

**160.403. 1.** The department of elementary and secondary education shall establish an annual application and approval process for all entities eligible to sponsor charters as set forth in section 160.400. No later than January 1, 2012, the department shall make available information and guidelines for all eligible sponsors concerning the opportunity to apply for sponsoring authority under this section.

**2.** The application process for sponsorship shall require each interested eligible sponsor to submit an application by April first that includes the following:

(1) Written notification of intent to serve as a charter sponsor in accordance with section 160.400;

(2) Evidence of the applicant sponsor's budget and personnel capacity;

(3) An outline of the request for proposal that the applicant sponsor would, if approved as a charter sponsor, issue to solicit public charter school applicants consistent with sections 160.400 to 160.425;

(4) The performance framework that the applicant sponsor would, if approved as a charter sponsor, use to guide the establishment of a charter contract and for ongoing oversight and a description of how it would evaluate the charter schools it sponsors; and

(5) The applicant sponsor's renewal, revocation, and nonrenewal processes consistent with section 160.405.

**3.** By July first of each year, the department shall decide whether to grant or deny a sponsoring authority to a sponsor applicant. This decision shall be made based on the applicant charter's

compliance with sections 160.400 to 160.425 and any properly promulgated rules of the department.

4. Within thirty days of the department's decision, the department shall execute a renewable sponsoring contract with each entity it has approved as a sponsor. The term of each authorizing contract shall be ten years. An eligible sponsor which is not currently sponsoring a charter school upon the effective date of this section shall not commence charter sponsorship without approval from the department and a sponsor contract with the department in effect.

5. All entities sponsoring a charter school upon the effective date of this section shall apply to the department for approval to continue as a sponsor no later than April 1, 2012. By July 1, 2012, the department shall decide whether to grant the sponsor the authority to continue or deny such authority. Charter sponsors that are granted the authority to continue sponsorship by the department shall be granted such authority for a period of ten years. Charter sponsors that are denied the authority to continue as a sponsor shall lose the authority to continue as a sponsor immediately. The charter public school commission shall become the interim sponsor for a period of up to three years until the charter school finds a new sponsor or until the charter contract period lapses.”; and

Further amend said bill, Page 5, Section 160.405, line 21, by striking the following: “An accountability plan” and inserting in lieu thereof the following: “**A performance contract**”; and

Further amend said bill and section, Page 6, Line 41, by inserting immediately after the word “settlements” the following: “**and procedures that ensure admission of students with disabilities in a nondiscriminatory manner**”; and further amend said line by striking the word “and”; and further amend lines 42 to 45, by striking all of said lines and inserting in lieu thereof the following:

(7) **A description of the charter school's grievance procedure for parents or guardians;**

(8) **A description of the agreement between the charter school and the sponsor as to when a charter shall be revoked for failure to comply with subsection 8 of this section and when it will fail to be renewed under subsection 9 of this section;**

(9) **Procedures to be implemented if the charter school should close, as provided in subdivision (4) of subsection 17 of section 160.400; and**

(10) **A description of the special education and related services that will be available to meet the needs of students with disabilities**”; and further amend lines 47 to 49, by striking all of said lines and inserting in lieu thereof the following:

“(1) **A charter shall be submitted to the sponsor, and follow the sponsor's policies and procedures for review and granting of a charter approval, and be approved by the state board by December first of the year prior to the proposed opening date of the charter school;**”; and

Further amend said bill and section, Page 7, Lines 74 to 85 by striking all of said lines and inserting in lieu thereof the following: “reentry of dropouts into the school system. [If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services.] For purposes of this subsection, a “high-risk” student is one who is at least one year behind in satisfactory completion of course work or obtaining [credits for graduation, pregnant or a parent, homeless or has been homeless sometime within the preceding six months, has limited English proficiency, has been suspended from school three or

more times, is eligible for free or reduced-price school lunch, or has been referred by the school district for enrollment in an alternative program] **high school credits for graduation, has dropped out of school, is at risk of dropping out of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended from school three or more times, has a history of severe truancy, is a pregnant or parenting teen, has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is homeless or has been homeless sometime within the preceding six months, has been referred by an area school district for enrollment in an alternative program, or qualifies as high risk under department of elementary and secondary education guidelines.** “Dropout” shall be defined through the guidelines of the school core”; and

Further amend said bill and section, Page 8, Lines 114 to 130, by striking all of said lines and inserting in lieu thereof the following:

“(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, publish audit reports and annual financial reports [as provided in chapter 165, RSMo, provided that the annual financial report may be published] **on the charter school’s internet website or** on the department of elementary and secondary education’s internet website [in addition to other publishing requirements], and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. A charter school that receives local educational agency status under subsection [6] **7** of this section shall meet the requirements imposed by the Elementary and Secondary Education Act for audits of such agencies. For purposes of an audit by petition under section 29.230, a charter school shall be treated as a political subdivision on the same terms and conditions as the school district in which it is located. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700. A charter school that incurs debt [must] **shall** include a repayment plan in its financial plan;”; and

Further amend said bill and section, Page 9, Line 170, by striking “charter;” and inserting in lieu thereof the following: **“charter. The performance standards for alternative and special purpose charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this section shall be based on academic growth measures;”**; and

Further amend said bill and section, Page 10, Line 171, by inserting an opening bracket “[“ immediately before the word “assure”; and further amend line 172, by inserting immediately after the word “compliance” the following: **“] comply”**; and further amend said line by inserting immediately after the word “regulations” the following: **“regarding students with disabilities including sections 162.670 to 162.710, the Individuals with Disabilities Education Act (20 U.S.C. 1400) and Section 504 of the Rehabilitation Act of 1973 (20 U.S.C. 794) or successor legislation”**; and further amend line 183 by inserting immediately after the word “schools” the following: **“including charter schools that offers a boarding program,”**; and

Further amend said bill and section, Page 11, Lines 215 to 220 by striking all of said lines and inserting in lieu thereof the following: **“status for no more than twelve months, provided that no more than one designation of probationary status will be allowed for the duration of the charter contract,** at any time if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet [academic performance standards] **the performance contract** as set forth in its charter, failure to meet generally accepted standards of fiscal management, failure to provide information necessary to confirm compliance with all provisions of the charter and sections 160.400 to

[160.420] **160.425** and 167.349 within forty-five days following receipt of written”; and further amend line 241, by inserting after “9.” the following: “**(1)**”; and

Further amend said bill and section, Page 12, Line 244, by striking “160.420” and inserting in lieu thereof the following: “**160.425**”; and further amend line 246, by striking “160.420” and inserting in lieu thereof the following: “**160.425**”; and further amend line 247, by inserting after all of said line the following:

**“(2) (a) Beginning August first, during the year in which a charter is considered for renewal, a charter school sponsor shall demonstrate to the state board of education that the charter school is in compliance with federal and state laws on accountability; transparency; maintenance of parent, student, and employee rights; and performance of charter requirements. For all charter schools, the sponsor shall establish that the school is not among the lowest achieving five percent of Title I schools in corrective action or restructuring in any three of the last four years.**

**(b) Along with data reflecting the academic performance standards indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the state board of education for review.**

**(c) Using the data requested and the revised charter application under paragraphs (a) and (b) of this subdivision, the state board of education shall determine if compliance with all standards enumerated in this subdivision has been achieved. The state board of education at its next regularly scheduled meeting shall vote on the revised charter application.**

**(d) If compliance with all standards has not been achieved, the charter school and its sponsor may file a statement no later than October thirty-first, stating the reasons why the charter school should not be closed. If no such statement is filed, the charter school shall cease operation at the end of the current academic year. If a statement is timely filed, the department of elementary and secondary education shall hold a public hearing no later than January tenth to determine if the charter should be renewed. The state board of education shall review the findings from the hearing and shall vote no later than February twenty-eighth to continue the operation of the charter school and may impose conditions on its continuing operation as specified in subdivision (1) of subsection 8 of this section, or to close the charter school at the end of the current academic year.**

**10. A charter school shall close at the end of the academic year if any of the following events take place:**

**(1) The charter is revoked by the state board of education under subsection 18 of section 160.400;**

**(2) The charter is revoked by the charter school’s sponsor under subsection 8 of section 160.405;**

**(3) The charter is not renewed under paragraph (b) of subdivision (2) of subsection 9 of section 160.405; or**

**(4) The charter is voluntarily relinquished. The decision of the state board of education to revoke a charter under subsection 18 of section 160.400 or not to renew a charter under paragraph (b) of subdivision (2) of subsection 9 of this section shall be final.”; and further amend said section by renumbering the remaining subsections accordingly; and**

Further amend said bill, Page 13, Section 160.410, Line 11, by striking the word “and”; and further amend line 18, by inserting after “employers” the following: “; **and**

**(5) Nonresident pupils who reside in a district classified as unaccredited by the state board of education and who are eligible to attend a school in a district classified as accredited, without provision, by the state board of education in the same or an adjoining county under section 167.131.”; and further amend lines 31 to 34, by striking said lines and inserting in lieu thereof the following:**

**“(3) Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.”; and further amend line 38 by inserting immediately after the following: “level.” the following: “Students of a charter school that are present for the January membership count as defined in section 163.011 shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners.”; and**

Further amend said bill and section, Page 15, line 81, by striking the word “and”; and further amend lines 83-85, by striking all of said lines and inserting in lieu thereof the following: “members; **and**

**(4) If a charter school is operated by a management company, a copy of the written contract between the governing board of the charter school and the educational management organization or the charter management organization for services.**

The charter school may charge reasonable fees, not to exceed the rate specified in section 610.026, for furnishing copies of documents under this subsection.

**6. When a student attending a charter school who is a resident of the school district in which the charter school is located moves out of the boundaries of such school district, the student may complete the current semester and shall be considered a resident student. The student’s parent or legal guardian shall be responsible for the student’s transportation to and from the charter school.**

**7. If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including attachment of a school district’s territory to another district or dissolution, such that a student attending a charter school prior to such change no longer resides in a school district in which the charter school is located, then the student may complete the current academic year at the charter school. The student shall be considered a resident student. The student’s parent or legal guardian shall be responsible for the student’s transportation to and from the charter school.**

**8. The provisions of sections 167.018 and 167.019 concerning foster children’s educational rights are applicable to charter schools.”; and**

Further amend said bill, Page 17, Section 160.415, Line 81, by inserting after “school.” the following: **“An educational cooperative of school districts may provide managerial or academic services as a contractor under this subsection.”; and further amend line 82, by inserting after “7.” the following: “In the case of a proposed charter school that intends to contract with an education service provider for substantial educational services, management services, or both types of services, as permitted in subsection 6 of this section, the request for proposals shall additionally require the charter school applicants to:**

**(1) Provide evidence of the education service provider’s success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable;**



(2) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and time lines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

(3) Disclose and explain any known conflicts of interest between the school governing board and proposed service provider or any affiliated business entities;

(4) Disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school in the United States within the past five years; and

(5) Ensure that the lead administrator and the legal counsel of the charter school shall be direct employees of the charter school governing board.

8.”; and

Further amend said bill and section, page 18, line 99, by inserting after the word “imposing” the following: **“but a charter school that enrolls pupils who are nonresidents of the school district in which the charter school is located and residents of a district classified as unaccredited by the state board of education under section 167.131 may receive tuition payments from the unaccredited district.”**; and further Line 106, by inserting after “355.” the following: **“The department of elementary and secondary education may withhold funding at a level the department determines to be adequate during a school’s last year of operation until the department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.”**; and further amend said section by renumbering the subsections accordingly; and

Further amend said bill and section, Page 18, Line 113, by inserting after all of said line the following:

**“160.417. 1. By October 1, 2011, and by each October first thereafter, the department of elementary and secondary education shall review the information submitted on the report required by section 162.821 to identify charter schools experiencing financial stress. The department shall be authorized to obtain such additional information from a charter school as may be necessary to determine the financial condition of the charter school. Annually, a listing of charter schools identified as experiencing financial stress according to the provisions of this section shall be provided to the governor, speaker of the house, and president pro tem of the senate by the department of elementary and secondary education.**

**2. For the purposes of this section, a charter school shall be identified as experiencing financial stress if it:**

**(1) At the end of its most recently completed fiscal year:**

**(a) Has a negative balance in its operating funds; or**

**(b) Has a combined balance of less than three percent of the amount expended from such funds during the previous fiscal year; or**

**(2) For the most recently completed fiscal year expenditures, exceeded receipts for any of its**

funds because of recurring costs.

**3. The department shall notify by November first the charter sponsor and the board of directors of the charter school of any charter school identified as experiencing financial stress. Upon receiving the notification, the charter sponsor shall develop, or cause to have developed, and shall approve a budget and education plan on forms provided by the department. The budget and education plan shall be submitted to the department, signed by the officers of the charter school, within forty-five calendar days of notification that the charter school has been identified as experiencing financial stress. Minimally, the budget and education plan shall:**

**(1) Give assurances that adequate educational services to students of the charter school shall continue uninterrupted for the remainder of the current school year and that the charter school can provide a minimum school term required by section 163.021;**

**(2) Outline a procedure to be followed by the charter school to report to charter school patrons about the financial condition of the charter school; and**

**(3) Detail the expenditure reduction measures, revenue increases, or other actions to be taken by the charter school to address its condition of financial stress.**

**4. Upon receipt and following review of any budget and education plan, the department may make suggestions to improve the plan. Nothing in the law shall exempt a charter school from submitting a budget and education plan to the department according to the provisions of the section following each such notification that a charter school has been identified as experiencing financial stress, except that the commissioner of elementary and secondary education may permit a charter board to make amendments to or update a budget and education plan previously submitted to the department.**

**5. The department may withhold any payment of financial aid otherwise due to the charter school until such time as the charter school has fully complied with this section.”; and**

Further amend said bill, Page 19, Section 160.420, Line 33, by striking said line and inserting in lieu thereof the following:

**“(2) Certification by the National [Standards] Board for Professional Teaching Standards;”;** and further amend line 51, by inserting after “4.” the following: **“When a charter school is required by law to provide free tutoring services to students, the charter school shall provide equal access to tutoring services offered by nonpublic education service providers. The charter school may engage in negotiations with any nonpublic education service provider for use of its facilities by the nonpublic education service provider. [;”** and

Further amend said bill and section, Page 20, Line 90, by inserting immediately after “charter.” a closing bracket “]” and the following:

**“160.425. 1. The “Missouri Charter Public School Commission” is hereby created with the authority to sponsor high quality charter schools throughout the state of Missouri.**

**2. The commission shall consist of nine members appointed by the governor, by and with the advice and consent of the senate, after a public committee hearing. No more than five of the members shall be of the same political party. No more than two members shall be from the same congressional**

**district. The term of office of each member is four years, except that of the members first appointed, three shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. At the expiration of the term of each member, the governor, by and with the advice and consent of the senate, shall appoint a successor.**

**3. The appointees to the commission shall be selected as follows:**

**(1) One member selected by the governor from a slate of three recommended by the commissioner of education;**

**(2) One member selected by the governor from a slate of three recommended by the commissioner of higher education;**

**(3) One member selected by the governor from a slate of three recommended by the president pro tem of the senate;**

**(4) One member selected by the governor from a slate of three recommended by the speaker of the house of representatives; and**

**(5) Five additional members appointed by the governor.**

**4. Members appointed to the commission shall collectively possess strong experience and expertise in public and nonprofit governance, management and finance, public school leadership, assessment, curriculum and instruction, and public education law. All members of the commission shall have demonstrated understanding of and commitment to charter schooling as a strategy for strengthening public education.**

**5. The commission shall annually elect a chairperson and vice chairperson, who shall act as chairperson in his or her absence. The commission shall meet at the call of the chairperson. The chairperson may call meetings at such times as he or she deems advisable and shall call a meeting when requested to do so by three or more members of the commission. Members of the commission are not eligible to receive compensation.**

**6. The commission may approve proposed charters for its sponsorship under sections 160.400 to 160.425 and shall:**

**(1) Comply with all of the requirements applicable to sponsors under sections 160.400 to 160.425;**

**(2) Exercise sponsorship over charters approved by the commission under sections 160.400 to 160.425, including receipt of sponsorship funding under subsection 11 of section 160.400.**

**7. Charter schools sponsored by the commission shall comply with all of the requirements applicable to charter schools under sections 160.400 to 160.425.**

**8. The commission shall conduct its business in accordance with chapter 610.**

**9. The department of elementary and secondary education shall provide start-up funding for the commission to operate. The commission shall reimburse the department's costs from any funds it receives as sponsor under section 160.400.**

**10. The commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of sections 160.400 to 160.425, subject to**

the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law.

**Section 1.** The joint committee on education shall review the fifth cycle school improvement program standards to determine what effects, if any, changes to performance standards may have on the number and type of charter schools and charter school sponsorship as a consequence of a district's accreditation status. The joint committee on education shall deliver its report, which may contain recommendations for changes to law or to state board of education policy, no later than December 31, 2011, and again upon any subsequent substantive revision of the standards.”; and

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted.

At the request of Senator Pearce, **SB 291**, **SB 184** and **SB 294**, with **SCS** and **SA 4** (pending), were placed on the Informal Calendar.

### REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SCS** for **SB 320**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

### HOUSE BILLS ON THIRD READING

Senator Rupp moved that **SS** for **HCS** for **HB 193** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Rupp, **SS** for **HCS** for **HB 193** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Crowell	Dempsey	Dixon	Goodman	Justus	Keaveny
Lager	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Wasson—22		

#### NAYS—Senators

Chappelle-Nadal	Cunningham	Curls	Green	Kehoe	Kraus	Lamping	McKenna
Purgason	Stouffer	Wright-Jones—11					

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SBs 113** and **95**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 188**.

Bill ordered enrolled.

### INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Nick Miller and Brad Harr, Kansas City.

Senator Schmitt introduced to the Senate, Sarah Riss, Webster Groves.

Senator Goodman introduced to the Senate, Van McClure, Springfield.

Senator Kehoe introduced to the Senate, Mrs. Cindy Wolken, Ms. Peggy Jobe, Ms. Anne Weber and fourth grade students from Immaculate Conception School, Jefferson City; and Andrew Bexten, Reagan Taggart, Abby Davis, Katie Wilson and Ally Webb were made honorary pages.

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Michael Friedman, M.D., Columbia.

Senator Schaefer introduced to the Senate, students from Windsor Street Montessori School, Columbia.

Senator Lembke introduced to the Senate, Colonel Constance Edwards, Ph.D. and Rochelle Crump, Illinois.

Senator Munzlinger introduced to the Senate, Michelle Holmes, Mrs. Jay Houghton and students from St. Joseph Catholic School, Martinsburg.

Senator Keaveny introduced to the Senate, Alderman Jeffrey Boyd, St. Louis.

On motion of Senator Dempsey, the Senate adjourned until 11:00 a.m., Thursday, April 14, 2011.

### SENATE CALENDAR

---

FIFTY-SECOND DAY—THURSDAY, APRIL 14, 2011

---

### FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HCS for HB 192  
HCS for HBs 470 & 429  
HCS for HB 336  
HCS for HB 28  
HCS for HB 546  
HCS for HB 468

HB 677-Wells, et al  
HB 737-Redmon and Shumake  
HCS for HJR 3  
HB 291-Denison, et al  
HCS for HB 840

### THIRD READING OF SENATE BILLS

- |                                                            |                                                   |
|------------------------------------------------------------|---------------------------------------------------|
| 1. SCS for SB 11-McKenna<br>(In Fiscal Oversight)          | 8. SS for SB 286-McKenna<br>(In Fiscal Oversight) |
| 2. SJR 10-Lembke and Green<br>(In Fiscal Oversight)        | 9. SCS for SB 122-Schaaf<br>(In Fiscal Oversight) |
| 3. SCS for SBs 26 & 106-Wasson<br>(In Fiscal Oversight)    | 10. SB 325-Wasson                                 |
| 4. SB 204-Dempsey, et al<br>(In Fiscal Oversight)          | 11. SS for SCS for SB 132-Rupp                    |
| 5. SCS for SB 100-Stouffer<br>(In Fiscal Oversight)        | 12. SCS for SB 387-Wasson                         |
| 6. SS for SCS for SB 254-Stouffer<br>(In Fiscal Oversight) | 13. SCS for SB 300-Munzlinger                     |
| 7. SCS for SB 323-Schaefer<br>(In Fiscal Oversight)        | 14. SCS for SB 337-Munzlinger                     |
|                                                            | 15. SS for SB 238-Schmitt                         |
|                                                            | 16. SS for SB 360-Lager                           |
|                                                            | 17. SCS for SB 230-Lager                          |
|                                                            | 18. SS#2 for SCS for SB 320-Lamping               |

### HOUSE BILLS ON THIRD READING

HCS for HB 45, with SCS (Pearce)  
(In Fiscal Oversight)

### INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 10-Rupp  
SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 25-Schaaf, with SCS & SS for SCS  
(pending)  
SB 28-Brown

SB 37-Lembke, with SCS  
SB 48-Wright-Jones, with SCS  
SB 72-Kraus, with SS (pending)  
SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)  
SB 120-Stouffer, with SS (pending)  
SB 130-Rupp, with SCS & SS for SCS  
(pending)  
SB 175-Munzlinger, et al, with SA 1 (pending)

SB 176-Munzlinger, et al  
SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS  
SB 200-Crowell  
SB 203-Schmitt, et al, with SS (pending)  
SB 208-Lager  
SB 209-Lager  
SB 228-Pearce  
SB 242-Cunningham, with SCS & SS for SCS  
(pending)  
SB 247-Pearce, with SS (pending)  
SB 264-Rupp, with SCS

SB 278-Munzlinger, et al  
SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)  
SBs 291, 184 & 294-Pearce, with SCS & SA 4  
(pending)  
SB 299-Munzlinger, with SCS (pending)  
SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SB 420-Mayer, with SCS  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al

#### HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)  
HB 15-Silvey (Schaefer)

HCS for HB 61  
HB 71-Nasheed, et al

#### RESOLUTIONS

Reported from Committee

SR 179-Purgason

SCR 11-Wright-Jones

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FIFTY-SECOND DAY—THURSDAY, APRIL 14, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Draw nigh to God, and he will draw nigh to you.” (James 4:8)

Heavenly Father, You sustain us when our spirits sag and our souls ache and the cares of life seem to overwhelm us. We pray be ever present in our lives so we may know You and Your light so we might express Your will for us to those You have given us to love who carry on while we are here serving others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.



### RESOLUTIONS

Senator Lager offered Senate Resolution No. 780, regarding the Northwest Missouri State University women's basketball program, which was adopted.

Senator Lager offered Senate Resolution No. 781, regarding the Ninetieth Birthday of Betty Lou Butler Loch, Maryville, which was adopted.

Senator Lager offered Senate Resolution No. 782, regarding Carl Stafford, Saint Louis, which was adopted.

Senator Lager offered Senate Resolution No. 783, regarding Jory Baker, Independence, which was adopted.

Senator Lager offered Senate Resolution No. 784, regarding Elmer M. Gaug, Jr., which was adopted.

Senator Lager offered Senate Resolution No. 785, regarding Judy Carpenter, which was adopted.

Senator Lembke offered Senate Resolution No. 786, regarding James Andrew Herman, which was adopted.

Senator Lager offered Senate Resolution No. 787, regarding Dustin Davis Wetzel, which was adopted.

Senator Rupp offered Senate Resolution No. 788, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Arthur Schiermeier, Winfield, which was adopted.

Senator McKenna offered Senate Resolution No. 789, regarding Brady Douglas Politte, Imperial, which was adopted.

### REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HCS** for **HB 45**, with **SCS**; **SS** for **SB 286**; **SCS** for **SB 323**; **SS** for **SCS** for **SB 254**; **SCS** for **SB 100**; and **SCS** for **SBs 26** and **106**, begs leave to report that it has considered the same and recommends that the bills do pass.

### REFERRALS

President Pro Tem Mayer referred **SS** for **SCS** for **SB 320** to the Committee on Ways and Means and Fiscal Oversight.

### THIRD READING OF SENATE BILLS

**SCS** for **SBs 26** and **106**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 26 and 106

An Act to amend chapter 301, RSMo, by adding thereto two new sections relating to specialized license plates.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SBs 26** and **106** was read the 3rd time and passed by the

following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 100**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 100

An Act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

Was taken up by Senator Stouffer.

On motion of Senator Stouffer, **SCS for SB 100** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 254**, introduced by Senator Stouffer, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 254

An Act to repeal sections 302.309, 558.021, and 577.023, RSMo, and to enact in lieu thereof three new sections relating to intoxicated-related traffic offenses, with existing penalty provisions.

Was taken up.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 254** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 323**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 323

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies, with an emergency clause.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SCS** for **SB 323** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

## NAYS—Senators—None

## Absent—Senators—None

## Absent with leave—Senators—None

## Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

## NAYS—Senators—None

## Absent—Senator Green—1

## Absent with leave—Senators—None

## Vacancies—None

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SB 286**, introduced by Senator McKenna, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 286

An Act to repeal sections 37.710, 160.261, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037, RSMo, and to enact in lieu thereof eighteen new sections relating to protecting children from sex offenders.

Was taken up.

On motion of Senator McKenna, **SS** for **SB 286** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer

Wasson—33

NAYS—Senators—None

Absent—Senator Wright-Jones—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator McKenna, title to the bill was agreed to.

Senator McKenna moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 325**, introduced by Senator Wasson, entitled:

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to notifying employers regarding the licensing status of employees.

Was taken up.

On motion of Senator Wasson, **SB 325** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer

Wasson Wright-Jones—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS for SCS for SB 132**, introduced by Senator Rupp, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 132

An Act to repeal sections 385.200, 385.206, and 385.208, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle extended service contracts, with penalty provisions.

Was taken up.

On motion of Senator Rupp, **SS for SCS for SB 132** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 387**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 387

An Act to repeal sections 544.455, 544.470, and 557.011, RSMo, and to enact in lieu thereof four new sections relating to electronic monitoring of certain offenders.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS for SB 387** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

**SCS for SB 300**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 300

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to deer season.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SCS for SB 300** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS** for **SB 337**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 337

An Act to repeal sections 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, and 268.121, RSMo, and to enact in lieu thereof five new sections relating to agriculture, with penalty provisions.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SCS** for **SB 337** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SB 238**, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 238

An Act to repeal sections 87.005 and 87.006, RSMo, and to enact in lieu thereof two new sections relating to diseases presumed incurred in the line of duty by firefighters.

Was taken up.



On motion of Senator Schmitt, **SS** for **SB 238** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Crowell Mayer—2

Absent—Senator Richard—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SB 360**, introduced by Senator Lager, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 360

An Act to amend chapter 67, RSMo, by adding thereto five new sections relating to a county drinking water supply lake authority.

Was taken up.

On motion of Senator Lager, **SS** for **SB 360** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Richard—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 230**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 230**

An Act to amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of tires.

Was taken up by Senator Lager.

On motion of Senator Lager, **SCS for SB 230** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Rupp moved that motion lay on the table, which motion prevailed.

**REPORTS OF STANDING COMMITTEES**

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Cheryl Hibbeler, Democrat, as a member of the Missouri Community Service Commission;

Also,

Andrew Schwartz, Republican, as a member of the St. Louis City Board of Election Commissioners;

Also,

Kristen Weber, as a member of the Child Abuse and Neglect Review Board;

Also,

Jenifer Placzek, Democrat, as a member of the Missouri Commission on Human Rights;

Also,

William Hopfinger, as a member of the Advisory Commission for Physical Therapists.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

Senator Callahan, Chairman of the Committee on Progress and Development, submitted the following reports:

Mr. President: Your Committee on Progress and Development, to which was referred **HB 749**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HB 795**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HB 182**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HCS for HB 556**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HB 388**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred

**HB 270**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HCS** for **HBs 73** and **47**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HB 423**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which were referred **SB 408** and **SB 80**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 155**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 52**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HB 116** and **HB 316**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 557**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 631**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SJR 12**, begs leave to report that it has considered the same and recommends that the joint

resolution do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 326**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 270**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 340**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 260**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HCS for HB 354**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 204**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 307** and **HB 812**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 798**, **HB 141**, **HB 153**, **HCS for HB 363**, **HB 415** and **HB 813**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 425**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 400**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 392**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 403**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS for HB 338**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 339**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS for HB 108**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

#### SENATE COMMITTEE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 108, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“115.305. **With the exception of section 115.342**, this subchapter shall not apply to candidates for special district offices, township offices in township organization counties, or city, town and village offices; provided that, cities of the fourth class, except those in a county of the first class with a charter form of government and which adjoins a city not within a county, may elect, only by ordinance, to hold primary elections in accordance with the provisions of sections 115.305 to 115.405 or in accordance with the provisions of sections 78.470, 78.480 and 78.510, and the ordinance shall state which of these provisions of law are being adopted.

115.342. 1. Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, **city taxes, municipal user fees**, personal property taxes, real property taxes on

the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

2. Each potential candidate for election to a public office shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form:

“AFFIRMATION OF TAX PAYMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, **city taxes, municipal user fees**, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute.

..... Candidate’s Signature

..... Printed Name of Candidate.”

3. Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, **city taxes, municipal user fees**, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate’s declaration of candidacy, and the potential candidate. The department shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint.”; and

Further amend said bill, page 7, section 130.036, line 63, by inserting immediately after said line the following:

“[115.346. Notwithstanding any other provisions of law to the contrary, no person shall be certified as a candidate for a municipal office, nor shall such person’s name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid city taxes or municipal user fees on the last day to file a declaration of candidacy for the office.]”; and

Further amend the title and enacting clause accordingly.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 15**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 329**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 353**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SJR 16**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 391**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 253**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 738**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 229**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 223**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 142**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 186**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 119**, begs leave to report that it has considered the same and recommends that the bill do pass.



Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 150**, begs leave to report that it has considered the same and recommends that the bill do pass.

### **HOUSE BILLS ON SECOND READING**

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

**HB 458**—Agriculture, Food Production and Outdoor Resources.

**HCS for HB 641**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 192**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HBs 470 and 429**—General Laws.

**HCS for HB 336**—Jobs, Economic Development and Local Government.

**HCS for HB 28**—Health, Mental Health, Seniors and Families.

**HCS for HB 546**—General Laws.

**HCS for HB 468**—Jobs, Economic Development and Local Government.

**HB 677**—Education.

**HB 737**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HJR 3**—Agriculture, Food Production and Outdoor Resources.

**HB 291**—Transportation.

**HCS for HB 840**—Jobs, Economic Development and Local Government.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 37**, entitled:

#### **HOUSE CONCURRENT RESOLUTION NO. 37**

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week.

---

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Diabetic Peripheral Neuropathy (DPN) is a serious condition that results from damage to nerves due to prolonged exposure to high amounts of glucose in the bloodstream as a result of diabetes; and

WHEREAS, more than half of all diabetics suffer from DPN, and the areas of the body most commonly affected by DPN are the feet and legs; and

WHEREAS, nerve damage in the feet can result in the loss of foot sensation, increasing risk of foot problems and which manifests itself in intense pain often described as aching, tingling, burning, and numbness; and

WHEREAS, in 2009, 364,000 Missourians were diagnosed with diabetes; and

WHEREAS, DPN is the leading cause of amputations, and as many as 40 to 60 percent of lower extremity amputations are due to severe forms of DPN; and

WHEREAS, DPN is preventable only to the extent that the underlying cause is preventable, requiring the individual patient's alert awareness of bodily deficiency, illness, infection or injury that can cause DPN, and the individual's willingness to seek early diagnosis and treatment; and

WHEREAS, it is absolutely fitting and proper to designate a special week to raise public awareness of DPN and its symptoms:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-Sixth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize the third week of June of each year as Diabetic Peripheral Neuropathy (DPN) Week in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri House of Representatives and Senate encourage citizens throughout Missouri to observe this week by raising public awareness regarding the symptoms and treatment of this painful and dangerous neuropathy; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 430**, entitled:

An Act to repeal sections 301.3084, 302.181, 304.120, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, 390.280, and 571.101, RSMo, and to enact in lieu thereof twenty new sections relating to transportation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 609**, entitled:

An Act to repeal section 374.284, RSMo, and to enact in lieu thereof nine new sections relating to the Show-Me health insurance exchange act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 111**, entitled:

An Act to repeal sections 11.010, 32.056, 211.031, 221.105, 301.146, 302.020, 302.321, 303.025, 311.325, 452.430, 455.040, 475.060, 475.061, 475.115, 475.375, 479.020, 488.432, 488.5026, 516.140, 537.528, 544.455, 544.470, 557.011, and 574.105, RSMo, and to enact in lieu thereof fifty-four new sections relating to the judiciary, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 223** and **231**, entitled:

An Act to repeal sections 335.036, 335.200, 335.203, 335.206, and 335.209, RSMo, and to enact in lieu thereof four new sections relating to higher education financial assistance programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 591**, entitled:

An Act to amend chapter 332, RSMo, by adding thereto one new section relating to limited dental teaching license.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 407**, entitled:

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to certificates of insurance for property and casualty insurance coverage.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 211**, entitled:

An Act to amend chapter 701, RSMo, by adding thereto one new section relating to lead abatement.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 697**, entitled:

An Act to amend chapter 536, RSMo, by adding thereto one new section relating to the repromulgation of state administrative rules.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 257**, entitled:

An Act to repeal section 558.019, RSMo, and to enact in lieu thereof one new section relating to abolishing the sentencing advisory commission, with existing penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 555**, entitled:

An Act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.152, 208.275, 208.955, 209.150, 209.152, 209.200, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 301.143, 402.210, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, 633.309, and 660.405, RSMo, and to enact in lieu thereof ninety new sections relating to the Missouri most vulnerable persons (MVP) act, with existing penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 357**, entitled:

An Act to repeal sections 135.950, 135.953, 135.957, 135.960, 135.963, and 135.967, RSMo, and to enact in lieu thereof seven new sections relating to enhanced enterprise zones.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 464**, entitled:

An Act to repeal sections 8.650, 8.900, 21.475, 21.780, 26.600, 26.603, 26.605, 26.607, 26.609, 26.611, 26.614, 32.250, 32.260, 90.101, 105.1006, 105.1010, 105.1012, 162.1000, 162.1060, 166.200, 166.201, 166.203, 166.205, 166.207, 166.209, 166.212, 166.215, 166.218, 166.220, 166.222, 166.225, 166.228, 166.231, 166.233, 166.235, 166.237, 166.240, 166.242, 190.176, 192.350, 192.352, 192.355, 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, 199.051, 208.175, 208.195, 208.275, 208.530, 208.533, 208.535, 208.792, 208.955, 210.101, 210.102, 210.496, 260.372, 260.705, 260.720, 260.725, 260.735, 286.001,

286.005, 286.200, 286.205, 286.210, 302.136, 304.028, 320.094, 320.205, 334.721, 344.060, 344.105, 344.108, 361.070, 361.092, 361.093, 361.094, 361.095, 361.096, 361.097, 361.098, 361.105, 362.040, 362.111, 362.325, 369.014, 369.024, 369.144, 369.159, 369.294, 369.299, 369.304, 369.309, 369.314, 369.319, 369.329, 371.060, 371.090, 371.240, 620.638, 620.641, 620.644, 620.647, 620.650, 620.653, 630.900, 630.910, 630.915, 632.020, 660.010, and 701.302, RSMo, and section 362.105 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and to enact in lieu thereof eighty-five new sections for the sole purpose of eliminating, combining, and revising certain state boards, commissions, committees, and councils.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **RESOLUTIONS**

Senator Engler offered Senate Resolution No. 790, regarding Connie J. Phelps, which was adopted.

Senator Engler offered Senate Resolution No. 791, regarding Barbara Mayberry, which was adopted.

Senator Engler offered Senate Resolution No. 792, regarding Leslie Jones, which was adopted.

Senator Engler offered Senate Resolution No. 793, regarding Mary K. Gunder, which was adopted.

Senator Engler offered Senate Resolution No. 794, regarding Mary Lee Merritt, which was adopted.

Senator Engler offered Senate Resolution No. 795, regarding Robert L. Wright, which was adopted.

Senator Engler offered Senate Resolution No. 796, regarding Jack Pratt, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Richard introduced to the Senate, Nicole Kratky and her daughter, Hannah Eileen, St. Louis.

Senator Richard introduced to the Senate, his son, Chad Greer and Shawn McGrew, Chad Allison, Ryan Jackson and Jerrod Hogan, representatives of Leadership Joplin.

Senator Parson introduced to the Senate, United States Army Captain Jennifer Morris, Fort Lewis, Washington.

Senator Lamping introduced to the Senate, students from Forsyth School, St. Louis.

Senator Parson introduced to the Senate, Agape Christian Boarding School Boys' Choir, Stockton.

Senator Rupp introduced to the Senate, students from Troy Holiness School.

Senator Schaaf introduced to the Senate, forty fourth grade students from Hyde Elementary School, St. Joseph.

Senator Lager introduced to the Senate, teachers, parents and students from St. Gregory School, Maryville.

Senator Lembke introduced to the Senate, representatives of South County Chamber of Commerce, St. Louis.

Senator Kehoe introduced to the Senate, Mrs. Lora Boessen, Ms. Tina Forbis and fourth grade students from St. Francis Xavier Elementary School, Taos.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, April 18, 2011.

SENATE CALENDAR

---

FIFTY-THIRD DAY—MONDAY, APRIL 18, 2011

---

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 430	HB 211-Koenig, et al
HCS#2 for HB 609	HCS for HB 697
HCS for HB 111	HB 257-Cox, et al
HCS for HBs 223 & 231	HCS for HB 555
HB 591-Lichtenegger, et al	HB 357-Leara
HCS for HB 407	HCS for HB 464

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SCS for SB 122-Schaaf (In Fiscal Oversight)
SJR 10-Lembke and Green (In Fiscal Oversight)	SS#2 for SCS for SB 320-Lamping
SB 204-Dempsey, et al (In Fiscal Oversight)	(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SBs 408 & 80-Crowell, with SCS	11. SB 392-Rupp, with SCS
2. SB 155-Rupp, with SCS	12. SB 403-Nieves
3. SB 52-Cunningham	13. SB 329-Nieves
4. SJR 12-Green	14. SB 353-Engler
5. SB 326-Wasson	15. SJR 16-Goodman, with SCS
6. SB 270-Kraus, with SCS	16. SB 391-Lager
7. SB 340-Wasson, with SCS	17. SB 253-Callahan and Cunningham, with SCS
8. SB 260-Wasson, with SCS	18. SB 223-Mayer
9. SB 425-Goodman, with SCS	19. SB 119-Schaefer
10. SB 400-Kraus, with SCS	20. SB 150-Munzlinger

## HOUSE BILLS ON THIRD READING

- |                                                  |                                                                                  |
|--------------------------------------------------|----------------------------------------------------------------------------------|
| 1. HCS for HB 45, with SCS (Pearce)              | 7. HB 204-Hoskins, et al                                                         |
| 2. HB 270-Burlison and Swinger, with SCS         | 8. HB 307 & HB 812, with SCS                                                     |
| 3. HCS for HBs 73 & 47, with SCS (Crowell)       | 9. HB 798, HB 141, HB 153, HCS for HB 363,<br>HB 415 & HB 813, with SCS (Lembke) |
| 4. HB 423-Burlison, et al                        | 10. HCS for HB 338                                                               |
| 5. HCS for HBs 116 & 316, with SCS<br>(Purgason) | 11. HB 339-Pollock, et al (Lager)                                                |
| 6. HCS for HB 354                                | 12. HCS for HB 108, with SCA 1 (Curls)                                           |

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

## SENATE BILLS FOR PERFECTION

- |                                                    |                                                            |
|----------------------------------------------------|------------------------------------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 200-Crowell                                             |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 203-Schmitt, et al, with SS (pending)                   |
| SB 10-Rupp                                         | SB 208-Lager                                               |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SB 209-Lager                                               |
| SB 25-Schaaf, with SCS & SS for SCS<br>(pending)   | SB 228-Pearce                                              |
| SB 28-Brown                                        | SB 242-Cunningham, with SCS & SS for SCS<br>(pending)      |
| SB 37-Lembke, with SCS                             | SB 247-Pearce, with SS (pending)                           |
| SB 48-Wright-Jones, with SCS                       | SB 264-Rupp, with SCS                                      |
| SB 72-Kraus, with SS (pending)                     | SB 278-Munzlinger, et al                                   |
| SBs 88 & 82-Schaaf, with SCS & SA 1<br>(pending)   | SB 280-Purgason, et al, with SCS & SS<br>for SCS (pending) |
| SB 120-Stouffer, with SS (pending)                 | SBs 291, 184 & 294-Pearce, with SCS & SA 4<br>(pending)    |
| SB 130-Rupp, with SCS & SS for SCS<br>(pending)    | SB 299-Munzlinger, with SCS (pending)                      |
| SB 175-Munzlinger, et al, with SA 1 (pending)      | SBs 369 & 370-Cunningham, with SCS                         |
| SB 176-Munzlinger, et al                           | SB 390-Schmitt, et al                                      |
| SBs 189, 217, 246, 252 & 79-Schmitt, with SCS      | SB 420-Mayer, with SCS                                     |
|                                                    | SJR 11-Munzlinger, with SCS                                |
|                                                    | SJR 15-Nieves, et al                                       |

HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)  
HB 15-Silvey (Schaefer)

HCS for HB 61  
HB 71-Nasheed, et al

CONSENT CALENDAR

House Bills

Reported 4/14

HB 749-Lasater, et al  
HB 795-Kelley (126), et al  
HB 182-Walton Gray, et al  
HCS for HB 556  
HB 388-Burlison, with SCS  
HCS for HB 557

HCS for HB 631, with SCS  
HB 738-Nasheed, et al, with SCS  
HB 229-Curls and Leara  
HB 142-Gatschenberger, with SCS  
HB 186-Entlicher, et al, with SCS (Parson)

RESOLUTIONS

Reported from Committee

SR 179-Purgason  
SCR 11-Wright-Jones

HCR 15-Brown (50), et al (Curls)

To be Referred

HCR 37-Franklin, et al

✓



# Journal of the Senate

FIRST REGULAR SESSION

---

**FIFTY-THIRD DAY—MONDAY, APRIL 18, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Rejoice in the Lord always. Again I say rejoice.” (Philippians 4:4)

O Lord, sometimes we are so focused on what is not important that we miss the things that truly are. Help us to appreciate those people and things that make life delightful and for which we ought to rejoice and give thanks. Help us to appreciate our staff that allows us to be engaged in the things we must do and care for all the other demands that come to our attention. May You bless all those who help us be about that which You have called us to do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Dempsey moved that the Journal for Thursday, April 14, 2011 be corrected on page 732, line 24, by deleting: “**HB 116** and **HB 316**” and inserting in lieu thereof: “**HCS for HBs 116 and 316**”, which motion prevailed.

The Journal for Thursday, April 14, 2011 was approved as corrected.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

### **RESOLUTIONS**

Senator Munzlinger offered Senate Resolution No. 797, regarding Corrections Officer I Christopher Bowen, Hannibal, which was adopted.

Senator Crowell offered Senate Resolution No. 798, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Douglas August, Scott City, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 799, regarding the death of Martha Jimmar Christmas, Saint Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 800, regarding Delta Sigma Theta Sorority, Incorporated, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 801, regarding Toastmasters International District 8, which was adopted.

Senator Parson offered Senate Resolution No. 802, regarding the death of Gregory Scott “Greg” Greven, Springfield, which was adopted.

Senator Lager offered Senate Resolution No. 803, regarding Nathan Lane Nold, St. Joseph, which was adopted.

Senator Munzlinger offered Senate Resolution No. 804, regarding Harrison Cole Given, Mexico, which was adopted.

Senator McKenna offered Senate Resolution No. 805, regarding Clifford R. King, Dittmer, which was adopted.

Senator McKenna offered Senate Resolution No. 806, regarding Karen Yenigues, which was adopted.

Senator McKenna offered Senate Resolution No. 807, regarding Joe Hainline, which was adopted.

Senator Green offered Senate Resolution No. 808, regarding the 2010-2011 Class 5 state champion McCluer North High School Boys Basketball Stars, which was adopted.

Senator Engler offered Senate Resolution No. 809, regarding Susan G. Hilbert, which was adopted.

Senator Engler offered Senate Resolution No. 810, regarding Janet M. Huck, which was adopted.

Senator Engler offered Senate Resolution No. 811, regarding Robert Georger, which was adopted.

Senator Engler offered Senate Resolution No. 812, regarding Melinda Sisson, which was adopted.

Senator Engler offered Senate Resolution No. 813, regarding Patsy Louise Nixon, Potosi, which was adopted.

Senator Engler offered Senate Resolution No. 814, regarding Mona L. Yow, Puxico, which was adopted.

Senator Engler offered Senate Resolution No. 815, regarding Debra Yount, Potosi, which was adopted.

Senator Engler offered Senate Resolution No. 816, regarding Anne M. Munoz, Ste. Genevieve, which was adopted.

Senator Engler offered Senate Resolution No. 817, regarding Diana Kay Schaffer, Festus, which was adopted.

Senator Parson offered Senate Resolution No. 818, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Willard Harper, Osceola, which was adopted.

Senator Parson offered Senate Resolution No. 819, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lonnie Janes, El Dorado Springs, which was adopted.

Senator Parson offered Senate Resolution No. 820, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Donnie Lightfoot, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 821, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Falcone, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 822, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dale Snyder, Clinton, which was adopted.

Senator Kraus offered Senate Resolution No. 823, regarding Kalili-Mateo Lene Fuimaono, Independence, which was adopted.

Senator Goodman offered Senate Resolution No. 824, regarding Pastor Bob Holman, which was adopted.

Senator Engler offered Senate Resolution No. 825, regarding Sandy Neff, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following report, which was read:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of James Corwin, as a member of the Peace Officer Standards and Training Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Mayer moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 19; SCS for SB 108; SS for SCS for SBs 113 and 95; and SCS for SB 188**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

President Pro Tem Mayer assumed the Chair.

Senator Callahan, Chairman of the Committee on Progress and Development, submitted the following reports:

Mr. President: Your Committee on Progress and Development, to which was referred **HB 749**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HB 795**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HB 182**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HCS for HB 556**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HB 388**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS for HB 631**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS for HB 557**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HB 738**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 229**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 142**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 186**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 1**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 3**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 4**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 6**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 7**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 8**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 10**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 12**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 13**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SCS** for **SB 19**; **SCS** for **SB 108**; **SS** for **SCS** for **SBs 113** and **95**; and **SCS** for **SB 188**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

Senator Stouffer assumed the Chair.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **HCS** for **HB 193** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 300, 334** and **387**, entitled:

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to student athlete brain injuries.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

adopted **SS** for **SCS**, as amended, for **HB 209** and has taken up and passed **SS** for **SCS** for **HB 209**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **HCS** for **HB 174** and has taken up and passed **HCS** for **HB 174**, as amended.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 430**—Transportation.

**HCS No. 2** for **HB 609**—Small Business, Insurance and Industry.

**HCS** for **HB 111**—Judiciary and Civil and Criminal Jurisprudence.

**HCS** for **HBs 223** and **231**—Education.

**HB 591**—Financial and Governmental Organizations and Elections.

**HCS** for **HB 407**—Financial and Governmental Organizations and Elections.

**HB 211**—Health, Mental Health, Seniors and Families.

**HCS** for **HB 697**—Financial and Governmental Organizations and Elections.

**HB 257**—Judiciary and Civil and Criminal Jurisprudence.

**HCS** for **HB 555**—Health, Mental Health, Seniors and Families.

**HB 357**—Jobs, Economic Development and Local Government.

**HCS** for **HB 464**—Financial and Governmental Organizations and Elections.

### **REFERRALS**

President Pro Tem Mayer referred **HCS** for **HBs 116** and **316**, with **SCS**; **HCS** for **HBs 73** and **47**, with **SCS**; and **HB 270**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

### **SECOND READING OF CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

**HCR 37**—Rules, Joint Rules, Resolutions and Ethics.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 14**, with **SCS**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

Was called from the Informal Calendar and taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 14**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 14

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 14** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 14**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 14

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 14** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Cunningham	Lager	Lembke	Purgason	Schaaf—6
---------	------------	-------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**BILLS DELIVERED TO THE GOVERNOR**

**SCS** for **SB 19**; **SCS** for **SB 108**; **SS** for **SCS** for **SBs 113** and **95**; and **SCS** for **SB 188**, after having



been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

### HOUSE BILLS ON THIRD READING

**HB 15**, introduced by Representative Silvey, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

Was called from the Informal Calendar and taken up by Senator Schaefer.

Senator Pearce assumed the Chair.

On motion of Senator Schaefer, **HB 15** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

#### NAYS—Senators

Crowell	Cunningham	Kraus	Lembke	Nieves	Purgason—6
---------	------------	-------	--------	--------	------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

### SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **HB 174**; **SS** for **SCS** for **HB 209**; and **HB 358**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

Senator Goodman assumed the Chair.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 45**, with **SCS**, entitled:

An Act to repeal section 1.310, RSMo, and to enact in lieu thereof two new sections relating to small businesses.

Was taken up by Senator Pearce.

**SCS** for **HCS** for **HB 45**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 45

An Act to repeal section 1.310, RSMo, and to enact in lieu thereof two new sections relating to small businesses.

Was taken up.

Senator Schmitt assumed the Chair.

Senator Pearce moved that **SCS** for **HCS** for **HB 45** be adopted.

Senator Pearce offered **SS** for **SCS** for **HCS** for **HB 45**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 45

An Act to repeal section 1.310, RSMo, and to enact in lieu thereof two new sections relating to small businesses.

Senator Pearce moved that **SS** for **SCS** for **HCS** for **HB 45** be adopted.

Senator Crowell offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 45, Page 3, Section 143.173, Lines 11-12 of said page, by striking “twenty-six” and inserting in lieu thereof the following: “**fifty-two**”; and further amend lines 12-19 of said page, by striking all of said lines and inserting in lieu thereof the following: “**week period**”; and further amend line 22 of said page, by striking the word “average”.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 45, Page 5, Section 143.173, Line 12 of said page, by inserting after all of said line the following:

“536.305. 1. There is hereby established the “Small Business Regulatory Fairness Board”. The [department of economic development] **office of lieutenant governor** shall provide staff support for the

board.

2. The board shall be composed of nine members appointed in the following manner:

- (1) One member who is the chair of the minority business advocacy commission;
- (2) One member appointed by the president pro tempore of the senate;
- (3) One member appointed by the minority leader of the senate;
- (4) One member appointed by the speaker of the house of representatives;
- (5) One member appointed by the minority leader of the house of representatives; and
- (6) Four members appointed by the governor.

3. Each member of the board, except for the public members and the chair of the minority business advocacy commission, shall be a current or former owner or officer of a small business. All members of the board shall represent a variety of small businesses, both rural and urban, and be from a variety of geographical areas of this state, provided that no more than two members shall represent the same type of small business.

4. Members of the board shall serve a term of three years and may be reappointed at the conclusion of the term. No member shall serve more than three consecutive terms. Appointments shall be made so that one-third of the membership of the board shall terminate each year. The governor shall appoint the initial chairperson of the board and a majority of the board shall elect subsequent chairpersons. The chairperson shall serve as chair for a term of not more than two years.

5. Members of the board shall serve without compensation, but may be reimbursed for reasonable and necessary expenses relating to their performance of duties, according to the rules and regulations of travel issued by the office of administration. Members will be required to submit an expense account form in order to obtain reimbursement for expenses incurred.

6. The board shall meet as often as necessary, as determined by the chairperson of the board. All meetings of the board will be conducted in accordance with the governmental bodies and records act, chapter 610, including closed sessions. Notice will be posted and will be provided to the joint committee on administrative rules. Minutes of the meetings shall be provided to all members, the office of the governor, and the joint committee on administrative rules.

7. In addition to any other powers provided by sections 536.300 to 536.328, the board may adopt any rules necessary to implement sections 536.300 to 536.328 and take any action necessary to effectuate the purposes of sections 536.300 to 536.328. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of this chapter and, if applicable, section 536.028. This section and this chapter are nonseverable and if any of the powers vested with the general assembly pursuant to this chapter to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

536.310. 1. The board shall:

- (1) Provide state agencies with input regarding rules that adversely affect small businesses;

(2) Solicit input and conduct hearings from small business owners and state agencies regarding any rules proposed by a state agency; and

(3) Provide an evaluation report to the governor and the general assembly, including any recommendations and evaluations of state agencies regarding regulatory fairness for Missouri's small businesses. The report shall include comments from small businesses, state agency responses, and a summary of any public testimony on rules brought before the board for consideration.

2. In any inquiry conducted by the board because of a request from a small business owner, the board may make recommendations to the state agency.

If the board makes recommendations, such recommendations shall be based on any of the following grounds:

(1) The rule creates an undue barrier to the formation, operation, and expansion of small businesses in a manner that significantly outweighs the rule's benefits to the public; or

(2) New or significant economic information indicates the proposed rule would create an undue impact on small businesses; or

(3) Technology, economic conditions, or other relevant factors justifying the purpose for the rule has changed or no longer exists; or

(4) If the rule was adopted after August 28, 2004, whether the actual effect on small businesses was not reflected in or significantly exceeded the small business impact statement submitted prior to the adoption of the rules.

**3. Subject to appropriations, the board may hire a one-half full-time equivalent employee for clerical support and a full-time equivalent employee for a professional position to:**

**(1) Conduct internet website additions, corrections, and deletions;**

**(2) Develop training programs for agencies;**

**(3) Send regulatory alerts to interested small business subscribers;**

**(4) Track small business comments regarding agencies and review and respond to the agency and small business accordingly;**

**(5) Prepare for board meetings and hearings, including outreach, travel, agendas, and minutes;**

**(6) Prepare member maintenance expense reports and appointments;**

**(7) Analyze small business impact statements. After such analysis, the employee shall review such statements, offer suggestions, and work with agencies to meet the statute requirements;**

**(8) Analyze biannual report reviews;**

**(9) Conduct agency correspondence and training;**

**(10) Conduct small business outreach by speaking at chamber and association events;**

**(11) Review the Missouri Register and other sources to look for proposed rules that may affect small business.**

**4. Subject to appropriations, the board may receive additional funds for:**

- (1) Upkeep of its internet website;
- (2) Information technology;
- (3) Mileage for board members;
- (4) Publication, printing, and distribution of annual reports; and
- (5) Outreach costs.

**536.312.** There is hereby created in the state treasury the “Small Business Regulatory Fairness Fund”, which shall consist of moneys collected by the secretary of state for business registration fees. Fifty cents from each business registration fee shall be deposited into the fund. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, moneys in the fund shall be used solely for the administration of subsection 3 of section 536.310. At the end of each fiscal year, the state treasurer shall transfer the balance in this fund into the state general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted.

Senator Justus offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 45, Page 1, Section 536.305, Line 5, by striking “**lieutenant**”.

Senator Justus moved that the above amendment be adopted.

Senator Callahan raised the point of order that **SA 2** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Green offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 45, Page 4, Section 143.173, Line 13, by striking the word “fifty” and inserting in lieu thereof the following: “**eighty**”.

Senator Green moved that the above amendment be adopted, which motion failed.

Senator Pearce moved that **SS** for **SCS** for **HCS** for **HB 45**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SS** for **SCS** for **HCS** for **HB 45**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown

Callahan

Chappelle-Nadal

Crowell

Cunningham

Curls

Dempsey

Dixon

Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

## COMMUNICATIONS

Senator Crowell submitted the following:

April 14, 2011

Ms. Terry Spieler  
Secretary of Senate  
State Capitol Building – Room 325  
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that the following bills be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

**HB 142 (Gatschenberger)** – Requires the auditor of any county with a charter form of government to take an annual inventory of county property with an original value of \$1,000 or more rather than \$250

**HB 182 (Gray)** – Designates the first Friday in March of each year as “Dress in Blue for Colon Cancer Awareness Day”

**HB 186 (Entlicher)** – Requires an elected or appointed county commission clerk to live in the county in which the clerk was elected for one year rather than six months

**HB 229 (Curls)** – Modifies provisions relating to the Public School Retirement System of Kansas City.

**HB 388 (Burlison)** – Requires the attending physician, rather than the Department of Health and Senior Services, to provide a breast implantation patient with information on the advantages, disadvantages, and risks associated with the procedure.

**HB 556 (Grisamore)** – Requires each school board to annually provide instruction on disability history and awareness and designates October as “disability History and Awareness Month”

**HB 557 (Grisamore)** – Allows the Mental Health Earnings Fund to be used for the deposit of revenue received from the proceeds of any sales and services from Mental Health First Aid USA

**HB 631 (Grisamore)** – Creates an income tax check-off for contributions to the developmental disabilities waiting list equity fund.

**HB 738 (Nasheed)** – Modifies provisions relating to elementary and secondary education

**HB 749 (Lasater)** – Designates the month of April as “Child Abuse Prevention Month” and recognizes the “blue ribbon” as the official state symbol for child abuse prevention.

**HB 795 (Kelley)** – Designates the second Friday of March of each year as “Missouri School Read-In Day”

Sincerely,  
/s/ Jason G. Crowell  
Jason G. Crowell  
State Senator

Senator Callahan submitted the following:

April 18, 2011

Terry Spieler - Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, Missouri 65102

Dear Ms. Spieler:

As you may be aware, under section 21.795 of the Revised Statutes of Missouri, the Joint Committee on Transportation Oversight must be comprised of members of the standing transportation committees of the respective chambers. Pursuant to the section, please consider this correspondence to be my appointment of Senator Ryan McKenna and Senator Robin Wright-Jones to the Joint Committee on Transportation Oversight.

Sincerely,  
/s/ Victor E. Callahan  
Victor Callahan

### INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, students from Sterling Elementary School, Warrensburg.

Senator Kehoe introduced to the Senate, Eddie Crouse, Claire Crossnoe and Adrienne Luther, Jefferson City; and Alice Guillot, Lucie Le Calve’ and Manon Lacroix, France; and Eddie, Claire, Adrienne, Alice, Lucie and Manon were made honorary pages.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### SENATE CALENDAR

---

FIFTY-FOURTH DAY—TUESDAY, APRIL 19, 2011

---

### FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HCS for HBs 300, 334 & 387

### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)

SJR 10-Lembke and Green (In Fiscal Oversight)

SB 204-Dempsey, et al (In Fiscal Oversight)  
SCS for SB 122-Schaaf (In Fiscal Oversight)

SS#2 for SCS for SB 320-Lamping  
(In Fiscal Oversight)

#### SENATE BILLS FOR PERFECTION

- |                                   |                                              |
|-----------------------------------|----------------------------------------------|
| 1. SBs 408 & 80-Crowell, with SCS | 11. SB 392-Rupp, with SCS                    |
| 2. SB 155-Rupp, with SCS          | 12. SB 403-Nieves                            |
| 3. SB 52-Cunningham               | 13. SB 329-Nieves                            |
| 4. SJR 12-Green                   | 14. SB 353-Engler                            |
| 5. SB 326-Wasson                  | 15. SJR 16-Goodman, with SCS                 |
| 6. SB 270-Kraus, with SCS         | 16. SB 391-Lager                             |
| 7. SB 340-Wasson, with SCS        | 17. SB 253-Callahan and Cunningham, with SCS |
| 8. SB 260-Wasson, with SCS        | 18. SB 223-Mayer                             |
| 9. SB 425-Goodman, with SCS       | 19. SB 119-Schaefer                          |
| 10. SB 400-Kraus, with SCS        | 20. SB 150-Munzlinger                        |

#### HOUSE BILLS ON THIRD READING

- |                                                                                  |                                                |
|----------------------------------------------------------------------------------|------------------------------------------------|
| 1. HB 270-Burlison and Swinger, with SCS<br>(In Fiscal Oversight)                | 17. HCS for HB 631, with SCS                   |
| 2. HCS for HBs 73 & 47, with SCS (Crowell)<br>(In Fiscal Oversight)              | 18. HCS for HB 557 (Brown)                     |
| 3. HB 423-Burlison, et al                                                        | 19. HB 738-Nasheed, et al, with SCS            |
| 4. HCS for HBs 116 & 316, with SCS<br>(Purgason) (In Fiscal Oversight)           | 20. HB 229-Curls and Leara                     |
| 5. HCS for HB 354 (Rupp)                                                         | 21. HB 142-Gatschenberger, with SCS            |
| 6. HB 204-Hoskins, et al                                                         | 22. HB 186-Entlicher, et al, with SCS (Parson) |
| 7. HB 307 & HB 812, with SCS                                                     | 23. HCS for HB 1 (Schaefer)                    |
| 8. HB 798, HB 141, HB 153, HCS for HB 363,<br>HB 415 & HB 813, with SCS (Lembke) | 24. HCS for HB 2, with SCS (Schaefer)          |
| 9. HCS for HB 338 (Lager)                                                        | 25. HCS for HB 3, with SCS (Schaefer)          |
| 10. HB 339-Pollock, et al (Lager)                                                | 26. HCS for HB 4, with SCS (Schaefer)          |
| 11. HCS for HB 108, with SCA 1 (Curls)                                           | 27. HCS for HB 5, with SCS (Schaefer)          |
| 12. HB 749-Lasater, et al                                                        | 28. HCS for HB 6, with SCS (Schaefer)          |
| 13. HB 795-Kelley (126), et al (Parson)                                          | 29. HCS for HB 7, with SCS (Schaefer)          |
| 14. HB 182-Walton Gray, et al                                                    | 30. HCS for HB 8, with SCS (Schaefer)          |
| 15. HCS for HB 556                                                               | 31. HCS for HB 9, with SCS (Schaefer)          |
| 16. HB 388-Burlison, with SCS                                                    | 32. HCS for HB 10, with SCS (Schaefer)         |
|                                                                                  | 33. HCS for HB 11, with SCS (Schaefer)         |
|                                                                                  | 34. HCS for HB 12, with SCS (Schaefer)         |
|                                                                                  | 35. HCS for HB 13, with SCS (Schaefer)         |



INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)

SBs 7, 5, 74 & 169-Goodman, with SCS

SB 10-Rupp

SB 23-Keaveny, with SCS & SS for SCS  
(pending)

SB 25-Schaaf, with SCS & SS for SCS  
(pending)

SB 28-Brown

SB 37-Lembke, with SCS

SB 48-Wright-Jones, with SCS

SB 72-Kraus, with SS (pending)

SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)

SB 120-Stouffer, with SS (pending)

SB 130-Rupp, with SCS & SS for SCS  
(pending)

SB 175-Munzlinger, et al, with SA 1 (pending)

SB 176-Munzlinger, et al

SBs 189, 217, 246, 252 & 79-Schmitt, with SCS

SB 200-Crowell

SB 203-Schmitt, et al, with SS (pending)

SB 208-Lager

SB 209-Lager

SB 228-Pearce

SB 242-Cunningham, with SCS & SS for SCS  
(pending)

SB 247-Pearce, with SS (pending)

SB 264-Rupp, with SCS

SB 278-Munzlinger, et al

SB 280-Purgason, et al, with SCS & SS for SCS  
(pending)

SBs 291, 184 & 294-Pearce, with SCS & SA 4  
(pending)

SB 299-Munzlinger, with SCS (pending)

SBs 369 & 370-Cunningham, with SCS

SB 390-Schmitt, et al

SB 420-Mayer, with SCS

SJR 11-Munzlinger, with SCS

SJR 15-Nieves, et al

HOUSE BILLS ON THIRD READING

HCS for HB 61

HB 71-Nasheed, et al

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HB 193, with SS (Rupp)  
(House requests Senate  
recede or grant conference)

## RESOLUTIONS

Reported from Committee

SR 179-Purgason  
SCR 11-Wright-Jones

HCR 15-Brown (50), et al (Curls)

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

### FIFTY-FOURTH DAY—TUESDAY, APRIL 19, 2011

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“So we do not lose heart. Even though our outer nature is wasting away, our inner nature is being renewed day by day.” (2 Corinthians 4:16)

Gracious God, we are marvelously made yet time and stress take their toll on our bodies and as we work our way through this week we pray that You will renew our inner person. We pray You will nourish and strengthen us by remembering Your divine love giving us joyful hope so we can bring all we are to the work that is before us and to the people we encounter through our day. Bless us, O Lord, and be an ever present help. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

### RESOLUTIONS

Senator Keaveny offered Senate Resolution No. 826, regarding the Niagra Foundation and the Turkish American Foundation of the Midwest, which was adopted.

Senator Wasson offered Senate Resolution No. 827, regarding Janet Hunt, which was adopted.

Senator Wasson offered Senate Resolution No. 828, regarding Martha L. Towe, which was adopted.

Senator Lembke offered Senate Resolution No. 829, regarding the death of James E. “Jim” Tuscher, which was adopted.

Senator Munzlinger offered Senate Resolution No. 830, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lyndal Barker, Benton City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 831, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Don Brodhacker, which was adopted.

Senator Munzlinger offered Senate Resolution No. 832, regarding the Fiftieth Wedding Anniversary of Reverend and Mrs. John Blass, Martinsburg, which was adopted.

Senator Kehoe offered Senate Resolution No. 833, regarding Maureen T. Mead, which was adopted.

### HOUSE BILLS ON THIRD READING

At the request of Senator Nieves, **HB 423** was placed on the Informal Calendar.

**HCS** for **HB 354**, entitled:

An Act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

Was taken up by Senator Rupp.

Senator Pearce assumed the Chair.

On motion of Senator Rupp, **HCS** for **HB 354** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 204** was placed on the Informal Calendar.

**HB 307** and **HB 812**, with **SCS**, were placed on the Informal Calendar.

**HB 798**, introduced by Representative Brown (85), **HB 141**, introduced by Representatives Black, et al, **HB 153**, introduced by Representatives Black, et al, **HCS** for **HB 363**, **HB 415**, introduced by Representatives Richardson, et al, and **HB 813**, introduced by Representative Dugger, with **SCS**, entitled respectively:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof one new section relating to the heroes way interchange designation program.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

Were taken up by Senator Lembke.

**SCS** for **HB 798**, **HB 141**, **HB 153**, **HCS** for **HB 363**, **HB 415**, and **HB 813**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 798  
HOUSE BILL NO. 141  
HOUSE BILL NO. 153  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 363  
HOUSE BILL NO. 415  
and  
HOUSE BILL NO. 813

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof eight new sections relating to the designation of the highway infrastructure system.

Was taken up.

Senator Lembke moved that **SCS** for **HB 798**, **HB 141**, **HB 153**, **HCS** for **HB 363**, **HB 415**, and

**HB 813** be adopted, which motion prevailed.

On motion of Senator Lembke, **SCS** for **HB 798**, **HB 141**, **HB 153**, **HCS** for **HB 363**, **HB 415**, and **HB 813** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 338**, entitled:

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

Was taken up by Senator Lager.

At the request of Senator Lager, **HCS** for **HB 338** was placed on the Informal Calendar.

**HB 339**, introduced by Representatives Pollock, et al, entitled:

An Act to repeal section 392.460, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

Was taken up by Senator Lager.

Senator Lager offered **SS** for **HB 339**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 339

An Act to repeal section 392.460, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

Senator Lager moved that **SS** for **HB 339** be adopted.

Senator Dixon assumed the Chair.

At the request of Senator Lager, **HB 339**, with **SS** (pending), was placed on the Informal Calendar. **HCS** for **HB 108**, with **SCA 1**, entitled:

An Act to repeal sections 130.031 and 130.036, RSMo, and to enact in lieu thereof two new sections relating to campaign finance, with an existing penalty provision.

Was taken up by Senator Curls.

**SCA 1** was taken up.

Senator Curls moved that the above committee amendment be adopted.

At the request of Senator Curls, **HCS** for **HB 108**, with **SCA 1** (pending), was placed on the Informal Calendar.

**HB 749**, introduced by Representatives Lasater, et al, entitled:

An Act to amend chapters 9 and 10, RSMo, by adding thereto two new sections relating to child abuse prevention.

Was taken up by Senator Brown.

On motion of Senator Brown, **HB 749** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Kraus—1

Absent—Senators

Purgason          Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 795**, introduced by Representatives Kelley (126), et al, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of school read-in day.

Was taken up by Senator Parson.

On motion of Senator Parson, **HB 795** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—29			

NAYS—Senators

Lembke	Nieves	Ridgeway—3
--------	--------	------------

Absent—Senators

Rupp	Wasson—2
------	----------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 307**, introduced by Representatives Gatschenberger, et al, and **HB 812**, introduced by Representatives Brattin, et al, with **SCS**, entitled respectively:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special license plate.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special license plate.

Were called from the Informal Calendar and taken up by Senator Nieves.

**SCS** for **HB 307** and **HB 812**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 307 and HOUSE BILL NO. 812

An Act to amend chapter 301, RSMo, by adding thereto four new sections relating to special license plates.

Was taken up.

Senator Nieves moved that **SCS** for **HB 307** and **HB 812** be adopted, which motion prevailed.

On motion of Senator Nieves, **SCS** for **HB 307** and **HB 812** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
-------	----------	-----------------	---------	------------	-------	---------	-------



Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Green—1

Absent—Senators

Ridgeway      Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Curls moved that **HCS** for **HB 108**, with **SCA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCA 1** was again taken up.

Senator Curls moved that the above committee amendment be adopted, which motion prevailed.

Senator Crowell offered **SA 1**, which was read:

#### SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 108, Page 5, Section 130.031, Lines 143-145, by striking all of said lines and inserting in lieu thereof, the following: “**advertising, and other similar items from a political action committee.**”.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Curls, **HCS** for **HB 108**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green      Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 42**.

#### HOUSE CONCURRENT RESOLUTION NO. 42

WHEREAS, the United States Environmental Protection Agency (EPA) has proposed or is proposing numerous new regulations, particularly in the area of air quality and regulation of greenhouse gases, that are likely to have major effects on the economy, jobs, and the competitiveness of the United States in worldwide markets; and

WHEREAS, EPA's regulatory activity as to air quality and greenhouse gases has numerous and overlapping requirements and may have a potentially devastating consequence on the economy; and

WHEREAS, concern is growing that, with Cap-and-Trade legislation having failed in the United States Congress, EPA is attempting to obtain the same results through the adoption of regulations; and

WHEREAS, EPA over-regulation is driving jobs and industry out of the United States; and

WHEREAS, neither EPA nor the Administration has undertaken any comprehensive study of what the cumulative effect that the new regulatory activity will have on the economy, jobs, and competitiveness; and

WHEREAS, EPA has not performed any comprehensive study of what the environmental benefits of its greenhouse gas regulation will be in terms of impacts on global climate; and

WHEREAS, state agencies are routinely required to identify the costs of their regulations and to justify those costs in light of the benefits; and

WHEREAS, since EPA has identified "taking action on climate change and improving air quality" as its first strategic goal for the 2011-15 time period, EPA should be required to identify the specific actions it intends to take to achieve these goals and to assess the total cost of all these actions together; and

WHEREAS, the Missouri General Assembly supports continuing improvements in the quality of the nation's air and believes that such improvements can be made in a sensible fashion without damaging the economy so long as there is a full understanding of the cost of the regulation at issue; and

WHEREAS, the primary goal of government at the present time must be to promote economic recovery and to foster a stable and predictable business environment that will lead to the creation of jobs; and

WHEREAS, public health and welfare will suffer without significant new job creation and economic improvement, because people with good jobs are better able to take care of themselves and their families than the unemployed and because environmental improvement is only possible in a society that generates wealth:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to:

(1) Adopt legislation prohibiting EPA, by any means necessary, from regulating greenhouse gas emissions, including defunding EPA greenhouse gas regulatory activities, if necessary;

(2) Impose a moratorium on promulgation of any new air quality regulation by EPA, by any means necessary, except to directly address an imminent health or environmental emergency, for a period of at least two years, including defunding EPA air quality regulatory activities; and

(3) Require the Administration to undertake a study identifying all regulatory activity the EPA intends to undertake in furtherance of its goal of “taking action on climate change and improving air quality” and specifying the cumulative effect of all of these regulations on the economy, jobs, and the economic competitiveness of the United States. The study should be a multi-agency study drawing on the expertise both of EPA and of agencies and departments having expertise in and responsibility for the economy and the electric system and should provide an objective cost-benefit analysis of all the EPA’s current and planned regulation together; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States; the Majority and Minority Leaders of the United States House of Representatives and Senate; Lisa P. Jackson, the Administrator of the Environmental Protection Agency; and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 656**, entitled:

An Act to repeal sections 408.500, 408.505, 408.506, and 408.507, RSMo, and to enact in lieu thereof four new sections relating to unsecured loans of five hundred dollars or less, with existing penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 5**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to the personal right to hunt and fish.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

## **RECESS**

The time of recess having expired, the Senate was called to order by Senator Ridgeway.

## **RESOLUTIONS**

Senator Stouffer offered Senate Resolution No. 834, regarding Janice M. Bertz, Lexington, which was adopted.

Senator Stouffer offered Senate Resolution No. 835, regarding Thomas R. Corporon, Lexington, which was adopted.

Senator Stouffer offered Senate Resolution No. 836, regarding Evelyn Trigg, Lexington, which was adopted.

Senator Munzlinger offered Senate Resolution No. 837, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Charles Bruner, Downing, which was adopted.

Senator Munzlinger offered Senate Resolution No. 838, regarding the Fiftieth Wedding Anniversary

of Mr. and Mrs. Roy Minor, Palmyra, which was adopted.

Senator Ridgeway offered Senate Resolution No. 839, regarding Dr. Chris Daniels, North Kansas City, which was adopted.

Senator Nieves offered Senate Resolution No. 840, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Paul Raymond Dudley, Pacific, which was adopted.

### **SENATE BILLS FOR PERFECTION**

At the request of Senator Crowell, **SB 408** and **SB 80**, with **SCS**, were placed on the Informal Calendar.

**SB 155**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 52** was placed on the Informal Calendar.

**SJR 12** was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 326** was placed on the Informal Calendar.

At the request of Senator Kraus, **SB 270**, with **SCS**, was placed on the Informal Calendar.

Senator Wasson moved that **SB 340**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 340**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 340**

An Act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 436.405, 436.412, 436.445, 436.450, 436.455, and 436.456, RSMo, and to enact in lieu thereof thirteen new sections relating to the board of embalmers and funeral directors.

Was taken up.

Senator Wasson moved that **SCS** for **SB 340** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 340** was declared perfected and ordered printed.

Senator Wright-Jones moved that **SB 48**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 48**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 48**

An Act to repeal sections 386.370 and 393.135, RSMo, and to enact in lieu thereof three new sections relating to public utilities.

Was taken up.

Senator Wright-Jones moved that **SCS** for **SB 48** be adopted.

Senator Wright-Jones offered **SS** for **SCS** for **SB 48**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 48

An Act to repeal sections 386.370 and 393.135, RSMo, and to enact in lieu thereof three new sections relating to public utilities.

Senator Wright-Jones moved that **SS** for **SCS** for **SB 48** be adopted.

Senator Kraus offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, Page 2, Section 386.370, Line 25 of said page, by striking “twenty-two” and inserting in lieu thereof the following: “**twenty**”.

Senator Kraus moved that the above amendment be adopted.

Senator Crowell raised the point of order that **SCS** and **SS** for **SCS** for **SB 48** are out of order as the bills go beyond the scope and intent of the underlying introduced version of the bill citing the following reasons:

- The **SS** and **SCS** introduce new and unrelated material:
  - Nowhere in the original bill does it contemplate a funding mechanism for an Early Cite Permit nor does the early cite permit related to original intent of deposits required by certain public utilities
  - OPC funding was not contemplated in the original bill nor does it have anything to do with deposits required by certain public utilities
- The original bill intent was specifically for utilities regulated under chapter 393 but the **SS** and **SCS** touch upon utilities that are NOT regulated by chapter 393; instead, telecommunication companies are regulated under chapter 392.
- The **SS** and **SCS** expand a very specific title:
  - Original title was “relating to **deposits required by certain** public utilities”
  - The **SS** and **SCS** change the original intent by expanding to “relating to public utilities”

The point of order was referred to the President Pro Tem who ruled it well taken.

**SB 48** was again taken up.

At the request of Senator Wright-Jones, **SB 48** was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

**HB 182**, introduced by Representatives Walton Gray, et al, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of dress in blue for colon cancer awareness day.

Was taken up by Senator Chappelle-Nadal.

Senator Stouffer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Bill No. 182, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “certain public holidays.”; and

Further amend said bill and page, section 9.165, line 4 by inserting after all of said line the following:

**“9.172. The first week of November of each year shall be known as “RSV Awareness Week”, so that public officials and the citizens of Missouri are encouraged to observe the week with appropriate activities and educational outreach to parents and the medical community, as well as programs to raise awareness about the causes of, symptoms of, and ways of preventing the respiratory syncytial virus (RSV).”;** and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted.

Senator Chappelle-Nadal raised the point of order that **SA 1** is out of order as it goes beyond the title of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

On motion of Senator Chappelle-Nadal, **HB 182** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Goodman	Green
Justus	Keaveny	Kehoe	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell	Cunningham	Engler	Kraus—4
---------	------------	--------	---------

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Stouffer assumed the Chair.

**HCS** for **HB 556** was placed on the Informal Calendar.

**HB 388**, with **SCS**, introduced by Representative Burlison, entitled:

An Act to repeal section 376.1250, RSMo, and to enact in lieu thereof one new section relating to patient information provided in advance of certain surgical procedures.

Was taken up by Senator Ridgeway.

**SCS for HB 388**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 388

An Act to repeal section 376.1250, RSMo, and to enact in lieu thereof one new section relating to patient information provided in advance of certain surgical procedures.

Was taken up.

Senator Ridgeway moved that **SCS for HB 388** be adopted, which motion prevailed.

On motion of Senator Ridgeway, **SCS for HB 388** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Kehoe                      Parson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Ridgeway, title to the bill was agreed to.

Senator Ridgeway moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HB 631**, with **SCS**, was placed on the Informal Calendar.

**HCS for HB 557**, entitled:

An Act to repeal sections 630.053 and 630.095, RSMo, and to enact in lieu thereof two new sections relating to the mental health earnings fund.

Was taken up by Senator Brown.

On motion of Senator Brown, **HCS for HB 557** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
-------	----------	-----------------	---------	------------	-------	---------	-------

Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 738**, with **SCS**, introduced by Representatives Nasheed, et al, entitled:

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to student study plans.

Was taken up by Senator Cunningham.

**SCS** for **HB 738**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 738

An Act to repeal sections 168.124 and 168.221, RSMo, and to enact in lieu thereof five new sections relating to elementary and secondary education.

Was taken up.

Senator Cunningham moved that **SCS** for **HB 738** be adopted.

At the request of Senator Cunningham, **HB 738**, with **SCS** (pending), was placed on the Informal Calendar.

**HCS** for **HB 631**, with **SCS**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to designation of tax refunds to the developmental disabilities waiting list equity trust fund.

Was called from the Informal Calendar and taken up by Senator Lager.

**SCS** for **HCS** for **HB 631**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 631

An Act to amend chapter 143, RSMo, by adding thereto two new sections relating to designation of tax



refunds to certain funds.

Was taken up.

Senator Lager moved that **SCS** for **HCS** for **HB 631** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **HCS** for **HB 631** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators

Crowell      Lembke—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SENATE BILLS FOR PERFECTION**

Senator Wright-Jones moved that **SB 48** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

On motion of Senator Wright-Jones, **SB 48** was declared perfected and ordered printed.

Senator Kraus moved that **SB 270**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 270**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 270**

An Act to repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to dates for conducting elections.

Was taken up.

Senator Kraus moved that **SCS** for **SB 270** be adopted, which motion prevailed on a standing division vote.

Senator Kraus moved that **SCS** for **SB 270** be declared perfected and ordered printed.

Senator Engler requested a roll call vote be taken on the perfection motion and was joined in his request by Senators Crowell, Dempsey, Kehoe and Green.

**SCS** for **SB 270** was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Goodman	Green	Keaveny
Kraus	Lager	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson
Richard	Ridgeway	Rupp	Schaaf	Stouffer	Wasson—22		

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Engler	Justus	Kehoe	Lamping	Pearce
Schaefer	Schmitt	Wright-Jones—11					

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

Senator Green moved that **SJR 12** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

At the request of Senator Green, **SJR 12** was placed on the Informal Calendar.

Senator Nieves moved that **SJR 15** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Nieves offered **SS** for **SJR 15**, entitled:

SENATE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 15

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, relating to state sovereignty.

Senator Nieves moved that **SS** for **SJR 15** be adopted.

At the request of Senator Nieves, **SJR 15**, with **SS** (pending), was placed on the Informal Calendar.

Senator Green moved that **SJR 12** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Green offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Joint Resolution No. 12, Page 1, Section 8, Line 1, by striking all of the underlined words on said line; and further amend line 2 by inserting immediately before the word “eight” an opening bracket “[”]; and further amend said line by inserting immediately after the word “eight” the following: “[ sixteen”]; and further amend lines 3-8 by striking all of the underlined words on said lines.

Senator Green moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Green, **SJR 12**, as amended, was declared perfected and ordered printed.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 48**; **SCS** for **SB 270**; and **SCS** for **SB 340**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 14** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 14**.

### **INTRODUCTIONS OF GUESTS**

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Jeffery L. Craver, M.D., Clayton.

Senator Crowell introduced to the Senate, Laura Bray and eighth grade students from Immaculate Conception School, Jackson; and Kim Kasten was made an honorary page.

On behalf of Senator Dixon, the President introduced to the Senate, Edin Cruz, Sara Borden and fourth grade students from New Covenant Academy, Springfield.

Senator Justus introduced to the Senate, Mayor-elect Sly James, Kansas City.

Senator Nieves introduced to the Senate, Linda Garcia, parents and fifteen fifth and sixth grade students from St. Ignatius of Loyola School, Marthasville.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

—————

**FIFTY-FIFTH DAY—WEDNESDAY, APRIL 20, 2011**

—————

### **FORMAL CALENDAR**

### **HOUSE BILLS ON SECOND READING**

HCS for HBs 300, 334 & 387  
HB 656-Brandom

HCS for HJR 5

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna  
(In Fiscal Oversight)

SJR 10-Lembke and Green  
(In Fiscal Oversight)

SB 204-Dempsey, et al  
(In Fiscal Oversight)

SCS for SB 122-Schaaf  
(In Fiscal Oversight)

SS#2 for SCS for SB 320-Lamping  
(In Fiscal Oversight)

SB 48-Wright-Jones

SCS for SB 270-Kraus

SCS for SB 340-Wasson

## SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler

8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham, with SCS
11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger

## HOUSE BILLS ON THIRD READING

1. HB 270-Burlison and Swinger, with SCS  
(Dempsey) (In Fiscal Oversight)
2. HCS for HBs 73 & 47, with SCS  
(Crowell) (In Fiscal Oversight)
3. HCS for HBs 116 & 316, with SCS  
(Purgason) (In Fiscal Oversight)
4. HB 229-Curls and Leara (Curls)
5. HB 142-Gatschenberger, with SCS  
(Dempsey)
6. HB 186-Entlicher, et al, with SCS  
(Parson)
7. HCS for HB 1 (Schaefer)

8. HCS for HB 2, with SCS (Schaefer)
9. HCS for HB 3, with SCS (Schaefer)
10. HCS for HB 4, with SCS (Schaefer)
11. HCS for HB 5, with SCS (Schaefer)
12. HCS for HB 6, with SCS (Schaefer)
13. HCS for HB 7, with SCS (Schaefer)
14. HCS for HB 8, with SCS (Schaefer)
15. HCS for HB 9, with SCS (Schaefer)
16. HCS for HB 10, with SCS (Schaefer)
17. HCS for HB 11, with SCS (Schaefer)
18. HCS for HB 12, with SCS (Schaefer)
19. HCS for HB 13, with SCS (Schaefer)

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 10-Rupp  
SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 25-Schaaf, with SCS & SS for SCS  
(pending)  
SB 28-Brown  
SB 37-Lembke, with SCS  
SB 52-Cunningham  
SB 72-Kraus, with SS (pending)  
SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)  
SB 120-Stouffer, with SS (pending)  
SB 130-Rupp, with SCS & SS for SCS  
(pending)  
SB 155-Rupp, with SCS  
SB 175-Munzlinger, et al, with SA 1  
(pending)  
SB 176-Munzlinger, et al  
SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS

SB 200-Crowell  
SB 203-Schmitt, et al, with SS (pending)  
SB 208-Lager  
SB 209-Lager  
SB 228-Pearce  
SB 242-Cunningham, with SCS & SS for SCS  
(pending)  
SB 247-Pearce, with SS (pending)  
SB 264-Rupp, with SCS  
SB 278-Munzlinger, et al  
SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)  
SBs 291, 184 & 294-Pearce, with SCS &  
SA 4 (pending)  
SB 299-Munzlinger, with SCS (pending)  
SB 326-Wasson  
SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SBs 408 & 80-Crowell, with SCS  
SB 420-Mayer, with SCS  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al, with SS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 61  
HB 71-Nasheed, et al  
HB 204-Hoskins, et al (Stouffer)  
HCS for HB 338 (Lager)  
HB 339-Pollock, et al, with SS (pending)  
(Lager)

HB 423-Burlison, et al (Nieves)  
HCS for HB 556  
HB 738-Nasheed, et al, with SCS  
(pending) (Cunningham)

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HB 193, with SS (Rupp) (House  
requests Senate recede or grant conference)

## RESOLUTIONS

## Reported from Committee

SR 179-Purgason  
SCR 11-Wright-Jones

HCR 15-Brown (50), et al (Curls)

## To be Referred

HCR 42-Funderburk, et al

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FIFTY-FIFTH DAY—WEDNESDAY, APRIL 20, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“The fear of the Lord is the beginning of Wisdom.” (Psalm 111:10)

Almighty God, we know that we live in a time where human knowledge expands at an ever faster rate. But we have also learned that knowledge is certainly different than wisdom. Wisdom comes from learning from our mistakes and mistakes of others. So give us humility to acknowledge to You our failures and repentance in them and learn to not do them again. And provide us guidance as we deal with complex issues and challenges that come before us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon, Edward Jones and members of Senator Engler’s staff were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 841, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Bushnell, Green City, which was adopted.

Senator Schmitt offered the following resolution:

### SENATE RESOLUTION NO. 842

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2011 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability and the Missouri Planning Council for Developmental Disabilities, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-sixth General Assembly, hereby grant the 2011 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Tuesday, July 26, 2011, from 12:30 p.m. to 3:30 p.m. for the purpose of holding a mock legislative session.

Senator Schmitt requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 842** up for adoption, which request was granted.

On motion of Senator Schmitt, **SR 842** was adopted.

## REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SJR 12**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

## REFERRALS

President Pro Tem Mayer referred **HCR 42** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Mayer referred **SJR 12** to the Committee on Ways and Means and Fiscal Oversight.

## HOUSE BILLS ON THIRD READING

**HCS** for **HB 1**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of



State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **HCS** for **HB 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 2**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 2**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State

Treasurer, or Attorney General.

Was taken up.

Senator Kehoe assumed the Chair.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Goodman
Green	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell	Kraus	Nieves	Purgason—4
---------	-------	--------	------------

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 3**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 3**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of

Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 3** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 3** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators

Crowell      Purgason—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

## RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

## RESOLUTIONS

Senator Goodman offered Senate Resolution No. 843, regarding the One Hundred First Birthday of Vada Ottendorf, Marionville, which was adopted.

Senator Green offered Senate Resolution No. 844, regarding Robert G. Lowery, Sr., Florissant, which was adopted.

Senator Dixon offered Senate Resolution No. 845, regarding Ed Hirsch, Springfield, which was adopted.

Senator Munzlinger offered Senate Resolution No. 846, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Joseph Miles, Monroe City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 847, regarding Ken Schuetz, which was adopted.

Senator Callahan offered Senate Resolution No. 848, regarding Rufus Little, which was adopted.

Senators Callahan and Green offered Senate Resolution No. 849, regarding the One Hundredth Anniversary of Pipefitters Local Union No. 533, Kansas City, which was adopted.

Senator Kehoe offered Senate Resolution No. 850, regarding Jefferson City Academic Center, which was adopted.

Senator Dixon offered Senate Resolution No. 851, regarding the One Hundredth Birthday of Mary W. Aull, Springfield, which was adopted.

### **PRIVILEGED MOTIONS**

Senator Rupp moved that the Senate refuse to recede from its position on **SS** for **HCS** for **HB 193** and grant the House a conference thereon, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 4**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 4**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 4**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schmitt assumed the Chair.

Senator Schaefer moved that **SCS** for **HCS** for **HB 4** be adopted.

Senator Lembke offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 4, Page 14, Section 4.485, Lines 1-15, by striking said section from the bill; and amend section and bill totals accordingly.

Senator Lembke moved that the above amendment be adopted, which motion failed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 4** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 4** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Lager	Lamping	Mayer	McKenna
Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—25							

## NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Purgason	Schaaf—6
---------	-------	--------	--------	----------	----------

## Absent—Senators

Kehoe	Munzlinger	Parson—3
-------	------------	----------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 5**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 5**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 5

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 5** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 5** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer
McKenna	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Purgason	Schaaf—6
---------	-------	--------	--------	----------	----------

Absent—Senators

Munzlinger	Parson—2
------------	----------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 6**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article

IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 6**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 6** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 6** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer
McKenna	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Purgason—5
---------	-------	--------	--------	------------

Absent—Senators

Munzlinger	Parson—2
------------	----------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 7**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 7**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 7** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 11, Section 7.410, Lines 1-4, by deleting said section from the bill; and

Further amend bill totals accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 7**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 7**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Nieves	Pearce	Richard	Ridgeway	Rupp	Schaefer



Schmitt      Stouffer      Wasson      Wright-Jones—28

NAYS—Senators

Crowell      Lembke      Purgason      Schaaf—4

Absent—Senators

Munzlinger      Parson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 8**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 8**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 8** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 8** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Nieves	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell          Lembke—2

Absent—Senators

Munzlinger      Parson          Purgason—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 9**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 9**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 9** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 9** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping

Mayer	McKenna	Nieves	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell	Lembke	Purgason—3
---------	--------	------------

Absent—Senators

Munzlinger	Parson—2
------------	----------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HB 10, with SCS, entitled:**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS for HCS for HB 10, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 10** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 10** was read the 3rd time and passed by the

following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell	Kraus	Lembke	Purgason	Schaaf—5
---------	-------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **HCS** for **HB 193**: Senators Rupp, Crowell, Lager, Callahan and Wright-Jones.

### HOUSE BILLS ON THIRD READING

**HCS** for **HB 11**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

Senator Pearce assumed the Chair.

**SCS** for **HCS** for **HB 11**, entitled:

### SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 11

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social

Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 11** be adopted.

Senator Schaaf offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 24, Section 11.505, Line 4, by deleting said line from the bill; and

further amend section and bill totals accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Lembke offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 17, Section 11.420, Lines 10-11, by striking said lines from the bill;

and further amend section and bill totals accordingly.

Senator Lembke moved that the above amendment be adopted, which motion failed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 11** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 11** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

#### NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Purgason	Schaaf—6
---------	-------	--------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HB 12, with SCS, entitled:**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

Was taken up by Senator Schaefer.

**SCS for HCS for HB 12, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 12** be adopted.

Senator Lembke offered **SA 1:**

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 12, Page 12, Section 12.345, Line 8, by striking the number "\$125,006,658" and inserting in lieu thereof the following number "\$120,006,658" and

amend section and bill totals accordingly

Senator Lembke moved that the above amendment be adopted, which motion failed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 12** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 12** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell	Lembke	Purgason	Schaaf—4
---------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 13**, with **SCS**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 13**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 13

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of

Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 13** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 13** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Crowell	Lembke	Purgason—3
---------	--------	------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker appoints the following conference committee to act with a like committee from the Senate on **SS** for **HCS** for **HB 193**: Representatives Diehl, Cox, Loehner, Hubbard and Nasheed.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 661**, entitled:

An Act to repeal sections 425.010, 425.020, 425.025, 425.027, and 425.040, RSMo, and to enact in lieu thereof six new sections relating to debt adjusters, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.



Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1008**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to highway infrastructure improvement agreements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 708**, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to choice of law.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 828**, entitled:

An Act to repeal sections 290.210 and 290.220, RSMo, and to enact in lieu thereof two new sections relating to prevailing wages on public works projects, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

### **INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, Nancy Donohoo, Katherine Joslin, Penny Bemus, Jennifer Thorn, Allison Englander, Cari Wegge, Cheryl Hughes, Lisa Chill, Ryan Wittington, Claire Schenk, Kathleen Whaley and Joy Haven, representatives of Health Care Business Women's Association.

Senator Brown introduced to the Senate, Gary Young, Tim Belshe and twenty-four eleventh grade students from Waynesville High School.

Senator Dempsey introduced to the Senate, Major Lonneal Richardson, Division Commander of the Midland Division and Major Charles Smith, Division Commander of the Western Missouri/Kansas Division, representatives of the Salvation Army.

Senator Schmitt introduced to the Senate, Missouri Teacher of the Year, Bob Becker, Kirkwood.

Senator Munzlinger introduced to the Senate, Dennis Miller, Emily and Dana Marshall, Dana, Samuel and Kevin Head and Mikaela Ann Myers, Homeschoolers from Kirksville.

Senator Justus introduced to the Senate, Elaine Forrest, Kelly Smith Scott, Joan LaBelle and Michelle Krajewski, representatives of the Whole Person-Center for Independent Living, Kansas City.

Senator Engler introduced to the Senate, Jim Meddle and Pat Jones, and representatives of Edward

Jones.

Senator McKenna introduced to the Senate, former State Senator Delbert Scott, Lowry City.

Senator Green introduced to the Senate, Principal Shane Opper, Coach Randy Reed, Assistants Steve Lee, Trevor Laney, Patrick Dougherty and members of the Class 5 State Champion McCluer North High School boys basketball team, B.J. Young, Caleb Bush, Tephon Lindsey, Toye Okunrinboye, Keaton Turner, Byron Ray, Latron Thomas, Jacari Finley, Damian Clemons, Tremayne Garrett, Galen Brown, Jordon Granger, Marcus Blair and Keith Jones, Florissant.

Senator Wright-Jones introduced to the Senate, Coleen Starkloff and Shawn D'Abreu, representatives of Paraquad, St. Louis.

On behalf of Senator Pearce, the President introduced to the Senate, Dr. Robert Tait, Grandview.

Senator Ridgeway introduced to the Senate, 2011 National Distinguished Principal, Dr. Chris Daniels, his wife, Rochel and their sons, Quinn and Creighton, North Kansas City.

Senator Richard introduced to the Senate, representatives of Southwest Missouri Pachyderms.

Senator Purgason introduced to the Senate, the Physician of the Day, Dr. Jenny Powell, M.D. and her husband Wes, Lebanon.

Senator Keaveny introduced to the Senate, MP Ismail Ozgun, MP Mehmet Salin Erdogan, Chief of Staff Ibrahim Tutar and Director Aydin Danaci, Niagara Foundation-Missouri.

Senator Green introduced to the Senate, Principal Tom Henke, Rose Sigeas, parents and forty eighth grade students from St. Rose Philippine Duchesne School, Florissant; and Drew Mudd, Sydney Fischer, Bria Paxton and Sam Wiesler were made honorary pages.

Senator Wright-Jones introduced to the Senate, teachers, parents and fourth, fifth and sixth grade students from Soulard School, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, Laura Wachsmuth, Chris Rensink and twenty fourth, fifth and sixth grade students from The Freedom School, University City; and Deeja Austell and Claude Gray were made honorary pages.

Senator Goodman introduced to the Senate, Kurt McDonald and Taylor Short, Josh Smith, Kyle Brack, Michah Zivkovich and Bret Williams, representatives of College of the Ozarks Young Republicans.

Senator Schaaf introduced to the Senate, eighth grade students from St. Therese, Parkville; and Jackson Johannes, Emma Ehlers and Emily Nissen were made honorary pages.

Senator Munzlinger introduced to the Senate, his wife Michele, Lewistown; and Mr. and Mrs. Jeff Otto, Novelty.

Senator Kehoe introduced to the Senate, Julie Allen, her husband Les Fortenberry and their son, Allen, Jefferson City.

Senator Dixon introduced to the Senate, Royce Reding and Mavis Busick, Springfield.

Senator Stouffer introduced to the Senate, students representing Pilot Grove FFA.

Senator Stouffer introduced to the Senate, students representing Boonville FFA.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

---

FIFTY-SIXTH DAY—THURSDAY, APRIL 21, 2011

---

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HBs 300, 334 & 387  
HB 656-Brandom, et al  
HCS for HJR 5  
HB 661-Wells, et al

HB 1008-Long, et al  
HB 708-Curtman, et al  
HCS for HB 828

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)  
SJR 10-Lembke and Green (In Fiscal Oversight)  
SB 204-Dempsey, et al (In Fiscal Oversight)  
SCS for SB 122-Schaaf (In Fiscal Oversight)  
SS#2 for SCS for SB 320-Lamping  
(In Fiscal Oversight)

SB 48-Wright-Jones  
SCS for SB 270-Kraus  
SCS for SB 340-Wasson  
SJR 12-Green (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler

8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham, with SCS
11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger

HOUSE BILLS ON THIRD READING

HB 270-Burlison and Swinger, with SCS  
(Dempsey) (In Fiscal Oversight)

HCS for HBs 73 & 47, with SCS (Crowell)  
(In Fiscal Oversight)

HCS for HBs 116 & 316, with SCS (Purgason)  
 (In Fiscal Oversight)  
 HB 229-Curls and Leara (Curls)

HB 142-Gatschenberger, with SCS (Dempsey)  
 HB 186-Entlicher, et al, with SCS (Parson)

## INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
 (pending)

SBs 7, 5, 74 & 169-Goodman, with SCS

SB 10-Rupp

SB 23-Keaveny, with SCS & SS for SCS  
 (pending)

SB 25-Schaaf, with SCS & SS for SCS  
 (pending)

SB 28-Brown

SB 37-Lembke, with SCS

SB 52-Cunningham

SB 72-Kraus, with SS (pending)

SBs 88 & 82-Schaaf, with SCS & SA 1  
 (pending)

SB 120-Stouffer, with SS (pending)

SB 130-Rupp, with SCS & SS for SCS  
 (pending)

SB 155-Rupp, with SCS

SB 175-Munzlinger, et al, with SA 1 (pending)

SB 176-Munzlinger, et al

SBs 189, 217, 246, 252 & 79-Schmitt, with SCS

SB 200-Crowell

SB 203-Schmitt, et al, with SS (pending)

SB 208-Lager

SB 209-Lager

SB 228-Pearce

SB 242-Cunningham, with SCS & SS for SCS  
 (pending)

SB 247-Pearce, with SS (pending)

SB 264-Rupp, with SCS

SB 278-Munzlinger, et al

SB 280-Purgason, et al, with SCS & SS for SCS  
 (pending)

SBs 291, 184 & 294-Pearce, with SCS & SA 4  
 (pending)

SB 299-Munzlinger, with SCS (pending)

SB 326-Wasson

SBs 369 & 370-Cunningham, with SCS

SB 390-Schmitt, et al

SBs 408 & 80-Crowell, with SCS

SB 420-Mayer, with SCS

SJR 11-Munzlinger, with SCS

SJR 15-Nieves, et al, with SS (pending)

### HOUSE BILLS ON THIRD READING

HCS for HB 61

HB 71-Nasheed, et al

HB 204-Hoskins, et al (Stouffer)

HCS for HB 338 (Lager)

HB 339-Pollock, et al, with SS (pending)  
(Lager)

HB 423-Burlison, et al (Nieves)

HCS for HB 556

HB 738-Nasheed, et al, with SCS (pending)  
(Cunningham)

**BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES**

**In Conference**

HCS for HB 193, with SS (Rupp)

**RESOLUTIONS**

**Reported from Committee**

SR 179-Purgason  
SCR 11-Wright-Jones

HCR 15-Brown (50), et al (Curls)

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**FIFTY-SIXTH DAY—THURSDAY, APRIL 21, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Gracious God, help us this day to see this weekend away from the Senate as more than an extra day thrown in but a time that permits us to know the gift of Your love for each of us and the gift of life beyond life that You have in store for us. Turn our thoughts to the promise of new life daily and its meaning so we might do more good with our life each day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon and KRCG-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

### **RESOLUTIONS**

Senator Curls offered Senate Resolution No. 852, regarding Molly Buasri, Kansas City, which was adopted.

Senator Crowell offered Senate Resolution No. 853, regarding Dennis Wilson, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 854, regarding Julia Unnerstall, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 855, regarding Kristin Gill, Dexter, which was adopted.

Senator Crowell offered Senate Resolution No. 856, regarding Janet Brase, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 857, regarding Steven J. Hoffman, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 858, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Albert Walther, Jackson, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Mary Sharlene Morgan, as a member of the Well Installation Board;

Also,

Ted Hunt, as a member of the Crime Laboratory Review Commission;

Also,

Eric Latimer, as a member of the Missouri Fire Safety Advisory Board;

Also,

Cecilia Davis, as a member of the Child Abuse and Neglect Review Board;

Also,

Thomas McVeigh, as a member of the Missouri Planning Council for Developmental Disabilities.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **SS No. 2** for **SCS** for **SB 320**; **SJR 10**; **HCS** for **HBs 73** and **47**, with **SCS**; **HB 270**, with **SCS**; and **HCS** for **HBs 116** and **36**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills and joint resolution do pass.

### THIRD READING OF SENATE BILLS

**SJR 10**, introduced by Senators Lembke, Green and Dixon, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 9 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to members of the House of Representatives.

Was taken up by Senator Lembke.

On motion of Senator Lembke, **SJR 10** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Keaveny	Kehoe	Kraus	Lamping	Lembke	Mayer	McKenna
Nieves	Pearce	Schmitt	Stouffer	Wasson—21			

#### NAYS—Senators

Callahan	Curls	Justus	Lager	Munzlinger	Parson	Purgason	Richard
Ridgeway	Schaaf	Schaefer	Wright-Jones—12				

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Lembke, title to the joint resolution was agreed to.

Senator Lembke moved that the vote by which the joint resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS No. 2** for **SCS** for **SB 320**, introduced by Senator Lamping, entitled:

### SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 320

An Act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.020, 455.027, 455.035, 455.038, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.505, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, 589.683, 595.100, and 595.220, RSMo, and to enact in lieu thereof twenty-seven new sections relating to domestic violence, with penalty provisions.

Was taken up.



On motion of Senator Lamping, **SS No. 2** for **SCS** for **SB 320** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 48**, introduced by Senator Wright-Jones, entitled:

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to deposits required by public utilities.

Was taken up.

On motion of Senator Wright-Jones, **SB 48** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wright-Jones, title to the bill was agreed to.

Senator Wright-Jones moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 270**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 270

An Act to repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to dates for conducting elections.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS for SB 270** was read the 3rd time and passed by the following vote:

YEAS—Senators

Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Green	Kehoe
Kraus	Lager	Lembke	Mayer	McKenna	Nieves	Purgason	Ridgeway
Schaaf	Stouffer	Wasson—19					

NAYS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Justus	Keaveny	Lamping	Munzlinger
Parson	Pearce	Richard	Schaefer	Schmitt	Wright-Jones—14		

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 340**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 340

An Act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 436.405, 436.412, 436.445, 436.450, 436.455, and 436.456, RSMo, and to enact in lieu thereof thirteen new sections relating to the board of embalmers and funeral directors.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS for SB 340** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**CONCURRENT RESOLUTIONS****SCR 11**, introduced by Senator Wright-Jones, entitled:**SENATE CONCURRENT RESOLUTION NO. 11**

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week

Was taken up for 3rd reading and final passage.

On motion of Senator Wright-Jones, **SCR 11** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Crowell          Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Wright-Jones, title to the concurrent resolution was agreed to.

Senator Wright-Jones moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 84**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 83**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 109**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 136**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 149**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 217**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 220**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 465**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 550**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **SB 45**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HJR 2**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 442**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 14**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following report:

Mr. President: Your Committee on Governmental Accountability, to which was referred **HB 137**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HBs 112** and **285**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 11**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 34**, begs leave to report that it has considered the same and recommends that the concurrent resolution

do pass.

Senator Pearce assumed the Chair.

### **HOUSE BILLS ON SECOND READING**

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

**HCS for HBs 300, 334 and 387**—Health, Mental Health, Seniors and Families.

**HB 656**—Commerce, Consumer Protection, Energy and the Environment.

**HCS for HJR 5**—Agriculture, Food Production and Outdoor Resources.

**HB 661**—Financial and Governmental Organizations and Elections.

**HB 1008**—Transportation.

**HB 708**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 828**—Small Business, Insurance and Industry.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

### **RESOLUTIONS**

Senator Lager offered Senate Resolution No. 859, regarding Chillicothe Middle School, which was adopted.

Senator Lager offered Senate Resolution No. 860, regarding Colton R. Shaw, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 861, regarding Michael A. Witten, Trenton, which was adopted.

Senator Dixon offered Senate Resolution No. 862, regarding High Street Baptist Church, Springfield, which was adopted.

Senator Rupp offered Senate Resolution No. 863, regarding Troy Buchanan High School, which was adopted.

Senator Rupp offered Senate Resolution No. 864, regarding Allyse Pagano, which was adopted.

Senator Engler offered Senate Resolution No. 865, regarding Karen Adams, which was adopted.

Senator Engler offered Senate Resolution No. 866, regarding Sharon Roney, which was adopted.

Senator Engler offered Senate Resolution No. 867, regarding Donald Serini, which was adopted.

Senator Engler offered Senate Resolution No. 868, regarding Lisa Cantrell, which was adopted.

Senator Engler offered Senate Resolution No. 869, regarding Barbara Lawson, which was adopted.

Senator Engler offered Senate Resolution No. 870, regarding Roosevelt Elementary School,

Farmington, which was adopted.

Senator Schmitt offered Senate Resolution No. 871, regarding W.W. Keysor Elementary School, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 872, regarding Crestwood Elementary School, St. Louis, which was adopted.

On motion of Senator Dempsey, the Senate recessed until 6:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

On motion of Senator Dempsey, the Senate recessed until 9:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

### **INTRODUCTIONS OF GUESTS**

Senator Munzlinger introduced to the Senate, the Physician of the Day, Dr. Shahbaz A. Riaz, M.D., Hannibal.

Senator Kehoe introduced to the Senate, Reverend Greg Morrow, California; Arturo Rivera, Maribel Rivera, Ruth Rivera, Waleska Rodriguez, Gabriel Robles, Glorimar Escalera, Natalie Alicea, Paola Torres, Yafreysi Sanchez, Bradley Rios, Dinoshka Nieves, Edna Perez, Elvin Estrada, Hiranía Carrasquillo, Ingrid Ramos, Karlos Carrasquillo, Maricarmen Pimentel, Desiree Cruz, Alex Parrilla and Edwin Matos, Puerto Rico.

Senator Lembke introduced to the Senate, students from Carondelet Leadership Academy, St. Louis.

On behalf of Senator Pearce, the President introduced to the Senate, teacher, Rebecca Neighbors, parents, Victor and Christi Kurtz, Leslie Schmidt, Nancy Gillihan, Linda Craig, Darrell Bennett and fourth grade students, Aisley Andrews, Jessica Bennett, Erin Gillihan, Hannah Halloway, Kaitlyn Kurtz, Connor Myers, Jackson Schmidt, Morgan Sword and Jessica Toler, Heartland Academy, Belton.

Senator Mayer introduced to the Senate, Tom Hyatt and David Hawthorn, Puxico.

Senator Lager introduced to the Senate, students from Cainsville Elementary School.

Senator Keaveny introduced to the Senate, Michael Sipes, Columbia.

Senator Schmitt introduced to the Senate, fourth grade students from Avery Elementary School, Webster Groves.

Senator Schmitt introduced to the Senate, parents and twenty students from Twin Oaks Christian School, Ballwin.

On behalf of Senator Pearce, the President introduced to the Senate, Melinda Piper, Sheldon.

On motion of Senator Dempsey, the Senate adjourned until 2:00 p.m., Tuesday, April 26, 2011.

SENATE CALENDAR

---

FIFTY-SEVENTH DAY—TUESDAY, APRIL 26, 2011

---

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna  
(In Fiscal Oversight)  
SB 204-Dempsey, et al  
(In Fiscal Oversight)

SCS for SB 122-Schaaf  
(In Fiscal Oversight)  
SJR 12-Green  
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler
8. SJR 16-Goodman, with SCS

9. SB 391-Lager
10. SB 253-Callahan and Cunningham, with SCS
11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones
15. SB 45-Wright-Jones
16. SB 14-Pearce, with SCS

HOUSE BILLS ON THIRD READING

1. HB 270-Burlison and Swinger, with SCS  
(Dempsey)
2. HCS for HBs 73 & 47, with SCS  
(Crowell)
3. HCS for HBs 116 & 316, with SCS  
(Purgason)
4. HB 229-Curls and Leara (Curls)
5. HB 142-Gatschenberger, with SCS  
(Dempsey)
6. HB 186-Entlicher, et al, with SCS  
(Parson)
7. HCS for HB 83 (Wasson)
8. HB 109-Wells, et al (Wasson)

9. HCS for HB 136 (Brown)
10. HB 149-Day, et al, with SCS (Brown)
11. HB 217-Dugger and Entlicher (Wasson)
12. HCS for HB 220 (Brown)
13. HCS for HB 465 (Wasson)
14. HB 550-Day (Pearce)
15. HJR 2-McGhee, et al (Goodman)
16. HB 442-Franz (Parson)
17. HB 137-Thompson, et al, with SCS  
(Pearce)
18. HCS for HBs 112 & 285, with SCS  
(Brown)



## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)

SBs 7, 5, 74 &amp; 169-Goodman, with SCS

SB 10-Rupp

SB 23-Keaveny, with SCS & SS for SCS  
(pending)SB 25-Schaaf, with SCS & SS for SCS  
(pending)

SB 28-Brown

SB 37-Lembke, with SCS

SB 52-Cunningham

SB 72-Kraus, with SS (pending)

SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)

SB 120-Stouffer, with SS (pending)

SB 130-Rupp, with SCS & SS for SCS  
(pending)

SB 155-Rupp, with SCS

SB 175-Munzlinger, et al, with SA 1  
(pending)

SB 176-Munzlinger, et al

SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS

SB 200-Crowell

SB 203-Schmitt, et al, with SS (pending)

SB 208-Lager

SB 209-Lager

SB 228-Pearce

SB 242-Cunningham, with SCS & SS for SCS  
(pending)

SB 247-Pearce, with SS (pending)

SB 264-Rupp, with SCS

SB 278-Munzlinger, et al

SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)SBs 291, 184 & 294-Pearce, with SCS &  
SA 4 (pending)

SB 299-Munzlinger, with SCS (pending)

SB 326-Wasson

SBs 369 &amp; 370-Cunningham, with SCS

SB 390-Schmitt, et al

SBs 408 &amp; 80-Crowell, with SCS

SB 420-Mayer, with SCS

SJR 11-Munzlinger, with SCS

SJR 15-Nieves, et al, with SS (pending)

## HOUSE BILLS ON THIRD READING

HCS for HB 61

HB 71-Nasheed, et al

HB 204-Hoskins, et al (Stouffer)

HCS for HB 338 (Lager)

HB 339-Pollock, et al, with SS (pending)  
(Lager)

HB 423-Burlison, et al (Nieves)

HCS for HB 556

HB 738-Nasheed, et al, with SCS  
(pending) (Cunningham)

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 193, with SS (Rupp)

RESOLUTIONS

Reported from Committee

SR 179-Purgason

HCR 15-Brown (50), et al (Curls)

HCR 11-Nolte, et al (Justus)

HCR 34-Hampton, et al (Munzlinger)

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**FIFTY-SEVENTH DAY—TUESDAY, APRIL 26, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be glad and rejoice forever in what I am creating.” (Isaiah 65:18)

Merciful God, we give thanks for the gift of new life and are always mindful of the cost to provide it for us. We are mindful and thankful for the second weekend we have escaped death from the dangerous and damaging storms that have moved through our country; yet ever mindful of those who have suffered from extreme damage and now face flooding and the problems that will bring. We pray for Your help and comfort to those in need and hope for those who see none. And we ask to see how we may be of assistance. And help us O Lord to act on what is important in the midst of the work we have to do these closing weeks of session. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 21, 2011 was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Lager offered Senate Resolution No. 873, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ronald Sumy, Skidmore, which was adopted.

Senator Lager offered Senate Resolution No. 874, regarding Joan Agatha Jackson, Ravenwood, which was adopted.

Senator Lager offered Senate Resolution No. 875, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bruce Dittberner, Laredo, which was adopted.

Senator Cunningham offered Senate Resolution No. 876, regarding Phyllis Betts, Florissant, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 877, regarding Nicole Adewale, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 878, regarding DeBorah Ahmed, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 879, regarding Jan Albus, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 880, regarding Anita Banks, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 881, regarding Becky James-Hatter, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 882, regarding the Honorable Robin Carnahan, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 883, regarding the Honorable Hazel Erby, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 884, regarding Vanessa Foster, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 885, regarding Mattie C. Moore, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 886, regarding Dr. Lillian Parks, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 887, regarding Rabbi Susan Talve, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 888, regarding Vickie Newton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 889, regarding Mavis Thompson, Esq., which was adopted.

Senator Mayer offered Senate Resolution No. 890, regarding Elizabeth Marie Froman, Patterson, which was adopted.

Senator Mayer offered Senate Resolution No. 891, regarding Dexter Middle School Eighth Grade Girls Volleyball Team, which was adopted.

Senator Lamping offered Senate Resolution No. 892, regarding Mary Institute and St. Louis Country Day School, St. Louis, which was adopted.

Senator Mayer offered Senate Resolution No. 893, regarding the city of Puxico, Missouri, which was adopted.

Senator Rupp offered Senate Resolution No. 894, regarding Army Sergeant Brennan W. Lagemann, Elsberry, which was adopted.

Senator Kraus offered Senate Resolution No. 895, regarding Darron B. Howell, Sr., Blue Springs, which was adopted.

Senator Pearce assumed the Chair.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 68**, entitled:

An Act to repeal sections 21.400, 128.345, and 128.346, RSMo, and to enact in lieu thereof twelve new sections relating to powers of the general assembly, with an emergency clause for a certain section.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee substitute for Senate Committee Substitute for Senate Bill No. 68, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

“To repeal sections 21.400, 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof thirteen new”; and

Further amend said bill, Page 1, Section A, Line 1, by deleting all of said line and inserting in lieu thereof the following:

“Section A. Sections 21.400, 128.345, 128.346, and 128.348, RSMo, are repealed and thirteen new”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number “128.346,” the number “128.348,”; and

Further amend said bill, Page 2, Section 128.346, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

“128.346. The districts established by the provisions of sections 128.400 to 128.440 for the election of representatives to the Congress of the United States shall be effective beginning with election to the 108th Congress **and through the election of the 112th Congress. The districts established by sections 128.451 to 128.458 for the election of representatives to the Congress of the United States shall be effective beginning with the election to the 113th Congress.**

128.348. The state of Missouri is hereby divided into nine congressional districts. **Effective with the election for the 113th Congress, the state of Missouri shall consist of eight congressional districts.** The legal voters of each district shall elect one member of Congress of the United States.”; and

Further amend said bill, Pages 2 to 22, Section 128.451, Lines 2 to 879, by deleting all of said lines and inserting in lieu thereof the following:

**“St. Louis City MO County**

**St. Louis MO County (part)**

**VTD: AP001**

**VTD: AP002**

**VTD: AP003**

**VTD: AP004**

**VTD: AP005**

**VTD: AP006**

**VTD: AP007**

**VTD: AP008**

**VTD: AP009**

**VTD: AP010**

**VTD: AP011**

**VTD: AP012**

**VTD: AP013**

**VTD: AP014**

**VTD: AP015**

**VTD: AP016**

**VTD: AP017**

**VTD: AP018**

**VTD: AP019**

**VTD: AP020**

**VTD: AP021**

**VTD: AP022**

**VTD: AP023**

**VTD: AP024**

**VTD: AP025**

**VTD: AP026**

**VTD: AP027**

**VTD: AP028**

**VTD: AP029**

**VTD: AP030**

**VTD: AP031**

**VTD: AP032**

**VTD: AP033**

**VTD: AP034**

**VTD: AP035**

**VTD: AP036**

**VTD: AP037**

**VTD: AP038**

**VTD: AP039**

**VTD: AP040**

**VTD: AP041**

**VTD: AP042**

**VTD: AP043**

**VTD: AP044**

**VTD: AP045**

**VTD: AP046**

**VTD: AP047**

**VTD: AP048**

**VTD: AP049**

**VTD: AP050**

**VTD: AP051**

**VTD: AP052**

**VTD: AP053**

**VTD: AP054**

**VTD: AP055**

**VTD: AP056**

**VTD: AP200**

**VTD: AP203**

**VTD: AP206**

**VTD: AP207**

**VTD: AP208**

**VTD: AP210**

**VTD: AP211**

**VTD: AP213**

**VTD: AP214**

**VTD: AP215**

**VTD: AP216**

**VTD: AP217**

**VTD: AP218**

**VTD: AP221**

**VTD: AP225**

**VTD: AP227**

**VTD: AP228**

**VTD: AP230**

**VTD: AP232**

**VTD: AP233**

**VTD: AP237**

**VTD: CC012 (part)**

**Block: 291892155001004**

**Block: 291892155001011**

**Block: 291892155001012**

**Block: 291892155001036**

**Block: 291892155004008**

**Block: 291892155004011**

**Block: 291892155004014**

**Block: 291892155004015**

**VTD: CC013**

**VTD: CC015**

**VTD: CC018 (part)**

**Block: 291892150041013**

**Block: 291892150042002**

**Block: 291892150042003**

**Block: 291892150042006**

**Block: 291892150042007**

**Block: 291892150042025**

**VTD: CC019**

**VTD: CC020**

**VTD: CC021**

**VTD: CC022**

**VTD: CC025**

**VTD: CC026**



**VTD: CC027**

**VTD: CC028**

**VTD: CC029**

**VTD: CC034**

**VTD: CC038**

**VTD: CC039**

**VTD: CC040**

**VTD: CC042**

**VTD: CC043**

**VTD: CC046**

**VTD: CC048**

**VTD: CC053 (part)**

**Block: 291892150041000**

**Block: 291892150041001**

**Block: 291892150041002**

**Block: 291892150041003**

**Block: 291892150041004**

**Block: 291892150041005**

**Block: 291892150041006**

**Block: 291892150041007**

**Block: 291892150041008**

**Block: 291892150041009**

**Block: 291892150041010**

**Block: 291892150041011**

**Block: 291892150041012**

**Block: 291892150042005**

**VTD: CC054**

**VTD: CC057**

**VTD: CC058 (part)**

**Block: 291892156001056**

**VTD: CC060**

**VTD: CC061 (part)**

**Block: 291892155004010**

**VTD: CC062 (part)**

**Block: 291892155001013**

**Block: 291892155004009**

**VTD: CC063**

**VTD: CC064**

**VTD: CC065**

**VTD: CC066**

**VTD: CC067**

**VTD: CC068**

**VTD: CC069**

**VTD: CC201**

**VTD: CC202**

**VTD: CC203 (part)**

**Block: 291892156001019**

**Block: 291892156001020**

**VTD: CC205**

**VTD: CC207**

**VTD: CC221**

**VTD: CC224**

**VTD: CC225**

**VTD: CC227**

**VTD: CLA001**

**VTD: CLA003 (part)**

**Block: 291892164001005**

**Block: 291892164001006**

**VTD: CLA005**

**VTD: CLA011 (part)**

**Block: 291892158002018**

**Block: 291892158006012**

**Block: 291892158006015**

**Block: 291892158006016**

**Block: 291892165001005**

**VTD: CLA015 (part)**

**Block: 291892155004026**

**VTD: CLA021**

**VTD: CLA022**

**VTD: CLA050 (part)**

**Block: 291892189004019**

**Block: 291892189004023**

**VTD: CLA051**

**VTD: CLA052**

**VTD: CLA054**

**VTD: CLA056**

**VTD: FER001**

**VTD: FER002**

**VTD: FER003**

**VTD: FER004**

**VTD: FER005**

**VTD: FER006**

**VTD: FER007**

**VTD: FER008**

**VTD: FER009**

**VTD: FER010**

**VTD: FER011**

**VTD: FER012**

**VTD: FER013**

**VTD: FER014**

**VTD: FER015**

**VTD: FER016**

**VTD: FER017**

**VTD: FER018**

**VTD: FER019**

**VTD: FER020**

**VTD: FER021**

**VTD: FER022**

**VTD: FER023**

**VTD: FER024**

**VTD: FER025**

**VTD: FER026**

**VTD: FER027**

**VTD: FER028**

**VTD: FER029**

**VTD: FER030**

**VTD: FER031**

**VTD: FER032**

**VTD: FER033**  
**VTD: FER034**  
**VTD: FER035**  
**VTD: FER036**  
**VTD: FER037**  
**VTD: FER038**  
**VTD: FER039**  
**VTD: FER040**  
**VTD: FER041**  
**VTD: FER042**  
**VTD: FER043**  
**VTD: FER044**  
**VTD: FER045**  
**VTD: FER046**  
**VTD: FER047**  
**VTD: FER048**  
**VTD: FER049**  
**VTD: FER050**  
**VTD: FER051**  
**VTD: FER201**  
**VTD: FER208**  
**VTD: FLO001**  
**VTD: FLO002**  
**VTD: FLO003**  
**VTD: FLO004**  
**VTD: FLO005**  
**VTD: FLO006**  
**VTD: FLO007**  
**VTD: FLO008**  
**VTD: FLO009**  
**VTD: FLO010**  
**VTD: FLO011**  
**VTD: FLO012**  
**VTD: FLO013**  
**VTD: FLO014**  
**VTD: FLO015**

VTD: FLO016  
VTD: FLO017  
VTD: FLO018  
VTD: FLO019  
VTD: FLO020  
VTD: FLO021  
VTD: FLO022  
VTD: FLO023  
VTD: FLO024  
VTD: FLO025  
VTD: FLO026  
VTD: FLO027  
VTD: FLO028  
VTD: FLO029  
VTD: FLO030  
VTD: FLO031  
VTD: FLO032  
VTD: FLO033  
VTD: FLO034  
VTD: FLO035  
VTD: FLO036  
VTD: FLO037  
VTD: FLO038  
VTD: FLO039  
VTD: FLO040  
VTD: FLO041  
VTD: FLO042  
VTD: FLO200  
VTD: FLO201  
VTD: FLO202  
VTD: FLO203  
VTD: FLO205  
VTD: FLO207  
VTD: HAD001  
VTD: HAD002  
VTD: HAD003

VTD: HAD004  
VTD: HAD005  
VTD: HAD006  
VTD: HAD007  
VTD: HAD008  
VTD: HAD009  
VTD: HAD010  
VTD: HAD011  
VTD: HAD012  
VTD: HAD013  
VTD: HAD014  
VTD: HAD015  
VTD: HAD016  
VTD: HAD017  
VTD: HAD018  
VTD: HAD019  
VTD: HAD020  
VTD: HAD021  
VTD: HAD022  
VTD: HAD023  
VTD: HAD024  
VTD: HAD025  
VTD: HAD026  
VTD: HAD027  
VTD: HAD028  
VTD: HAD029  
VTD: HAD030  
VTD: HAD031  
VTD: HAD032  
VTD: HAD033  
VTD: HAD034  
VTD: HAD035  
VTD: HAD036  
VTD: HAD037  
VTD: HAD038  
VTD: JEF013

**VTD: JEF014**

**VTD: JEF017 (part)**

**Block: 291892196001006**

**Block: 291892196001008**

**Block: 291892196001009**

**Block: 291892196001010**

**Block: 291892196001011**

**Block: 291892196001012**

**Block: 291892196001013**

**VTD: JEF018 (part)**

**Block: 291892191003014**

**Block: 291892191003015**

**Block: 291892191003016**

**Block: 291892191004010**

**Block: 291892191004011**

**Block: 291892191004012**

**Block: 291892191004013**

**Block: 291892192002007**

**Block: 291892192002008**

**Block: 291892192002009**

**Block: 291892192002011**

**Block: 291892192002012**

**Block: 291892192002015**

**Block: 291892192002016**

**Block: 291892192002017**

**Block: 291892192002018**

**Block: 291892192002019**

**Block: 291892192002020**

**Block: 291892192002023**

**VTD: JEF019**

**VTD: JEF020**

**VTD: JEF023 (part)**

**Block: 291892193003008**

**VTD: JEF024**

**VTD: JEF028**

**VTD: JEF030 (part)**

**Block: 291892195001000**

**Block: 291892195001002**

**Block: 291892195001010**

**VTD: JEF047**

**VTD: JEF048 (part)**

**Block: 291892193003000**

**Block: 291892193003001**

**Block: 291892193003002**

**Block: 291892193003003**

**Block: 291892193003004**

**Block: 291892193003005**

**Block: 291892193003006**

**Block: 291892193003007**

**Block: 291892193003009**

**Block: 291892193003010**

**VTD: JEF200 (part)**

**Block: 291892196001000**

**VTD: LC001**

**VTD: LC002**

**VTD: LC003**

**VTD: LC004**

**VTD: LC005**

**VTD: LC006**

**VTD: LC007**

**VTD: LC008**

**VTD: LC009**

**VTD: LC010**

**VTD: LC011**

**VTD: LC012**

**VTD: LC013**

**VTD: LC014**

**VTD: LC015**

**VTD: LC016**

**VTD: LC017**

**VTD: LC018**

**VTD: LC019**



**VTD: LC020**

**VTD: LC021**

**VTD: LC022**

**VTD: LC023**

**VTD: LC024**

**VTD: LC025**

**VTD: LC026**

**VTD: LC027**

**VTD: LC028**

**VTD: LC029**

**VTD: LC030**

**VTD: LC031**

**VTD: LC032**

**VTD: LC033**

**VTD: LC034**

**VTD: LC035**

**VTD: LC036**

**VTD: LC037**

**VTD: LC038**

**VTD: LC039**

**VTD: LC040**

**VTD: LC200**

**VTD: LC202**

**VTD: LC203**

**VTD: MHT016**

**VTD: MHT018 (part)**

**Block: 291892132022000**

**Block: 291892132022001**

**Block: 291892132022005**

**VTD: MID001 (part)**

**Block: 291892150011000**

**Block: 291892150011001**

**Block: 291892150011002**

**Block: 291892150011058**

**Block: 291892150011059**

**Block: 291892150011060**

**Block: 291892150011061**

**Block: 291892150011062**

**Block: 291892150011083**

**Block: 291892150011084**

**Block: 291892150011086**

**VTD: MID002**

**VTD: MID003**

**VTD: MID004**

**VTD: MID005**

**VTD: MID006**

**VTD: MID007**

**VTD: MID008**

**VTD: MID009**

**VTD: MID010**

**VTD: MID011**

**VTD: MID012**

**VTD: MID013**

**VTD: MID014**

**VTD: MID015**

**VTD: MID016**

**VTD: MID017**

**VTD: MID018**

**VTD: MID019**

**VTD: MID020**

**VTD: MID021**

**VTD: MID022**

**VTD: MID023**

**VTD: MID024**

**VTD: MID025**

**VTD: MID026**

**VTD: MID027**

**VTD: MID028**

**VTD: MID029**

**VTD: MID030**

**VTD: MID031**

**VTD: MID032**

**VTD: MID033**

**VTD: MID034**

**VTD: MID035**

**VTD: MID036**

**VTD: MID037**

**VTD: MID038**

**VTD: MID039**

**VTD: MID040**

**VTD: MID041**

**VTD: MID042**

**VTD: MID043**

**VTD: MID044**

**VTD: MID045**

**VTD: MID046**

**VTD: MID047**

**VTD: MID048**

**VTD: MID049**

**VTD: MID050**

**VTD: MID051**

**VTD: MID052**

**VTD: MID053**

**VTD: MID054**

**VTD: MID055**

**VTD: MID056**

**VTD: MID058**

**VTD: MID059**

**VTD: MID060**

**VTD: MID061**

**VTD: MID202**

**VTD: MID207 (part)**

**Block: 291892150011053**

**Block: 291892150011057**

**Block: 291892150011063**

**Block: 291892150011064**

**Block: 291892150011065**

**Block: 291892150011066**

**Block: 291892150011071**

**Block: 291892150042008**

**VTD: MID208**

**VTD: MID209**

**VTD: MID213**

**VTD: MID215**

**VTD: NOR001**

**VTD: NOR002**

**VTD: NOR003**

**VTD: NOR004**

**VTD: NOR005**

**VTD: NOR006**

**VTD: NOR007**

**VTD: NOR008**

**VTD: NOR009**

**VTD: NOR010**

**VTD: NOR011**

**VTD: NOR012**

**VTD: NOR013**

**VTD: NOR014**

**VTD: NOR015**

**VTD: NOR016**

**VTD: NOR017**

**VTD: NOR018**

**VTD: NOR019**

**VTD: NOR020**

**VTD: NOR021**

**VTD: NOR022**

**VTD: NOR023**

**VTD: NOR024**

**VTD: NOR025**

**VTD: NOR026**

**VTD: NOR027**

**VTD: NOR028**

**VTD: NOR029**

**VTD: NOR030**

VTD: NOR031  
VTD: NOR032  
VTD: NOR033  
VTD: NOR034  
VTD: NOR035  
VTD: NOR036  
VTD: NOR037  
VTD: NOR038  
VTD: NOR039  
VTD: NOR040  
VTD: NOR041  
VTD: NOR042  
VTD: NOR043  
VTD: NOR044  
VTD: NOR045  
VTD: NOR046  
VTD: NOR047  
VTD: NOR048  
VTD: NOR049  
VTD: NOR050  
VTD: NOR051  
VTD: NOR052  
VTD: NOR053  
VTD: NOR054  
VTD: NOR055  
VTD: NOR056  
VTD: NOR201  
VTD: NOR202  
VTD: NOR203  
VTD: NOR205  
VTD: NOR206  
VTD: NOR207  
VTD: NOR208  
VTD: NOR213  
VTD: NOR214  
VTD: NOR215

VTD: NOR219  
VTD: NOR220  
VTD: NOR222  
VTD: NRW001  
VTD: NRW002  
VTD: NRW003  
VTD: NRW004  
VTD: NRW005  
VTD: NRW006  
VTD: NRW007  
VTD: NRW008  
VTD: NRW009  
VTD: NRW010  
VTD: NRW011  
VTD: NRW012  
VTD: NRW013  
VTD: NRW014  
VTD: NRW015  
VTD: NRW016  
VTD: NRW017  
VTD: NRW018  
VTD: NRW019  
VTD: NRW020  
VTD: NRW021  
VTD: NRW022  
VTD: NRW023  
VTD: NRW024  
VTD: NRW025  
VTD: NRW026  
VTD: NRW027  
VTD: NRW028  
VTD: NRW029  
VTD: NRW031  
VTD: NRW032  
VTD: NRW033  
VTD: NRW034

**VTD: NRW035**

**VTD: NRW036**

**VTD: NRW037**

**VTD: NRW038**

**VTD: NRW039**

**VTD: NRW040**

**VTD: NRW041**

**VTD: NRW042**

**VTD: NRW043**

**VTD: NRW044**

**VTD: NRW045**

**VTD: NRW046**

**VTD: NRW047**

**VTD: NRW048**

**VTD: NRW200**

**VTD: NRW201**

**VTD: NW001**

**VTD: NW002**

**VTD: NW003**

**VTD: NW004**

**VTD: NW005**

**VTD: NW008 (part)**

**Block: 291892113013005**

**Block: 291892113013006**

**Block: 291892113341024**

**Block: 291892113341025**

**Block: 291892113341026**

**Block: 291892113341027**

**Block: 291892113341030**

**Block: 291892113341031**

**Block: 291892113343009**

**Block: 291892113343011**

**Block: 291892113343012**

**Block: 291892113343013**

**Block: 291892113343014**

**Block: 291892113343015**

**Block: 291892113343016**

**Block: 291892113343017**

**VTD: NW010**

**VTD: NW011**

**VTD: NW012**

**VTD: NW013 (part)**

**Block: 291892151431053**

**VTD: NW014**

**VTD: NW016**

**VTD: NW017**

**VTD: NW019 (part)**

**Block: 291892132023006**

**VTD: NW020**

**VTD: NW025 (part)**

**Block: 291892113321023**

**Block: 291892113321024**

**Block: 291892114013000**

**Block: 291892114013001**

**Block: 291892114013007**

**Block: 291892114013008**

**VTD: NW026**

**VTD: NW028**

**VTD: NW030 (part)**

**Block: 291892114013011**

**VTD: NW031**

**VTD: NW032 (part)**

**Block: 291892131014025**

**Block: 291892131014026**

**Block: 291892131014027**

**Block: 291892131014028**

**Block: 291892131014029**

**Block: 291892131014030**

**Block: 291892131014031**

**Block: 291892131014032**

**Block: 291892131014033**

**Block: 291892131014034**



**Block: 291892131014035**

**Block: 291892131014036**

**Block: 291892131021104**

**Block: 291892131021105**

**Block: 291892131021109**

**Block: 291892131021114**

**Block: 291892132031005**

**Block: 291892151431000**

**VTD: NW034**

**VTD: NW037**

**VTD: NW042 (part)**

**Block: 291892131014014**

**Block: 291892131014015**

**Block: 291892131014016**

**Block: 291892131014017**

**Block: 291892131014018**

**Block: 291892131014019**

**Block: 291892131014020**

**Block: 291892131014023**

**Block: 291892131014024**

**Block: 291892131021106**

**Block: 291892131021107**

**Block: 291892131021108**

**VTD: NW043**

**VTD: NW045**

**VTD: NW047**

**VTD: NW048 (part)**

**Block: 291892114013010**

**VTD: NW049**

**VTD: NW050**

**VTD: NW051**

**VTD: NW200**

**VTD: NW202**

**VTD: NW203**

**VTD: NW204**

**VTD: NW205**

**VTD: NW206 (part)**

**Block: 291892132031019**

**VTD: NW207**

**VTD: NW219**

**VTD: NW220**

**VTD: NW222**

**VTD: NW223**

**VTD: NW224**

**VTD: NW225**

**VTD: NW226**

**VTD: NW227**

**VTD: NW229**

**VTD: SF001**

**VTD: SF002**

**VTD: SF003**

**VTD: SF004**

**VTD: SF005**

**VTD: SF006**

**VTD: SF007**

**VTD: SF008**

**VTD: SF009**

**VTD: SF010**

**VTD: SF011**

**VTD: SF012**

**VTD: SF013**

**VTD: SF014**

**VTD: SF015**

**VTD: SF016**

**VTD: SF017**

**VTD: SF018**

**VTD: SF019**

**VTD: SF020**

**VTD: SF021**

**VTD: SF022**

**VTD: SF023**

**VTD: SF024**

**VTD: SF025**  
**VTD: SF026**  
**VTD: SF027**  
**VTD: SF028**  
**VTD: SF029**  
**VTD: SF030**  
**VTD: SF031**  
**VTD: SF032**  
**VTD: SF033**  
**VTD: SF034**  
**VTD: SF035**  
**VTD: SF036**  
**VTD: SF037**  
**VTD: SF038**  
**VTD: SF039**  
**VTD: SF040**  
**VTD: SF200**  
**VTD: SF204**  
**VTD: SF206**  
**VTD: SPL001**  
**VTD: SPL002**  
**VTD: SPL003**  
**VTD: SPL004**  
**VTD: SPL005**  
**VTD: SPL006**  
**VTD: SPL007**  
**VTD: SPL008**  
**VTD: SPL009**  
**VTD: SPL010**  
**VTD: SPL011**  
**VTD: SPL012**  
**VTD: SPL013**  
**VTD: SPL014**  
**VTD: SPL015**  
**VTD: SPL016**  
**VTD: SPL017**

**VTD: SPL018**  
**VTD: SPL019**  
**VTD: SPL020**  
**VTD: SPL021**  
**VTD: SPL022**  
**VTD: SPL023**  
**VTD: SPL024**  
**VTD: SPL025**  
**VTD: SPL026**  
**VTD: SPL027**  
**VTD: SPL028**  
**VTD: SPL029**  
**VTD: SPL030**  
**VTD: SPL201**  
**VTD: SPL202**  
**VTD: SPL207**  
**VTD: SPL208**  
**VTD: UNV001**  
**VTD: UNV002**  
**VTD: UNV003**  
**VTD: UNV004**  
**VTD: UNV005**  
**VTD: UNV006**  
**VTD: UNV007**  
**VTD: UNV008**  
**VTD: UNV009**  
**VTD: UNV010**  
**VTD: UNV011**  
**VTD: UNV012**  
**VTD: UNV013**  
**VTD: UNV014**  
**VTD: UNV015**  
**VTD: UNV016**  
**VTD: UNV017**  
**VTD: UNV018**  
**VTD: UNV019**

**VTD: UNV020**

**VTD: UNV021**

**VTD: UNV022**

**VTD: UNV023**

**VTD: UNV024**

**VTD: UNV025**

**VTD: UNV026**

**VTD: UNV027**

**VTD: UNV028**

**VTD: UNV029**

**VTD: UNV030**

**VTD: UNV031 (part)**

**Block: 291892158002000**

**Block: 291892158002009**

**Block: 291892158002017**

**Block: 291892158005031**

**Block: 291892158005032**

**Block: 291892158005033**

**Block: 291892158005034**

**Block: 291892158005035**

**Block: 291892158005037**

**Block: 291892158005038**

**Block: 291892158005039**

**Block: 291892158005040**

**Block: 291892158006008**

**Block: 291892158006009**

**Block: 291892158006010**

**Block: 291892158006011**

**Block: 291892158006013**

**Block: 291892158006014**

**Block: 291892158006017**

**VTD: UNV032**

**VTD: UNV033**

**VTD: UNV034**

**VTD: UNV035**

**VTD: UNV036**

**VTD: UNV037**

**VTD: UNV038**

**VTD: UNV039**

**VTD: UNV040**

**VTD: UNV041**

**VTD: UNV042**

**VTD: UNV043**

**VTD: UNV044**

**VTD: UNV045**

**VTD: UNV046**

**VTD: UNV047**

**VTD: UNV048**

**VTD: UNV049**

**VTD: UNV200**

**VTD: UNV201**

**VTD: UNV205**

**VTD: UNV206**

**VTD: UNV208”**; and

Further amend said bill, Pages 22 to 65, Section 128.452, Lines 2 to 1842, by deleting all of said lines and inserting in lieu thereof the following:

**“Jefferson MO County (part)**

**VTD: Arnold No. 1**

**VTD: Arnold No. 2 (part)**

**Block: 290997001101038**

**Block: 290997001101039**

**Block: 290997001101040**

**Block: 290997001101041**

**Block: 290997001101043**

**Block: 290997001101044**

**Block: 290997001101045**

**Block: 290997001101046**

**Block: 290997001101047**

**Block: 290997001101048**

**Block: 290997001101049**

**Block: 290997001101053**

**Block: 290997001103015**

**Block: 290997001103016**

**Block: 290997001103018**

**Block: 290997001103019**

**Block: 290997001103020**

**Block: 290997001103021**

**Block: 290997001103024**

**Block: 290997001103025**

**Block: 290997001103026**

**Block: 290997001103027**

**Block: 290997001103030**

**Block: 290997001103031**

**Block: 290997001132000**

**Block: 290997001132001**

**Block: 290997001132004**

**Block: 290997001132005**

**Block: 290997001132006**

**Block: 290997001132029**

**Block: 290997001141000**

**Block: 290997001141001**

**Block: 290997001141002**

**Block: 290997001141003**

**Block: 290997001141006**

**Block: 290997001141007**

**Block: 290997001141008**

**Block: 290997001141009**

**Block: 290997001141010**

**Block: 290997001141011**

**Block: 290997001141012**

**Block: 290997001141013**

**Block: 290997001141018**

**Block: 290997001141092**

**Block: 290997001151000**

**Block: 290997001151001**

**Block: 290997001151002**

**Block: 290997001151003**

**Block: 290997001151004**

Block: 290997001151006  
Block: 290997001151007  
Block: 290997001151008  
Block: 290997001151009  
Block: 290997001151010  
Block: 290997001151011  
Block: 290997001151012  
Block: 290997001151013  
Block: 290997001151014  
Block: 290997001151015  
Block: 290997001151016  
Block: 290997001151017  
Block: 290997001151018  
Block: 290997001152000  
Block: 290997001152001  
Block: 290997001152002  
Block: 290997001152003  
Block: 290997001152008  
Block: 290997001152009  
Block: 290997001152010  
Block: 290997001152030  
Block: 290997001152031  
Block: 290997001153000  
Block: 290997001153001  
Block: 290997001153005  
Block: 290997001153013  
Block: 290997001153028  
Block: 290997001153029  
Block: 290997001153031  
Block: 290997001172000  
Block: 290997001172003  
Block: 290997001172004  
Block: 290997001172011  
Block: 290997001172012  
Block: 290997001172013  
Block: 290997001172014



**Block: 290997001172015**

**Block: 290997001172016**

**Block: 290997001172017**

**Block: 290997001172018**

**Block: 290997001172019**

**Block: 290997001172020**

**Block: 290997001172021**

**Block: 290997001172022**

**Block: 290997001172023**

**Block: 290997001172026**

**Block: 290997001172027**

**Block: 290997001172028**

**Block: 290997001172029**

**Block: 290997001172030**

**Block: 290997001172031**

**Block: 290997001172032**

**Block: 290997001172033**

**Block: 290997001172034**

**Block: 290997001172035**

**Block: 290997001172036**

**Block: 290997001172051**

**Block: 290997001172052**

**Block: 290997001172053**

**Block: 290997001173009**

**Block: 290997001183000**

**Block: 290997001183001**

**Block: 290997001183002**

**Block: 290997001183003**

**Block: 290997001183005**

**Block: 290997001183006**

**Block: 290997001183007**

**Block: 290997001183008**

**Block: 290997001183009**

**Block: 290997001183010**

**Block: 290997001183011**

**Block: 290997001183012**

**Block: 290997001184002**

**Block: 290997001184009**

**Block: 290997001184010**

**Block: 290997001184011**

**VTD: Arnold No. 3**

**VTD: Arnold No. 4**

**VTD: High Ridge 3-2**

**VTD: High Ridge No. 1**

**VTD: Maxville No. 1**

**VTD: Maxville No. 2 (part)**

**Block: 290997001132002**

**Block: 290997001132003**

**Block: 290997001132007**

**Block: 290997001132008**

**Block: 290997001132009**

**Block: 290997001132014**

**Block: 290997001132015**

**Block: 290997001132016**

**Block: 290997001132017**

**Block: 290997001132018**

**Block: 290997001132026**

**Block: 290997001132027**

**Block: 290997001132028**

**Block: 290997001132030**

**Block: 290997001172001**

**VTD: Meramec Heights**

**VTD: Murphy No. 1**

**VTD: Murphy No. 2**

**VTD: Murphy No. 3**

**VTD: Parkdale**

**VTD: Rock Creek No. 1 (part)**

**Block: 290997002091000**

**Block: 290997002091001**

**Block: 290997002091002**

**Block: 290997002091003**

**Block: 290997002091004**

**Block: 290997002091005**

**Block: 290997002091006**

**Block: 290997002091007**

**Block: 290997002091008**

**Block: 290997002091009**

**Block: 290997002091010**

**Block: 290997002091011**

**Block: 290997002091012**

**Block: 290997002091013**

**Block: 290997002091014**

**Block: 290997002091015**

**Block: 290997002091020**

**Block: 290997002091021**

**Block: 290997002091022**

**Block: 290997002091023**

**Block: 290997002091024**

**Block: 290997002091025**

**Block: 290997002091026**

**Block: 290997002091030**

**Block: 290997002091031**

**Block: 290997002091032**

**Block: 290997002091033**

**Block: 290997002091034**

**Block: 290997002091035**

**Block: 290997002091036**

**Block: 290997002091037**

**Block: 290997002091038**

**Block: 290997002091039**

**Block: 290997002111044**

**Block: 290997002111045**

**Block: 290997002111046**

**VTD: Rock Creek No. 2 (part)**

**Block: 290997002063008**

**Block: 290997002091016**

**Block: 290997002091017**

**Block: 290997002091018**

**Block: 290997002091019**

**Block: 290997002091027**

**Block: 290997002091028**

**Block: 290997002091029**

**Block: 290997002091040**

**VTD: Romaine Creek**

**VTD: Saline**

**VTD: Springdale**

**St. Charles MO County (part)**

**VTD: 083-Woodcliff**

**VTD: 084-Harvester**

**VTD: 085-Sycamore**

**VTD: 086-Arlington**

**VTD: 091-Katy Trail**

**VTD: 101-Graybridge**

**VTD: 111-Woodstream**

**VTD: 124-Rabbit Run**

**VTD: 129-Parkwood**

**VTD: 130-Lakes**

**VTD: 139-Discovery**

**VTD: 143-All Saints**

**VTD: 144-Fox**

**VTD: 146-St. Jude**

**VTD: 147-Cottleville**

**VTD: 150-Timberwood**

**VTD: 152-Woodglen**

**VTD: 154-Wheatfield**

**VTD: 155-Green Forest**

**VTD: 156-Oaks**

**VTD: 170-Starbuck**

**VTD: 206-Monticello**

**VTD: 207-Carriage Hills**

**VTD: 208-Twin Chimneys**

**VTD: 211-Summerset**

**VTD: 212-Canvas Cove**

**VTD: 215-Coachman**

**VTD: 218-DuVall**

**VTD: 219-Westfield**

**VTD: 220-Pitman**

**VTD: 221-Weldon Spring**

**VTD: 222-New Melle**

**VTD: 225-Augusta**

**VTD: 227-Whitmoor**

**VTD: 228-Shoshone**

**VTD: 229-Callaway**

**VTD: 230-Claybrook**

**VTD: 231-Wolfrum**

**VTD: 234-Windcastle**

**St. Louis MO County (part)**

**VTD: BON001**

**VTD: BON002**

**VTD: BON003**

**VTD: BON004**

**VTD: BON005**

**VTD: BON006**

**VTD: BON007**

**VTD: BON008**

**VTD: BON009**

**VTD: BON010**

**VTD: BON011**

**VTD: BON012**

**VTD: BON013**

**VTD: BON014**

**VTD: BON015**

**VTD: BON016**

**VTD: BON017**

**VTD: BON018**

**VTD: BON019**

**VTD: BON020**

**VTD: BON021**

**VTD: BON022**

**VTD: BON023**

VTD: BON024  
VTD: BON025  
VTD: BON026  
VTD: BON027  
VTD: BON028  
VTD: BON029  
VTD: BON030  
VTD: BON031  
VTD: BON032  
VTD: BON033  
VTD: BON034  
VTD: BON035  
VTD: BON036  
VTD: BON037  
VTD: BON038  
VTD: BON039  
VTD: BON040  
VTD: BON041  
VTD: BON042  
VTD: BON043  
VTD: BON044  
VTD: BON045  
VTD: BON046  
VTD: BON047  
VTD: BON048  
VTD: BON202  
VTD: BON203  
VTD: BON206  
VTD: BON207  
VTD: BON210  
VTD: BON211  
VTD: CC001  
VTD: CC002  
VTD: CC003  
VTD: CC004  
VTD: CC005

**VTD: CC006**

**VTD: CC007**

**VTD: CC008**

**VTD: CC009**

**VTD: CC010**

**VTD: CC011**

**VTD: CC012 (part)**

**Block: 291892155004012**

**Block: 291892155004016**

**Block: 291892155004017**

**Block: 291892155004021**

**Block: 291892155004023**

**VTD: CC014**

**VTD: CC016**

**VTD: CC017**

**VTD: CC018 (part)**

**Block: 291892150031011**

**Block: 291892150031016**

**Block: 291892150031017**

**Block: 291892150031019**

**Block: 291892150031025**

**VTD: CC023**

**VTD: CC024**

**VTD: CC030**

**VTD: CC031**

**VTD: CC032**

**VTD: CC033**

**VTD: CC035**

**VTD: CC036**

**VTD: CC037**

**VTD: CC041**

**VTD: CC044**

**VTD: CC045**

**VTD: CC047**

**VTD: CC049**

**VTD: CC050**

**VTD: CC051**

**VTD: CC052**

**VTD: CC053 (part)**

**Block: 291892150031042**

**Block: 291892150041015**

**Block: 291892150041016**

**Block: 291892150052005**

**Block: 291892150052006**

**Block: 291892150052007**

**Block: 291892150052008**

**Block: 291892150052010**

**Block: 291892150052011**

**Block: 291892150053000**

**Block: 291892150053001**

**Block: 291892150053010**

**Block: 291892150053011**

**Block: 291892150053012**

**VTD: CC055**

**VTD: CC056**

**VTD: CC058 (part)**

**Block: 291892150051010**

**Block: 291892150051013**

**Block: 291892150051014**

**Block: 291892150052017**

**Block: 291892150052018**

**Block: 291892150052020**

**Block: 291892150052021**

**Block: 291892150052022**

**Block: 291892150052023**

**Block: 291892150052024**

**Block: 291892150052025**

**Block: 291892150052026**

**Block: 291892150053021**

**Block: 291892150053028**

**Block: 291892150053029**

**Block: 291892150053030**



**Block: 291892150054012**

**Block: 291892150054013**

**Block: 291892153011000**

**Block: 291892153011001**

**Block: 291892153011002**

**Block: 291892153011003**

**Block: 291892155001016**

**Block: 291892155001017**

**Block: 291892156001048**

**Block: 291892156001049**

**Block: 291892156001054**

**VTD: CC059**

**VTD: CC061 (part)**

**Block: 291892155004020**

**VTD: CC062 (part)**

**Block: 291892155004013**

**Block: 291892155004018**

**Block: 291892155004019**

**Block: 291892155004022**

**Block: 291892155004024**

**VTD: CC203 (part)**

**Block: 291892156001022**

**Block: 291892156001023**

**Block: 291892156001026**

**Block: 291892156001027**

**VTD: CC206**

**VTD: CC208**

**VTD: CC214**

**VTD: CC216**

**VTD: CHE001**

**VTD: CHE002**

**VTD: CHE003**

**VTD: CHE004**

**VTD: CHE005**

**VTD: CHE006**

**VTD: CHE007**

VTD: CHE008  
VTD: CHE009  
VTD: CHE010  
VTD: CHE011  
VTD: CHE012  
VTD: CHE013  
VTD: CHE014  
VTD: CHE015  
VTD: CHE016  
VTD: CHE017  
VTD: CHE018  
VTD: CHE019  
VTD: CHE020  
VTD: CHE021  
VTD: CHE022  
VTD: CHE023  
VTD: CHE024  
VTD: CHE025  
VTD: CHE026  
VTD: CHE027  
VTD: CHE028  
VTD: CHE029  
VTD: CHE030  
VTD: CHE031  
VTD: CHE032  
VTD: CHE033  
VTD: CHE035  
VTD: CHE036  
VTD: CHE037  
VTD: CHE038  
VTD: CHE039  
VTD: CHE040  
VTD: CHE041  
VTD: CHE042  
VTD: CHE043  
VTD: CHE044

**VTD: CHE045**

**VTD: CHE046**

**VTD: CHE047**

**VTD: CHE048**

**VTD: CHE049**

**VTD: CHE050**

**VTD: CHE051**

**VTD: CHE052**

**VTD: CHE053**

**VTD: CHE054**

**VTD: CHE055**

**VTD: CHE056**

**VTD: CHE200**

**VTD: CHE203**

**VTD: CHE204**

**VTD: CHE209**

**VTD: CHE212**

**VTD: CHE214**

**VTD: CHE215**

**VTD: CLA002**

**VTD: CLA003 (part)**

**Block: 291892164001000**

**Block: 291892164001001**

**Block: 291892164001003**

**Block: 291892164001004**

**Block: 291892164001007**

**Block: 291892164001008**

**Block: 291892164001014**

**Block: 291892164002014**

**Block: 291892164002015**

**VTD: CLA004**

**VTD: CLA006**

**VTD: CLA007**

**VTD: CLA008**

**VTD: CLA009**

**VTD: CLA010**

**VTD: CLA011 (part)****Block: 291892165001000****Block: 291892165001001****Block: 291892165001002****Block: 291892165001003****Block: 291892165001004****Block: 291892165001006****Block: 291892165001007****Block: 291892165001008****Block: 291892165001009****Block: 291892165001010****Block: 291892165001011****Block: 291892165001012****Block: 291892165001013****Block: 291892165001014****Block: 291892165001015****Block: 291892165001016****Block: 291892165001017****Block: 291892165001018****Block: 291892165001019****Block: 291892165002003****Block: 291892165002004****Block: 291892165002016****Block: 291892165002017****Block: 291892165002018****VTD: CLA012****VTD: CLA013****VTD: CLA014****VTD: CLA015 (part)****Block: 291892154002002****Block: 291892154002003****Block: 291892154002004****Block: 291892154002005****Block: 291892154002006****Block: 291892154002007****Block: 291892154002008**

**Block: 291892154002009**

**Block: 291892154002010**

**Block: 291892154002011**

**Block: 291892154002013**

**Block: 291892154002014**

**Block: 291892154002015**

**Block: 291892154002016**

**Block: 291892154002017**

**Block: 291892155004025**

**VTD: CLA016**

**VTD: CLA017**

**VTD: CLA018**

**VTD: CLA019**

**VTD: CLA020**

**VTD: CLA024**

**VTD: CLA025**

**VTD: CLA026**

**VTD: CLA027**

**VTD: CLA028**

**VTD: CLA029**

**VTD: CLA030**

**VTD: CLA031**

**VTD: CLA032**

**VTD: CLA033**

**VTD: CLA034**

**VTD: CLA035**

**VTD: CLA036**

**VTD: CLA037**

**VTD: CLA038**

**VTD: CLA039**

**VTD: CLA040**

**VTD: CLA041**

**VTD: CLA042**

**VTD: CLA043**

**VTD: CLA044**

**VTD: CLA045**

**VTD: CLA046**

**VTD: CLA047**

**VTD: CLA048**

**VTD: CLA049**

**VTD: CLA050 (part)**

**Block: 291892189004000**

**Block: 291892189004001**

**Block: 291892189004002**

**Block: 291892189004003**

**Block: 291892189004004**

**Block: 291892189004005**

**Block: 291892189004006**

**Block: 291892189004007**

**Block: 291892189004008**

**Block: 291892189004010**

**Block: 291892189004011**

**Block: 291892189004012**

**Block: 291892189004013**

**Block: 291892189004014**

**Block: 291892189004015**

**Block: 291892189004016**

**Block: 291892189004017**

**Block: 291892189004018**

**Block: 291892189004020**

**Block: 291892189004021**

**Block: 291892189004022**

**VTD: CLA053**

**VTD: CLA055**

**VTD: CLA057**

**VTD: CLA058**

**VTD: CLA059**

**VTD: CLA200**

**VTD: CLA204**

**VTD: CLA206**

**VTD: CLA207**

**VTD: CLA208**

VTD: CLA209  
VTD: CLA212  
VTD: CLA213  
VTD: CLA214  
VTD: CON001  
VTD: CON002  
VTD: CON003  
VTD: CON004  
VTD: CON005  
VTD: CON006  
VTD: CON007  
VTD: CON008  
VTD: CON009  
VTD: CON010  
VTD: CON011  
VTD: CON012  
VTD: CON013  
VTD: CON014  
VTD: CON015  
VTD: CON016  
VTD: CON017  
VTD: CON018  
VTD: CON019  
VTD: CON020  
VTD: CON021  
VTD: CON022  
VTD: CON023  
VTD: CON024  
VTD: CON025  
VTD: CON026  
VTD: CON027  
VTD: CON028  
VTD: CON029  
VTD: CON030  
VTD: CON031  
VTD: CON032

VTD: CON033  
VTD: CON034  
VTD: CON035  
VTD: CON036  
VTD: CON037  
VTD: CON038  
VTD: CON039  
VTD: CON040  
VTD: CON041  
VTD: CON042  
VTD: CON043  
VTD: CON044  
VTD: CON045  
VTD: CON046  
VTD: CON047  
VTD: CON048  
VTD: CON049  
VTD: CON050  
VTD: CON051  
VTD: CON052  
VTD: CON200  
VTD: CON201  
VTD: CON203  
VTD: CON204  
VTD: CON205  
VTD: GRA001  
VTD: GRA002  
VTD: GRA003  
VTD: GRA004  
VTD: GRA005  
VTD: GRA006  
VTD: GRA007  
VTD: GRA008  
VTD: GRA009  
VTD: GRA010  
VTD: GRA011



VTD: GRA012  
VTD: GRA013  
VTD: GRA014  
VTD: GRA015  
VTD: GRA016  
VTD: GRA017  
VTD: GRA018  
VTD: GRA019  
VTD: GRA020  
VTD: GRA021  
VTD: GRA022  
VTD: GRA023  
VTD: GRA024  
VTD: GRA025  
VTD: GRA026  
VTD: GRA028  
VTD: GRA029  
VTD: GRA030  
VTD: GRA031  
VTD: GRA032  
VTD: GRA033  
VTD: GRA034  
VTD: GRA035  
VTD: GRA036  
VTD: GRA037  
VTD: GRA038  
VTD: GRA039  
VTD: GRA040  
VTD: GRA041  
VTD: GRA042  
VTD: GRA043  
VTD: GRA044  
VTD: GRA045  
VTD: GRA046  
VTD: GRA047  
VTD: GRA048

**VTD: GRA049**

**VTD: GRA050**

**VTD: GRA051**

**VTD: GRA052**

**VTD: GRA053**

**VTD: GRA054**

**VTD: GRA055**

**VTD: GRA056**

**VTD: GRA202**

**VTD: GRA203**

**VTD: GRA204**

**VTD: GRA205**

**VTD: GRA206**

**VTD: GRA209**

**VTD: GRA210**

**VTD: JEF001**

**VTD: JEF002**

**VTD: JEF003**

**VTD: JEF004**

**VTD: JEF005**

**VTD: JEF006**

**VTD: JEF007**

**VTD: JEF008**

**VTD: JEF009**

**VTD: JEF010**

**VTD: JEF011**

**VTD: JEF012**

**VTD: JEF015**

**VTD: JEF016**

**VTD: JEF017 (part)**

**Block: 291892196001016**

**Block: 291892196001017**

**VTD: JEF018 (part)**

**Block: 291892191004014**

**Block: 291892191004015**

**Block: 291892191004016**

**Block: 291892191004017**

**Block: 291892192002013**

**Block: 291892192002014**

**Block: 291892195003000**

**Block: 291892196003002**

**Block: 291892196003013**

**Block: 291892196003014**

**Block: 291892196003018**

**VTD: JEF021**

**VTD: JEF022**

**VTD: JEF023 (part)**

**Block: 291892193002000**

**Block: 291892193002005**

**Block: 291892193002006**

**Block: 291892193002007**

**Block: 291892193002008**

**Block: 291892193002009**

**Block: 291892193002010**

**Block: 291892193002011**

**Block: 291892193002012**

**Block: 291892193002013**

**Block: 291892193002014**

**VTD: JEF025**

**VTD: JEF026**

**VTD: JEF027**

**VTD: JEF029**

**VTD: JEF030 (part)**

**Block: 291892195001001**

**Block: 291892195003001**

**Block: 291892195003002**

**Block: 291892195003003**

**Block: 291892195003004**

**Block: 291892195003005**

**Block: 291892195003006**

**Block: 291892195003007**

**Block: 291892195003008**

**Block: 291892195003009**

**Block: 291892195003010**

**Block: 291892195003011**

**Block: 291892195003012**

**Block: 291892195003013**

**Block: 291892195003014**

**Block: 291892195003015**

**Block: 291892195003016**

**Block: 291892195003017**

**Block: 291892195004000**

**Block: 291892195004002**

**Block: 291892195004003**

**VTD: JEF031**

**VTD: JEF032**

**VTD: JEF033**

**VTD: JEF034**

**VTD: JEF035**

**VTD: JEF036**

**VTD: JEF037**

**VTD: JEF038**

**VTD: JEF039**

**VTD: JEF040**

**VTD: JEF041**

**VTD: JEF042**

**VTD: JEF043**

**VTD: JEF044**

**VTD: JEF045**

**VTD: JEF046**

**VTD: JEF048 (part)**

**Block: 291892188003002**

**Block: 291892188003008**

**Block: 291892193002001**

**Block: 291892193002002**

**Block: 291892193002003**

**Block: 291892193002004**

**Block: 291892193002018**

**VTD: JEF049**

**VTD: JEF050**

**VTD: JEF200 (part)**

**Block: 291892196001014**

**Block: 291892196001015**

**Block: 291892196001018**

**Block: 291892196001019**

**VTD: JEF201**

**VTD: LAF001**

**VTD: LAF002**

**VTD: LAF003**

**VTD: LAF004**

**VTD: LAF005**

**VTD: LAF006**

**VTD: LAF007**

**VTD: LAF008**

**VTD: LAF009**

**VTD: LAF010**

**VTD: LAF011**

**VTD: LAF012**

**VTD: LAF013**

**VTD: LAF014**

**VTD: LAF015**

**VTD: LAF016**

**VTD: LAF017**

**VTD: LAF018**

**VTD: LAF019**

**VTD: LAF020**

**VTD: LAF021**

**VTD: LAF022**

**VTD: LAF023**

**VTD: LAF024**

**VTD: LAF025**

**VTD: LAF026**

**VTD: LAF027**

**VTD: LAF028**

**VTD: LAF029**  
**VTD: LAF030**  
**VTD: LAF031**  
**VTD: LAF032**  
**VTD: LAF033**  
**VTD: LAF034**  
**VTD: LAF035**  
**VTD: LAF036**  
**VTD: LAF037**  
**VTD: LAF038**  
**VTD: LAF039**  
**VTD: LAF040**  
**VTD: LAF041**  
**VTD: LAF042**  
**VTD: LAF043**  
**VTD: LAF044**  
**VTD: LAF201**  
**VTD: LAF205**  
**VTD: LAF207**  
**VTD: LEM001**  
**VTD: LEM002**  
**VTD: LEM003**  
**VTD: LEM004**  
**VTD: LEM005**  
**VTD: LEM006**  
**VTD: LEM007**  
**VTD: LEM008**  
**VTD: LEM009**  
**VTD: LEM010**  
**VTD: LEM011**  
**VTD: LEM012**  
**VTD: LEM013**  
**VTD: LEM014**  
**VTD: LEM015**  
**VTD: LEM016**  
**VTD: LEM017**

**VTD: LEM018**  
**VTD: LEM019**  
**VTD: LEM020**  
**VTD: LEM021**  
**VTD: LEM022**  
**VTD: LEM023**  
**VTD: LEM024**  
**VTD: LEM025**  
**VTD: LEM026**  
**VTD: LEM027**  
**VTD: LEM028**  
**VTD: LEM029**  
**VTD: LEM030**  
**VTD: LEM031**  
**VTD: LEM032**  
**VTD: LEM033**  
**VTD: LEM034**  
**VTD: LEM035**  
**VTD: LEM036**  
**VTD: LEM037**  
**VTD: LEM038**  
**VTD: LEM039**  
**VTD: LEM040**  
**VTD: LEM041**  
**VTD: LEM042**  
**VTD: LEM043**  
**VTD: LEM044**  
**VTD: LEM045**  
**VTD: LEM046**  
**VTD: LEM200**  
**VTD: LEM201**  
**VTD: LEM202**  
**VTD: LEM203**  
**VTD: LEM204**  
**VTD: LEM205**  
**VTD: LEM206**

VTD: LEM207  
VTD: MER001  
VTD: MER002  
VTD: MER003  
VTD: MER004  
VTD: MER005  
VTD: MER006  
VTD: MER007  
VTD: MER008  
VTD: MER009  
VTD: MER010  
VTD: MER011  
VTD: MER012  
VTD: MER013  
VTD: MER014  
VTD: MER015  
VTD: MER016  
VTD: MER017  
VTD: MER018  
VTD: MER019  
VTD: MER020  
VTD: MER021  
VTD: MER022  
VTD: MER023  
VTD: MER024  
VTD: MER025  
VTD: MER026  
VTD: MER027  
VTD: MER028  
VTD: MER029  
VTD: MER030  
VTD: MER031  
VTD: MER032  
VTD: MER033  
VTD: MER034  
VTD: MER035



**VTD: MER036**

**VTD: MER037**

**VTD: MER038**

**VTD: MER039**

**VTD: MER040**

**VTD: MER041**

**VTD: MER042**

**VTD: MER043**

**VTD: MER044**

**VTD: MER045**

**VTD: MER046**

**VTD: MER047**

**VTD: MER048**

**VTD: MER049**

**VTD: MER050**

**VTD: MER051**

**VTD: MER052**

**VTD: MER053**

**VTD: MER203**

**VTD: MER207**

**VTD: MER209**

**VTD: MER210**

**VTD: MER211**

**VTD: MER212**

**VTD: MER214**

**VTD: MER218**

**VTD: MER219**

**VTD: MHT001**

**VTD: MHT002**

**VTD: MHT003**

**VTD: MHT004**

**VTD: MHT005**

**VTD: MHT006**

**VTD: MHT007**

**VTD: MHT008**

**VTD: MHT009**

**VTD: MHT010**

**VTD: MHT011**

**VTD: MHT012**

**VTD: MHT013**

**VTD: MHT014**

**VTD: MHT015**

**VTD: MHT017**

**VTD: MHT018 (part)**

**Block: 291892132022002**

**Block: 291892132022003**

**Block: 291892132022004**

**Block: 291892132022006**

**Block: 291892132022007**

**Block: 291892132022008**

**Block: 291892132022009**

**Block: 291892132022014**

**Block: 291892132022015**

**Block: 291892132022016**

**Block: 291892132022017**

**Block: 291892132022018**

**VTD: MHT019**

**VTD: MHT020**

**VTD: MHT021**

**VTD: MHT022**

**VTD: MHT023**

**VTD: MHT024**

**VTD: MHT025**

**VTD: MHT026**

**VTD: MHT027**

**VTD: MHT028**

**VTD: MHT029**

**VTD: MHT030**

**VTD: MHT031**

**VTD: MHT032**

**VTD: MHT033**

**VTD: MHT034**

**VTD: MHT035**

**VTD: MHT036**

**VTD: MHT037**

**VTD: MHT038**

**VTD: MHT039**

**VTD: MHT040**

**VTD: MHT041**

**VTD: MHT042**

**VTD: MHT043**

**VTD: MHT044**

**VTD: MHT045**

**VTD: MHT046**

**VTD: MHT047**

**VTD: MHT048**

**VTD: MHT049**

**VTD: MHT200**

**VTD: MHT201**

**VTD: MHT202**

**VTD: MHT203**

**VTD: MHT209**

**VTD: MHT211**

**VTD: MHT212**

**VTD: MHT213**

**VTD: MHT214**

**VTD: MHT216**

**VTD: MHT218**

**VTD: MHT219**

**VTD: MID001 (part)**

**Block: 291892150011003**

**Block: 291892150011004**

**Block: 291892150011005**

**Block: 291892150011048**

**Block: 291892150011049**

**VTD: MID057**

**VTD: MID200**

**VTD: MID201**

**VTD: MID207 (part)**

**Block: 291892150011047**

**Block: 291892150011098**

**VTD: MR001**

**VTD: MR002**

**VTD: MR003**

**VTD: MR004**

**VTD: MR005**

**VTD: MR006**

**VTD: MR007**

**VTD: MR008**

**VTD: MR009**

**VTD: MR010**

**VTD: MR011**

**VTD: MR012**

**VTD: MR013**

**VTD: MR014**

**VTD: MR015**

**VTD: MR016**

**VTD: MR017**

**VTD: MR018**

**VTD: MR019**

**VTD: MR020**

**VTD: MR021**

**VTD: MR022**

**VTD: MR023**

**VTD: MR024**

**VTD: MR025**

**VTD: MR026**

**VTD: MR027**

**VTD: MR028**

**VTD: MR029**

**VTD: MR030**

**VTD: MR031**

**VTD: MR032**

**VTD: MR033**

**VTD: MR034**  
**VTD: MR035**  
**VTD: MR036**  
**VTD: MR037**  
**VTD: MR038**  
**VTD: MR039**  
**VTD: MR040**  
**VTD: MR041**  
**VTD: MR042**  
**VTD: MR043**  
**VTD: MR044**  
**VTD: MR045**  
**VTD: MR046**  
**VTD: MR047**  
**VTD: MR048**  
**VTD: MR049**  
**VTD: MR050**  
**VTD: MR051**  
**VTD: MR052**  
**VTD: MR053**  
**VTD: MR054**  
**VTD: MR055**  
**VTD: MR056**  
**VTD: MR057**  
**VTD: MR058**  
**VTD: MR059**  
**VTD: MR060**  
**VTD: MR061**  
**VTD: MR062**  
**VTD: MR063**  
**VTD: MR064**  
**VTD: MR065**  
**VTD: MR066**  
**VTD: MR067**  
**VTD: MR068**  
**VTD: MR069**

**VTD: MR070**

**VTD: MR071**

**VTD: MR072**

**VTD: MR073**

**VTD: MR074**

**VTD: MR075**

**VTD: MR076**

**VTD: MR077**

**VTD: MR078**

**VTD: MR079**

**VTD: MR080**

**VTD: MR200**

**VTD: MR202**

**VTD: MR203**

**VTD: MR206**

**VTD: MR209**

**VTD: NW006**

**VTD: NW007**

**VTD: NW008 (part)**

**Block: 291892113332000**

**Block: 291892113341003**

**Block: 291892113341016**

**Block: 291892113341017**

**Block: 291892113341018**

**Block: 291892113341032**

**VTD: NW009**

**VTD: NW013 (part)**

**Block: 291892151431006**

**Block: 291892151431007**

**Block: 291892151431008**

**Block: 291892151431009**

**Block: 291892151431010**

**Block: 291892151431011**

**Block: 291892151431012**

**Block: 291892151431013**

**Block: 291892151431014**

**Block: 291892151431015**

**Block: 291892151431016**

**Block: 291892151431017**

**Block: 291892151431018**

**Block: 291892151431019**

**Block: 291892151431020**

**Block: 291892151431021**

**Block: 291892151431022**

**Block: 291892151431023**

**Block: 291892151431024**

**Block: 291892151431025**

**Block: 291892151431026**

**Block: 291892151431033**

**Block: 291892151431034**

**Block: 291892151431035**

**Block: 291892151431037**

**Block: 291892151431038**

**Block: 291892151431040**

**Block: 291892151431042**

**Block: 291892151431054**

**Block: 291892151431055**

**Block: 291892151431056**

**Block: 291892151431057**

**Block: 291892151431058**

**Block: 291892151431059**

**Block: 291892151431061**

**Block: 291892151431063**

**Block: 291892151431064**

**Block: 291892151431065**

**Block: 291892151431066**

**Block: 291892151431067**

**Block: 291892151431068**

**Block: 291892151431069**

**Block: 291892151431070**

**Block: 291892151431071**

**Block: 291892151431072**

**Block: 291892151431073**

**Block: 291892151431074**

**Block: 291892151431075**

**Block: 291892151431076**

**Block: 291892151431077**

**Block: 291892151431078**

**Block: 291892151431079**

**Block: 291892151431080**

**Block: 291892151431081**

**Block: 291892151431087**

**Block: 291892151431089**

**Block: 291892151431091**

**Block: 291892151431092**

**VTD: NW015**

**VTD: NW018**

**VTD: NW019 (part)**

**Block: 291892132025000**

**Block: 291892132025019**

**Block: 291892132025021**

**Block: 291892151432024**

**VTD: NW021**

**VTD: NW022**

**VTD: NW023**

**VTD: NW024**

**VTD: NW025 (part)**

**Block: 291892114013002**

**Block: 291892114013003**

**Block: 291892114013040**

**VTD: NW027**

**VTD: NW029**

**VTD: NW030 (part)**

**Block: 291892114013012**

**Block: 291892114013013**

**Block: 291892114013030**

**VTD: NW032 (part)**

**Block: 291892131021049**



**Block: 291892131021050**

**Block: 291892131021052**

**Block: 291892131021053**

**Block: 291892131021054**

**Block: 291892131021059**

**Block: 291892131021090**

**Block: 291892131021091**

**Block: 291892131021092**

**Block: 291892131021093**

**Block: 291892131021102**

**Block: 291892131021103**

**Block: 291892131021112**

**Block: 291892131021113**

**Block: 291892131021115**

**Block: 291892151431002**

**Block: 291892151431005**

**VTD: NW033**

**VTD: NW035**

**VTD: NW036**

**VTD: NW038**

**VTD: NW039**

**VTD: NW040**

**VTD: NW041**

**VTD: NW042 (part)**

**Block: 291892131021048**

**Block: 291892131021094**

**Block: 291892131021095**

**Block: 291892131021096**

**Block: 291892131021097**

**Block: 291892131021098**

**Block: 291892131021099**

**Block: 291892131021100**

**Block: 291892131022041**

**Block: 291892131022049**

**Block: 291892131022050**

**Block: 291892131022051**

**Block: 291892131022052**

**Block: 291892131022053**

**Block: 291892131022054**

**Block: 291892131022057**

**VTD: NW044**

**VTD: NW046**

**VTD: NW048 (part)**

**Block: 291892114013004**

**Block: 291892114013005**

**Block: 291892114013006**

**Block: 291892114013014**

**Block: 291892114013015**

**Block: 291892114013016**

**Block: 291892114013017**

**Block: 291892114013018**

**Block: 291892114013019**

**Block: 291892114013020**

**Block: 291892114013021**

**Block: 291892114013022**

**Block: 291892114013023**

**Block: 291892114013024**

**Block: 291892114013025**

**Block: 291892114013026**

**Block: 291892114013027**

**Block: 291892114013031**

**Block: 291892114013032**

**Block: 291892114013033**

**Block: 291892114013039**

**VTD: NW052**

**VTD: NW206 (part)**

**Block: 291892151431052**

**VTD: NW208**

**VTD: NW209**

**VTD: NW210**

**VTD: NW213**

**VTD: NW215**

VTD: NW231  
VTD: OAK001  
VTD: OAK002  
VTD: OAK003  
VTD: OAK004  
VTD: OAK005  
VTD: OAK006  
VTD: OAK007  
VTD: OAK008  
VTD: OAK009  
VTD: OAK010  
VTD: OAK011  
VTD: OAK012  
VTD: OAK013  
VTD: OAK014  
VTD: OAK015  
VTD: OAK016  
VTD: OAK017  
VTD: OAK018  
VTD: OAK019  
VTD: OAK020  
VTD: OAK021  
VTD: OAK022  
VTD: OAK023  
VTD: OAK024  
VTD: OAK025  
VTD: OAK026  
VTD: OAK027  
VTD: OAK028  
VTD: OAK029  
VTD: OAK030  
VTD: OAK031  
VTD: OAK032  
VTD: OAK033  
VTD: OAK034  
VTD: OAK035

VTD: OAK036  
VTD: OAK037  
VTD: QUE001  
VTD: QUE002  
VTD: QUE003  
VTD: QUE004  
VTD: QUE005  
VTD: QUE006  
VTD: QUE007  
VTD: QUE008  
VTD: QUE009  
VTD: QUE010  
VTD: QUE011  
VTD: QUE012  
VTD: QUE013  
VTD: QUE014  
VTD: QUE015  
VTD: QUE016  
VTD: QUE017  
VTD: QUE018  
VTD: QUE019  
VTD: QUE020  
VTD: QUE021  
VTD: QUE022  
VTD: QUE023  
VTD: QUE024  
VTD: QUE025  
VTD: QUE026  
VTD: QUE027  
VTD: QUE028  
VTD: QUE029  
VTD: QUE030  
VTD: QUE031  
VTD: QUE032  
VTD: QUE033  
VTD: QUE034

**VTD: QUE035**

**VTD: QUE036**

**VTD: QUE037**

**VTD: QUE038**

**VTD: QUE039**

**VTD: QUE040**

**VTD: QUE041**

**VTD: QUE042**

**VTD: QUE043**

**VTD: QUE044**

**VTD: QUE045**

**VTD: QUE046**

**VTD: QUE047**

**VTD: QUE048**

**VTD: QUE049**

**VTD: QUE050**

**VTD: QUE051**

**VTD: QUE201**

**VTD: QUE202**

**VTD: QUE204**

**VTD: QUE209**

**VTD: QUE210**

**VTD: QUE211**

**VTD: QUE212**

**VTD: QUE215**

**VTD: QUE216**

**VTD: QUE217**

**VTD: TSF001**

**VTD: TSF002**

**VTD: TSF003**

**VTD: TSF004**

**VTD: TSF005**

**VTD: TSF006**

**VTD: TSF007**

**VTD: TSF008**

**VTD: TSF009**

**VTD: TSF010**

**VTD: TSF011**

**VTD: TSF012**

**VTD: TSF013**

**VTD: TSF014**

**VTD: TSF015**

**VTD: TSF016**

**VTD: TSF017**

**VTD: TSF018**

**VTD: TSF019**

**VTD: TSF020**

**VTD: TSF021**

**VTD: TSF022**

**VTD: TSF023**

**VTD: TSF024**

**VTD: TSF025**

**VTD: TSF026**

**VTD: TSF027**

**VTD: TSF028**

**VTD: TSF029**

**VTD: TSF030**

**VTD: TSF031**

**VTD: TSF032**

**VTD: TSF207**

**VTD: TSF208**

**VTD: UNV031 (part)**

**Block: 291892158005036**

**VTD: WH001**

**VTD: WH002**

**VTD: WH003**

**VTD: WH004**

**VTD: WH005**

**VTD: WH006**

**VTD: WH007**

**VTD: WH008**

**VTD: WH009**

VTD: WH010  
VTD: WH011  
VTD: WH012  
VTD: WH013  
VTD: WH014  
VTD: WH015  
VTD: WH016  
VTD: WH017  
VTD: WH018  
VTD: WH019  
VTD: WH020  
VTD: WH021  
VTD: WH022  
VTD: WH023  
VTD: WH024  
VTD: WH025  
VTD: WH026  
VTD: WH027  
VTD: WH028  
VTD: WH029  
VTD: WH030  
VTD: WH031  
VTD: WH032  
VTD: WH033  
VTD: WH034  
VTD: WH035  
VTD: WH036  
VTD: WH037  
VTD: WH038  
VTD: WH039  
VTD: WH040  
VTD: WH041  
VTD: WH042  
VTD: WH043  
VTD: WH044  
VTD: WH045

**VTD: WH046**

**VTD: WH047**

**VTD: WH048**

**VTD: WH049**

**VTD: WH050**

**VTD: WH051**

**VTD: WH205**

**VTD: WH208**

**VTD: WH209**

**VTD: WH212**

**Warren MO County (part)**

**VTD: Concord Hill**

**VTD: Dutzow**

**VTD: Holstein**

**VTD: Hopewell**

**VTD: Innsbrook**

**VTD: Lake Sherwood**

**VTD: Marthasville**

**VTD: North Hickory Grove (part)**

**Block: 292198201032077**

**Block: 292198201032078**

**Block: 292198201032086**

**Block: 292198201032101**

**Block: 292198201033013**

**Block: 292198201033014**

**Block: 292198201033015**

**Block: 292198201033016**

**Block: 292198201033017**

**Block: 292198201033018**

**Block: 292198201033019**

**Block: 292198201033020**

**Block: 292198201033021**

**Block: 292198201033022**

**Block: 292198201033023**

**Block: 292198201033024**

**Block: 292198201033025**



**Block: 292198201033026**

**Block: 292198201033027**

**Block: 292198201033028**

**Block: 292198201033029**

**Block: 292198201033030**

**Block: 292198201033031**

**Block: 292198201033032**

**Block: 292198201033033**

**Block: 292198201033037**

**Block: 292198201033038**

**Block: 292198201033041**

**Block: 292198201033044**

**Block: 292198201033045**

**Block: 292198201033097**

**Block: 292198201033098**

**Block: 292198201033099**

**Block: 292198201033100**

**Block: 292198201033101**

**Block: 292198201033102**

**Block: 292198201033103**

**Block: 292198201033104**

**Block: 292198201033105**

**Block: 292198201033106**

**Block: 292198201033107**

**Block: 292198201033108**

**Block: 292198201033109**

**Block: 292198201033110**

**Block: 292198201033111**

**Block: 292198201033112**

**Block: 292198201033113**

**Block: 292198201033114**

**Block: 292198201033117**

**Block: 292198201033118**

**Block: 292198201033125**

**Block: 292198201033126**

**Block: 292198201033127**

**Block: 292198201033128**

**VTD: Smith Creek**

**VTD: South Hickory Grove**

**VTD: Wright City Ward 1 (part)**

**Block: 292198201032062**

**Block: 292198201032063**

**VTD: Wright City Ward 2 (part)**

**Block: 292198201032072**

**Block: 292198201033040”;** and

Further amend said bill, Pages 65 to 74, Section 128.453, Lines 2 to 385, by deleting all of said lines and inserting in lieu thereof the following:

**“Audrain MO County**

**Callaway MO County**

**Camden MO County (part)**

**VTD: Barnumton**

**VTD: Camdenton 1**

**VTD: Camdenton 2**

**VTD: Camdenton 3**

**VTD: Climax Springs (part)**

**Block: 290299507001000**

**Block: 290299507001002**

**Block: 290299507001004**

**Block: 290299507001006**

**Block: 290299507001007**

**Block: 290299507001008**

**Block: 290299507001009**

**Block: 290299507001010**

**Block: 290299507001011**

**Block: 290299507001012**

**Block: 290299507001013**

**Block: 290299507001014**

**Block: 290299507001015**

**Block: 290299507001016**

**Block: 290299507001017**

**Block: 290299507001018**

**Block: 290299507001019**

**Block: 290299507001020**

**Block: 290299507001021**

**Block: 290299507001022**

**Block: 290299507001023**

**Block: 290299507001024**

**Block: 290299507001025**

**Block: 290299507001026**

**Block: 290299507001027**

**Block: 290299507001028**

**Block: 290299507001029**

**Block: 290299507001030**

**Block: 290299507001031**

**Block: 290299507001032**

**Block: 290299507001033**

**Block: 290299507001034**

**Block: 290299507001035**

**Block: 290299507001036**

**Block: 290299507001037**

**Block: 290299507001038**

**Block: 290299507001040**

**Block: 290299507001079**

**Block: 290299507001080**

**Block: 290299507001082**

**Block: 290299507001083**

**Block: 290299507001085**

**Block: 290299507001087**

**Block: 290299507001088**

**Block: 290299507001115**

**Block: 290299507001116**

**Block: 290299507001117**

**Block: 290299507001118**

**Block: 290299507001119**

**Block: 290299507001125**

**Block: 290299507001128**

**Block: 290299507001130**

**Block: 290299507001131**

Block: 290299507001132  
Block: 290299507001135  
Block: 290299507001136  
Block: 290299507001139  
Block: 290299507001140  
Block: 290299507001141  
Block: 290299507001146  
Block: 290299507001147  
Block: 290299507001148  
Block: 290299507001149  
Block: 290299507001151  
Block: 290299507001152  
Block: 290299507001153  
Block: 290299507001154  
Block: 290299507001155  
Block: 290299507001156  
Block: 290299507001157  
Block: 290299507001158  
Block: 290299507001159  
Block: 290299507001160  
Block: 290299507001161  
Block: 290299507001162  
Block: 290299507001163  
Block: 290299507001164  
Block: 290299507001165  
Block: 290299507001166  
Block: 290299507001167  
Block: 290299507001168  
Block: 290299507001169  
Block: 290299507001170  
Block: 290299507001171  
Block: 290299507001172  
Block: 290299507001173  
Block: 290299507001174  
Block: 290299507002006  
Block: 290299507002007

**Block: 290299507002008**

**Block: 290299507002009**

**Block: 290299507002010**

**Block: 290299507002011**

**Block: 290299507002012**

**Block: 290299507002022**

**Block: 290299507002023**

**Block: 290299507002026**

**Block: 290299507002027**

**Block: 290299507002054**

**Block: 290299507002055**

**Block: 290299507002058**

**Block: 290299507002122**

**Block: 290299507002124**

**Block: 290299507002127**

**Block: 290299507002128**

**Block: 290299508002041**

**Block: 290299508002042**

**Block: 290299508002043**

**Block: 290299508002048**

**Block: 290299508002049**

**Block: 290299508002050**

**Block: 290299508002051**

**VTD: Decaturville**

**VTD: Freedom**

**VTD: Greenview**

**VTD: Ha Ha Tonka**

**VTD: Hillhouse**

**VTD: Horseshoe Bend**

**VTD: Linn Creek**

**VTD: Macks Creek**

**VTD: Montreal**

**VTD: Osage Beach 1**

**VTD: Osage Beach 2**

**VTD: Osage Beach 3**

**VTD: Roach**

**VTD: Stoutland**

**VTD: Sunny Slope**

**VTD: Sunrise Beach 1**

**VTD: Sunrise Beach 2**

**VTD: Sunrise Beach 3**

**VTD: Wilson Bend**

**Cole MO County**

**Franklin MO County (part)**

**VTD: BEAUFORT- LYON**

**VTD: BERGER OUT OF TOWN**

**VTD: BERGER WARD 1**

**VTD: BERGER WARD 2**

**VTD: CATAWISSA**

**VTD: CLOVER BOTTOM EAST**

**VTD: CLOVER BOTTOM WEST**

**VTD: DETMOLD**

**VTD: EXCELSIOR**

**VTD: GILDEHAUS**

**VTD: GRAY SUMMIT**

**VTD: JAEGER'S SHOP**

**VTD: KRAKOW**

**VTD: LABADIE**

**VTD: LYON**

**VTD: NEW HAVEN WARD 1**

**VTD: NEW HAVEN WARD 2**

**VTD: PACIFIC OUT OF TOWN**

**VTD: PACIFIC WARD 1**

**VTD: PACIFIC WARD 2**

**VTD: PACIFIC WARD 3**

**VTD: PRAIRIE DELL (part)**

**Block: 290718006023000**

**Block: 290718006023001**

**Block: 290718006023002**

**Block: 290718006023003**

**Block: 290718006023004**

**Block: 290718006023005**

**Block: 290718006023006**

**Block: 290718006023018**

**Block: 290718006023021**

**Block: 290718006023023**

**Block: 290718006023025**

**Block: 290718006023029**

**Block: 290718006023035**

**Block: 290718006023038**

**Block: 290718006023039**

**Block: 290718006023040**

**Block: 290718006023051**

**Block: 290718006023052**

**Block: 290718006023053**

**Block: 290718006023058**

**Block: 290718006023059**

**Block: 290718006023060**

**Block: 290718006023061**

**Block: 290718006023062**

**Block: 290718006023063**

**Block: 290718006023064**

**Block: 290718006023065**

**Block: 290718006023066**

**Block: 290718006023067**

**Block: 290718006023068**

**Block: 290718006023069**

**Block: 290718006023070**

**Block: 290718006023072**

**Block: 290718006023073**

**Block: 290718006023076**

**Block: 290718006023077**

**Block: 290718006023078**

**Block: 290718006023082**

**Block: 290718006023083**

**Block: 290718006023084**

**Block: 290718006023088**

**Block: 290718006023097**

Block: 290718006023098  
Block: 290718006023099  
Block: 290718006023100  
Block: 290718006023101  
Block: 290718006023102  
Block: 290718006023103  
Block: 290718006023104  
Block: 290718006023105  
Block: 290718006024000  
Block: 290718006024001  
Block: 290718006024002  
Block: 290718006024003  
Block: 290718006024004  
Block: 290718006024005  
Block: 290718006024006  
Block: 290718006024007  
Block: 290718006024008  
Block: 290718006024009  
Block: 290718006024013  
Block: 290718006024014  
Block: 290718006024020  
Block: 290718006024021  
Block: 290718006024022  
Block: 290718006024023  
Block: 290718006024024  
Block: 290718006024028  
Block: 290718006024029  
Block: 290718006024030  
Block: 290718006024032  
Block: 290718006024034  
Block: 290718006024035  
Block: 290718006024037  
Block: 290718006024045  
Block: 290718006024046  
Block: 290718006024047  
Block: 290718006024048



**Block: 290718006024049**

**Block: 290718006024050**

**Block: 290718006024051**

**Block: 290718006024053**

**Block: 290718006024054**

**Block: 290718006024055**

**Block: 290718006024059**

**Block: 290718006024060**

**Block: 290718006024061**

**Block: 290718006024068**

**Block: 290718006024071**

**Block: 290718006024072**

**Block: 290718006024074**

**Block: 290718006024075**

**Block: 290718006024076**

**Block: 290718006024085**

**Block: 290718008001026**

**Block: 290718008001027**

**Block: 290718008001029**

**Block: 290718008001030**

**Block: 290718008001031**

**Block: 290718008001032**

**Block: 290718008001033**

**Block: 290718008001034**

**Block: 290718008001035**

**Block: 290718008001036**

**Block: 290718008001037**

**Block: 290718008001038**

**Block: 290718008001039**

**Block: 290718008001040**

**Block: 290718008001041**

**Block: 290718008001042**

**Block: 290718008001044**

**Block: 290718008001045**

**Block: 290718008002012**

**Block: 290718008002036**

**Block: 290718008002037**

**Block: 290718008002038**

**Block: 290718008002039**

**Block: 290718008002040**

**Block: 290718008002041**

**Block: 290718008002042**

**Block: 290718008002051**

**Block: 290718008002062**

**Block: 290718008002066**

**VTD: ROBERTSVILLE**

**VTD: SOUTH POINT**

**VTD: ST ALBANS**

**VTD: UNION OUT OF TOWN (part)**

**Block: 290718001004069**

**Block: 290718001004071**

**Block: 290718004024058**

**Block: 290718004024059**

**Block: 290718004024060**

**Block: 290718005005058**

**Block: 290718005005073**

**Block: 290718006011008**

**Block: 290718006011018**

**Block: 290718006011020**

**Block: 290718006011021**

**Block: 290718006011028**

**Block: 290718006011029**

**Block: 290718006011030**

**Block: 290718006011031**

**Block: 290718006011032**

**Block: 290718006011033**

**Block: 290718006011034**

**Block: 290718006011035**

**Block: 290718006011037**

**Block: 290718006012006**

**Block: 290718006012010**

**Block: 290718006012011**

**Block: 290718006012012**

**Block: 290718006012013**

**Block: 290718006012014**

**Block: 290718006012015**

**Block: 290718006012016**

**Block: 290718006012032**

**Block: 290718006012033**

**Block: 290718006012034**

**Block: 290718006012035**

**Block: 290718006012037**

**Block: 290718006012052**

**Block: 290718006012063**

**Block: 290718006012064**

**Block: 290718006012065**

**Block: 290718006014090**

**Block: 290718006021000**

**Block: 290718006021001**

**Block: 290718006021002**

**Block: 290718006021003**

**Block: 290718006021004**

**Block: 290718006021005**

**Block: 290718006021006**

**Block: 290718006021009**

**Block: 290718006021012**

**Block: 290718006021013**

**Block: 290718006021014**

**Block: 290718006021018**

**Block: 290718006021019**

**Block: 290718006021020**

**Block: 290718006021021**

**Block: 290718006021025**

**Block: 290718006021035**

**Block: 290718006021036**

**Block: 290718006021037**

**Block: 290718006021038**

**Block: 290718006021039**

**Block: 290718006021040**

**Block: 290718006021043**

**Block: 290718006021044**

**Block: 290718006021047**

**Block: 290718006021051**

**Block: 290718006021066**

**Block: 290718006021068**

**Block: 290718006021069**

**Block: 290718006021070**

**Block: 290718006021076**

**Block: 290718006022012**

**Block: 290718006022013**

**Block: 290718006022016**

**Block: 290718006022017**

**VTD: UNION WARD 1**

**VTD: UNION WARD 2**

**VTD: UNION WARD 3**

**VTD: UNION WARD 4**

**VTD: VILLA RIDGE**

**VTD: WASHINGTON WARD 1**

**VTD: WASHINGTON WARD 2**

**VTD: WASHINGTON WARD 3**

**VTD: WASHINGTON WARD 4**

**VTD: YEATES**

**VTD: ZIEGENMEYER**

**Gasconade MO County**

**Jefferson MO County (part)**

**VTD: Antonia No. 1**

**VTD: Antonia No. 2**

**VTD: Arnold No. 2 (part)**

**Block: 290997001103017**

**Block: 290997001103022**

**Block: 290997001103023**

**Block: 290997001152032**

**Block: 290997001172037**

**VTD: Barnhart No. 1**

**VTD: Barnhart No. 2**  
**VTD: Byrnes Mill Ward 1**  
**VTD: Byrnes Mill Ward 2**  
**VTD: Byrnes Mill Ward 3**  
**VTD: Byrnesville**  
**VTD: Cedar Hill Lakes**  
**VTD: Cedar Hill No. 1**  
**VTD: Cedar Hill No. 2**  
**VTD: Flamm City**  
**VTD: Goldman No. 1**  
**VTD: Grubville No. 1**  
**VTD: Grubville No. 2**  
**VTD: High Ridge 3-1**  
**VTD: High Ridge No. 2**  
**VTD: Hillsboro P-1 (part)**  
**Block: 290997005024002**  
**Block: 290997005024004**  
**Block: 290997005024005**  
**Block: 290997005024006**  
**Block: 290997005024007**  
**Block: 290997005024008**  
**Block: 290997005024009**  
**Block: 290997005024010**  
**Block: 290997005024011**  
**Block: 290997005024012**  
**Block: 290997005024013**  
**Block: 290997005024014**  
**Block: 290997005024015**  
**Block: 290997005024016**  
**Block: 290997005024017**  
**Block: 290997005024018**  
**Block: 290997005024019**  
**Block: 290997005024020**  
**Block: 290997005024021**  
**Block: 290997005024022**  
**Block: 290997005024023**

Block: 290997005024024  
Block: 290997005024025  
Block: 290997005024026  
Block: 290997005024027  
Block: 290997005024028  
Block: 290997005024030  
Block: 290997005024031  
Block: 290997005024032  
Block: 290997005024033  
Block: 290997005024034  
Block: 290997005024035  
Block: 290997005024036  
Block: 290997005024037  
Block: 290997005024038  
Block: 290997005024039  
Block: 290997005024041  
Block: 290997005024046  
Block: 290997005024047  
Block: 290997005024048  
Block: 290997005024050  
Block: 290997005024051  
Block: 290997005024052  
Block: 290997005024053  
Block: 290997005024054  
Block: 290997005024055  
Block: 290997005024056  
Block: 290997005024057  
Block: 290997005024058  
Block: 290997005024059  
Block: 290997005024060  
Block: 290997005024061  
Block: 290997005024062  
Block: 290997005024063  
Block: 290997005024064  
Block: 290997005024065  
Block: 290997005024066

**Block: 290997005024067**

**Block: 290997005024068**

**Block: 290997005024069**

**Block: 290997005024070**

**Block: 290997005024071**

**Block: 290997005024072**

**Block: 290997005024073**

**Block: 290997005024074**

**Block: 290997005024075**

**Block: 290997005024076**

**Block: 290997005024077**

**Block: 290997005024078**

**Block: 290997005024079**

**Block: 290997005024080**

**Block: 290997005024081**

**Block: 290997005024114**

**Block: 290997005024115**

**Block: 290997005024116**

**Block: 290997005024119**

**Block: 290997005024120**

**Block: 290997005024121**

**Block: 290997011011001**

**Block: 290997011011003**

**Block: 290997011011004**

**VTD: Hoene Springs**

**VTD: House Springs 1-1**

**VTD: House Springs 1-2**

**VTD: House Springs No. 2**

**VTD: Imperial No. 1**

**VTD: Imperial No. 2**

**VTD: Imperial No. 3**

**VTD: Jefferson Heights**

**VTD: Kimmswick**

**VTD: Lake Tishomingo (part)**

**Block: 290997005021009**

**Block: 290997005021010**

Block: 290997005021011  
Block: 290997005021012  
Block: 290997005021013  
Block: 290997005021014  
Block: 290997005021015  
Block: 290997005021016  
Block: 290997005021017  
Block: 290997005021018  
Block: 290997005021019  
Block: 290997005021020  
Block: 290997005021021  
Block: 290997005021022  
Block: 290997005021025  
Block: 290997005021026  
Block: 290997005021027  
Block: 290997005021028  
Block: 290997005021029  
Block: 290997005021030  
Block: 290997005021031  
Block: 290997005021032  
Block: 290997005021039  
Block: 290997005021040  
Block: 290997005023010  
Block: 290997005023011  
Block: 290997005023012  
Block: 290997005023013  
Block: 290997005023014  
Block: 290997005023016  
Block: 290997005023018  
Block: 290997005023020  
Block: 290997005023021  
Block: 290997005023022  
Block: 290997005023023  
Block: 290997005023024  
Block: 290997005023025  
Block: 290997005023026



**Block: 290997005023027**

**Block: 290997005023028**

**Block: 290997005023029**

**Block: 290997005023048**

**Block: 290997005024000**

**Block: 290997005024001**

**Block: 290997005024003**

**Block: 290997005043016**

**Block: 290997005043017**

**Block: 290997011021030**

**Block: 290997011021031**

**VTD: Mapaville (part)**

**Block: 290997006041052**

**Block: 290997006041053**

**Block: 290997006041054**

**Block: 290997006041055**

**Block: 290997006041099**

**Block: 290997006041100**

**Block: 290997006042000**

**Block: 290997006042001**

**Block: 290997006042002**

**Block: 290997006042003**

**Block: 290997006042004**

**Block: 290997006042010**

**Block: 290997006042011**

**Block: 290997006042012**

**Block: 290997006042013**

**Block: 290997006042014**

**Block: 290997006042015**

**Block: 290997006042016**

**Block: 290997006042017**

**Block: 290997006042022**

**Block: 290997006042023**

**Block: 290997006042024**

**Block: 290997006042025**

**Block: 290997006042026**

**Block: 290997006042027**

**Block: 290997006042028**

**Block: 290997006042029**

**Block: 290997006042030**

**Block: 290997006042031**

**Block: 290997006042033**

**Block: 290997006042036**

**Block: 290997006042038**

**Block: 290997006052006**

**Block: 290997006052007**

**Block: 290997006052008**

**Block: 290997006052009**

**Block: 290997006052010**

**Block: 290997006052011**

**Block: 290997006052012**

**Block: 290997006052013**

**Block: 290997006052014**

**Block: 290997006052020**

**Block: 290997006052021**

**Block: 290997006052023**

**Block: 290997006052024**

**Block: 290997006052036**

**VTD: Maxville No. 2 (part)**

**Block: 290997001132010**

**Block: 290997001132011**

**Block: 290997001132012**

**Block: 290997001132013**

**Block: 290997001132019**

**Block: 290997001132020**

**Block: 290997001132021**

**Block: 290997001132022**

**Block: 290997001132023**

**Block: 290997001132024**

**Block: 290997001132025**

**Block: 290997001161000**

**Block: 290997001161001**

**Block: 290997001161002**

**Block: 290997001161003**

**Block: 290997001161004**

**Block: 290997001161005**

**Block: 290997001161006**

**Block: 290997001161007**

**Block: 290997001161008**

**Block: 290997001161009**

**Block: 290997001161010**

**Block: 290997001161011**

**Block: 290997001161012**

**Block: 290997001161013**

**Block: 290997001161014**

**Block: 290997001161015**

**Block: 290997001161016**

**Block: 290997001161017**

**Block: 290997001161018**

**Block: 290997001162000**

**Block: 290997001162001**

**Block: 290997001162002**

**Block: 290997001162003**

**Block: 290997001162004**

**Block: 290997001162005**

**Block: 290997001162006**

**Block: 290997001162007**

**Block: 290997001172002**

**Block: 290997001172005**

**Block: 290997001172006**

**Block: 290997001172007**

**Block: 290997001172008**

**Block: 290997001172009**

**Block: 290997001172010**

**Block: 290997001172024**

**Block: 290997001172025**

**Block: 290997001172038**

**Block: 290997001172039**

**Block: 290997001172040**

**Block: 290997001172041**

**Block: 290997001172042**

**Block: 290997001172043**

**Block: 290997001172044**

**Block: 290997001172045**

**Block: 290997001172046**

**Block: 290997001172047**

**Block: 290997001172048**

**Block: 290997001172049**

**Block: 290997001172050**

**Block: 290997001172054**

**Block: 290997001172055**

**Block: 290997001172056**

**Block: 290997001172057**

**VTD: McNamee R-1**

**VTD: Meramec Valley/McNamee**

**VTD: Miller**

**VTD: Rock Creek No. 1 (part)**

**Block: 290997002062004**

**Block: 290997002111047**

**VTD: Rock Creek No. 2 (part)**

**Block: 290997002061000**

**Block: 290997002061001**

**Block: 290997002061002**

**Block: 290997002061003**

**Block: 290997002061004**

**Block: 290997002061005**

**Block: 290997002061006**

**Block: 290997002061007**

**Block: 290997002061008**

**Block: 290997002061009**

**Block: 290997002061010**

**Block: 290997002061019**

**Block: 290997002061020**

**Block: 290997002061021**

**Block: 290997002061022**

**Block: 290997002061023**

**Block: 290997002061026**

**Block: 290997002061034**

**Block: 290997002061035**

**Block: 290997002061036**

**Block: 290997002061037**

**Block: 290997002061057**

**Block: 290997002062000**

**Block: 290997002062001**

**Block: 290997002062005**

**Block: 290997002062006**

**Block: 290997002062008**

**Block: 290997002062009**

**Block: 290997002062010**

**Block: 290997002063000**

**Block: 290997002063001**

**Block: 290997002063002**

**Block: 290997002063003**

**Block: 290997002063004**

**Block: 290997002063005**

**Block: 290997002063006**

**Block: 290997002063007**

**Block: 290997002063009**

**Block: 290997002063010**

**Block: 290997002063011**

**Block: 290997002063012**

**Block: 290997002063013**

**Block: 290997002063014**

**Block: 290997002063015**

**Block: 290997002063016**

**Block: 290997002063017**

**Block: 290997002063018**

**Block: 290997002063019**

**VTD: Rock Creek No. 3**

**VTD: Rockwood-6/Hoene Springs**

**VTD: Rockwood-6/McNamee**

**VTD: Scotsdale**

**VTD: Ware (part)**

**Block: 290997005021033**

**Block: 290997005021034**

**Block: 290997005021035**

**Block: 290997005021036**

**Block: 290997005021041**

**Block: 290997005021042**

**Block: 290997005021043**

**Block: 290997005024042**

**Block: 290997005024043**

**Block: 290997005024044**

**Block: 290997005024045**

**Block: 290997011011000**

**Block: 290997011011002**

**Block: 290997011011006**

**Block: 290997011011012**

**Block: 290997011021023**

**Block: 290997011021024**

**Block: 290997011021025**

**Block: 290997011021026**

**Block: 290997011021032**

**Block: 290997011021033**

**Block: 290997011021034**

**Block: 290997011021035**

**Block: 290997011021036**

**Block: 290997011021037**

**Block: 290997011021038**

**Block: 290997011021039**

**Block: 290997011021041**

**Block: 290997011021042**

**Block: 290997011021044**

**Block: 290997011021054**

**Block: 290997011021055**

**Block: 290997011021056**

**Block: 290997011021057**

**Block: 290997011021058**

**Block: 290997011021066**

**Block: 290997011021067**

**Block: 290997011021068**

**Block: 290997011022000**

**Block: 290997011022001**

**Block: 290997011022002**

**Block: 290997011022003**

**Block: 290997011022004**

**Block: 290997011022005**

**Block: 290997011022006**

**Block: 290997011022007**

**Block: 290997011022008**

**Block: 290997011022009**

**Block: 290997011022010**

**Block: 290997011022011**

**Block: 290997011022012**

**Block: 290997011022013**

**Block: 290997011022014**

**Block: 290997011022015**

**Block: 290997011022016**

**Block: 290997011022017**

**Block: 290997011022018**

**Block: 290997011022019**

**Block: 290997011022020**

**Block: 290997011023000**

**Block: 290997011023001**

**Block: 290997011023002**

**Block: 290997011023003**

**Block: 290997011023004**

**Block: 290997011023005**

**Block: 290997011023006**

**Block: 290997011023007**

**Block: 290997011023011**

**Block: 290997011023036**

Block: 290997011023037  
Block: 290997011023038  
Block: 290997011023039  
Block: 290997011023040  
Block: 290997011023041  
Block: 290997011023042  
Block: 290997011023043  
Block: 290997011023044  
Block: 290997011023046  
Block: 290997011023048  
Block: 290997011023049  
Block: 290997011024000  
Block: 290997011024001  
Block: 290997011024002  
Block: 290997011024003  
Block: 290997011024004  
Block: 290997011024005  
Block: 290997011024006  
Block: 290997011024007  
Block: 290997011024008  
Block: 290997011024009  
Block: 290997011024010  
Block: 290997011024011  
Block: 290997011024012  
Block: 290997011024013  
Block: 290997011024014  
Block: 290997011024015  
Block: 290997011024016  
Block: 290997011024017  
Block: 290997011024018  
Block: 290997011024019  
Block: 290997011024020  
Block: 290997011024021  
Block: 290997011024026  
Block: 290997011024027  
Block: 290997011024028



**Block: 290997011024030**

**VTD: Windsor**

**Lincoln MO County**

**Maries MO County**

**Miller MO County**

**Montgomery MO County**

**Osage MO County**

**St. Charles MO County (part)**

**VTD: 001-Kampville**

**VTD: 004-Orchard Farm**

**VTD: 005-Rivers**

**VTD: 014-Lincoln**

**VTD: 015-Washington**

**VTD: 016-Montclair**

**VTD: 021-Truman**

**VTD: 022-Cheshire**

**VTD: 024-Wilshire**

**VTD: 025-Shirewood**

**VTD: 028-Treetop**

**VTD: 031-Sibley**

**VTD: 033-Canary**

**VTD: 034-McNair**

**VTD: 036-Sun Lake**

**VTD: 041-Government**

**VTD: 043-Marina**

**VTD: 045-Mamelle**

**VTD: 047-Covilli**

**VTD: 051-St. Cletus**

**VTD: 054-Coverdell**

**VTD: 056-Edgewood**

**VTD: 057-Hanover**

**VTD: 062-Adams**

**VTD: 063-St. Andrews**

**VTD: 071-Fairways**

**VTD: 080-Heritage**

**VTD: 100-McClay**

**VTD: 102-Tanglewood**  
**VTD: 103-Cave Springs**  
**VTD: 104-Hi Point**  
**VTD: 106-Spencer**  
**VTD: 107-Oak Creek**  
**VTD: 113-Briarhill**  
**VTD: 121-St. Marys**  
**VTD: 122-Mid Rivers**  
**VTD: 126-Meadow Valley**  
**VTD: 128-Fairmount**  
**VTD: 131-Shadow Creek**  
**VTD: 132-Country Hill**  
**VTD: 140-Laura Hill**  
**VTD: 145-Salt Lick**  
**VTD: 148-Winds**  
**VTD: 149-Sunny Hill**  
**VTD: 151-Glengate**  
**VTD: 153-Aspen**  
**VTD: 157-Patriot**  
**VTD: 159-Hillcrest**  
**VTD: 160-Harmony**  
**VTD: 161-Montbrook**  
**VTD: 162-Elks**  
**VTD: 163-Civic**  
**VTD: 165-St. Paul**  
**VTD: 166-Mount Hope**  
**VTD: 167-Morningside**  
**VTD: 169-Highgrove**  
**VTD: 173-Turtle Creek**  
**VTD: 181-Community**  
**VTD: 182-Evergreen**  
**VTD: 183-Foristell**  
**VTD: 184-Flint Hill**  
**VTD: 185-Josephville**  
**VTD: 186-Twin Oaks**  
**VTD: 187-Fairview**

**VTD: 189-Pioneer**

**VTD: 190-Peine**

**VTD: 193-Delmar**

**VTD: 194-Amber Meadows**

**VTD: 196-Phoenix**

**VTD: 197-Feise**

**VTD: 198-Cedar**

**VTD: 199-Regatta Bay**

**VTD: 200-Normandy**

**VTD: 202-Ridgepoint**

**VTD: 203-Fieldcrest**

**VTD: 205-Bayfield**

**VTD: 210-Freymuth**

**VTD: 213-Bryan**

**VTD: 214-Hawk Ridge**

**VTD: 217-Keystone**

**VTD: 226-Hopewell**

**Warren MO County (part)**

**VTD: Elkhorn North**

**VTD: Elkhorn South**

**VTD: Gore - Case**

**VTD: Macedonia**

**VTD: North Hickory Grove (part)**

**Block: 292198201031000**

**Block: 292198201031001**

**Block: 292198201031002**

**Block: 292198201031003**

**Block: 292198201031004**

**Block: 292198201031005**

**Block: 292198201031006**

**Block: 292198201031007**

**Block: 292198201031008**

**Block: 292198201031009**

**Block: 292198201031010**

**Block: 292198201031011**

**Block: 292198201031012**

**Block: 292198201031013**  
**Block: 292198201031014**  
**Block: 292198201031015**  
**Block: 292198201031016**  
**Block: 292198201031017**  
**Block: 292198201031018**  
**Block: 292198201031019**  
**Block: 292198201031020**  
**Block: 292198201031021**  
**Block: 292198201031022**  
**Block: 292198201031023**  
**Block: 292198201031024**  
**Block: 292198201031025**  
**Block: 292198201031026**  
**Block: 292198201031027**  
**Block: 292198201031029**  
**Block: 292198201031030**  
**Block: 292198201031031**  
**Block: 292198201031032**  
**Block: 292198201031033**  
**Block: 292198201031034**  
**Block: 292198201031035**  
**Block: 292198201031036**  
**Block: 292198201031037**  
**Block: 292198201031038**  
**Block: 292198201031039**  
**Block: 292198201031040**  
**Block: 292198201031041**  
**Block: 292198201031042**  
**Block: 292198201031043**  
**Block: 292198201031044**  
**Block: 292198201031045**  
**Block: 292198201031046**  
**Block: 292198201031047**  
**Block: 292198201031048**  
**Block: 292198201031049**

**Block: 292198201031050**

**Block: 292198201031051**

**Block: 292198201031052**

**Block: 292198201031053**

**Block: 292198201031054**

**Block: 292198201031055**

**Block: 292198201031056**

**Block: 292198201031057**

**Block: 292198201031058**

**Block: 292198201031059**

**Block: 292198201031060**

**Block: 292198201031061**

**Block: 292198201031062**

**Block: 292198201031063**

**Block: 292198201031064**

**Block: 292198201031065**

**Block: 292198201031066**

**Block: 292198201031067**

**Block: 292198201031068**

**Block: 292198201031069**

**Block: 292198201031071**

**Block: 292198201031073**

**Block: 292198201031074**

**Block: 292198201031075**

**Block: 292198201031076**

**Block: 292198201031077**

**Block: 292198201031096**

**Block: 292198201031097**

**Block: 292198201031098**

**Block: 292198201031099**

**Block: 292198201031100**

**Block: 292198201031101**

**Block: 292198201031102**

**Block: 292198201031103**

**Block: 292198201031104**

**Block: 292198201031105**

Block: 292198201031106  
Block: 292198201031107  
Block: 292198201031108  
Block: 292198201031109  
Block: 292198201031110  
Block: 292198201031111  
Block: 292198201031112  
Block: 292198201031113  
Block: 292198201031114  
Block: 292198201031115  
Block: 292198201031116  
Block: 292198201031117  
Block: 292198201031118  
Block: 292198201031119  
Block: 292198201031120  
Block: 292198201031121  
Block: 292198201031122  
Block: 292198201031123  
Block: 292198201031124  
Block: 292198201031125  
Block: 292198201031126  
Block: 292198201031127  
Block: 292198201031128  
Block: 292198201031129  
Block: 292198201031130  
Block: 292198201031131  
Block: 292198201031132  
Block: 292198201031133  
Block: 292198201031134  
Block: 292198201031135  
Block: 292198201031136  
Block: 292198201031137  
Block: 292198201031138  
Block: 292198201031139  
Block: 292198201031140  
Block: 292198201031141

**Block: 292198201031142**

**Block: 292198201031143**

**Block: 292198201031144**

**Block: 292198201031145**

**Block: 292198201031146**

**Block: 292198201031147**

**Block: 292198201031148**

**Block: 292198201031149**

**Block: 292198201031150**

**Block: 292198201031151**

**Block: 292198201031152**

**Block: 292198201031153**

**Block: 292198201031154**

**Block: 292198201031155**

**Block: 292198201031156**

**Block: 292198201031157**

**Block: 292198201031158**

**Block: 292198201031159**

**Block: 292198201031160**

**Block: 292198201031161**

**Block: 292198201031162**

**Block: 292198201031163**

**Block: 292198201031164**

**Block: 292198201031165**

**Block: 292198201031166**

**Block: 292198201031167**

**Block: 292198201031168**

**Block: 292198201031169**

**Block: 292198201031170**

**Block: 292198201031171**

**Block: 292198201031172**

**Block: 292198201031173**

**Block: 292198201031174**

**Block: 292198201031175**

**Block: 292198201031176**

**Block: 292198201031177**

Block: 292198201031178  
Block: 292198201031179  
Block: 292198201031180  
Block: 292198201031181  
Block: 292198201031182  
Block: 292198201031183  
Block: 292198201031184  
Block: 292198201031185  
Block: 292198201031186  
Block: 292198201031187  
Block: 292198201031188  
Block: 292198201031189  
Block: 292198201031190  
Block: 292198201031191  
Block: 292198201031192  
Block: 292198201031193  
Block: 292198201031194  
Block: 292198201031195  
Block: 292198201031199  
Block: 292198201031200  
Block: 292198201031201  
Block: 292198201031202  
Block: 292198201031203  
Block: 292198201031204  
Block: 292198201031205  
Block: 292198201031206  
Block: 292198201031207  
Block: 292198201031208  
Block: 292198201031209  
Block: 292198201031210  
Block: 292198201031211  
Block: 292198201031212  
Block: 292198201031213  
Block: 292198201031214  
Block: 292198201031215  
Block: 292198201031216



Block: 292198201031217  
Block: 292198201031220  
Block: 292198201031221  
Block: 292198201031222  
Block: 292198201031223  
Block: 292198201031224  
Block: 292198201031225  
Block: 292198201031226  
Block: 292198201031227  
Block: 292198201031228  
Block: 292198201031229  
Block: 292198201031230  
Block: 292198201031231  
Block: 292198201031232  
Block: 292198201031233  
Block: 292198201031234  
Block: 292198201031235  
Block: 292198201031236  
Block: 292198201031237  
Block: 292198201031238  
Block: 292198201031239  
Block: 292198201031240  
Block: 292198201031241  
Block: 292198201031242  
Block: 292198201031243  
Block: 292198201031246  
Block: 292198201031247  
Block: 292198201031250  
Block: 292198201031251  
Block: 292198201031252  
Block: 292198201031253  
Block: 292198201031266  
Block: 292198201031267  
Block: 292198201032066  
Block: 292198201032098  
Block: 292198201032099

Block: 292198201033000  
Block: 292198201033001  
Block: 292198201033002  
Block: 292198201033006  
Block: 292198201033007  
Block: 292198201033008  
Block: 292198201033009  
Block: 292198201033010  
Block: 292198201033011  
Block: 292198201033012  
Block: 292198201033035  
Block: 292198201033042  
Block: 292198201033043  
Block: 292198201033046  
Block: 292198201033047  
Block: 292198201033048  
Block: 292198201033049  
Block: 292198201033050  
Block: 292198201033053  
Block: 292198201033054  
Block: 292198201033055  
Block: 292198201033056  
Block: 292198201033057  
Block: 292198201033058  
Block: 292198201033059  
Block: 292198201033060  
Block: 292198201033061  
Block: 292198201033062  
Block: 292198201033063  
Block: 292198201033064  
Block: 292198201033065  
Block: 292198201033066  
Block: 292198201033067  
Block: 292198201033068  
Block: 292198201033069  
Block: 292198201033070

**Block: 292198201033071**

**Block: 292198201033072**

**Block: 292198201033073**

**Block: 292198201033074**

**Block: 292198201033075**

**Block: 292198201033076**

**Block: 292198201033077**

**Block: 292198201033078**

**Block: 292198201033079**

**Block: 292198201033080**

**Block: 292198201033081**

**Block: 292198201033082**

**Block: 292198201033083**

**Block: 292198201033084**

**Block: 292198201033085**

**Block: 292198201033086**

**Block: 292198201033087**

**Block: 292198201033088**

**Block: 292198201033089**

**Block: 292198201033090**

**Block: 292198201033091**

**Block: 292198201033092**

**Block: 292198201033093**

**Block: 292198201033094**

**Block: 292198201033095**

**Block: 292198201033096**

**Block: 292198201033119**

**Block: 292198201033120**

**Block: 292198201033121**

**Block: 292198201033122**

**Block: 292198201033123**

**Block: 292198201033124**

**Block: 292198201033130**

**Block: 292198201033131**

**VTD: Pendleton**

**VTD: Truesdale**

**VTD: Walnut Grove**

**VTD: Warrenton Ward 1**

**VTD: Warrenton Ward 2**

**VTD: Warrenton Ward 3**

**VTD: Weeks**

**VTD: Wright City Ward 1 (part)**

**Block: 292198201031070**

**Block: 292198201031072**

**Block: 292198201031078**

**Block: 292198201031079**

**Block: 292198201031080**

**Block: 292198201031081**

**Block: 292198201031082**

**Block: 292198201031083**

**Block: 292198201031084**

**Block: 292198201031085**

**Block: 292198201031086**

**Block: 292198201031087**

**Block: 292198201031088**

**Block: 292198201031089**

**Block: 292198201031090**

**Block: 292198201031091**

**Block: 292198201031092**

**Block: 292198201031093**

**Block: 292198201031094**

**Block: 292198201031095**

**Block: 292198201031196**

**Block: 292198201031197**

**Block: 292198201031198**

**Block: 292198201031218**

**Block: 292198201031219**

**Block: 292198201031244**

**Block: 292198201031245**

**Block: 292198201031248**

**Block: 292198201031249**

**Block: 292198201031254**

**Block: 292198201031255**

**Block: 292198201031256**

**Block: 292198201031257**

**Block: 292198201031258**

**Block: 292198201031259**

**Block: 292198201031260**

**Block: 292198201031261**

**Block: 292198201031262**

**Block: 292198201031263**

**Block: 292198201031264**

**Block: 292198201031265**

**Block: 292198201032000**

**Block: 292198201032001**

**Block: 292198201032002**

**Block: 292198201032003**

**Block: 292198201032004**

**Block: 292198201032005**

**Block: 292198201032006**

**Block: 292198201032007**

**Block: 292198201032008**

**Block: 292198201032009**

**Block: 292198201032010**

**Block: 292198201032011**

**Block: 292198201032012**

**Block: 292198201032013**

**Block: 292198201032014**

**Block: 292198201032015**

**Block: 292198201032016**

**Block: 292198201032017**

**Block: 292198201032018**

**Block: 292198201032019**

**Block: 292198201032020**

**Block: 292198201032021**

**Block: 292198201032022**

**Block: 292198201032023**

**Block: 292198201032024**

Block: 292198201032025  
Block: 292198201032026  
Block: 292198201032027  
Block: 292198201032028  
Block: 292198201032029  
Block: 292198201032030  
Block: 292198201032031  
Block: 292198201032032  
Block: 292198201032033  
Block: 292198201032034  
Block: 292198201032035  
Block: 292198201032036  
Block: 292198201032037  
Block: 292198201032038  
Block: 292198201032039  
Block: 292198201032040  
Block: 292198201032041  
Block: 292198201032042  
Block: 292198201032043  
Block: 292198201032044  
Block: 292198201032045  
Block: 292198201032046  
Block: 292198201032047  
Block: 292198201032048  
Block: 292198201032049  
Block: 292198201032050  
Block: 292198201032051  
Block: 292198201032052  
Block: 292198201032053  
Block: 292198201032054  
Block: 292198201032055  
Block: 292198201032056  
Block: 292198201032057  
Block: 292198201032058  
Block: 292198201032059  
Block: 292198201032060

**Block: 292198201032061**

**Block: 292198201032064**

**Block: 292198201032065**

**Block: 292198201032067**

**Block: 292198201032068**

**Block: 292198201032069**

**Block: 292198201032070**

**Block: 292198201032071**

**Block: 292198201033003**

**Block: 292198201033004**

**Block: 292198201033005**

**VTD: Wright City Ward 2 (part)**

**Block: 292198201032073**

**Block: 292198201032074**

**Block: 292198201032075**

**Block: 292198201032076**

**Block: 292198201032079**

**Block: 292198201032080**

**Block: 292198201032081**

**Block: 292198201032082**

**Block: 292198201032083**

**Block: 292198201032084**

**Block: 292198201032085**

**Block: 292198201032087**

**Block: 292198201032088**

**Block: 292198201032089**

**Block: 292198201032090**

**Block: 292198201032091**

**Block: 292198201032092**

**Block: 292198201032093**

**Block: 292198201032094**

**Block: 292198201032095**

**Block: 292198201032096**

**Block: 292198201032097**

**Block: 292198201032100**

**Block: 292198201033034**

**Block: 292198201033036**

**Block: 292198201033039**

**Block: 292198201033051**

**Block: 292198201033052**

**Block: 292198201033129”**; and

Further amend said bill, Pages 74 to 93, Section 128.454, Lines 2 to 824, by deleting all of said lines and inserting in lieu thereof the following:

**“Barton MO County**

**Bates MO County**

**Benton MO County**

**Boone MO County**

**Camden MO County (part)**

**VTD: Climax Springs (part)**

**Block: 290299507001001**

**Block: 290299507001003**

**Block: 290299507001005**

**Block: 290299507001039**

**Block: 290299507001041**

**Block: 290299507001042**

**Block: 290299507001043**

**Block: 290299507001044**

**Block: 290299507001045**

**Block: 290299507001046**

**Block: 290299507001047**

**Block: 290299507001048**

**Block: 290299507001049**

**Block: 290299507001050**

**Block: 290299507001051**

**Block: 290299507001052**

**Block: 290299507001053**

**Block: 290299507001054**

**Block: 290299507001055**

**Block: 290299507001056**

**Block: 290299507001057**

**Block: 290299507001058**

**Block: 290299507001059**



**Block: 290299507001060**

**Block: 290299507001061**

**Block: 290299507001062**

**Block: 290299507001063**

**Block: 290299507001064**

**Block: 290299507001065**

**Block: 290299507001066**

**Block: 290299507001067**

**Block: 290299507001068**

**Block: 290299507001069**

**Block: 290299507001070**

**Block: 290299507001071**

**Block: 290299507001072**

**Block: 290299507001073**

**Block: 290299507001074**

**Block: 290299507001075**

**Block: 290299507001076**

**Block: 290299507001077**

**Block: 290299507001078**

**Block: 290299507001081**

**Block: 290299507001084**

**Block: 290299507001086**

**Block: 290299507001089**

**Block: 290299507001090**

**Block: 290299507001091**

**Block: 290299507001092**

**Block: 290299507001093**

**Block: 290299507001094**

**Block: 290299507001095**

**Block: 290299507001096**

**Block: 290299507001097**

**Block: 290299507001098**

**Block: 290299507001099**

**Block: 290299507001100**

**Block: 290299507001101**

**Block: 290299507001102**

**Block: 290299507001103**

**Block: 290299507001104**

**Block: 290299507001105**

**Block: 290299507001106**

**Block: 290299507001107**

**Block: 290299507001108**

**Block: 290299507001109**

**Block: 290299507001110**

**Block: 290299507001111**

**Block: 290299507001112**

**Block: 290299507001113**

**Block: 290299507001114**

**Block: 290299507001120**

**Block: 290299507001121**

**Block: 290299507001122**

**Block: 290299507001123**

**Block: 290299507001124**

**Block: 290299507001126**

**Block: 290299507001127**

**Block: 290299507001129**

**Block: 290299507001133**

**Block: 290299507001134**

**Block: 290299507001137**

**Block: 290299507001138**

**Block: 290299507001142**

**Block: 290299507001143**

**Block: 290299507001144**

**Block: 290299507001145**

**Block: 290299507001150**

**Block: 290299507002123**

**Cass MO County**

**Cedar MO County**

**Cooper MO County**

**Dade MO County**

**Dallas MO County**

**Henry MO County**

**Hickory MO County**

**Howard MO County**

**Johnson MO County**

**Laclede MO County**

**Moniteau MO County**

**Morgan MO County**

**Pettis MO County**

**Polk MO County (part)**

**VTD: Campbell**

**VTD: Cliquot**

**VTD: East Madison**

**VTD: Flemington**

**VTD: Jefferson**

**VTD: Johnson**

**VTD: McKinley**

**VTD: Mooney**

**VTD: North Benton**

**VTD: North Greene**

**VTD: Northeast Marion (part)**

**Block: 291679602001188**

**Block: 291679602001189**

**Block: 291679602001190**

**Block: 291679602001198**

**Block: 291679602001199**

**Block: 291679602001200**

**Block: 291679602001201**

**Block: 291679602001202**

**Block: 291679602001203**

**Block: 291679602001204**

**Block: 291679602001211**

**Block: 291679602001214**

**Block: 291679602001215**

**Block: 291679602001223**

**Block: 291679602002173**

**Block: 291679602002174**

**Block: 291679602002175**

Block: 291679602002176  
Block: 291679602002177  
Block: 291679602002178  
Block: 291679602003004  
Block: 291679602003005  
Block: 291679602003006  
Block: 291679602003007  
Block: 291679602003008  
Block: 291679602003009  
Block: 291679602003010  
Block: 291679602003011  
Block: 291679602003012  
Block: 291679602003013  
Block: 291679602003014  
Block: 291679602003015  
Block: 291679602003016  
Block: 291679602003017  
Block: 291679602003018  
Block: 291679602003019  
Block: 291679602003020  
Block: 291679602003021  
Block: 291679602003022  
Block: 291679602003023  
Block: 291679602003024  
Block: 291679602003025  
Block: 291679602003026  
Block: 291679602003027  
Block: 291679602003028  
Block: 291679602003029  
Block: 291679602003030  
Block: 291679602003031  
Block: 291679602003032  
Block: 291679602003033  
Block: 291679602003034  
Block: 291679602003035  
Block: 291679602003036

**Block: 291679602003037**

**Block: 291679602003038**

**Block: 291679602003039**

**Block: 291679602003040**

**Block: 291679602003041**

**Block: 291679602003042**

**Block: 291679602003046**

**Block: 291679602003047**

**Block: 291679602003049**

**Block: 291679602003050**

**Block: 291679602003051**

**Block: 291679602003052**

**Block: 291679602003053**

**Block: 291679602003056**

**Block: 291679602003057**

**Block: 291679602003058**

**Block: 291679602003059**

**Block: 291679602003060**

**Block: 291679602003061**

**Block: 291679602003062**

**Block: 291679602003063**

**Block: 291679602003064**

**Block: 291679602003065**

**Block: 291679602003066**

**Block: 291679602003067**

**Block: 291679602003068**

**Block: 291679602003069**

**Block: 291679602003070**

**Block: 291679602003071**

**Block: 291679602003072**

**Block: 291679602003073**

**Block: 291679602003074**

**Block: 291679602003075**

**Block: 291679602003076**

**Block: 291679602003077**

**Block: 291679602003078**

Block: 291679602003079  
Block: 291679602003080  
Block: 291679602003081  
Block: 291679602003082  
Block: 291679602003083  
Block: 291679602003097  
Block: 291679602003108  
Block: 291679602003109  
Block: 291679602003110  
Block: 291679602003111  
Block: 291679602003113  
Block: 291679602003114  
Block: 291679602003115  
Block: 291679602003116  
Block: 291679602003117  
Block: 291679602003123  
Block: 291679602003126  
Block: 291679602003127  
Block: 291679602004000  
Block: 291679602004001  
Block: 291679602004002  
Block: 291679602004003  
Block: 291679602004004  
Block: 291679602004007  
Block: 291679602004008  
Block: 291679602004009  
Block: 291679602004010  
Block: 291679602005000  
Block: 291679602005001  
Block: 291679602005002  
Block: 291679602005003  
Block: 291679602005005  
Block: 291679602005006  
Block: 291679602005007  
Block: 291679602005016  
Block: 291679602005033

**Block: 291679602005034**

**VTD: Northwest Marion (part)**

**Block: 291679601002118**

**Block: 291679601002119**

**Block: 291679601002121**

**Block: 291679601002136**

**Block: 291679601002138**

**Block: 291679601002139**

**Block: 291679601002140**

**Block: 291679601002144**

**Block: 291679601005000**

**Block: 291679601005001**

**Block: 291679601005002**

**Block: 291679601005003**

**Block: 291679601005004**

**Block: 291679601005005**

**Block: 291679601005006**

**Block: 291679601005007**

**Block: 291679601005013**

**Block: 291679601005014**

**Block: 291679601005015**

**Block: 291679601005016**

**Block: 291679601005017**

**Block: 291679601005018**

**Block: 291679601005019**

**Block: 291679601005020**

**Block: 291679601005021**

**Block: 291679601005022**

**Block: 291679601005023**

**Block: 291679601005024**

**Block: 291679601005025**

**Block: 291679601005026**

**Block: 291679601005027**

**Block: 291679601005028**

**Block: 291679601005029**

**Block: 291679601005030**

Block: 291679601005031  
Block: 291679601005032  
Block: 291679601005033  
Block: 291679601005034  
Block: 291679601005035  
Block: 291679601005036  
Block: 291679601005037  
Block: 291679601005038  
Block: 291679601005039  
Block: 291679601005041  
Block: 291679601005042  
Block: 291679601005043  
Block: 291679601005044  
Block: 291679601005045  
Block: 291679601005046  
Block: 291679601005047  
Block: 291679601005048  
Block: 291679601005049  
Block: 291679601005050  
Block: 291679601005051  
Block: 291679601005053  
Block: 291679601005054  
Block: 291679601005056  
Block: 291679601005057  
Block: 291679601005058  
Block: 291679601005059  
Block: 291679601005076  
Block: 291679601005077  
Block: 291679601005078  
Block: 291679601005079  
Block: 291679601005088  
Block: 291679601005089  
Block: 291679601005090  
Block: 291679601005091  
Block: 291679601005117  
Block: 291679601005118



**Block: 291679602003098**

**Block: 291679602003099**

**Block: 291679602003100**

**Block: 291679602003104**

**Block: 291679602003105**

**Block: 291679602003106**

**Block: 291679602003107**

**Block: 291679602003125**

**VTD: South Benton**

**VTD: South Greene**

**VTD: Southeast Marion (part)**

**Block: 291679603002000**

**Block: 291679603003003**

**Block: 291679603003004**

**Block: 291679603003005**

**Block: 291679603003006**

**Block: 291679603003007**

**Block: 291679603003008**

**Block: 291679603003009**

**Block: 291679603003010**

**Block: 291679603003011**

**Block: 291679603003043**

**Block: 291679603003044**

**Block: 291679603003045**

**Block: 291679603003046**

**Block: 291679603003050**

**Block: 291679603003051**

**Block: 291679603003052**

**Block: 291679603003053**

**Block: 291679603003063**

**Block: 291679603003064**

**Block: 291679603003065**

**Block: 291679603003066**

**Block: 291679603003067**

**Block: 291679603003068**

**Block: 291679603003069**

**Block: 291679603003070**

**Block: 291679603003071**

**Block: 291679603003072**

**Block: 291679603003073**

**Block: 291679603003074**

**Block: 291679603003079**

**Block: 291679603003081**

**Block: 291679603003082**

**Block: 291679603003083**

**Block: 291679603003084**

**Block: 291679603003085**

**Block: 291679603003086**

**Block: 291679603003087**

**Block: 291679603003088**

**Block: 291679603003089**

**Block: 291679603003090**

**Block: 291679603003091**

**Block: 291679603003092**

**Block: 291679603003093**

**Block: 291679603003094**

**Block: 291679603003095**

**Block: 291679603003098**

**Block: 291679603003099**

**Block: 291679603003100**

**Block: 291679603003101**

**Block: 291679603003102**

**Block: 291679603003114**

**VTD: West Madison**

**Pulaski MO County**

**Randolph MO County (part)**

**VTD: Clark**

**VTD: Higbee**

**VTD: Mt. Airy (part)**

**Block: 291754902002093**

**Block: 291754906002036**

**Block: 291754906002037**

**Block: 291754906002038**

**Block: 291754906002040**

**Block: 291754906002041**

**Block: 291754906002042**

**Block: 291754906002043**

**Block: 291754906002044**

**Block: 291754906002045**

**Block: 291754906002046**

**Block: 291754906002047**

**Block: 291754906002056**

**Block: 291754906002057**

**Block: 291754906002063**

**Block: 291754906002064**

**Block: 291754906002065**

**Block: 291754906002067**

**Block: 291754906002068**

**Block: 291754906002069**

**Block: 291754906002070**

**Block: 291754906002071**

**Block: 291754906002076**

**Block: 291754906002078**

**Block: 291754906002079**

**Block: 291754906002080**

**Block: 291754906002082**

**Block: 291754906002083**

**Block: 291754906002084**

**Block: 291754906002091**

**Block: 291754906002092**

**Block: 291754906002093**

**Block: 291754906002094**

**Block: 291754906002096**

**VTD: North Sugar Creek (part)**

**Block: 291754901002058**

**Block: 291754901002059**

**Block: 291754901002060**

**Block: 291754901002061**

Block: 291754901002062  
Block: 291754901002063  
Block: 291754901002064  
Block: 291754901002065  
Block: 291754901002068  
Block: 291754901002069  
Block: 291754901002070  
Block: 291754901002071  
Block: 291754901002075  
Block: 291754901002076  
Block: 291754901002077  
Block: 291754901002156  
Block: 291754901002157  
Block: 291754901003120  
Block: 291754901003121  
Block: 291754901003122  
Block: 291754901003128  
Block: 291754901003129  
Block: 291754901003130  
Block: 291754901003131  
Block: 291754901003132  
Block: 291754901003133  
Block: 291754901003134  
Block: 291754901003135  
Block: 291754901003136  
Block: 291754901003137  
Block: 291754901003138  
Block: 291754901003139  
Block: 291754901003140  
Block: 291754901003141  
Block: 291754901003142  
Block: 291754901003143  
Block: 291754901003144  
Block: 291754901003145  
Block: 291754901003146  
Block: 291754901003151

**Block: 291754901003156**

**Block: 291754901003157**

**Block: 291754901003158**

**Block: 291754901003165**

**Block: 291754901003166**

**Block: 291754901003167**

**Block: 291754901003168**

**Block: 291754901003171**

**Block: 291754902002034**

**Block: 291754902002035**

**Block: 291754902002036**

**Block: 291754903001000**

**Block: 291754903001001**

**Block: 291754903001002**

**Block: 291754903001003**

**Block: 291754903001004**

**Block: 291754903001005**

**Block: 291754903001006**

**Block: 291754903001007**

**Block: 291754903001008**

**Block: 291754903001009**

**Block: 291754903001010**

**Block: 291754903001011**

**Block: 291754903001012**

**Block: 291754903001013**

**Block: 291754903001014**

**Block: 291754903001015**

**Block: 291754903001016**

**Block: 291754903001017**

**Block: 291754903001018**

**Block: 291754903001019**

**Block: 291754903001020**

**Block: 291754903001021**

**Block: 291754903001022**

**Block: 291754903001023**

**Block: 291754903001024**

Block: 291754903001025  
Block: 291754903001026  
Block: 291754903001027  
Block: 291754903001028  
Block: 291754903001029  
Block: 291754903001030  
Block: 291754903001031  
Block: 291754903001032  
Block: 291754903001033  
Block: 291754903001034  
Block: 291754903001035  
Block: 291754903001036  
Block: 291754903001037  
Block: 291754903001038  
Block: 291754903001039  
Block: 291754903001040  
Block: 291754903001041  
Block: 291754903001042  
Block: 291754903001043  
Block: 291754903001044  
Block: 291754903001045  
Block: 291754903001046  
Block: 291754903001047  
Block: 291754903001048  
Block: 291754903002000  
Block: 291754903002001  
Block: 291754903002002  
Block: 291754903002003  
Block: 291754903002004  
Block: 291754903002005  
Block: 291754903002006  
Block: 291754903002007  
Block: 291754903002008  
Block: 291754903002009  
Block: 291754903002010  
Block: 291754903002011

**Block: 291754903002012**

**Block: 291754903002013**

**Block: 291754903002014**

**Block: 291754903002015**

**Block: 291754903002016**

**Block: 291754903002017**

**Block: 291754903002018**

**Block: 291754903002019**

**Block: 291754903002020**

**Block: 291754903002021**

**Block: 291754903002022**

**Block: 291754903002023**

**Block: 291754903002024**

**Block: 291754903002025**

**Block: 291754903002026**

**Block: 291754903002027**

**Block: 291754903002028**

**Block: 291754903002029**

**Block: 291754903002030**

**Block: 291754903002031**

**Block: 291754903002032**

**Block: 291754903002033**

**Block: 291754903002034**

**Block: 291754903002035**

**Block: 291754903002036**

**Block: 291754903002037**

**Block: 291754903002038**

**Block: 291754903002039**

**Block: 291754903002040**

**Block: 291754903002041**

**Block: 291754903002042**

**Block: 291754903002043**

**Block: 291754903002044**

**Block: 291754903002045**

**Block: 291754903002046**

**Block: 291754903002047**

Block: 291754903002048  
Block: 291754903002049  
Block: 291754903002050  
Block: 291754903002051  
Block: 291754903002052  
Block: 291754903002053  
Block: 291754903002054  
Block: 291754903002055  
Block: 291754903002056  
Block: 291754903002057  
Block: 291754903002058  
Block: 291754903002059  
Block: 291754903002060  
Block: 291754903002061  
Block: 291754903002062  
Block: 291754903002063  
Block: 291754903002064  
Block: 291754903002065  
Block: 291754903002066  
Block: 291754903002067  
Block: 291754903002068  
Block: 291754903002069  
Block: 291754903002070  
Block: 291754903002071  
Block: 291754903002072  
Block: 291754903002073  
Block: 291754903002074  
Block: 291754903002075  
Block: 291754903002076  
Block: 291754903002077  
Block: 291754903002078  
Block: 291754903002079  
Block: 291754903002080  
Block: 291754903002081  
Block: 291754903002082  
Block: 291754903002083



**Block: 291754903002084**

**Block: 291754903002085**

**Block: 291754903002086**

**Block: 291754903002087**

**Block: 291754903002088**

**Block: 291754903002089**

**Block: 291754903002090**

**Block: 291754903002091**

**Block: 291754903002092**

**Block: 291754903002093**

**Block: 291754903002094**

**Block: 291754903002095**

**Block: 291754903002096**

**Block: 291754903002097**

**Block: 291754903002098**

**Block: 291754903002099**

**Block: 291754903002100**

**Block: 291754903002101**

**Block: 291754903002102**

**Block: 291754903002103**

**Block: 291754903002104**

**Block: 291754903002105**

**Block: 291754903002106**

**Block: 291754903002107**

**Block: 291754903002108**

**Block: 291754903002109**

**Block: 291754903002110**

**Block: 291754903002111**

**Block: 291754903002112**

**Block: 291754903002113**

**Block: 291754903002114**

**Block: 291754903002115**

**Block: 291754903002116**

**Block: 291754903002117**

**Block: 291754903002118**

**Block: 291754903002119**

Block: 291754903002120  
Block: 291754903002121  
Block: 291754903002124  
Block: 291754903002125  
Block: 291754903002126  
Block: 291754903002127  
Block: 291754903002128  
Block: 291754903002129  
Block: 291754903002130  
Block: 291754903002131  
Block: 291754903002132  
Block: 291754903003000  
Block: 291754903003001  
Block: 291754903003002  
Block: 291754903003003  
Block: 291754903003004  
Block: 291754903003005  
Block: 291754903003006  
Block: 291754903003007  
Block: 291754903003008  
Block: 291754903003009  
Block: 291754903003010  
Block: 291754903003011  
Block: 291754903003012  
Block: 291754903003013  
Block: 291754903003014  
Block: 291754903003015  
Block: 291754903003016  
Block: 291754903003017  
Block: 291754903003018  
Block: 291754903003019  
Block: 291754903003025  
Block: 291754903003026  
Block: 291754903003037  
Block: 291754903003038  
Block: 291754903003039

**Block: 291754903003040**

**Block: 291754903003041**

**Block: 291754903003048**

**Block: 291754903003049**

**Block: 291754903003050**

**Block: 291754903003051**

**Block: 291754903003052**

**Block: 291754903003053**

**Block: 291754903003054**

**Block: 291754903003055**

**Block: 291754903003056**

**Block: 291754903003057**

**Block: 291754903003058**

**Block: 291754903003059**

**Block: 291754903003060**

**Block: 291754903003061**

**Block: 291754903003062**

**Block: 291754903003063**

**Block: 291754903003064**

**Block: 291754903003065**

**Block: 291754903003066**

**Block: 291754903003067**

**Block: 291754903003068**

**Block: 291754903003069**

**Block: 291754903003070**

**Block: 291754903003071**

**Block: 291754903003072**

**Block: 291754903003073**

**Block: 291754903003074**

**Block: 291754903003075**

**Block: 291754903003076**

**Block: 291754903003077**

**Block: 291754903003078**

**Block: 291754903003079**

**Block: 291754903003080**

**Block: 291754903003081**

Block: 291754903003082  
Block: 291754903003083  
Block: 291754903003084  
Block: 291754903003087  
Block: 291754903003088  
Block: 291754903003089  
Block: 291754903003090  
Block: 291754903003091  
Block: 291754903003092  
Block: 291754903003093  
Block: 291754903003094  
Block: 291754903003095  
Block: 291754903003096  
Block: 291754903003097  
Block: 291754903003098  
Block: 291754903003099  
Block: 291754903003100  
Block: 291754903003101  
Block: 291754903003102  
Block: 291754903003103  
Block: 291754903003104  
Block: 291754903003105  
Block: 291754903003106  
Block: 291754903003108  
Block: 291754903003109  
Block: 291754903004000  
Block: 291754903004001  
Block: 291754903004002  
Block: 291754903004003  
Block: 291754903004004  
Block: 291754903004005  
Block: 291754903004006  
Block: 291754903004007  
Block: 291754903004008  
Block: 291754903004009  
Block: 291754903004010

**Block: 291754903004011**  
**Block: 291754903004012**  
**Block: 291754903004013**  
**Block: 291754903004014**  
**Block: 291754903004015**  
**Block: 291754903004016**  
**Block: 291754903004017**  
**Block: 291754903004018**  
**Block: 291754903004019**  
**Block: 291754903004020**  
**Block: 291754903004021**  
**Block: 291754903004022**  
**Block: 291754903004023**  
**Block: 291754903004024**  
**Block: 291754903004025**  
**Block: 291754903004026**  
**Block: 291754903004027**  
**Block: 291754903004028**  
**Block: 291754903004029**  
**Block: 291754903004030**  
**Block: 291754903004031**  
**Block: 291754903004032**  
**Block: 291754903004033**  
**Block: 291754903005000**  
**Block: 291754903005001**  
**Block: 291754903005002**  
**Block: 291754903005003**  
**Block: 291754903005004**  
**Block: 291754903005005**  
**Block: 291754903005006**  
**Block: 291754903005007**  
**Block: 291754903005008**  
**Block: 291754903005009**  
**Block: 291754903005010**  
**Block: 291754903005011**  
**Block: 291754903005012**

Block: 291754903005013  
Block: 291754903005014  
Block: 291754903005015  
Block: 291754903005016  
Block: 291754903005017  
Block: 291754903005018  
Block: 291754903005019  
Block: 291754903005020  
Block: 291754903005021  
Block: 291754903005022  
Block: 291754903005023  
Block: 291754903005024  
Block: 291754903005025  
Block: 291754903005026  
Block: 291754903005027  
Block: 291754903005028  
Block: 291754903005029  
Block: 291754903005030  
Block: 291754903005031  
Block: 291754903005032  
Block: 291754903005033  
Block: 291754903005034  
Block: 291754903005035  
Block: 291754903005036  
Block: 291754903005037  
Block: 291754903005038  
Block: 291754903005039  
Block: 291754903005040  
Block: 291754903005041  
Block: 291754903005042  
Block: 291754903005043  
Block: 291754903005044  
Block: 291754903005045  
Block: 291754903005046  
Block: 291754903005047  
Block: 291754903005048

**Block: 291754903005049**

**Block: 291754903005050**

**Block: 291754903005051**

**Block: 291754903005052**

**Block: 291754903005053**

**Block: 291754903005054**

**Block: 291754903005055**

**Block: 291754903005056**

**Block: 291754903005057**

**Block: 291754903005058**

**Block: 291754903005059**

**Block: 291754903005060**

**Block: 291754903005061**

**Block: 291754903005062**

**Block: 291754903005063**

**Block: 291754903005064**

**Block: 291754903005065**

**Block: 291754903005066**

**Block: 291754903005067**

**Block: 291754903005068**

**Block: 291754903005069**

**Block: 291754903005070**

**Block: 291754903005071**

**Block: 291754903005072**

**Block: 291754903005073**

**Block: 291754903005074**

**Block: 291754903005075**

**Block: 291754903005076**

**Block: 291754903005077**

**Block: 291754903005078**

**Block: 291754903005079**

**Block: 291754903005080**

**Block: 291754903005081**

**Block: 291754903005082**

**Block: 291754903005083**

**Block: 291754903005084**

Block: 291754904002000  
Block: 291754904002001  
Block: 291754904002002  
Block: 291754904002003  
Block: 291754904002004  
Block: 291754904002005  
Block: 291754904002006  
Block: 291754904002007  
Block: 291754904002008  
Block: 291754904002009  
Block: 291754904002010  
Block: 291754904002011  
Block: 291754904002012  
Block: 291754904002013  
Block: 291754904002022  
Block: 291754904002023  
Block: 291754904002031  
Block: 291754904002077  
Block: 291754904002078  
Block: 291754904002079  
Block: 291754904002080  
Block: 291754904002081  
Block: 291754904002082  
Block: 291754904002083  
Block: 291754904002084  
Block: 291754904002085  
Block: 291754904002086  
Block: 291754904002087  
Block: 291754904002092  
Block: 291754904002093  
Block: 291754904002094  
Block: 291754905003000  
Block: 291754905003001  
Block: 291754905003002  
Block: 291754905003003  
Block: 291754905003004



**Block: 291754905003005**

**Block: 291754905003006**

**Block: 291754905003007**

**Block: 291754905003008**

**Block: 291754905003009**

**Block: 291754905003010**

**Block: 291754905003011**

**Block: 291754905003012**

**Block: 291754905003013**

**Block: 291754905003014**

**Block: 291754905003015**

**Block: 291754905003016**

**Block: 291754905003017**

**Block: 291754905003022**

**Block: 291754905003023**

**Block: 291754905003024**

**Block: 291754905003028**

**Block: 291754905003030**

**Block: 291754905003031**

**Block: 291754905003032**

**Block: 291754905003033**

**Block: 291754905003034**

**Block: 291754905003035**

**Block: 291754905003036**

**Block: 291754905003037**

**Block: 291754905003038**

**Block: 291754905003039**

**Block: 291754905003040**

**Block: 291754905003041**

**Block: 291754905003042**

**Block: 291754905003090**

**Block: 291754905003093**

**Block: 291754905003094**

**Block: 291754905003095**

**Block: 291754905003096**

**Block: 291754905003097**

**Block: 291754905003098**

**Block: 291754905003099**

**Block: 291754905003100**

**Block: 291754905003101**

**Block: 291754905003102**

**Block: 291754905003103**

**Block: 291754905003104**

**Block: 291754905003105**

**Block: 291754905003106**

**Block: 291754905003107**

**Block: 291754905003108**

**Block: 291754905003109**

**Block: 291754905003110**

**Block: 291754905003111**

**VTD: Renick**

**VTD: Salt Springs (part)**

**Block: 291754902002090**

**Block: 291754902002091**

**Block: 291754902002092**

**Block: 291754906002010**

**Block: 291754906002011**

**Block: 291754906002013**

**Block: 291754906002014**

**Block: 291754906002015**

**Block: 291754906002016**

**Block: 291754906002017**

**Block: 291754906002035**

**Block: 291754906002199**

**Block: 291754906002200**

**Block: 291754906002201**

**Block: 291754906002217**

**VTD: South Sugar Creek (part)**

**Block: 291754901002097**

**Block: 291754901002098**

**Block: 291754901002100**

**Block: 291754901002101**

**Block: 291754901002102**

**Block: 291754901002103**

**Block: 291754901002104**

**Block: 291754901002105**

**Block: 291754901002106**

**Block: 291754901002107**

**Block: 291754901002108**

**Block: 291754901002109**

**Block: 291754901002110**

**Block: 291754901002111**

**Block: 291754901002112**

**Block: 291754901002113**

**Block: 291754901002114**

**Block: 291754901002115**

**Block: 291754901002118**

**Block: 291754901002119**

**Block: 291754901002120**

**Block: 291754901002121**

**Block: 291754901002122**

**Block: 291754901002123**

**Block: 291754901002124**

**Block: 291754901002125**

**Block: 291754901002126**

**Block: 291754901002127**

**Block: 291754901002128**

**Block: 291754901002129**

**Block: 291754901002130**

**Block: 291754901002131**

**Block: 291754901002132**

**Block: 291754901002133**

**Block: 291754901002134**

**Block: 291754901002135**

**Block: 291754901002136**

**Block: 291754901002137**

**Block: 291754901002138**

**Block: 291754901002139**

Block: 291754901002140  
Block: 291754901002141  
Block: 291754901002142  
Block: 291754901002143  
Block: 291754901002144  
Block: 291754901002145  
Block: 291754901002146  
Block: 291754901002147  
Block: 291754901002148  
Block: 291754901002149  
Block: 291754901002150  
Block: 291754901002151  
Block: 291754901002152  
Block: 291754901002153  
Block: 291754901002154  
Block: 291754901002155  
Block: 291754901002160  
Block: 291754901002161  
Block: 291754902002029  
Block: 291754902002030  
Block: 291754902002037  
Block: 291754902002038  
Block: 291754902002039  
Block: 291754902002040  
Block: 291754902002041  
Block: 291754902002043  
Block: 291754902002044  
Block: 291754902002045  
Block: 291754902002046  
Block: 291754902002047  
Block: 291754902002048  
Block: 291754902002049  
Block: 291754902002050  
Block: 291754902002051  
Block: 291754902002052  
Block: 291754902002053

**Block: 291754902002054**

**Block: 291754902002055**

**Block: 291754902002063**

**Block: 291754902002072**

**Block: 291754902002086**

**Block: 291754903002122**

**Block: 291754903002123**

**Block: 291754904001000**

**Block: 291754904001001**

**Block: 291754904001002**

**Block: 291754904001003**

**Block: 291754904001004**

**Block: 291754904001005**

**Block: 291754904001006**

**Block: 291754904001007**

**Block: 291754904001008**

**Block: 291754904001009**

**Block: 291754904001010**

**Block: 291754904001011**

**Block: 291754904001012**

**Block: 291754904001013**

**Block: 291754904001014**

**Block: 291754904001015**

**Block: 291754904001016**

**Block: 291754904001017**

**Block: 291754904001018**

**Block: 291754904001019**

**Block: 291754904001020**

**Block: 291754904001021**

**Block: 291754904001022**

**Block: 291754904001023**

**Block: 291754904001024**

**Block: 291754904001025**

**Block: 291754904001026**

**Block: 291754904001027**

**Block: 291754904001028**

Block: 291754904001029  
Block: 291754904001030  
Block: 291754904001031  
Block: 291754904001032  
Block: 291754904001033  
Block: 291754904002014  
Block: 291754904002015  
Block: 291754904002016  
Block: 291754904002017  
Block: 291754904002018  
Block: 291754904002019  
Block: 291754904002020  
Block: 291754904002021  
Block: 291754904002024  
Block: 291754904002025  
Block: 291754904002026  
Block: 291754904002027  
Block: 291754904002028  
Block: 291754904002029  
Block: 291754904002030  
Block: 291754904002032  
Block: 291754904002033  
Block: 291754904002034  
Block: 291754904002035  
Block: 291754904002036  
Block: 291754904002037  
Block: 291754904002038  
Block: 291754904002039  
Block: 291754904002040  
Block: 291754904002041  
Block: 291754904002042  
Block: 291754904002043  
Block: 291754904002044  
Block: 291754904002045  
Block: 291754904002046  
Block: 291754904002047

**Block: 291754904002048**

**Block: 291754904002049**

**Block: 291754904002050**

**Block: 291754904002051**

**Block: 291754904002052**

**Block: 291754904002053**

**Block: 291754904002054**

**Block: 291754904002055**

**Block: 291754904002056**

**Block: 291754904002057**

**Block: 291754904002058**

**Block: 291754904002059**

**Block: 291754904002060**

**Block: 291754904002061**

**Block: 291754904002062**

**Block: 291754904002063**

**Block: 291754904002064**

**Block: 291754904002065**

**Block: 291754904002066**

**Block: 291754904002067**

**Block: 291754904002068**

**Block: 291754904002069**

**Block: 291754904002070**

**Block: 291754904002071**

**Block: 291754904002072**

**Block: 291754904002073**

**Block: 291754904002074**

**Block: 291754904002075**

**Block: 291754904002076**

**Block: 291754904002088**

**Block: 291754904002089**

**Block: 291754904002090**

**Block: 291754904002091**

**Block: 291754904002095**

**Block: 291754904002096**

**Block: 291754904002097**

Block: 291754904002098  
Block: 291754904002099  
Block: 291754904002100  
Block: 291754904002101  
Block: 291754904002102  
Block: 291754904002103  
Block: 291754905001000  
Block: 291754905001001  
Block: 291754905001002  
Block: 291754905001003  
Block: 291754905001004  
Block: 291754905001005  
Block: 291754905001006  
Block: 291754905001007  
Block: 291754905001008  
Block: 291754905001009  
Block: 291754905001010  
Block: 291754905001011  
Block: 291754905001012  
Block: 291754905001013  
Block: 291754905001014  
Block: 291754905001015  
Block: 291754905001016  
Block: 291754905001017  
Block: 291754905001018  
Block: 291754905001019  
Block: 291754905001020  
Block: 291754905001021  
Block: 291754905001022  
Block: 291754905001023  
Block: 291754905001024  
Block: 291754905001025  
Block: 291754905001026  
Block: 291754905001027  
Block: 291754905001032  
Block: 291754905001033



**Block: 291754905001034**

**Block: 291754905001035**

**Block: 291754905001036**

**Block: 291754905001037**

**Block: 291754905001038**

**Block: 291754905001039**

**Block: 291754905001040**

**Block: 291754905001048**

**Block: 291754905001054**

**Block: 291754905001055**

**Block: 291754905002000**

**Block: 291754905002001**

**Block: 291754905002002**

**Block: 291754905002003**

**Block: 291754905002004**

**Block: 291754905002005**

**Block: 291754905002006**

**Block: 291754905002007**

**Block: 291754905002008**

**Block: 291754905002009**

**Block: 291754905002010**

**Block: 291754905002011**

**Block: 291754905002012**

**Block: 291754905002013**

**Block: 291754905002014**

**Block: 291754905002015**

**Block: 291754905002016**

**Block: 291754905002017**

**Block: 291754905002018**

**Block: 291754905002019**

**Block: 291754905002020**

**Block: 291754905002021**

**Block: 291754905002022**

**Block: 291754905002023**

**Block: 291754905002024**

**Block: 291754905002025**

Block: 291754905002026  
Block: 291754905002027  
Block: 291754905002028  
Block: 291754905002029  
Block: 291754905002030  
Block: 291754905002031  
Block: 291754905002032  
Block: 291754905002033  
Block: 291754905002034  
Block: 291754905002035  
Block: 291754905002036  
Block: 291754905002037  
Block: 291754905002038  
Block: 291754905002039  
Block: 291754905002040  
Block: 291754905002041  
Block: 291754905002042  
Block: 291754905002043  
Block: 291754905002044  
Block: 291754905002045  
Block: 291754905002046  
Block: 291754905002047  
Block: 291754905002048  
Block: 291754905002049  
Block: 291754905002050  
Block: 291754905002051  
Block: 291754905002052  
Block: 291754905002053  
Block: 291754905002054  
Block: 291754905002055  
Block: 291754905002056  
Block: 291754905002057  
Block: 291754905002058  
Block: 291754905002059  
Block: 291754905003018  
Block: 291754905003019

**Block: 291754905003020**

**Block: 291754905003021**

**Block: 291754905003025**

**Block: 291754905003026**

**Block: 291754905003027**

**Block: 291754905003029**

**Block: 291754905003043**

**Block: 291754905003044**

**Block: 291754905003045**

**Block: 291754905003046**

**Block: 291754905003047**

**Block: 291754905003048**

**Block: 291754905003049**

**Block: 291754905003050**

**Block: 291754905003051**

**Block: 291754905003052**

**Block: 291754905003053**

**Block: 291754905003054**

**Block: 291754905003055**

**Block: 291754905003056**

**Block: 291754905003057**

**Block: 291754905003058**

**Block: 291754905003059**

**Block: 291754905003060**

**Block: 291754905003061**

**Block: 291754905003062**

**Block: 291754905003063**

**Block: 291754905003064**

**Block: 291754905003065**

**Block: 291754905003066**

**Block: 291754905003067**

**Block: 291754905003068**

**Block: 291754905003069**

**Block: 291754905003070**

**Block: 291754905003071**

**Block: 291754905003072**

Block: 291754905003073  
Block: 291754905003074  
Block: 291754905003075  
Block: 291754905003076  
Block: 291754905003077  
Block: 291754905003078  
Block: 291754905003079  
Block: 291754905003080  
Block: 291754905003081  
Block: 291754905003082  
Block: 291754905003083  
Block: 291754905003084  
Block: 291754905003085  
Block: 291754905003086  
Block: 291754905003087  
Block: 291754905003088  
Block: 291754905003089  
Block: 291754905003091  
Block: 291754905003092  
Block: 291754906001009  
Block: 291754906001010  
Block: 291754906001011  
Block: 291754906001012  
Block: 291754906001013  
Block: 291754906001014  
Block: 291754906001015  
Block: 291754906001016  
Block: 291754906001017  
Block: 291754906001031  
Block: 291754906001070  
Block: 291754906001071  
Block: 291754906001072  
Block: 291754906001073  
Block: 291754906001074  
Block: 291754906001075  
Block: 291754906001076

**Block: 291754906001077**

**VTD: Union (part)**

**Block: 291754901002029**

**Block: 291754901002040**

**Block: 291754901002041**

**Block: 291754901002042**

**Block: 291754901002043**

**Block: 291754901002044**

**Block: 291754901002045**

**Block: 291754901002046**

**Block: 291754901002047**

**Block: 291754901002051**

**Block: 291754901002052**

**Block: 291754901002053**

**Block: 291754901002056**

**Block: 291754901002057**

**Block: 291754901002066**

**Block: 291754901002067**

**Block: 291754901002072**

**Block: 291754901002073**

**Block: 291754901002074**

**Block: 291754901002116**

**Block: 291754901002117**

**Block: 291754901002158**

**Block: 291754901002159**

**Block: 291754901002163**

**Block: 291754901003172**

**Block: 291754901003173**

**Block: 291754903003020**

**Block: 291754903003021**

**Block: 291754903003022**

**Block: 291754903003023**

**Block: 291754903003024**

**Block: 291754903003027**

**Block: 291754903003028**

**Block: 291754903003029**

**Block: 291754903003030**

**Block: 291754903003031**

**Block: 291754903003032**

**Block: 291754903003033**

**Block: 291754903003034**

**Block: 291754903003035**

**Block: 291754903003036**

**Block: 291754903003042**

**Block: 291754903003043**

**Block: 291754903003044**

**Block: 291754903003045**

**Block: 291754903003046**

**Block: 291754903003047**

**Block: 291754903003085**

**Block: 291754903003086**

**Block: 291754903003107**

**VTD: Yates**

**St. Clair MO County**

**Vernon MO County**

**Webster MO County**

**Wright MO County”;** and

Further amend said bill, Pages 93 to 127, Section 128.455, Lines 2 to 1463, by deleting all of said lines and inserting in lieu thereof the following:

**“Clay MO County (part)**

**VTD: Chou 8 (part)**

**Block: 290470208012009**

**Block: 290470208012013**

**Block: 290470208012014**

**Block: 290470208012015**

**Block: 290470208012021**

**Block: 290470208012022**

**Block: 290470208012023**

**Block: 290470208012024**

**Block: 290470208012025**

**Block: 290470208012026**

**Block: 290470208012027**

**Block: 290470208012028**

**Block: 290470208012029**

**Block: 290470208012030**

**Block: 290470208013004**

**Block: 290470208013005**

**Block: 290470208013006**

**Block: 290470208013007**

**Block: 290470208013008**

**Block: 290470208013009**

**Block: 290470208013010**

**Block: 290470208013011**

**Block: 290470208013012**

**Block: 290470208013013**

**Block: 290470208013014**

**Block: 290470208013015**

**Block: 290470208013016**

**Block: 290470208013017**

**Block: 290470208013018**

**Block: 290470208013019**

**Block: 290470208013020**

**Block: 290470208013021**

**Block: 290470208013022**

**Block: 290470208013023**

**Block: 290470208013024**

**Block: 290470208013025**

**Block: 290470208013026**

**Block: 290470208013027**

**Block: 290470208013028**

**Block: 290470208013029**

**Block: 290470208013030**

**Block: 290470208013031**

**Block: 290470208013032**

**Block: 290470223021026**

**Block: 290470223021028**

**Block: 290470223021030**

**Block: 290470223021031**

**Block: 290470223021032**

**Block: 290470223021033**

**Block: 290470223021034**

**Block: 290470223021035**

**Block: 290470223021036**

**Block: 290470223021037**

**Block: 290470223021038**

**Block: 290470223021039**

**Block: 290470223021040**

**Block: 290470223021041**

**Block: 290470223021042**

**Block: 290470223021043**

**Block: 290470223021044**

**Block: 290470223021045**

**Block: 290470223021046**

**Block: 290470223021047**

**Block: 290470223021049**

**Block: 290470223021051**

**Block: 290470223021052**

**Block: 290470223021053**

**Block: 290470223021054**

**Block: 290470223021055**

**Block: 290470223021056**

**VTD: Gal 1**

**VTD: Gal 10**

**VTD: Gal 11**

**VTD: Gal 12**

**VTD: Gal 13**

**VTD: Gal 14**

**VTD: Gal 15**

**VTD: Gal 16**

**VTD: Gal 18**

**VTD: Gal 2**

**VTD: Gal 3**

**VTD: Gal 4**

**VTD: Gal 5**



**VTD: Gal 6**

**VTD: Gal 7**

**VTD: Gal 9**

**VTD: KC 21-10**

**VTD: KC 21-11**

**VTD: KC 21-12 (part)**

**Block: 290470212053030**

**Block: 290470212062000**

**Block: 290470212062001**

**Block: 290470212062002**

**Block: 290470212062003**

**Block: 290470212062004**

**Block: 290470212062005**

**Block: 290470212062006**

**Block: 290470212062007**

**Block: 290470212062008**

**Block: 290470212062009**

**Block: 290470212062010**

**Block: 290470212062011**

**Block: 290470212062012**

**Block: 290470212062013**

**Block: 290470212062014**

**Block: 290470212062015**

**Block: 290470212062016**

**Block: 290470212062017**

**Block: 290470212062018**

**Block: 290470212062019**

**Block: 290470212062020**

**Block: 290470212062021**

**Block: 290470212062022**

**Block: 290470212062023**

**Block: 290470212062024**

**Block: 290470212062025**

**Block: 290470212062026**

**Block: 290470212062027**

**Block: 290470212062028**

Block: 290470212062029  
Block: 290470212062030  
Block: 290470212062031  
Block: 290470212062032  
Block: 290470212062033  
Block: 290470212062034  
Block: 290470212062035  
Block: 290470212062036  
Block: 290470212062037  
Block: 290470212062038  
Block: 290470212062039  
Block: 290470212062040  
Block: 290470212062041  
Block: 290470212062042  
Block: 290470212062043  
Block: 290470212062044  
Block: 290470212062045  
Block: 290470212063001  
Block: 290470212063002  
Block: 290470212063003  
Block: 290470212063004  
Block: 290470212063005  
Block: 290470212063006  
Block: 290470212063007  
Block: 290470212063008  
Block: 290470212063009  
Block: 290470212063012  
Block: 290470212063013  
Block: 290470212063014  
Block: 290470212063015  
Block: 290470212063016  
Block: 290470212063017  
Block: 290470212063018  
Block: 290470212063019  
Block: 290470212063020  
Block: 290470212063021

**Block: 290470212063024**

**Block: 290470212063025**

**Block: 290470212063026**

**Block: 290470212063027**

**VTD: KC 21-14**

**VTD: KC 21-16 (part)**

**Block: 290470212051000**

**Block: 290470212051001**

**Block: 290470212051002**

**Block: 290470212051003**

**Block: 290470212051004**

**Block: 290470212051005**

**Block: 290470212051006**

**Block: 290470212051007**

**Block: 290470212051008**

**Block: 290470212051009**

**Block: 290470212051010**

**Block: 290470212051011**

**Block: 290470212051012**

**Block: 290470212051013**

**Block: 290470212051014**

**Block: 290470212051015**

**Block: 290470212051016**

**Block: 290470212051017**

**Block: 290470212051018**

**Block: 290470212051019**

**Block: 290470212051020**

**Block: 290470212051021**

**Block: 290470212051022**

**Block: 290470212051023**

**Block: 290470212051024**

**Block: 290470212051025**

**Block: 290470212051026**

**Block: 290470212051027**

**Block: 290470212051028**

**Block: 290470212051029**

Block: 290470212051030  
Block: 290470212051032  
Block: 290470212052011  
Block: 290470212052021  
Block: 290470212052022  
Block: 290470212052023  
Block: 290470212052024  
Block: 290470212052026  
Block: 290470212052027  
Block: 290470212052028  
Block: 290470212052029  
Block: 290470212052030  
Block: 290470212052034  
Block: 290470212071014  
Block: 290470212071015  
Block: 290470212071016  
Block: 290470212071017  
Block: 290470212071018  
Block: 290470212071019  
Block: 290470212071020  
Block: 290470212071021  
Block: 290470212071022  
Block: 290470212071023  
Block: 290470212071024  
Block: 290470212071025  
Block: 290470212071026  
Block: 290470212071027  
Block: 290470212071029  
Block: 290470212071030  
Block: 290470212071031  
Block: 290470212071032  
Block: 290470212071033  
Block: 290470212071034  
Block: 290470212071035  
Block: 290470212071036  
Block: 290470212071037

**Block: 290470212071038**

**Block: 290470212071039**

**Block: 290470212071040**

**Block: 290470212071041**

**Block: 290470212071042**

**Block: 290470212071043**

**Block: 290470212071044**

**Block: 290470212071045**

**Block: 290470212071046**

**Block: 290470212071047**

**Block: 290470212071048**

**Block: 290470212071049**

**Block: 290470212071050**

**Block: 290470212071051**

**Block: 290470212071053**

**Block: 290470212071054**

**Block: 290470212071055**

**Block: 290470212072030**

**Block: 290470212072040**

**Block: 290470212072041**

**VTD: KC 21-18**

**VTD: KC 21-19**

**VTD: KC 21-2 (part)**

**Block: 290470221002069**

**VTD: KC 21-20**

**VTD: KC 21-21**

**VTD: KC 21-22**

**VTD: KC 21-23**

**VTD: KC 21-24**

**VTD: KC 21-25**

**VTD: KC 21-3**

**VTD: KC 21-4**

**VTD: KC 21-5**

**VTD: KC 21-6**

**VTD: KC 21-7**

**VTD: KC 21-8**

**VTD: KC 21-9**

**VTD: Lib 13 (part)**

**Block: 290470222002030**

**VTD: Lib 5 (part)**

**Block: 290470208012016**

**Jackson MO County (part)**

**VTD: Blue Sub 1 No. 1**

**VTD: Blue Sub 1 No. 10**

**VTD: Blue Sub 1 No. 11 & 11A**

**VTD: Blue Sub 1 No. 12**

**VTD: Blue Sub 1 No. 13**

**VTD: Blue Sub 1 No. 14**

**VTD: Blue Sub 1 No. 18**

**VTD: Blue Sub 1 No. 2**

**VTD: Blue Sub 1 No. 4 & 4A**

**VTD: Blue Sub 1 No. 5**

**VTD: Blue Sub 1 No. 6 & 6B**

**VTD: Blue Sub 1 No. 6A**

**VTD: Blue Sub 1 No. 7**

**VTD: Blue Sub 1 No. 8,15,& 16**

**VTD: Blue Sub 1 No. 9**

**VTD: Blue Sub 2 No. 1**

**VTD: Blue Sub 2 No. 10**

**VTD: Blue Sub 2 No. 2**

**VTD: Blue Sub 2 No. 3**

**VTD: Blue Sub 2 No. 3A**

**VTD: Blue Sub 2 No. 4**

**VTD: Blue Sub 2 No. 5**

**VTD: Blue Sub 2 No. 6**

**VTD: Blue Sub 2 No. 7**

**VTD: Blue Sub 2 No. 8**

**VTD: Blue Sub 2 No. 9**

**VTD: Blue Sub 3 No. 1**

**VTD: Blue Sub 3 No. 11 (part)**

**Block: 290950147021001**

**Block: 290950147021003**

**Block: 290950148041013**

**Block: 290950148041023**

**VTD: Blue Sub 3 No. 14,15,15N,17N,& 18N**

**VTD: Blue Sub 3 No. 15A**

**VTD: Blue Sub 3 No. 16 & 16A**

**VTD: Blue Sub 3 No. 2**

**VTD: Blue Sub 3 No. 3**

**VTD: Blue Sub 3 No. 4**

**VTD: Blue Sub 3 No. 5**

**VTD: Blue Sub 3 No. 5A**

**VTD: Blue Sub 3 No. 9**

**VTD: Blue Sub 4 No. 1**

**VTD: Blue Sub 4 No. 10**

**VTD: Blue Sub 4 No. 11**

**VTD: Blue Sub 4 No. 12**

**VTD: Blue Sub 4 No. 2**

**VTD: Blue Sub 4 No. 3**

**VTD: Blue Sub 4 No. 4**

**VTD: Blue Sub 4 No. 5**

**VTD: Blue Sub 4 No. 6**

**VTD: Blue Sub 4 No. 7**

**VTD: Blue Sub 4 No. 8**

**VTD: Blue Sub 4 No. 9**

**VTD: Blue Sub 5 No. 1**

**VTD: Blue Sub 5 No. 11**

**VTD: Blue Sub 5 No. 13**

**VTD: Blue Sub 5 No. 14**

**VTD: Blue Sub 5 No. 15**

**VTD: Blue Sub 5 No. 2**

**VTD: Blue Sub 5 No. 3**

**VTD: Blue Sub 5 No. 4**

**VTD: Blue Sub 5 No. 5 & 12**

**VTD: Blue Sub 5 No. 6**

**VTD: Blue Sub 5 No. 7**

**VTD: Blue Sub 5 No. 8**

**VTD: Blue Sub 5 No. 9**

**VTD: Blue Sub 6 No. 1**  
**VTD: Blue Sub 6 No. 10**  
**VTD: Blue Sub 6 No. 11**  
**VTD: Blue Sub 6 No. 12**  
**VTD: Blue Sub 6 No. 2**  
**VTD: Blue Sub 6 No. 3**  
**VTD: Blue Sub 6 No. 4**  
**VTD: Blue Sub 6 No. 5**  
**VTD: Blue Sub 6 No. 5A**  
**VTD: Blue Sub 6 No. 6**  
**VTD: Blue Sub 6 No. 6A**  
**VTD: Blue Sub 6 No. 7 & 7N**  
**VTD: Blue Sub 6 No. 8**  
**VTD: Blue Sub 6 No. 8A**  
**VTD: Blue Sub 6 No. 9**  
**VTD: Blue Sub 7 No. 1**  
**VTD: Blue Sub 7 No. 10**  
**VTD: Blue Sub 7 No. 11**  
**VTD: Blue Sub 7 No. 12**  
**VTD: Blue Sub 7 No. 13**  
**VTD: Blue Sub 7 No. 14**  
**VTD: Blue Sub 7 No. 2**  
**VTD: Blue Sub 7 No. 2A**  
**VTD: Blue Sub 7 No. 3**  
**VTD: Blue Sub 7 No. 4**  
**VTD: Blue Sub 7 No. 5 & 5A**  
**VTD: Blue Sub 7 No. 6**  
**VTD: Blue Sub 7 No. 7**  
**VTD: Blue Sub 7 No. 8**  
**VTD: Blue Sub 7 No. 9**  
**VTD: Blue Sub 8 No. 1**  
**VTD: Blue Sub 8 No. 10 & 10A**  
**VTD: Blue Sub 8 No. 11 (part)**  
**Block: 290950145012022**  
**Block: 290950145012027**  
**Block: 290950145021000**



**Block: 290950145021001**

**Block: 290950145021002**

**Block: 290950145021005**

**Block: 290950145021008**

**Block: 290950145021009**

**Block: 290950145021012**

**Block: 290950145021013**

**Block: 290950145021015**

**Block: 290950145021016**

**Block: 290950145021017**

**Block: 290950145021018**

**Block: 290950145022035**

**Block: 290950145022036**

**Block: 290950145022037**

**Block: 290950145022038**

**Block: 290950145022039**

**Block: 290950145022040**

**Block: 290950145022041**

**Block: 290950145022071**

**VTD: Blue Sub 8 No. 12,12A,& 12B (part)**

**Block: 290950145012000**

**Block: 290950145012001**

**Block: 290950145012002**

**Block: 290950145012003**

**Block: 290950145012004**

**Block: 290950145012005**

**Block: 290950145012006**

**Block: 290950145012007**

**Block: 290950145012008**

**Block: 290950145012009**

**Block: 290950145012010**

**Block: 290950145012011**

**Block: 290950145012012**

**Block: 290950145012013**

**Block: 290950145012014**

**Block: 290950145012015**

**Block: 290950145012018**

**Block: 290950145012019**

**Block: 290950145012020**

**Block: 290950145012021**

**Block: 290950145012034**

**Block: 290950145012035**

**Block: 290950145022028**

**Block: 290950145022029**

**Block: 290950145022030**

**Block: 290950145022031**

**Block: 290950145022032**

**Block: 290950145022033**

**Block: 290950145022034**

**Block: 290950146032029**

**Block: 290950146043026**

**Block: 290950146043027**

**VTD: Blue Sub 8 No. 13 & 13N**

**VTD: Blue Sub 8 No. 2**

**VTD: Blue Sub 8 No. 2A**

**VTD: Blue Sub 8 No. 3**

**VTD: Blue Sub 8 No. 5 & 5A**

**VTD: Blue Sub 8 No. 6**

**VTD: Blue Sub 8 No. 7**

**VTD: Blue Sub 8 No. 8**

**VTD: Blue Sub 8 No. 9**

**VTD: Blue Sub 8 No. 9A**

**VTD: Brooking No. 1**

**VTD: Brooking No. 10**

**VTD: Brooking No. 11**

**VTD: Brooking No. 12**

**VTD: Brooking No. 13**

**VTD: Brooking No. 14**

**VTD: Brooking No. 15**

**VTD: Brooking No. 16**

**VTD: Brooking No. 17**

**VTD: Brooking No. 18**

**VTD: Brooking No. 19**  
**VTD: Brooking No. 2 & 2A**  
**VTD: Brooking No. 20**  
**VTD: Brooking No. 21**  
**VTD: Brooking No. 22 & 22A**  
**VTD: Brooking No. 23**  
**VTD: Brooking No. 24**  
**VTD: Brooking No. 25**  
**VTD: Brooking No. 26**  
**VTD: Brooking No. 27**  
**VTD: Brooking No. 28**  
**VTD: Brooking No. 3**  
**VTD: Brooking No. 4**  
**VTD: Brooking No. 5**  
**VTD: Brooking No. 6**  
**VTD: Brooking No. 7**  
**VTD: Brooking No. 8**  
**VTD: Brooking No. 9**  
**VTD: Brooking No. 9A**  
**VTD: Fort Osage No. 1,1A,2,& 3 (part)**  
**Block: 290950177003027**  
**Block: 290950177003028**  
**Block: 290950177003063**  
**Block: 290950177003064**  
**Block: 290950177003071**  
**Block: 290950177003078**  
**VTD: KC WD1 PCT101**  
**VTD: KC WD1 PCT102**  
**VTD: KC WD1 PCT103**  
**VTD: KC WD1 PCT104**  
**VTD: KC WD1 PCT105**  
**VTD: KC WD1 PCT106**  
**VTD: KC WD1 PCT107**  
**VTD: KC WD1 PCT108**  
**VTD: KC WD1 PCT109**  
**VTD: KC WD1 PCT110**

VTD: KC WD1 PCT111  
VTD: KC WD1 PCT511  
VTD: KC WD10 PCT1001  
VTD: KC WD10 PCT1002  
VTD: KC WD10 PCT1003  
VTD: KC WD10 PCT1004  
VTD: KC WD10 PCT1005  
VTD: KC WD10 PCT1006  
VTD: KC WD10 PCT1008  
VTD: KC WD10 PCT1009  
VTD: KC WD10 PCT1010  
VTD: KC WD10 PCT1011  
VTD: KC WD10 PCT1012  
VTD: KC WD10 PCT1013  
VTD: KC WD10 PCT1014  
VTD: KC WD10 PCT1015  
VTD: KC WD10 PCT2201  
VTD: KC WD11 PCT1101  
VTD: KC WD11 PCT1102  
VTD: KC WD11 PCT1103  
VTD: KC WD11 PCT1104  
VTD: KC WD11 PCT1105  
VTD: KC WD11 PCT1106  
VTD: KC WD11 PCT1107  
VTD: KC WD11 PCT1108  
VTD: KC WD11 PCT1109  
VTD: KC WD11 PCT1110  
VTD: KC WD11 PCT1209  
VTD: KC WD12 PCT1201  
VTD: KC WD12 PCT1202  
VTD: KC WD12 PCT1203  
VTD: KC WD12 PCT1204  
VTD: KC WD12 PCT1205  
VTD: KC WD12 PCT1206  
VTD: KC WD12 PCT1207  
VTD: KC WD12 PCT1208

VTD: KC WD12 PCT1210  
VTD: KC WD12 PCT1305  
VTD: KC WD12 PCT1306  
VTD: KC WD12 PCT1307  
VTD: KC WD12 PCT1308  
VTD: KC WD12 PCT1309  
VTD: KC WD12 PCT1310  
VTD: KC WD13 PCT1301  
VTD: KC WD13 PCT1302  
VTD: KC WD13 PCT1303  
VTD: KC WD13 PCT1304  
VTD: KC WD13 PCT1501  
VTD: KC WD13 PCT1502  
VTD: KC WD14 PCT1401  
VTD: KC WD14 PCT1402  
VTD: KC WD14 PCT1403  
VTD: KC WD14 PCT1404  
VTD: KC WD14 PCT1405  
VTD: KC WD14 PCT1406  
VTD: KC WD14 PCT1407  
VTD: KC WD14 PCT1408  
VTD: KC WD14 PCT1409  
VTD: KC WD14 PCT1410  
VTD: KC WD14 PCT1411  
VTD: KC WD14 PCT1412  
VTD: KC WD14 PCT1413  
VTD: KC WD15 PCT1414  
VTD: KC WD15 PCT1503  
VTD: KC WD15 PCT1504  
VTD: KC WD15 PCT1505  
VTD: KC WD15 PCT1506  
VTD: KC WD15 PCT1507  
VTD: KC WD15 PCT1508  
VTD: KC WD15 PCT1509  
VTD: KC WD15 PCT1512  
VTD: KC WD15 PCT1513

VTD: KC WD15 PCT1514  
VTD: KC WD15 PCT311  
VTD: KC WD15 PCT314  
VTD: KC WD15 PCT718  
VTD: KC WD16 PCT1511  
VTD: KC WD16 PCT1601  
VTD: KC WD16 PCT1602  
VTD: KC WD16 PCT1603  
VTD: KC WD16 PCT1604  
VTD: KC WD16 PCT1605  
VTD: KC WD16 PCT1607  
VTD: KC WD16 PCT1608  
VTD: KC WD16 PCT1609  
VTD: KC WD16 PCT1610  
VTD: KC WD16 PCT1611  
VTD: KC WD16 PCT1612  
VTD: KC WD16 PCT1613  
VTD: KC WD16 PCT1614  
VTD: KC WD16 PCT1615  
VTD: KC WD16 PCT1616  
VTD: KC WD16 PCT717  
VTD: KC WD17 PCT1606  
VTD: KC WD17 PCT1617  
VTD: KC WD17 PCT1618  
VTD: KC WD17 PCT1701  
VTD: KC WD17 PCT1702  
VTD: KC WD17 PCT1703  
VTD: KC WD17 PCT1704  
VTD: KC WD17 PCT1705  
VTD: KC WD17 PCT1706  
VTD: KC WD17 PCT1707  
VTD: KC WD17 PCT1708  
VTD: KC WD17 PCT1712  
VTD: KC WD17 PCT1814  
VTD: KC WD18 PCT1801  
VTD: KC WD18 PCT1802

VTD: KC WD18 PCT1803  
VTD: KC WD18 PCT1804  
VTD: KC WD18 PCT1805  
VTD: KC WD18 PCT1806  
VTD: KC WD18 PCT1807  
VTD: KC WD18 PCT1808  
VTD: KC WD18 PCT1809  
VTD: KC WD18 PCT1810  
VTD: KC WD18 PCT1812  
VTD: KC WD18 PCT1813  
VTD: KC WD18 PCT1816  
VTD: KC WD19 PCT1709  
VTD: KC WD19 PCT1710  
VTD: KC WD19 PCT1815  
VTD: KC WD19 PCT1817  
VTD: KC WD19 PCT1903  
VTD: KC WD19 PCT1905  
VTD: KC WD19 PCT1906  
VTD: KC WD19 PCT1907  
VTD: KC WD19 PCT1908  
VTD: KC WD19 PCT1909  
VTD: KC WD19 PCT1910  
VTD: KC WD19 PCT1911  
VTD: KC WD19 PCT1912  
VTD: KC WD19 PCT1913  
VTD: KC WD19 PCT1914  
VTD: KC WD19 PCT1916  
VTD: KC WD19 PCT1917  
VTD: KC WD19 PCT1918  
VTD: KC WD19 PCT1919  
VTD: KC WD19 PCT903  
VTD: KC WD19 PCT912  
VTD: KC WD2 PCT201  
VTD: KC WD2 PCT202  
VTD: KC WD2 PCT203  
VTD: KC WD2 PCT204

VTD: KC WD2 PCT205  
VTD: KC WD2 PCT206  
VTD: KC WD2 PCT207  
VTD: KC WD2 PCT208  
VTD: KC WD2 PCT209  
VTD: KC WD2 PCT210  
VTD: KC WD2 PCT211  
VTD: KC WD2 PCT212  
VTD: KC WD2 PCT213  
VTD: KC WD2 PCT214  
VTD: KC WD2 PCT215  
VTD: KC WD2 PCT216  
VTD: KC WD20 PCT1901  
VTD: KC WD20 PCT2002  
VTD: KC WD20 PCT2003  
VTD: KC WD20 PCT2004  
VTD: KC WD20 PCT2005  
VTD: KC WD20 PCT2006  
VTD: KC WD20 PCT2007  
VTD: KC WD20 PCT2008  
VTD: KC WD20 PCT2009  
VTD: KC WD20 PCT2010  
VTD: KC WD22 PCT1007  
VTD: KC WD22 PCT2202  
VTD: KC WD22 PCT2203  
VTD: KC WD22 PCT2204  
VTD: KC WD22 PCT2205  
VTD: KC WD22 PCT2206  
VTD: KC WD22 PCT2207  
VTD: KC WD22 PCT2208  
VTD: KC WD22 PCT2209  
VTD: KC WD22 PCT2210  
VTD: KC WD22 PCT2211  
VTD: KC WD22 PCT2212  
VTD: KC WD22 PCT2213  
VTD: KC WD23 PCT2301



VTD: KC WD23 PCT2302  
VTD: KC WD23 PCT2303  
VTD: KC WD23 PCT2304  
VTD: KC WD23 PCT2305  
VTD: KC WD23 PCT2306  
VTD: KC WD23 PCT2307  
VTD: KC WD23 PCT2308  
VTD: KC WD23 PCT2309  
VTD: KC WD23 PCT2310  
VTD: KC WD23 PCT2311  
VTD: KC WD23 PCT2312  
VTD: KC WD23 PCT2313  
VTD: KC WD23 PCT2314  
VTD: KC WD23 PCT2315  
VTD: KC WD23 PCT2316  
VTD: KC WD23 PCT2317  
VTD: KC WD23 PCT2318  
VTD: KC WD24 PCT2401  
VTD: KC WD24 PCT2402  
VTD: KC WD24 PCT2403  
VTD: KC WD24 PCT2404  
VTD: KC WD24 PCT2405  
VTD: KC WD24 PCT2407 (part)  
Block: 290950142032014  
Block: 290950142042013  
Block: 290950143002029  
Block: 290950143002030  
VTD: KC WD24 PCT2408 (part)  
Block: 290950142042014  
Block: 290950142042050  
Block: 290950142043043  
Block: 290950143003000  
Block: 290950143003001  
Block: 290950143003006  
Block: 290950143003007  
Block: 290950143003008

**Block: 290950143003009**  
**Block: 290950143003010**  
**Block: 290950143003011**  
**Block: 290950143003012**  
**Block: 290950143003013**  
**Block: 290950143003015**  
**Block: 290950143003016**  
**Block: 290950143003017**  
**Block: 290950143003018**  
**Block: 290950143003019**  
**Block: 290950143003020**  
**Block: 290950143003021**  
**Block: 290950143003035**  
**Block: 290950143003036**  
**Block: 290950143003037**  
**Block: 290950143003038**  
**Block: 290950143003039**  
**Block: 290950143003040**  
**Block: 290950143003054**  
**Block: 290950143003055**  
**Block: 290950176004028**  
**VTD: KC WD24 PCT2409**  
**VTD: KC WD24 PCT2410**  
**VTD: KC WD24 PCT2412**  
**VTD: KC WD24 PCT2413**  
**VTD: KC WD24 PCT2414**  
**VTD: KC WD24 PCT2415**  
**VTD: KC WD24 PCT2416**  
**VTD: KC WD24 PCT2417**  
**VTD: KC WD24 PCT2418**  
**VTD: KC WD24 PCT2419**  
**VTD: KC WD24 PCT2420**  
**VTD: KC WD24 PCT2421**  
**VTD: KC WD24 PCT2422**  
**VTD: KC WD24 PCT2424**  
**VTD: KC WD24 PCT2425**

VTD: KC WD24 PCT2426  
VTD: KC WD24 PCT2427  
VTD: KC WD24 PCT2428  
VTD: KC WD24 PCT2429  
VTD: KC WD24 PCT2430  
VTD: KC WD24 PCT2431  
VTD: KC WD24 PCT2432  
VTD: KC WD24 PCT2601  
VTD: KC WD25 PCT2001  
VTD: KC WD25 PCT2501  
VTD: KC WD25 PCT2503  
VTD: KC WD25 PCT2504  
VTD: KC WD25 PCT2505  
VTD: KC WD25 PCT2506  
VTD: KC WD25 PCT2507  
VTD: KC WD25 PCT2508  
VTD: KC WD25 PCT2509  
VTD: KC WD25 PCT2510  
VTD: KC WD25 PCT2511  
VTD: KC WD25 PCT2602  
VTD: KC WD26 PCT1711  
VTD: KC WD26 PCT1902  
VTD: KC WD26 PCT2502  
VTD: KC WD26 PCT2603  
VTD: KC WD26 PCT2604  
VTD: KC WD26 PCT2605  
VTD: KC WD26 PCT2606  
VTD: KC WD26 PCT2607  
VTD: KC WD26 PCT2608  
VTD: KC WD26 PCT2609  
VTD: KC WD26 PCT2610  
VTD: KC WD26 PCT2611  
VTD: KC WD26 PCT2612  
VTD: KC WD3 PCT301  
VTD: KC WD3 PCT302  
VTD: KC WD3 PCT303

VTD: KC WD3 PCT304  
VTD: KC WD3 PCT305  
VTD: KC WD3 PCT306  
VTD: KC WD3 PCT307  
VTD: KC WD3 PCT308  
VTD: KC WD3 PCT309  
VTD: KC WD3 PCT310  
VTD: KC WD3 PCT312  
VTD: KC WD3 PCT313  
VTD: KC WD3 PCT716  
VTD: KC WD4 PCT401  
VTD: KC WD4 PCT402  
VTD: KC WD4 PCT403  
VTD: KC WD4 PCT404  
VTD: KC WD4 PCT405  
VTD: KC WD4 PCT406  
VTD: KC WD4 PCT407  
VTD: KC WD4 PCT408  
VTD: KC WD4 PCT409  
VTD: KC WD5 PCT410  
VTD: KC WD5 PCT502  
VTD: KC WD5 PCT503  
VTD: KC WD5 PCT504  
VTD: KC WD5 PCT505  
VTD: KC WD5 PCT506  
VTD: KC WD5 PCT507  
VTD: KC WD5 PCT508  
VTD: KC WD5 PCT509  
VTD: KC WD5 PCT510  
VTD: KC WD6 PCT501  
VTD: KC WD6 PCT601  
VTD: KC WD6 PCT602  
VTD: KC WD6 PCT603  
VTD: KC WD6 PCT604  
VTD: KC WD6 PCT605  
VTD: KC WD6 PCT606

VTD: KC WD6 PCT607  
VTD: KC WD6 PCT608  
VTD: KC WD6 PCT609  
VTD: KC WD6 PCT610  
VTD: KC WD6 PCT611  
VTD: KC WD6 PCT612  
VTD: KC WD6 PCT801  
VTD: KC WD7 PCT701  
VTD: KC WD7 PCT702  
VTD: KC WD7 PCT703  
VTD: KC WD7 PCT704  
VTD: KC WD7 PCT705  
VTD: KC WD7 PCT706  
VTD: KC WD7 PCT707  
VTD: KC WD7 PCT708  
VTD: KC WD7 PCT709  
VTD: KC WD7 PCT710  
VTD: KC WD7 PCT711  
VTD: KC WD7 PCT712  
VTD: KC WD7 PCT713  
VTD: KC WD7 PCT714  
VTD: KC WD7 PCT715  
VTD: KC WD7 PCT719  
VTD: KC WD8 PCT613  
VTD: KC WD8 PCT802  
VTD: KC WD8 PCT803  
VTD: KC WD8 PCT804  
VTD: KC WD8 PCT805  
VTD: KC WD8 PCT806  
VTD: KC WD8 PCT807  
VTD: KC WD8 PCT808  
VTD: KC WD8 PCT809  
VTD: KC WD8 PCT810  
VTD: KC WD8 PCT811  
VTD: KC WD8 PCT813  
VTD: KC WD9 PCT1904

**VTD: KC WD9 PCT812**  
**VTD: KC WD9 PCT901**  
**VTD: KC WD9 PCT902**  
**VTD: KC WD9 PCT904**  
**VTD: KC WD9 PCT905**  
**VTD: KC WD9 PCT906**  
**VTD: KC WD9 PCT907**  
**VTD: KC WD9 PCT908**  
**VTD: KC WD9 PCT909**  
**VTD: KC WD9 PCT910**  
**VTD: KC WD9 PCT911**  
**VTD: Prairie No. 1**  
**VTD: Prairie No. 10,11,& 12**  
**VTD: Prairie No. 13**  
**VTD: Prairie No. 13A**  
**VTD: Prairie No. 14**  
**VTD: Prairie No. 15**  
**VTD: Prairie No. 16**  
**VTD: Prairie No. 17**  
**VTD: Prairie No. 18 & 19**  
**VTD: Prairie No. 2**  
**VTD: Prairie No. 20**  
**VTD: Prairie No. 20A & 20B**  
**VTD: Prairie No. 20C**  
**VTD: Prairie No. 21**  
**VTD: Prairie No. 22**  
**VTD: Prairie No. 23**  
**VTD: Prairie No. 24,24B,25A,68**  
**VTD: Prairie No. 24A**  
**VTD: Prairie No. 24C**  
**VTD: Prairie No. 25**  
**VTD: Prairie No. 3**  
**VTD: Prairie No. 37**  
**VTD: Prairie No. 37A**  
**VTD: Prairie No. 38**  
**VTD: Prairie No. 39**

**VTD: Prairie No. 39A**

**VTD: Prairie No. 4**

**VTD: Prairie No. 40**

**VTD: Prairie No. 40A & 44A (part)**

**Block: 290950179003002**

**VTD: Prairie No. 43 & 79 (part)**

**Block: 290950142043051**

**Block: 290950142043052**

**Block: 290950142043054**

**Block: 290950142043056**

**Block: 290950143003028**

**Block: 290950179003004**

**VTD: Prairie No. 45 (part)**

**Block: 290950137031000**

**Block: 290950137031001**

**Block: 290950137031002**

**Block: 290950137031003**

**Block: 290950137031004**

**Block: 290950137031005**

**Block: 290950137031006**

**Block: 290950137031007**

**Block: 290950137031008**

**Block: 290950137031009**

**Block: 290950137031010**

**Block: 290950137032013**

**Block: 290950137032017**

**Block: 290950137032018**

**Block: 290950137033006**

**Block: 290950137033007**

**Block: 290950137033012**

**Block: 290950137033013**

**Block: 290950137033014**

**Block: 290950137033015**

**Block: 290950137033016**

**Block: 290950137033030**

**Block: 290950137033031**

**Block: 290950137033032**

**Block: 290950137033033**

**Block: 290950137033034**

**Block: 290950137033035**

**Block: 290950137033036**

**Block: 290950137033037**

**Block: 290950137033038**

**Block: 290950137033047**

**Block: 290950137033048**

**Block: 290950137033051**

**VTD: Prairie No. 5**

**VTD: Prairie No. 50**

**VTD: Prairie No. 50A**

**VTD: Prairie No. 50B**

**VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76**

**VTD: Prairie No. 50D**

**VTD: Prairie No. 51**

**VTD: Prairie No. 51A**

**VTD: Prairie No. 51B,51N,63,63A,63C,65,65A,65N,77,77A,77B,& 77N**

**VTD: Prairie No. 52**

**VTD: Prairie No. 52A**

**VTD: Prairie No. 53**

**VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)**

**Block: 290950139011031**

**Block: 290950139011032**

**Block: 290950139011033**

**Block: 290950139011034**

**Block: 290950139011035**

**Block: 290950139011036**

**Block: 290950139011042**

**Block: 290950141121045**

**Block: 290950141121059**

**VTD: Prairie No. 6**

**VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)**

**Block: 290950139011044**

**Block: 290950139011045**



**Block: 290950139011065**

**VTD: Prairie No. 7**

**VTD: Prairie No. 8 & 8B**

**VTD: Prairie No. 8A**

**VTD: Prairie No. 9**

**VTD: Sni-A-Bar No. 1,1B,& 1C (part)**

**Block: 290950145022002**

**Block: 290950145022010**

**Block: 290950145022011**

**Block: 290950145022020**

**Block: 290950145022044**

**VTD: Sni-A-Bar No. 10 (part)**

**Block: 290950141011005**

**VTD: Sni-A-Bar No. 14,75N,& 75X (part)**

**Block: 290950141011003**

**Block: 290950141011004**

**Block: 290950141011006**

**Block: 290950141011007**

**Block: 290950141011008**

**Block: 290950141011009**

**Block: 290950141011010**

**Block: 290950141011011**

**Block: 290950141011012**

**Block: 290950141011013**

**Block: 290950141011014**

**Block: 290950141011030**

**Block: 290950141011032**

**Block: 290950141011033**

**Block: 290950141011034**

**Block: 290950141011035**

**VTD: Sni-A-Bar No. 14A & 75A (part)**

**Block: 290950141011019**

**Block: 290950141011027**

**Block: 290950141011028**

**Block: 290950141011029**

**Block: 290950141011059**

**Block: 290950141013000**

**Block: 290950141013001**

**Block: 290950141013002**

**Block: 290950141013003**

**Block: 290950141013009**

**Block: 290950141013010**

**Block: 290950141013013**

**Block: 290950141013014**

**Block: 290950141013015**

**Block: 290950141055012**

**Block: 290950141055013**

**VTD: Sni-A-Bar No. 15 & 15A**

**VTD: Sni-A-Bar No. 15B**

**VTD: Sni-A-Bar No. 16,83,& 93**

**VTD: Sni-A-Bar No. 22 (part)**

**Block: 290950141012002**

**Block: 290950141012003**

**Block: 290950141012007**

**Block: 290950141012008**

**Block: 290950141012009**

**Block: 290950141012010**

**Block: 290950141012011**

**Block: 290950141012012**

**Block: 290950141012013**

**Block: 290950141012014**

**Block: 290950141012015**

**Block: 290950141012016**

**Block: 290950141014000**

**Block: 290950141014001**

**Block: 290950141014002**

**Block: 290950141014004**

**Block: 290950141014005**

**Block: 290950141014006**

**Block: 290950141014009**

**Block: 290950141014010**

**Block: 290950141014024**

**Block: 290950141014025**

**VTD: Sni-A-Bar No. 23 (part)**

**Block: 290950141014035**

**Block: 290950141014036**

**Block: 290950141014037**

**Block: 290950141014040**

**Block: 290950141014041**

**Block: 290950141014042**

**Block: 290950141014043**

**Block: 290950141014044**

**Block: 290950141014045**

**Block: 290950141014046**

**Block: 290950141014050**

**VTD: Sni-A-Bar No. 23A**

**VTD: Sni-A-Bar No. 24 (part)**

**Block: 290950141014007**

**Block: 290950141014008**

**Block: 290950141014011**

**Block: 290950141014012**

**Block: 290950141014017**

**Block: 290950141014018**

**Block: 290950141014019**

**Block: 290950141014020**

**Block: 290950141014021**

**Block: 290950141014022**

**Block: 290950141014023**

**Block: 290950141014026**

**Block: 290950141014027**

**Block: 290950141014028**

**Block: 290950141014029**

**Block: 290950141014030**

**Block: 290950141014031**

**Block: 290950141014032**

**Block: 290950141014033**

**Block: 290950141014038**

**Block: 290950141014039**

**VTD: Sni-A-Bar No. 27 (part)****Block: 290950141014048****Block: 290950141014049****Block: 290950141144000****Block: 290950141144001****Block: 290950141144002****Block: 290950141144006****Block: 290950141144009****Block: 290950141144015****Block: 290950141144016****Block: 290950141144017****Block: 290950141144018****Block: 290950141144019****Block: 290950141144020****Block: 290950141144021****Block: 290950141144022****VTD: Sni-A-Bar No. 31****VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)****Block: 290950141051011****Block: 290950141051012****Block: 290950141051013****Block: 290950141051022****Block: 290950141053001****Block: 290950141053002****Block: 290950141054000****Block: 290950141054001****Block: 290950141054003****Block: 290950141054004****Block: 290950141054005****Block: 290950141054013****Block: 290950141054014****Block: 290950141054015****Block: 290950141054016****Block: 290950141054017****Block: 290950141055018****Block: 290950141055020**

**Block: 290950141055022**

**Block: 290950141055026**

**Block: 290950141055027**

**Block: 290950141055030**

**Block: 290950141055035**

**Block: 290950141055036**

**Block: 290950141055037**

**Block: 290950141055038**

**Block: 290950141055039**

**Block: 290950141055040**

**Block: 290950141055042**

**Block: 290950141055046**

**Block: 290950141055057**

**Block: 290950141055058**

**Block: 290950141055059**

**Block: 290950141055068**

**Block: 290950141055069**

**VTD: Sni-A-Bar No. 31B**

**VTD: Sni-A-Bar No. 32 & 78N (part)**

**Block: 290950141054028**

**VTD: Sni-A-Bar No. 35 (part)**

**Block: 290950141055070**

**VTD: Sni-A-Bar No. 36,36A,& 79A (part)**

**Block: 290950141111004**

**Block: 290950141111015**

**VTD: Sni-A-Bar No. 40 & 40B**

**VTD: Sni-A-Bar No. 40A & 41**

**VTD: Sni-A-Bar No. 40D & 40E**

**VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)**

**Block: 290950140021003**

**Block: 290950140021010**

**Block: 290950140021022**

**Block: 290950140021023**

**Block: 290950140071048**

**Block: 290950140071049**

**Block: 290950140071050**

**Block: 290950140071051**

**Block: 290950140071052**

**Block: 290950140071053**

**Block: 290950140071058**

**Block: 290950140071059**

**Block: 290950140071060**

**Block: 290950140071061**

**Block: 290950140071062**

**Block: 290950140071063**

**Block: 290950140071064**

**Block: 290950140071066**

**Block: 290950140071067**

**Block: 290950140071068**

**Block: 290950140071069**

**Block: 290950140071070**

**Block: 290950140071082**

**Block: 290950140071083**

**Block: 290950140071085**

**Block: 290950140071086**

**Block: 290950140071088**

**Block: 290950140071093**

**Block: 290950140071094**

**Block: 290950140071095**

**Block: 290950141011017**

**Block: 290950141011018**

**Block: 290950141011021**

**VTD: Sni-A-Bar No. 50 & 91 (part)**

**Block: 290950140042006**

**Block: 290950140042007**

**Block: 290950140042008**

**Block: 290950140042009**

**Block: 290950140042010**

**Block: 290950140042011**

**Block: 290950140042012**

**Block: 290950140042013**

**Block: 290950140042014**

**Block: 290950140042024**

**Block: 290950140042025**

**Block: 290950140042026**

**Block: 290950140042027**

**Block: 290950140042028**

**Block: 290950140042029**

**Block: 290950140042030**

**Block: 290950140042031**

**Block: 290950140042032**

**Block: 290950140042033**

**Block: 290950140042034**

**Block: 290950140042038**

**Block: 290950140042039**

**Block: 290950140042040**

**Block: 290950140042041**

**Block: 290950140042044**

**Block: 290950140051001**

**Block: 290950140051002**

**Block: 290950140051003**

**Block: 290950140051004**

**Block: 290950140051006**

**Block: 290950140051007**

**Block: 290950140051008**

**Block: 290950140051009**

**Block: 290950140051010**

**Block: 290950140051018**

**Block: 290950140051019**

**Block: 290950140051022**

**VTD: Sni-A-Bar No. 51,51A,& 94A**

**VTD: Sni-A-Bar No. 53 & 92 (part)**

**Block: 290950140041024**

**Block: 290950140041025**

**Block: 290950140041026**

**Block: 290950140041027**

**Block: 290950140041028**

**Block: 290950140041029**

**Block: 290950140041030**

**Block: 290950140041031**

**Block: 290950140041033**

**Block: 290950140041034**

**Block: 290950140041035**

**Block: 290950140041036**

**Block: 290950140041037**

**Block: 290950140041038**

**Block: 290950140041039**

**Block: 290950140042035**

**Block: 290950140042036**

**Block: 290950140042037**

**Block: 290950140042042**

**Block: 290950140042043**

**Block: 290950140051000**

**Block: 290950140052000**

**Block: 290950140052004**

**VTD: Sni-A-Bar No. 55**

**VTD: Sni-A-Bar No. 57**

**VTD: Sni-A-Bar No. 76 & 76A**

**VTD: Sni-A-Bar No. 77**

**VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)**

**Block: 290950141055014**

**Block: 290950141055021**

**Block: 290950141055023**

**Block: 290950141055024**

**Block: 290950141055025**

**Block: 290950141055028**

**Block: 290950141055029**

**Block: 290950141055041**

**Block: 290950141055043**

**Block: 290950141055044**

**Block: 290950141055045**

**Block: 290950141055047**

**Block: 290950141055048**

**Block: 290950141055049**



**Block: 290950141055053**

**Block: 290950141055054**

**Block: 290950141055055**

**Block: 290950141055056**

**Block: 290950141055064**

**Block: 290950141055066**

**Block: 290950141055067**

**Block: 290950141111000**

**Block: 290950141111001**

**Block: 290950141111002**

**Block: 290950141111003**

**Block: 290950141111005**

**Block: 290950141111009**

**Block: 290950141111010**

**Block: 290950141111013**

**Block: 290950141111014**

**Block: 290950141111029**

**Block: 290950141111051**

**Block: 290950141121004**

**Block: 290950141121005**

**Block: 290950141121006**

**Block: 290950141121010**

**Block: 290950141121017**

**VTD: Sni-A-Bar No. 86,87,88,88A,88B,& 88C**

**VTD: Sni-A-Bar No. 94,94B,95,& 96**

**VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)**

**Block: 290950139011003**

**Block: 290950139011004**

**Block: 290950139011005**

**Block: 290950139011006**

**Block: 290950139011007**

**Block: 290950139011012**

**Block: 290950139011022**

**Block: 290950139011023**

**Block: 290950140022047**

**Block: 290950140022048**

**Block: 290950140022049**

**Block: 290950140022050**

**Block: 290950140022051**

**Block: 290950140022052**

**Block: 290950140022053**

**Block: 290950140022054**

**Block: 290950140022055**

**Block: 290950140022056**

**Block: 290950140022057**

**Block: 290950140022058**

**Block: 290950140022059**

**Block: 290950140022060**

**Block: 290950140022061**

**Block: 290950140022062**

**Block: 290950140022063**

**Block: 290950140022064**

**Block: 290950140022065**

**Block: 290950141121011**

**Block: 290950141121013**

**Block: 290950141121014**

**Block: 290950141121015**

**Block: 290950141121016**

**Block: 290950141121018**

**Block: 290950141121019**

**Block: 290950141121031**

**Block: 290950141121032**

**Block: 290950141121033**

**Block: 290950141121034**

**Block: 290950141121035**

**Block: 290950141121036**

**Block: 290950141121037**

**Block: 290950141121040**

**Block: 290950141121041**

**Block: 290950141121049**

**Block: 290950141121051**

**VTD: Van Buren No. 11N,19,19A,19B,19C,19D,20N,21,21N,23,& 24**

**VTD: Van Buren No. 25,26,27,28,29,30,& 32**

**VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)**

**Block: 290950139011001**

**Block: 290950139011009**

**Block: 290950139011010**

**Block: 290950139011011**

**Block: 290950139011013**

**Block: 290950139011014**

**Block: 290950139011015**

**Block: 290950139011016**

**Block: 290950139011017**

**Block: 290950139011018**

**Block: 290950139011019**

**Block: 290950139011020**

**Block: 290950139011021**

**Block: 290950139011024**

**Block: 290950139011025**

**Block: 290950139011026**

**Block: 290950139011027**

**Block: 290950139011028**

**Block: 290950139011029**

**Block: 290950139011030**

**Block: 290950139011037**

**Block: 290950139011038**

**Block: 290950139011039**

**Block: 290950139011040**

**Block: 290950139011041**

**Block: 290950139011043**

**Block: 290950139011046**

**Block: 290950139011047**

**Block: 290950139011048**

**Block: 290950139011049**

**Block: 290950139011050**

**Block: 290950139011052**

**Block: 290950139011053**

**Block: 290950139011054**

**Block: 290950139011055**

**Block: 290950139011056**

**Block: 290950139011058**

**Block: 290950139011059**

**Block: 290950139011060**

**Block: 290950139011069**

**Block: 290950139011070**

**Block: 290950139011074**

**Block: 290950139011075**

**Block: 290950141121050**

**Block: 290950141121052**

**Block: 290950141121060**

**Block: 290950141121062**

**VTD: Van Buren No. 31 & 33**

**VTD: Van Buren No. 34,35,36,& 37**

**VTD: Van Buren No. 38,39,40,40A,40B,40C,40D,40N,& 43**

**VTD: Van Buren No. 41 & 42**

**VTD: Van Buren No. 9,10,10A,11,11A,12,13,14,15,17,18,& 20**

**VTD: Washington No. 1**

**VTD: Washington No. 10 & 10N**

**VTD: Washington No. 11**

**VTD: Washington No. 12**

**VTD: Washington No. 13**

**VTD: Washington No. 14**

**VTD: Washington No. 15**

**VTD: Washington No. 16**

**VTD: Washington No. 17**

**VTD: Washington No. 2**

**VTD: Washington No. 3**

**VTD: Washington No. 4**

**VTD: Washington No. 5**

**VTD: Washington No. 6**

**VTD: Washington No. 7**

**VTD: Washington No. 8**

**VTD: Washington No. 9**

**Lafayette MO County**

**Ray MO County**

**Saline MO County”;** and

Further amend said bill, Pages 127 to 159, Section 128.456, Lines 2 to 1368, by deleting all of said lines and inserting in lieu thereof the following:

**“Adair MO County**

**Andrew MO County**

**Atchison MO County**

**Buchanan MO County**

**Caldwell MO County**

**Carroll MO County**

**Chariton MO County**

**Clark MO County**

**Clay MO County (part)**

**VTD: Chou 8 (part)**

**Block: 290470223021029**

**VTD: FR 1**

**VTD: FR 2**

**VTD: FR 3**

**VTD: FR 4**

**VTD: FR 5**

**VTD: Gal 17**

**VTD: KC 21 Lib 1**

**VTD: KC 21 Lib 2**

**VTD: KC 21 Lib 3**

**VTD: KC 21 Pl 1**

**VTD: KC 21-1**

**VTD: KC 21-12 (part)**

**Block: 290470212052031**

**Block: 290470212052032**

**Block: 290470212052033**

**Block: 290470212053000**

**Block: 290470212053001**

**Block: 290470212053002**

**Block: 290470212053003**

**Block: 290470212053004**

**Block: 290470212053005**

**Block: 290470212053006**  
**Block: 290470212053007**  
**Block: 290470212053008**  
**Block: 290470212053009**  
**Block: 290470212053010**  
**Block: 290470212053011**  
**Block: 290470212053012**  
**Block: 290470212053013**  
**Block: 290470212053014**  
**Block: 290470212053015**  
**Block: 290470212053016**  
**Block: 290470212053017**  
**Block: 290470212053018**  
**Block: 290470212053019**  
**Block: 290470212053020**  
**Block: 290470212053021**  
**Block: 290470212053022**  
**Block: 290470212053023**  
**Block: 290470212053024**  
**Block: 290470212053025**  
**Block: 290470212053026**  
**Block: 290470212053027**  
**Block: 290470212053028**  
**Block: 290470212053029**  
**Block: 290470212053031**  
**Block: 290470212053032**  
**Block: 290470212053033**  
**Block: 290470212053034**  
**Block: 290470212053035**  
**Block: 290470212053036**  
**Block: 290470212053037**  
**Block: 290470212053038**  
**Block: 290470212053039**  
**Block: 290470212053040**  
**Block: 290470212053041**  
**Block: 290470212053042**

**Block: 290470212053043**

**Block: 290470212053044**

**Block: 290470212063000**

**Block: 290470212063010**

**Block: 290470212063011**

**Block: 290470212063022**

**Block: 290470212063023**

**Block: 290470213031010**

**Block: 290470213031011**

**Block: 290470213031012**

**Block: 290470213031013**

**Block: 290470213031014**

**Block: 290470213031015**

**Block: 290470213031016**

**Block: 290470213031017**

**Block: 290470213031018**

**Block: 290470213031019**

**Block: 290470213031020**

**Block: 290470213031021**

**Block: 290470213031022**

**Block: 290470213031023**

**Block: 290470213031024**

**Block: 290470213031025**

**Block: 290470213031026**

**Block: 290470213031030**

**Block: 290470213032010**

**Block: 290470213032011**

**Block: 290470213032012**

**Block: 290470213032013**

**Block: 290470213032014**

**Block: 290470213032015**

**Block: 290470213032016**

**Block: 290470213072021**

**Block: 290470213072022**

**Block: 290470213072023**

**Block: 290470213072024**

**Block: 290470213072025**  
**Block: 290470213072026**  
**Block: 290470213072034**  
**Block: 290470213072035**  
**Block: 290470213072038**  
**Block: 290470213072039**  
**Block: 290470213073007**  
**Block: 290470213073018**  
**Block: 290470213073019**  
**Block: 290470213073020**  
**Block: 290470213073021**  
**Block: 290470213073040**  
**Block: 290470213073041**  
**Block: 290470213073042**  
**Block: 290470213073043**  
**Block: 290470213073044**  
**Block: 290470213073045**  
**Block: 290470213073046**  
**Block: 290470213073047**  
**Block: 290470213073048**  
**Block: 290470213073049**  
**Block: 290470213073050**  
**Block: 290470213073051**  
**Block: 290470213073052**  
**Block: 290470213073053**  
**Block: 290470213073054**  
**Block: 290470213073055**  
**Block: 290470213073056**  
**Block: 290470213073057**  
**Block: 290470213091039**  
**Block: 290470213091040**  
**Block: 290470213091041**  
**Block: 290470213091042**  
**Block: 290470213091043**  
**Block: 290470213091044**  
**Block: 290470213091045**



**Block: 290470213091046**

**Block: 290470213091054**

**Block: 290470213091079**

**Block: 290470213091080**

**Block: 290470213091081**

**Block: 290470213091082**

**Block: 290470213101006**

**Block: 290470213101007**

**Block: 290470213101008**

**Block: 290470213101013**

**Block: 290470213101014**

**Block: 290470213101015**

**Block: 290470213102025**

**Block: 290470213102026**

**Block: 290470213102027**

**Block: 290470213102028**

**Block: 290470213102029**

**Block: 290470213102030**

**VTD: KC 21-13**

**VTD: KC 21-15**

**VTD: KC 21-16 (part)**

**Block: 290470212052001**

**Block: 290470212052002**

**VTD: KC 21-17**

**VTD: KC 21-2 (part)**

**Block: 290470202021000**

**Block: 290470202021001**

**Block: 290470202021002**

**Block: 290470202021003**

**Block: 290470202021004**

**Block: 290470202021005**

**Block: 290470202021006**

**Block: 290470202021007**

**Block: 290470202021012**

**Block: 290470202021013**

**Block: 290470202021015**

**Block: 290470202021016**  
**Block: 290470202021017**  
**Block: 290470202021018**  
**Block: 290470202021019**  
**Block: 290470202021020**  
**Block: 290470202021021**  
**Block: 290470202021022**  
**Block: 290470202021023**  
**Block: 290470202021024**  
**Block: 290470202021025**  
**Block: 290470202021026**  
**Block: 290470202021027**  
**Block: 290470202021028**  
**Block: 290470202021029**  
**Block: 290470202021030**  
**Block: 290470202021036**  
**Block: 290470202021037**  
**Block: 290470202021042**  
**Block: 290470202021043**  
**Block: 290470202021044**  
**Block: 290470202021045**  
**Block: 290470202021046**  
**Block: 290470202021047**  
**Block: 290470202021048**  
**Block: 290470202021049**  
**Block: 290470202021050**  
**Block: 290470202021051**  
**Block: 290470202021052**  
**Block: 290470202021053**  
**Block: 290470202021055**  
**Block: 290470202021056**  
**Block: 290470202021057**  
**Block: 290470202021058**  
**Block: 290470202021059**  
**Block: 290470202021060**  
**Block: 290470202021062**

**Block: 290470202021063**

**Block: 290470202021064**

**Block: 290470202021065**

**Block: 290470202021067**

**Block: 290470202021068**

**Block: 290470202021069**

**Block: 290470202021070**

**Block: 290470202021071**

**Block: 290470202021072**

**Block: 290470202021073**

**Block: 290470202022000**

**Block: 290470202022001**

**Block: 290470202022002**

**Block: 290470202022003**

**Block: 290470202022004**

**Block: 290470202022005**

**Block: 290470202022006**

**Block: 290470202022007**

**Block: 290470202022008**

**Block: 290470202022009**

**Block: 290470202022010**

**Block: 290470202022011**

**Block: 290470202022012**

**Block: 290470202022013**

**Block: 290470202022014**

**Block: 290470202022015**

**Block: 290470202022016**

**Block: 290470202022017**

**Block: 290470202022018**

**Block: 290470202022019**

**Block: 290470202022020**

**Block: 290470202022021**

**Block: 290470202022022**

**Block: 290470202022023**

**Block: 290470202022024**

**Block: 290470202022025**

**Block: 290470202023000**  
**Block: 290470202023001**  
**Block: 290470202023002**  
**Block: 290470202023003**  
**Block: 290470202023004**  
**Block: 290470202023005**  
**Block: 290470202023006**  
**Block: 290470202023007**  
**Block: 290470202023008**  
**Block: 290470202023009**  
**Block: 290470202023010**  
**Block: 290470202023011**  
**Block: 290470202023012**  
**Block: 290470202023013**  
**Block: 290470202023014**  
**Block: 290470202023015**  
**Block: 290470202023016**  
**Block: 290470202023017**  
**Block: 290470202023018**  
**Block: 290470202023019**  
**Block: 290470202023020**  
**Block: 290470202023021**  
**Block: 290470202023022**  
**Block: 290470202023023**  
**Block: 290470202023024**  
**Block: 290470202023025**  
**Block: 290470202023026**  
**Block: 290470202023027**  
**Block: 290470202023028**  
**Block: 290470202023029**  
**Block: 290470202023030**  
**Block: 290470202023031**  
**Block: 290470202023032**  
**Block: 290470202023033**  
**Block: 290470202023034**  
**Block: 290470202023035**

**Block: 290470202023036**

**Block: 290470202023037**

**Block: 290470202023038**

**Block: 290470202023039**

**Block: 290470202023040**

**Block: 290470203005009**

**Block: 290470203005010**

**Block: 290470203005011**

**Block: 290470203005012**

**Block: 290470203005013**

**Block: 290470203005014**

**Block: 290470203005015**

**Block: 290470203005016**

**Block: 290470203005026**

**Block: 290470203005028**

**Block: 290470203005029**

**Block: 290470203005030**

**Block: 290470203005031**

**Block: 290470203005034**

**Block: 290470203005035**

**Block: 290470203005036**

**Block: 290470203005037**

**Block: 290470203005038**

**Block: 290470203005039**

**Block: 290470203005040**

**Block: 290470203005043**

**Block: 290470203005056**

**Block: 290470203005057**

**Block: 290470203005058**

**Block: 290470203005059**

**Block: 290470203005060**

**Block: 290470203005061**

**Block: 290470204002019**

**Block: 290470204002022**

**Block: 290470212043019**

**Block: 290470221002070**

Block: 290470221002071  
Block: 290470221002072  
Block: 290470221002073  
Block: 290470221002074  
Block: 290470221002075  
Block: 290470221002076  
Block: 290470221002077  
Block: 290470221002078  
Block: 290470221002079  
Block: 290470221002080  
Block: 290470221002081  
Block: 290470221002082  
Block: 290470221002083  
Block: 290470221002084  
Block: 290470221002085  
Block: 290470221002086  
Block: 290470221002087  
Block: 290470221002088  
Block: 290470221002093  
Block: 290470221002095  
Block: 290470221002096  
Block: 290470221002097  
Block: 290470221002098  
Block: 290470221002099  
Block: 290470221002100  
Block: 290470221002101  
Block: 290470221002102  
Block: 290470221002103  
Block: 290470221002104  
Block: 290470221002105  
Block: 290470221002106  
Block: 290470221002107  
Block: 290470221002108  
Block: 290470221002109  
Block: 290470221002110  
Block: 290470221002111

**Block: 290470221002118**

**Block: 290470221002119**

**Block: 290470221002120**

**Block: 290470221002121**

**Block: 290470221002122**

**Block: 290470221002194**

**Block: 290470221002195**

**Block: 290470221002196**

**Block: 290470221002197**

**Block: 290470221002239**

**Block: 290470221002240**

**Block: 290470221002241**

**Block: 290470221002244**

**Block: 290470221002245**

**Block: 290470221002246**

**Block: 290470221002247**

**Block: 290470221002248**

**Block: 290470221002249**

**Block: 290470221002250**

**Block: 290470221002251**

**Block: 290470221002252**

**Block: 290470221002256**

**Block: 290470221002258**

**Block: 290470221002260**

**Block: 290470221002262**

**Block: 290470221002263**

**Block: 290470221002264**

**Block: 290470221002265**

**Block: 290470221002266**

**Block: 290470221002267**

**Block: 290470221002268**

**Block: 290470221002274**

**Block: 290470221002275**

**Block: 290470221002276**

**VTD: KC 21-26**

**VTD: Kry 1**

**VTD: Kry 2**

**VTD: Kry 3**

**VTD: Kry 4**

**VTD: Lib 1**

**VTD: Lib 10**

**VTD: Lib 11**

**VTD: Lib 12**

**VTD: Lib 13 (part)**

**Block: 290470222002035**

**Block: 290470222002036**

**Block: 290470222002147**

**Block: 290470223012024**

**Block: 290470223012025**

**Block: 290470223012026**

**Block: 290470223021006**

**Block: 290470223021016**

**Block: 290470223021017**

**Block: 290470223021018**

**Block: 290470223021019**

**Block: 290470223021020**

**Block: 290470223021024**

**Block: 290470223021025**

**Block: 290470223021048**

**Block: 290470223021050**

**Block: 290470223021057**

**Block: 290470223021058**

**Block: 290470223021059**

**Block: 290470223021060**

**Block: 290470223023050**

**Block: 290470223023052**

**Block: 290470223023058**

**Block: 290470223023059**

**VTD: Lib 14**

**VTD: Lib 2**

**VTD: Lib 3**

**VTD: Lib 4**



**VTD: Lib 5 (part)**

**Block: 290470208011005**

**Block: 290470208011006**

**Block: 290470208011007**

**Block: 290470208011038**

**Block: 290470208011039**

**Block: 290470208011040**

**Block: 290470208011046**

**Block: 290470208011047**

**Block: 290470208011048**

**Block: 290470208011049**

**Block: 290470208011050**

**Block: 290470208011051**

**Block: 290470208011056**

**Block: 290470208011057**

**Block: 290470208011058**

**Block: 290470208012000**

**Block: 290470208012001**

**Block: 290470208012002**

**Block: 290470208012003**

**Block: 290470208012004**

**Block: 290470208012005**

**Block: 290470208012006**

**Block: 290470208012007**

**Block: 290470208012008**

**Block: 290470208012010**

**Block: 290470208012011**

**Block: 290470208012012**

**Block: 290470208012017**

**Block: 290470208012018**

**Block: 290470208012019**

**Block: 290470208012020**

**Block: 290470208013000**

**Block: 290470208013001**

**Block: 290470208013002**

**Block: 290470208013003**

**Block: 290470208015000**  
**Block: 290470208015001**  
**Block: 290470208015002**  
**Block: 290470208015003**  
**Block: 290470208015004**  
**Block: 290470208015005**  
**Block: 290470208015006**  
**Block: 290470208015007**  
**Block: 290470208015008**  
**Block: 290470208015009**  
**Block: 290470208015010**  
**Block: 290470208015011**  
**Block: 290470208015012**  
**Block: 290470208015013**  
**Block: 290470208015014**  
**Block: 290470208015015**  
**Block: 290470208015016**  
**Block: 290470208015017**  
**Block: 290470208015018**  
**Block: 290470208015019**  
**Block: 290470208015020**  
**Block: 290470208015021**  
**Block: 290470208015022**  
**Block: 290470208015023**  
**Block: 290470208015024**  
**Block: 290470208015025**  
**Block: 290470208015026**  
**Block: 290470223021005**  
**Block: 290470223021007**  
**Block: 290470223021010**  
**Block: 290470223021011**  
**Block: 290470223021012**  
**Block: 290470223021013**  
**Block: 290470223021015**  
**Block: 290470223021021**  
**Block: 290470223021022**

**Block: 290470223021023**

**Block: 290470223021027**

**Block: 290470223021061**

**Block: 290470223021062**

**Block: 290470223021063**

**VTD: Lib 6**

**VTD: Lib 7**

**VTD: Lib 8**

**VTD: Lib 9**

**VTD: Pl 1**

**VTD: Pl 2**

**VTD: Pl 3**

**VTD: Wash 1**

**VTD: Wash 2**

**VTD: Wash 3**

**Clinton MO County**

**Daviess MO County**

**DeKalb MO County**

**Gentry MO County**

**Grundy MO County**

**Harrison MO County**

**Holt MO County**

**Jackson MO County (part)**

**VTD: Blue Sub 3 No. 11 (part)**

**Block: 290950147021004**

**Block: 290950148041006**

**Block: 290950148041009**

**Block: 290950148041010**

**Block: 290950148041014**

**VTD: Blue Sub 3 No. 12 & 13**

**VTD: Blue Sub 8 No. 11 (part)**

**Block: 290950145021006**

**Block: 290950145021014**

**Block: 290950145021026**

**VTD: Blue Sub 8 No. 12,12A,& 12B (part)**

**Block: 290950145022054**

**Block: 290950145022055**

**VTD: Fort Osage No. 1,1A,2,& 3 (part)**

**Block: 290950147021002**

**Block: 290950148041000**

**Block: 290950148041001**

**Block: 290950148041002**

**Block: 290950148041003**

**Block: 290950148041004**

**Block: 290950148041005**

**Block: 290950148041007**

**Block: 290950148041039**

**Block: 290950150001071**

**Block: 290950150001072**

**Block: 290950150001076**

**Block: 290950150001077**

**Block: 290950177001000**

**Block: 290950177001001**

**Block: 290950177001002**

**Block: 290950177001003**

**Block: 290950177001004**

**Block: 290950177001005**

**Block: 290950177001006**

**Block: 290950177001008**

**Block: 290950177001009**

**Block: 290950177001010**

**Block: 290950177001011**

**Block: 290950177001012**

**Block: 290950177001013**

**Block: 290950177001014**

**Block: 290950177001015**

**Block: 290950177001016**

**Block: 290950177001017**

**Block: 290950177001018**

**Block: 290950177001019**

**Block: 290950177001020**

**Block: 290950177001021**

**Block: 290950177001022**

**Block: 290950177001023**

**Block: 290950177001026**

**Block: 290950177001027**

**Block: 290950177001028**

**Block: 290950177001035**

**Block: 290950177001036**

**Block: 290950177003000**

**Block: 290950177003001**

**Block: 290950177003002**

**Block: 290950177003003**

**Block: 290950177003004**

**Block: 290950177003005**

**Block: 290950177003006**

**Block: 290950177003007**

**Block: 290950177003008**

**Block: 290950177003009**

**Block: 290950177003010**

**Block: 290950177003011**

**Block: 290950177003012**

**Block: 290950177003013**

**Block: 290950177003014**

**Block: 290950177003015**

**Block: 290950177003016**

**Block: 290950177003017**

**Block: 290950177003018**

**Block: 290950177003019**

**Block: 290950177003020**

**Block: 290950177003021**

**Block: 290950177003024**

**Block: 290950177003025**

**Block: 290950177003026**

**Block: 290950177003029**

**Block: 290950177003072**

**Block: 290950177003073**

**Block: 290950177003074**

**Block: 290950177003075**

**Block: 290950177003076**

**Block: 290950177003077**

**VTD: Fort Osage No. 11,12,& 15N**

**VTD: Fort Osage No. 16,17,17A,19,& 20**

**VTD: Fort Osage No. 21**

**VTD: Fort Osage No. 27 & 28**

**VTD: Fort Osage No. 4**

**VTD: Fort Osage No. 5 & 30**

**VTD: Fort Osage No. 6**

**VTD: Fort Osage No. 7,8,25,& 26**

**VTD: Fort Osage No. 9**

**VTD: KC WD24 PCT2406**

**VTD: KC WD24 PCT2407 (part)**

**Block: 290950142032009**

**Block: 290950142032013**

**VTD: KC WD24 PCT2408 (part)**

**Block: 290950142043041**

**Block: 290950142043042**

**Block: 290950142043044**

**VTD: KC WD24 PCT2423**

**VTD: Prairie No. 26,27,28,& 78**

**VTD: Prairie No. 29 & 30C**

**VTD: Prairie No. 30**

**VTD: Prairie No. 30A**

**VTD: Prairie No. 30B,82,& 82A**

**VTD: Prairie No. 31**

**VTD: Prairie No. 33**

**VTD: Prairie No. 34**

**VTD: Prairie No. 35**

**VTD: Prairie No. 40A & 44A (part)**

**Block: 290950179003000**

**Block: 290950179003005**

**Block: 290950179003006**

**Block: 290950185001051**

**Block: 290950186001019**

**Block: 290950186001023**

**Block: 290950186001025**

**Block: 290950186001026**

**Block: 290950186001027**

**Block: 290950186001028**

**Block: 290950186001033**

**Block: 290950186002004**

**Block: 290950186002005**

**Block: 290950186002006**

**Block: 290950186002014**

**Block: 290950186002015**

**Block: 290950186002016**

**VTD: Prairie No. 41,42,& 81**

**VTD: Prairie No. 43 & 79 (part)**

**Block: 290950142042033**

**Block: 290950142042034**

**Block: 290950142042051**

**Block: 290950142042052**

**Block: 290950142042053**

**Block: 290950142042054**

**Block: 290950142042055**

**Block: 290950142042056**

**Block: 290950142042057**

**Block: 290950142042058**

**Block: 290950142043030**

**Block: 290950142043037**

**Block: 290950142043038**

**Block: 290950142043039**

**Block: 290950142043040**

**Block: 290950142043049**

**Block: 290950142043050**

**Block: 290950142043053**

**Block: 290950142043055**

**Block: 290950143003027**

**Block: 290950185001048**

**Block: 290950185001049**

**Block: 290950185001050**

**Block: 290959891001038**

**Block: 290959891001039**

**Block: 290959891001040**

**Block: 290959891001043**

**Block: 290959891001044**

**VTD: Prairie No. 45 (part)**

**Block: 290950137032016**

**Block: 290950137032020**

**VTD: Prairie No. 46,67,67A,& 67B**

**VTD: Prairie No. 47**

**VTD: Prairie No. 48**

**VTD: Prairie No. 49**

**VTD: Prairie No. 55 & 56**

**VTD: Prairie No. 57,72,73,73A,73B,73C,73N,73W,& 73X**

**VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)**

**Block: 290950141121020**

**Block: 290950141121021**

**Block: 290950141121022**

**Block: 290950141121023**

**Block: 290950141121024**

**Block: 290950141121025**

**Block: 290950141121026**

**Block: 290950141121027**

**Block: 290950141121028**

**Block: 290950141121029**

**Block: 290950141121030**

**Block: 290950141121042**

**Block: 290950141121043**

**Block: 290950141121044**

**Block: 290950141121047**

**Block: 290950141121048**

**Block: 290950141121056**

**Block: 290950141121057**

**Block: 290950141201046**

**Block: 290950141201054**



**Block: 290950141201055**

**Block: 290950141201056**

**Block: 290950141201057**

**Block: 290950141201058**

**Block: 290950141201060**

**Block: 290950141201067**

**VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)**

**Block: 290950139013000**

**Block: 290950139013001**

**Block: 290950139013002**

**Block: 290950139013003**

**Block: 290950139013004**

**Block: 290950139013005**

**Block: 290950139013006**

**Block: 290950139013008**

**Block: 290950139013013**

**Block: 290950139013015**

**Block: 290950139013016**

**Block: 290950139013019**

**Block: 290950139013020**

**Block: 290950139013021**

**Block: 290950139161000**

**Block: 290950139161001**

**Block: 290950139161002**

**Block: 290950139161003**

**Block: 290950141121046**

**Block: 290950141121058**

**Block: 290950141201045**

**Block: 290950141201047**

**Block: 290950141201048**

**Block: 290950141201049**

**Block: 290950141201050**

**Block: 290950141201053**

**Block: 290950141201059**

**Block: 290950141201061**

**Block: 290950141201062**

**Block: 290950141201063**

**Block: 290950141201064**

**Block: 290950141201065**

**Block: 290950141201066**

**Block: 290950141201068**

**Block: 290950141201069**

**Block: 290959891001045**

**Block: 290959891001046**

**Block: 290959891001047**

**Block: 290959891001057**

**Block: 290959891001058**

**Block: 290959891001059**

**Block: 290959891001060**

**Block: 290959891001063**

**Block: 290959891001066**

**Block: 290959891001069**

**VTD: Prairie No. 66 & 66F**

**VTD: Prairie No. 66A,66B,66C,& 66G**

**VTD: Prairie No. 66D & 66E**

**VTD: Prairie No. 69**

**VTD: Prairie No. 70,70A,70B,70C,& 70D**

**VTD: Sni-A-Bar No. 1,1B,& 1C (part)**

**Block: 290950145022007**

**Block: 290950145022008**

**Block: 290950145022009**

**Block: 290950145022017**

**Block: 290950145022018**

**Block: 290950145022019**

**Block: 290950145022042**

**Block: 290950145022043**

**Block: 290950145022045**

**Block: 290950145022046**

**Block: 290950145022047**

**Block: 290950145022048**

**Block: 290950145022049**

**Block: 290950145022050**

**Block: 290950145022051**

**Block: 290950145022052**

**Block: 290950145022053**

**Block: 290950145022060**

**Block: 290950145022061**

**Block: 290950145022062**

**Block: 290950145022063**

**Block: 290950145022064**

**Block: 290950145022065**

**Block: 290950145022066**

**Block: 290950145022068**

**Block: 290950145022070**

**Block: 290950193001005**

**Block: 290950193001006**

**Block: 290950193001007**

**Block: 290950193001008**

**VTD: Sni-A-Bar No. 10 (part)**

**Block: 290950149042003**

**Block: 290950149042004**

**Block: 290950149042005**

**Block: 290950149042006**

**Block: 290950149042007**

**Block: 290950149042008**

**Block: 290950149042009**

**Block: 290950149042010**

**Block: 290950149042011**

**Block: 290950149042012**

**Block: 290950149042013**

**Block: 290950149042014**

**Block: 290950149042018**

**Block: 290950149042019**

**Block: 290950149042020**

**Block: 290950149042021**

**Block: 290950149042022**

**VTD: Sni-A-Bar No. 11**

**VTD: Sni-A-Bar No. 11A**

**VTD: Sni-A-Bar No. 14,75N,& 75X (part)**

**Block: 290950149052013**

**Block: 290950149052014**

**Block: 290950149052015**

**Block: 290950149052016**

**Block: 290950149052017**

**VTD: Sni-A-Bar No. 14A & 75A (part)**

**Block: 290950141011015**

**VTD: Sni-A-Bar No. 17,17N,17X,17Z,& 69**

**VTD: Sni-A-Bar No. 18,68N,& 68X**

**VTD: Sni-A-Bar No. 19**

**VTD: Sni-A-Bar No. 1A**

**VTD: Sni-A-Bar No. 2 & 3A**

**VTD: Sni-A-Bar No. 20 & 70A**

**VTD: Sni-A-Bar No. 21,21B,70,& 71**

**VTD: Sni-A-Bar No. 22 (part)**

**Block: 290950141012001**

**Block: 290950141012004**

**Block: 290950141012005**

**Block: 290950141012006**

**Block: 290950141012017**

**Block: 290950141014003**

**Block: 290950141081014**

**Block: 290950141081018**

**VTD: Sni-A-Bar No. 23 (part)**

**Block: 290950141083003**

**Block: 290950141083004**

**Block: 290950141083005**

**Block: 290950141083006**

**Block: 290950141083007**

**Block: 290950141083008**

**Block: 290950141083009**

**Block: 290950141083010**

**Block: 290950141083011**

**Block: 290950141083012**

**Block: 290950141083013**

**Block: 290950141083014**

**Block: 290950141083015**

**Block: 290950141083016**

**Block: 290950141083017**

**Block: 290950141083018**

**Block: 290950141083019**

**Block: 290950141083024**

**Block: 290950141083025**

**Block: 290950141083026**

**Block: 290950141083027**

**Block: 290950141083028**

**Block: 290950141083029**

**Block: 290950141083030**

**Block: 290950141083031**

**Block: 290950141083032**

**Block: 290950141083033**

**Block: 290950141083036**

**Block: 290950141083037**

**Block: 290950141083040**

**VTD: Sni-A-Bar No. 24 (part)**

**Block: 290950141014013**

**Block: 290950141014014**

**Block: 290950141014015**

**Block: 290950141014016**

**Block: 290950141014034**

**Block: 290950141014047**

**Block: 290950141082019**

**Block: 290950141082020**

**Block: 290950141082021**

**Block: 290950141082022**

**Block: 290950141082023**

**Block: 290950141082024**

**Block: 290950141082026**

**Block: 290950141082027**

**Block: 290950141082028**

**Block: 290950141082029**

**Block: 290950141082030**

**Block: 290950141082031**

**Block: 290950141082032**

**Block: 290950141082033**

**Block: 290950141082034**

**Block: 290950141083000**

**Block: 290950141083001**

**Block: 290950141083002**

**Block: 290950141083020**

**Block: 290950141083021**

**Block: 290950141083022**

**Block: 290950141083023**

**VTD: Sni-A-Bar No. 25,72A,& 72B**

**VTD: Sni-A-Bar No. 26 & 26N**

**VTD: Sni-A-Bar No. 27 (part)**

**Block: 290950141083039**

**Block: 290950141144003**

**Block: 290950141144004**

**Block: 290950141144005**

**Block: 290950141144007**

**Block: 290950141144008**

**Block: 290950141144010**

**Block: 290950141144011**

**Block: 290950141144012**

**Block: 290950141144013**

**Block: 290950141144014**

**VTD: Sni-A-Bar No. 29 & 73**

**VTD: Sni-A-Bar No. 3 & 3B**

**VTD: Sni-A-Bar No. 30**

**VTD: Sni-A-Bar No. 30A,30B,30C,& 30D**

**VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)**

**Block: 290950141054002**

**Block: 290950141054010**

**Block: 290950141054011**

**Block: 290950141054012**

**VTD: Sni-A-Bar No. 32 & 78N (part)**

**Block: 290950141052000**

**Block: 290950141052001**

**Block: 290950141052002**

**Block: 290950141052003**

**Block: 290950141052004**

**Block: 290950141052005**

**Block: 290950141052006**

**Block: 290950141052007**

**Block: 290950141052008**

**Block: 290950141052009**

**Block: 290950141052010**

**Block: 290950141052013**

**Block: 290950141052014**

**Block: 290950141052015**

**Block: 290950141052016**

**Block: 290950141052017**

**Block: 290950141052018**

**Block: 290950141052028**

**Block: 290950141053000**

**Block: 290950141053004**

**Block: 290950141053005**

**Block: 290950141053006**

**Block: 290950141053007**

**Block: 290950141053008**

**Block: 290950141053015**

**Block: 290950141053016**

**Block: 290950141053017**

**Block: 290950141053018**

**Block: 290950141053023**

**Block: 290950141053024**

**Block: 290950141054019**

**Block: 290950141054020**

**Block: 290950141054021**

**Block: 290950141054022**

**Block: 290950141054023**

**Block: 290950141054024**

**Block: 290950141054025**

**Block: 290950141054026**

**Block: 290950141054027**

**VTD: Sni-A-Bar No. 33**

**VTD: Sni-A-Bar No. 34,34A,& 74**

**VTD: Sni-A-Bar No. 35 (part)**

**Block: 290950141052026**

**Block: 290950141052027**

**Block: 290950141052029**

**Block: 290950141052031**

**Block: 290950141052032**

**Block: 290950141052033**

**Block: 290950141052034**

**Block: 290950141111017**

**Block: 290950141111018**

**Block: 290950141111019**

**Block: 290950141111020**

**Block: 290950141111024**

**Block: 290950141111025**

**Block: 290950141111026**

**Block: 290950141111028**

**Block: 290950141111047**

**Block: 290950141111048**

**VTD: Sni-A-Bar No. 35A**

**VTD: Sni-A-Bar No. 36,36A,& 79A (part)**

**Block: 290950141111012**

**Block: 290950141111016**

**Block: 290950141111049**

**Block: 290950141111050**

**VTD: Sni-A-Bar No. 37,38,& 39**

**VTD: Sni-A-Bar No. 4 & 4N**

**VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C4 (part)**

**Block: 290950140071002**

**Block: 290950140071003**

**Block: 290950140071004**

**Block: 290950140071005**



**Block: 290950140071006**

**Block: 290950140071011**

**Block: 290950140071012**

**Block: 290950140071013**

**Block: 290950140071014**

**Block: 290950140071018**

**Block: 290950140071025**

**Block: 290950140071026**

**Block: 290950140071027**

**Block: 290950140071028**

**Block: 290950140071029**

**Block: 290950140071030**

**Block: 290950140071031**

**Block: 290950140071032**

**Block: 290950140071038**

**Block: 290950140071041**

**Block: 290950140071044**

**Block: 290950140071045**

**Block: 290950140071046**

**Block: 290950140071047**

**Block: 290950140071054**

**Block: 290950140071055**

**Block: 290950140071056**

**Block: 290950140071057**

**Block: 290950140071080**

**Block: 290950140071081**

**Block: 290950140071096**

**Block: 290950140071097**

**Block: 290950149032075**

**Block: 290950149032076**

**Block: 290950149032077**

**Block: 290950149032106**

**Block: 290950149032135**

**VTD: Sni-A-Bar No. 49**

**VTD: Sni-A-Bar No. 4X,59,59N,59X,60,60A,60N,& 60X**

**VTD: Sni-A-Bar No. 5 & 5N**

**VTD: Sni-A-Bar No. 50 & 91 (part)**  
**Block: 290950140042000**  
**Block: 290950140042001**  
**VTD: Sni-A-Bar No. 52 & 52A**  
**VTD: Sni-A-Bar No. 53 & 92 (part)**  
**Block: 290950140041022**  
**VTD: Sni-A-Bar No. 5A,5B,61,62,62A,& 97**  
**VTD: Sni-A-Bar No. 6 & 6B**  
**VTD: Sni-A-Bar No. 65,65N,& 65X**  
**VTD: Sni-A-Bar No. 68 & 68Z**  
**VTD: Sni-A-Bar No. 6A & 66**  
**VTD: Sni-A-Bar No. 6C,6D,6E,& 6F**  
**VTD: Sni-A-Bar No. 7,13,13A,13N,81,81A,81D,81Y,& 99N**  
**VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)**  
**Block: 290950141111006**  
**Block: 290950141111011**  
**VTD: Sni-A-Bar No. 8**  
**VTD: Sni-A-Bar No. 80**  
**VTD: Sni-A-Bar No. 81B**  
**VTD: Sni-A-Bar No. 82,82A,82N,& 82X**  
**VTD: Sni-A-Bar No. 89**  
**VTD: Sni-A-Bar No. 9**  
**VTD: Sni-A-Bar No. 90,90A,90B,& 90N**  
**VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)**  
**Block: 290950141121038**  
**Block: 290950141121039**  
**Block: 290950141121053**  
**Block: 290950141121054**  
**Block: 290950141121055**  
**VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)**  
**Block: 290950139013007**  
**Block: 290950139013009**  
**Block: 290950139013010**  
**Block: 290950139013011**  
**Block: 290950139013012**  
**Block: 290950139013014**

**Block: 290950139013017**

**Block: 290950139013018**

**Block: 290950139013022**

**Knox MO County**

**Lewis MO County**

**Linn MO County**

**Livingston MO County**

**Macon MO County**

**Marion MO County**

**Mercer MO County**

**Monroe MO County**

**Nodaway MO County**

**Pike MO County**

**Platte MO County**

**Putnam MO County**

**Ralls MO County**

**Randolph MO County (part)**

**VTD: Cairo**

**VTD: Clifton Hill**

**VTD: Darksville**

**VTD: Huntsville**

**VTD: Jacksonville**

**VTD: Levicks Mill**

**VTD: Mt. Airy (part)**

**Block: 291754902001169**

**Block: 291754902001170**

**Block: 291754902001172**

**Block: 291754902001173**

**Block: 291754902002079**

**Block: 291754902002080**

**Block: 291754902002094**

**Block: 291754906002048**

**Block: 291754906002049**

**Block: 291754906002053**

**Block: 291754906002058**

**Block: 291754906002059**

**Block: 291754906002060**

**Block: 291754906002062**

**Block: 291754906002194**

**VTD: North Sugar Creek (part)**

**Block: 291754901003147**

**Block: 291754901003152**

**Block: 291754901003153**

**Block: 291754901003154**

**Block: 291754901003155**

**Block: 291754901003159**

**Block: 291754901003160**

**Block: 291754901003161**

**Block: 291754901003162**

**Block: 291754901003163**

**Block: 291754901003180**

**Block: 291754902001183**

**Block: 291754902001187**

**Block: 291754902002008**

**Block: 291754902002009**

**Block: 291754902002010**

**Block: 291754902002011**

**Block: 291754902002012**

**Block: 291754902002013**

**Block: 291754902002014**

**Block: 291754902002015**

**Block: 291754902002016**

**Block: 291754902002031**

**Block: 291754902002032**

**Block: 291754902002033**

**Block: 291754902002095**

**Block: 291754902002096**

**Block: 291754902002099**

**VTD: Salt Springs (part)**

**Block: 291754902001115**

**Block: 291754902001116**

**Block: 291754902001123**

**Block: 291754902001124**

**Block: 291754902001125**

**Block: 291754902001130**

**Block: 291754902001131**

**Block: 291754902001155**

**Block: 291754902001156**

**Block: 291754902001157**

**Block: 291754902001158**

**Block: 291754902001159**

**Block: 291754902001160**

**Block: 291754902001161**

**Block: 291754902001162**

**Block: 291754902001163**

**Block: 291754902001164**

**Block: 291754902001165**

**Block: 291754902001168**

**Block: 291754902001171**

**Block: 291754902001174**

**Block: 291754902002056**

**Block: 291754902002057**

**Block: 291754902002058**

**Block: 291754902002062**

**Block: 291754902002064**

**Block: 291754902002065**

**Block: 291754902002066**

**Block: 291754902002067**

**Block: 291754902002068**

**Block: 291754902002069**

**Block: 291754902002070**

**Block: 291754902002071**

**Block: 291754902002073**

**Block: 291754902002074**

**Block: 291754902002075**

**Block: 291754902002076**

**Block: 291754902002077**

**Block: 291754902002078**

**Block: 291754902002081**

**Block: 291754902002082**

**Block: 291754902002083**

**Block: 291754902002084**

**Block: 291754902002085**

**Block: 291754902002087**

**Block: 291754902002088**

**Block: 291754902002089**

**Block: 291754902004062**

**Block: 291754902004063**

**Block: 291754902004064**

**Block: 291754902004065**

**Block: 291754902004066**

**Block: 291754906002000**

**Block: 291754906002001**

**Block: 291754906002002**

**Block: 291754906002003**

**Block: 291754906002004**

**Block: 291754906002005**

**Block: 291754906002006**

**Block: 291754906002007**

**Block: 291754906002012**

**Block: 291754906002025**

**Block: 291754906002050**

**Block: 291754906002051**

**Block: 291754906002052**

**Block: 291754906002204**

**Block: 291754906002205**

**Block: 291754906002218**

**Block: 291754906002219**

**VTD: South Sugar Creek (part)**

**Block: 291754902002028**

**Block: 291754902002042**

**Block: 291754902002100**

**VTD: Thomas Hill**

**VTD: Union (part)**

**Block: 291754901002002**  
**Block: 291754901002003**  
**Block: 291754901002004**  
**Block: 291754901002005**  
**Block: 291754901002006**  
**Block: 291754901002007**  
**Block: 291754901002008**  
**Block: 291754901002009**  
**Block: 291754901002010**  
**Block: 291754901002011**  
**Block: 291754901002012**  
**Block: 291754901002015**  
**Block: 291754901002016**  
**Block: 291754901002017**  
**Block: 291754901002018**  
**Block: 291754901002019**  
**Block: 291754901002020**  
**Block: 291754901002021**  
**Block: 291754901002022**  
**Block: 291754901002023**  
**Block: 291754901002026**  
**Block: 291754901002027**  
**Block: 291754901002028**  
**Block: 291754901002030**  
**Block: 291754901002031**  
**Block: 291754901002032**  
**Block: 291754901002033**  
**Block: 291754901002034**  
**Block: 291754901002035**  
**Block: 291754901002036**  
**Block: 291754901002037**  
**Block: 291754901002038**  
**Block: 291754901002039**  
**Block: 291754901002048**  
**Block: 291754901002049**  
**Block: 291754901002050**

**Block: 291754901002054**  
**Block: 291754901002055**  
**Block: 291754901002078**  
**Block: 291754901002079**  
**Block: 291754901002080**  
**Block: 291754901002081**  
**Block: 291754901002082**  
**Block: 291754901002083**  
**Block: 291754901002084**  
**Block: 291754901002085**  
**Block: 291754901002086**  
**Block: 291754901002087**  
**Block: 291754901002088**  
**Block: 291754901002089**  
**Block: 291754901002090**  
**Block: 291754901002091**  
**Block: 291754901002092**  
**Block: 291754901002093**  
**Block: 291754901002094**  
**Block: 291754901002095**  
**Block: 291754901002096**  
**Block: 291754901002099**  
**Block: 291754901002162**  
**Block: 291754901003063**  
**Block: 291754901003064**  
**Block: 291754901003065**  
**Block: 291754901003066**  
**Block: 291754901003178**  
**Block: 291754901003179**  
**Block: 291754901003182**  
**Block: 291754901003195**  
**Schuyler MO County**  
**Scotland MO County**  
**Shelby MO County**  
**Sullivan MO County**  
**Worth MO County”;** and



Further amend said bill, Pages 159 to 167, Section 128.457, Lines 2 to 359, by deleting all of said lines and inserting in lieu thereof the following:

**“Barry MO County**

**Christian MO County**

**Douglas MO County**

**Greene MO County**

**Jasper MO County**

**Lawrence MO County**

**McDonald MO County**

**Newton MO County**

**Ozark MO County**

**Polk MO County (part)**

**VTD: East Looney**

**VTD: Jackson**

**VTD: Northeast Marion (part)**

**Block: 291679601005070**

**Block: 291679601005102**

**Block: 291679601005103**

**Block: 291679601006013**

**Block: 291679601006014**

**Block: 291679601006015**

**Block: 291679601006016**

**Block: 291679601006017**

**Block: 291679601006018**

**Block: 291679601006019**

**Block: 291679601006020**

**Block: 291679601006021**

**Block: 291679601006022**

**Block: 291679601006023**

**Block: 291679601006024**

**Block: 291679601006025**

**Block: 291679601006026**

**Block: 291679601006027**

**Block: 291679601006028**

**Block: 291679601006029**

**Block: 291679601006030**

Block: 291679601006031  
Block: 291679601006032  
Block: 291679601006034  
Block: 291679601006035  
Block: 291679601006036  
Block: 291679601006037  
Block: 291679601006038  
Block: 291679601006039  
Block: 291679601006040  
Block: 291679601006041  
Block: 291679601006042  
Block: 291679601006043  
Block: 291679602004005  
Block: 291679602004006  
Block: 291679602004011  
Block: 291679602004012  
Block: 291679602004013  
Block: 291679602004014  
Block: 291679602004015  
Block: 291679602004016  
Block: 291679602004017  
Block: 291679602004018  
Block: 291679602004019  
Block: 291679602004020  
Block: 291679602004021  
Block: 291679602004022  
Block: 291679602004023  
Block: 291679602004024  
Block: 291679602004025  
Block: 291679602004026  
Block: 291679602004027  
Block: 291679602004028  
Block: 291679602004029  
Block: 291679602004030  
Block: 291679602004031  
Block: 291679602004032

**Block: 291679602004033**

**Block: 291679602004034**

**Block: 291679602004035**

**Block: 291679602004036**

**Block: 291679602004037**

**Block: 291679602004038**

**Block: 291679602004039**

**Block: 291679602004040**

**Block: 291679602004041**

**Block: 291679602004042**

**Block: 291679602004043**

**Block: 291679602004044**

**Block: 291679602004045**

**Block: 291679602004046**

**Block: 291679602004047**

**Block: 291679602004048**

**Block: 291679602004049**

**Block: 291679602004050**

**Block: 291679602004051**

**Block: 291679602004052**

**Block: 291679602004053**

**Block: 291679602004054**

**Block: 291679602004055**

**Block: 291679602004056**

**Block: 291679602004057**

**Block: 291679602004058**

**Block: 291679602004059**

**Block: 291679602004060**

**Block: 291679602004061**

**Block: 291679602004062**

**Block: 291679602004063**

**Block: 291679602004064**

**Block: 291679602004065**

**Block: 291679602004066**

**Block: 291679602004067**

**Block: 291679602004068**

**Block: 291679602005004**

**Block: 291679602005008**

**Block: 291679602005009**

**Block: 291679602005010**

**Block: 291679602005011**

**Block: 291679602005012**

**Block: 291679602005013**

**Block: 291679602005014**

**Block: 291679602005015**

**Block: 291679602005017**

**Block: 291679602005018**

**Block: 291679602005019**

**Block: 291679602005020**

**Block: 291679602005021**

**Block: 291679602005022**

**Block: 291679602005023**

**Block: 291679602005024**

**Block: 291679602005025**

**Block: 291679602005026**

**Block: 291679602005027**

**Block: 291679602005028**

**Block: 291679602005029**

**Block: 291679602005030**

**Block: 291679602005031**

**Block: 291679602005032**

**Block: 291679602005035**

**Block: 291679602005036**

**Block: 291679602005037**

**Block: 291679602005038**

**Block: 291679602005039**

**Block: 291679602005040**

**Block: 291679602005041**

**VTD: Northwest Marion (part)**

**Block: 291679601005040**

**Block: 291679601005055**

**Block: 291679601005060**

**Block: 291679601005061**  
**Block: 291679601005062**  
**Block: 291679601005063**  
**Block: 291679601005064**  
**Block: 291679601005065**  
**Block: 291679601005066**  
**Block: 291679601005067**  
**Block: 291679601005068**  
**Block: 291679601005069**  
**Block: 291679601005071**  
**Block: 291679601005072**  
**Block: 291679601005073**  
**Block: 291679601005074**  
**Block: 291679601005075**  
**Block: 291679601005080**  
**Block: 291679601005081**  
**Block: 291679601005082**  
**Block: 291679601005083**  
**Block: 291679601005084**  
**Block: 291679601005085**  
**Block: 291679601005086**  
**Block: 291679601005087**  
**Block: 291679601005092**  
**Block: 291679601005093**  
**Block: 291679601005094**  
**Block: 291679601005095**  
**Block: 291679601005096**  
**Block: 291679601005097**  
**Block: 291679601005098**  
**Block: 291679601005099**  
**Block: 291679601005100**  
**Block: 291679601005101**  
**Block: 291679601005104**  
**Block: 291679601005105**  
**Block: 291679601005106**  
**Block: 291679601005107**

Block: 291679601005108  
Block: 291679601005109  
Block: 291679601005110  
Block: 291679601005111  
Block: 291679601005112  
Block: 291679601005113  
Block: 291679601005114  
Block: 291679601005115  
Block: 291679601005116  
Block: 291679601006000  
Block: 291679601006001  
Block: 291679601006002  
Block: 291679601006003  
Block: 291679601006004  
Block: 291679601006005  
Block: 291679601006006  
Block: 291679601006007  
Block: 291679601006008  
Block: 291679601006009  
Block: 291679601006010  
Block: 291679601006011  
Block: 291679601006012  
Block: 291679601006033  
Block: 291679604003004  
Block: 291679604003005  
Block: 291679604003006  
Block: 291679604003007  
Block: 291679604003008  
Block: 291679604003009  
Block: 291679604003010  
Block: 291679604003011  
Block: 291679604003012  
Block: 291679604003013  
Block: 291679604003014  
Block: 291679604003015  
Block: 291679604003016

**Block: 291679604003017**

**Block: 291679604003018**

**Block: 291679604003019**

**Block: 291679604003020**

**Block: 291679604003021**

**Block: 291679604003022**

**Block: 291679604003023**

**Block: 291679604003024**

**Block: 291679604003025**

**Block: 291679604003026**

**Block: 291679604003027**

**Block: 291679604003028**

**Block: 291679604003029**

**Block: 291679604003031**

**Block: 291679604003032**

**Block: 291679604003046**

**Block: 291679604003060**

**Block: 291679604003061**

**Block: 291679604003068**

**Block: 291679604003069**

**Block: 291679604003070**

**Block: 291679604003071**

**Block: 291679604003072**

**Block: 291679604003073**

**Block: 291679604003074**

**Block: 291679604003075**

**Block: 291679604003076**

**Block: 291679604003077**

**Block: 291679604003078**

**Block: 291679604003083**

**Block: 291679604003084**

**Block: 291679604003085**

**Block: 291679604003086**

**Block: 291679604003087**

**Block: 291679604003088**

**Block: 291679604003089**

**Block: 291679604003090**

**Block: 291679604003091**

**Block: 291679604003092**

**VTD: Southeast Marion (part)**

**Block: 291679603002001**

**Block: 291679603002002**

**Block: 291679603002003**

**Block: 291679603002004**

**Block: 291679603002005**

**Block: 291679603002006**

**Block: 291679603002007**

**Block: 291679603002008**

**Block: 291679603002009**

**Block: 291679603002010**

**Block: 291679603002011**

**Block: 291679603002012**

**Block: 291679603002013**

**Block: 291679603002014**

**Block: 291679603002015**

**Block: 291679603002016**

**Block: 291679603002017**

**Block: 291679603002018**

**Block: 291679603002019**

**Block: 291679603002020**

**Block: 291679603002021**

**Block: 291679603002022**

**Block: 291679603002023**

**Block: 291679603002024**

**Block: 291679603002025**

**Block: 291679603002026**

**Block: 291679603002027**

**Block: 291679603002028**

**Block: 291679603002029**

**Block: 291679603002030**

**Block: 291679603002031**

**Block: 291679603002032**



**Block: 291679603002033**

**Block: 291679603002034**

**Block: 291679603002035**

**Block: 291679603002036**

**Block: 291679603002037**

**Block: 291679603002038**

**Block: 291679603002039**

**Block: 291679603002046**

**Block: 291679603002052**

**Block: 291679603002053**

**Block: 291679603002054**

**Block: 291679603002058**

**Block: 291679603002059**

**Block: 291679603002060**

**Block: 291679603002061**

**Block: 291679603002062**

**Block: 291679603002063**

**Block: 291679603003012**

**Block: 291679603003013**

**Block: 291679603003014**

**Block: 291679603003015**

**Block: 291679603003016**

**Block: 291679603003017**

**Block: 291679603003018**

**Block: 291679603003019**

**Block: 291679603003020**

**Block: 291679603003021**

**Block: 291679603003022**

**Block: 291679603003023**

**Block: 291679603003024**

**Block: 291679603003025**

**Block: 291679603003026**

**Block: 291679603003027**

**Block: 291679603003028**

**Block: 291679603003029**

**Block: 291679603003030**

**Block: 291679603003031**

**Block: 291679603003032**

**Block: 291679603003033**

**Block: 291679603003034**

**Block: 291679603003035**

**Block: 291679603003036**

**Block: 291679603003037**

**Block: 291679603003038**

**Block: 291679603003039**

**Block: 291679603003040**

**Block: 291679603003041**

**Block: 291679603003042**

**Block: 291679603003075**

**Block: 291679603003076**

**Block: 291679603003077**

**Block: 291679603003078**

**Block: 291679603003080**

**Block: 291679603003096**

**Block: 291679603003097**

**Block: 291679603003113**

**Block: 291679603003120**

**Block: 291679603003121**

**Block: 291679603003122**

**Block: 291679603003123**

**Block: 291679603003124**

**Block: 291679603003125**

**Block: 291679603003126**

**Block: 291679603003127**

**Block: 291679603003128**

**VTD: Southwest Marion**

**VTD: Union**

**VTD: West Looney**

**VTD: Wishart**

**Stone MO County**

**Taney MO County”;** and

Further amend said bill, Pages 167 to 172, Section 128.458, Lines 2 to 205, by deleting all of said lines

and inserting in lieu thereof the following:

**“Bollinger MO County**

**Butler MO County**

**Cape Girardeau MO County**

**Carter MO County**

**Crawford MO County**

**Dent MO County**

**Dunklin MO County**

**Franklin MO County (part)**

**VTD: BEAUFORT/ UNION**

**VTD: DRY BRANCH**

**VTD: DUEMLER**

**VTD: ELMONT**

**VTD: GERALD OUT OF TOWN**

**VTD: GERALD WARD 1**

**VTD: GERALD WARD 2**

**VTD: JAPAN**

**VTD: JEFFRIESBURG**

**VTD: LESLIE OUT OF TOWN**

**VTD: LESLIE VILLAGE**

**VTD: LUEBBERING**

**VTD: MIRAMIGUOA VILLAGE**

**VTD: OAK GROVE VILLAGE**

**VTD: PARKWAY VILLAGE**

**VTD: PEA RIDGE**

**VTD: PRAIRIE DELL (part)**

**Block: 290718005005064**

**Block: 290718005005066**

**Block: 290718006023089**

**Block: 290718006023090**

**Block: 290718006023091**

**Block: 290718006023092**

**Block: 290718006023093**

**Block: 290718006023094**

**Block: 290718006023095**

**Block: 290718006023096**

**Block: 290718006024052**

**Block: 290718008001043**

**Block: 290718008002043**

**Block: 290718008002044**

**Block: 290718008002045**

**Block: 290718008002046**

**Block: 290718008002047**

**Block: 290718008002048**

**Block: 290718008002049**

**Block: 290718008002052**

**Block: 290718008002053**

**Block: 290718008002054**

**Block: 290718008002058**

**Block: 290718008002067**

**Block: 290718009024000**

**Block: 290718009024001**

**Block: 290718009024002**

**Block: 290718009024004**

**Block: 290718009024005**

**Block: 290718009024015**

**Block: 290718009024016**

**Block: 290718009024017**

**Block: 290718009024177**

**Block: 290718009024178**

**Block: 290718009024179**

**Block: 290718009024188**

**VTD: SPRING BLUFF**

**VTD: ST CLAIR OUT OF TOWN**

**VTD: ST CLAIR WARD 1**

**VTD: ST CLAIR WARD 2**

**VTD: STANTON**

**VTD: SULLIVAN OUT OF TOWN**

**VTD: SULLIVAN WARD 1**

**VTD: SULLIVAN WARD 2**

**VTD: SULLIVAN WARD 3**

**VTD: UNION OUT OF TOWN (part)**

**Block: 290718005005055**

**Block: 290718005005056**

**Block: 290718005005057**

**Block: 290718005005062**

**Block: 290718005005063**

**Block: 290718005005065**

**Block: 290718005005067**

**Block: 290718005005068**

**Howell MO County**

**Iron MO County**

**Jefferson MO County (part)**

**VTD: Airport No. 1**

**VTD: Airport No. 2**

**VTD: Athena**

**VTD: Crystal City**

**VTD: DeSoto**

**VTD: Festus**

**VTD: Festus Outside**

**VTD: Fletcher**

**VTD: Goldman No. 2**

**VTD: Hematite**

**VTD: Herculaneum**

**VTD: Hillsboro 1-2**

**VTD: Hillsboro P-1 (part)**

**Block: 290997005023051**

**Block: 290997005023052**

**Block: 290997005023055**

**Block: 290997005023056**

**Block: 290997005024029**

**Block: 290997005024082**

**Block: 290997005024083**

**Block: 290997005024084**

**Block: 290997005024085**

**Block: 290997005024092**

**Block: 290997005024093**

**Block: 290997010005017**

Block: 290997010005018  
Block: 290997010005019  
Block: 290997010005020  
Block: 290997010005021  
Block: 290997010005022  
Block: 290997010005023  
Block: 290997010005024  
Block: 290997010005025  
Block: 290997010005026  
Block: 290997010005027  
Block: 290997010005028  
Block: 290997010005029  
Block: 290997010005030  
Block: 290997010005035  
Block: 290997010005036  
Block: 290997010005037  
Block: 290997010005038  
Block: 290997010005043  
Block: 290997010005044  
Block: 290997010005048  
Block: 290997010005049  
Block: 290997010005050  
Block: 290997010005051  
Block: 290997011011007  
Block: 290997011011008  
Block: 290997011011009  
Block: 290997011011010  
Block: 290997011012001  
Block: 290997011012002  
Block: 290997011012003  
Block: 290997011012004  
Block: 290997011012006  
Block: 290997011012007  
Block: 290997011012008  
Block: 290997011012009  
Block: 290997011012010

**Block: 290997011012011**

**Block: 290997011012012**

**Block: 290997011012013**

**Block: 290997011012014**

**Block: 290997011012015**

**Block: 290997011012016**

**Block: 290997011012017**

**Block: 290997011012018**

**Block: 290997011012019**

**Block: 290997011012020**

**Block: 290997011012021**

**Block: 290997011012022**

**Block: 290997011012023**

**Block: 290997011012024**

**Block: 290997011012025**

**Block: 290997011012026**

**Block: 290997011012038**

**Block: 290997011012039**

**Block: 290997011012040**

**Block: 290997011012041**

**Block: 290997011013000**

**Block: 290997011013001**

**Block: 290997011013002**

**Block: 290997011013003**

**Block: 290997011013004**

**Block: 290997011013005**

**Block: 290997011013006**

**Block: 290997011013012**

**Block: 290997011013013**

**Block: 290997011013014**

**VTD: Hillsboro P-2**

**VTD: Horine**

**VTD: Jefferson R7-1**

**VTD: Jefferson R7-2**

**VTD: Lake Tishomingo (part)**

**Block: 290997005023037**

**Block: 290997005023046**

**Block: 290997005023047**

**Block: 290997005023049**

**Block: 290997005023050**

**Block: 290997005023053**

**Block: 290997005023054**

**VTD: Mapaville (part)**

**Block: 290997006042035**

**Block: 290997006042037**

**Block: 290997006042039**

**Block: 290997006042040**

**Block: 290997006042041**

**Block: 290997006042042**

**Block: 290997006042043**

**Block: 290997006042044**

**Block: 290997006042045**

**Block: 290997006042046**

**Block: 290997006042047**

**Block: 290997006052022**

**Block: 290997006052025**

**Block: 290997006052026**

**Block: 290997006052027**

**Block: 290997006052028**

**Block: 290997006052029**

**Block: 290997006052030**

**Block: 290997006052031**

**Block: 290997006052032**

**Block: 290997006052033**

**Block: 290997006052034**

**Block: 290997006052035**

**Block: 290997006052037**

**Block: 290997006052038**

**Block: 290997006052039**

**Block: 290997006052040**

**Block: 290997006052041**

**Block: 290997006052042**



**Block: 290997006052043**

**Block: 290997006052044**

**Block: 290997006052045**

**Block: 290997006052046**

**Block: 290997006052047**

**Block: 290997006052048**

**Block: 290997006052049**

**Block: 290997006052050**

**Block: 290997006052051**

**Block: 290997006052052**

**Block: 290997006052053**

**Block: 290997006053034**

**Block: 290997006053035**

**Block: 290997006053036**

**Block: 290997006053038**

**Block: 290997006053039**

**Block: 290997006053040**

**Block: 290997006053041**

**Block: 290997006053042**

**Block: 290997006053043**

**Block: 290997006053044**

**Block: 290997006053045**

**Block: 290997006053046**

**Block: 290997006053047**

**Block: 290997006053048**

**Block: 290997006053049**

**Block: 290997006053050**

**Block: 290997006053051**

**Block: 290997006053052**

**Block: 290997006053053**

**Block: 290997006053064**

**Block: 290997006053065**

**Block: 290997008021095**

**Block: 290997010001002**

**Block: 290997010001003**

**Block: 290997010001004**

**Block: 290997010001005**

**Block: 290997010001006**

**Block: 290997010001007**

**Block: 290997010001008**

**Block: 290997010001009**

**Block: 290997010001010**

**Block: 290997010001011**

**Block: 290997010001012**

**Block: 290997010001013**

**Block: 290997010001014**

**Block: 290997010001015**

**Block: 290997010001016**

**Block: 290997010001017**

**Block: 290997010001018**

**Block: 290997010001019**

**Block: 290997010001020**

**Block: 290997010001027**

**Block: 290997010001035**

**Block: 290997010004000**

**Block: 290997010004001**

**Block: 290997010004023**

**Block: 290997010004024**

**Block: 290997010004025**

**Block: 290997010004029**

**VTD: Oakvale**

**VTD: Olympian Village**

**VTD: Pevely**

**VTD: Pevely Outside No. 1**

**VTD: Pevely Outside No. 2**

**VTD: Plattin**

**VTD: Riverview**

**VTD: Rush Tower**

**VTD: Sunrise**

**VTD: Valle No. 1**

**VTD: Valle No. 2**

**VTD: Victoria**

**VTD: Vineland No. 1**

**VTD: Vineland No. 2**

**VTD: Ware (part)**

**Block: 290997011011005**

**Block: 290997011012027**

**Block: 290997011012028**

**Block: 290997011012029**

**Block: 290997011012030**

**Block: 290997011012031**

**Block: 290997011012032**

**Block: 290997011012033**

**Block: 290997011012034**

**Block: 290997011012035**

**Block: 290997011012036**

**Block: 290997011012037**

**Block: 290997011012047**

**Block: 290997011012048**

**Block: 290997011012051**

**Block: 290997011012052**

**Block: 290997011012053**

**Block: 290997011012054**

**Block: 290997011013007**

**Block: 290997011013008**

**Block: 290997011024022**

**Block: 290997011024023**

**Block: 290997011024024**

**Block: 290997011024025**

**Block: 290997011024029**

**Block: 290997011025014**

**Block: 290997011025015**

**Block: 290997011025016**

**Block: 290997011025018**

**Block: 290997011026000**

**Block: 290997011026001**

**Block: 290997011026002**

**Block: 290997011026003**

**Block: 290997011026004**

**Block: 290997011026005**

**Block: 290997011026018**

**Block: 290997011026019**

**Block: 290997011026021**

**Block: 290997011026069**

**Madison MO County**

**Mississippi MO County**

**New Madrid MO County**

**Oregon MO County**

**Pemiscot MO County**

**Perry MO County**

**Phelps MO County**

**Reynolds MO County**

**Ripley MO County**

**Scott MO County**

**Shannon MO County**

**St. Francois MO County**

**Ste. Genevieve MO County**

**Stoddard MO County**

**Texas MO County**

**Washington MO County**

**Wayne MO County**”; and

Further amend said title, enacting clause and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 26, 2011

TO THE SECRETARY OF THE SENATE

96<sup>TH</sup> GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 19 entitled:

AN ACT

To repeal section 147.010, RSMo, and to enact in lieu thereof one new section relating to the phase-out of the corporate franchise tax.  
On April 26, 2011, I approved said Senate Committee Substitute for Senate Bill No. 19.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 26, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joseph Nicholson, 220 Foxhead Shores Drive, Linn Creek, Camden County, Missouri 65052, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2012, and until his successor is duly appointed and qualified; vice, Thelma Kinion, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

**HOUSE BILLS ON THIRD READING**

**HB 270**, with **SCS**, introduced by Representatives Burlison and Swinger, entitled:

An Act to repeal section 103.089, RSMo, and to enact in lieu thereof one new section relating to state health insurance benefits.

Was taken up by Senator Dempsey.

**SCS** for **HB 270**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 270**

An Act to repeal sections 103.080 and 103.089, RSMo, and to enact in lieu thereof two new sections relating to the state employee health insurance program.

Was taken up.

Senator Dempsey moved that **SCS** for **HB 270** be adopted.

Senator Kehoe offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Bill No. 270, Page 2, Section 103.089, Lines 28-30, by striking said lines and inserting in lieu thereof the following: “**section shall have monthly subscriber premiums that are materially lower than non-high deductible health plan monthly subscriber premiums with a goal of monthly subscriber premiums being at least fifty percent lower than non-high deductible health plan premiums. The amount of the annual deductible**”; and further amend line 32, by striking “one hundred and twenty-five” and inserting in lieu thereof the following: “**two**”

**hundred**"; and further amend lines 35 to 38, by striking said lines; and further amend line 41, by striking "to" and inserting in lieu thereof the following: "**or better than**"; and further amend line 41, by inserting immediately before "coverage" the following: "**average**"; and further amend line 41, by striking "plan" and inserting in lieu thereof the following: "**plans.**"; and further amend line 42, by striking said line.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey moved that **SCS** for **HB 270**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **HB 270**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senator Mayer—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Goodman moved that motion lay on the table, which motion prevailed.

**HCS** for **HBs 73** and **47**, with **SCS**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

Was taken up by Senator Crowell.

**SCS** for **HCS** for **HBs 73** and **47**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 73 and 47

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

Was taken up.

Senator Crowell moved that **SCS** for **HCS** for **HBs 73** and **47** be adopted.

Senator Crowell offered **SS** for **SCS** for **HCS** for **HBs 73** and **47**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 73 and 47

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

Senator Crowell moved that **SS** for **SCS** for **HCS** for **HBs 73** and **47** be adopted.

Senator Crowell offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 1, Section 208.027, Line 5 of said page, by inserting after the word “test” the following: **“using a urine dipstick five panel test to screen”**.

Senator Crowell moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

Senator Callahan offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 1, Section 208.027, Lines 5-9, by striking all of said lines and inserting in lieu thereof the following:

**“develop a program to test all work-eligible recipients, using a urine dipstick five panel test, who are otherwise eligible for temporary assistance for needy families benefits under this chapter and who are not employed for the use of a controlled substance. Any work-eligible recipient”**; and further amend line 11 by striking the words “applicant or” and inserting in lieu thereof the following: **“work-eligible”**; and further amend said bill and section, page 2, line 4 by striking the words “applicant or” and inserting in lieu thereof the following: **“work-eligible”**; and further amend line 8 by inserting after all of said line the following:

**“2. For purposes of this section, the following terms shall mean:**

**(1) “Work activity”, shall include, but not be limited to, subsidized or unsubsidized private or public sector employment, job training programs, community service programs, or vocational education and training programs;**

**(2) “Work-eligible recipient”, a recipient who:**

**(a) Is otherwise eligible for temporary assistance for needy families benefits under this chapter; and**

**(b) Is required or eligible to participate in work activities.”; and**

Further renumber the remaining subsection accordingly.

Senator Callahan moved that **SSA 1** for **SA 1** be adopted, which motion failed on a standing division vote.

Senator Schaaf offered **SSA 2** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 2 FOR  
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 1, Section 208.027, Lines 5-7, by striking all of said lines and inserting in lieu thereof the following:

**“develop a program to screen each applicant or recipient who is otherwise eligible for temporary assistance for needy families benefits under this chapter, and then test, using a urine dipstick five panel test, each one who the department has”.**

Senator Schaaf moved that the above substitute amendment be adopted, which motion prevailed.

Senator Crowell offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 1, Section 208.027, Line 12 of said page, by inserting after the word “provider,” the following: **“or who refuses to submit to a test,”**.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Lembke offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 2, Section 208.027, Line 21, by inserting after all of said line the following:

**“Section 1. All electronic benefits cards distributed to recipients of temporary assistance for needy families benefits shall have imprinted on the card a photograph of the recipient. The card shall not be accepted for use by a retail establishment if the photograph of the recipient does not match the person presenting the card.”; and**

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted.

Senator Justus offered **SA 1** to **SA 3**:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 1, Line 5, by inserting after the word “recipient” the following: **“and shall expire and be subject to renewal after a period of three years”**.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

**SA 3**, as amended, was again taken up.



Senator Ridgeway offered **SA 2** to **SA 3**, which was read:

SENATE AMENDMENT NO. 2 TO  
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 1, Line 5, by inserting after the word “recipient” the following: **“or protective payee authorized to use the card”**.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

**SA 3**, as amended, was again taken up.

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 1, Section A, Line 3, by inserting after all of said line the following:

**“105.009. 1. Before taking office and once every two years thereafter, all state elected officials, state executive branch managerial staff, and all officers and leadership staff of the house of representatives and senate shall be subject to chemical testing of their blood or urine for the purpose of determining the drug content of the blood. The costs of such testing shall be paid by such official, officer, or staff member.**

**2. To be considered valid, chemical tests of the person’s blood or urine shall be performed according to methods and devices approved by the state department of health and senior services, and shall be performed by licensed medical personnel or by a person possessing a valid permit issued by the state department of health and senior services for this purpose. A blood test shall not be performed if the medical personnel, in good faith medical judgment, believe such procedure would endanger the health of the person.**

**3. Upon request of the person tested, full information concerning the test shall be made available to the person.**

**4. No person administering a chemical test under this section or any other person, firm, or corporation with whom such person is associated shall be civilly liable for damages to the person tested except for negligence of by willful or wanton act or omission.**

**105.011. Any member of the general assembly who is arrested two or more times during the course of the member’s term of office shall immediately forfeit and vacate the office.”; and**

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted.

Senator Lembke raised the point of order that **SA 4** is out of order as it is not germane to the underlying bill.

The point of order was referred to Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence.

The point of order was ruled well taken.

Senator Ridgeway offered **SA 5**:

**SENATE AMENDMENT NO. 5**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 2, Section 208.027, Line 8, by inserting after all of said line the following:

**“2. Case workers of applicants or recipients shall be required to report or cause a report to be made to the children's division in accordance with the provisions of sections 210.109 to 210.183 for suspected child abuse as a result of drug abuse in instances where the case worker has knowledge that:**

- (1) An applicant or recipient has tested positive for the illegal use of a controlled substance; or**
- (2) An applicant or recipient has refused to be tested for the illegal use of a controlled substance.**

**3. Other members of a household which includes a person who has been declared ineligible for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive temporary assistance for needy families benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household.”; and**

Further renumber the remaining subsection accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 6**:

**SENATE AMENDMENT NO. 6**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 2, Section 208.027, Line 3, by inserting after the word “decision” the following:

**“unless such applicant or recipient, after having been referred by the department, enters and successfully completes a substance abuse treatment program and does not test positive for illegal use of a controlled substance in the six-month period beginning on the date of entry into such rehabilitation or treatment program. The applicant or recipient shall continue to receive benefits while participating in the treatment program. The department may test the applicant or recipient for illegal drug use at random or set intervals, at the department's discretion, after such period. If the applicant or recipient tests positive for the use of illegal drugs a second time, then such applicant or recipient shall be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision”.**

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 7**:

**SENATE AMENDMENT NO. 7**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 and 47, Page 1, In the Title, Lines 3-5, by striking all of said lines and inserting in lieu thereof the following:

**“section relating to drug testing.”; and**

Further amend said bill and page, section A, line 3, by inserting after all of said line the following:

**“105.009. 1. Before taking office and once every two years thereafter, all state elected officials, state executive branch managerial staff, and all officers and leadership staff of the house of representatives and senate shall be subject to chemical testing of their blood or urine for the purpose of determining the drug content of the blood. The costs of such testing shall be paid by such official, officer, or staff member.**

**2. To be considered valid, chemical tests of the person's blood or urine shall be performed according to methods and devices approved by the state department of health and senior services, and shall be performed by licensed medical personnel or by a person possessing a valid permit issued by the state department of health and senior services for this purpose. A blood test shall not be performed if the medical personnel, in good faith medical judgment, believe such procedure would endanger the health of the person.**

**3. Upon request of the person tested, full information concerning the test shall be made available to the person.**

**4. No person administering a chemical test under this section or any other person, firm, or corporation with whom such person is associated shall be civilly liable for damages to the person tested except for negligence or by willful or wanton act or omission.**

**105.011. Any member of the general assembly who is arrested two or more times during the course of the member's term of office shall immediately forfeit and vacate the office.”; and**

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 7** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Crowell moved that **SS** for **SCS** for **HCS** for **HBs 73** and **47**, as amended, be adopted, which motion prevailed.

Senator Crowell moved that **SS** for **SCS** for **HCS** for **HBs 73** and **47**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **SS** for **SCS** for **HCS** for **HBs 73** and **47**, as amended, to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HCS** for **HB 1**; **SCS** for **HCS** for **HB 14**; **HB 15**; **HB 182**; **HCS** for **HB 354**; **HCS** for **HB 557**; **HB 749** and **HB 795**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

Senator Stouffer assumed the Chair.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 562**, entitled:

An Act to repeal sections 210.101 and 210.102, RSMo, and to enact in lieu thereof three new sections relating to the Missouri children's services commission which oversees the Missouri task force on prematurity and infant mortality.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 664**, entitled:

An Act to repeal sections 87.005, 87.006, 87.120, 87.205, 87.207, 87.325, 87.330, 87.335, 87.340, and 87.345, RSMo, and to enact in lieu thereof eleven new sections relating to the firemen's retirement system of St. Louis.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 579**, entitled:

An Act to repeal sections 8.241, 144.032, 172.803, 178.900, 189.010, 189.065, 191.227, 191.305, 191.310, 192.005, 197.071, 197.080, 197.100, 198.012, 205.968, 208.151, 208.275, 208.798, 210.900, 211.202, 211.203, 211.206, 211.207, 402.210, 475.121, 475.355, 476.537, 536.031, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.097, 630.120, 630.165, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, 633.309, and 660.405, RSMo, and to enact in lieu thereof eighty-seven new sections relating to health care policies in this state, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 366**, entitled:

An Act to repeal sections 67.1461, 620.1878, and 620.1881, RSMo, and enact in lieu thereof five new

sections relating to tax incentives for data storage, server farm, and technology business facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 600, 337 and 413**, entitled:

An Act to repeal sections 43.260, 43.265, 70.695, 87.005, 87.006, 302.302, 302.309, 304.820, 306.111, 306.112, 306.113, 306.114, 306.116, 306.117, 306.118, 306.119, 306.130, 565.024, 565.035, 565.081, 565.083, 569.100, 570.080, 575.060, 577.023, RSMo, section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session and section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session, and to enact in lieu thereof thirty new sections relating to public safety, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 161**, entitled:

An Act to repeal sections 67.1000, 67.1002, 67.1003, 67.1005, 67.1006, and 67.1008, RSMo, and to enact in lieu thereof five new sections relating to county transient guest taxes for tourism purposes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 523**, entitled:

An Act to repeal sections 376.717 and 385.320, RSMo, and to enact in lieu thereof thirteen new sections relating to registration of certain insurance products.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House

refuses to adopt **SCS** for **HCS** for **HB 3** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 4** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 5** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 6** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS**, as amended for **HCS** for **HB 7** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 8** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 9** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 10** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 11** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 12** and requests the Senate to recede from its position and failing to

do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 13** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

### **PRIVILEGED MOTIONS**

Senator Schaefer requested unanimous consent of the Senate to be allowed to make one motion to send **SCS** for **HCS** for **HB 2**; **SCS** for **HCS** for **HB 3**; **SCS** for **HCS** for **HB 4**; **SCS** for **HCS** for **HB 5**; **SCS** for **HCS** for **HB 6**; **SCS** for **HCS** for **HB 7**, as amended; **SCS** for **HCS** for **HB 8**; **SCS** for **HCS** for **HB 9**; **SCS** for **HCS** for **HB 10**; **SCS** for **HCS** for **HB 11**; **SCS** for **HCS** for **HB 12**; and **SCS** for **HCS** for **HB 13** to conference in one motion, which request was granted.

Senator Schaefer moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 2**; **SCS** for **HCS** for **HB 3**; **SCS** for **HCS** for **HB 4**; **SCS** for **HCS** for **HB 5**; **SCS** for **HCS** for **HB 6**; **SCS** for **HCS** for **HB 7**, as amended; **SCS** for **HCS** for **HB 8**; **SCS** for **HCS** for **HB 9**; **SCS** for **HCS** for **HB 10**; **SCS** for **HCS** for **HB 11**; **SCS** for **HCS** for **HB 12**; and **SCS** for **HCS** for **HB 13** and grant the House a conference thereon, which motion prevailed.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 3**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 4**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 5**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 6**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 7**, as amended: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 8**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 9**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 10**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 11**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 12**: Senators Schaefer, Rupp, Pearce, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 13**: Senators Schaefer, Rupp, Pearce, Green and Curls.

### **HOUSE BILLS ON THIRD READING**

At the request of Senator Purgason, **HCS** for **HBs 116** and **316**, with **SCS**, was placed on the Informal Calendar.

**HB 229**, introduced by Representatives Curls and Leara, entitled:

An Act to repeal sections 169.270, 169.280, 169.301, 169.324, and 169.328, RSMo, and to enact in lieu thereof five new sections relating to school retirement systems.

Was taken up by Senator Curls.

On motion of Senator Curls, **HB 229** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 142**, with **SCS**, introduced by Representative Gatschenberger, entitled:

An Act to repeal section 55.030, RSMo, and to enact in lieu thereof one new section relating to political subdivisions.

Was taken up by Senator Dempsey.

**SCS** for **HB 142**, entitled:



SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 142

An Act to repeal sections 55.030 and 475.115, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

Was taken up.

Senator Dempsey moved that **SCS** for **HB 142** be adopted.

Senator Callahan offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 142, Pages 2-3, Section 488.070, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Callahan moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

**“67.319. 1. If approved by a majority of the voters voting on the proposal, any city, town, or village located within this state may, by ordinance, levy and impose annually, upon water service lines providing water service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, or village, a fee not to exceed one dollar per month or twelve dollars annually.**

**2. The ballot of submission shall be in substantially the following form:**

**For the purpose of repair or replacement of water lines extending from the water main to a residential dwelling due to failure of the line, shall ..... (city, town, or village) be authorized to impose a fee not to exceed one dollar per month or twelve dollars annually on residential property for each water service line providing water service within the (city, town, or village) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary water service line repairs or replacements?**

☐ YES

☐ NO

**3. For the purpose of this section, a water service line may be defined by local ordinance, but may not include the water meter or exceed that portion of water piping and related valves and connectors which extends from the water mains owned by the utility or municipality distributing public water supply to the first opportunity for a connection or joint beyond the point of entry into the premises receiving water service, and may not include facilities owned by the utility or municipality distributing public water supply. For purposes of this section, repair may be defined and limited by local ordinance, and may include replacement or repairs.**

**4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1 of this section, the governing body of the city, town, or village may enact an ordinance for the collection**

of such fee. The funds collected under such ordinance shall be deposited in a special account to be used solely for the purpose of paying for the reasonable costs associated with and necessary to administer and carry out the water service line repairs as defined in the ordinance and, if sufficient revenues are available, to reimburse the necessary costs of water service line repair or replacement. All interest generated on deposited funds shall be accrued to the special account established for the repair of water service lines.

5. The city, town, or village may establish, as provided in the ordinance, regulations necessary for the administration of collections, claims, repairs, replacements and all other activities necessary and convenient for the implementation of any ordinance adopted and approved under this section. The city, town, or village may administer the program or may contract with one or more persons, through a competitive process, to provide for administration of any portion of implementation activities of any ordinance adopted and approved under this section, and reasonable costs of administering the program may be paid from the special account established under this section.

6. Notwithstanding any other provision of law to the contrary, the collector in any city, town, village or county that adopts an ordinance pursuant to this section, who now or hereafter collects any fee to provide for, ensure or guarantee the repair of water service lines, may add such fee to the general tax levy bills of property owners within the city, town, village or unincorporated area of the county. All revenues received on such combined bill which are for the purpose of providing for, ensuring or guaranteeing the repair of water service lines, shall be separated from all other revenues so collected and credited to the appropriate fund or account of the city, town, village or county. The collector of the city, town, village or county may collect such fee in the same manner and to the same extent as the collector now or hereafter may collect delinquent real estate taxes and tax bills.”; and

Further amend the title and enacting clause accordingly.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered SA 3:

#### SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

“67.451. Any city in which voters have approved fees to recover costs associated with enforcement of municipal housing, property maintenance, or nuisance ordinances may issue a special tax bill against the property where such ordinance violations existed. The officer in charge of finance shall cause the amount of unrecovered costs to be included in a special tax bill or added to the annual real estate tax bill for the property at the collecting official's option, and the costs shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by laws governing delinquent and back taxes. The tax bill shall be deemed a personal debt against the owner from the date of issuance, and shall also be a lien on the property until paid. Notwithstanding any provision of the city's charter to the contrary, the city may provide, by ordinance, that the city may discharge the special tax bill upon a determination by the city that a public benefit will be gained by such discharge, and such discharge shall include any costs of tax collection, accrued interest, or attorney fees related to the special tax bill.”; and

Further amend said bill and page, section 475.115, line 19 by inserting after all of said line the following:

**“479.011. 1. (1) The following cities may establish an administrative adjudication system under this section:**

**(a) Any city not within a county [or];**

**(b) Any home rule city with more than four hundred thousand inhabitants and located in more than one county; and**

**(c) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.**

**(2) The cities listed in subdivision (1) of this subsection** may establish, by order or ordinance, an administrative system for adjudicating **housing, property maintenance, nuisance,** parking, and other civil, nonmoving municipal code violations consistent with applicable state law. Such administrative adjudication system shall be subject to practice, procedure, and pleading rules established by the state supreme court, circuit court, or municipal court. This section shall not be construed to affect the validity of other administrative adjudication systems authorized by state law and created before August 28, 2004.

2. The order or ordinance creating the administrative adjudication system shall designate the administrative tribunal and its jurisdiction, including the code violations to be reviewed. The administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance and in a manner consistent with state law. The administrative tribunal shall adopt policies and procedures for administrative hearings, and filing and notification requirements for appeals to the municipal or circuit court, subject to the approval of the municipal or circuit court.

3. The administrative adjudication process authorized in this section shall ensure a fair and impartial review of contested municipal code violations, and shall afford the parties due process of law. The formal rules of evidence shall not apply in any administrative review or hearing authorized in this section. Evidence, including hearsay, may be admitted only if it is the type of evidence commonly relied upon by reasonably prudent persons in the conduct of their affairs. The code violation notice, property record, and related documentation in the proper form, or a copy thereof, shall be prima facie evidence of the municipal code violation. The officer who issued the code violation citation need not be present.

4. An administrative tribunal may not impose incarceration or any fine in excess of the amount allowed by law. Any sanction, fine or costs, or part of any fine, other sanction, or costs, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under chapter 536 shall be a debt due and owing the city, and may be collected in accordance with applicable law.

5. Any final decision or disposition of a code violation by an administrative tribunal shall constitute a final determination for purposes of judicial review. Such determination is subject to review under chapter 536 or, at the request of the defendant made within ten days, a trial de novo in the circuit court. After expiration of the judicial review period under chapter 536, unless stayed by a court of competent jurisdiction, the administrative tribunal's decisions, findings, rules, and orders may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Upon being recorded in the manner required by state law or the uniform commercial code, a lien may be imposed on the real or personal property of any defendant entering a plea of nolo contendere, pleading guilty to, or found guilty of a municipal code violation in the amount of any debt due the city under this section and enforced in the same

manner as a judgment lien under a judgment of a court of competent jurisdiction. **The city may also issue a special tax bill to collect fines issued for housing, property maintenance, and nuisance code violations.**”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting immediately after said line the following:

“135.950. The following terms, whenever used in sections 135.950 to 135.970 mean:

(1) “Average wage”, the new payroll divided by the number of new jobs;

(2) “Blighted area”, an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use. **The term “blighted area” shall also include any area which produces or generates or has the potential to produce or generate electrical energy from a renewable energy resource, and which, by reason of obsolescence, decadence, blight, dilapidation, deteriorating or inadequate site improvements, substandard conditions, the predominance or defective or inadequate street layout, unsanitary or unsafe conditions, improper subdivision or obsolete platting, or the existence of conditions which endanger the life or property by fire or other means, or any combination of such factors, is underutilized, unutilized, or diminishes the economic usefulness of the land, improvements, or lock and dam site within such area for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;**

(3) “Board”, an enhanced enterprise zone board established pursuant to section 135.957;

(4) “Commencement of commercial operations” shall be deemed to occur during the first taxable year for which the new business facility is first put into use by the taxpayer in the enhanced business enterprise in which the taxpayer intends to use the new business facility;

(5) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, such taxpayer shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(6) “Department”, the department of economic development;

(7) “Director”, the director of the department of economic development;

(8) “Employee”, a person employed by the enhanced business enterprise that is scheduled to work an average of at least one thousand hours per year, and such person at all times has health insurance offered to him or her, which is partially paid for by the employer;

(9) “Enhanced business enterprise”, an industry or one of a cluster of industries that is either:

(a) Identified by the department as critical to the state's economic security and growth; or

(b) Will have an impact on industry cluster development, as identified by the governing authority in its application for designation of an enhanced enterprise zone and approved by the department; but excluding gambling establishments (NAICS industry group 7132), retail trade (NAICS sectors 44 and 45), educational services (NAICS sector 61), religious organizations (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking places (NAICS subsector 722), however, notwithstanding provisions of this section to the contrary, headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied. Service industries may be eligible only if a majority of its annual revenues will be derived from out of the state;

(10) “Existing business facility”, any facility in this state which was employed by the taxpayer claiming the credit in the operation of an enhanced business enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(11) “Facility”, any building used as an enhanced business enterprise located within an enhanced enterprise zone, including the land on which the facility is located and all machinery, equipment, and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(12) “Facility base employment”, the greater of the number of employees located at the facility on the date of the notice of intent, or for the twelve-month period prior to the date of the notice of intent, the average number of employees located at the facility, or in the event the project facility has not been in operation for a full twelve-month period, the average number of employees for the number of months the facility has been in operation prior to the date of the notice of intent;

(13) “Facility base payroll”, the total amount of taxable wages paid by the enhanced business enterprise to employees of the enhanced business enterprise located at the facility in the twelve months prior to the notice of intent, not including the payroll of owners of the enhanced business enterprise unless the enhanced business enterprise is participating in an employee stock ownership plan. For the purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on the consumer price index or other comparable measure, as determined by the department;

(14) “Governing authority”, the body holding primary legislative authority over a county or incorporated municipality;

(15) “Megaproject”, any manufacturing or assembling facility, approved by the department for construction and operation within an enhanced enterprise zone, which satisfies the following:

(a) The new capital investment is projected to exceed three hundred million dollars over a period of

eight years from the date of approval by the department;

(b) The number of new jobs is projected to exceed one thousand over a period of eight years beginning on the date of approval by the department;

(c) The average wage of new jobs to be created shall exceed the county average wage;

(d) The taxpayer shall offer health insurance to all new jobs and pay at least eighty percent of such insurance premiums; and

(e) An acceptable plan of repayment, to the state, of the tax credits provided for the megaproject has been provided by the taxpayer;

(16) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(17) "New business facility", a facility that **does not produce or generate electrical energy from a renewable energy resource and** satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of an enhanced business enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of an enhanced business enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of an enhanced business enterprise, the portion employed by the taxpayer in the operation of an enhanced business enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), and (d) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 2004. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 2004, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 2004;

(c) If such facility was acquired by the taxpayer from another taxpayer and such facility was employed immediately prior to the acquisition by another taxpayer in the operation of an enhanced business enterprise, the operation of the same or a substantially similar enhanced business enterprise is not continued by the taxpayer at such facility; and

(d) Such facility is not a replacement business facility, as defined in subdivision (25) of this section;

(18) "New business facility employee", an employee of the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.967 is claimed, except that truck drivers and rail and barge vehicle operators and other operators of rolling stock for hire shall not constitute new business facility employees;

(19) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by 135.967 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles, aircraft and other rolling stock for hire, track, switches, barges, bridges, tunnels, and rail yards and spurs shall not constitute new

business facility investments. The total value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(20) “New job”, the number of employees located at the facility that exceeds the facility base employment less any decrease in the number of the employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(21) “Notice of intent”, a form developed by the department which is completed by the enhanced business enterprise and submitted to the department which states the enhanced business enterprise's intent to hire new jobs and request benefits under such program;

(22) “Related facility”, a facility operated by the enhanced business enterprise or a related company in this state that is directly related to the operation of the project facility;

(23) “Related facility base employment”, the greater of:

(a) The number of employees located at all related facilities on the date of the notice of intent; or

(b) For the twelve-month period prior to the date of the notice of intent, the average number of employees located at all related facilities of the enhanced business enterprise or a related company located in this state;

(24) “Related taxpayer”:

(a) A corporation, partnership, trust, or association controlled by the taxpayer;

(b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or

(c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. “Control of a corporation” shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, “control of a partnership or association” shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, and “control of a trust” shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) **“Renewable energy generation zone”, an area which has been found, by a resolution or ordinance adopted by the governing authority having jurisdiction of such area, to be a blighted area and which contains land, improvements, or a lock and dam site which is unutilized or underutilized for the production, generation, conversion, and conveyance of electrical energy from a renewable**

**energy resource;**

**(26) “Renewable energy resource”, shall include:**

**(a) Wind;**

**(b) Solar thermal sources or photovoltaic cells and panels;**

**(c) Dedicated crops grown for energy production;**

**(d) Cellulosic agricultural residues;**

**(e) Plant residues;**

**(f) Methane from landfills, agricultural operations, or wastewater treatment;**

**(g) Thermal depolymerization or pyrolysis for converting waste material to energy;**

**(h) Clean and untreated wood such as pallets;**

**(i) Hydroelectric power, which shall include electrical energy produced or generated by hydroelectric power generating equipment, as such term is defined in section 137.010;**

**(j) Fuel cells using hydrogen produced by one or more of the renewable resources provided in paragraphs (a) to (i) of this subdivision; or**

**(k) Any other sources of energy, not including nuclear energy, that are certified as renewable by rule by the department of natural resources;**

**(27) “Replacement business facility”,** a facility otherwise described in subdivision (17) of this section, hereafter referred to in this subdivision as “new facility”, which replaces another facility, hereafter referred to in this subdivision as “old facility”, located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year for which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

**(a)** The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

**(b)** The old facility was employed by the taxpayer or a related taxpayer in the operation of an enhanced business enterprise and the taxpayer continues the operation of the same or substantially similar enhanced business enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subdivision (19) of this section, in the new facility during the tax period for which the credits allowed in section 135.967 are claimed exceed one million dollars and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two;

**[(26)] (28) “Same or substantially similar enhanced business enterprise”,** an enhanced business enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed, or conducted in the same or similar manner as in another enhanced business enterprise.

135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:



(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

(a) The state of Missouri over the previous twelve months; or

(b) The county or city not within a county over the previous twelve months.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a “county of declining population” is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

(1) The potential to create sustainable jobs in a targeted industry; or

(2) A demonstrated impact on local industry cluster development.

**5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.**

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution **or ordinance** by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. **Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions.** In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property

begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027.

137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) “Grain and other agricultural crops in an unmanufactured condition” shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term “processing” shall not include hulling, cleaning, drying, grating, or polishing;

(2) **“Hydroelectric power generating equipment”, very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;**

(3) “Intangible personal property”, for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(3) “Real property” includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, **hydroelectric power generating equipment**, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, water, and sewage;

(4) “Tangible personal property” includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted.

Senator Green raised the point of order that **SA 4** is out of order as it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Lager offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

- (1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
- (2) Establish one-way streets and provide for the regulation of vehicles thereon;
- (3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. Under no circumstance shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition

of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

**5. No ordinance shall deny the use of commercial motor vehicles on all streets within the municipality.”; and**

Further amend said bill, page 3, section 488.070, line 11, by inserting after all of said line the following:

**“537.292. 1. Notwithstanding any other provision of law to the contrary, the use of motor vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

**2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using motor vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.**

**3. Notwithstanding any other provision of law to the contrary, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and**

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Callahan raised the point of order that **SA 5** is out of order as it goes beyond the scope of the subject matter of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator McKenna offered **SA 6**:

**SENATE AMENDMENT NO. 6**

Amend Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

**“67.314. 1. The provisions of this section shall apply to contracts for construction awarded by political subdivisions of the state of Missouri and shall be known as the “Political Subdivision Construction Bidding Standards Act”.**

**2. Any political subdivision of the state authorizing the construction of facilities which may exceed an expenditure of twenty-five thousand dollars shall publicly advertise:**

**(1) Through publication in a central repository developed by the office of administration, or a private firm under contract with the office of administration, at no cost to the state;**

**(2) On the political subdivision's website, so long as it has a link to the office of administration's central repository;**

**(3) In a newspaper of general circulation located within the same county as the political**

subdivision is located, or in an adjoining county if there is no newspaper in the same county, for once a week for two consecutive weeks; or

(4) Through publication, at no cost to the political subdivision, in a central repository developed by an organization representing political subdivisions. The organization may charge appropriate fees for access to bid solicitations.

3. The political subdivision may, in addition to advertising in the manner described in subsection 2 of this section, also advertise in business, trade, or minority newspapers.

4. For purposes of this section, the term “construction of facilities” shall mean the construction, alteration, or repair of any structure, including but not limited to buildings, highways, bridges, streets, viaducts, water or sewer lines or systems, or pipelines. The term shall include any demolition, moving, or excavation connected therewith, and the furnishing of surveying, construction engineering, planning or management services, or labor, material, or equipment, as required to perform work under the contract for construction.

5. Nothing in this section shall be construed to require the design or engineering of any project, as the term “project” is defined in section 8.287, to be awarded by competitive bidding if the contract for such services is under a separate contract from the contract for construction and is awarded under sections 8.285 to 8.291, or to construction management services governed by sections 8.675 to 8.687. Neither shall this section be construed to apply to contracts awarded for the “design/build” method of project delivery, if the political subdivision's procurement of “design/build” projects is otherwise authorized by law, local charter, ordinance, order, or resolution. The advertising requirements contained in this section shall not apply when a political subdivision has publicly stated, in writing, that because of the unique nature or limited availability of material, equipment, or skills for a construction project of the type described in subsection 2 of this section, the political subdivision is using a sole source method to award a construction contract. Nothing in this subsection shall be construed to relieve the political subdivision from the requirement to seek and obtain a bid from the company or firm to whom the contract will be awarded.

6. The provisions of this section shall not apply to any political subdivision required to advertise, solicit, award, and reject bids in compliance with:

(1) Other Missouri statutes, state rules, and federal and state funding requirements applicable to the specific political subdivision which are in effect on August 28, 2011, or as such requirements may be enacted or amended; or

(2) Any provision of a local charter, ordinance, order, resolution, or policy applicable to the specific political subdivision which is in effect or which is subsequently adopted by the political subdivision after August 28, 2011, as long as such state or local provisions require the political subdivision to meet equivalent or stricter competitive bidding requirements for construction as are contained in this section.

7. No bids shall be entertained by a political subdivision which are not made in accordance with the specifications furnished by the political subdivision and all contracts shall be awarded to the lowest and best bidder complying with the terms of the letting, provided that the political subdivision shall have the right to reject any and all bids.

8. All bidding shall conform to the following procedures:

**(1) No bid shall be opened: in advance of the advertised deadline for submission of bids; or in a place other than that specified in the original solicitation of bids or in an amendment to the solicitation communicated in advance to all known bidders;**

**(2) No bid shall be accepted unless it is sealed and is in writing. If the letting of the project for which bids were solicited is cancelled, bids shall be returned to the bidders unopened;**

**(3) No bid shall be accepted after the advertised deadline for acceptance of bids;**

**(4) All bids received shall be held secure and confidential from all persons until the bids are opened pursuant to subdivision (1) of this subsection. Bids shall only be opened in public;**

**(5) Nothing in this section shall be construed to prohibit acceptance and processing of bids through an established program of electronic bidding by computer, provided bids accepted and processed electronically shall meet standards of confidentiality comparable to requirements for written bids established by this section.**

**9. Failure of the political subdivision to follow any of the procedures described in this section shall result in the contract being voided and the political subdivision shall rebid the contract in accordance with the provisions of this section.**

**10. Any person who would have submitted a bid except for failure of the political subdivision to advertise the contract pursuant to this section shall have standing to seek equitable relief in a court of competent jurisdiction within fifteen business days of the date the political subdivision opened the bids for the contract, but the only remedy that may be imposed by the court is ordering the contract to be rebid.**

**11. Nothing in this section shall be construed to require acceptance of a bid which exceeds the amount estimated by the political subdivision for the contract, nor shall anything in this section prohibit a political subdivision from awarding contracts without competitive bidding when the political subdivision deems it necessary to remove an immediate danger to the public health or safety, to prevent loss to public or private property which requires government action, or to prevent an interruption of or to restore an essential public service, however, the political subdivision shall produce a written public record documenting the need to contract for such services without competitive bidding.”; and**

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 7**:

**SENATE AMENDMENT NO. 7**

Amend Senate Committee Substitute for House Bill No. 142, Page 1, Section A, Line 3, by inserting after all of said line the following:

“50.622. Any county may amend the annual budget during any fiscal year in which the county receives additional funds **or a decrease in funds**, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 8**:

#### SENATE AMENDMENT NO. 8

Amend Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District (“District”) shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and**



**procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 9**:

**SENATE AMENDMENT NO. 9**

Amend Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

“162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. Except as otherwise provided in subsection 4 of this section, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the

urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection.

The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

**5. In any school district in any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants, candidates for school board election in which more than one seat on the school board is open, shall declare their candidacy for a particular seat on the school board. When more than one seat is open, the election authority shall designate the open seats by letter so that the candidates for the school board are required to run for a particular seat that is so designated. The declaration of candidacy for a particular seat shall be made in accordance with the procedures of section 162.281. Candidates shall also be nominated for a designated seat by petition in accordance with section 162.491."**

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting immediately after said line the following:

**"90.101. 1. Notwithstanding any law to the contrary, the board of commissioners of Tower Grove Park shall have the authority to adjust the size of its membership, provided that any such adjustment shall be approved by a majority vote of the board members.**

**2. Notwithstanding any law to the contrary, in case of any vacancy occurring in the membership of the board of commissioners of Tower Grove Park from death, resignation, or disqualification to act, the vacancy shall be filled by appointment from the remaining members of the board, or a majority of them, for the balance of the term then vacant, and all vacancies caused by the expiration of the term of office shall be**

filled by appointment from the judges of the supreme court of the state of Missouri, or a majority of them or if said judges are unable or unwilling to so act, which shall be presumed by their failure to act within thirty days following delivery to the court of a slate of appointees, by the majority vote of the remaining board members.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey moved that **SCS** for **HB 142**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **HB 142**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

**HB 186**, with **SCS**, introduced by Representatives Entlicher, et al, entitled:

An Act to repeal section 51.050, RSMo, and to enact in lieu thereof one new section relating to qualifications of clerks of county commissions.

Was taken up by Senator Parson.

**SCS** for **HB 186**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 186

An Act to repeal section 51.050, RSMo, and to enact in lieu thereof three new sections relating to county officers.

Was taken up.

Senator Parson moved that **SCS** for **HB 186** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **HB 186** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 83**, entitled:

An Act to repeal sections 362.111 and 370.073, RSMo, and to enact in lieu thereof tow new sections relating to international transactions.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **HCS** for **HB 83** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### **REFERRALS**

President Pro Tem Mayer referred **HJR 2** to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer referred the appointment of Joseph Nicholson to the Committee on Gubernatorial Appointments.

### **RESOLUTIONS**

Senator Parson offered Senate Resolution No. 896, regarding students at Whittier Alternative High School, Sedalia, which was adopted.

Senator Parson offered Senate Resolution No. 897, regarding students at Heber Hunt Elementary School, Sedalia, which was adopted.

Senator Crowell offered Senate Resolution No. 898, regarding Ronald Baker, Scott City, which was adopted.

Senator Crowell offered Senate Resolution No. 899, regarding Connie Fornkohl, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 900, regarding Patricia Fanger, Jackson, which was adopted.

Senator McKenna offered Senate Resolution No. 901, regarding students at Antonia Middle School, Arnold, which was adopted.

Senator Engler offered Senate Resolution No. 902, regarding Sheryl Vogt, Festus, which was adopted.

Senator Engler offered Senate Resolution No. 903, regarding Lorraine Govro, which was adopted.

Senator Engler offered Senate Resolution No. 904, regarding Alice Lentz, which was adopted.

Senator Engler offered Senate Resolution No. 905, regarding Dorothy Meyers, which was adopted.

Senator Engler offered Senate Resolution No. 906, regarding Krista G. Sulser Hampton, which was adopted.

Senator Brown offered Senate Resolution No. 907, regarding Steelville R-III School District, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Munzlinger introduced to the Senate, Mark DeShon, Dan Devlin, Brian Peterson and Mark Pierce, representatives of Farm Credit Services State Board.

Senator Schaaf introduced to the Senate, teachers, parents and eighty-eight fourth grade students from Prairie Point Elementary School, Kansas City.

On behalf of Senator Pearce, the President introduced to the Senate, Jessica Evans, Jefferson City.

Senator Ridgeway introduced to the Senate, teachers and thirty-four eighth grade students from St. Charles Borromeo Catholic School, Kansas City.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

FIFTY-EIGHTH DAY—WEDNESDAY, APRIL 27, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HCS for HB 562  
HCS for HB 664  
HCS for HB 579  
HCS for HB 366

HCS for HBs 600, 337 & 413  
HCS for HB 161  
HCS for HB 523

### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna  
(In Fiscal Oversight)  
SB 204-Dempsey, et al  
(In Fiscal Oversight)

SCS for SB 122-Schaaf  
(In Fiscal Oversight)  
SJR 12-Green (In Fiscal Oversight)

### SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler
8. SJR 16-Goodman, with SCS
9. SB 391-Lager

10. SB 253-Callahan and Cunningham,  
with SCS
11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones
15. SB 45-Wright-Jones
16. SB 14-Pearce, with SCS

### HOUSE BILLS ON THIRD READING

1. HB 109-Wells, et al (Wasson)
2. HCS for HB 136 (Brown)
3. HB 149-Day, et al, with SCS (Brown)

4. HB 217-Dugger and Entlicher (Wasson)
5. HCS for HB 220 (Brown)
6. HCS for HB 465 (Wasson)

- 7. HB 550-Day (Pearce)
- 8. HJR 2-McGhee, et al (Goodman)  
(In Fiscal Oversight)
- 9. HB 442-Franz (Parson)

- 10. HB 137-Thompson, et al, with SCS  
(Pearce)
- 11. HCS for HBs 112 & 285, with SCS  
(Brown)

## INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 10-Rupp  
SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 25-Schaaf, with SCS & SS for SCS  
(pending)  
SB 28-Brown  
SB 37-Lembke, with SCS  
SB 52-Cunningham  
SB 72-Kraus, with SS (pending)  
SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)  
SB 120-Stouffer, with SS (pending)  
SB 130-Rupp, with SCS & SS for SCS  
(pending)  
SB 155-Rupp, with SCS  
SB 175-Munzlinger, et al, with SA 1  
(pending)  
SB 176-Munzlinger, et al  
SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS

SB 200-Crowell  
SB 203-Schmitt, et al, with SS (pending)  
SB 208-Lager  
SB 209-Lager  
SB 228-Pearce  
SB 242-Cunningham, with SCS & SS for SCS  
(pending)  
SB 247-Pearce, with SS (pending)  
SB 264-Rupp, with SCS  
SB 278-Munzlinger, et al  
SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)  
SBs 291, 184 & 294-Pearce, with SCS & SA 4  
(pending)  
SB 299-Munzlinger, with SCS (pending)  
SB 326-Wasson  
SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SBs 408 & 80-Crowell, with SCS  
SB 420-Mayer, with SCS  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al, with SS (pending)

### HOUSE BILLS ON THIRD READING

HCS for HB 61  
HB 71-Nasheed, et al

SS for SCS for HCS for HBs 73 & 47  
(Crowell) (In Fiscal Oversight)

HCS for HBs 116 & 316, with SCS  
 (Purgason)  
 HB 204-Hoskins, et al (Stouffer)  
 HCS for HB 338 (Lager)  
 HB 339-Pollock, et al, with SS  
 (pending) (Lager)

HB 423-Burlison, et al (Nieves)  
 HCS for HB 556  
 HB 738-Nasheed, et al, with SCS  
 (pending) (Cunningham)

### SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 68-Mayer, with HCS, as amended

### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

#### In Conference

HCS for HB 2, with SCS (Schaefer)  
 HCS for HB 3, with SCS (Schaefer)  
 HCS for HB 4, with SCS (Schaefer)  
 HCS for HB 5, with SCS (Schaefer)  
 HCS for HB 6, with SCS (Schaefer)  
 HCS for HB 7, with SCS, as amended (Schaefer)  
 HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)  
 HCS for HB 10, with SCS (Schaefer)  
 HCS for HB 11, with SCS (Schaefer)  
 HCS for HB 12, with SCS (Schaefer)  
 HCS for HB 13, with SCS (Schaefer)  
 HCS for HB 193, with SS (Rupp)

### RESOLUTIONS

#### Reported from Committee

SR 179-Purgason  
 HCR 15-Brown (50), et al (Curls)

HCR 11-Nolte, et al (Justus)  
 HCR 34-Hampton, et al (Munzlinger)

✓



# Journal of the Senate

FIRST REGULAR SESSION

---

**FIFTY-EIGHTH DAY—WEDNESDAY, APRIL 27, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“If any of you is lacking in wisdom, ask God, who gives to all generously and ungrudgingly, and it will be given to you.” (James 1:5)

Gracious God, speak to us every day so we let Your words speak volumes to those who depend on us to meet the various needs within this state. Give to us wisdom to follow You faithfully and to use this wisdom to help those we meet each day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Richard offered Senate Resolution No. 908, regarding Bill Gipson, Carl Junction, which was adopted.

Senator Kehoe offered Senate Resolution No. 909, regarding Debbie Hughes, which was adopted.

Senator Kehoe offered Senate Resolution No. 910, regarding Dr. Julia Sharpe, which was adopted.

Senator Brown offered Senate Resolution No. 911, regarding John F. Carney, III, Rolla, which was adopted.

Senator Engler offered Senate Resolution No. 912, regarding Juanita Conway, which was adopted.

Senator Kraus offered Senate Resolution No. 913, regarding Chuck Stephenson, which was adopted.

Senator Kraus offered Senate Resolution No. 914, regarding Jackie Robertson, which was adopted.

Senator Kraus offered Senate Resolution No. 915, regarding Becky Richardson, which was adopted.

Senator Kraus offered Senate Resolution No. 916, regarding Susie Needles, which was adopted.

Senator Kraus offered Senate Resolution No. 917, regarding Tom Merrell, which was adopted.

Senator Kraus offered Senate Resolution No. 918, regarding Kristen Merrell, which was adopted.

Senator Kraus offered Senate Resolution No. 919, regarding Rebeckah Mayer, which was adopted.

Senator Kraus offered Senate Resolution No. 920, regarding Julie Lee, which was adopted.

Senator Kraus offered Senate Resolution No. 921, regarding Andria Duello, which was adopted.

Senator Kraus offered Senate Resolution No. 922, regarding Angela Danley, which was adopted.

Senator Kraus offered Senate Resolution No. 923, regarding Nancy Collings, which was adopted.

Senator Kraus offered Senate Resolution No. 924, regarding Jeremy Bonnesen, which was adopted.

Senator Lembke offered Senate Resolution No. 925, regarding Grant Hastings, St. Louis, which was adopted.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2**. Representatives: Silvey, Stream, Flanigan, Lampe and Nasheed.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 3**. Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for

**HCS for HB 4.** Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS for HCS for HB 5.** Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS for HCS for HB 6.** Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS for HCS for HB 7,** as amended. Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS for HCS for HB 8.** Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS for HCS for HB 9.** Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS for HCS for HB 10.** Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS for HCS for HB 11.** Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS for HCS for HB 12.** Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS for HCS for HB 13.** Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

**HOUSE BILLS ON THIRD READING**

**HB 109**, introduced by Representatives Wells, et al, entitled:

An Act to repeal sections 30.260, 30.750, 30.758, 30.767, 30.810, and 30.860, RSMo, and to enact in lieu thereof five new sections relating to linked deposits, with an emergency clause.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **HB 109** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 27, 2011

TO THE SECRETARY OF THE SENATE  
96<sup>TH</sup> GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 113 & 95 entitled:

AN ACT

To repeal sections 273.327 and 273.345, RSMo, and to enact in lieu thereof four new sections relating to the care of dogs, with penalty provisions.

On April 27, 2011, I approved said Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 113 & 95.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

**HOUSE BILLS ON THIRD READING**

**HCS for HB 136**, entitled:

An Act to repeal sections 288.050, 288.090, and 288.100, RSMo, and to enact in lieu thereof four new sections relating to benefits for military spouses.

Was taken up by Senator Brown.

On motion of Senator Brown, **HCS for HB 136** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Crowell—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 149**, introduced by Representatives Day, et al, with **SCS**, entitled:

An Act to repeal section 143.1004, RSMo, and to enact in lieu thereof one new section relating to the Missouri military family relief fund.

Was taken up by Senator Brown.

**SCS for HB 149**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 149**

An Act to repeal section 143.1004, RSMo, and to enact in lieu thereof one new section relating to the Missouri military family relief fund.

Was taken up.

Senator Ridgeway assumed the Chair.

Senator Brown moved that **SCS** for **HB 149** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HB 149** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 217**, introduced by Representatives Dugger and Entlicher, entitled:

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to electronic voter identification verification systems.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **HB 217** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green              Keaveny—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HB 220**, entitled:

An Act to repeal section 339.190, RSMo, and to enact in lieu thereof one new section relating to real estate licensees.

Was taken up by Senator Brown.

Senator Engler offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend House Committee Substitute for House Bill No. 220, Page 1, In the Title, Lines 2-3 of the title, by striking “real estate licensees” and inserting in lieu thereof the following: “licensure of certain professions”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“324.043. 1. Except as provided in this section, no disciplinary proceeding against any person or entity licensed, registered, or certified to practice a profession within the division of professional registration shall be initiated unless such action is commenced within three years of the date upon which the licensing, registering, or certifying agency received notice of an alleged violation of an applicable statute or regulation.

2. For the purpose of this section, notice shall be limited to:

(1) A written complaint;

(2) Notice of final disposition of a malpractice claim, including exhaustion of all extraordinary remedies and appeals;

(3) Notice of exhaustion of all extraordinary remedies and appeals of a conviction based upon a criminal statute of this state, any other state, or the federal government;

(4) Notice of exhaustion of all extraordinary remedies and appeals in a disciplinary action by a hospital, state licensing, registering or certifying agency, or an agency of the federal government.

3. For the purposes of this section, an action is commenced when a complaint is filed by the agency with the administrative hearing commission, any other appropriate agency, or in a court; or when a complaint is filed by the agency’s legal counsel with the agency in respect to an automatic revocation or a probation violation.

4. Disciplinary proceedings based upon repeated negligence shall be exempt from all limitations set forth in this section.

5. Disciplinary proceedings based upon a complaint involving sexual misconduct shall be exempt from all limitations set forth in this section.

6. Any time limitation provided in this section shall be tolled:

(1) During any time the accused licensee, registrant, or certificant is practicing exclusively outside the

state of Missouri or residing outside the state of Missouri and not practicing in Missouri;

(2) As to an individual complainant, during the time when such complainant is less than eighteen years of age;

(3) During any time the accused licensee, registrant, or certificant maintains legal action against the agency; or

(4) When a settlement agreement is offered to the accused licensee, registrant, or certificant, in an attempt to settle such disciplinary matter without formal proceeding pursuant to section 621.045 until the accused licensee, registrant, or certificant rejects or accepts the settlement agreement.

7. The licensing agency may, in its discretion, toll any time limitation when the accused **applicant**, licensee, registrant, or certificant enters into and participates in a treatment program for chemical dependency or mental impairment.

**324.045. 1. Notwithstanding any provision of chapter 536, in any proceeding initiated by the division of professional registration or any board, committee, commission, or office within the division of professional registration to determine the appropriate level of discipline or additional discipline, if any, against a licensee of the board, committee, commission, or office within the division, if the licensee against whom the proceeding has been initiated upon a properly pled writing filed to initiate the contested case and upon proper notice fails to plead or otherwise defend against the proceeding, the board, commission, committee, or office within the division shall enter a default decision against the licensee without further proceedings. The terms of the default decision shall not exceed the terms of discipline authorized by law for the division, board, commission, or committee. The division, office, board, commission, or committee shall provide the licensee notice of the default decision in writing.**

**2. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

**334.001. 1. Notwithstanding any other provision of law to the contrary, the following information is an open record and shall be released upon request of any person and may be published on the board's website:**

**(1) The name of a licensee or applicant;**

**(2) The licensee's business address;**

**(3) Registration type;**

**(4) Currency of the license, certificate, or registration;**

**(5) Professional schools attended;**

**(6) Degrees and certifications, including certification by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule;**

**(7) To the extent provided to the board after August 28, 2011, discipline by another state or administrative agency;**



**(8) Limitations on practice placed by a court of competent jurisdiction;**

**(9) Any final discipline by the board, including the content of the settlement agreement or order issued; and**

**(10) Whether a discipline case brought by the board is pending in the administrative hearing commission or any court.**

**2. All other information pertaining to a licensee or applicant not specifically denominated an open record in subsection 1 of this section is a closed record and confidential.**

**3. The board shall disclose confidential information without charge or fee upon written request of the licensee or applicant if the information is less than five years old. If the information requested is more than five years old, the board may charge a fee equivalent to the fee specified by regulation.**

**4. At its discretion, the board may disclose confidential information, without the consent of the licensee or applicant, to a licensee or applicant for a license in order to further an investigation or to facilitate settlement negotiations, in the course of voluntary interstate exchange of information, in the course of any litigation concerning a licensee or applicant, pursuant to a lawful request, or to other administrative or law enforcement agencies acting within the scope of their statutory authority.**

**5. Information obtained from a federal administrative or law enforcement agency shall be disclosed only after the board has obtained written consent to the disclosure from the federal administrative or law enforcement agency.**

**6. The board is entitled to the attorney/client privilege and work product privilege to the same extent as any other person.**

334.040. 1. Except as provided in section 334.260, all persons desiring to practice as physicians and surgeons in this state shall be examined as to their fitness to engage in such practice by the board. All persons applying for examination shall file a completed application with the board [at least eighty days before the date set for examination upon blanks] **upon forms** furnished by the board.

2. The examination shall be sufficient to test the applicant's fitness to practice as a physician and surgeon. The examination shall be conducted in such a manner as to conceal the identity of the applicant until all examinations have been scored. In all such examinations an average score of not less than seventy-five percent is required to pass; provided, however, that the board may require applicants to take the Federation Licensing Examination, also known as FLEX, or the United States Medical Licensing Examination (USMLE). If the FLEX examination is required, a weighted average score of no less than seventy-five [percent] is required to pass. **Scores from one test administration of the FLEX shall not be combined or averaged with scores from other test administrations to achieve a passing score.** The passing score of the United States Medical Licensing Examination shall be determined by the board through rule and regulation. The board shall not issue a permanent license as a physician and surgeon or allow the Missouri state board examination to be administered to any applicant who has failed to achieve a passing score within three attempts on licensing examinations administered in one or more states or territories of the United States, the District of Columbia or Canada. The steps one, two and three of the United States Medical Licensing Examination shall be taken within a seven-year period with no more than three attempts on any step of the examination; however, the board may grant an extension of the seven-year period if the applicant has obtained a MD/PhD degree in a program accredited by the [liaison committee on medical education] **Liaison Committee on Medical Education (LCME)** and a regional university accrediting body

**or a DO/PhD degree accredited by the American Osteopathic Association and a regional university accrediting body.** The board may waive the provisions of this section if the applicant is licensed to practice as a physician and surgeon in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia and no license issued to the applicant has been disciplined in any state or territory of the United States or the District of Columbia[. Prior to waiving the provisions of this section, the board may require the applicant to achieve a passing score on one of the following:

(1) The American Specialty Board's certifying examination in the physician's field of specialization;

(2) Part II of the FLEX; or

(3) The Federation portion of the State Medical Board's Special Purpose Examination (SPEX)] **and the applicant is certified in the applicant's area of specialty by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule.**

3. If the board waives the provisions of this section, then the license issued to the applicant may be limited or restricted to the applicant's board specialty. [Scores from one test administration shall not be combined or averaged with scores from other test administrations to achieve a passing score.] The board shall not be permitted to favor any particular school or system of healing.

**4. If an applicant has not actively engaged in the practice of clinical medicine or held a teaching or faculty position in a medical or osteopathic school approved by the American Medical Association, the Liaison Committee on Medical Education, or the American Osteopathic Association for any two years in the three year period immediately preceding the filing of his or her application for licensure, the board may require successful completion of another examination, continuing medical education, or further training before issuing a permanent license. The board shall adopt rules to prescribe the form and manner of such reexamination, continuing medical education, and training.**

334.070. 1. Upon due application therefor and upon submission by such person of evidence satisfactory to the board that he **or she** is licensed to practice in this state, and upon the payment of fees required to be paid by this chapter, the board shall issue to [him] **such person** a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his **or her** office address [and residence address], the expiration date, and the date and number of the license to practice.

2. [Every person shall, upon receiving such certificate, cause it to be conspicuously displayed at all times in every office maintained by him in the state. If he maintains more than one office in this state, the board shall without additional fee issue to him duplicate certificates of registration for each office so maintained.] If any registrant shall change the location of his **or her** office during the period for which any certificate of registration has been issued, [he] **the registrant** shall, within fifteen days thereafter, notify the board of such change [and it shall issue to him without additional fee a new registration certificate showing the new location].

334.090. 1. Each applicant for registration under this chapter shall accompany the application for registration with a registration fee to be paid to the [director of revenue] **board**. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; but whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule and regulation, the delinquent fee may be waived by the board.

Whenever any new license is granted to any person under the provisions of this chapter, the board shall, upon application therefor, issue to such licensee a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to section 536.021. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

**334.099. 1. The board may initiate a hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances:**

**(1) The board shall serve notice pursuant to section 536.067 of the hearing at least fifteen days prior to the hearing. Such notice shall include a statement of the reasons the board believes there is reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances;**

**(2) For purposes of this section and prior to any hearing, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to the licensee or applicant without the licensee's or applicant's consent, upon issuance of a subpoena by the board. These data and records shall be admissible without further authentication by either board or licensee at any hearing held pursuant to this section;**

**(3) After a contested hearing before the board, and upon a showing of reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances the board may require a licensee or applicant to submit to an examination. The board shall maintain a list of facilities approved to perform such examinations. The licensee or applicant may propose a facility not previously approved to the board and the board may accept such facility as an approved facility for such licensee or applicant by a majority vote;**

**(4) For purposes of this subsection, every licensee or applicant is deemed to have consented to an examination upon a showing of reasonable cause. The applicant or licensee shall be deemed to have waived all objections to the admissibility of testimony by the provider of the examination and to the admissibility of examination reports on the grounds that the provider of the examination's testimony or the examination is confidential or privileged;**

**(5) Written notice of the order for an examination shall be sent to the applicant or licensee by registered mail, addressed to the licensee or applicant at the licensee's or applicant's last known address on file with the board, or shall be personally served on the applicant or licensee. The order shall state the cause for the examination, how to obtain information about approved facilities, and a time limit for obtaining the examination. The licensee or applicant shall cause a report of the examination to be sent to the board;**

**(6) The licensee or applicant shall sign all necessary releases for the board to obtain and use the examination during a hearing and to disclose the recommendations of the examination as part of a**

**disciplinary order;**

**(7) After receiving the report of the examination ordered in subdivision (3) of this subsection, the board may hold a hearing to determine if by a preponderance of the evidence the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances. If the board finds that the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or substance abuse, the board shall, after a hearing, enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of section 334.100; and**

**(8) The provisions of chapter 536 for a contested case, except those provisions or amendments which are in conflict with this section, shall apply to and govern the proceedings contained in this subsection and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence under chapter 536 relevant to the allegations.**

**2. Failure to submit to the examination when directed shall be cause for the revocation of the license of the licensee or denial of the application. No license may be reinstated or application granted until such time as the examination is completed and delivered to the board or the board withdraws its order.**

**3. Neither the record of proceedings nor the orders entered by the board shall be used against a licensee or applicant in any other proceeding, except for a proceeding in which the board or its members are a party or in a proceeding involving any state or federal agency.**

**4. A licensee or applicant whose right to practice has been affected under this section shall, at reasonable intervals not to exceed twelve months, be afforded an opportunity to demonstrate that he or she can resume the competent practice of his or her profession or should be granted a license. The board may hear such motion more often upon good cause shown.**

**5. For purposes of this section, “examination” means a skills, multidisciplinary, or substance abuse evaluation.**

**334.100. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant’s right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board’s order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board’s determination. Notwithstanding any law to the contrary, the sole issue before the administrative hearing commission shall be whether there is cause to deny the license. If the commission determines there is cause to deny the license, the decision of whether to deny the license, issue the license with discipline, or issue the**

**license with no discipline vests in the board.** If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States **or any municipal violation**, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense [an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or

other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination **including failing to establish a valid physician-patient relationship pursuant to section 334.108**, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

(i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;

(j) **Being listed on any state or federal sexual offender registry;**

(k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

[(k)] **(l)** Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;

[(l)] **(m)** Failure of any applicant or licensee[, other than the licensee subject to the investigation,] to cooperate with the board during any investigation;

[(m)] **(n)** Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

[(n)] **(o)** Failure to timely pay license renewal fees specified in this chapter;

[(o)] **(p)** Violating a probation agreement, **order, or other settlement agreement** with this board or any other licensing agency;

[(p)] **(q)** Failing to inform the board of the physician's current residence and business address;

[(q)] **(r)** Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;

**(s) Any other conduct that is unethical or unprofessional involving a minor;**

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency[, gross negligence] or [repeated] negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, ["repeated negligence" means] **the following terms shall mean:**

**(a) "Incompetency", lacking the requisite skills, abilities, and qualities to effectively perform an aspect of professional practice that the licensee has represented he or she can perform;**

**(b) "Negligence", the failure[, on more than one occasion,] to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession, in the treatment of one or more patients whether or not actual injury or harm occurs to**

**the patient as a result of any such negligence;**

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter **or chapter 324**, or of any lawful rule or regulation adopted pursuant to this chapter **or chapter 324**;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, **including but not limited to any provision of chapter 195**, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;

(15) **Knowingly making a false statement, orally or in writing to the board;**

(16) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

[(16)] (17) Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

[(17)] **(18)** Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the federal Medicare program;

[(18)] **(19)** Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

[(19)] **(20)** Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

[(20)] **(21)** Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

[(21)] **(22)** Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

[(22)] **(23)** A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

[(23)] **(24)** **Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;**

**(25)** **Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;**

**(26)** **Revocation, suspension, limitation, probation, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, or voluntary termination of a controlled substance authority while under investigation;**

[(24)] **(27)** For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center;



[(25) Being unable to practice as a physician and surgeon or with a specialty with reasonable skill and safety to patients by reasons of medical or osteopathic incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physician to submit to a reexamination for the purpose of establishing his or her competency to practice as a physician or surgeon or with a specialty conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physician's or surgeon's professional conduct, or to submit to a mental or physical examination or combination thereof by at least three physicians, one selected by the physician compelled to take the examination, one selected by the board, and one selected by the two physicians so selected who are graduates of a professional school approved and accredited as reputable by the association which has approved and accredited as reputable the professional school from which the licensee graduated. However, if the physician is a graduate of a medical school not accredited by the American Medical Association or American Osteopathic Association, then each party shall choose any physician who is a graduate of a medical school accredited by the American Medical Association or the American Osteopathic Association;

(b) For the purpose of this subdivision, every physician licensed pursuant to this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board and further to have waived all objections to the admissibility of the examining physician's testimony or examination reports on the ground that the examining physician's testimony or examination is privileged;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physician or applicant without the physician's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physician, by registered mail, addressed to the physician at the physician's last known address. Failure of a physician to designate an examining physician to the board or failure to submit to the examination when directed shall constitute an admission of the allegations against the physician, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physician's control. A physician whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physician can resume the competent practice as a physician and surgeon with reasonable skill and safety to patients;

(e) In any proceeding pursuant to this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physician in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of this section.]

**(28) Violating any professional trust or confidence.**

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient.

334.102. 1. [Upon receipt of information that the holder of any certificate of registration or authority, permit or license issued pursuant to this chapter may present a clear and present danger to the public health and safety, the executive secretary or director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending and/or restricting the holder of a certificate of registration or authority, permit or license if it believes:

- (1) The licensee's acts, conduct or condition may have violated subsection 2 of section 334.100; and
- (2) A licensee is practicing, attempting or intending to practice in Missouri; and

(3) Either a licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice, or another state, territory, federal agency or country has issued an order suspending or restricting the holder of a license or other right to practice a profession regulated by this chapter, or the licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.100; and

(4) The acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

(a) Shall be based on the sworn testimony or affidavits presented to the board;

(b) May be issued without notice and hearing to the licensee;

(c) Shall include the facts which lead the board to conclude that the acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety; and

(2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.

(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed pursuant to this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3.

5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that either adopts, terminates or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the

administrative hearing commission pursuant to section 621.110 and subsection 3 of section 334.100.

8. In cases where the board initiates summary suspension or restriction proceedings against a physician licensed pursuant to this chapter, and said petition is subsequently denied by the administrative hearing commission, in addition to any award made pursuant to sections 536.085 and 536.087, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.

9. Notwithstanding the provisions of this chapter or chapter 610 or chapter 621 to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.] **The board may, upon a showing of probable cause, issue an emergency suspension or restriction to a licensee for the following causes:**

**(1) Engaging in sexual conduct, as defined in section 566.010, with a patient who is not the licensee's spouse or significant other, regardless of whether the patient consented to the contact;**

**(2) Engaging in sexual misconduct with a minor or a person the licensee believes to be a minor. "Sexual misconduct" means any conduct which would be illegal under state law;**

**(3) Possession of a controlled substance in violation of chapter 195 or any other state or federal drug law, rule, or regulation;**

**(4) Use of a controlled substance without a valid prescription;**

**(5) The licensee is adjudicated incapacitated or disabled by court of competent jurisdiction;**

**(6) Habitual intoxication or dependence on alcohol or controlled substances or failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement, or a licensee's professional health program; or**

**(7) Any other conduct for which the board may otherwise impose discipline if such conduct is a serious danger to the health, safety, or welfare of a patient or the public.**

**2. The board shall hold a hearing to determine if probable cause exists.**

**(1) At least seven days prior to the hearing, the board shall serve the licensee with notice of the hearing, including a statement of the facts alleged to give rise to the emergency suspension, the affidavits the board intends to rely on to prove such facts, the date of the hearing, and the licensee's right to present evidence via affidavit or by his or her own sworn testimony;**

**(2) Service may be by personal service or by leaving a copy of the notice at the last known address of the licensee on file with the board.**

**(3) At the hearing, the board shall receive into evidence and review any affidavits presented in proper form from either party and shall hear the sworn testimony of the licensee if offered;**

**(4) If the board determines that there is probable cause pursuant to subsection one of this section, the board may issue an emergency suspension or restriction.**

**3. The emergency suspension or restriction shall be effective upon service pursuant to section 536.067 to the licensee of:**

**(1) The order of emergency suspension or restriction; and**

**(2) A statement of the basis of the emergency suspension or restriction.**

**4. (1) The suspension or restriction may be appealed to the circuit court of the county of residence of the licensee or if the licensee is not a resident of Missouri, to the circuit court of Cole County.**

**(2) Such appeal shall be filed within thirty days of the effective date of the suspension or restriction.**

**(3) The circuit court may modify or stay the emergency suspension or restriction upon a finding that the board's action:**

**(a) Was unsupported by competent and substantial evidence upon the whole record;**

**(b) Was arbitrary or capricious; or**

**(c) Involved an abuse of discretion.**

**(4) If the circuit court determines to vacate or modify the emergency suspension or restriction pursuant to this section, the court shall issue its decision vacating or modifying the suspension or restriction no later than five days after the appeal is filed.**

**5. (1) Unless the circuit court vacates the order, the board shall hold a hearing on the causes pled for discipline within ninety days of the effective date of the suspension issued pursuant to subsection 2 of this section.**

**(2) The board shall grant a continuance on request of the petitioner; except that, the emergency suspension or restriction shall remain in effect unless otherwise ordered by a court under subsection 4 of this section.**

**(3) The board shall determine whether cause for discipline exists and, if so, may impose any discipline otherwise authorized by state law.**

**(4) The board shall issue a final order within thirty days of hearing the case.**

**(5) The emergency suspension or restriction shall be terminated as of the date of the final order of the board.**

**6. Any action under subsections 1 to 7 of this section shall be in addition to and not in lieu of any penalty otherwise in the board's power to impose and may be brought concurrently with other actions.**

**7. Unless it conflicts with provisions of subsections 1 to 7 of this section, chapter 536 shall govern the hearings held under subsections 1 to 7 of this section.**

**8. If the court vacates the emergency suspension or in its final order the board rescinds the emergency suspension, the board shall remove all reference to such emergency suspension from its public records. Records relating to the suspension shall be maintained in the board files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written requested of the license.**

**9. (1) The board may initiate a hearing before the board for discipline of any licensee's license or certificate upon receipt of:**

(a) **Certified court records of a finding of guilt or plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or the United States for any offense involving the qualifications, functions, or duties of any profession licensed or regulated under this chapter; for any offense involving fraud, dishonesty, or an act of violence; or for any offense involving moral turpitude, whether or not sentence is imposed;**

(b) **Evidence of final discipline by any medical service provider, hospital, clinic, or agency against the licensee's license, certification, or privileges to practice, if the discipline was in any way related to unprofessional conduct, incompetence, malpractice, or any violation of any provisions of this chapter;**

(c) **Evidence of failure to pay fees as required by rule or provide a current address to the board;**

(d) **Evidence of final discipline against the licensee's license, certification, or registration to practice issued by any other state, the United States and its territories, or any other country;**

(e) **Evidence of certified court records finding the licensee has been judged incapacitated or disabled under Missouri law or the laws of any other state or the United States and its territories;**

(f) **Evidence of final discipline against a licensee by any other agency or entity of this state or any other state or the United States and its territories.**

(2) **The board shall provide the licensee not less than ten days notice of any hearing held under chapter 536.**

(3) **Upon a finding that cause exists to discipline a licensee's license, the board may impose any discipline otherwise available when disciplining licensees of that same profession.**

(4) **The board's decision regarding discipline of a license shall be subject to judicial review under chapter 536.**

334.103. 1. A license issued under this chapter by the Missouri State Board of Registration for the Healing Arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense[, an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.

**334.108. 1. Prior to prescribing any drug, controlled substance, or other treatment through the internet, a physician shall establish a valid physician-patient relationship. This relationship shall include:**

(1) Obtaining a reliable medical history and performing a physical examination of the patient, adequate to establish the diagnosis for which the drug is being prescribed and to identify underlying conditions or contraindications to the treatment recommended or provided;

(2) Having sufficient dialogue with the patient regarding treatment options and the risks and benefits of treatment or treatments;

(3) If appropriate, following up with the patient to assess the therapeutic outcome;

(4) Maintaining a contemporaneous medical record that is readily available to the patient and, subject to the patient's consent, to the patient's other health care professionals; and

(5) Including the electronic prescription information as part of the patient's medical record.

2. The requirements of subsection 1 of this section shall not apply to treatment provided in a hospital as defined in section 197.020, in a hospice program as defined in section 197.250, in accordance with a collaborative practice agreement as defined in section 334.104, in conjunction with a licensed physician assistant, or in consultation with another physician who has an ongoing professional relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications, and on-call or cross-coverage situations.

334.715. 1. The board may refuse to **issue or renew any** license [any applicant or may suspend, revoke, or refuse to renew the license of any licensee for any one or any combination of the causes provided in section 334.100, or if the applicant or licensee] **required under sections 334.700 to 334.725 for one or any combination of causes listed in subsection 2 of this section or any cause listed in section 334.100.** The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided in chapter 621. As an alternative to a refusal to issue or renew any certificate, registration, or authority, the board may, in its discretion, issue a license which is subject to reprimand, probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes listed in subsection 2 of this section or section 334.100. The board's order of reprimand, probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against any holder of a certificate of registration or authority, permit, or license required by sections 334.700 to 334.725 or any person who has failed to renew or has surrendered the person's certification of registration or license for any one or any combination of the following causes:

(1) Violated or conspired to violate any provision of sections 334.700 to 334.725 or any provision of any rule promulgated pursuant to sections 334.700 to 334.725; or

(2) Has been found guilty of unethical conduct as defined in the ethical standards of the National

Athletic Trainers Association or the National Athletic Trainers Association Board of Certification, or its successor agency, as adopted and published by the committee and the board and filed with the secretary of state; **or**

**(3) Any cause listed in section 334.100.**

[2. Upon receipt of a written application made in the form and manner prescribed by the board, the board may reinstate any license which has expired, been suspended or been revoked or may issue any license which has been denied; provided, that no application for reinstatement or issuance of license or licensure shall be considered until at least six months have elapsed from the date of denial, expiration, suspension, or revocation when the license to be reinstated or issued was denied issuance or renewal or was suspended or revoked for one of the causes listed in subsection 1 of this section.]

**3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:**

**(1) Warn, censure, or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years; or**

**(2) Suspend the person's license, certificate, or permit; or**

**(3) Administer a public or private reprimand; or**

**(4) Deny the person's application for a license; or**

**(5) Permanently withhold issuance of a license or require the person to submit to the care, counseling, or treatment of physicians designated by the board at the expense of the individual to be examined; or**

**(6) Require the person to attend such continuing education courses and pass such examinations as the board may direct.**

**4. In any order of revocation, the board may provide that the person shall not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll such time period.**

**5. Before restoring to good standing a license, certificate, or permit issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing education courses and pass such examinations as the board may direct.”; and**

Further amend said bill, Page 1, Section 339.190, Line 18, by inserting after all of said line the following:

“536.063. In any contested case:

(1) The contested case shall be commenced by the filing of a writing by which the party or agency instituting the proceeding seeks such action as by law can be taken by the agency only after opportunity for hearing, or seeks a hearing for the purpose of obtaining a decision reviewable upon the record of the proceedings and evidence at such hearing, or upon such record and additional evidence, either by a court or by another agency. Answering, intervening and amendatory writings and motions may be filed in any



case and shall be filed where required by rule of the agency, except that no answering instrument shall be required unless the notice of institution of the case states such requirement. Entries of appearance shall be permitted[.];

(2) Any writing filed whereby affirmative relief is sought shall state what relief is sought or proposed and the reason for granting it, and shall not consist merely of statements or charges phrased in the language of a statute or rule; provided, however, that this subdivision shall not apply when the writing is a notice of appeal as authorized by law[.];

(3) Reasonable opportunity shall be given for the preparation and presentation of evidence bearing on any issue raised or decided or relief sought or granted. Where issues are tried without objection or by consent, such issues shall be deemed to have been properly before the agency. Any formality of procedure may be waived by mutual consent[.];

(4) Every writing seeking relief or answering any other writing, and any motion shall state the name and address of the attorney, if any, filing it; otherwise the name and address of the party filing it[.];

(5) By rule the agency may require any party filing such a writing to furnish, in addition to the original of such writing, the number of copies required for the agency's own use and the number of copies necessary to enable the agency to comply with the provisions of this subdivision hereinafter set forth. The agency shall, without charge therefor, mail one copy of each such writing, as promptly as possible after it is filed, to every party or his **or her** attorney who has filed a writing or who has entered his **or her** appearance in the case, and who has not theretofore been furnished with a copy of such writing and shall have requested copies of the writings; provided that in any case where the parties are so numerous that the requirements of this subdivision would be unduly onerous, the agency may in lieu thereof (a) notify all parties of the fact of the filing of such writing, and (b) permit any party to copy such writing[.];

**(6) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

536.067. In any contested case:

(1) The agency shall promptly mail a notice of institution of the case to all necessary parties, if any, and to all persons designated by the moving party and to any other persons to whom the agency may determine that notice should be given. The agency or its clerk or secretary shall keep a permanent record of the persons to whom such notice was sent and of the addresses to which sent and the time when sent. Where a contested case would affect the rights, privileges or duties of a large number of persons whose interests are sufficiently similar that they may be considered as a class, notice may in a proper case be given to a reasonable number thereof as representatives of such class. In any case where the name or address of

any proper or designated party or person is not known to the agency, and where notice by publication is permitted by law, then notice by publication may be given in accordance with any rule or regulation of the agency or if there is no such rule or regulation, then, in a proper case, the agency may by a special order fix the time and manner of such publication[.];

(2) The notice of institution of the case to be mailed as provided in this section shall state in substance:

(a) The caption and number of the case;

(b) That a writing seeking relief has been filed in such case, the date it was filed, and the name of the party filing the same;

(c) A brief statement of the matter involved in the case unless a copy of the writing accompanies said notice;

(d) Whether an answer to the writing is required, and if so the date when it must be filed;

(e) That a copy of the writing may be obtained from the agency, giving the address to which application for such a copy may be made. This may be omitted if the notice is accompanied by a copy of such writing;

(f) The location in the Code of State Regulations of any rules of the agency regarding discovery or a statement that the agency shall send a copy of such rules on request;

(3) Unless the notice of hearing hereinafter provided for shall have been included in the notice of institution of the case, the agency shall, as promptly as possible after the time and place of hearing have been determined, mail a notice of hearing to the moving party and to all persons and parties to whom a notice of institution of the case was required to be or was mailed, and also to any other persons who may thereafter have become or have been made parties to the proceeding. The notice of hearing shall state:

(a) The caption and number of the case;

(b) The time and place of hearing;

(4) No hearing in a contested case shall be had, except by consent, until a notice of hearing shall have been given substantially as provided in this section, and such notice shall in every case be given a reasonable time before the hearing. Such reasonable time shall be at least ten days except in cases where the public morals, health, safety or interest may make a shorter time reasonable; provided that when a longer time than ten days is prescribed by statute, no time shorter than that so prescribed shall be deemed reasonable;

**(5) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the holder of a license, registration, permit, or certificate of authority without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative**

**process.**

536.070. In any contested case:

(1) Oral evidence shall be taken only on oath or affirmation[.];

(2) Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not the subject of the direct examination, to impeach any witness regardless of which party first called him **or her** to testify, and to rebut the evidence against him[.] **or her**;

(3) A party who does not testify in his **or her** own behalf may be called and examined as if under cross-examination[.];

(4) Each agency shall cause all proceedings in hearings before it to be suitably recorded and preserved. A copy of the transcript of such a proceeding shall be made available to any interested person upon the payment of a fee which shall in no case exceed the reasonable cost of preparation and supply[.];

(5) Records and documents of the agency which are to be considered in the case shall be offered in evidence so as to become a part of the record, the same as any other evidence, but the records and documents may be considered as a part of the record by reference thereto when so offered[.];

(6) Agencies shall take official notice of all matters of which the courts take judicial notice. They may also take official notice of technical or scientific facts, not judicially cognizable, within their competence, if they notify the parties, either during a hearing or in writing before a hearing, or before findings are made after hearing, of the facts of which they propose to take such notice and give the parties reasonable opportunity to contest such facts or otherwise show that it would not be proper for the agency to take such notice of them[.];

(7) Evidence to which an objection is sustained shall, at the request of the party seeking to introduce the same, or at the instance of the agency, nevertheless be heard and preserved in the record, together with any cross-examination with respect thereto and any rebuttal thereof, unless it is wholly irrelevant, repetitious, privileged, or unduly long[.];

(8) Any evidence received without objection which has probative value shall be considered by the agency along with the other evidence in the case. The rules of privilege shall be effective to the same extent that they are now or may hereafter be in civil actions. Irrelevant and unduly repetitious evidence shall be excluded. **Evidence contesting or challenging the basis or merits of a guilty finding or a plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or the United States or any of its territories or the basis or merits of any disciplinary action taken by any other state or territory shall be excluded when evidence establishing the existence of such guilty finding, plea of guilty or nolo contendere, or disciplinary action has been admitted in the case;**

(9) Copies of writings, documents and records shall be admissible without proof that the originals thereof cannot be produced, if it shall appear by testimony or otherwise that the copy offered is a true copy of the original, but the agency may, nevertheless, if it believes the interests of justice so require, sustain any objection to such evidence which would be sustained were the proffered evidence offered in a civil action in the circuit court, but if it does sustain such an objection, it shall give the party offering such evidence reasonable opportunity and, if necessary, opportunity at a later date, to establish by evidence the facts sought to be proved by the evidence to which such objection is sustained[.];

(10) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of an act, transaction, occurrence or event, shall be admissible as evidence of the act, transaction, occurrence or event, if it shall appear that it was made in the regular course of any business, and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect the weight of such evidence, but such showing shall not affect its admissibility. The term “business” shall include business, profession, occupation and calling of every kind[.];

(11) The results of statistical examinations or studies, or of audits, compilations of figures, or surveys, involving interviews with many persons, or examination of many records, or of long or complicated accounts, or of a large number of figures, or involving the ascertainment of many related facts, shall be admissible as evidence of such results, if it shall appear that such examination, study, audit, compilation of figures, or survey was made by or under the supervision of a witness, who is present at the hearing, who testifies to the accuracy of such results, and who is subject to cross-examination, and if it shall further appear by evidence adduced that the witness making or under whose supervision such examination, study, audit, compilation of figures, or survey was made was basically qualified to make it. All the circumstances relating to the making of such an examination, study, audit, compilation of figures or survey, including the nature and extent of the qualifications of the maker, may be shown to affect the weight of such evidence but such showing shall not affect its admissibility[.];

(12) Any party or the agency desiring to introduce an affidavit in evidence at a hearing in a contested case may serve on all other parties (including, in a proper case, the agency) copies of such affidavit in the manner hereinafter provided, at any time before the hearing, or at such later time as may be stipulated. Not later than seven days after such service, or at such later time as may be stipulated, any other party (or, in a proper case, the agency) may serve on the party or the agency who served such affidavit an objection to the use of the affidavit or some designated portion or portions thereof on the ground that it is in the form of an affidavit; provided, however, that if such affidavit shall have been served less than eight days before the hearing such objection may be served at any time before the hearing or may be made orally at the hearing. If such objection is so served, the affidavit or the part thereof to which objection was made, may not be used except in ways that would have been permissible in the absence of this subdivision; provided, however, that such objection may be waived by the party or the agency making the same. Failure to serve an objection as aforesaid, based on the ground aforesaid, shall constitute a waiver of all objections to the introduction of such affidavit, or of the parts thereof with respect to which no such objection was so served, on the ground that it is in the form of an affidavit, or that it constitutes or contains hearsay evidence, or that it is not, or contains matters which are not, the best evidence, but any and all other objections may be made at the hearing. Nothing herein contained shall prevent the cross-examination of the affiant if he **or she** is present in obedience to a subpoena or otherwise and if he **or she** is present, he **or she** may be called for cross-examination during the case of the party who introduced the affidavit in evidence. If the affidavit is admissible in part only it shall be admitted as to such part, without the necessity of preparing a new affidavit. The manner of service of such affidavit and of such objection shall be by delivering or mailing copies thereof to the attorneys of record of the parties being served, if any, otherwise, to such parties, and service shall be deemed complete upon mailing; provided, however, that when the parties are so numerous as to make service of copies of the affidavit on all of them unduly onerous, the agency may make an order specifying on what parties service of copies of such affidavit shall be made, and in that case a copy of such affidavit shall be filed with the agency and kept available for inspection and copying. Nothing in this

subdivision shall prevent any use of affidavits that would be proper in the absence of this subdivision.

621.045. 1. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in those cases when, under the law, a license issued by any of the following agencies may be revoked or suspended or when the licensee may be placed on probation or when an agency refuses to permit an applicant to be examined upon his **or her** qualifications or refuses to issue or renew a license of an applicant who has passed an examination for licensure or who possesses the qualifications for licensure without examination:

Missouri State Board of Accountancy

Missouri State Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects

Board of Barber Examiners

Board of Cosmetology

Board of Chiropody and Podiatry

Board of Chiropractic Examiners

Missouri Dental Board

Board of Embalmers and Funeral Directors

Board of Registration for the Healing Arts

Board of Nursing

Board of Optometry

Board of Pharmacy

Missouri Real Estate Commission

Missouri Veterinary Medical Board

Supervisor of Liquor Control

Department of Health and Senior Services

Department of Insurance, Financial Institutions and Professional Registration

Department of Mental Health

Board of Private Investigator Examiners.

2. If in the future there are created by law any new or additional administrative agencies which have the power to issue, revoke, suspend, or place on probation any license, then those agencies are under the provisions of this law.

3. The administrative hearing commission is authorized to conduct hearings and make findings of fact and conclusions of law in those cases brought by the Missouri state board for architects, professional engineers, professional land surveyors and landscape architects against unlicensed persons under section 327.076.

4. Notwithstanding any other provision of this section to the contrary, after August 28, 1995, in order

to encourage settlement of disputes between any agency described in subsection 1 or 2 of this section and its licensees, any such agency shall:

(1) Provide the licensee with a written description of the specific conduct for which discipline is sought and a citation to the law and rules allegedly violated, together with copies of any documents which are the basis thereof and the agency's initial settlement offer, or file a contested case against the licensee;

(2) If no contested case has been filed against the licensee, allow the licensee at least sixty days, from the date of mailing, to consider the agency's initial settlement offer and to contact the agency to discuss the terms of such settlement offer;

(3) If no contested case has been filed against the licensee, advise the licensee that the licensee may, either at the time the settlement agreement is signed by all parties, or within fifteen days thereafter, submit the agreement to the administrative hearing commission for determination that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee; and

(4) In any contact under this subsection by the agency or its counsel with a licensee who is not represented by counsel, advise the licensee that the licensee has the right to consult an attorney at the licensee's own expense.

5. If the licensee desires review by the administrative hearing commission under subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming final, the licensee may rescind and withdraw from the settlement and any admissions of fact or law in the agreement shall be deemed withdrawn and not admissible for any purposes under the law against the licensee. Any settlement submitted to the administrative hearing commission shall not be effective and final unless and until findings of fact and conclusions of law are entered by the administrative hearing commission that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee.

**6. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under sections 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

621.100. 1. Upon receipt of a written complaint from an agency named in section 621.045 in a case relating to a holder of a license granted by such agency, or upon receipt of such complaint from the attorney general, the administrative hearing commission shall cause a copy of said complaint to be served upon such licensee in person, **or by leaving a copy of the complaint at the licensee's dwelling house or usual place of abode or last address given to the agency by the licensee with some person residing or present therein over the age of fifteen**, or by certified mail, together with a notice of the place of and the date upon which the hearing on said complaint will be held. If service cannot be accomplished [in person or by certified mail] **as described in this section**, notice by publication as described in subsection 3 of section

506.160 shall be allowed; any commissioner is authorized to act as a court or judge would in that section, and any employee of the commission is authorized to act as a clerk would in that section. In any case initiated upon complaint of the attorney general, the agency which issued the license shall be given notice of such complaint and the date upon which the hearing will be held by delivery of a copy of such complaint and notice to the office of such agency or by certified mail. Such agency may intervene and may retain the services of legal counsel to represent it in such case.

**2. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section and section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. “Good cause” includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

**3.** In any case initiated under this section, the custodian of the records of an agency may prepare a sworn affidavit stating truthfully pertinent information regarding the license status of the licensee charged in the complaint, including only: the name of the licensee; his **or her** license number; its designated date of expiration; the date of his **or her** original Missouri licensure; the particular profession, practice or privilege licensed; and the status of his **or her** license as current and active or otherwise. This affidavit shall be received as substantial and competent evidence of the facts stated therein notwithstanding any objection as to the form, manner of presentment or admissibility of this evidence, and shall create a rebuttable presumption of the veracity of the statements therein; provided, however, that the procedures specified in section 536.070 shall apply to the introduction of this affidavit in any case where the status of this license constitutes a material issue of fact in the proof of the cause charged in the complaint.

621.110. Upon a finding in any cause charged by the complaint for which the license may be suspended or revoked as provided in the statutes and regulations relating to the profession or vocation of the licensee **and within one hundred twenty days of the date the case became ready for decision**, the commission shall deliver or transmit by mail to the agency which issued the license the record and a transcript of the proceedings before the commission together with the commission’s findings of fact and conclusions of law. The commission may make recommendations as to appropriate disciplinary action but any such recommendations shall not be binding upon the agency. A copy of the findings of fact, conclusions of law and the commission’s recommendations, if any, shall be delivered or transmitted by mail to the licensee if the licensee’s whereabouts are known, and to any attorney who represented the licensee. Within thirty days after receipt of the record of the proceedings before the commission and the findings of fact, conclusions of law, and recommendations, if any, of the commission, the agency shall set the matter for hearing upon the issue of appropriate disciplinary action and shall notify the licensee of the time and place of the hearing, provided that such hearing may be waived by consent of the agency and licensee where the commission has made recommendations as to appropriate disciplinary action. In case of such waiver by the agency and licensee, the recommendations of the commission shall become the order of the agency. The licensee may

appear at said hearing and be represented by counsel. The agency may receive evidence relevant to said issue from the licensee or any other source. After such hearing the agency may order any disciplinary measure it deems appropriate and which is authorized by law. In any case where the commission fails to find any cause charged by the complaint for which the license may be suspended or revoked, the commission shall dismiss the complaint, and so notify all parties.”; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 1** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

On motion of Senator Brown, **HCS** for **HB 220** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 465**, entitled:

An Act to repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **HCS** for **HB 465** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce



Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 550**, introduced by Representative Day, entitled:

An Act to repeal sections 301.600, 306.400, and 700.350, RSMo, and to enact in lieu thereof three new sections relating to liens and encumbrances.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **HB 550** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 442**, introduced by Representative Franz, entitled:

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to preferences for state

contracts.

Was taken up by Senator Parson.

Senator Munzlinger offered **SA 1:**

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 442, Page 1, In the Title, Line 2 of the title, by striking the following: “preferences for”; and

Further amend said bill, Page 2, Section 34.036, Line 22, by inserting after all of said line the following:

**“34.376. 1. Sections 34.376 to 34.380 may be known as the “Transparency in Private Attorney Contracts Act”.**

**2. As used in sections 34.376 to 34.380, the following terms shall mean:**

**(1) “Government attorney”, an attorney employed by the state as an assistant attorney general;**

**(2) “Private attorney”, any private attorney or law firm;**

**(3) “State”, the state of Missouri, in any action instituted by the attorney general pursuant to section 27.060.**

**34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:**

**(1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general’s office to handle the matter;**

**(2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;**

**(3) The geographic area where the attorney services are to be provided; and**

**(4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney’s experience with similar issues or cases.**

**2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.**

**3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.**

**4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:**

**(1) The government attorneys shall retain complete control over the course and conduct of the**

case;

(2) A government attorney with supervisory authority shall oversee the litigation;

(3) The government attorneys shall retain veto power over any decisions made by outside counsel;

(4) A government attorney with supervisory authority for the case shall attend all settlement conferences; and

(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.

5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.

6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.

7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.

8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:

(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(b) The nature and status of the legal matter;

(c) The name of the parties to the legal matter;

(d) The amount of any recovery; and

**(e) The amount of any contingency fee paid.**

**(2) Include copies of any written determinations made under subsections 1 and 2 of this section.**

**34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed.”; and**

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Lager assumed the Chair.

At the request of Senator Parson, **HB 442**, as amended, was placed on the Informal Calendar.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Stouffer.

### **HOUSE BILLS ON THIRD READING**

**HB 137**, introduced by Representatives Thomson, et al, with **SCS**, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by certain state universities.

Was taken up by Senator Pearce.

**SCS** for **HB 137**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 137**

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof twenty-five new sections relating to the transfer of property, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **HB 137** be adopted.

Senator Pearce offered **SS** for **SCS** for **HB 137**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 137**

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof twenty-five new sections relating to the transfer of property, with an emergency clause.

Senator Pearce moved that **SS** for **SCS** for **HB 137** be adopted.

Senator Crowell offered **SA 1**, which was read:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 137, Page 8, Section 37.005, Line 1, by inserting an opening bracket “[” immediately before the word “Southeast”; and further

amend line 2 of said page, by inserting a closing bracket “J” after the first occurrence of the following: “University,”.

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Pearce, **HB 137**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 473**, entitled:

An Act to repeal sections 160.400, 160.405, 160.410, 160.415, and 160.420, RSMo, and to enact in lieu thereof nine new sections relating to charter schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 32**.

### HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, Missouri’s 57,000 state employees rank 50th out of the 50 states in their annual compensation, according to the most recent figures available from the United States Census Bureau; and

WHEREAS, with an average salary of \$38,184, the average state employee in Missouri earned 26% less than the United States average of \$51,507; and

WHEREAS, the three poorest states in the nation - West Virginia, Mississippi, and Arkansas - all rank ahead of Missouri in state employee annual compensation; and

WHEREAS, according to the United States Census Bureau, Missouri’s full-time equivalent employment dropped 1.09%, and Missouri part-time employment dropped 8.47% from 2008 to 2009; and

WHEREAS, for December 2010, the Bureau of Labor Statistics of the United States Department of Labor reported an unemployment rate of 9.5%, the 15th highest percentage in the nation; and

WHEREAS, in his State of the State Address on January 19, 2011, Governor Nixon said that he has “cut state payroll by over 3,300 positions” since he took office in January 2009 and is recommending another 863 state employee positions be eliminated this year; and

WHEREAS, Governor Nixon acknowledged that “All across state government, a leaner workforce is doing more with less.”; and

WHEREAS, if the recommended cuts are enacted in the 2012 fiscal year budget, Missouri’s full-time employee payroll will drop to approximately 56,500 positions, with the largest reductions in the departments of Mental Health and Social Services;

WHEREAS, in asking state employees to “do more with less”, it is vitally important that the State of Missouri attract and maintain a talented and dedicated workforce in order to best serve the needs of our citizens; and

WHEREAS, one of the keys to attracting and maintaining a talented and dedicated workforce will be to raise the annual compensation of our state workforce so we are no longer ranked 50th among the 50 states in state employee compensation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby establish a Joint Interim Committee on State Employee Wages; and

BE IT FURTHER RESOLVED that the Committee shall:

(1) Compare the wages of Missouri state employees to the wages for state employees in other states;

(2) Study and develop strategies for increasing the wages of Missouri's state employees so Missouri will no longer rank 50th among states regarding state worker wages;

(3) Report its recommendations to the House Budget Committee and the Senate Appropriations Committee by December 31, 2011; and

(4) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Committee shall be composed of the following ten members:

(1) Two majority party members and one minority party member of the House of Representatives, to be appointed by the Speaker of the House and Minority Leader of the House;

(2) Two majority party members and one minority party member of the Senate, to be appointed by the President Pro Tem of the Senate;

(3) One representative from the Governor's Office;

(4) One representative from the State Personnel Advisory Board; and

(5) Two members of the public, with one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the First Regular Session of the Ninety-sixth General Assembly through December 31, 2011; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, and the general public; and

BE IT FURTHER RESOLVED that the staffs of Senate Appropriations, Senate Research, House Appropriations, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingent Fund.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 46**.

#### HOUSE CONCURRENT RESOLUTION NO. 46

WHEREAS, a three-day event, FUTURALLIA, will take place from Wednesday, May 18, 2011, to Friday, May 20, 2011, at the Kansas City Convention Center; and

WHEREAS, FUTURALLIA is a unique and globally recognized event which offers small and medium size businesses from various industry sectors and business leaders to have personalized, prescheduled, face-to-face meetings with partners of their choice; and

WHEREAS, FUTURALLIA is a springboard toward making new international partnerships, in addition to informal meetings in a professional and friendly environment; and

WHEREAS, since the first FUTURALLIA event was held in 1990, the event is designed for owners, directors, and managers of small and medium size businesses from all industry sectors wishing to develop business partnerships; and

WHEREAS, FUTURALLIA KC 2011 is the 16th edition of the event, and the first time in 20 years that the event will be held in the United States; and

WHEREAS, more than 92 delegation leaders from 38 countries will be participating, with more than 800 entrepreneurs in attendance; and

WHEREAS, as host of such a internationally recognized business event, Missouri will be a showcase for business leaders and entrepreneurs involved in foreign trade; and

WHEREAS, David Kerr, Director of the Department of Economic Development has frequently discussed the importance of international trade for the economic future of the State of Missouri; and

WHEREAS, from its early trading post beginnings, Kansas City has grown to be a metropolitan area of 2.2 million people and has maintained a reputation as a crossroads of transportation and as an international trade hub; and

WHEREAS, *Fortune* magazine ranks Kansas City as one of the 20 best cities in the United States for international business; and

WHEREAS, *Entrepreneur* magazine rates Kansas City as the No. 1 city in the Midwest in which to start and grow a business and No. 11 nationally; and

WHEREAS, Kansas City's economy is a nearly exact reflection of the United States economy, with a diversity of industries that protect its employers and workforce from dramatic peaks and valleys experienced in other markets; and

WHEREAS, FUTURALLIA KC 2011 will allow the State of Missouri to become recognized as a great place for foreign trade and international business:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize Kansas City as host of FUTURALLIA KC 2011 and urge the Department of Economic Development to take every advantage of this opportunity to encourage participation and to showcase Missouri as an ideal location for foreign trade and international business; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for David Kerr, Director of the Department of Economic Development.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 161**, entitled:

An Act to repeal sections 137.010, 137.080, 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, 268.121, 276.416, 276.421, 276.436, 276.441, 276.446, 348.400, 348.407, 348.412, and 411.280, RSMo, and section 137.115 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 137.115 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 2058 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 711 merged with conference committee substitute for house committee substitute no. 2 for senate substitute for senate committee substitute for senate bill no. 718, ninety-fourth general assembly, second regular session, and to enact in lieu thereof fifteen new sections relating to agriculture, with penalty provisions.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 161, Page 1, In the Title, Line 3, by inserting after the number "268.121," the numbers "273.327, 273.345,"; and

Further amend said bill, Page 1, In the Title, Lines 11 and 12, by deleting all of said lines and inserting in lieu thereof the following: "for senate bill no. 718, ninety-fourth general assembly, second regular session, and sections 273.327, 273.345, 273.347, and 1 as truly agreed to and finally passed by or as enacted by senate substitute for senate committee substitute for senate bills nos. 113 & 95, the ninety-sixth general assembly, first regular session, and to enact in lieu thereof nineteen new sections relating to agriculture, with penalty provisions and an emergency clause for certain sections."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "268.121," the numbers "273.327, 273.345,"; and

Further amend said bill, Page 1, Section A, Line 10, by deleting all of said line and inserting in lieu thereof the following: “assembly, second regular session, and sections 273.327, 273.345, 273.347, and 1 as truly agreed to and finally passed by or as enacted by senate substitute for senate committee substitute for senate bills nos. 113 & 95, the ninety-sixth general assembly, first regular session, are repealed and nineteen new sections enacted in lieu thereof,”; and

Further amend said bill, Page 2, Section A, Line 12, by deleting all of said line and inserting in lieu thereof the following: “268.121, 273.327, 273.345, 273.347, 276.421, 276.436, 276.441, 348.400, 348.407, 348.412, 411.280, and 1, to read as”; and

Further amend said bill, Page 15, Section 268.121, Line 11, by inserting after all of said line the following:

“273.327. No person shall operate an animal shelter, pound or dog pound, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer or commercial breeder, unless such person has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the license fee shall range from one hundred to **two thousand five hundred dollars per year. Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of twenty-five dollars to be used by the department of agriculture for the purpose of administering Operation Bark Alert or any successor program.** Pounds or dog pounds shall be exempt from payment of [such fee] **the fees under this section.** License fees shall be levied for each license issued or renewed on or after January 1, 1993.

273.345. 1. This section shall be known and may be cited as the “[Puppy Mill] **Canine Cruelty Prevention Act.**”

2. The purpose of this act is to prohibit the cruel and inhumane treatment of dogs [in puppy mills] **bred in large operations** by requiring large-scale dog breeding operations to provide each dog under their care with basic food and water, adequate shelter from the elements, necessary veterinary care, adequate space to turn around and stretch his or her limbs, and regular exercise.

3. Notwithstanding any other provision of law, any person having custody or ownership of more than ten female covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet shall provide each covered dog:

- (1) Sufficient food and clean water;
- (2) Necessary veterinary care;
- (3) Sufficient housing, including protection from the elements;
- (4) Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs;
- (5) Regular exercise; and
- (6) Adequate rest between breeding cycles.

4. [Notwithstanding any other provision of law, no person may have custody of more than fifty covered



dogs for the purpose of breeding those animals and selling any offspring for use as a pet.

5.] For purposes of this section and notwithstanding the provisions of section 273.325, the following terms have the following meanings:

(1) “Adequate rest between breeding cycles” means, at minimum, ensuring that **female** dogs are not bred to produce more [than two] litters in any [eighteen-month] **given period than what is recommended by a licensed veterinarian as appropriate for the species, age, and health of the dog;**

(2) “Covered dog” means any individual of the species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids, that is over the age of six months and has intact sexual organs;

(3) “Necessary veterinary care” means, at minimum, examination at least once yearly by a licensed veterinarian, prompt treatment of any **serious** illness or injury by a licensed veterinarian, and where needed, humane euthanasia by a licensed veterinarian using lawful techniques deemed acceptable by the American Veterinary Medical Association;

(4) “Person” means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate;

(5) “Pet” means any [domesticated animal] **species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids,** normally maintained in or near the household of the owner thereof;

(6) “Regular exercise” means [constant and unfettered access to an outdoor exercise area that is composed of a solid ground-level surface with adequate drainage, provides some protection against sun, wind, rain, and snow, and provides each dog at least twice the square footage of the indoor floor space provided to that dog] **the type and amount of exercise sufficient to comply with an exercise plan that has been approved by a licensed veterinarian, developed in accordance with regulations regarding exercise promulgated by the Missouri department of agriculture, and where such plan affords the dog maximum opportunity for outdoor exercise as weather permits;**

(7) “Retail pet store” means a person or retail establishment open to the public where dogs are bought, sold, exchanged, or offered for retail sale directly to the public to be kept as pets, but that does not engage in any breeding of dogs for the purpose of selling any offspring for use as a pet;

(8) “Sufficient food and clean water” means access to appropriate nutritious food at least [once] **twice** a day sufficient to maintain good health, and continuous access to potable water that is not frozen and is **generally** free of debris, feces, algae, and other contaminants;

(9) “Sufficient housing, including protection from the elements” means [constant and unfettered access to an indoor enclosure that has a solid floor, is not stacked or otherwise placed on top of or below another animal’s enclosure, is cleaned of waste at least once a day while the dog is outside the enclosure, and does not fall below forty-five degrees Fahrenheit, or rise above eighty-five degrees Fahrenheit] **the continuous provision of a sanitary facility, the provision of a solid surface on which to lie in a recumbent position, protection from the extremes of weather conditions, proper ventilation, and appropriate space depending on the species of animal as required by regulations of the Missouri department of agriculture and in compliance with the provisions of subsection 7 of this section. No dog shall remain inside its enclosure while the enclosure is being cleaned. Dogs housed within the same enclosure shall be compatible, in accordance with regulations promulgated by the Missouri department of agriculture;**

(10) “Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs” means having:

(a) Sufficient indoor space **or shelter from the elements** for each dog to turn in a complete circle without any impediment (including a tether);

(b) Enough indoor space **or shelter from the elements** for each dog to lie down and fully extend his or her limbs and stretch freely without touching the side of an enclosure or another dog;

(c) [At least one foot of headroom above the head of the tallest dog in the enclosure; and

(d) At least twelve square feet of indoor floor space per each dog up to twenty-five inches long, at least twenty square feet of indoor floor space per each dog between twenty-five and thirty-five inches long, and at least thirty square feet of indoor floor space per each dog for dogs thirty-five inches and longer (with the length of the dog measured from the tip of the nose to the base of the tail)] **Appropriate space depending on the species of the animal, as specified in regulations by the Missouri department of agriculture, as revised, and in compliance with the provisions of subsection 7 of this section.**

[6. A person is guilty of the crime of puppy mill cruelty when he or she knowingly violates any provision of this section. The crime of puppy mill cruelty is a class C misdemeanor, unless the defendant has previously pled guilty to or been found guilty of a violation of this section, in which case each such violation is a class A misdemeanor. Each violation of this section shall constitute a separate offense. If any violation of this section meets the definition of animal abuse in section 578.012, the defendant may be charged and penalized under that section instead.

**7.] 5. Any person subject to the provisions of this section shall maintain all veterinary records and sales records for the most recent previous two years. These records shall be made available to the state veterinarian, a state or local animal welfare official, or a law enforcement agent upon request.**

**6.** The provisions of this section are in addition to, and not in lieu of, any other state and federal laws protecting animal welfare. This section shall not be construed to limit any state law or regulation protecting the welfare of animals, nor shall anything in this section prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations in addition to this section. This section shall not be construed to place any numerical limits on the number of dogs a person may own or control when such dogs are not used for breeding those animals and selling any offspring for use as a pet. This section shall not apply to a dog during examination, testing, operation, recuperation, or other individual treatment for veterinary purposes, during lawful scientific research, during transportation, during cleaning of a [dogs] **dog’s** enclosure, during supervised outdoor exercise, or during any emergency that places a [dogs] **dog’s** life in imminent danger. [This section shall not apply to any retail pet store, animal shelter as defined in section 273.325, hobby or show breeders who have custody of no more than ten female covered dogs for the purpose of breeding those dogs and selling any offspring for use as a pet, or dog trainer who does not breed and sell any dogs for use as a pet.] Nothing in this section shall be construed to limit hunting or the ability to breed, raise, [or] sell [hunting], **control, train, or possess dogs with the intention to use such dogs for hunting or other sporting purposes.**

**7. Notwithstanding any law to the contrary, the following space requirements shall apply under this section:**

**(1) From January 1, 2012, through December 31, 2015, for any enclosure existing prior to April 15, 2011, the minimum allowable space shall:**

(a) Be two times the space allowable under the department of agriculture's regulation that was in effect on April 15, 2011;

(b) Except as prescribed by rule, provide constant and unfettered access to an attached outdoor run; and

(c) Meet all other requirements set forth by rule of the Missouri department of agriculture;

(2) For any enclosure newly constructed after April 15, 2011, and for all enclosures as of January 1, 2016, the minimum allowable space shall:

(a) Be three times the space allowable under the department of agriculture's regulation that was in effect on April 15, 2011;

(b) Except as prescribed by rule, provide constant and unfettered access to an attached outdoor run; and

(c) Meet all other requirements set forth by rule of the Missouri department of agriculture;

(3) For any enclosure newly constructed after April 15, 2011, and for all enclosures as of January 1, 2016, wire strand flooring shall be prohibited and all enclosures shall meet the flooring standard set forth by rule of the Missouri department of agriculture.

8. If any provision of this section, or the application thereof to any person or circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not affect other provisions or applications of this section that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this section are severable.

[9. The provisions herewith shall become operative one year after passage of this act.]

**273.347. 1. Whenever the state veterinarian or a state animal welfare official finds past violations of sections 273.325 to 273.357 have occurred and have not been corrected or addressed, including operating without a valid license under section 273.327, the director may request the attorney general or the county prosecuting attorney or circuit attorney to bring an action in circuit court in the county where the violations have occurred for a temporary restraining order, preliminary injunction, permanent injunction, or a remedial order enforceable in a circuit court to correct such violations and, in addition, the court may assess a civil penalty in an amount not to exceed one thousand dollars for each violation. Each violation shall constitute a separate offense.**

**2. A person commits the crime of canine cruelty if such person repeatedly violates sections 273.325 to 273.357 so as to pose a substantial risk to the health and welfare of animals in such person's custody, or knowingly violates an agreed-to remedial order involving the safety and welfare of animals under this section. The crime of canine cruelty is a class C misdemeanor, unless the person has previously pled guilty or nolo contendere to or been found guilty of a violation of this subsection, in which case, each such violation is a class A misdemeanor.**

**3. The attorney general or the county prosecuting attorney or circuit attorney may bring an action under sections 273.325 to 273.357 in circuit court in the county where the crime has occurred for criminal punishment.**

**4. No action under this section shall prevent or preclude action taken under section 578.012 or under subsection 3 of section 273.329.”; and**

Further amend said bill, Page 22, Section 411.280, Line 7, by inserting after all of said line the following:

**“Section 1. Any person required to have a license under sections 273.325 to 273.357 who houses animals in stacked cages without an impervious barrier between the levels of such cages, except when cleaning such cages, is guilty of a class A misdemeanor.”; and**

Further amend said bill, Page 24, Section 263.450, Line 8, by inserting after all of said line the following:

“[273.327. No person shall operate an animal shelter, pound or dog pound, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer or commercial breeder, unless such person has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the license fee shall range from one hundred to **two thousand** five hundred dollars per year. **Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of twenty-five dollars to be used by the department of agriculture for the purpose of administering Operation Bark Alert or any successor program.** Pounds or dog pounds shall be exempt from payment of [such fee] **the fees under this section.** License fees shall be levied for each license issued or renewed on or after January 1, 1993.]

[273.345. 1. This section shall be known and may be cited as the “[Puppy Mill] **Canine Cruelty Prevention Act.**”

2. The purpose of this act is to prohibit the cruel and inhumane treatment of dogs [in puppy mills] **bred in large operations** by requiring large-scale dog breeding operations to provide each dog under their care with basic food and water, adequate shelter from the elements, necessary veterinary care, adequate space to turn around and stretch his or her limbs, and regular exercise.

3. Notwithstanding any other provision of law, any person having custody or ownership of more than ten female covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet shall provide each covered dog:

- (1) Sufficient food and clean water;
- (2) Necessary veterinary care;
- (3) Sufficient housing, including protection from the elements;
- (4) Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs;
- (5) Regular exercise; and
- (6) Adequate rest between breeding cycles.

4. [Notwithstanding any other provision of law, no person may have custody of more than fifty covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet.

5.] For purposes of this section and notwithstanding the provisions of section 273.325, the following terms have the following meanings:

(1) “Adequate rest between breeding cycles” means, at minimum, ensuring that **female** dogs are not bred to produce more [than two] litters in any [eighteen-month] **given period than what is recommended by a licensed veterinarian as appropriate for the species, age, and health of the dog;**

(2) “Covered dog” means any individual of the species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids, that is over the age of six months and has intact sexual organs;

(3) “Necessary veterinary care” means[, at minimum, examination at least once yearly] **at least two personal visual inspections annually by a licensed veterinarian, guidance from a licensed veterinarian on preventative care, an exercise plan that has been approved by a licensed veterinarian, normal and prudent attention to skin, coat, and nails,** prompt treatment of any illness or injury [by a licensed veterinarian], and where needed, humane euthanasia by a licensed veterinarian using lawful techniques deemed acceptable by the American Veterinary Medical Association. **If, during the course of a routine personal visual inspection, the licensed veterinarian detects signs of disease or injury, then a physical examination of any such afflicted dog shall be conducted by a licensed veterinarian;**

(4) “Person” means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate;

(5) “Pet” means any [domesticated animal] **species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids,** normally maintained in or near the household of the owner thereof;

(6) “Regular exercise” means [constant and unfettered access to an outdoor exercise area that is composed of a solid ground-level surface with adequate drainage, provides some protection against sun, wind, rain, and snow, and provides each dog at least twice the square footage of the indoor floor space provided to that dog] **the type and amount of exercise sufficient to comply with an exercise plan that has been approved by a licensed veterinarian, developed in accordance with regulations regarding exercise promulgated by the Missouri department of agriculture, and where such plan affords the dog maximum opportunity for outdoor exercise as weather permits;**

(7) “Retail pet store” means a person or retail establishment open to the public where dogs are bought, sold, exchanged, or offered for retail sale directly to the public to be kept as pets, but that does not engage in any breeding of dogs for the purpose of selling any offspring for use as a pet;

(8) “Sufficient food and clean water” means [access to appropriate nutritious food at least once a day sufficient to maintain good health, and continuous access to potable water that is not frozen and is free of debris, feces, algae, and other contaminants];

**(a) The provision, at suitable intervals of not more than twelve hours, unless the dietary requirements of the species requires a longer interval, of a quantity of wholesome foodstuff, suitable for the species and age, enough to maintain a reasonable level of nutrition in each animal. All foodstuffs shall be served in a safe receptacle, dish, or container; and**

**(b) The provision of a supply of potable water in a safe receptacle, dish, or container. Water shall be provided continuously or at intervals suitable to the species, with no interval to exceed eight hours;**

(9) “Sufficient housing, including protection from the elements” means [constant and unfettered access to an indoor enclosure that has a solid floor, is not stacked or otherwise placed on top of or below another animal’s enclosure, is cleaned of waste at least once a day while the dog is outside the enclosure, and does not fall below forty-five degrees Fahrenheit, or rise above eighty-five degrees Fahrenheit] **the continuous provision of a sanitary facility, the provision of a solid surface on which to lie in a recumbent position, protection from the extremes of weather conditions, proper ventilation, and appropriate space depending on the species of animal as required by regulations of the Missouri department of agriculture. No dog shall remain inside its enclosure while the enclosure is being cleaned. Dogs housed within the same enclosure shall be compatible, in accordance with regulations promulgated by the Missouri department of agriculture;**

(10) “Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs” means [having:

(a) Sufficient indoor space for each dog to turn in a complete circle without any impediment (including a tether);

(b) Enough indoor space for each dog to lie down and fully extend his or her limbs and stretch freely without touching the side of an enclosure or another dog;

(c) At least one foot of headroom above the head of the tallest dog in the enclosure; and

(d) At least twelve square feet of indoor floor space per each dog up to twenty-five inches long, at least twenty square feet of indoor floor space per each dog between twenty-five and thirty-five inches long, and at least thirty square feet of indoor floor space per each dog for dogs thirty-five inches and longer (with the length of the dog measured from the tip of the nose to the base of the tail)] **appropriate space depending on the species of the animal, as specified in regulations by the Missouri department of agriculture, as revised.**

[6. A person is guilty of the crime of puppy mill cruelty when he or she knowingly violates any provision of this section. The crime of puppy mill cruelty is a class C misdemeanor, unless the defendant has previously pled guilty to or been found guilty of a violation of this section, in which case each such violation is a class A misdemeanor. Each violation of this section shall constitute a separate offense. If any violation of this section meets the definition of animal abuse in section 578.012, the defendant may be charged and penalized under that section instead.

**7.] 5. Any person subject to the provisions of this section shall maintain all veterinary records and sales records for the most recent previous two years. These records shall be made available to the state veterinarian, a state or local animal welfare official, or a law enforcement agent upon request.**

**6.** The provisions of this section are in addition to, and not in lieu of, any other state and federal laws protecting animal welfare. This section shall not be construed to limit any state law or regulation protecting the welfare of animals, nor shall anything in this section prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations in

addition to this section. This section shall not be construed to place any numerical limits on the number of dogs a person may own or control when such dogs are not used for breeding those animals and selling any offspring for use as a pet. This section shall not apply to a dog during examination, testing, operation, recuperation, or other individual treatment for veterinary purposes, during lawful scientific research, during transportation, during cleaning of a [dogs] **dog's** enclosure, during supervised outdoor exercise, or during any emergency that places a [dogs] **dog's** life in imminent danger. [This section shall not apply to any retail pet store, animal shelter as defined in section 273.325, hobby or show breeders who have custody of no more than ten female covered dogs for the purpose of breeding those dogs and selling any offspring for use as a pet, or dog trainer who does not breed and sell any dogs for use as a pet.] Nothing in this section shall be construed to limit hunting or the ability to breed, raise, [or] sell [hunting], **control, train, or possess dogs with the intention to use such dogs for hunting or other sporting purposes.**

[8.] **7.** If any provision of this section, or the application thereof to any person or circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not affect other provisions or applications of this section that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this section are severable.

[9.] **8.** The provisions herewith shall become operative one year after passage of this act.]

**[273.347. 1. Whenever the state veterinarian or a state animal welfare official finds past violations of sections 273.325 to 273.357 have occurred and have not been corrected or addressed, including operating without a valid license under section 273.327, the director may request the attorney general or the county prosecuting attorney or circuit attorney to bring an action in circuit court in the county where the violations have occurred for a temporary restraining order, preliminary injunction, permanent injunction, or a remedial order enforceable in a circuit court to correct such violations and, in addition, the court may assess a civil penalty in an amount not to exceed one thousand dollars for each violation. Each violation shall constitute a separate offense.**

**2. A person commits the crime of canine cruelty if such person repeatedly violates sections 273.325 to 273.357 so as to pose a substantial risk to the health and welfare of animals in such person's custody, or knowingly violates an agreed-to remedial order involving the safety and welfare of animals under this section. The crime of canine cruelty is a class C misdemeanor, unless the person has previously pled guilty or nolo contendere to or been found guilty of a violation of this subsection, in which case, each such violation is a class A misdemeanor.**

**3. The attorney general or the county prosecuting attorney or circuit attorney may bring an action under sections 273.325 to 273.357 in circuit court in the county where the crime has occurred for criminal punishment.**

**4. No action under this section shall prevent or preclude action taken under section 578.012 or under subsection 3 of section 273.329.]"**; and

Further amend said bill, Page 24, Section 276.446, Line 8, by inserting after all of said line the following:

**“[Section 1. Any person required to have a license under sections 273.325 to 273.357 who houses animals in stacked cages without an impervious barrier between the levels of such cages, except when cleaning such cages, is guilty of a class A misdemeanor.]**

Section B. In order to improve the immediate health and welfare of dogs in this state and to provide sufficient time for businesses to comply with changes in the law, the repeal and reenactment of sections 273.327 and 273.345, the enactment of sections 273.347 and 1, and the repeal of sections 273.327, 273.345, 273.347, and 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 273.327 and 273.345, the enactment of sections 273.347 and 1, and the repeal of sections 273.327, 273.345, 273.347, and 1 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 161, Page 2, Section 137.010, Lines 1-33, by deleting all of said section and lines; and

Further amend said bill, Page 3, Section 137.080, Lines 1-16, by deleting all of said section and lines; and

Further amend said bill, Pages 3-8, Section 137.115, Lines 1-172, by deleting all of said section and lines; and

Further amend said bill, Pages 8-12, Section 137.115, Lines 1-197, by deleting all of said section and lines; and

Further amend said bill, Pages 12-13, Section 263.190, Lines 1-40, by deleting all of said section and lines; and

Further amend said bill, Page 14, Section 263.200, Lines 1-27, by deleting all of said section and lines; and

Further amend said bill and page, Section 263.220, Lines 1-2, by deleting all of said section and lines; and

Further amend said bill and page, Section 263.240, Lines 1-3, by deleting all of said section and lines; and

Further amend said bill, Pages 14-15, Section 268.121, Lines 1-11, by deleting all of said section and lines; and

Further amend said bill, Pages 15-17, Section 276.421, Lines 1-74, by deleting all of said section and lines; and

Further amend said bill, Pages 17-18, Section 276.436, Lines 1-57, by deleting all of said section and lines; and

Further amend said bill, Pages 18-19, Section 276.441, Lines 1-12, by deleting all of said section and lines; and

Further amend said bill, Page 22, Section 411.280, Lines 1-7, by deleting all of said section and lines;



and

Further amend said bill, Pages 22-23, Section 263.205, Lines 1-26, by deleting all of said section and lines; and

Further amend said bill, Page 23, Section 263.230, Lines 1-9, by deleting all of said section and lines; and

Further amend said bill, Pages 23-24, Section 263.232, Lines 1-20, by deleting all of said section and lines; and

Further amend said bill, Page 24, Section 263.241, Lines 1-7 by deleting all of said section and lines; and

Further amend said bill and page, Section 263.450, Lines 1-7 by deleting all of said section and lines; and

Further amend said bill and page, Section 276.416, Lines 1-10 by deleting all of said section and lines; and

Further amend said bill and page, Section 276.446, Lines 1-8 by deleting all of said section and lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

### **PRIVILEGED MOTIONS**

Senator Munzlinger moved that **SB 161**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 161**, as amended, entitled:

#### **HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 161**

An Act to repeal sections 137.010, 137.080, 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, 268.121, 276.416, 276.421, 276.436, 276.441, 276.446, 348.400, 348.407, 348.412, and 411.280, RSMo, and section 137.115 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 137.115 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 2058 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 711 merged with conference committee substitute for house committee substitute no. 2 for senate substitute for senate committee substitute for senate bill no. 718, ninety-fourth general assembly, second regular session, and to enact in lieu thereof fifteen new sections relating to agriculture, with penalty provisions.

Was taken up.

Senator Munzlinger moved that **HCS** for **SB 161**, as amended, be adopted, which motion prevailed by

the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	Munzlinger
Parson	Pearce	Richard	Rupp	Schaaf	Schaefer	Stouffer	Wasson

Wright-Jones—25

NAYS—Senators

Cunningham	Dempsey	Kraus	Lembke	McKenna	Ridgeway	Schmitt—7
------------	---------	-------	--------	---------	----------	-----------

Absent—Senators

Nieves	Purgason—2
--------	------------

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, **HCS** for **SB 161**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Curls	Dixon	Engler	Goodman	Justus
Kehoe	Lager	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Stouffer	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Cunningham	Dempsey	Green	Keaveny	Kraus	Lamping	Lembke
Ridgeway	Schmitt	Wright-Jones—11					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

At the request of Senator Munzlinger, **HCS** for **SB 161**, as amended, was placed on the Informal Calendar.

### HOUSE BILLS ON THIRD READING

Senator Pearce moved that **HB 137**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

At the request of Senator Crowell, the above amendment was withdrawn.

Senator Green offered **SA 2**, which was read:

## SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 137, Page 7, Section 37.005, Line 27, by striking all of the underlined words and opening bracket on said line and inserting in lieu thereof an opening bracket “[” immediately after the first occurrence of the word “University”; and further amend line 28 by striking the closing bracket “]” on said line; and further amend said bill and section, page 8, line 4, by inserting a closing bracket “]” immediately after the word “University”.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SS** for **SCS** for **HB 137**, as amended, be adopted, which motion prevailed.

Senator Pearce moved that **SS** for **SCS** for **HB 137**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **SS** for **SCS** for **HB 137**, as amended, to the Committee on Ways and Means and Fiscal Oversight.

**HB 423**, introduced by Representative Burlison, et al, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the health care compact.

Was called from the Informal Calendar and taken up by Senator Nieves.

On motion of Senator Nieves, **HB 423** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—31	

## NAYS—Senators

Keaveny	McKenna	Wright-Jones—3
---------	---------	----------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

## PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Munzlinger moved that the vote by which **HCS** for **SB 161**, as amended, was read the 3rd time and finally passed be reconsidered, which motion prevailed by the

following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

At the request of Senator Munzlinger the motion for 3rd reading and final passage was withdrawn.

Having voted on the prevailing side, Senator Munzlinger moved that the vote by which **HCS** for **SB 161**, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

**HCS** for **SB 161**, as amended, was again taken up.

Senator Munzlinger moved that **HCS** for **SB 161**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Curls	Dixon	Engler	Goodman	Justus
Keaveny	Kehoe	Lager	Mayer	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson—24

NAYS—Senators

Chappelle-Nadal	Cunningham	Dempsey	Green	Kraus	Lamping	Lembke	McKenna
-----------------	------------	---------	-------	-------	---------	--------	---------

Schmitt Wright-Jones—10

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, **HCS for SB 161**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Curls	Dixon	Engler	Goodman	Justus
Keaveny	Kehoe	Lager	Mayer	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson—24

NAYS—Senators

Chappelle-Nadal	Cunningham	Dempsey	Green	Kraus	Lamping	Lembke	McKenna
Schmitt	Wright-Jones—10						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Schmitt—1

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **SB 161**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HCS** for **SB 161**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

### **REPORTS OF STANDING COMMITTEES**

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HCS** for **HB 197**, begs leave to report that it has considered the same and recommends that the bill do pass with Senate Committee Amendment No. 1.

### **SENATE COMMITTEE AMENDMENT NO. 1**

Amend House Committee Substitute for House Bill No. 197, Page 2, Section 191.758, Lines 6-7, by striking said lines and inserting in lieu thereof the following: **“banking.”**

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HCS** for **HB 143**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HJR 29**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **HB 282**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **HB 499**, begs leave to report

that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HCS** for **HB 70**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 199**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 256**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 260**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 214**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 641**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS No. 2** for **HB 609**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HBs 294, 123, 125, 113, 271 and 215**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 315**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 361**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 648**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HJR 6**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 336**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 340**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 545**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 190**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 250**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 101**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer assumed the Chair.

### **REFERRALS**

President Pro Tem Mayer re-referred **SJR 17** to the Committee on the Judiciary and Civil and Criminal Jurisprudence.



**BILLS DELIVERED TO THE GOVERNOR**

**HCS for SB 161**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

**RESOLUTIONS**

Senator Crowell offered Senate Resolution No. 926, regarding Ruth Basler, Perryville, which was adopted.

Senator Crowell offered Senate Resolution No. 927, regarding Randy Richardet, Perryville, which was adopted.

Senator Schaaf offered Senate Resolution No. 928, regarding the One Hundred Twenty-fifth Anniversary of DeKalb Christian Church, which was adopted.

Senator Schaaf offered Senate Resolution No. 929, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Walter Ray Stubbs, Edgerton, which was adopted.

Senator Schaaf offered Senate Resolution No. 930, regarding Valerie Ann Pierce, St. Joseph, which was adopted.

Senator Parson offered Senate Resolution No. 931, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. David Kempker, Clinton, which was adopted.

Senator Parson offered Senate Resolution No. 932, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Edwin James Logan, Windsor, which was adopted.

Senator Stouffer offered Senate Resolution No. 933, regarding the One Hundred Third Birthday of Helen Staub, Marshall, which was adopted.

Senator Kehoe offered Senate Resolution No. 934, regarding Heather Triplett Biehl, which was adopted.

Senator Kehoe offered Senate Resolution No. 935, regarding Pete Adkins, which was adopted.

Senator Richard offered Senate Resolution No. 936, regarding Allura Jones, Neosho, which was adopted.

Senators Justus and Pearce offered Senate Resolution No. 937, regarding Mary Ann Vering, Kansas City, which was adopted.

Senator Pearce offered Senate Resolution No. 938, regarding Dr. Margret Anderson, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 939, regarding Solana Sperry, Centerview, which was adopted.

Senator Pearce offered Senate Resolution No. 940, regarding Gabriele Sperry, Centerview, which was adopted.

On motion of Senator Dempsey, the Senate recessed until 6:30 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

**HOUSE BILLS ON THIRD READING**

**HCS for HBs 116 and 316, with SCS, entitled:**

An Act to repeal sections 32.028, 32.087, 105.716, 144.083, and 168.071, RSMo, and to enact in lieu thereof sixteen new sections relating to collection of state money, with a penalty provision and an emergency clause for a certain section.

Was called from the Informal Calendar and taken up by Senator Purgason.

**SCS for HCS for HBs 116 and 316, entitled:**

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILLS NOS. 116 and 316**

An Act to repeal sections 32.028, 32.087, 32.105, 32.110, 32.115, 32.117, 32.120, 99.1205, 100.286, 100.297, 105.716, 135.010, 135.025, 135.030, 135.090, 135.313, 135.326, 135.327, 135.352, 135.460, 135.481, 135.484, 135.487, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.802, 135.815, 135.825, 135.1150, 137.1018, 143.119, 144.030, 144.083, 168.071, 208.770, 253.545, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.495, and 660.055, RSMo, and to enact in lieu thereof sixty-three new sections relating to collection of state money, with a penalty provision and an emergency clause.

Was taken up.

Senator Purgason moved that **SCS for HCS for HBs 116 and 316** be adopted.

Senator Purgason offered **SS for SCS for HCS for HBs 116 and 316**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILLS NOS. 116 and 316**

An Act to repeal sections 32.028, 32.087, 32.105, 32.110, 32.115, 32.117, 32.120, 99.1205, 100.286, 100.297, 105.716, 135.010, 135.025, 135.030, 135.090, 135.313, 135.326, 135.327, 135.352, 135.460, 135.481, 135.484, 135.487, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.802, 135.815, 135.825, 135.1150, 136.055, 137.1018, 143.119, 144.030, 144.062, 144.083, 168.071, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.545, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof eighty-nine new sections relating to collection of state money, with a penalty provision and an emergency clause.

Senator Purgason moved that **SS for SCS for HCS for HBs 116 and 316** be adopted.

Senator Purgason offered **SA 1:**

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Page 294, Section 620.2015, Line 12 of said page, by striking “subdivision (5) of

subsection 3” and inserting in lieu thereof the following: “**subsection 7**”; and further amend line 13 of said page, by striking “620.2010” and inserting in lieu thereof the following: “**620.2020**”.

Senator Purgason moved that the above amendment be adopted, which motion prevailed.

Senator Richard offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 116 and 316, Page 203, Section 168.071, Line 4, by inserting after all of said line the following:

“196.1109. All moneys that are appropriated by the general assembly from the life sciences research trust fund shall be appropriated to the life sciences research board to increase the capacity for quality of life sciences research at public and private not-for-profit institutions in the state of Missouri and to thereby:

(1) Improve the quantity and quality of life sciences research at public and private not-for-profit institutions, including but not limited to basic research (including the discovery of new knowledge), translational research (including translating knowledge into a usable form), and clinical research (including the literal application of a therapy or intervention to determine its efficacy), including but not limited to health research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary, and infectious disease, and plant sciences, including but not limited to nutrition and food safety; and

(2) Enhance technology transfer and technology commercialization derived from research at public and private not-for-profit institutions within the centers for excellence. For purposes of sections 196.1100 to 196.1130, “technology transfer and technology commercialization” includes stages of the regular business cycle occurring after research and development of a life science technology, including but not limited to reduction to practice, proof of concept, and achieving federal Food and Drug Administration, United States Department of Agriculture, or other regulatory requirements in addition to the definition in section 348.251. Funds received by the board may be used for purposes authorized in sections 196.1100 to 196.1130 and shall be subject to the restrictions of sections 196.1100 to 196.1130, including but not limited to the costs of personnel, supplies, equipment, and renovation or construction of physical facilities; provided that in any single fiscal year no more than [ten] **thirty** percent of the moneys appropriated shall be used for the construction of physical facilities and further provided that in any fiscal year **up to** eighty percent of the moneys shall be appropriated to build research capacity at public and private not-for-profit institutions and **at least** twenty percent **and no more than fifty percent** of the moneys shall be appropriated for grants to public or private not-for-profit institutions to promote life science technology transfer and technology commercialization. Of the moneys appropriated to build research capacity, twenty percent of the moneys shall be appropriated to promote the development of research of tobacco-related illnesses.

196.1115. 1. The moneys appropriated to the life sciences research board that are not distributed by the board in any fiscal year to a center for excellence or a center for excellence endorsed program pursuant to section 196.1112, if any, shall be held in reserve by the board or shall be awarded on the basis of peer review panel recommendations for capacity building initiatives proposed by public and private not-for-profit academic, research, or health care institutions or organizations, or individuals engaged in competitive research in targeted fields consistent with the provisions of sections 196.1100 to 196.1130.

2. The life sciences research board may, in view of the limitations expressed in section 196.1130:

- (1) Award and enter into grants or contracts relating to increasing Missouri's research capacity at public or private not-for-profit institutions;
- (2) Make provision for peer review panels to recommend and review research projects;
- (3) Contract for [administrative and] support services;
- (4) Lease or acquire facilities and equipment;
- (5) Employ administrative staff; and
- (6) Receive, retain, hold, invest, disburse or administer any moneys that it receives from appropriations or from any other source.

**3. The Missouri technology corporation, established under section 348.251, shall serve as the administrative agent for the life sciences research board.**

**4. The life sciences research board shall utilize as much of the moneys as reasonably possible for building capacity at public and private not-for-profit institutions to do research rather than for administrative expenses. The board shall not in any fiscal year expend more than two percent of the total moneys appropriated to it and of the moneys that it has in reserve or has received from other sources for its own administrative expenses for appropriations over twenty million dollars; three percent for appropriations less than twenty million dollars but more than fifteen million dollars; four percent for appropriations less than fifteen million dollars but more than ten million dollars; five percent for appropriations less than ten million dollars; provided, however, that the general assembly by appropriation from the life sciences research trust fund may authorize a limited amount of additional moneys to be expended for administrative costs.”; and**

Further amend said bill, Page 216, Section 253.559, Line 27, by inserting after all of said line the following:

**“348.250. Sections 348.250 to 348.275 shall be known and may be cited as the “Missouri Science and Innovation Reinvestment Act”.**

348.251. 1. As used in sections 348.251 to 348.266, the following terms mean:

- (1) **“Applicable percentage”, six percent for the fiscal year beginning July 1, 2012, and the next fourteen consecutive fiscal years; five percent for the immediately subsequent five fiscal years; and four percent for the immediately subsequent five fiscal years;**
- (2) **“Applied research”, any activity that seeks to utilize, synthesize, or apply existing knowledge, information, or resources to the resolution of a specific problem, question, or issue of science and innovation, including but not limited to translational research;**
- (3) **“Base year”, fiscal year ending June 30, 2011;**
- (4) **“Base year gross wages”, gross wages paid by science and innovation companies to science and innovation employees during fiscal year ending June 30, 2011;**
- (5) **“Basic research”, any original investigation for the advancement of scientific or technical knowledge of science and innovation;**
- (6) **“Commercialization”, any of the full spectrum of activities required for a new technology, product, or process to be developed from the basic research or conceptual stage through applied**

research or development to the marketplace, including without limitation, the steps leading up to and including licensing, sales, and service;

(7) “Corporation”, the Missouri technology corporation established under this section;

(8) “Fields of applicable expertise”, any of the following fields: science and innovation research, development, or commercialization, including basic research and applied research; corporate finance, venture capital, and private equity related to science and innovation; the business and management of science and innovation companies; education related to science and innovation; or civic or corporate leadership in areas related to science and innovation;

(9) “Inherent conflict of interest”, a fundamental or systematic conflict of interest that prevents a person from serving as a disinterested director of the corporation and from routinely performing his or her duties as a director of the corporation;

(10) “NAICS industry groups” or “NAICS codes”, the North American Industry Classification System developed under the auspices of the United States Office of Management and Budget and adopted in 1997, as may be amended, revised, or replaced by similar classification systems for similar uses from time to time;

(11) “Science and innovation”, the use of compositions and methods in research, development, and manufacturing processes for such diverse areas as agriculture-biotechnology, animal health, biochemistry, bioinformatics, energy, environment, forestry, homeland security, information technology, medical devices, medical diagnostics, medical instruments, medical therapeutics, microbiology, nanotechnology, pharmaceuticals, plant biology, and veterinary medicine, including future developments in such areas;

(12) “Science and innovation company”, a corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, person, group, or other entity that is:

(a) Engaged in the research, development, commercialization, or business of science and innovation in the state, including, without limitation, research, development, or production directed toward developing or providing science and innovation products, processes, or services for specific commercial or public purposes, including hospitals, nonprofit research institutions, incubators, accelerators, and universities currently located or involved in the research, development, commercialization, or business of science and innovation in the state; or

(b) Identified by the following NAICS industry groups or NAICS codes or any amended or successor code sections covering such areas of research, development, and commercial endeavors: 3251; 3253; 3254; 3391; 51121; 54138; 54171; 62231; 111191; 111421; 111920; 111998; 311119; 311211; 311221; 311222; 311223; 325193; 325199; 325221; 325222; 325611; 325612; 325613; 325311; 325312; 325314; 325320; 325411; 325412; 325414; 333298; 334510; 334516; 334517; 339111; 339112; 339113; 339114; 339115; 339116; 424910; 541710; 621511; and 621512.

Each of the above listed four-digit and five-digit codes shall include all six-digit codes in such four-digit and five-digit industry; however, each six-digit code shall stand alone and not indicate the inclusion of other omitted six-digit codes that also are subsets of the pertinent four-digit or five-digit industry to which the included six-digit code belongs;

(13) “Science and innovation employee”, any employee, officer, or director of a science and innovation company who is a state income taxpayer and any employee of a university who is associated with or supports the research, development, commercialization, or business of science and technology in the state and is obligated to pay state income tax to the state;

(14) “Technology application”, the introduction and adaptation of refined management practices in fields such as scheduling, inventory management, marketing, product development, and training in order to improve the quality, productivity and profitability of an existing firm. Technology application shall be considered a component of business modernization;

[(2)] “Technology commercialization”, the process of moving investment-grade technology from a business, university or laboratory into the marketplace for application;

[(3)] (15) “Technology development”, strategically focused research directed at developing investment-grade technologies which are important for market competitiveness.

2. The governor may, on behalf of the state and in accordance with chapter 355, RSMo, establish a private not-for-profit corporation named the “Missouri Technology Corporation”, to carry out the provisions of sections 348.251 to 348.266. As used in sections [348.251 to 348.266] **348.250 to 348.275** the word “corporation” means the Missouri technology corporation authorized by this section. Before certification by the governor, the corporation shall conduct a public hearing for the purpose of giving all interested parties an opportunity to review and comment [upon] **on** the articles of incorporation, bylaws and [method] **methods** of operation of the corporation. Notice of the hearing shall be given at least fourteen days prior to the hearing.

348.256. 1. The articles of incorporation [and], bylaws, **and methods of operation** of the Missouri technology corporation shall [provide that:] **be consistent with the provisions of sections 348.250 to 348.275.**

[(1)] 2. The purposes of the corporation are to contribute to the strengthening of the economy of the state through the development of science and [technology] **innovation**, to promote the modernization of Missouri businesses by supporting the transfer of science, technology and quality improvement methods to the workplace[, and]; to enhance the productivity and modernization of Missouri businesses by providing leadership in the establishment of methods of technology application, technology commercialization and technology development; **to make Missouri businesses, institutions, and universities more competitive and increase their likelihood of success; to support and enhance local and regional strategies and initiatives that capitalize on the unique science and innovation assets across the state; to make Missouri a highly desirable state in which to conduct, facilitate, support, fund, and perform science and innovation research, development, and commercialization; to facilitate and effect the creation, attraction, retention, growth, and enhancement of both existing and new science and innovation companies in the state; to make Missouri a national and international leader in economic activity based on science and innovation; to enhance workforce development; to create and retain quality jobs; to advance scientific knowledge; and to improve the quality of life for the citizens of the state of Missouri in both urban and rural communities.**

[(2)] 3. The board of directors of the corporation [is] **shall be** composed of fifteen persons. The governor shall annually appoint one of its members, who must be from the private sector, as [chairman] **chairperson**. The board shall consist of the following members:

[(a)] (1) The director of the department of economic development, or the director's designee;

[(b)] (2) The president of the University of Missouri system, or the president's designee;

[(c)] (3) A member of the state senate, appointed by the president pro tem of the senate;

[(d)] (4) A member of the house of representatives, appointed by the speaker of the house;

[(e)] (5) Eleven members appointed by the governor, [two of which shall be from the public sector and nine members from the private sector who shall include, but shall not be limited to, individuals who represent technology-based businesses and industrial interests;

[(f)] **with the advice and consent of the senate, who are recognized for outstanding knowledge, leadership, and expertise in one or more of the fields of applicable expertise.**

Each of the directors of the corporation who is appointed by the governor shall serve for a term of four years and until a successor is duly appointed[]; except that, of the directors serving on the corporation as of August 28, 1995, three directors shall be designated by the governor to serve a term of four years, three directors shall be designated to serve a term of three years, three directors shall be designated to serve a term of two years, and two directors shall be designated to serve a term of one year. Each director shall continue to serve until a successor is duly appointed by the governor;

(3) The corporation may receive money from any source, may borrow money, may enter into contracts, and may expend money for any activities appropriate to its purpose;

(4) The corporation may appoint staff and do all other things necessary or incidental to carrying out the functions listed in section 348.261;

(5)].

**4.** Any changes in the articles of incorporation or bylaws must be approved by the governor[;].

[(6) The corporation shall submit an annual report to the governor and to the Missouri general assembly. The report shall be due on the first day of November for each year and shall include detailed information on the structure, operation and financial status of the corporation. The corporation shall conduct an annual public hearing to receive comments from interested parties regarding the report, and notice of the hearing shall be given at least fourteen days prior to the hearing; and

[(7)] **5. At the discretion of the state auditor,** the corporation is subject to an [annual] audit [by the state auditor] and [that] the corporation shall bear the full cost of the audit.

**6. Each of the directors of the corporation provided for in subdivisions (1) and (2) of subsection 3 of this section shall remain a director until the designating individual specified in such subdivisions designates a replacement by sending a written communication to the governor and the chairperson of the board of the corporation; provided however, that if the director of economic development or the president of the University of Missouri system designates himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the director of economic development or as the president of the University of Missouri system. Each of the directors of the corporation provided for in subdivisions (3) and (4) of subsection 3 of this section shall remain a director until the appointing member of the general assembly specific in such subdivisions appoints a replacement by sending a written communication to the governor and the chairperson of the corporation board; provided however, that if the speaker**

of the house or the president pro tem of the senate appoints himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the speaker of the house or the president pro tem of the senate.

**7. Each of the eleven members of the board appointed by the governor shall:**

**(1) Hold office for the term of appointment and until the governor duly appoints his or her successor; provided that if a vacancy is created by the death, permanent disability, resignation, or removal of a director, such vacancy shall become immediately effective;**

**(2) Be eligible for reappointment, but members of the board shall not be eligible to serve more than two consecutive four-year terms and shall not be reappointed to the board until they have not served on the board for a period of at least four interim years;**

**(3) Not have a known inherent conflict of interest at the time of appointment; and**

**(4) Not have served in an elected office or a cabinet position in state government for a period of two years prior to appointment, unless otherwise provided in this section.**

**8. Any member of the board may be removed by affirmative vote of eleven members of the board for malfeasance or misfeasance in office, regularly failing to attend meetings, failure to comply with the corporation's conflicts of interest policy, conviction of a felony, or for any cause that renders the member incapable of or unfit to discharge the duties of a director of the corporation.**

**9. The board shall meet at least four times per year and at such other times as it deems appropriate, or upon call by the president or the chairperson, or upon written request of a majority of the directors of the board. Unless otherwise restricted by Missouri law, the directors may participate in a meeting of the board by means of telephone conference or other electronic communications equipment whereby all persons participating in the meeting can communicate clearly with each other, and participation in a meeting in such manner will constitute presence in person at such meeting.**

**10. A majority of the total voting membership of the board shall constitute a quorum for meetings. The board may act by a majority of those at any meeting where a quorum is present, except upon such issues as the board may determine shall require a vote of more members of the board for approval or as required by law. All resolutions and orders of the board shall be recorded and authenticated by the signature of the secretary or any assistant secretary of the board.**

**11. Members of the board shall serve without compensation. Members of the board attending meetings of the board, or attending committee or advisory meetings thereof, shall be paid mileage and all other applicable expenses, provided that such expenses are reasonable, consistent with policies established from time to time by the board, and not otherwise inconsistent with law.**

**12. The board may adopt, repeal, and amend such articles of incorporation, bylaws, and methods of operation that are not contrary to law or inconsistent with sections 348.250 to 348.275, as it deems expedient for its own governance and for the governance and management of the corporation and its committees and advisory boards; provided that any changes in the articles of incorporation or bylaws approved by the board must also be approved by the governor.**

**13. A president shall direct and supervise the administrative affairs and the general management of the corporation. The president shall be a person of national prominence that has expertise and**



credibility in one or more of the fields of applicable expertise with a demonstrated track record of success in leading a mission-driven organization. The president's salary and other terms and conditions of employment shall be set by the board. The board may negotiate and enter into an employment agreement with the president of the corporation, which may provide for compensation, allowances, benefits, and expenses. The president of the corporation shall not be eligible to serve as a member of the board until two years after the end of his or her employment with the corporation. The president of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

14. The corporation may employ such employees as it may require and upon such terms and conditions as it may establish that are consistent with state and federal law. The corporation may establish personnel, payroll, benefit, and other such systems as authorized by the board, and provide death and disability benefits. Corporation employees, including the president, shall be considered state employees for the purposes of membership in the Missouri state employees' retirement system and the Missouri consolidated health care plan. Compensation paid by the corporation shall constitute pay from a department for purposes of accruing benefits under the Missouri state employees' retirement system. The corporation may also adopt, in accordance with requirements of the federal Internal Revenue Code of 1986, as amended, a defined contribution plan sponsored by the corporation with respect to employees, including the president, employed by the corporation. Nothing in sections 348.250 to 348.275 shall be construed as placing any officer or employee of the corporation or member of the board in the classified or the unclassified service of the state of Missouri under Missouri laws and regulations governing civil service. No employee of the corporation shall be eligible to serve as a member of the board until two years immediately following the end of his or her employment with the corporation. All employees of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

15. No later than the first day of January each year, the corporation shall submit an annual report to the governor and to the Missouri general assembly which the corporation may contract with a third party to prepare and which shall include:

- (1) A complete and detailed description of the operating and financial conditions of the corporation during the prior fiscal year;
- (2) Complete and detailed information about the distributions from the Missouri science and innovation reinvestment fund and from any income of the corporation;
- (3) Information about the growth of science and innovation research and industry in the state; and
- (4) Information regarding financial or performance audits performed in such year, including any recommendations with reference to additional legislation or other action that may be necessary to carry out the purposes of the corporation.

16. The corporation shall keep its books and records in accordance with generally accepted accounting procedures. Within four months following the end of each fiscal year, the corporation shall cause a firm of independent certified public accountants of national repute to conduct and deliver to the board an audit of the financial statements of the corporation and an opinion thereon, to be

conducted in accordance with generally accepted audit standards, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

17. Within four months following the end of every odd numbered fiscal year, beginning with fiscal year 2016, the corporation shall cause an independent firm of national repute that has expertise in science and innovation research and industry to conduct and deliver to the board an evaluation of the performance of the corporation for the prior two fiscal years, including detailed recommendations for improving the performance of the corporation, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

18. The corporation shall provide the state auditor a copy of the financial and performance evaluations prepared under subsections 16 and 17 of this section.

19. The corporation shall have perpetual existence until an act of law expressly dissolves the corporation; provided that no such law shall take effect so long as the corporation has obligations or bonds outstanding unless adequate provision has been made for the payment or retirement of such debts or obligations. Upon any such dissolution of the corporation, all property, funds, and assets thereof shall be vested in the state.

20. Except as provided under section 348.266, the state hereby pledges to, and agrees with, recipients of corporation funding or beneficiaries of corporation programs under sections 348.250 to 348.275 that the state shall not limit or alter the rights vested in the corporation under sections 348.250 to 348.275 to fulfill the terms of any agreements made or obligations incurred by the corporation with or to such third parties, or in any way impair the rights and remedies of such third parties until the obligations of the corporation and the state are fully met and discharged in accordance with sections 348.250 to 348.275.

21. The corporation shall be exempt from:

(1) Any general ad valorem taxes upon any property of the corporation acquired and used for its public purposes;

(2) Any taxes or assessments upon any projects or upon any operations of the corporation or the income therefrom;

(3) Any taxes or assessments upon any project or any property or local obligation acquired or used by the corporation under the provisions of sections 348.250 to 348.275, or upon income therefrom.

Purchases by the corporation to be used for its public purposes shall not be subject to sales or use tax under chapter 144. The exemptions hereby granted shall not extend to persons or entities conducting business on the corporations' property for which payment of state and local taxes would otherwise be required.

22. No funds of the corporation shall be distributed to its employees or members of the board; except that, the corporation may make reasonable payments for expenses incurred on its behalf relating to any of its lawful purposes and the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to, or for, its benefit relating to any of its lawful

purposes, including to pay its employees reasonable compensation.

23. The corporation shall adopt and maintain a conflicts of interest policy to protect the corporation's interests by requiring disclosure by an interested party, appropriate recusal by such person, and appropriate action by the interested party or the board where a conflict of interest may exist or arise between the corporation and a director, officer, employee, or agent of the corporation.

348.257. 1. The board shall establish an executive committee of the corporation, to be composed of the chairperson, the vice-chairperson, and the secretary of the corporation, and two additional directors. The chairperson of the corporation shall serve as the chairperson of the executive committee.

2. The executive committee, in intervals between meetings of the board, may transact any business of the board that has been expressly delegated to the executive committee by the board. If so stipulated by the board, action delegated to the executive committee may be subject to subsequent ratification by the board; provided, however that until ratified or rejected by the board, any action delegated to, and taken by, the executive committee between meetings of the board will be binding upon the corporation as if ratified, and may be relied upon by third parties.

3. The board shall establish an audit committee of the corporation, to be composed of the chairperson of the corporation and four additional directors. The secretary of the corporation shall serve as the chairperson of the audit committee. The audit committee shall be responsible for oversight of the administration of the conflicts of interest policy, working with the president of the corporation to facilitate communications with the corporation's contract auditors, and such other responsibilities delegated to it by the board.

4. The board shall establish and maintain a research alliance of Missouri to be comprised of the chief research officers, or their designee, of the state's leading research universities and a representative of other leading not-for-profit research institutes headquartered in Missouri. Members of the research alliance of Missouri shall be selected for such terms of membership under such terms and condition as the board deems necessary and appropriate to advance the purposes of sections 348.250 to 348.275 and as comparable to other similar public sector bodies. The research alliance of Missouri shall elect a chairperson on an annual basis. The research alliance of Missouri shall prepare annual reports at the direction of the corporation that:

(1) Evaluate the specific areas of Missouri's research strengths and weaknesses and outline current research priorities of the state;

(2) Evaluate the ability of each member to realign their research and development resources, policies, and practices to seize emerging opportunities;

(3) Evaluate and summarize the best national and international practices for technology commercialization of university research and describe efforts that each university member has undertaken to implement best practices, including a description of the specific outcomes university members have achieved in technology commercialization; and

(4) Describe research collaborations by and between members and identify collaboration best practices that can or should be instituted in Missouri.

5. The board may establish other committees, both permanent and temporary, as it deems

necessary. Such committees may include national strategic, scientific and/or commercialization advisory boards comprised of individuals of national or international prominence in science and innovation and/or the business and commercialization of science and innovation.

6. The board may establish rules, policies, and procedures for the selection and conduct of committees and advisory boards, and the research alliance of Missouri; provided however, that the members of such committees and advisory boards agree to be bound by a conflict of interest policy consistent with the highest ethical standards that is suitable for such advisory roles and annually complete and certify to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

348.261. 1. The corporation, after being certified by the governor as provided by section 348.251, [may] shall have all of the powers necessary or convenient to carry out the purposes and provisions of sections 348.250 to 348.275, including the powers as specified therein, and without limitation, the power to:

- (1) Establish a statewide business modernization network to assist Missouri businesses in identifying ways to enhance productivity and market competitiveness;
- (2) Identify scientific and technological problems and opportunities related to the economy of Missouri and formulate proposals to overcome those problems or realize those opportunities;
- (3) Identify specific areas where scientific research and technological investigation will contribute to the improvement of productivity of Missouri manufacturers and farmers;
- (4) Determine specific areas in which financial investment in scientific and technological research and development from private businesses located in Missouri could be enhanced or increased if state resources were made available to assist in financing activities;
- (5) Assist in establishing cooperative associations of universities in Missouri and of private enterprises for the purpose of coordinating research and development programs that will, consistent with the primary educational function of the universities, aid in the creation of new jobs in Missouri;
- (6) Assist in financing the establishment and continued development of technology-intensive businesses in Missouri;
- (7) Advise universities of the research needs of Missouri business and improve the exchange of scientific and technological information for the mutual benefit of universities and private business;
- (8) Coordinate programs established by universities to provide Missouri businesses with scientific and technological information;
- (9) Establish programs in scientific education which will support the accelerated development of technology-intensive businesses in Missouri;
- (10) Provide financial assistance through contracts, grants and loans to programs of scientific and technological research and development;
- (11) Determine how public universities can increase income derived from the sale or licensure of products or processes having commercial value that are developed as a result of university sponsored research programs;
- (12) Contract with innovation centers, as established in section 348.271, small business development

corporations, as established in sections 620.1000 to 620.1007, centers for advanced technology, as established in section 348.272, and other entities or organizations for the provision of technology application, technology commercialization and technology development services. [Such contracting procedures shall not be subject to the provisions of chapter 34; and];

(13) Make direct seed capital or venture capital investments in Missouri business investment funds or businesses [which] **that** demonstrate the promise of growth and job creation. Investments from the corporation may be in the form of debt or equity in the respective businesses;

**(14) Make and execute contracts, guarantees, or any other instruments and agreements necessary or convenient for the exercise of its powers and functions;**

**(15) Contract for and to accept any gifts, grants, and loans of funds, property, or any other aid in any form from the federal government, the state, any state agency, or any other source, or any combination thereof, and to comply with the provisions of the terms and conditions thereof;**

**(16) Procure such insurance, participate in such insurance plans, or provide such self insurance or both as it deems necessary or convenient; provided however, the purchase of insurance, participation in an insurance plan, or creation of a self-insurance fund by the corporation shall not be deemed as a waiver or relinquishment of any sovereign immunity to which the corporation or its officers, directors, employees, or agents are otherwise entitled;**

**(17) Partner with universities or other research institutions in Missouri to attract and recruit world-class science and innovation talent to Missouri;**

**(18) Expend any and all funds from the Missouri science and innovation reinvestment fund and all other assets and resources of the corporation for the exclusive purpose of fulfilling any purpose, power, or duty of the corporation under sections 348.250 to 348.275, including but not limited to implementing the powers, purposes, and duties of the corporation as enumerated in this section;**

**(19) Participate in joint ventures and collaborate with any taxpayer, governmental body or agency, insurer, university, or college of the state, or any other entity to facilitate any activities or programs consistent with the purpose and intent of sections 348.250 to 348.275; and**

**(20) In carrying out any activities authorized by sections 348.250 to 348.275, the corporation provides appropriate assistance, including the making of investments, grants, and loans, and providing time of employees, to any taxpayer, governmental body, or agency, insurer, university, or college of the state, or any other entity, whether or not any such taxpayer, governmental body or agency, insurer, university, or college of the state, or any other entity, is owned or controlled in whole or in part, directly or indirectly, by the corporation.**

**2. The corporation shall endeavor to maximize the amount of leveraging of nonstate resources, including public and private, cash and in-kind, attained with its investments, grants, loans, or other forms of support. In the case of investments, grants, loans, or other forms of support that emphasize or are specifically intended to impact a particular Missouri county, municipality, or other geographic subdivision of the state, or are otherwise local in nature, the corporation shall give consideration and weight to local matching funds and other matching resources, public and private.**

**3. Except as expressly provided in sections 348.250 to 348.275, all monies earned or received by the corporation, including all funds derived from the commercialization of science and innovation**

products, methods, services, and technology by the corporation, or any affiliate or subsidiary thereof, or from the Missouri science and innovation reinvestment fund, shall belong exclusively to and be subject to the exclusive control of the corporation.

**4. The corporation shall have all the powers of a not-for-profit corporation established under Missouri law.**

**5. The corporation shall assume all moneys, property, or other assets remaining with the Missouri seed capital investment board, established in section 620.641. All powers, duties, and functions performed by the Missouri seed capital investment board shall be transferred to the Missouri technology corporation.**

**6. The corporation shall not be subject to the provisions of chapter 34.**

348.262. In order to assist the corporation in achieving the objectives identified in section 348.261, the department of economic development may contract with the corporation for activities consistent with the corporation's purpose, as specified in [section 348.256] **sections 348.250 to 348.275**. When contracting with the corporation under the provisions of this section, the department of economic development may directly enter into agreements with the corporation and shall not be bound by the provisions of chapter 34, RSMo.

348.263. 1. [The Missouri business modernization and technology corporation shall replace the corporation for science and technology. All moneys, property or any other assets remaining with the corporation for science and technology after all obligations are satisfied on August 28, 1993, shall be transferred to the Missouri business modernization and technology corporation. All powers, duties and functions performed by the Missouri corporation of science and technology on August 28, 1993, shall be transferred to the Missouri business modernization and technology corporation.] **Except as otherwise provided in sections 348.250 to 348.275, the corporation shall be subject to requirements applicable to governmental bodies and records contained in sections 610.010 to 610.225.**

2. [The Missouri technology corporation shall replace the Missouri business modernization and technology corporation. All moneys, property or any other assets remaining with the Missouri business modernization and technology corporation after all obligations are satisfied on August 28, 1994, shall be transferred to the Missouri technology corporation. All powers, duties and functions performed by the Missouri business modernization and technology corporation on August 28, 1994, shall be transferred to the Missouri technology corporation.] **In addition to the exceptions available under sections 610.010 to 610.225, the records of the corporation shall not be subject to the provisions of sections 610.010 to 610.225, when, upon determination by the corporation, the disclosure of the information in the records would be harmful to the competitive position of the corporation and such records contain:**

**(1) Proprietary information gathered by, or in the possession of, the corporation from third parties pursuant to a promise of confidentiality;**

**(2) Contract cost estimates prepared for confidential use in awarding contracts for research, development, construction, renovation, commercialization, or the purchase of goods or services;**

**(3) Data, records, or information of a proprietary nature produced or collected by, or for, the corporation, its employees, officers, or members of its board;**

**(4) Third-party financial statements, records, and related data not publicly available that may be shared with the corporation;**

(5) Consulting or other reports paid for by the corporation to assist the corporation in connection with its strategic planning and goals; or

(6) The determination of marketing and operational strategies where disclosure of such strategies would be harmful to the competitive position of the corporation.

3. In addition to the exceptions available under sections 610.010 to 610.225, the corporation, including the board, executive committee, audit committee, and research alliance of Missouri, or other such committees or boards that the corporation may authorize from time to time, may discuss, consider, and take action on any the following in closed session, when upon determination by the corporation, including as appropriate the board, executive committee, audit committee, and research alliance of Missouri, or other such committees or boards that the corporation may authorize from time to time, disclosure of such items would be harmful to the competitive position of the corporation:

(1) Plans that could affect the value of property, real or personal, owned, or desirable for ownership by the corporation;

(2) The condition, acquisition, use, or disposition of real or personal property; or

(3) Contracts for applied research; basic research; science and innovation product development, manufacturing, or commercialization; construction and renovation of science and innovation facilities; or marketing or operational strategies.

348.264. [1.] There is hereby established in the state treasury a special fund to be known as the “Missouri [Technology Investment] **Science and Innovation Reinvestment Fund**”, which shall consist of all moneys which may be appropriated to it by the general assembly **based on the applicable percentage of the amount by which science and innovation employees' gross wages for the year exceeds the base year gross wages pursuant to section 348.265; other funds appropriated to it by the general assembly**, and also any gifts, contributions, grants or bequests received from federal, private or other sources. [Such moneys shall include federal funds which may be received from the National Institute for Science and Technology, the Small Business Administration and the Department of Defense through its Technology Reinvestment Program.] Money in the Missouri [technology investment program] **science and innovation reinvestment fund** shall be used to carry out the provisions of sections [348.251] **348.250** to 348.275. Moneys for business modernization programs, technology application programs, technology commercialization programs and technology development programs established pursuant to the provisions of sections [348.251] **348.250** to 348.275 shall be available from appropriations made by the general assembly from the Missouri [technology investment] **science and innovation reinvestment fund**. Any moneys remaining in the Missouri [technology investment] **science and innovation reinvestment fund** at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the Missouri technology investment fund.

[2. Notwithstanding the provisions of sections 173.500 to 173.565, RSMo, the Missouri technology investment fund shall be utilized to fund projects which would previously have been funded through the higher education applied projects fund.]

**348.265. 1. As soon as practicable after August 28, 2011, the director of the department of economic development, with the assistance of the director of the department of revenue, shall establish the base year gross wages and report the amount of the base year gross wages to the president and board of the corporation, the governor, and the general assembly. Within one hundred**

eighty days after the end of each fiscal year beginning with the fiscal year ending June 30, 2011, and for each subsequent fiscal year prior to the end of the last funding year, the director of economic development, with the assistance of the director of the department of revenue, shall determine and report to the president and board of the corporation, governor, and general assembly the amount by which aggregate science and innovation employees' gross wages for the fiscal year exceeds the base year gross wages. The director of economic development and the director of the department of revenue may consider any verifiable evidence, including but not limited to the NAICS codes assigned or recorded by the United States Department of Labor for companies with employees in the state, when determining which organizations should be classified as science and innovation companies.

2. Notwithstanding section 23.250 to the contrary, for each of the twenty-five funding years, beginning July 1, 2011, the director of revenue shall transfer to the Missouri science and innovation reinvestment fund an amount equal to the product of the applicable percentage multiplied by an amount equal to the increase in aggregate science and innovation employees' gross wages for the prior fiscal year, over the base year gross wages. The director of revenue may make estimated payments to the Missouri science and innovation reinvestment fund more frequently based on estimates provided by the director of revenue and reconciled annually.

3. Local political subdivisions may contribute to the Missouri science and innovation reinvestment fund through a grant, contract, or loan by dedicating a portion of any sales tax or property tax increase resulting from increases in science and innovation company economic activity occurring after August 28, 2011, or other such taxes or fees as such local political subdivisions may establish.

4. Funding generated by the provisions of this section shall be expended by the corporation to further its purposes as specified in section 348.256.

5. Upon enactment of this section, the corporation shall prepare a strategic plan for the use of the funding to be generated by the provisions of this section, and may consult with science and innovation partners, including, but not limited to the research alliance of Missouri, as established in section 348.257; the life sciences research board established in section 196.1003; and the innovation centers or centers for advanced technology, as established in section 348.272. The corporation shall make a draft strategic plan available for public comment prior to publication of the final strategic plan.

348.269. 1. Nothing contained in sections 348.250 to 348.275 shall be construed as a restriction or limitation upon any powers that the corporation might otherwise have under chapter 355, and the provisions of sections 348.250 to 348.275 are cumulative to such powers.

2. Nothing in sections 348.250 to 348.275 shall be construed as allowing the board to sell the corporation or substantially all of the assets of the corporation, or to merge the corporation with another institution, without prior authorization by the general assembly.

3. Notwithstanding the provisions of section 23.253 to the contrary, the provisions of sections 348.250 to 348.275 shall not sunset. The provisions of sections 348.250 to 348.275 shall not terminate before the satisfaction of all outstanding obligations, notes, and bonds provided for under sections 348.250 to 348.275.

4. The provisions of sections 348.250 to 348.275 shall not terminate before the satisfaction of all outstanding obligations, notes, and bonds provided for under sections 348.250 to 348.275.



**5. If any provision of this Act or the application thereof is held invalid, the invalidity shall not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable. Insofar as the provisions of sections 348.250 to 348.275 are inconsistent with the provisions of any other law, general, specific or local, the provisions of sections 348.250 to 348.275 shall be controlling.**

348.271. 1. In order to foster the growth of Missouri's economy and to stimulate the creation of new jobs in [technology-based] **science and innovation-based** industry for the state's work force, the Missouri technology corporation, in accordance with the provisions of this section and within the limits of appropriations therefor is authorized to contract with Missouri not-for-profit corporations for the operation of innovation centers within the state. The primary emphasis of some, if not of all innovation centers, shall be in the areas of [technology commercialization, finance and business modernization. Innovation centers operated under the provisions of this section shall provide assistance to individuals and business organizations during the early stages of the development of new technology-based] **science and innovation-based** business ventures. Such assistance may include the provision of facilities, equipment, administrative and managerial support, planning assistance, and such other services and programs that enhance the development of such ventures and such assistance may be provided for fees or other consideration.

2. The innovation centers operated under this section shall counsel and assist the new [technology-based] **science and innovation-based** business ventures in finding a suitable site in the state of Missouri for location of the business upon its graduation from the innovation program. Each innovation center shall annually submit a report of its activities to the department of economic development and the Missouri technology corporation which shall include, but not be limited to, the success rate of the businesses graduating from the center, the progress and locations of businesses which have graduated from the center, the types of businesses which have graduated from the center, and the number of jobs created by the businesses involved in the center.

**3. Any contract signed between the corporation and any not-for-profit organization to operate an innovation center in accordance with the provisions of this section shall require that the not-for-profit organization must provide at least a one-hundred-percent match for the funding received from the corporation pursuant to appropriation therefor.**

348.300. As used in sections 348.300 to 348.318, the following terms mean:

(1) "Commercial activity located in Missouri", any research, development, prototype fabrication, and subsequent precommercialization activity, or any activity related thereto, conducted in Missouri for the purpose of producing a service or a product or process for manufacture, assembly or sale or developing a service based on such a product or process by any person, corporation, partnership, joint venture, unincorporated association, trust or other organization doing business in Missouri. Subsequent to January 1, 1999, a commercial activity located in Missouri shall mean only such activity that is located within a distressed community, as defined in section 135.530;

(2) "Follow-up capital", capital provided to a commercial activity located in Missouri in which a qualified fund has previously invested seed capital or start-up capital and which does not exceed ten times the amount of such seed and start-up capital;

(3) "Person", any individual, corporation, partnership, or other entity, including any charitable corporation which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143;

(4) “Qualified contribution”, cash contribution to a qualified fund;

(5) “Qualified economic development organization”, any corporation organized under the provisions of chapter 355 which has as of January 1, 1991, obtained a contract with the department of economic development to operate an innovation center to promote, assist and coordinate the research and development of new services, products or processes in the state of Missouri; and the Missouri technology corporation organized pursuant to the provisions of sections [348.253 to 348.266] **348.250 to 348.275**;

(6) “Qualified fund”, any corporation, partnership, joint venture, unincorporated association, trust or other organization which is established under the laws of Missouri after December 31, 1985, which meets all of the following requirements established by this subdivision. The fund shall have as its sole purpose and business the making of investments, of which at least ninety percent of the dollars invested shall be qualified investments. The fund shall enter into a contract with one or more qualified economic development organizations which shall entitle the qualified economic development organizations to receive not less than ten percent of all distributions of equity and dividends or other earnings of the fund. Such contracts shall require the qualified fund to transfer to the Missouri technology corporation organized pursuant to the provisions of sections [348.253 to 348.266] **348.250 to 348.275** this interest and make corresponding distributions thereto in the event the qualified economic development organization holding such interest is dissolved or ceases to do business for a period of one year or more;

(7) “Qualified investment”, any investment of seed capital, start-up capital, or follow-up capital in any commercial activity located in Missouri;

(8) “Seed capital”, capital provided to a commercial activity located in Missouri for research, development and precommercialization activities to prove a concept for a new product or process or service, and for activities related thereto;

(9) “Start-up capital”, capital provided to a commercial activity located in Missouri for use in preproduction product development or service development or initial marketing thereof, and for activities related thereto;

(10) “State tax liability”, any state tax liability incurred by a taxpayer under the provisions of chapters 143, 147 and 148, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions;

(11) “Uninvested capital”, the amount of any distribution, other than of earnings, by a qualified fund made within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318; or the portion of all qualified contributions to a qualified fund which are not invested as qualified investments within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318 to the extent that the amount not so invested exceeds ten percent of all such qualified contributions.”; and

Further amend said bill, Page 323, Section 178.896, Line 19, by inserting after all of said line the following:

“[348.253. 1. The Missouri technology corporation may contract with not-for-profit organizations to carry out the provisions of sections 348.251 to 348.275. By entering into such contracts, the corporation shall attempt to achieve the following objectives:

(1) The establishment of a research alliance which shall advance technology development,

as defined in subdivision (3) of section 348.251. The corporation, in this capacity, shall have the authority to contract directly with centers for advanced technology, as established by section 348.272, and other not-for-profit entities. In proceeding with this objective, the corporation and centers for advanced technology shall utilize the results of targeted industry studies commissioned by the department of economic development;

(2) Technology commercialization, as defined in subdivision (2) of section 348.251;

(3) The establishment of a finance corporation to assist in the implementation of section 348.261; and

(4) The enhancement of technology application, as defined in subdivision (1) of section 348.251.

2. Any contract signed between the corporation and any not-for-profit organization, including innovation centers as defined in section 348.271, shall require that the not-for-profit organization must provide at least one-hundred-percent match for any funding received from the corporation through the technology investment fund, as established in section 348.264.]”;

Further amend the title and enacting clause accordingly.

Senator Richard moved that the above amendment be adopted.

Senator Crowell offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Page 29, Section 348.265, Line 26, by inserting immediately after the word “July 1, 2011,” the following: “**subject to appropriation,**”; and further amend line 28, by inserting immediately after the word “amount” the following “**not to exceed an amount**”.

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Purgason, **HCS** for **HBs 116** and **316**, with **SCS, SS** for **SCS, SA 2** and **SA 1** to **SA 2** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS**, as amended for **SCS** for **HCS** for **HB 45** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 45**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **HCS** for **HB 193** and has taken up and passed **CCS** for **SS** for **HCS** for **HB 193**.

**PRIVILEGED MOTIONS**

Senator Rupp, on behalf of the conference committee appointed to act with a like committee from the

House on **SS** for **HCS** for **HB 193** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 193

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Bill No. 193 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Bill No. 193;
2. That the House recede from its position on House Committee Substitute for House Bill No. 193;
3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ John Diehl  
/s/ Stanley Cox  
/s/ Tom Loehner  
/s/ Penny V. Hubbard  
/s/ Jamilah Nasheed

FOR THE SENATE:

/s/ Scott Rupp  
/s/ Jason Crowell  
/s/ Brad Lager  
/s/ Victor E. Callahan  
Robin Wright-Jones

Senator Rupp moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Green	Keaveny	McKenna	Purgason	Stouffer	Wright-Jones—7
-----------------	-------	---------	---------	----------	----------	----------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Rupp, **CCS** for **SS** for **HCS** for **HB 193**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 193

An Act to repeal sections 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof eleven new sections relating to the composition of congressional districts.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Green	Keaveny	McKenna	Purgason	Stouffer	Wright-Jones—7
-----------------	-------	---------	---------	----------	----------	----------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

Senator Purgason moved that **HCS** for **HBs 116** and **316**, with **SCS**, **SS** for **SCS**, **SA 2** and **SA 1** to **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** to **SA 2** was again taken up.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

**SA 2**, as amended, was again taken up.

Senator Richard moved that the above amendment be adopted, which motion prevailed.

Senator Engler offered **SA 3**, which was read:

**SENATE AMENDMENT NO. 3**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Pages 10-11, Section 32.088, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Lembke offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Page 243, Section 447.708, Line 13 of said page, by striking the word “ten” and inserting in lieu thereof the following: **“five”**.

Senator Lembke moved that the above amendment be adopted, which motion failed.

Senator Green offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 116 and 316, Pages 154-155, Section 135.1505, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

At the request of Senator Green, **SA 5** was withdrawn.

Senator Green offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Page 154, Section 135.1505, Line 20, by striking the word “shall” and inserting in lieu thereof the following: **“may”**.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Green offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Page 150, Section 135.1500, Line 23 of said page, by inserting immediately after the words “manufacturing facility” the following: **“, provided that such facility is not located on property for which tax credits have been requested under the provisions of section 99.1205”**.

Senator Green moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Nieves assumed the Chair.

Senator Stouffer offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Page 148, Section 135.1150, Line 20 of said page, by inserting immediately after said line the following:

**“135.1180. 1. This section shall be known and may be cited as the “Developmental Disability Care**

**Provider Tax Credit Program”.**

**2. As used in this section, the following terms mean:**

**(1) “Certificate”, a tax credit certificate issued under this section;**

**(2) “Department”, the Missouri department of social services;**

**(3) “Eligible donation”, donations received, by a provider, from a taxpayer that are used solely to provide direct care services to persons with developmental disabilities who are residents of this state. Eligible donations may include cash, publicly traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department of social services. For purposes of this section, “direct care services” include, but are not limited to, increasing the quality of care and service for persons with developmental disabilities through improved employee compensation and training;**

**(4) “Qualified developmental disability care provider” or “provider”, a care provider that provides assistance to persons with developmental disabilities, and is under contract with the Missouri department of social services or department of mental health to provide treatment services for such persons, and that receives eligible donations. Any provider that operates more than one facility or at more than one location shall be eligible for the tax credit under this section only for any eligible donation made to facilities or locations of the provider which are licensed and accredited;**

**(5) “Taxpayer”, any of the following individuals or entities who make an eligible donation to a provider:**

**(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed in chapter 143;**

**(b) A corporation subject to the annual corporation franchise tax imposed in chapter 147;**

**(c) An insurance company paying an annual tax on its gross premium receipts in this state;**

**(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;**

**(e) An individual subject to the state income tax imposed in chapter 143;**

**(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.**

**3. For all taxable years beginning on or after January 1, 2011, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148 excluding withholding tax imposed by sections 143.191 to 143.265 in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer’s state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer’s four subsequent taxable years.**

**4. To claim the credit authorized in this section, a provider may submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall**

verify that the provider has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
  - (2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received by the provider; and
  - (3) Payment from the provider equal to the value of the tax credit for which application is made.
- If the provider applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

5. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit.

6. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

7. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset four years after August 28, 2011, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Crowell offered **SA 9**:

#### SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 116 and 316, Page 48, Section 67.3005, Line 5 of said page, by inserting after all of said line the following:

“99.975. 1. No new applications made pursuant to sections 99.915 to 99.980 shall be approved after [January 1, 2013] **August 28, 2011**.

2. No applications made pursuant to sections 99.915 to 99.980 shall be approved prior to August 28,



2003, except for applications for projects that are located within a county for which public and individual assistance has been requested by the governor pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions that occurred after May 1, 2003, but prior to May 10, 2003, and the development project area is a central business district that sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency.

3. Prior to December 31, 2006, the Missouri development finance board may approve up to two applications made pursuant to sections 99.915 to 99.980 in a home rule city with more than four hundred thousand inhabitants and located in more than one county in which the state sales tax increment for such projects approved pursuant to the provisions of this subsection shall be up to one-half of the incremental increase in all sales taxes levied pursuant to section 144.020. In no event shall the incremental increase include any amounts attributable to retail sales unless the Missouri development finance board and the department of economic development are satisfied based on information provided by the municipality or authority, and such entities have made a finding that a substantial portion of all but a de minimus portion of the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase for an existing facility shall be the amount of all state sales taxes generated pursuant to section 144.020 at the facility in excess of the amount of all state sales taxes generated pursuant to section 144.020 at the facility in the baseline year. The incremental increase in development project areas where the baseline year is the year following the year in which the development project is approved by the municipality pursuant to subdivision (2) of section 99.918 shall be the state sales tax revenue generated by out-of-state businesses relocating into a development project area. The incremental increase for a Missouri facility which relocates to a development project area shall be the amount by which the state sales tax revenue of the facility exceeds the state sales tax revenue for the facility in the calendar year prior to relocation.”; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Pearce offered **SA 10**:

**SENATE AMENDMENT NO. 10**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Pages 197-203, Section 168.071, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Lamping offered **SA 11**:

**SENATE AMENDMENT NO. 11**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Pages 11-17, Section 32.105 of said page, by striking all of said section from the bill; and

Further amend said bill, pages 17-18, section 32.110, by striking all of said section from the bill; and

Further amend said bill, pages 18-27, section 32.115, by striking all of said section and inserting in lieu thereof the following:

“32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;
- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two

hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter.

The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

**6. Notwithstanding any provision of law to the contrary, no tax credits provided under sections 32.100 to 32.125 shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits.”; and**

Further amend said bill, pages 27-29, section 32.117, by striking all of said section from the bill; and

Further amend said bill, page 29, section 32.120, lines 19-25 of said page, by striking all of said section from the bill; and

Further amend said bill, page 78, section 135.327, lines 14-25 of said page, by striking all of the underlined language from said lines; and

Further amend said bill and section, page 81, lines 19-28 of said page, by striking all of the underlined language from said lines; and

Further amend said bill and section, page 82, lines 1-3 of said page, by striking all of the underlined language from said lines; and

Further amend said bill, pages 89-94, section 135.460, by striking all of said section and inserting in lieu thereof the following:

“135.460. 1. This section and sections 620.1100 and 620.1103 shall be known and may be cited as the “Youth Opportunities and Violence Prevention Act”.

2. As used in this section, the term “taxpayer” shall include corporations as defined in section 143.441 or 143.471, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, and individuals, individual proprietorships and partnerships.

3. A taxpayer shall be allowed a tax credit against the tax otherwise due pursuant to chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, chapter 147, chapter 148, or chapter 153 in an amount equal to thirty percent for property contributions and fifty percent for monetary contributions of the amount such taxpayer contributed to the programs described in subsection 5 of this section, not to exceed two hundred thousand dollars per taxable year, per taxpayer; except as otherwise provided in subdivision (5) of subsection 5 of this section. The department of economic development shall prescribe the method for claiming the tax credits allowed in this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

4. The tax credits allowed by this section shall be claimed by the taxpayer to offset the taxes that become due in the taxpayer's tax period in which the contribution was made. Any tax credit not used in such tax period may be carried over the next five succeeding tax periods.

5. The tax credit allowed by this section may only be claimed for monetary or property contributions to public or private programs authorized to participate pursuant to this section by the department of economic development and may be claimed for the development, establishment, implementation, operation, and expansion of the following activities and programs:

(1) An adopt-a-school program. Components of the adopt-a-school program shall include donations for school activities, seminars, and functions; school-business employment programs; and the donation of property and equipment of the corporation to the school;

(2) Expansion of programs to encourage school dropouts to reenter and complete high school or to complete a graduate equivalency degree program;

(3) Employment programs. Such programs shall initially, but not exclusively, target unemployed youth living in poverty and youth living in areas with a high incidence of crime;

(4) New or existing youth clubs or associations;

(5) Employment/internship/apprenticeship programs in business or trades for persons less than twenty years of age, in which case the tax credit claimed pursuant to this section shall be equal to one-half of the amount paid to the intern or apprentice in that tax year, except that such credit shall not exceed ten thousand dollars per person;

(6) Mentor and role model programs;

(7) Drug and alcohol abuse prevention training programs for youth;

(8) Donation of property or equipment of the taxpayer to schools, including schools which primarily educate children who have been expelled from other schools, or donation of the same to municipalities, or not-for-profit corporations or other not-for-profit organizations which offer programs dedicated to youth violence prevention as authorized by the department;

(9) Not-for-profit, private or public youth activity centers;

(10) Nonviolent conflict resolution and mediation programs;

(11) Youth outreach and counseling programs.

6. Any program authorized in subsection 5 of this section shall, at least annually, submit a report to the department of economic development outlining the purpose and objectives of such program, the number of youth served, the specific activities provided pursuant to such program, the duration of such program and recorded youth attendance where applicable.

7. The department of economic development shall, at least annually submit a report to the Missouri general assembly listing the organizations participating, services offered and the number of youth served as the result of the implementation of this section.

8. The tax credit allowed by this section shall apply to all taxable years beginning after December 31, 1995.

9. For the purposes of the credits described in this section, in the case of a corporation described in section 143.471, partnership, limited liability company described in section 347.015, cooperative, marketing enterprise, or partnership, in computing Missouri's tax liability, such credits shall be allowed to the following:

(1) The shareholders of the corporation described in section 143.471;

(2) The partners of the partnership;

(3) The members of the limited liability company; and

(4) Individual members of the cooperative or marketing enterprise. Such credits shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

**10. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits.”; and**

Further amend said bill, pages 105-109, section 135.550, by striking all of said section and inserting in lieu thereof the following:

“135.550. 1. As used in this section, the following terms shall mean:

(1) “Contribution”, a donation of cash, stock, bonds or other marketable securities, or real property;

(2) “Shelter for victims of domestic violence”, a facility located in this state which meets the definition

of a shelter for victims of domestic violence pursuant to section 455.200 and which meets the requirements of section 455.220;

(3) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143;

(4) “Taxpayer”, a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, including any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a shelter for victims of domestic violence.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a shelter or shelters for victims of domestic violence in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director of the department of social services shall determine, at least annually, which facilities in this state may be classified as shelters for victims of domestic violence. The director of the department of social services may require of a facility seeking to be classified as a shelter for victims of domestic violence whatever information is reasonably necessary to make such a determination. The director of the department of social services shall classify a facility as a shelter for victims of domestic violence if such facility meets the definition set forth in subsection 1 of this section.

6. The director of the department of social services shall establish a procedure by which a taxpayer can determine if a facility has been classified as a shelter for victims of domestic violence, and by which such taxpayer can then contribute to such shelter for victims of domestic violence and claim a tax credit. Shelters for victims of domestic violence shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to shelters for victims of domestic violence in any one fiscal year shall not exceed two million dollars.

7. The director of the department of social services shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of the department of social services, the cumulative amount of tax credits are equally apportioned among all facilities classified as shelters for victims of domestic violence. If a shelter for victims of domestic violence fails to use all, or some percentage to be determined by the director of the department of social services, of its apportioned tax credits during this predetermined period of time, the director of the department of social services may reapportion these unused tax credits to those shelters for victims of domestic violence that have used all, or some percentage to be determined by the director of the department of social services, of their apportioned tax credits during this predetermined period of time. The director of the department of social services may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of the department of social services shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. This section shall become effective January 1, 2000, and shall apply to all tax years after December 31, 1999.

**9. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits.”; and**

Further amend said bill, pages 115-119, section 135.600, by striking all of said section and inserting in lieu thereof the following:

“135.600. 1. As used in this section, the following terms shall mean:

(1) “Contribution”, a donation of cash, stock, bonds or other marketable securities, or real property;

(2) “Maternity home”, a residential facility located in this state established for the purpose of providing housing and assistance to pregnant women who are carrying their pregnancies to term, and which is exempt from income taxation under the United States Internal Revenue Code;

(3) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143;

(4) “Taxpayer”, a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, including any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the



provisions of chapter 143.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a maternity home.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a maternity home or homes in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director of the department of social services shall determine, at least annually, which facilities in this state may be classified as maternity homes. The director of the department of social services may require of a facility seeking to be classified as a maternity home whatever information is reasonably necessary to make such a determination. The director of the department of social services shall classify a facility as a maternity home if such facility meets the definition set forth in subsection 1 of this section.

6. The director of the department of social services shall establish a procedure by which a taxpayer can determine if a facility has been classified as a maternity home, and by which such taxpayer can then contribute to such maternity home and claim a tax credit. Maternity homes shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to maternity homes in any one fiscal year shall not exceed two million dollars.

7. The director of the department of social services shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of the department of social services, the cumulative amount of tax credits are equally apportioned among all facilities classified as maternity homes. If a maternity home fails to use all, or some percentage to be determined by the director of the department of social services, of its apportioned tax credits during this predetermined period of time, the director of the department of social services may reapportion these unused tax credits to those maternity homes that have used all, or some percentage to be determined by the director of the department of social services, of their apportioned tax credits during this predetermined period of time. The director of the department of social services may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of the department of social services shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. This section shall become effective January 1, 2000, and shall apply to all tax years after December 31, 1999.

**9. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits.”; and**

Further amend said bill, pages 119-124, section 135.630, by striking all of said section and inserting in lieu thereof the following:

“135.630. 1. As used in this section, the following terms mean:

- (1) “Contribution”, a donation of cash, stock, bonds, or other marketable securities, or real property;
- (2) “Director”, the director of the department of social services;
- (3) “Pregnancy resource center”, a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and

(d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost to its clients; and

(f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and

(g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(4) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) “Taxpayer”, a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer’s state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer’s state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed

in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset.] **Pursuant to section 23.253 of the Missouri sunset act, the provisions of the program authorized under this section are hereby reauthorized and shall automatically sunset on August 28, 2015.**"; and

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 12**:

#### SENATE AMENDMENT NO. 12

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Page 290, Section 620.2015, Line 9, by inserting immediately after the word "under" the following:

**"subsection 2 of"**; and further amend line 11, by striking the word "the"; and further amend lines 12-13, by striking all of said lines and inserting in lieu there of the following: **"one hundred percent of the withholding tax from full-time jobs that would otherwise be"**; and further amend line 15, by inserting immediately after "143.265," the following: **"for a period of ten years"**; and

Further amend said bill and section, page 294, line 12, by striking the words "subdivision (5) of subsection 3" and inserting in lieu thereof the following **"subsection 7"**; and further amend line 13 by striking "620.2010" and inserting in lieu thereof the following **"620.2020"**.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer offered **SA 13**, which was read:

#### SENATE AMENDMENT NO. 13

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Pages 162-165, Section 136.055, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion failed.

Senator Ridgeway offered **SA 14**, which was read:

#### SENATE AMENDMENT NO. 14

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Page 158, Section 135.1513, Line 17, by inserting at the end of said line the following: **"and"**; and further amend said section, page 159, lines 1-7, by striking all of said lines from the bill and inserting in lieu thereof the following: **"January 1, 2013."**

Senator Ridgeway moved that the above amendment be adopted, which motion failed.

Senator Lager offered **SA 15**:

#### SENATE AMENDMENT NO. 15

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill Nos. 116 and 316, Page 208, Section 253.550, Line 19, by inserting immediately after “253.559.” the following: **“The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.”**; and

Further amend said bill and section, page 209, line 7, by inserting immediately after “2011;” the following: **“or”**; and further amend lines 8-10, by striking all of said lines and renumbering the remaining subdivision accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 16**:

**SENATE AMENDMENT NO. 16**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 85-89, Section 135.352, by striking all of said section from the bill and inserting in lieu thereof the following:

“135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall, subject to the limitations provided under the provisions of subsection 3 of this section, be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects placed in service after January 1, 1997, the Missouri low-income housing tax credit available to a project shall be such amount as the commission shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal tax period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period. **No more than one hundred million dollars in tax credits provided under sections 135.350 to 135.363 shall be authorized in any fiscal year beginning on or after July 1, 2011.**

3. No more than six million dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt bond issuance. **No tax credits shall be authorized after June 30, 2011, for projects financed through tax-exempt bond issuance.**

4. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years. **For projects authorized on or after July 1, 2011, any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried forward to any of the taxpayer's five subsequent taxable years but shall not be carried back to any of the taxpayer's previous taxable years.**

5. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

6. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

**7. A taxpayer that receives tax credits under the provisions of sections 253.545 to 253.559 shall be ineligible to receive tax credits under the provisions of sections 135.350 to 135.363 for the same project.**

8. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

**9. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2019. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2019, or a taxpayer's ability to redeem such tax credits.”; and**

Further amend said bill, pages 94-95, section 135.481, by striking all of said section of the bill; and

Further amend said bill, page 96, section 135.484, lines 11-18, by striking all of the underlined language on said lines; and

Further amend said bill and section, page 97, line 1, by striking all of the opening and closing brackets and underlined language on said line; and further amend line 18, by striking “August 28, 2014” and inserting in lieu thereof the following: “**July 1, 2011**”; and further amend line 21, by striking “August 28, 2014” and inserting in lieu thereof the following: “**July 1, 2011**”; and

Further amend said bill, section 208.770, page 205, line 3 by inserting after all of said line the following:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the “Missouri Housing Development Commission” which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty

dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The employment of an executive director or chief executive officer by the commission, including the executive director or chief executive officer serving in such capacity on the effective date of this act, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of Article IV, Section 51 of the Missouri Constitution.”; and**

Further amend said bill, page 305, section 660.055, line 26, by inserting immediately after all of said line the following:

**“Section 1. An insurance company claiming a state premium tax credit or deduction shall not be required to pay any additional retaliatory tax levied pursuant to section 375.916 as a result of claiming such credit or deduction.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Purgason offered **SA 1** to **SA 16**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 16

Amend Senate Amendment No. 16 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Page 3, Section 135.352, Line 17, by striking “2019” and inserting in lieu thereof the following: **“2015”**; and further amend line 19 by striking “2019” and inserting in lieu thereof the following: **“2015”**.

Senator Purgason moved that the above amendment be adopted, which motion prevailed.

**SA 16**, as amended, was again taken up.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Mayer offered **SA 17**, which was read:

SENATE AMENDMENT NO. 17

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 316, Pages 165-167, Section 137.1018, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Mayer moved that the above amendment be adopted, which motion prevailed.

Senator Purgason moved that **SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended, be adopted, which motion prevailed.

Senator Purgason moved that **SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended, to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer assumed the Chair.

**SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **CCS** for **SS** for **HCS** for **HB 193**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Kehoe assumed the Chair.

**MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 27, 2011

TO THE SECRETARY OF THE SENATE  
96<sup>TH</sup> GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 161 entitled:

**AN ACT**

To repeal sections 273.327, 273.345, 348.400, 348.407, and 348.412, RSMo, and sections 273.327, 273.345, 273.347, and 1 as truly agreed to and finally passed by or as enacted by senate substitute for senate committee substitute for senate bills nos. 113 & 95, the ninety-sixth general assembly, first regular session, and to enact in lieu thereof seven new sections relating to agriculture, with penalty provisions and an emergency clause for certain sections.

On April 27, 2011, I approved said House Committee Substitute for Senate Bill No. 161.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

**REFERRALS**

President Pro Tem Mayer referred **HJR 29** and **HJR 6** to the Committee on Ways and Means and Fiscal Oversight.

**RESOLUTIONS**

Senator Goodman offered Senate Resolution No. 941, regarding the late Lloyd Presley, Branson, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Justus introduced to the Senate, Nicholas Gold, Colorado.

Senator Justus introduced to the Senate, Matthew Grimaldi, Kansas City; and Matthew was made an honorary page.

Senator Richard introduced to the Senate, his wife, Patty, Gwen Delano, Jacci Pim, Peggy Fuller, Joyce Masters and Sonya Nagle, Joplin; Kit Brothers and Suzie Ramsour, Webb City; and Judy Opel and Cheryl



Broyles, Jefferson City.

Senator Chappelle-Nadal introduced to the Senate, Claire Glasspiegel, Hartford, Connecticut.

Senator Lamping introduced to the Senate, Erin Royals, Kansas City.

Senator Stouffer introduced to the Senate, students from Tri-County Christian School, Macon.

Senator Richard introduced to the Senate, Principal Rory Mauschbaugh, staff and eleven eighth grade students from Everton Middle School.

Senator Mayer introduced to the Senate, the Physician of the Day, Dr. Gene Leroux, M.D., Doniphan.

Senator McKenna introduced to the Senate, Marilyn Kraemer and one hundred nineteen fourth grade students from Antonia Elementary School, Imperial.

Senator Kehoe introduced to the Senate, representatives of Missouri Electric Cooperatives.

Senator Stouffer introduced to the Senate, students from Wentworth Military Academy, Lexington.

Senator Pearce introduced to the Senate, Christy Garnett, Independence; Holly Bennett, Blue Springs; Kimberly Holger and Janet West, Holden; David Leehy, Kingsville; and Lisa Thomas, Pleasant Hill; representatives of NEA.

Senator Richard introduced to the Senate, Kim Dunlap, Caryn Deckard, Beverly Carpenter, Barbara Long, parents and twenty-eight fifth grade students from McKinley Elementary School, Joplin.

Senator Dixon introduced to the Senate, Staff Ambassadors from Missouri State University, Springfield.

Senator Pearce introduced to the Senate, Mrs. Danielle Roach, Mrs. Kim Gibler, Mrs. Annette Leathers, Mrs. Windy Crawford and students Travis Crawford, Kaylie Roach, Gabe Fisher, Kayden Sweet, Jill Grosshart and Kara Fisher, Training Center Christian School, Garden City.

Senator Mayer introduced to the Senate, Assistant Principal Sheldon Tyler, President Megan Richardson, Caroline Penney, Landon Jones, Drew Dye, Mallory Robertson, Skyler Kinsey, Mary Payne, Clinton Summers, Austin McWilliams, Andy Whitworth and Parker Smith, representatives of Poplar Bluff Teenage Republicans.

Senator Lager introduced to the Senate, students from Rockport School District.

On motion of Senator Dempsey, the Senate adjourned under the rules.

#### SENATE CALENDAR

---

FIFTY-NINTH DAY—THURSDAY, APRIL 28, 2011

---

#### FORMAL CALENDAR

#### HOUSE BILLS ON SECOND READING

HCS for HB 579

HCS for HB 366

HCS for HBs 600, 337 &amp; 413

HCS for HB 161

HCS for HB 523

HCS for HB 473

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)

SB 204-Dempsey, et al (In Fiscal Oversight)

SCS for SB 122-Schaaf (In Fiscal Oversight)

SJR 12-Green (In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS

2. SB 425-Goodman, with SCS

3. SB 400-Kraus, with SCS

4. SB 392-Rupp, with SCS

5. SB 403-Nieves

6. SB 329-Nieves

7. SB 353-Engler

8. SJR 16-Goodman, with SCS

9. SB 391-Lager

10. SB 253-Callahan and Cunningham, with SCS

11. SB 223-Mayer

12. SB 119-Schaefer

13. SB 150-Munzlinger

14. SB 84-Wright-Jones

15. SB 45-Wright-Jones

16. SB 14-Pearce, with SCS

## HOUSE BILLS ON THIRD READING

1. HJR 2-McGhee, et al (Goodman)

(In Fiscal Oversight)

2. HCS for HBs 112 &amp; 285, with SCS (Brown)

3. HCS for HB 197, with SCA 1

4. HCS for HB 143 (Goodman)

5. HJR 29-Solon, et al (Munzlinger)

(In Fiscal Oversight)

6. HB 282-Franz, with SCS (Crowell)

7. HB 499-Wells, et al (Wasson)

8. HCS for HB 70 (Goodman)

9. HB 199-Kelley, et al (Parson)

10. HB 256-Cox, et al, with SCS

11. HB 260-Cox, et al

12. HCS for HB 214, with SCS

13. HCS for HB 641, with SCS

14. HCS#2 for HB 609, with SCS (Wasson)

15. HCS for HBs 294, 123, 125, 113, 271

&amp; 215, with SCS (Munzlinger)

16. HCS for HB 315 (Cunningham)

17. HB 361-Leara

18. HB 648-Montecillo (Rupp)

19. HJR 6-Cierpiot, et al (In Fiscal Oversight)

20. HCS for HB 336

21. HB 340-Klippenstein, et al

22. HCS for HB 545, with SCS (Schaaf)

23. HB 190-Ruzicka (Brown)

24. HCS for HB 250, with SCS

25. HB 101-Loehner, with SCS (Cunningham)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)

SBs 7, 5, 74 & 169-Goodman, with SCS

SB 10-Rupp

SB 23-Keaveny, with SCS & SS for SCS  
(pending)

SB 25-Schaaf, with SCS & SS for SCS  
(pending)

SB 28-Brown

SB 37-Lembke, with SCS

SB 52-Cunningham

SB 72-Kraus, with SS (pending)

SBs 88 & 82-Schaaf, with SCS & SA 1 (pending)

SB 120-Stouffer, with SS (pending)

SB 130-Rupp, with SCS & SS for SCS (pending)

SB 155-Rupp, with SCS

SB 175-Munzlinger, et al, with SA 1 (pending)

SB 176-Munzlinger, et al

SBs 189, 217, 246, 252 & 79-Schmitt, with SCS

SB 200-Crowell

SB 203-Schmitt, et al, with SS (pending)

SB 208-Lager

SB 209-Lager

SB 228-Pearce

SB 242-Cunningham, with SCS & SS for SCS  
(pending)

SB 247-Pearce, with SS (pending)

SB 264-Rupp, with SCS

SB 278-Munzlinger, et al

SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)

SBs 291, 184 & 294-Pearce, with SCS & SA 4  
(pending)

SB 299-Munzlinger, with SCS (pending)

SB 326-Wasson

SBs 369 & 370-Cunningham, with SCS

SB 390-Schmitt, et al

SBs 408 & 80-Crowell, with SCS

SB 420-Mayer, with SCS

SJR 11-Munzlinger, with SCS

SJR 15-Nieves, et al, with SS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 61

HB 71-Nasheed, et al

SS for SCS for HCS for HBs 73 & 47  
(Crowell) (In Fiscal Oversight)

SS for SCS for HCS for HBs 116 & 316  
(Purgason) (In Fiscal Oversight)

SS for SCS for HB 137-Thompson, et al  
(Pearce) (In Fiscal Oversight)

HB 204-Hoskins, et al (Stouffer)

HCS for HB 338 (Lager)

HB 339-Pollock, et al, with SS (pending)  
(Lager)

HB 442-Franz (Parson)

HCS for HB 556

HB 738-Nasheed, et al, with SCS (pending)  
(Cunningham)

## SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 68-Mayer, with HCS, as amended

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

## In Conference

HCS for HB 2, with SCS (Schaefer)	HCS for HB 8, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)	HCS for HB 9, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)	HCS for HB 10, with SCS (Schaefer)
HCS for HB 5, with SCS (Schaefer)	HCS for HB 11, with SCS (Schaefer)
HCS for HB 6, with SCS (Schaefer)	HCS for HB 12, with SCS (Schaefer)
HCS for HB 7, with SCS, as amended (Schaefer)	HCS for HB 13, with SCS (Schaefer)

## RESOLUTIONS

## Reported from Committee

SR 179-Purgason	HCR 11-Nolte, et al (Justus)
HCR 15-Brown (50), et al (Curls)	HCR 34-Hampton, et al (Munzlinger)

## To be Referred

HCR 32-Bernskoetter (Kehoe)	HCR 46-Nolte, et al
-----------------------------	---------------------

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**FIFTY-NINTH DAY—THURSDAY, APRIL 28, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The present moment holds infinite riches, but you will only enjoy them to the extent of your faith and love.” (Jean-Pierre De Caussade)

Loving Father, this day holds many things for us to think about and to act upon and we will be busy with many distractions; but we would ask that after they are completed, You would help us shift our minds and hearts to more meaningful pursuits and loving people. Help us use this weekend for enriching our souls and drawing closer to our families as we make time for what we truly need. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**REPORTS OF STANDING COMMITTEES**

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **SCS** for **SB 122**; **SS** for **SCS** for **HCS** for **HBs 73** and **47**, as amended; **HJR 2**; and **SJR 12**, begs leave to report that it has considered the same and recommends that the bills and joint resolutions do pass.

**THIRD READING OF SENATE BILLS**

**SCS** for **SB 122**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 122**

An Act to repeal section 354.535, RSMo, and to enact in lieu thereof three new sections relating to health insurance.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS** for **SB 122** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SJR 12**, introduced by Senator Green, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits.

Was taken up.

On motion of Senator Green, **SJR 12** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Green	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Cunningham	Goodman	Kraus	Nieves—4
------------	---------	-------	----------

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Green, title to the joint resolution was agreed to.

Senator Green moved that the vote by which the joint resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### HOUSE BILLS ON THIRD READING

Senator Crowell moved that **SS** for **SCS** for **HCS** for **HBs 73** and **47**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HBs 73** and **47**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Wright-Jones—5
-----------------	-------	--------	---------	----------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Crowell, title to the bill was agreed to.

Senator Crowell moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Goodman, **HJR 2** was placed on the Informal Calendar.

At the request of Senator Brown, **HCS** for **HBs 112** and **285**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 197**, with **SCA 1**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto two new sections relating to cord blood banking.

Was taken up by Senator Lembke.

**SCA 1** was taken up.

Senator Pearce assumed the Chair.

Senator Lembke moved that the above committee amendment be adopted, which motion prevailed.

On motion of Senator Lembke, **HCS** for **HB 197**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Goodman, **HCS** for **HB 143** was placed on the Informal Calendar.

At the request of Senator Crowell, **HB 282**, with **SCS**, was placed on the Informal Calendar.

**HB 499**, introduced by Representative Wells, et al, entitled:

An Act to repeal section 302.291, RSMo, and to enact in lieu thereof one new section relating to driver's license competency assessment, with an existing penalty provision.



Was taken up by Senator Wasson.

On motion of Senator Wasson, **HB 499** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 70**, entitled:

An Act to repeal section 230.220, RSMo, and to enact in lieu thereof one new section relating to county highway commissions.

Was taken up by Senator Goodman.

On motion of Senator Goodman, **HCS** for **HB 70** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senator Ridgeway—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 199**, introduced by Representative Kelley (126), et al, entitled:

An Act to repeal section 577.023, RSMo, and to enact in lieu thereof one new section relating to community service requirements for intoxication-related traffic offenses, with existing penalty provisions.

Was taken up by Senator Parson.

On motion of Senator Parson, **HB 199** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 256**, with **SCS**, introduced by Representative Cox, et al, entitled:

An Act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

Was taken up by Senator Goodman.

**SCS** for **HB 256**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 256

An Act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

Was taken up.

Senator Goodman moved that **SCS** for **HB 256** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **HB 256** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Lager moved that **HB 339**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **HB 339** was again taken up.

At the request of Senator Lager, **HB 339**, with **SS** (pending), was placed on the Informal Calendar.

**HB 260**, introduced by Representative Cox, et al, entitled:

An Act to repeal sections 210.844, 454.850, 454.853, 454.855, 454.857, 454.860, 454.862, 454.865, 454.867, 454.869, 454.871, 454.874, 454.877, 454.880, 454.882, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.900, 454.902, 454.905, 454.907, 454.910, 454.912, 454.915, 454.917, 454.920, 454.922, 454.927, 454.930, 454.932, 454.934, 454.936, 454.938, 454.941, 454.943, 454.946, 454.948, 454.951, 454.953, 454.956, 454.958, 454.961, 454.963, 454.966, 454.968, 454.971, 454.973, 454.976, 454.978, 454.981, 454.983, 454.986, 454.989, 454.991, 454.993, 454.995, and 454.999, RSMo, and to enact in lieu thereof eighty new sections relating to the uniform interstate family support act.

Was taken up by Senator Justus.

On motion of Senator Justus, **HB 260** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
-------	----------	-----------------	---------	------------	-------	---------	-------

Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HB 214**, with **SCS**, entitled:

An Act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

Was taken up by Senator Goodman.

**SCS for HCS for HB 214**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 214

An Act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

Was taken up.

Senator Goodman moved that **SCS for HCS for HB 214** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS for HCS for HB 214** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Lager moved that **HB 339**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **HB 339** was again taken up.

Senator Ridgeway offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 339, Page 4, Section 392.460, Lines 24-28 of said page, by striking all of said lines and inserting in lieu thereof the following: “**providing local voice service there, and either:**

**(1) The owner or developer requests in writing that the local exchange carrier make local voice service available to occupants of the real property and the owner or developer confirms in writing that all conditions described in subsections 3 and 5 of this section have ceased to exist at the property; or**

**(2) A petition is submitted to the local exchange carrier by at least fifty percent plus one of the residents of the real property requesting that the local exchange carrier make local voice service available to the residents and the petition confirms in writing that all conditions described in subsections 3 and 5 of this section have ceased to exist at the property; the carrier of last resort obligation under this section shall again”; and**

Further amend said bill and section, page 5, line 1 of said page, by striking all of said line; and further amend lines 17-19 of said page, by striking all of said lines and inserting in lieu thereof the following: “**carrier shall have a reasonable period of time, but not to exceed one hundred eighty days, following the request or petition under this subsection to provide local voice service.”; and**

Further amend said bill and section, page 7, line 22 of said page, by inserting after the word “and” the following: “**the portion of**”; and further amend line 24 of said page, by inserting after the word “county” the following: “**that is located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants**”; and

Further amend said bill and section, page 8, lines 1-8 of said page, by striking all of said lines; and renumbering the remaining subsection accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SS** for **HB 339**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **HB 339**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 204**, introduced by Representative Hoskins, et al, entitled:

An Act to repeal section 41.950, RSMo, and to enact in lieu thereof two new sections relating to driver's license renewal for military personnel.

Was called from the Informal Calendar and taken up by Senator Stouffer.

On motion of Senator Stouffer, **HB 204** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Ridgeway assumed the Chair.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 281**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 399**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 44**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 462**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 89**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 578**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment,

to which was referred **HB 737**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 183**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Ridgeway assumed the Chair.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Catherine Crum-Thompson, Independent, as a member of the Missouri Women's Council;

Also,

Gerard Grimaldi, as a member of the MO HealthNet Oversight Committee;

Also,

Brenda Tinnen, Independent, as a member of the Tourism Commission.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

### **PRIVILEGED MOTIONS**

Senator Mayer moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 68**, as amended, and request the House to recede from its position and take up and pass **SCS** for **SB 68**, which motion prevailed.

### **REFERRALS**

President Pro Tem Mayer referred **HCR 32** and **HCR 46** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 366**, entitled:

An Act to amend chapter 351, RSMo, by adding thereto seventy-nine new sections relating to the Missouri cooperative associations act, with penalty provisions.



With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 366, Page 4, Section 351.409, Line 19, by inserting after the words “**under the law**” the words “**of this state or**”; and

Further amend said bill, Page 5, Section 351.409, Line 61, by deleting the words “**to non-Missouri entity**”; and

Further amend said bill, Page 5, Section 351.409, Line 62, by deleting the words “**to non-Missouri entity**”; and

Further amend said bill, Page 5, Section 351.409, Line 68, by deleting the words “**out of the state of Missouri**”; and

Further amend said bill, Page 5, Section 351.409, Line 69, by deleting the words “**out of the state of Missouri**”; and

Further amend said bill, Page 5, Section 351.409, Line 71, by deleting the words “**to non-Missouri entity**”; and

Further amend said bill, Page 6, Section 351.409, Line 111, by inserting after all of said line the following:

“351.658. Except as otherwise provided in this chapter, the secretary of state shall charge and collect for:

(1) Filing application for reservation of a corporate name, twenty dollars;

(2) Filing amendment to articles of incorporation or certificate of authority and issuing a certificate of amendment or amended certificate of authority, twenty dollars;

(3) Filing articles of merger or consolidation, twenty-five dollars plus five dollars for each merging or consolidating Missouri corporation or foreign corporation authorized to do business in Missouri over two in number;

(4) Filing articles of dissolution, twenty dollars; filing articles of liquidation, twenty dollars;

(5) Filing of revocation of articles of dissolution, twenty dollars;

(6) Filing of restated articles of incorporation, twenty dollars;

(7) Filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal, twenty dollars;

(8) Filing statement of change of address of registered office or change of registered agent, or both, five dollars;

(9) Filing resignation of registered agent, five dollars;

(10) Certified copy of corporate record, in a written format fifty cents per page plus five dollars for certification, or in an electronic format five dollars for certification and copies;

(11) Furnishing certificate of corporate existence, five dollars;

(12) Furnishing certificate--others, twenty dollars;

(13) Filing evidence of merger by a foreign corporation, twenty dollars plus one dollar for each additional foreign corporation authorized to do business in Missouri over two;

(14) Filing evidence of dissolution by a foreign corporation, twenty dollars;

**(15) Filing certificate of conversion to a corporation under section 351.408, fifty-three dollars;**

**(16) Filing certificate of conversion from a corporation under section 351.409, fifty dollars.”; and**

Further amend said bill, Page 11, Section 351.1021, Lines 1 and 2 by deleting all of said lines and inserting in lieu thereof the following:

**“351.1021. Upon notification that a filing by a cooperative has been made in error and receipt of a court order directing him or her to do so, the secretary of state shall revoke the erroneous filing and authorize a”;** and

Further amend said bill, Page 65, Section 351.1225, Line 3, by inserting after all of said line the following:

**“351.1227. The secretary of state shall have further power and authority as is reasonably necessary to enable the secretary of state to administer this chapter efficiently and to perform the duties therein imposed upon the secretary of state. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”;** and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 17**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2011 and ending June 30, 2013.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 18**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements; and for the payment

of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 21**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 22**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2011 and ending June 30, 2012.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 12**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

### **RESOLUTIONS**

Senator Green offered Senate Resolution No. 942, regarding Marty Rudloff, Bellefontaine Neighbors, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Lamping introduced to the Senate, teachers, parents and fourth grade students from Maplewood Richmond Heights Elementary School.

Senator Nieves introduced to the Senate, Lisa Marie Tihen and her children, Emma, William and Anna; and Susan Bailey and her daughter, Jessica, Homeschoolers from Washington; and Emma and William were made honorary pages.

Senator Rupp introduced to the Senate, Allyse Pagano, Troy.

Senator Lager introduced to the Senate, fourth grade students from King City Elementary School.

Senator McKenna introduced to the Senate, Becky Jarvis and twenty students from Antonia Middle School, Imperial.

Senator Lembke introduced to the Senate, Ken Storm, Jefferson County.

Senator Goodman introduced to the Senate, Gary, Pat, Steve and Raeanne Presley, David Drennon and Deanna Presley-Drennon, Branson.

Senator Dixon introduced to the Senate, third grade students from Summit Preparatory School, Springfield.

Senator Brown introduced to the Senate, Mrs. Dvorak, Mr. Klaffer, parents and thirty-eight fourth grade students from Jonesburg Elementary School.

Senator Dempsey introduced to the Senate, Kimberly Poppitz, parents and seventh grade students from Zion Lutheran School, St. Charles.

Senator Kehoe introduced to the Senate, Debbie Cornell and students, Austin King, Josh Cooper, Isiah Davis, Ieshia Hite, VerShawn Edwards and KeShon McCray, Jefferson City Academic Center.

Senator Crowell introduced to the Senate, Teri Jones and ninety fourth grade students from Clippard Elementary School, Cape Girardeau.

Senator Kehoe introduced to the Senate, the Physician of the Day, Dr. Karl Haake, M.D., Jefferson City.

On motion of Senator Dempsey, the Senate adjourned until 9:00 a.m., Friday, April 29, 2011.

**SENATE CALENDAR**  

---

SIXTIETH DAY—FRIDAY, APRIL 29, 2011

---

**FORMAL CALENDAR****HOUSE BILLS ON SECOND READING**

HCS for HB 562  
HCS for HB 664  
HCS for HB 579

HCS for HB 366  
HCS for HBs 600, 337 & 413  
HCS for HB 161

HCS for HB 523  
HCS for HB 473  
HCS for HB 17

HCS for HB 18  
HCS for HB 21  
HCS for HB 22

### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna  
(In Fiscal Oversight)

SB 204-Dempsey, et al  
(In Fiscal Oversight)

### SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler
8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham,  
with SCS

11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones
15. SB 45-Wright-Jones
16. SB 14-Pearce, with SCS
17. SB 281-Kraus
18. SB 399-Kraus
19. SB 44-Wright-Jones

### HOUSE BILLS ON THIRD READING

1. HJR 29-Solon, et al (Munzlinger)  
(In Fiscal Oversight)
2. HCS for HB 641, with SCS (Goodman)
3. HCS#2 for HB 609, with SCS (Wasson)
4. HCS for HBs 294, 123, 125, 113, 271 & 215,  
with SCS (Munzlinger)
5. HCS for HB 315 (Cunningham)
6. HB 361-Leara (Cunningham)
7. HB 648-Montecillo (Rupp)
8. HJR 6-Cierpiot, et al (Cunningham)  
(In Fiscal Oversight)

9. HCS for HB 336 (Schmitt)
10. HB 340-Klippenstein, et al
11. HCS for HB 545, with SCS (Schaaf)
12. HB 190-Ruzicka (Brown)
13. HCS for HB 250, with SCS (Stouffer)
14. HB 101-Loehner, with SCS (Cunningham)
15. HB 462-Pollock, with SCS
16. HCS for HB 89, with SCS
17. HCS for HB 578, with SCS
18. HB 737-Redmon and Shumake, with SCS
19. HB 183-Silvey (Kraus)

### INFORMAL CALENDAR

### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 10-Rupp  
SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 25-Schaaf, with SCS & SS for SCS  
(pending)  
SB 28-Brown  
SB 37-Lembke, with SCS  
SB 52-Cunningham  
SB 72-Kraus, with SS (pending)  
SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)  
SB 120-Stouffer, with SS (pending)  
SB 130-Rupp, with SCS & SS for SCS  
(pending)  
SB 155-Rupp, with SCS  
SB 175-Munzlinger, et al, with SA 1  
(pending)  
SB 176-Munzlinger, et al  
SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS

SB 200-Crowell  
SB 203-Schmitt, et al, with SS (pending)  
SB 208-Lager  
SB 209-Lager  
SB 228-Pearce  
SB 242-Cunningham, with SCS & SS for SCS  
(pending)  
SB 247-Pearce, with SS (pending)  
SB 264-Rupp, with SCS  
SB 278-Munzlinger, et al  
SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)  
SBs 291, 184 & 294-Pearce, with SCS &  
SA 4 (pending)  
SB 299-Munzlinger, with SCS (pending)  
SB 326-Wasson  
SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SBs 408 & 80-Crowell, with SCS  
SB 420-Mayer, with SCS  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al, with SS (pending)

## HOUSE BILLS ON THIRD READING

HCS for HB 61  
HB 71-Nasheed, et al  
HCS for HBs 112 & 285, with SCS (Brown)  
SS for SCS for HCS for HBs 116 & 316  
(Purgason) (In Fiscal Oversight)  
SS for SCS for HB 137-Thompson, et al  
(Pearce) (In Fiscal Oversight)  
HCS for HB 143 (Goodman)

HB 282-Franz, with SCS (Crowell)  
HCS for HB 338 (Lager)  
HB 442-Franz (Parson)  
HCS for HB 556  
HB 738-Nasheed, et al, with SCS  
(pending) (Cunningham)  
HJR 2-McGhee, et al (Goodman)

## SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 366-Goodman, with HCS,  
as amended

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2, with SCS (Schaefer)  
HCS for HB 3, with SCS (Schaefer)  
HCS for HB 4, with SCS (Schaefer)  
HCS for HB 5, with SCS (Schaefer)  
HCS for HB 6, with SCS (Schaefer)  
HCS for HB 7, with SCS, as amended  
(Schaefer)

HCS for HB 8, with SCS (Schaefer)  
HCS for HB 9, with SCS (Schaefer)  
HCS for HB 10, with SCS (Schaefer)  
HCS for HB 11, with SCS (Schaefer)  
HCS for HB 12, with SCS (Schaefer)  
HCS for HB 13, with SCS (Schaefer)

Requests to Recede or Grant Conference

SCS for SB 68-Mayer, with HCS, as amended  
(Senate requests House recede and  
pass the bill)

RESOLUTIONS

Reported from Committee

SR 179-Purgason  
HCR 15-Brown (50), et al (Curls)  
HCR 11-Nolte, et al (Justus)

HCR 34-Hampton, et al (Munzlinger)  
SCR 12-Schaaf

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SIXTIETH DAY—FRIDAY, APRIL 29, 2011**

---

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

## **RESOLUTIONS**

On behalf of Senator Green, Senator Kehoe offered Senate Resolution No. 943, regarding Adam Christopher Stevens, which was adopted.

On behalf of Senator Green, Senator Kehoe offered Senate Resolution No. 944, regarding Caleb Eugene Gibson, which was adopted.

On behalf of Senator Ridgeway, Senator Kehoe offered Senate Resolution No. 945, regarding Jay Stock, Clay County, which was adopted.

## **HOUSE BILLS ON SECOND READING**

At the request of President Pro Tem Mayer, the following Bills were read the 2nd time and referred by Senator Kehoe to the Committees indicated:

**HCS for HB 17**—Appropriations.

**HCS for HB 18**—Appropriations.

**HCS for HB 21**—Appropriations.

**HCS for HB 22**—Appropriations.

On motion of Senator Kehoe, the Senate adjourned until 3:00 p.m., Monday, May 2, 2011.

## **SENATE CALENDAR**

---

**SIXTY-FIRST DAY—MONDAY, MAY 2, 2011**

---

## **FORMAL CALENDAR**

### **HOUSE BILLS ON SECOND READING**

HCS for HB 562

HCS for HB 664



HCS for HB 579

HCS for HB 366

HCS for HBs 600, 337 &amp; 413

HCS for HB 161

HCS for HB 523

HCS for HB 473

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)

SB 204-Dempsey, et al (In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler
8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham,  
with SCS

11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones
15. SB 45-Wright-Jones
16. SB 14-Pearce, with SCS
17. SB 281-Kraus
18. SB 399-Kraus
19. SB 44-Wright-Jones

## HOUSE BILLS ON THIRD READING

1. HJR 29-Solon, et al (Munzlinger)  
(In Fiscal Oversight)
2. HCS for HB 641, with SCS (Goodman)
3. HCS#2 for HB 609, with SCS (Wasson)
4. HCS for HBs 294, 123, 125, 113, 271  
& 215, with SCS (Munzlinger)
5. HCS for HB 315 (Cunningham)
6. HB 361-Leara (Cunningham)
7. HB 648-Montecillo (Rupp)
8. HJR 6-Cierpiot, et al (Cunningham)  
(In Fiscal Oversight)

9. HCS for HB 336 (Schmitt)
10. HB 340-Klippenstein, et al (Schaaf)
11. HCS for HB 545, with SCS (Schaaf)
12. HB 190-Ruzicka (Brown)
13. HCS for HB 250, with SCS (Stouffer)
14. HB 101-Loehner, with SCS (Cunningham)
15. HB 462-Pollock, with SCS
16. HCS for HB 89, with SCS
17. HCS for HB 578, with SCS
18. HB 737-Redmon and Shumake, with SCS
19. HB 183-Silvey (Kraus)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)

SBs 7, 5, 74 & 169-Goodman, with SCS

SB 10-Rupp

SB 23-Keaveny, with SCS & SS for SCS  
(pending)

SB 25-Schaaf, with SCS & SS for SCS  
(pending)

SB 28-Brown

SB 37-Lembke, with SCS

SB 52-Cunningham

SB 72-Kraus, with SS (pending)

SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)

SB 120-Stouffer, with SS (pending)

SB 130-Rupp, with SCS & SS for SCS  
(pending)

SB 155-Rupp, with SCS

SB 175-Munzlinger, et al, with SA 1 (pending)

SB 176-Munzlinger, et al

SBs 189, 217, 246, 252 & 79-Schmitt, with SCS

SB 200-Crowell

SB 203-Schmitt, et al, with SS (pending)

SB 208-Lager

SB 209-Lager

SB 228-Pearce

SB 242-Cunningham, with SCS & SS for SCS  
(pending)

SB 247-Pearce, with SS (pending)

SB 264-Rupp, with SCS

SB 278-Munzlinger, et al

SB 280-Purgason, et al, with SCS & SS for SCS  
(pending)

SBs 291, 184 & 294-Pearce, with SCS & SA 4  
(pending)

SB 299-Munzlinger, with SCS (pending)

SB 326-Wasson

SBs 369 & 370-Cunningham, with SCS

SB 390-Schmitt, et al

SBs 408 & 80-Crowell, with SCS

SB 420-Mayer, with SCS

SJR 11-Munzlinger, with SCS

SJR 15-Nieves, et al, with SS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 61

HB 71-Nasheed, et al

HCS for HBs 112 & 285, with SCS (Brown)

SS for SCS for HCS for HBs 116 & 316  
(Purgason) (In Fiscal Oversight)

SS for SCS for HB 137-Thompson, et al  
(Pearce) (In Fiscal Oversight)

HCS for HB 143 (Goodman)

HB 282-Franz, with SCS (Crowell)

HCS for HB 338 (Lager)

HB 442-Franz (Parson)

HJR 2-McGhee, et al (Goodman)

HCS for HB 556

HB 738-Nasheed, et al, with SCS (pending)  
(Cunningham)

## SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 366-Goodman, with HCS, as amended

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

## In Conference

HCS for HB 2, with SCS (Schaefer)

HCS for HB 8, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)

HCS for HB 4, with SCS (Schaefer)

HCS for HB 10, with SCS (Schaefer)

HCS for HB 5, with SCS (Schaefer)

HCS for HB 11, with SCS (Schaefer)

HCS for HB 6, with SCS (Schaefer)

HCS for HB 12, with SCS (Schaefer)

HCS for HB 7, with SCS, as amended  
(Schaefer)

HCS for HB 13, with SCS (Schaefer)

## Requests to Recede or Grant Conference

SCS for SB 68-Mayer, with HCS, as amended

(Senate requests House recede and pass the bill)

## RESOLUTIONS

## Reported from Committee

SR 179-Purgason

HCR 34-Hampton, et al (Munzlinger)

HCR 15-Brown (50), et al (Curls)

SCR 12-Schaaf

HCR 11-Nolte, et al (Justus)

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SIXTY-FIRST DAY—MONDAY, MAY 2, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“...I act with steadfast love, justice, and righteousness in the earth, for in these things I delight.” (Jeremiah 9:24b)

Righteous Lord, ten years ago we prayed during special session for Your mercy on those who died violently and for comfort for the families who grieved, and You have answered our prayers. We also prayed that those responsible would be brought to justice and that now has come to completion. So we give You thanks and praise for hearing our cries and that Your justice is made complete through Your people. May we also be those who see Your righteousness and provide justice for Your people here in Missouri. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, April 28, 2011 and Friday, April 29, 2011 were read and approved.

Senator Dempsey announced that photographers from Missouri New Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Rupp offered Senate Resolution No. 946, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Keck, Silex, which was adopted.

Senator Kehoe offered Senate Resolution No. 947, regarding Mary “Beth” Mertens, Jefferson City, which was adopted.

Senator Crowell offered Senate Resolution No. 948, regarding Cherie L. Worth, Cape Girardeau, which was adopted.

Senators McKenna and Engler offered Senate Resolution No. 949, regarding the death of Staff Sergeant James R. Ide, V, Festus, which was adopted.

Senator Schmitt offered Senate Resolution No. 950, regarding Kathy Bromeier, Saint Louis, which was adopted.

Senator Stouffer offered Senate Resolution No. 951, regarding Kyle Jacob Yardley, which was adopted.

Senator Stouffer offered Senate Resolution No. 952, regarding Ellie Diane Koehly, which was adopted.

Senator Stouffer offered Senate Resolution No. 953, regarding Abigail “Abby” Thompson, which was adopted.

Senator Stouffer offered Senate Resolution No. 954, regarding Drew Alan Dampf, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 955, regarding the death of Barbara Ann (Sullivan) Mangogna, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 956, regarding the death of Harry McClain Allmon, which was adopted.

Senator Pearce offered Senate Resolution No. 957, regarding Laura Burkett, Summerfield, North Carolina, which was adopted.

Senator Pearce offered Senate Resolution No. 958, regarding Timothy Campbell, Olathe, Kansas, which was adopted.

Senator Justus offered Senate Resolution No. 959, regarding Taylor Dukes, Columbia, which was adopted.

Senator Richard offered Senate Resolution No. 960, regarding the Battle of Carthage Sesquicentennial Commemoration, which was adopted.

Senator Engler offered Senate Resolution No. 961, regarding Randy N. Roark, Sr., Grassy, which was adopted.

Senator Engler offered Senate Resolution No. 962, regarding John G. McDowell, which was adopted.

Senator Engler offered Senate Resolution No. 963, regarding Charlotte J. French, Irondale, which was adopted.

Senator Engler offered Senate Resolution No. 964, regarding Noah R. Davis, Irondale, which was adopted.

Senator Engler offered Senate Resolution No. 965, regarding Lynn Clark, which was adopted.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 29, 2011

TO THE SECRETARY OF THE SENATE  
96<sup>TH</sup> GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 188 entitled:

#### **AN ACT**

To repeal sections 213.010, 213.070, 213.101, and 213.111, RSMo, and to enact in lieu thereof five new sections relating to unlawful discriminatory practices.

I disapprove of Senate Committee Substitute for Senate Bill No. 188. My reasons for disapproval are as follows:

The Missouri Human Rights Act provides fundamental protections for individual citizens against discrimination in employment, housing and use of public accommodations. The Act implements the basic belief of Missourians that unfair treatment based on race, color, religion, national origin, sex, ancestry, age, disability or familial status shall not be tolerated and the citizens who have been subjected to such unfair treatment must have a meaningful opportunity to protect their basic civil rights.

Senate Committee Substitute for Senate Bill No. 188 represents a significant retreat from the basic principles of fairness embodied in the Missouri Human Rights Act and erects unacceptable impediments to those victimized by discrimination and seeking to avail themselves of the Act's legal protection. Senate Committee Substitute for Senate Bill No. 188 is characterized by an overarching lack of accountability for discriminatory conduct. Missouri has made important progress, over decades, in insisting its workplaces, public accommodations and housing opportunities are free from discrimination. Senate Committee Substitute for Senate Bill No. 188 would roll back that progress and enfeeble the protections that should, and must, be afforded to Missourians.

Senate Committee Substitute for Senate Bill No. 188 contains provisions that I deem bad public policy and an unacceptable step backward from the protections of the Missouri Human Rights Act, including but not limited to the following:

- **Eliminating individual responsibility for discrimination.** Senate Committee Substitute for Senate Bill No. 188 releases from liability the person who committed the allegedly discriminatory act. For example, a supervisor who fired an employee because of the employee's race; who sexually harassed an employee; or who demoted an employee because of the employee's age could not be held liable under the Missouri Human Rights Act if Senate Committee Substitute for Senate Bill No. 188 became law. That is not acceptable in the State of Missouri. A victimized employee should have the opportunity to hold the victimizer accountable in a court of law.
- **Exempting private clubs from suit.** Under Senate Committee Substitute for Senate Bill No. 188, private clubs that discriminate against their employees could not be sued under the Missouri Human Rights Act. Excusing discrimination based simply on where it occurred is an abhorrent policy, and even more so given the history surrounding these clubs. Discrimination must not be tolerated in any setting.
- **Limiting actual damages.** Senate Committee Substitute for Senate Bill No. 188 establishes compensatory damage caps that are inadequate for persons that have suffered discrimination on the basis of their race, color, religion, national origin, sex, ancestry, age, disability or familial status. Moreover, Senate Committee Substitute for Senate Bill No. 188 limits actual damages in ways that are

more restrictive than federal law. Senate Committee Substitute for Senate Bill No. 188 caps back pay by expressly including it in the damages cap, and Senate Committee Substitute for Senate Bill No. 188 caps front pay, which is a type of equitable relief, through use of the phrase “other equitable relief” in the damages limitation provision. These limitations will reduce the recovery available to victims of discrimination and have a chilling effect on the ability of those persons to bring legal action under the Missouri Human Rights Act.

- **Limiting punitive damages against private companies and prohibiting punitive damages against government.** Senate Committee Substitute for Senate Bill No. 188 limits the amount of punitive damages a person can recover by including punitive damages in the overall damages cap, and Senate Committee Substitute for Senate Bill No. 188 also bars punitive damages against the State or political subdivisions. Enactment of these provisions into law would unfairly and wrongly diminish the accountability of a wrongdoer who discriminates with evil motive or reckless indifference. Furthermore, by prohibiting punitive damages against government, Senate Committee Substitute for Senate Bill No. 188 would have the unfortunate effect of making government less accountable for discriminatory conduct than the private sector. Neither proposition is tenable. Missourians deserve, and the Missouri Human Rights Act should provide, appropriate accountability for such egregious conduct.
- **Limiting the right to a jury trial.** Senate Committee Substitute for Senate Bill No. 188 would limit the right to a jury trial under the Missouri Human Rights Act by instructing Missouri judges to dismiss more employment discrimination cases through summary judgment. Given the significant progress in establishing the right to jury trial under the Missouri Human Rights Act, and considering the fact-intensive nature of these types of cases, it would be a step backward to limit the right to jury trial by statutorily instructing judges to increase the use of summary judgment. It should also be noted that directing Missouri courts to find certain federal judicial decisions and their “progeny” “highly persuasive” is a confusing and misdirected relinquishment of state authority. “Progeny” does not typically include statutory changes. Even if it does, it is unclear whether Senate Committee Substitute for Senate Bill No. 188 directs Missouri courts to look to potential future amendments to the 1991 Civil Rights Act. “Progeny” would also seemingly require Missouri courts to reconcile the myriad of sometimes conflicting judicial decisions handed down by federal district and appellate courts in analyzing a Missouri employment discrimination case. Neither approach would promote judicial efficiency or clarity. Missouri courts should first and foremost look to Missouri law when evaluating a Missouri employment discrimination case.
- **Making Missouri law more restrictive than federal law.** Senate Committee Substitute for Senate Bill No. 188 is more restrictive than federal law in important respects. Unlike federal law, Senate Committee Substitute for Senate Bill No. 188 caps damages for back pay and front pay. Unlike federal law, Senate Committee Substitute for Senate Bill No. 188 prohibits punitive damages against government in housing discrimination claims and prohibits liquidated damages against local government (the equivalent of punitive damages) in age discrimination claims. Unlike federal law, the amount of punitive damages that a plaintiff can recover under Senate Committee Substitute for Senate Bill No. 188 is less than federal law, because a back pay award under Senate Committee Substitute for Senate Bill No. 188 would count toward the damages cap that encompasses punitive damages. And, unlike federal law, Senate Committee Substitute for Senate Bill No. 188 prohibits certain types of relief that are recoverable in an employment discrimination action if one assumes that Senate Committee Substitute for Senate Bill No. 188 establishes a “but for” standard of causation.
- **Jeopardizing federal funding for the Missouri Human Rights Commission.** The Missouri Human Rights Commission enters into work sharing agreements with the federal Equal Employment Opportunity Commission (EEOC) to enforce federal anti-discrimination laws and with the federal Department of Housing and Urban Development (HUD) to enforce the federal Fair Housing Act. Both federal agencies provide funding to the Missouri Human Rights Commission under these agreements. Both the EEOC and HUD have concluded that contracting and funding for enforcement of federal anti-discrimination laws might be jeopardized if the provisions of Senate Committee Substitute for Senate Bill No. 188 that are more restrictive than federal statutes become law. That is a risk that should not be taken. The Missouri Human Rights Commission performs important functions that should not be endangered.
- **Exempting seasonal employers.** Senate Committee Substitute for Senate Bill No. 188 limits liability to those employers that employ persons for each working day for twenty or more calendar weeks in the current or preceding calendar year, which will have the effect of preventing seasonal employers from being accountable for discrimination. Excluding a class of employers solely on this basis would impede the goals of the Missouri Human Rights Act.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 188 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 29, 2011

TO THE SECRETARY OF THE SENATE

96<sup>TH</sup> GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 108 entitled:

AN ACT

To repeal section 67.281 as enacted by senate substitute no. 2 for senate committee substitute for house bill no. 103, ninety-fifth general assembly, first regular session, and section 67.281 as enacted by conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, and to enact in lieu thereof one new section relating to the installation of fire sprinklers in certain dwellings.

On April 29, 2011, I approved said Senate Committee Substitute for Senate Bill No. 108.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 28, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Shane Mecham for the Missouri Head Injury Advisory Council submitted to you on April 1, 2011. Line four should read:

Turnbull, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer referred the above addendum to the Committee on Gubernatorial Appointments.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 773**, entitled:

An Act to repeal sections 384.015, 384.017, 384.021, 384.043, 384.051, 384.057, and 384.061, RSMo, and to enact in lieu thereof seven new sections relating to the regulation of surplus lines insurance, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.



Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 16**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing sections 50 and 52(a) of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to initiative and referendum petitions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 552**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof two new sections relating to the standard of care for the treatment of persons with bleeding disorders.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 787**, entitled:

An Act to repeal sections 143.124, 166.415, 408.052, and 443.812, RSMo, and to enact in lieu thereof four new sections relating to investment transactions, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 597**, entitled:

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to conservation easements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 27**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right

to bear arms.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **HCS** for **SCS** for **SB 68**, as amended, and has again taken up and passed **SCS** for **SB 68**.

Bill ordered enrolled.

### REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **SS** for **SCS** for **HB 137**, as amended; **HJR 6**; **SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended; and **HJR 29**, begs leave to report that it has considered the same and recommends that the bills and joint resolutions do pass.

### REFERRALS

President Pro Tem Mayer referred **HCS** for **HB 89**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

### HOUSE BILLS ON THIRD READING

Senator Purgason moved that **SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Schmitt assumed the Chair.

**SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

#### NAYS—Senators

Lager      Lembke—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators

Lager      Lembke—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Purgason, title to the bill was agreed to.

Senator Purgason moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce moved that **SS** for **SCS** for **HB 137**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HB 137**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
-------	----------	-----------------	---------	------------	-------	---------	-------

Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

**HJR 29**, introduced by Representative Solon, et al, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

Was taken up by Senator Munzlinger.

Senator Crowell offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 29, Page 2, Section 39 (b), Line 20, by inserting immediately after the word “law.” the following:

**“No later than July 1, 2013, the state lottery commission shall develop and begin selling a “Missouri Biodiesel Production Lottery Ticket”, and all net proceeds received from the sales of such tickets shall be appropriated to the agriculture and small business development authority to fund grants for biodiesel production.”.**

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Munzlinger, **HJR 29**, with **SA 1** (pending), was placed on the Informal Calendar.

**HCS** for **HB 641**, with **SCS**, entitled:

An Act to repeal sections 195.010, 195.017, 195.022, 195.202, 195.217, and 578.255, RSMo, and to enact in lieu thereof six new sections relating to controlled substances, with an existing penalty provision.

Was taken up by Senator Goodman.

**SCS** for **HCS** for **HB 641**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 641

An Act to repeal sections 195.010, 195.017, 195.022, 195.202, and 195.217, RSMo, and to enact in lieu thereof five new sections relating to controlled substances, with an existing penalty provision.

Was taken up.

Senator Goodman moved that **SCS** for **HCS** for **HB 641** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 641, Page 1, In the Title, Line 3, by striking the word “controlled” and inserting in lieu thereof the following: “the regulation of certain”; and further amend line 4, by inserting immediately after the word “provision” the following: “and an emergency clause for a certain section”; and

Further amend said bill, page 34, section 195.217, line 8, by inserting after all of said line the following: “196.1003. Requirements.

Any tobacco product manufacturer selling cigarettes to consumers within the State (whether directly or through a distributor, retailer or similar intermediary or intermediaries) after the date of enactment of this Act shall do one of the following:

(a) become a participating manufacturer (as that term is defined in section II(jj) of the Master Settlement Agreement) and generally perform its financial obligations under the Master Settlement Agreement; or

(b) (1) place into a qualified escrow fund by April 15 of the year following the year in question the following amounts (as such amounts are adjusted for inflation)--

1999: \$.0094241 per unit sold after the date of enactment of this Act;

2000: \$.0104712 per unit sold;

for each of 2001 and 2002: \$.0136125 per unit sold;

for each of 2003 through 2006: \$.0167539 per unit sold;

for each of 2007 and each year thereafter: \$.0188482 per unit sold.

(2) A tobacco product manufacturer that places funds into escrow pursuant to paragraph (1) shall receive the interest or other appreciation on such funds as earned. Such funds themselves shall be released from escrow only under the following circumstances--

(A) to pay a judgment or settlement on any released claim brought against such tobacco product manufacturer by the State or any releasing party located or residing in the State. Funds shall be released from escrow under this subparagraph (i) in the order in which they were placed into escrow and (ii) only to the extent and at the time necessary to make payments required under such judgment or settlement;

(B) to the extent that a tobacco product manufacturer establishes that the amount it was required to place into escrow **on account of units sold in the State** in a particular year was greater than the [State’s allocable

share of the total payments that such manufacturer would have been required to make in that year under the Master Settlement Agreement (as determined pursuant to section IX(i)(2) of the Master Settlement Agreement, and before any of the adjustments or offsets described in section IX(i)(3) of that Agreement other than the Inflation Adjustment)] **Master Settlement Agreement payments, as determined under section IX(i) of that Agreement including after final determination of all adjustments, that such manufacturer would have been required to make on account of such units sold** had it been a participating manufacturer, the excess shall be released from escrow and revert back to such tobacco product manufacturer; or

(C) to the extent not released from escrow under subparagraphs (A) or (B), funds shall be released from escrow and revert back to such tobacco product manufacturer twenty-five years after the date on which they were placed into escrow.

(3) Each tobacco product manufacturer that elects to place funds into escrow pursuant to this subsection shall annually certify to the Attorney General that it is in compliance with this subsection. The Attorney General may bring a civil action on behalf of the State against any tobacco product manufacturer that fails to place into escrow the funds required under this section. Any tobacco product manufacturer that fails in any year to place into escrow the funds required under this section shall--

(A) be required within 15 days to place such funds into escrow as shall bring it into compliance with this section. The court, upon a finding of a violation of this subsection, may impose a civil penalty to be paid to the State's general revenue fund in an amount not to exceed 5 percent of the amount improperly withheld from escrow per day of the violation and in a total amount not to exceed 100 percent of the original amount improperly withheld from escrow;

(B) in the case of a knowing violation, be required within 15 days to place such funds into escrow as shall bring it into compliance with this section. The court, upon a finding of a knowing violation of this subsection, may impose a civil penalty to be paid to the State's general revenue fund in an amount not to exceed 15 percent of the amount improperly withheld from escrow per day of the violation and in a total amount not to exceed 300 percent of the original amount improperly withheld from escrow; and

(C) in the case of a second knowing violation, be prohibited from selling cigarettes to consumers within the State (whether directly or through a distributor, retailer or similar intermediary) for a period not to exceed 2 years.

Each failure to make an annual deposit required under this section shall constitute a separate violation. Any tobacco product manufacturer that violates the provisions of this section shall pay the State's cost and attorney's fees incurred during a successful prosecution under this section.

Section B. Because immediate action is necessary to protect the economic welfare of the citizens of this state, the repeal and reenactment of section 196.1003 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 196.1003 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Lembke raised the point of order that **SA 1** is out of order as it is not germane to the subject matter of the underlying bill.

The point of order was referred to the President Pro Tem.

Senator Lembke raised an additional point of order that **SA 1** is out of order as it goes beyond the scope and title of the bill.

The point of order was referred to the President Pro Tem.

President Pro Tem Mayer ruled the first point of order raised by Senator Lembke well taken, rendering the second point of order moot.

President Kinder assumed the Chair.

Senator Lager assumed the Chair.

Senator Goodman moved that **SCS** for **HCS** for **HB 641** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **HCS** for **HB 641** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Wasson, **HCS No. 2** for **HB 609**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HBs 294, 123, 125, 113, 271** and **215**, with **SCS**, entitled:

An Act to repeal sections 407.500, 407.505, 571.020, 571.030, 571.101, 571.107, and 571.117, RSMo, and to enact in lieu thereof eleven new sections relating to firearms, with penalty provisions.

Was taken up by Senator Munzlinger.

**SCS** for **HCS** for **HBs 294, 123, 125, 113, 271** and **215**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 294, 123, 125, 113, 271 and 215

An Act to repeal sections 50.535, 302.181, 407.500, 407.505, 571.020, 571.030, 571.101, 571.107, and 571.117, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with penalty provisions.

Was taken up.

Senator Munzlinger moved that **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271 and 215** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271 and 215**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 294, 123, 125, 113, 271 and 215

An Act to repeal sections 50.535, 302.181, 407.500, 407.505, 571.020, 571.030, 571.101, 571.107, and 571.117, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with penalty provisions.

Senator Munzlinger moved that **SS** for **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271 and 215** be adopted.

President Pro Tem Mayer assumed the Chair.

At the request of Senator Munzlinger, **HCS** for **HBs 294, 123, 125, 113, 271 and 215**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Lager assumed the Chair.

**HCS** for **HB 315**, entitled:

An Act to repeal sections 144.018 and 144.019, RSMo, and section 32.125 as enacted by house substitute for senate bill no. 374, eighty-eighth general assembly, first regular session, section 52.315 as enacted by house committee substitute for senate committee substitute for senate bill no. 497, ninety-fourth general assembly, first regular session, section 67.281 as enacted by conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, section 67.1305 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 58 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 210 merged with conference committee substitute for house committee substitute for senate substitute for senate bill no. 343, ninety-third general assembly, first regular session, section 91.055 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, section 115.348 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 58, ninety-third general assembly, first regular session, section 135.100 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.100 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 827,



eighty-ninth general assembly, second regular session, section 135.200 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.200 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session, section 135.200 as enacted by senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1656, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session, section 171.035 as enacted by conference committee substitute for house committee substitute for senate bill no. 376, ninety-fourth general assembly, first regular session, section 171.035 as enacted by house committee substitute for house bill no. 678, ninety-fourth general assembly, first regular session, section 217.777 as enacted by senate committee substitute for senate bill no. 430, eighty-ninth general assembly, first regular session, section 227.381 as enacted by house bill no. 1488, ninety-third general assembly, second regular session, section 228.362 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bill no. 180, eighty-seventh general assembly, first regular session, section 286.060 as enacted by senate committee substitute for house committee substitute for house bills nos. 300 & 95, eighty-eighth general assembly, first regular session, section 301.064 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, section 301.064 as enacted by house bill no. 769, eighty-ninth general assembly, first regular session, section 301.630 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 895, ninety-first general assembly, second regular session, section 304.156 as enacted by senate committee substitute for house bill no. 996 and house bill no. 1142 and house committee substitute for house bill no. 1201 and house bill no. 1489, ninety-second general assembly, second regular session, section 304.678 as enacted by house committee substitute for senate committee substitute for senate bill no. 372, ninety-third general assembly, first regular session, section 321.701 as enacted by conference committee substitute no. 2 for senate substitute no. 2 for house committee substitute for house bills nos. 484, 199 & 72, eighty-eighth general assembly, first regular session, section 321.714 as enacted by senate substitute for senate committee substitute for house committee substitute for house bills nos. 452, 203, 377, 472, 473, 556 & 647, eighty-eighth general assembly, first regular session, section 324.712 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 567, ninety-first general assembly, first regular session, section 335.067 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 780, ninety-fourth general assembly, first regular session, section 339.040 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bill no. 754, ninety-fifth general assembly, second regular session, section 361.170 as enacted by house committee substitute for house bill no. 379, ninety-third general assembly, first regular session, section 370.107 as enacted by senate bill no. 318, ninety-third general assembly, first regular session, section 376.1500 as enacted by senate substitute no. 2 for senate committee substitute for house committee substitute for house bill no. 818, ninety-fourth general assembly, first regular session, section 393.906 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, section 393.921 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, section 441.236 as enacted by house

substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 89 & 37, ninety-first general assembly, first regular session, section 470.270 as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 1248, ninety-first general assembly, second regular session, section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session, section 644.031 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, and section 644.568 as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 160 & 82, ninetieth general assembly, first regular session, and to enact in lieu thereof four new sections for the sole purpose of repealing statutes with multiple versions.

Was taken up by Senator Cunningham.

On motion of Senator Cunningham, **HCS** for **HB 315** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Green	Kehoe	Purgason—3
-------	-------	------------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Callahan moved that motion lay on the table, which motion prevailed.

At the request of Senator Cunningham, **HB 361** was placed on the Informal Calendar.

**HB 648**, introduced by Representative Montecillo, et al, entitled:

An Act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 210.900, 211.202, 211.203, 211.206, 211.207, 402.210, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.097, 630.120, 630.165, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, 633.309, and 660.405,

RSMo, and to enact in lieu thereof seventy-four new sections relating to developmental disability, with existing penalty provisions.

Was taken up by Senator Rupp on a standing division vote.

Senator Rupp offered **SS** for **HB 648**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 648

An Act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 208.955, 209.150, 209.152, 209.200, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 301.143, 402.210, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.167, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, and 633.309, RSMo, and to enact in lieu thereof eighty-seven new sections relating to individuals with disabilities, with existing penalty provisions.

Senator Rupp moved that **SS** for **HB 648** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 648, Page 29, Section 208.955, Line 15 of said page, by striking the word “nineteen” and inserting in lieu thereof the following: “**twenty**”; and further amend line 23 of said page, by inserting after “representative” the following: “**who has no financial interest in the health care industry and who has not been an employee of the state within the last five years**”; and further amend line 25 of said page, by inserting an opening bracket “[“ immediately before the word “recommended”; and further amend line 27 of said page, by inserting a closing bracket “]” immediately after “state,”; and further amend line 28 of said page, by inserting after “area” the following: “**chosen in the same manner as described in section 334.120**”; and

Further amend said bill and section, page 30, line 3 of said page, by inserting an opening bracket “[“ immediately before the word “recommended”; and further amend line 5 of said page, by inserting immediately after “state” the following: “**] chosen in the same manner as described in section 334.120**”; and further amend lines 7 to 24 of said page, by striking said lines and inserting in lieu thereof the following:

“(7) [One] **Two** nonphysician health care [professional] **professionals, the first nonphysician health care professional licensed under chapter 335 and the second nonphysician health care professional licensed under chapter 337**, who [cares] **care** for participants[, recommended by the director of the department of insurance, financial institutions and professional registration];

(8) One dentist, who cares for participants[. The dentist shall be recommended by any Missouri organization or association that represents a significant number of dentists licensed in this state], **chosen in the same manner as described in section 332.021**;

(9) Two patient advocates **who have no financial interest in the health care industry and who have**

**not been employees of the state within the last five years;**

(10) One public member **who has no financial interest in the health care industry and who has not been an employee of the state within the last five years;** and further amend line 25 of said page, by striking “[~~(11)~~] **(12)**” and inserting in lieu thereof the following: “(11)”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed on a standing division vote.

At the request of Senator Rupp, **HB 648**, with **SS**, as amended (pending), was placed on the Informal Calendar.

### PRIVILEGED MOTIONS

Senator Goodman moved that **SCS** for **SB 366**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 366**, as amended, entitled:

#### HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 366

An Act to amend chapter 351, RSMo, by adding thereto seventy-nine new sections relating to the Missouri cooperative associations act, with penalty provisions.

Was taken up.

Senator Goodman moved that **HCS** for **SCS** for **SB 366**, as amended, be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

#### NAYS—Senators—None

#### Absent—Senators

Kehoe Richard—2

#### Absent with leave—Senators—None

#### Vacancies—None

On motion of Senator Goodman, **HCS** for **SCS** for **SB 366**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping

Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

On motion of Senator Dempsey, the Senate recessed until 7:26 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **SJR 2**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting four new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

### REPORTS OF STANDING COMMITTEES

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 18**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 21**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 22**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaefer assumed the Chair.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 562**—Small Business, Insurance and Industry.

**HCS** for **HB 664**—Jobs, Economic Development and Local Government.

**HCS** for **HB 579**—Health, Mental Health, Seniors and Families.

**HCS** for **HB 366**—Jobs, Economic Development and Local Government.

**HCS** for **HBs 600, 337** and **413**—Judiciary and Civil and Criminal Jurisprudence.

**HCS** for **HB 161**—Jobs, Economic Development and Local Government.

**HCS** for **HB 523**—Small Business, Insurance and Industry.

**HCS** for **HB 473**—Education.

### **INTRODUCTIONS OF GUESTS**

Senator Schmitt introduced to the Senate, Mayor Gerry Welsh, Webster Groves.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

---

SIXTY-SECOND DAY—TUESDAY, MAY 3, 2011

---

### **FORMAL CALENDAR**

### **VETOED BILLS**

SCS for SB 188-Lager, et al

## HOUSE BILLS ON SECOND READING

HCS for HB 773  
HCS for HJR 16  
HCS for HB 552

HCS for HB 787  
HCS for HB 597  
HJR 27-Brattin, et al

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal  
Oversight)

SB 204-Dempsey, et al (In Fiscal  
Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler
8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham, with  
SCS

11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones
15. SB 45-Wright-Jones
16. SB 14-Pearce, with SCS
17. SB 281-Kraus
18. SB 399-Kraus
19. SB 44-Wright-Jones

## HOUSE BILLS ON THIRD READING

1. HJR 6-Cierpiot, et al (Cunningham)
2. HCS for HB 336 (Schmitt)
3. HB 340-Klippenstein, et al (Schaaf)
4. HCS for HB 545, with SCS (Schaaf)
5. HB 190-Ruzicka (Brown)
6. HCS for HB 250, with SCS (Stouffer)
7. HB 101-Loehner, with SCS (Cunningham)
8. HB 462-Pollock, with SCS (Lager)
9. HCS for HB 89, with SCS (Lager)  
(In Fiscal Oversight)

10. HCS for HB 578, with SCS (Lager)
11. HB 737-Redmon and Shumake, with SCS
12. HB 183-Silvey (Kraus)
13. HCS for HB 17, with SCS (Schaefer)
14. HCS for HB 18, with SCS (Schaefer)
15. HCS for HB 21, with SCS (Schaefer)
16. HCS for HB 22, with SCS (Schaefer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)

SBs 7, 5, 74 & 169-Goodman, with SCS

SB 10-Rupp

SB 23-Keaveny, with SCS & SS for SCS  
(pending)

SB 25-Schaaf, with SCS & SS for SCS  
(pending)

SB 28-Brown

SB 37-Lembke, with SCS

SB 52-Cunningham

SB 72-Kraus, with SS (pending)

SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)

SB 120-Stouffer, with SS (pending)

SB 130-Rupp, with SCS & SS for SCS  
(pending)

SB 155-Rupp, with SCS

SB 175-Munzlinger, et al, with SA 1  
(pending)

SB 176-Munzlinger, et al

SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS

SB 200-Crowell

SB 203-Schmitt, et al, with SS (pending)

SB 208-Lager

SB 209-Lager

SB 228-Pearce

SB 242-Cunningham, with SCS & SS for SCS  
(pending)

SB 247-Pearce, with SS (pending)

SB 264-Rupp, with SCS

SB 278-Munzlinger, et al

SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)

SBs 291, 184 & 294-Pearce, with SCS & SA 4  
(pending)

SB 299-Munzlinger, with SCS (pending)

SB 326-Wasson

SBs 369 & 370-Cunningham, with SCS

SB 390-Schmitt, et al

SBs 408 & 80-Crowell, with SCS

SB 420-Mayer, with SCS

SJR 11-Munzlinger, with SCS

SJR 15-Nieves, et al, with SS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 61

HB 71-Nasheed, et al

HCS for HBs 112 & 285, with SCS (Brown)

HCS for HB 143 (Goodman)

HB 282-Franz, with SCS (Crowell)

HCS for HBs 294, 123, 125, 113, 271 &  
215, with SCS & SS for SCS (pending)  
(Munzlinger)

HCS for HB 338 (Lager)

HB 361-Leara (Cunningham)



HB 442-Franz (Parson)

HCS for HB 556

HCS#2 for HB 609, with SCS (Wasson)

HB 648-Montecillo, with SS (pending)  
(Rupp)

HB 738-Nasheed, et al, with SCS

(pending) (Cunningham)

HJR 2-McGhee, et al (Goodman)

HJR 29-Solon, et al, with SA 1 (pending)  
(Munzlinger)

## SENATE BILLS WITH HOUSE AMENDMENTS

SJR 2-Stouffer, with HCS#2

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

## In Conference

HCS for HB 2, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)

HCS for HB 4, with SCS (Schaefer)

HCS for HB 5, with SCS (Schaefer)

HCS for HB 6, with SCS (Schaefer)

HCS for HB 7, with SCS, as amended  
(Schaefer)

HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)

HCS for HB 10, with SCS (Schaefer)

HCS for HB 11, with SCS (Schaefer)

HCS for HB 12, with SCS (Schaefer)

HCS for HB 13, with SCS (Schaefer)

## RESOLUTIONS

## Reported from Committee

SR 179-Purgason

HCR 15-Brown (50), et al (Curls)

HCR 11-Nolte, et al (Justus)

HCR 34-Hampton, et al (Munzlinger)

SCR 12-Schaaf

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SIXTY-SECOND DAY—TUESDAY, MAY 3, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let us not love in word or in speech but in deed and in truth.” (I John 3:18)

We ask, O Lord, let us never forget You or how loving and gracious You are to us. You have blessed us with good work that must be done so we ask that our deed match our speech and word be true. May we rejoice and be proud of the actions we take this day and may we find completion in the efforts put forth. And may we never fail to show our appreciation for those who do so much to help us get through each week. Let us show in loving words and action how much they mean to us and treat them accordingly. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV and the Associated Press were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Stouffer offered Senate Resolution No. 966, regarding Brody Osborn, Odessa, which was adopted.

Senator Stouffer offered Senate Resolution No. 967, regarding Jacob Stewart, Odessa, which was adopted.

Senator Stouffer offered Senate Resolution No. 968, regarding Corey White, Mayview, which was adopted.

Senator Stouffer offered Senate Resolution No. 969, regarding John Norris, Bates City, which was adopted.

Senator Mayer offered Senate Resolution No. 970, regarding Missouri state employees, which was adopted.

Senator Green offered Senate Resolution No. 971, regarding Alexander V. Ewing, which was adopted.

Senator Richard offered Senate Resolution No. 972, regarding the Joplin School District's Bright Futures program, which was adopted.

Senator Richard offered Senate Resolution No. 973, regarding Don and Brenda Larson, founders of the Talkington Foundation, Neosho, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Curls moved that **HCR 15** be taken up for adoption, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Curls, **HCR 15** was adopted by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

## NAYS—Senators—None

## Absent—Senators—None

## Absent with leave—Senator Kehoe—1

## Vacancies—None

Senator Justus moved that **HCR 11** be taken up for adoption, which motion prevailed.

President Kinder assumed the Chair.

On motion of Senator Justus, **HCR 11** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

Senator Munzlinger moved that **HCR 34** be taken up for adoption, which motion prevailed.

On motion of Senator Munzlinger, **HCR 34** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves
Parson	Pearce	Purgason	Richard	Schaaf	Schmitt	Stouffer	Wasson—24

NAYS—Senators

Curls	Green	Justus	Keaveny	McKenna	Ridgeway	Rupp	Schaefer
-------	-------	--------	---------	---------	----------	------	----------

Wright-Jones—9

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

Senator Schaaf moved that **SCR 12** be taken up for adoption, which motion prevailed.

On motion of Senator Schaaf, **SCR 12** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green	Purgason—2
-------	------------

Absent with leave—Senators—None

Vacancies—None

Senator Pearce assumed the Chair.

### HOUSE BILLS ON THIRD READING

Senator Parson moved that **HB 442**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Lembke offered **SA 2**:

### SENATE AMENDMENT NO. 2

Amend House Bill No. 442, Pages 1-2, Section 34.036, by striking all of said section from the bill and inserting in lieu thereof, the following:

“34.073. 1. In letting contracts for the performance of any job or service, all agencies, departments, institutions, and other entities of this state and of each political subdivision of this state shall give **a five point** preference to all firms, corporations, or individuals doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business[, when the quality of performance promised is equal or better and the price quoted is the same or less. The commissioner of administration may also give such preference whenever competing bids, in their entirety, are comparable.

2. Notwithstanding the requirements of subsection 1 of this section, the commissioner of administration shall give further preference as required by section 34.076].

**2. Notwithstanding any other provision of law to the contrary, no other preference shall be awarded to any entity or person other than as provided in subsection 1 of this section.**

[34.031. 1. The commissioner of administration, in consultation with the environmental improvement and energy resources authority of the department of natural resources, shall give full consideration to the purchase of products made from materials recovered from solid waste and to the reduction and ultimate elimination of purchases of products manufactured in whole or in part of thermoformed or other extruded polystyrene foam manufactured using any fully halogenated chlorofluorocarbon (CFC). Products that utilize recovered materials of a price and quality comparable to products made from virgin materials shall be sought and purchased, with particular emphasis on recycled oil, retread tires, compost materials and recycled paper products. The commissioner shall exercise a preference for such products if their use is technically feasible and, where a bid is required, their price is equal to, or less than, the price of items which are manufactured or produced from virgin materials. Products that would be inferior, violate safety standards or violate product warranties if the provisions of this section are followed may be excluded from the provisions of this section.

2. The commissioner of administration shall:

(1) Review the procurement specifications in order to eliminate discrimination against the procurement of recycled products;

(2) Review and modify the contract specifications for paper products and increase the minimum required percentage of recycled paper in each product as follows:

- (a) Forty percent recovered materials for newsprint;
- (b) Eighty percent recovered materials for paperboard;
- (c) Fifty percent waste paper in high grade printing and writing paper;
- (d) Five to forty percent in tissue products;

(3) Support federal incentives and policy guidelines designed to promote these goals;

(4) Develop and implement a cooperative procurement policy to facilitate bulk order purchases and to increase availability of recycled products. The policy shall be distributed to all state agencies and shall be made available to political subdivisions of the state;

(5) Conduct a survey using existing staff of those items customarily required by the state that are manufactured in whole or part from polystyrene plastic, and report its findings, together with an analysis of environmentally acceptable alternatives thereto, prepared in collaboration with the department of natural resources, to the general assembly and every state agency within six months of August 28, 1995.

3. Notwithstanding the provisions of this section, no state agency may purchase any food or beverage containers or wrapping manufactured from any polystyrene foam manufactured using any fully halogenated chlorofluorocarbon (CFC) found by the United States Environmental Protection Agency (EPA) to be an ozone-depleting chemical.

4. No state agency may purchase any items made in whole or part of thermoformed or other extruded polystyrene foam manufactured using any fully halogenated chlorofluorocarbon (CFC) found by the United States Environmental Protection Agency (EPA) to be an ozone-depleting chemical without approval from the commissioner of administration. Approval shall not be granted unless the purchasing agency demonstrates to the satisfaction of the director of the department of natural resources and the commissioner that there is no environmentally more acceptable alternatives or the quality of such alternatives is not adequate for the purpose intended.

5. For each paper product type and corresponding recycled paper content standard pursuant to subdivision (2) of subsection 2 of this section, attainment goals for the percentage of paper products to be purchased that utilize post-consumer recovered materials shall be:

- (1) Ten percent in 1991 and 1992;
- (2) Twenty-five percent in 1993 and 1994;
- (3) Forty percent in 1995; and
- (4) Sixty percent by 2000.

6. In the review of capital improvement projects for buildings and facilities of state government, the commissioner of administration shall direct the division of design and construction to give full consideration to alternatives which use solid waste, as defined in section 260.200, as a fuel for energy production or which use products composed of materials recovered from solid waste.

7. The commissioner of administration, in consultation with the environmental improvement and energy resources authority of the department of natural resources, shall prepare and provide by January first of each year an annual report summarizing past activities and accomplishments of the program and proposed goals of the program including projections for each affected agency. The report shall also include a list of

products utilizing recovered materials that could substitute for products currently purchased and a schedule of amounts purchased of products utilizing recovered materials compared to purchases of similar products utilizing virgin materials for the period covered by the annual report.

8. The office of administration, department of natural resources and department of economic development shall cooperate jointly and share to the greatest extent possible, information and other resources to promote:

(1) Producers or potential producers of secondary material goods to expand or develop their product lines;

(2) Increased demand for secondary materials recovered in Missouri; and

(3) Increased demand by state government for products which contain secondary materials recovered in Missouri.

9. The commissioner of administration may increase minimum recycled content percentages for paper products, minimum recycled content percentages for other recycled products and establish minimum post-consumer content as such products become available. The preference provided in subsection 1 of this section shall apply to the minimum standards established by the commissioner.]

[34.070. In making purchases, the commissioner of administration or any agent of the state with purchasing power shall give preference to all commodities and tangible personal property manufactured, mined, produced, processed, or grown within the state of Missouri, to all new generation processing entities defined in section 348.432, except new generation processing entities that own or operate a renewable fuel production facility or that produce renewable fuel, and to all firms, corporations or individuals doing business as Missouri firms, corporations or individuals, when quality is equal or better and delivered price is the same or less. The commissioner of administration or any agent of the state with purchasing power may also give such preference whenever competing bids, in their entirety, are comparable. For purposes of this section, “commodities” shall include any agricultural product that has been processed or otherwise had value added to it in this state.]

[34.074. 1. As used in this section, the term “service-disabled veteran” means any individual who is disabled as certified by the appropriate federal agency responsible for the administration of veterans’ affairs.

2. As used in this section, the term “service-disabled veteran business” means a business concern:

(1) Not less than fifty-one percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than fifty-one percent of the stock of which is owned by one or more service-disabled veterans; and

(2) The management and daily business operations of which are controlled by one or more service-disabled veterans.

3. In letting contracts for the performance of any job or service, all agencies, departments, institutions, and other entities of this state and of each political subdivision of this state shall give a three-point bonus preference to service-disabled veteran businesses doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business.

4. In implementing the provisions of subsection 3 of this section, the following shall apply:

(1) The commissioner of administration shall have the goal of three percent of all such contracts described in subsection 3 of this section to be let to such veterans;

(2) If no or an insufficient number of such veterans doing business in this state submit a bid or proposal for a contract let by an agency, department, institution, or other entity of the state or a political subdivision, such goal shall not be required and the provisions of subdivision (1) of this subsection shall not apply;

(3) The commissioner of administration may promulgate rules in order to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or disapprove and annul a rule subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.]

[34.165. 1. In making purchases for this state, its governmental agencies or political subdivisions, the commissioner of administration shall give a bidding preference consisting of a ten-point bonus on bids for products and services manufactured, produced or assembled in qualified nonprofit organizations for the blind established pursuant to the provisions of 41 U.S.C. Sections 46 to 48c, as amended and in sheltered workshops holding a certificate of approval from the department of elementary and secondary education pursuant to section 178.920 if the participating nonprofit organization provides the greater of two percent or five thousand dollars of the total contract value of bids for purchase not exceeding ten million dollars.

2. An affidavit signed by the director or manager and the board president of a participating nonprofit organization shall be provided to the purchasing agency by the contractor at the completion of the contract or within thirty days of the first anniversary of the contract, whichever first occurs, verifying compliance.

3. The commissioner of administration shall make such rules and regulations regarding specifications, quality standards, time of delivery, performance and other relevant matters as shall be necessary to carry out the purpose of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

4. At the request of the commissioner of administration, the state auditor may examine all records, books and data of any qualified nonprofit organization for the blind to determine the costs of manufacturing products or rendering services and the manner and efficiency of production and administration of such nonprofit organization with relation to any product or services purchased by this state, its governmental agencies or political subdivisions and to furnish the results of such examination to the commissioner for appropriate action.]

[34.375. 1. This section shall be known and may be cited as the “Missouri Calcium Initiative”.

2. The purchasing agent for any governmental entity that purchases food or beverages to be processed or served in a building or room owned or operated by such governmental entity shall give preference to foods and beverages that:

(1) Contain a higher level of calcium than products of the same type and nutritional quality; and

(2) Are equal to or lower in price than products of the same type and nutritional quality.

3. Notwithstanding the provisions of subsection 2 of this section to the contrary, if a state institution



determines that a high calcium food or beverage that is preferred pursuant to subsection 2 of this section will interfere with the proper treatment and care of a patient of such institution, the purchasing agent shall not be required to purchase the high calcium food or beverage for such patient.

4. The requirements of this section shall be in addition to any requirements placed upon a governmental entity by the United States Department of Agriculture under the National School Lunch Program or the School Breakfast Program.

5. For purposes of this section, “governmental entity” means the state of Missouri, its departments, agencies, boards, commissions and institutions, and all school districts of the state. Governmental entity does not include political subdivisions of the state.

6. Notwithstanding the provisions of this section to the contrary, a purchasing agent who has entered into a contract with a supplier before July 1, 2003, to purchase food and beverages shall not be required to purchase high calcium foods and beverages if purchasing such products would change the terms of the contract.]; and

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted.

At the request of Senator Parson, **HB 442**, with **SA 2** (pending), was placed on the Informal Calendar.

At the request of Senator Cunningham, **HJR 6** was placed on the Informal Calendar.

**HCS** for **HB 336** was placed on the Informal Calendar.

**HB 340**, introduced by Representative Klippenstein, et al, entitled:

An Act to repeal section 49.310, RSMo, and to enact in lieu thereof one new section relating to the erection and maintenance of jails, with an emergency clause.

Was taken up by Senator Schaaf.

Senator Crowell offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend House Bill No. 340, Page 1, In the Title, Line 3, by inserting immediately after the word “clause” the following: “for a certain section”; and

Further amend said bill, page 2, section 49.310, line 24, by inserting after all of said line the following:

“478.711. 1. Within Cape Girardeau County the circuit court [shall] **may** hold court in the courthouses at Jackson and at Cape Girardeau, and while holding court at Jackson may be known as the “Circuit Court of Cape Girardeau County at Jackson” and while holding court at Cape Girardeau may be known as the “Circuit Court of Cape Girardeau County at Cape Girardeau”. All matters which are handled by circuit judges or associate circuit judges of the circuit court of Cape Girardeau County may be handled at either of the locations.

2. The probate division of the circuit court of Cape Girardeau County [shall] **may** maintain an office at the courthouse in Jackson and an office at the courthouse in Cape Girardeau.

483.420. The circuit clerk of Cape Girardeau County [shall] **may** maintain and staff offices at the courthouses in Jackson and Cape Girardeau.”; and

Further amend said bill and page, section B, line 2, by inserting immediately after the word “reenactment” the following: “of section 49.310”; and further amend line 4, by inserting immediately after the word “reenactment” the following: “of section 49.310”; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Under the provisions of Senate Rule 91, Senator Lager was excused from voting on the 3rd reading and final passage and the emergency clause of **HB 340**.

On motion of Senator Schaaf, **HB 340**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Kraus                Ridgeway—2

Absent—Senators—None

Absent with leave—Senators—None

Excused from voting—Senator Lager—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lamping	Lembke
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Kraus                Nieves                Ridgeway—3

Absent—Senators—None

Absent with leave—Senators—None

Excused from voting—Senator Lager—1

Vacancies—None

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HB 545, with SCS, entitled:**

An Act to repeal section 67.1956, RSMo, and to enact in lieu thereof one new section relating to tourism community enhancement districts.

Was taken up by Senator Schaaf.

**SCS for HCS for HB 545, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 545

An Act to repeal sections 67.1003, 67.1005, and 67.1956, RSMo, and to enact in lieu thereof three new sections relating to tourism.

Was taken up.

Senator Schaaf moved that **SCS for HCS for HB 545** be adopted.

Senator Schaaf offered **SS for SCS for HCS for HB 545**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 545

An Act to repeal sections 67.1000, 67.1002, 67.1003, 67.1005, and 67.1956, RSMo, and to enact in lieu thereof four new sections relating to tourism.

Senator Schaaf moved that **SS for SCS for HCS for HB 545** be adopted.

At the request of Senator Schaaf, **HCS for HB 545**, with **SCS** and **SS for SCS** (pending), was placed on the Informal Calendar.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

**MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
May 3, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Thomas Irwin, 6227 Northwood Avenue, Saint Louis City, Missouri 63105, as a member of the Saint Louis City Board of Police Commissioners, for a term ending January 31, 2015, and until his successor is duly appointed and qualified; vice, Michael Gerdine, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SS No. 2 for SCS for SB 8**, entitled:

An Act to repeal sections 287.067, 287.120, and 287.150, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, Page 2, Section 287.067, Line 36, by inserting after the word "department" the following:

**"or paid police officers of a paid police department certified under chapter 590"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SS for SCS for SB 58**, entitled:

An Act to repeal sections 301.3084, 304.120, 304.200, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof eighteen new sections relating to transportation.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4, 5, 6, 7, 8, 9, 10, 11 and 12.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1 and 2, Section 301.3084, Lines 1 through 33, by deleting all of said lines and inserting in lieu thereof the following:

"301.3084. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight[, after an annual contribution of an emblem-use authorization fee to the Friends of the Missouri Women's Council. Any contribution to the Friends of the Missouri Women's Council pursuant to this section, except reasonable administrative costs, shall be designated for the sole purpose of providing breast cancer services, including but not limited

to screening, treatment, staging, and follow-up services. The Friends of the Missouri Women's Council hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any person may annually apply for the use of the emblem]. **Upon making a twenty-five dollar annual contribution to the breast cancer awareness fund, established in this section, the vehicle owner may apply for a "Breast Cancer Awareness" license plate. If the contribution is made directly to the state treasurer, the state treasurer shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the "Breast Cancer Awareness" license plate. If the contribution is made directly to the director of revenue, the director shall note the contribution and the owner may then apply for the "Breast Cancer Awareness" plate. The applicant for such plate must pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of "Breast Cancer Awareness" plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

2. [Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Friends of the Missouri Women's Council, the organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized] **The "Breast Cancer Awareness"** license plate [which] shall bear a graphic design depicting the breast cancer awareness pink ribbon symbol [with the words "Breast Cancer Awareness" forming an oval around the symbol,] and shall bear the words ["MISSOURI WOMEN'S COUNCIL"] **BREAST CANCER AWARENESS** in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with a breast cancer awareness emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

4. **There is hereby created in the state treasury the "Breast Cancer Awareness Fund" which shall consist of all gifts, donations, transfers, and moneys appropriated by the general assembly, and bequests to the fund. The fund shall be administered by the department of health and senior services.**

5. **The state treasurer or the director of revenue shall deposit the twenty-five dollar annual contribution in the breast cancer awareness fund. Funds deposited pursuant to subsection 1 of this section shall be used to support breast cancer awareness activities conducted by the department of health and senior services.**

6. **The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080,**

**to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 3, Line 27 by inserting after the word **“products”** the following:

**“not including local log truck as defined in section 301.010”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 3, Section 304.120, Line 42 by inserting after all of said section and line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer’s rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term “tandem axle” shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An “axle load” is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet  
between the extremes  
of any group of two or  
more consecutive axles,  
measured to the nearest  
foot, except where

indicated otherwise

feet	Maximum load in pounds				
	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500

37	60,000	66,500	71,000	76,000
38	60,000	67,500	72,000	77,000
39	60,000	68,000	72,500	77,500
40	60,000	68,500	73,000	78,000
41	60,000	69,500	73,500	78,500
42	60,000	70,000	74,000	79,000
43	60,000	70,500	75,000	80,000
44	60,000	71,500	75,500	80,000
45	60,000	72,000	76,000	80,000
46	60,000	72,500	76,500	80,000
47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsection 9 of this section.



7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36]. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section 227.428, Line 5 by inserting after all of said section and line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) “Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) “Cotton trailer”, a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) “Dealer”, any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) “Director” or “director of revenue”, the director of the department of revenue;

(11) “Driveaway operation”:

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person’s own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) “Dromedary”, a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) “Farm tractor”, a tractor used exclusively for agricultural purposes;

(14) “Fleet”, any group of ten or more motor vehicles owned by the same owner;

(15) “Fleet vehicle”, a motor vehicle which is included as part of a fleet;

(16) “Fullmount”, a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) “Gross weight”, the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) “Hail-damaged vehicle”, any vehicle, the body of which has become dented as the result of the impact of hail;

(19) “Highway”, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) “Improved highway”, a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) “Intersecting highway”, any highway which joins another, whether or not it crosses the same;

(22) “Junk vehicle”, a vehicle which is incapable of operation or use upon the highways and has no

resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) “Kit vehicle”, a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer’s statement of origin;

(24) “Land improvement contractors’ commercial motor vehicle”, any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers’ maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) “Local commercial motor vehicle”, a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person’s control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) “Local log truck”, a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) “Local log truck tractor”, a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as

described for in sections 304.180 to 304.220;

(28) “Local transit bus”, a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) “Log truck”, a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) “Major component parts”, the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) “Manufacturer”, any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) “Mobile scrap processor”, a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) “Motor change vehicle”, a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) “Motor vehicle primarily for business use”, any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) “Motorcycle”, a motor vehicle operated on two wheels;

(37) “Motorized bicycle”, any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) “Motortricycle”, a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) “Municipality”, any city, town or village, whether incorporated or not;

(40) “Nonresident”, a resident of a state or country other than the state of Missouri;

(41) “Non-USA-std motor vehicle”, a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) “Operator”, any person who operates or drives a motor vehicle;

(43) “Owner”, any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) “Public garage”, a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) “Rebuilder”, a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) “Reconstructed motor vehicle”, a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) “Recreational motor vehicle”, any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) “Recreational off-highway vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is sixty **four** inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) “Rollback or car carrier”, any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) “Saddlemount combination”, a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The “saddle” is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a “double saddlemount combination”. When three vehicles are towed in this manner, the combination is called a “triple saddlemount combination”;

(51) “Salvage dealer and dismantler”, a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) “Salvage vehicle”, a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer’s model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words “salvage/abandoned property”. The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, “fair market value” means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) “School bus”, any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) “Shuttle bus”, a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) “Special mobile equipment”, every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) “Specially constructed motor vehicle”, a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) “Stinger-steered combination”, a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) “Tandem axle”, a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) “Tractor”, “truck tractor” or “truck-tractor”, a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) “Trailer”, any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a

self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term “trailer” shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) “Truck”, a motor vehicle designed, used, or maintained for the transportation of property;

(62) “Truck-tractor semitrailer-semitrailer”, a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) “Truck-trailer boat transporter combination”, a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) “Used parts dealer”, a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. “Business” does not include isolated sales at a swap meet of less than three days;

(65) “Utility vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) “Vanpool”, any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) “Vehicle”, any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) “Wrecker” or “tow truck”, any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) “Wrecker or towing service”, the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said line the following:

“227.107. 1. Notwithstanding any provision of section 227.100 to the contrary, as an alternative to the requirements and procedures specified by sections 227.040 to 227.100, the state highways and transportation commission is authorized to enter into highway design-build project contracts. The total number of highway design-build project contracts awarded by the commission in any state fiscal year shall not exceed two percent of the total number of all state highway system projects **awarded to contracts for construction from projects** listed in the commission’s approved statewide transportation improvement project for that state fiscal year. Authority to enter into design-build projects granted by this section shall expire on July 1, [2012] **2018**, unless extended by statute.

2. Notwithstanding provisions of subsection 1 of this section to the contrary, the state highways and transportation commission is authorized to enter into additional design-build contracts for the design, construction, reconstruction, or improvement of Missouri Route 364 as contained in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants and in any county with a charter form of government and with more than one million inhabitants, and the State Highway 169 and 96th Street intersection located within a home rule city with more than four hundred thousand inhabitants and located in more than one county. The state highways and transportation commission is authorized to enter into an additional design-build contract for the design, construction, reconstruction, or improvement of State Highway 92, contained in a county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants, from its intersection with State Highway 169, east to its intersection with State Highway E. **The state highways and transportation commission is authorized to enter into an additional design-build contract for the design, construction, reconstruction, or improvement of US 40/61 I-64 Missouri River Bridge as contained in any county with a charter form of government and with more than one million inhabitants and any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants.** The authority to enter into a design-build highway project under this subsection shall not be subject to the time limitation expressed in subsection 1 of this section.

3. For the purpose of this section a “design-builder” is defined as an individual, corporation, partnership, joint venture or other entity, including combinations of such entities making a proposal to perform or performing a design-build highway project contract.

4. For the purpose of this section, “design-build highway project contract” is defined as the procurement of all materials and services necessary for the design, construction, reconstruction or improvement of a state highway project in a single contract with a design-builder capable of providing the necessary materials and services.

5. For the purpose of this section, “highway project” is defined as the design, construction, reconstruction or improvement of highways or bridges under contract with the state highways and transportation commission, which is funded by state, federal or local funds or any combination of such funds.

6. In using a design-build highway project contract, the commission shall establish a written procedure by rule for prequalifying design-builders before such design-builders will be allowed to make a proposal on the project.



7. In any design-build highway project contract, whether involving state or federal funds, the commission shall require that each person submitting a request for qualifications provide a detailed disadvantaged business enterprise participation plan. The plan shall provide information describing the experience of the person in meeting disadvantaged business enterprise participation goals, how the person will meet the department of transportation's disadvantaged business enterprise participation goal and such other qualifications that the commission considers to be in the best interest of the state.

8. The commission is authorized to issue a request for proposals to a maximum of five design-builders prequalified in accordance with subsection 6 of this section.

9. The commission may require approval of any person performing subcontract work on the design-build highway project.

10. Notwithstanding the provisions of sections 107.170, and 227.100, to the contrary, the commission shall require the design-builder to provide to the commission directly such bid, performance and payment bonds, or such letters of credit, in such terms, durations, amounts, and on such forms as the commission may determine to be adequate for its protection and provided by a surety or sureties authorized to conduct surety business in the state of Missouri or a federally insured financial institution or institutions, satisfactory to the commission, including but not limited to:

(1) A bid or proposal bond, cash or a certified or cashier's check;

(2) A performance bond or bonds for the construction period specified in the design-build highway project contract equal to a reasonable estimate of the total cost of construction work under the terms of the design-build highway project contract. If the commission determines in writing supported by specific findings that the reasonable estimate of the total cost of construction work under the terms of the design-build highway project contract is expected to exceed two-hundred fifty million dollars and a performance bond or bonds in such amount is impractical, the commission shall set the performance bond or bonds at the largest amount reasonably available, but not less than two-hundred fifty million dollars, and may require additional security, including but not limited to letters of credit, for the balance of the estimate not covered by the performance bond or bonds;

(3) A payment bond or bonds that shall be enforceable under section 522.300 for the protection of persons supplying labor and material in carrying out the construction work provided for in the design-build highway project contract. The aggregate amount of the payment bond or bonds shall equal a reasonable estimate of the total amount payable for the cost of construction work under the terms of the design-build highway project contract unless the commission determines in writing supported by specific findings that a payment bond or bonds in such amount is impractical, in which case the commission shall establish the amount of the payment bond or bonds; except that the amount of the payment bond or bonds shall not be less than the aggregate amount of the performance bond or bonds and any additional security to such performance bond or bonds; and

(4) Upon award of the design-build highway project contract, the sum of the performance bond and any required additional security established under subdivisions (2) and (3) of this subsection shall be stated, and shall be a matter of public record.

11. The commission is authorized to prescribe the form of the contracts for the work.

12. The commission is empowered to make all final decisions concerning the performance of the work under the design-build highway project contract, including claims for additional time and compensation.

13. The provisions of sections 8.285 to 8.291 shall not apply to the procurement of architectural, engineering or land surveying services for the design-build highway project, except that any person providing architectural, engineering or land surveying services for the design-builder on the design-build highway project must be licensed in Missouri to provide such services.

14. The commission shall pay a reasonable stipend to prequalified responsive design-builders who submit a proposal, but are not awarded the design-build highway project.

15. The commission shall comply with the provisions of any act of congress or any regulations of any federal administrative agency which provides and authorizes the use of federal funds for highway projects using the design-build process.

16. The commission shall promulgate administrative rules to implement this section or to secure federal funds. Such rules shall be published for comment in the Missouri Register and shall include prequalification criteria, the make-up of the prequalification review team, specifications for the design criteria package, the method of advertising, receiving and evaluating proposals from design-builders, the criteria for awarding the design-build highway project based on the design criteria package and a separate proposal stating the cost of construction, and other methods, procedures and criteria necessary to administer this section.

17. The commission shall make a status report to the members of the general assembly and the governor following the award of the design-build project, as an individual component of the annual report submitted by the commission to the joint transportation oversight committee in accordance with the provisions of section 21.795. The annual report prior to advertisement of the design-build highway project contracts shall state the goals of the project in reducing costs and/or the time of completion for the project in comparison to the design-bid-build method of construction and objective measurements to be utilized in determining achievement of such goals. Subsequent annual reports shall include: the time estimated for design and construction of different phases or segments of the project and the actual time required to complete such work during the period; the amount of each progress payment to the design-builder during the period and the percentage and a description of the portion of the project completed regarding such payment; the number and a description of design change orders issued during the period and the cost of each such change order; upon substantial and final completion, the total cost of the design-build highway project with a breakdown of costs for design and construction; and such other measurements as specified by rule. The annual report immediately after final completion of the project shall state an assessment of the advantages and disadvantages of the design-build method of contracting for highway and bridge projects in comparison to the design-bid-build method of contracting and an assessment of whether the goals of the project in reducing costs and/or the time of completion of the project were met.

18. The commission shall give public notice of a request for qualifications in at least two public newspapers that are distributed wholly or in part in this state and at least one construction industry trade publication that is distributed nationally.

19. The commission shall publish its cost estimates of the design-build highway project award and the project completion date along with its public notice of a request for qualifications of the design-build project.

20. If the commission fails to receive at least two responsive submissions from design-builders considered qualified, submissions shall not be opened and it shall readvertise the project.

21. For any highway design-build project constructed under this section, the commission shall negotiate

and reach agreements with affected railroads. Such agreements shall include clearance, safety, insurance, and indemnification provisions, but are not required to include provisions on right-of-way acquisitions.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 2, Section 301.3084, Line 33 by inserting after said line the following:

“302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person’s reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) [A business, occupation, or] **Driving to or from the operator’s places of** employment;

(b) [Seeking medical treatment for such operator;

(c)] Attending school or other institution of higher education;

[(d)] (c) Attending alcohol or drug treatment programs; **or**

[(e)] (d) Seeking the required services of a certified ignition interlock device provider; [or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator;] the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator’s principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant’s driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has

complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.”; and

Further amend said bill, Page 14, Section 537.293, Line 13 by inserting after said line the following:

“577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An “aggravated offender” is a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related traffic offenses;

or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related traffic offense and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; or assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) A “chronic offender” is:

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related traffic offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) “Continuous alcohol monitoring”, automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;

(4) An “intoxication-related traffic offense” is driving while intoxicated, driving with excessive blood alcohol content, involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section

565.024, murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance;

(5) A “persistent offender” is one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082; and

(6) A “prior offender” is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding.

(1) No prior offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(2) No persistent offender shall be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court; or

(b) The offender participates in and successfully completes a program established pursuant to section

478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(3) No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment.

(4) No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment. In addition to any other terms or conditions of probation, the court shall consider, as a condition of probation for any person who pleads guilty to or is found guilty of an intoxication-related traffic offense, requiring the offender to abstain from consuming or using alcohol or any products containing alcohol as demonstrated by continuous alcohol monitoring or by verifiable breath alcohol testing performed a minimum of four times per day as scheduled by the court for such duration as determined by the court, but not less than ninety days. The court may, in addition to imposing any other fine, costs, or assessments provided by law, require the offender to bear any costs associated with continuous alcohol monitoring or verifiable breath alcohol testing.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

16. Evidence of a prior conviction, plea of guilty, or finding of guilt in an intoxication-related traffic offense shall be heard and determined by the trial court out of the hearing of the jury prior to the submission



of the case to the jury, and shall include but not be limited to evidence received by a search of the records of the Missouri uniform law enforcement system, including criminal history records from the central repository or records from the driving while intoxicated tracking system (DWITS) maintained by the Missouri state highway patrol, or the certified driving record maintained by the Missouri department of revenue. After hearing the evidence, the court shall enter its findings thereon. A plea of guilty or a finding of guilt followed by incarceration, a fine, a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in any intoxication-related traffic offense in a state, county or municipal court or any combination thereof, shall be treated as a prior plea of guilty or finding of guilt for purposes of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 5, Section 304.200, Line 40 by inserting after all of said section and line the following:

“305.300. **1.** The governing body of any county may create an airport authority to build or acquire and operate one or more airports within the boundaries of the county or an adjoining county. The authority shall be created by resolution of the governing body not sooner than ten days after public notice is posted at the courthouse announcing the intention of forming such a body.

**2.** The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants may create an airport authority within the boundaries of the city in the same manner as provided in sections 305.300 to 305.333.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5 by inserting after all of said section and line the following:

“226.195. **1.** As used in this section, the following terms mean:

(1) “Commission”, the Missouri highways and transportation commission;

(2) “Department”, the Missouri department of transportation;

(3) “Public mass transportation service provider”, a city, a city transit authority, a city utilities board, or an interstate transportation authority as such terms are defined in section 94.600, an intrastate transportation authority, or an agency receiving funding from either the federal transit administration urban or nonurban formula transit program.

**2.** There is hereby created the Missouri state transit assistance program. The purpose of this program is to provide state financial assistance to defray the operating and capital costs incurred by public mass transportation service providers.

**3.** Funds appropriated to the Missouri state transit assistance program shall be appropriated to the department and administered by the department on behalf of the commission. The distribution of funds to public mass transportation service providers shall be determined by evaluating factors including but not limited to the following:

- (1) **Population;**
- (2) **Ridership;**
- (3) **Cost and efficiency of the program;**
- (4) **Availability of alternative transportation in the area;**
- (5) **Local effort or tax support.**

**4. The commission shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 9**

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 5, Section 304.200, Lines 39-40, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 10**

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section 227.428, Line 5, by inserting after all of said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

- (1) “Board”, the board of directors of a district;
- (2) “Commission”, the Missouri highways and transportation commission;
- (3) “District”, a transportation development district organized under sections 238.200 to 238.275;

(4) “Local transportation authority”, a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

(5) “Project” includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or [other mass transit] **public mass transportation system** and any similar or related improvement or infrastructure. **In the case of a district located in a home rule city with more than four hundred thousand inhabitants and located in more than one county, whose district boundaries are contained solely within that portion of such a home rule city that is contained within a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the term “Project” shall also include the operation of a street car or other rail-based or fixed guideway public mass transportation system, and the revenue of such**

**district may be used to pay for the design, construction, ownership and operation of such a street car or other rail-based or fixed guideway public mass transportation system by such district or such municipality, or by a local transportation authority having jurisdiction within such municipality.**

**(6) “Public mass transportation system”, a transportation system owned or operated by a governmental or quasi-governmental entity, employing motor buses, rails, or any other means of conveyance, by whatsoever type of power, operated for public use in the conveyance of persons, mainly providing local transportation service within a municipality or a single metropolitan statistical area.**

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

(1) “Approval of the required majority” or “direct voter approval”, a simple majority;

(2) “Qualified electors”, “qualified voters” or “voters”:

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) “Registered voters”, persons qualified and registered to vote pursuant to chapter 115.

238.225. 1. Before construction or funding of any project the district shall submit the proposed project to the commission for its prior approval. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may preliminarily approve the project subject to the district providing plans and specifications for the proposed project and making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission’s preliminary approval. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission’s jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project.

Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority

and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

**4. Notwithstanding any provision of this section to the contrary, this section shall not apply to any district whose project is a public mass transportation system.**

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of ..... (transportation development district's name) impose a transportation development district-wide sales tax at the rate of ..... (insert amount) for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of ..... (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) The sales tax authorized by this section shall become effective on the first day of the second calendar

quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

(7) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5. All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

6. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation

development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

**7. Notwithstanding any provision of sections 99.800 to 99.865, and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said line the following:

“70.441. 1. As used in this section, the following terms have the following meanings:

(1) “Agency”, the bi-state development agency created by compact under section 70.370;

(2) “Conveyance” includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) “Facilities” includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) “Person”, any individual, firm, copartnership, corporation, association or company; and

(5) “Sound production device” includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.

2. In interpreting or applying this section, the following provisions shall apply:

(1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if performed by an officer, employee or designated agent of the agency acting within the scope of his or her employment or agency;

(2) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules; and

(3) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.

3. (1) No person shall use or enter upon the light rail conveyances of the agency without payment of the fare or other lawful charges established by the agency. Any person on any such conveyance must have properly validated fare media in his possession. This ticket must be valid to or from the station the passenger is using, and must have been used for entry for the trip then being taken;

(2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare media to gain entry to the facilities or conveyances of, or make use of the services of, the agency, except as provided, authorized or sold by the agency and in accordance with any restriction on the use thereof imposed by the agency;

(3) No person shall enter upon parking lots designated by the agency as requiring payment to enter, either by electronic gate or parking meters, where the cost of such parking fee is visibly displayed at each location, without payment of such fees or other lawful charges established by the agency;

(4) Except for employees of the agency acting within the scope of their employment, no person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass, badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to or use of the facilities, conveyances or services of the agency without the written permission of an authorized representative of the agency;

(5) No person shall put or attempt to put any paper, article, instrument or item, other than a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare media issued by the agency and valid for the place, time and manner in which used, into any fare box, pass reader, ticket vending machine, parking meter, parking gate or other fare collection instrument, receptacle, device, machine or location;

(6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with this section shall be confiscated;

(7) No person may perform any act which would interfere with the provision of transit service or obstruct the flow of traffic on facilities or conveyances or which would in any way interfere or tend to interfere with the safe and efficient operation of the facilities or conveyances of the agency;

(8) All persons on or in any facility or conveyance of the agency shall:

(a) Comply with all lawful orders and directives of any agency employee acting within the scope of his employment;

(b) Obey any instructions on notices or signs duly posted on any agency facility or conveyance; and

(c) Provide accurate, complete and true information or documents requested by agency personnel acting within the scope of their employment and otherwise in accordance with law;

(9) No person shall falsely represent himself or herself as an agent, employee or representative of the agency;

(10) No person on or in any facility or conveyance shall:

(a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or unsanitary condition, including, but not limited to, spitting and urinating, except in facilities provided;

(b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and restaurants;

(c) Enter or remain in any facility or conveyance while his ability to function safely in the environment of the agency transit system is impaired by the consumption of alcohol or by the taking of any drug;

(d) Loiter or stay on any facility of the agency;



(e) Consume foods or liquids of any kind, except in those areas specifically authorized by the agency;

(f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except in those areas or locations specifically authorized by the agency; or

(g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or in a facility or conveyance;

(11) No weapon or other instrument intended for use as a weapon may be carried in or on any facility or conveyance, except for law enforcement personnel. For the purposes hereof, a weapon shall include, but not be limited to, a firearm, switchblade knife, sword, or any instrument of any kind known as blackjack, billy club, club, sandbag, metal knuckles, leather bands studded with metal, wood impregnated with metal filings or razor blades; except that this subdivision shall not apply to a rifle or shotgun which is unloaded and carried in any enclosed case, box or other container which completely conceals the item from view and identification as a weapon;

(12) No explosives, flammable liquids, acids, fireworks or other highly combustible materials or radioactive materials may be carried on or in any facility or conveyance, except as authorized by the agency;

(13) No person, except as specifically authorized by the agency, shall enter or attempt to enter into any area not open to the public, including, but not limited to, motorman's cabs, conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment;

(14) No person may ride on the roof, the platform between rapid transit cars, or on any other area outside any rapid transit car or bus or other conveyance operated by the agency;

(15) No person shall extend his hand, arm, leg, head or other part of his or her person or extend any item, article or other substance outside of the window or door of a moving rapid transit car, bus or other conveyance operated by the agency;

(16) No person shall enter or leave a rapid transit car, bus or other conveyance operated by the agency except through the entrances and exits provided for that purpose;

(17) No animals may be taken on or into any conveyance or facility except the following:

(a) An animal enclosed in a container, accompanied by the passenger and carried in a manner which does not annoy other passengers; and

(b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs accompanying trainers carrying a certificate of identification issued by a dog school;

(18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or safety of others or without due caution and circumspection, or at a speed in such a manner as to be likely to endanger persons or property on facilities of the agency. The speed limit on parking lots and access roads shall be posted as fifteen miles per hour unless otherwise designated.

4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any violation of this section shall constitute a misdemeanor, and any person committing a violation thereof shall be subject to arrest and, upon conviction in a court of competent jurisdiction, shall pay a fine in an amount not less than twenty-five

dollars and no greater than two hundred fifty dollars per violation, in addition to court costs. Any default in the payment of a fine imposed pursuant to this section without good cause shall result in imprisonment for not more than thirty days;

(2) Unless a greater penalty is provided by the laws of the state, any person convicted a second or subsequent time for the same offense under this section shall be guilty of a misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or both such fine and imprisonment;

(3) Any person failing to pay the proper fare, fee or other charge for use of the facilities and conveyances of the agency shall be subject to payment of such charge as part of the judgment against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to the appropriate agency official;

(4) All juvenile offenders violating the provisions of this section shall be subject to the jurisdiction of the juvenile court as provided in chapter 211;

(5) As used in this section, the term "conviction" shall include all pleas of guilty and findings of guilt.

**5. Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state development agency, as described in subdivision (3) of subsection 4 of this section, shall, in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, shall be required to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution of such offense by the bi-state development agency. The court shall direct the reimbursement proceeds to the appropriate agency official.**

**6.** (1) Stalled or disabled vehicles may be removed from the roadways of the agency property by the agency and parked or stored elsewhere at the risk and expense of the owner;

(2) Motor vehicles which are left unattended or abandoned on the property of the agency for a period of over seventy-two hours may be removed as provided for in section 304.155, except that the removal may be authorized by personnel designated by the agency under section 70.378."; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5 by inserting after all of said section and line the following:

"136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, **window stickers**, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and

Further amend said bill, page, Section 227.428, Line 5 by inserting after all of said section and line the following:

“301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary, the director of revenue shall establish a system of registration of all fleet vehicles owned or purchased by a fleet owner registered pursuant to this section. The director of revenue shall prescribe the forms for such fleet registration and the forms and procedures for the registration updates prescribed in this section. Any owner of ten or more motor vehicles which must be registered in accordance with this chapter may register as a

fleet owner. All registered fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar year or biennial basis pursuant to this section in lieu of the registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an identification number to each registered owner of fleet vehicles.

2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered during April each year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be payable not later than the last day of April of each year, with two years' fees due for biennially-registered vehicles. Notwithstanding the provisions of section 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval issued no more than one hundred twenty days prior to the date of application. The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee. When biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection.

4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee beyond the regular registration fee, owners of fleet vehicles may apply for fleet license plates bearing a company name or logo. All fleet license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab **or window sticker**. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued. The director of revenue shall promulgate rules and regulations establishing the procedure for application and issuance of fleet vehicle license plates.

5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390, if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of Missouri.

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common

color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the “DISABLED VETERAN” wording on the license plates in preference to the words “SHOW-ME STATE” and special plates for members of the national guard will have the “NATIONAL GUARD” wording in preference to the words “SHOW-ME STATE”.

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) **Beginning January 1, 2012**, the director of revenue shall issue annually or biennially a [tab or set of tabs] **window sticker, to be placed on the front windshield of the motor vehicle**, as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. **Notwithstanding the provisions of this section, motorcycles and trailers shall be issued license plate tabs in lieu of window stickers.** Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs **or window sticker** to ensure that the tab or tabs **or the window sticker** positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs **or window stickers** shall be produced in each license bureau office.

(2) [The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate] **The window sticker shall be placed on the inside front window in an area prescribed by the director of revenue. Tabs issued to motorcycles and trailers shall be affixed and displayed in the designated area of the license plate.**

(3) A tab or [set of tabs] **window sticker** issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs **or window sticker** shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. [No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.] **Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand

pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates **and window sticker** shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. **A window sticker shall not be required during the thirty-day time frame.** As used in this subsection, the term “trade-in motor vehicle or trailer” shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement**

**window sticker**, and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.



301.160. Upon approval of the application for registration of a motor vehicle or trailer and when the required fee has been paid to the department of revenue, the department shall forward or deliver to the applicant the registration receipt and the number of license plates prescribed for the vehicle or trailer by section 301.130, or renewal tabs **or window stickers** if appropriate. The attachment to the motor vehicle or trailer specified in the application of current license plates shall be prima facie evidence that the fees have been paid for such license.

301.290. 1. Correctional enterprises of the department of corrections shall purchase, erect and maintain all of the machinery and equipment necessary for the manufacture of the license plates [and], tabs, **and window stickers** issued by the director of revenue, and of signs used by the state transportation department. [Beginning on January 1, 2011, correctional enterprises shall no longer erect and maintain tabs for the department of revenue.]

2. The director of revenue shall procure all plates issued by [him] **the director**, and the state transportation department shall procure all signs used by it from correctional enterprises, unless an emergency arises and correctional enterprises cannot furnish the plates, tabs, **window stickers**, or signs.

3. Correctional enterprises shall furnish the plates and signs at such a price as will not exceed the price at which such plates and signs may be obtained upon the open market, but in no event shall such price be less than the cost of manufacture, including labor and materials.

4. All moneys derived from the sale of the plates, tabs, **window stickers**, and signs shall be paid into the state treasury to the credit of the working capital revolving fund as provided in section 217.595.

301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate of ownership, number plate, tab [or set of tabs] **or window sticker** issued by the director of revenue, the lawful holder thereof shall, within five days, file with the director of revenue, an affidavit showing such fact, and shall, on the payment of a fee of eight dollars and fifty cents, obtain a duplicate or replacement of such plate, certificate, tab [or set of tabs] **or window sticker**. Any duplicate certificate issued for any “motor vehicle primarily for business use”, as defined in section 301.010, shall be issued only to the owner of record.

2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of registration, the director of revenue shall issue to the lawful owner a duplicate or replacement thereof upon payment of a fee of eight dollars and fifty cents.

3. Vehicle owners who elect not to transfer or renew multiyear plates shall be charged a fee equal to that charged for a lost plate in addition to the registration fee prescribed by law at the time the new plate or plates are issued.

4. Notwithstanding subsection 1 of this section, a new or used motor vehicle dealer may obtain a duplicate or replacement title in the owner’s name if the owner’s title has been lost, stolen, mutilated, or destroyed and is not available for assignment. In order to obtain the duplicate or replacement title from the department of revenue, the licensed dealer shall procure a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement title in the owner’s name and sign any title assignments on the owner’s behalf. The application to the department of revenue for the duplicate or replacement title shall be accompanied by the executed power of attorney, or a copy thereof, and the application shall contain the appropriate mailing address of the dealer. The director of the department of revenue is authorized to make all necessary rules and regulations for the administration of this subsection, and shall design all necessary forms required by this subsection. No rule or portion of a rule promulgated pursuant to the authority of this

section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

301.301. 1. Any person replacing a stolen license plate tab **or window sticker** issued on or after January 1, 2009, may receive at no cost up to two [sets of two] license plate tabs **or window stickers** per year when the application for the replacement tab **or sticker** is accompanied with a police report that is corresponding with the stolen license plate tab **or window sticker**.

2. Any person replacing a stolen license plate tab issued prior to January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.

301.302. A citation shall not be issued to any person stopped by law enforcement for a missing license plate tab or [tabs] **window sticker** if such person indicates that the tab or [tabs have] **window sticker has** been stolen and a check on such person's vehicle registration reveals that the vehicle is properly registered. A law enforcement officer may issue a warning under these circumstances. In the event a citation is improperly issued to a person for a missing [tabs] **tab or window sticker** when the requirements of this section are met, any court costs shall be waived.”; and

Further amend said bill. Page 14, Section 537.293, Line 13 by inserting after all of said section and line the following:

“Section B. Sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, of this act shall become effective January 1, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 55**.

Bill ordered enrolled.

### **PRIVILEGED MOTIONS**

Senator Goodman moved that the Senate refuse to concur in **HCS** for **SS No. 2** for **SCS** for **SB 8**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 17**, with **SCS**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV,

Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2011 and ending June 30, 2013.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 17**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 17

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2011 and ending June 30, 2013.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 17** be adopted.

Senator Crowell offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 17, Page 2, Section 17.012, Lines 1-10, by striking all of said section from the bill.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 17**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 17**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Crowell	Lembke	Purgason—3
---------	--------	------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 21**, with **SCS**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 21**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 21

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 21** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 21** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Crowell	Lembke	Purgason—3
---------	--------	------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### **REFERRALS**

President Pro Tem Mayer referred the Gubernatorial Appointment of Thomas Irwin to the Committee on Gubernatorial Appointments.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 18**, with **SCS**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements; and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

Was taken up by Senator Schaefer.

**SCS** for **HCS** for **HB 18**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 18**

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements; and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 18** be adopted.

Senator Lembke offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 4, Section 18.050, Line 8, by striking the number “\$8,829,383E” and inserting in lieu thereof the following: “\$2,568,353”.

Senator Lembke moved that the above amendment be adopted, which motion failed.

Senator Stouffer assumed the Chair.

Senator Pearce assumed the Chair.

Senator Lembke offered **SA 2**, which was read:

**SENATE AMENDMENT NO. 2**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 5, Section 18.060, Line 10, by striking the number “\$3,734,508” and inserting in lieu thereof the following: “\$911,604”.

Senator Lembke moved that the above amendment be adopted.

Senator Schaefer requested a roll call vote be taken on the adoption of **SA 2** and was joined in his request by Senators Brown, Engler, Munzlinger and Wasson.

Senator Stouffer assumed the Chair.

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Dixon assumed the Chair.

Senator Kraus offered **SA 1** to **SA 2**, which was read:

**SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2**

Amend Senate Amendment No.2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 5, Section 18.060, Line 3, by striking the number “\$911,604” and inserting in lieu thereof the following: “\$911,602”.

Senator Kraus moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

Senator Crowell assumed the Chair.

At the request of Senator Lembke, **SA 2** was withdrawn rendering **SA 1** to **SA 2** moot.

Senator Lager offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 5, Section 18.075, Line 9, by striking the number “\$115,877,446E” and inserting in lieu thereof the following: “\$101,795,122”; and

Further amend Page 8, Section 18.125, line 10 by striking the number “\$1,766,281” and inserting in lieu thereof the following: “\$1,556,324”; and

Further amend page 10, Section 18.145, Line 12, by striking the number “\$861,388” and inserting in lieu thereof the following: “\$667,585”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 18**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 18**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Curls	Dempsey	Dixon	Engler	Justus	Keaveny
Kehoe	Lager	Mayer	Munzlinger	Parson	Pearce	Richard	Rupp
Schaefer	Schmitt	Stouffer	Wasson—20				

## NAYS—Senators

Crowell	Cunningham	Goodman	Kraus	Lembke	Nieves	Schaaf	Wright-Jones—8
---------	------------	---------	-------	--------	--------	--------	----------------

## Absent—Senators

Chappelle-Nadal	Green	Lamping	McKenna	Purgason	Ridgeway—6
-----------------	-------	---------	---------	----------	------------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

## RESOLUTIONS

Senator Nieves offered Senate Resolution No. 974, regarding Ridge Meadows Elementary School, Ellisville, which was adopted.

Senator Kehoe offered Senate Resolution No. 975, regarding Betty and Harry Kliethermes, which was adopted.

Senator Kehoe offered Senate Resolution No. 976, regarding Deputy Justin Rollins, which was adopted.

Senator Kehoe offered Senate Resolution No. 977, regarding Mary Frank, which was adopted.

Senator Kehoe offered Senate Resolution No. 978, regarding Carl Porting, which was adopted.

Senator Kehoe offered Senate Resolution No. 979, regarding Carl Nappier, which was adopted.

Senator Kehoe offered Senate Resolution No. 980, regarding the Coca-Cola Bottling Company, Jefferson City, which was adopted.

Senator Dempsey offered Senate Resolution No. 981, regarding Richard Jensen, which was adopted.

Senator Dempsey offered Senate Resolution No. 982, regarding Richard Duree, which was adopted.

Senator Dempsey offered Senate Resolution No. 983, regarding Tim and Tommy Luter and Bob and Lynn Miller, which was adopted.

Senator Dempsey offered Senate Resolution No. 984, regarding Rob Forsyth and Daniel Duncan, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 985, regarding the death of Georgiarette Theola Glenn, which was adopted.

Senator Dixon offered Senate Resolution No. 986, regarding Eric Hillgren, which was adopted.

Senator Dixon offered Senate Resolution No. 987, regarding Bailey Alternative High School, which was adopted.

Senator Parson offered Senate Resolution No. 988, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Leary, Sedalia, which was adopted.

Senator Parson offered Senate Resolution No. 989, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Nicholson, Buffalo, which was adopted.

Senator Keaveny offered Senate Resolution No. 990, regarding Michael Sipes, St. Joseph, which was adopted.

Senator Lager offered Senate Resolution No. 991, regarding Fred "Freddie" Griffin, Jr., Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 992, regarding Rosemary Whitt, Maysville, which was adopted.

Senator Lager offered Senate Resolution No. 993, regarding the One Hundredth Birthday of Helen Criswell Gibbins, King City, which was adopted.

Senator Lager offered Senate Resolution No. 994, regarding Jim "Jimbo" Jarrett, Cosby, which was adopted.

Senator Schaaf offered Senate Resolution No. 995, regarding Neil Jackson, which was adopted.

Senator Schaaf offered Senate Resolution No. 996, regarding Molly K. Mathews, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Richard introduced to the Senate, Phillip Cook and his son, Cooper, Carl Junction.

On behalf of Senator Pearce, the President introduced to the Senate, Timothy Campbell, Olathe, Kansas.

Senator Engler introduced to the Senate, Director Kurt Bauche, Linda Huck and members of the Farmington High School Brass Sextet.

Senator Cunningham introduced to the Senate, her son, Lieutenant Scott Cunningham, Chesterfield.

Senator Schaaf introduced to the Senate, Mayor Bill Faulkner, St. Joseph.

Senator Schaefer introduced to the Senate, Becky Elder and forty students from West Boulevard Elementary School, Columbia.

Senator Purgason introduced to the Senate, Sarah Land and Kathy Grigsby and sixty fourth grade students from West Plains Elementary School.

Senator Lager introduced to the Senate, fourth and sixth grade students from South Nodaway R-IV Elementary School, Barnard.

Senator Schmitt introduced to the Senate, David Wilson and John Diehl, Sr., Manchester.



Senator Mayer introduced to the Senate, Ken Edmunds and Mike Jones.

Senator Rupp introduced to the Senate, eighth grade students from St. Joseph School-Cottleville.

Senator Nieves introduced to the Senate, Andrew Wurdack, Wildwood.

Senator Schaaf introduced to the Senate, the Physician of the Day, Dr. Glenn Talboy, M.D., Kansas City.

On motion of Senator Dempsey, the Senate adjourned until 3:00 p.m., Wednesday, May 4, 2011.

## SENATE CALENDAR

---

SIXTY-THIRD DAY—WEDNESDAY, MAY 4, 2011

---

## FORMAL CALENDAR

### VETOED BILLS

SCS for SB 188-Lager, et al

## HOUSE BILLS ON SECOND READING

HCS for HB 773

HCS for HJR 16

HCS for HB 552

HCS for HB 787

HCS for HB 597

HJR 27-Brattin, et al

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)

SB 204-Dempsey, et al (In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler
8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham, with SCS

11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones
15. SB 45-Wright-Jones
16. SB 14-Pearce, with SCS
17. SB 281-Kraus
18. SB 399-Kraus
19. SB 44-Wright-Jones

## HOUSE BILLS ON THIRD READING

HB 190-Ruzicka (Brown)	HCS for HB 578, with SCS (Lager)
HCS for HB 250, with SCS (Stouffer)	HB 737-Redmon and Shumake, with SCS (Lager)
HB 101-Loehner, with SCS (Cunningham)	HB 183-Silvey (Kraus)
HB 462-Pollock, with SCS (Lager)	HCS for HB 22, with SCS (Schaefer)
HCS for HB 89, with SCS (Lager)	
(In Fiscal Oversight)	

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt	SS for SB 231-Lager
-----------------------	---------------------

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1 (pending)	SB 200-Crowell
SBs 7, 5, 74 & 169-Goodman, with SCS	SB 203-Schmitt, et al, with SS (pending)
SB 10-Rupp	SB 208-Lager
SB 23-Keaveny, with SCS & SS for SCS (pending)	SB 209-Lager
SB 25-Schaaf, with SCS & SS for SCS (pending)	SB 228-Pearce
SB 28-Brown	SB 242-Cunningham, with SCS & SS for SCS (pending)
SB 37-Lembke, with SCS	SB 247-Pearce, with SS (pending)
SB 52-Cunningham	SB 264-Rupp, with SCS
SB 72-Kraus, with SS (pending)	SB 278-Munzlinger, et al
SBs 88 & 82-Schaaf, with SCS & SA 1 (pending)	SB 280-Purgason, et al, with SCS & SS for SCS (pending)
SB 120-Stouffer, with SS (pending)	SBs 291, 184 & 294-Pearce, with SCS & SA 4 (pending)
SB 130-Rupp, with SCS & SS for SCS (pending)	SB 299-Munzlinger, with SCS (pending)
SB 155-Rupp, with SCS	SB 326-Wasson
SB 175-Munzlinger, et al, with SA 1 (pending)	SBs 369 & 370-Cunningham, with SCS
SB 176-Munzlinger, et al	SB 390-Schmitt, et al
SBs 189, 217, 246, 252 & 79-Schmitt, with SCS	SBs 408 & 80-Crowell, with SCS
	SB 420-Mayer, with SCS
	SJR 11-Munzlinger, with SCS
	SJR 15-Nieves, et al, with SS (pending)

## HOUSE BILLS ON THIRD READING

HCS for HB 61	HCS for HB 545, with SCS & SS for SCS
HB 71-Nasheed, et al	(pending) (Schaaf)
HCS for HBs 112 & 285, with SCS (Brown)	HCS for HB 556
HCS for HB 143 (Goodman)	HCS#2 for HB 609, with SCS (Wasson)
HB 282-Franz, with SCS (Crowell)	HB 648-Montecillo, with SS (pending) (Rupp)
HCS for HBs 294, 123, 125, 113, 271 & 215,	HB 738-Nasheed, et al, with SCS (pending)
with SCS & SS for SCS (pending) (Munzlinger)	(Cunningham)
HCS for HB 336 (Schmitt)	HJR 2-McGhee, et al (Goodman)
HCS for HB 338 (Lager)	HJR 6-Cierpiot, et al (Cunningham)
HB 361-Leara (Cunningham)	HJR 29-Solon, et al, with SA 1 (pending)
HB 442-Franz, with SA 2 (pending) (Parson)	(Munzlinger)

## SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 58-Stouffer and	SJR 2-Stouffer, with HCS#2
Lembke, with HCS, as amended	

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

## In Conference

HCS for HB 2, with SCS (Schaefer)	HCS for HB 8, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)	HCS for HB 9, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)	HCS for HB 10, with SCS (Schaefer)
HCS for HB 5, with SCS (Schaefer)	HCS for HB 11, with SCS (Schaefer)
HCS for HB 6, with SCS (Schaefer)	HCS for HB 12, with SCS (Schaefer)
HCS for HB 7, with SCS, as amended (Schaefer)	HCS for HB 13, with SCS (Schaefer)

## Requests to Recede or Grant Conference

SS#2 for SCS for SB 8-Goodman, with HCS,  
as amended  
(Senate requests House recede or grant conference)

## RESOLUTIONS

## Reported from Committee

SR 179-Purgason

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SIXTY-THIRD DAY—WEDNESDAY, MAY 4, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Government is not warfare of interests. We shall not gain our ends by heat and bitterness, which make it impossible to think either calmly or fairly...” (Woodrow Wilson)

Gracious God, it has already been an interesting week and yet there is much to be accomplished, while heat and frustrations grow, making things more difficult. Help us, O Lord, to obtain a spirit of cooperation and helpfulness in a calm and just atmosphere. Help us do what is right in Your eyes and benefit the most people we serve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon, KOMU-TV and ABC-17 News were given permission to take pictures in the Senate Chamber today.

President Kinder assumed the Chair.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Crowell offered Senate Resolution No. 997, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Delmar Feiste, which was adopted.

Senator Crowell offered Senate Resolution No. 998, regarding Scott County Central High School, Sikeston, which was adopted.

Senator Brown offered Senate Resolution No. 999, regarding the Honorable John A. Clayton, Vienna, which was adopted.

Senator Brown offered Senate Resolution No. 1000, regarding Joseph F. Alexander, Steelville, which was adopted.

Senator Brown offered Senate Resolution No. 1001, regarding Saundra Dooley, Edgar Springs, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1002, regarding Jerry Cannon, Saint Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1003, regarding Yeatman-Liddell Middle School, Saint Louis City School District, which was adopted.

Senator Nieves offered Senate Resolution No. 1004, regarding Tobias Scott Callaway, Saint Louis, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1005, regarding Myles Shelby, which was adopted.

Senator Richard offered Senate Resolution No. 1006, regarding Frank Buchanan, which was adopted.

Senator Lembke offered Senate Resolution No. 1007, regarding Timothy Ellebracht, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1008, regarding Meredith A. Davis, Saint Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1009, regarding Daniel Henkey, Saint Louis, which was adopted.

Senator Nieves offered Senate Resolution No. 1010, regarding Andrew Brent Wurdack, Wildwood, which was adopted.

Senator Lager offered Senate Resolution No. 1011, regarding Andrew Abbott, Savannah, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1012, regarding Vanessa Perou, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1013, regarding Ashley Cook, Jefferson City, which was adopted.

Senator Curls offered Senate Resolution No. 1014, regarding Jakie Wellman, Southampton, England, which was adopted.

Senator Engler offered Senate Resolution No. 1015, regarding Don Huff, which was adopted.

Senator Engler offered Senate Resolution No. 1016, regarding James Layton, which was adopted.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 101**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 135**, entitled:

An Act to repeal sections 253.082, 253.090, 260.262, 260.380, 260.475, 260.965, 306.109, 319.132, 414.072, 644.036, and 644.054, RSMo, and to enact in lieu thereof seventeen new sections relating to environmental protection, with penalty provisions and an emergency clause for certain sections.

With House Amendment Nos. 1, 2 and 3.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 135, Page 11, Section 640.045, Line 8, by inserting after all of said section the following:

**“640.116. 1. Any water system that exclusively serves a charitable or benevolent organization, if the system does not regularly serve an average of one hundred persons or more at least sixty days out of the year and the system does not serve a school or day-care facility, shall be exempt from all rules relating to well construction except any rules established under sections 256.600 to 256.640 applying to multifamily wells, unless such wells or pump installations for such wells are determined to present a threat to groundwater or public health.**

**2. If the system incurs three or more total coliform maximum contaminant level violations in a twelve-month period or one acute maximum contaminant level violation, the system owner shall either provide an alternate source of water, eliminate the source of contamination, or provide treatment that reliably achieves at least ninety-nine and ninety-nine one-hundredths percent treatment of viruses.**

**3. Notwithstanding this or any other provision of law to the contrary, no facility otherwise described in subsection 1 of this section shall be required to replace, change, upgrade, or otherwise be compelled to alter an existing well constructed prior to August 28, 2011, unless such well is determined to present a threat to groundwater or public health or contains the contaminant levels referred to in subsection 2 of this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 135, Page 7, Section 260.965, Line 2, by inserting after all of said line the following:

**“306.108. 1. It shall be unlawful for any person to operate, play, or permit the operation of any**

public speaking system transmitter, sound amplification device, or any other type of device, mechanical or electronic, to emit or direct music, spoken words, or sounds that can be heard on the Lake of the Ozarks which when measured from a distance of fifty feet or more exceeds eighty decibels on an A-weighted scale during the hours of 7:01 a.m. to 10:00 p.m., or exceeds seventy decibels during the hours of 10:01 p.m. to 7:00 a.m.

2. This section does not supersede any local laws or ordinances regulating noise in the area.

3. Any person who violates the provisions of this section shall be punished by imprisonment not to exceed ninety days or a fine up to five hundred dollars or both imprisonment and a fine.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 135, Page 4, Section 260.269, Line 5, by inserting immediately after the word “fuel” on said line the following:

“except in a permitted facility”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 173**, entitled:

An Act to repeal sections 21.920, 227.107, 319.016, and 319.025, RSMo, and to enact in lieu thereof six new sections relating to transportation and infrastructure.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 173, Page 1, In the Title, Line 3, by striking the following on said line “transportation and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138 by inserting after all of said section and line the following:

“**227.430. The portion of Missouri Highway 30 from State Route NN north three miles to one tenth of a mile southwest of old Missouri 30 in Jefferson County shall be designated the “SFC Wm. Brian Woods, Jr. Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the cost to be paid for by private donations.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 173, Page 10, Section 249.425, Line 97 by

inserting after said line the following:

“302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person’s reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) [A business, occupation, or] **Driving to or from the operator’s places of employment;**

(b) [Seeking medical treatment for such operator;

(c)] Attending school or other institution of higher education;

[(d)] (c) Attending alcohol or drug treatment programs; **or**

[(e)] (d) Seeking the required services of a certified ignition interlock device provider; [or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator;] the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator’s principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant’s driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any



motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege

issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review,

to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.”; and

Further amend said bill, Page 11, Section 319.025, Line 38 by inserting after said line the following:

“577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An “aggravated offender” is a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related traffic offenses;  
or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related traffic offense and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; or assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) A “chronic offender” is:

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related traffic offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) “Continuous alcohol monitoring”, automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;

(4) An “intoxication-related traffic offense” is driving while intoxicated, driving with excessive blood alcohol content, involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance;

(5) A “persistent offender” is one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082; and

(6) A “prior offender” is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding.

(1) No prior offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(2) No persistent offender shall be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(3) No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment.

(4) No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment. In addition to any other terms or conditions of probation, the court shall consider, as a condition of probation for any person who pleads guilty to or is found guilty of an intoxication-related traffic offense, requiring the offender to abstain from consuming or using alcohol or any products containing alcohol as demonstrated by continuous alcohol monitoring or by verifiable breath alcohol testing performed a minimum of four times per day as scheduled by the court for such duration as determined by the court, but not less than ninety days. The court may, in addition to imposing any other fine, costs, or assessments provided by law, require the offender to bear any costs associated with continuous alcohol monitoring or verifiable breath alcohol testing.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

16. Evidence of a prior conviction, plea of guilty, or finding of guilt in an intoxication-related traffic offense shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence received by a search of the records of the Missouri uniform law enforcement system, including criminal history records from the central repository or records from the driving while intoxicated tracking system (DWITS) maintained by the Missouri state highway patrol, or the certified driving record maintained by the Missouri department of

revenue. After hearing the evidence, the court shall enter its findings thereon. A plea of guilty or a finding of guilt followed by incarceration, a fine, a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in any intoxication-related traffic offense in a state, county or municipal court or any combination thereof, shall be treated as a prior plea of guilty or finding of guilt for purposes of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138 by inserting after all of said section and line the following:

“227.410. [The portion of U.S. Highway 160 in Greene County from the intersection of Farm Road 142 to the intersection of West Sunshine Street shall be designated the “Rabbi Abraham Joshua Heschel Memorial Highway”.] **The portion of U.S. Highway 160 in Greene County from the intersection of West Mount Vernon Street to one-half mile south of the intersection of West Sunshine Street shall be designated the “Rabbi Ernest I. Jacob Memorial Highway”.** The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid for by private donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 173, Page 10, Section 249.425, Line 97, by inserting immediately after said line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer’s rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term “tandem axle” shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An “axle load” is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet  
between the extremes  
of any group of two or

more consecutive axles,  
measured to the nearest  
foot, except where  
indicated otherwise

feet	Maximum load in pounds				
	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500

30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3



of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsection 9 of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log truck as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36]. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 173, Page 10, Section 249.425, Line 97, by inserting after all of said line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the

place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

- (1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
- (2) Establish one-way streets and provide for the regulation of vehicles thereon;
- (3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

- (5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

- (7) Require the use of signaling devices on all motor vehicles; and

- (8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

**5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.**

**537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

**2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury,**

**against an individual or business entity for public or private nuisance in violation of this section shall be null and void.**

**3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138 by inserting after all of said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

(1) “Board”, the board of directors of a district;

(2) “Commission”, the Missouri highways and transportation commission;

(3) “District”, a transportation development district organized under sections 238.200 to 238.275;

(4) “Local transportation authority”, a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

(5) “Project” includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or [other mass transit] **public mass transportation system** and any similar or related improvement or infrastructure. **In the case of a district located in a home rule city with more than four hundred thousand inhabitants and located in more than one county, whose district boundaries are contained solely within that portion of such a home rule city that is contained within a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the term “Project” shall also include the operation of a street car or other rail-based or fixed guideway public mass transportation system, and the revenue of such district may be used to pay for the design, construction, ownership and operation of such a street car or other rail-based or fixed guideway public mass transportation system by such district or such municipality, or by a local transportation authority having jurisdiction within such municipality.**

(6) “Public mass transportation system”, a transportation system owned or operated by a governmental or quasi-governmental entity, employing motor buses, rails, or any other means of conveyance, by whatsoever type of power, operated for public use in the conveyance of persons, **mainly providing local transportation service within a municipality or a single metropolitan statistical area.**

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

(1) “Approval of the required majority” or “direct voter approval”, a simple majority;

(2) “Qualified electors”, “qualified voters” or “voters”:

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section

238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) “Registered voters”, persons qualified and registered to vote pursuant to chapter 115.

238.225. 1. Before construction or funding of any project the district shall submit the proposed project to the commission for its prior approval. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may preliminarily approve the project subject to the district providing plans and specifications for the proposed project and making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission’s preliminary approval. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission’s jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project.

Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

**4. Notwithstanding any provision of this section to the contrary, this section shall not apply to any district whose project is a public mass transportation system.**

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted

pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of ..... (transportation development district's name) impose a transportation development district-wide sales tax at the rate of ..... (insert amount) for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of ..... (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years

approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

(7) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those

sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5. All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

6. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

**7. Notwithstanding any provision of sections 99.800 to 99.865, and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138, by

inserting after all of said section and line the following:

**“227.424. The portion of Interstate 40/64 in St. Louis County from the Boone’s Crossing overpass at mile marker 17.0 west to the Spirit of St. Louis Airport overpass at mile marker 13.8 shall be designated as the “Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 163**, entitled:

An Act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education governing boards, with an existing penalty provision.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163, Page 1, Section 172.030, Line 7, by inserting at the end of said line the following:

**“Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.”; and**

Further amend said bill, Page 2, Section 173.005, line 19, by deleting all of said line and inserting in lieu thereof the following:

**“the board, shall be reimbursed for their actual expenses. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term. The coordinating board may, in”; and**

Further amend said bill, Page 7, Section 174.450, Line 30, by inserting at the end of said line the following:

**“Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 219**, entitled:

An Act to repeal sections 313.800, 313.812, 313.817, 313.830, 362.111, and 370.073, RSMo, and to



enact in lieu thereof six new sections relating to financial transactions.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 219, Page 1, Section 313.800, Line 4, by deleting all of said line and inserting in lieu thereof the following: “devices less winnings paid to wagers;”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 219, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**“44.114. Except as otherwise provided in this section, at the time of any emergency, catastrophe, or other life or property threatening event which jeopardizes the ability of an insurer to address the financial needs of its insureds or the public, no political subdivision shall impose restrictions or enforce local licensing or registration ordinances with respect to such insurer’s claims handling operations. As used in this section, the term “claims handling operations” includes but is not limited to the establishment of a base of operations by an insurer within the disaster area and the investigation and handling of claims by personnel authorized by any such insurer. Nothing herein shall prohibit a political subdivision from performing any safety inspection authorized by local ordinance of the premises of the insurer’s base operations within the disaster area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 220**, entitled:

An Act to repeal sections 429.015 and 516.098, RSMo, and to enact in lieu thereof two new sections relating to liens for architects, professional engineers, land surveyors, and landscape architects.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 220, Page 3, Section 516.098, Line 6, by inserting immediately after said line the following:

**“537.033. 1. As used in this section, unless the context clearly indicates otherwise, the following words shall mean:**

**(1) “Design professional”, an architect, landscape architect, professional land surveyor or professional engineer, licensed under the provisions of chapter 327 or any corporation authorized to practice architecture, landscape architecture, land surveying, or engineering under section 327.401 while acting within his or her scope of practice;**

**(2) “Peer review process”, a process through which design professionals evaluate, maintain, or**

monitor the quality and utilization of architectural, landscape architectural, land surveying or engineering services, prepare internal lessons-learned, or exercise any combination of such responsibilities.

2. A peer review process may be performed by the following, each of whom shall be deemed a peer reviewer:

(1) An individual design professional or committee of design professionals appointed by a state, county or local society of design professionals;

(2) An individual design professional or committee of design professionals appointed by the partners, shareholders, or employed design professionals of a partnership or of a corporation authorized under section 327.401;

(3) Any individual design professional or committee of design professionals appointed by the partners, board of directors, chief executive officer, or the quality control director of a partnership or a corporation authorized under section 327.401 to practice architecture, landscape architecture, land surveying, or engineering, or by the owner of a sole proprietorship engaged in one or more of such professions.

3. Each peer reviewer, member of a peer review committee, and each person, corporate director, partner, quality control director, or other design professional who testifies before, or provides information to, acts upon the recommendation of, or otherwise participates in the operation of, such a process shall be immune from civil liability for such acts so long as the acts are performed in good faith, without malice, and are reasonably related to the scope of inquiry of the peer review process.

4. Except as otherwise provided in this section, the interviews, memoranda, proceedings, findings, deliberations, reports, and minutes of the peer review process, or the existence of the same, concerning the professional services provided to a client or member of the public are privileged and shall not be subject to discovery, subpoena, or other means of legal compulsion for their release to any person or entity or be admissible into evidence in any judicial or administrative action for failure to provide appropriate architectural, landscape architectural, land surveying, or engineering services. Except as otherwise provided in this section, no person who was in attendance at or participated in any peer review process or proceedings shall be permitted or required to disclose any information acquired in connection with or in the course of such proceeding, or to disclose any opinion, recommendation, or evaluation of the peer reviewer or any member of a peer review committee; provided, however, that information otherwise discoverable or admissible from original sources shall not be construed as immune from discovery or use in any proceeding merely because it was presented during proceedings before a peer reviewer, nor shall a member, employee, or agent involved in any such process, or other person appearing before a peer reviewer be prevented from testifying as to matters within his or her personal knowledge and in accordance with the other provisions of this section; except that, such witness shall not be questioned about testimony or other proceedings before any peer review process or peer reviewer or about opinions formed as a result of such process. The disclosure of any interview, memoranda, proceedings, findings, deliberations, reports, or minutes to any person or entity, including but not limited to governmental agencies, professional accrediting agencies, or other design professionals, whether proper or improper, shall not waive or have any effect upon its confidentiality, nondiscoverability, or nonadmissibility.

5. Nothing in this section shall limit authority otherwise provided by law of the Missouri board

**for architects, professional engineers, professional land surveyors and landscape architects to obtain information by subpoena or other authorized process from a peer reviewer or to require disclosure of otherwise confidential information developed outside of the peer review process which relate to matters and investigations within the jurisdiction of such licensing board.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

### **HOUSE BILLS ON THIRD READING**

**HCS for HB 22**, with **SCS**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2011 and ending June 30, 2012.

Was taken up by Senator Schaefer.

**SCS for HCS for HB 22**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 22**

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 22** be adopted.

Senator Schaefer offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 22, Page 4, Section 22.065, Line 4, by inserting immediately after said line the following;

“Section 22.070. To the Department of Transportation

For funding local and regional port authorities for construction, which includes planning, docks, buildings, roads, railroads, sewers, water and electric lines, land purchases, building purchases, landscaping, and equipment

From General Revenue ..... \$1,000,000”;

and

further amend bill totals accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 22, Page 3, Section 22.046, Line 1, by deleting the word “Department” and inserting in lieu thereof the following: “Office”; and further amend said section, line 5 by deleting the number: “\$1,100,000” and inserting in lieu thereof the following: “\$1,050,000”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 22**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 22**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell	Lembke	Purgason	Schaaf—4
---------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer requested unanimous consent of the Senate to suspend the rules for the purpose of allowing the conferees on House Committee Substitute for House Bill No. 2, with Senate Committee Substitute; House Committee Substitute for House Bill No. 3, with Senate Committee Substitute; House Committee Substitute for House Bill No. 4, with Senate Committee Substitute; House Committee Substitute for House Bill No. 5, with Senate Committee Substitute; House Committee Substitute for House Bill No. 6, with Senate Committee Substitute; House Committee Substitute for House Bill No. 7, with Senate Committee Substitute, as amended; House Committee Substitute for House Bill No. 8, with Senate Committee Substitute; House Committee Substitute for House Bill No. 9, with Senate Committee Substitute; House Committee Substitute for House Bill No. 10, with Senate Committee Substitute; House Committee Substitute for House Bill No. 11, with Senate Committee Substitute; House Committee Substitute for House Bill No. 12, with Senate Committee Substitute; and House Committee Substitute for

House Bill No. 13, with Senate Committee Substitute to meet while the Senate is in session, which request was granted.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193**.

Ayes: 109

Allen	Asbury	Bahr	Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker			

Noes: 44

Anders	Atkins	Aull	Black	Carlson	Carter	Casey	Conway 27
Ellinger	Fallert	Harris	Holsman	Hummell	Jones (63)	Kander	Kirkton
Kratky	Lampe	May	McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace	Peters-Baker	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Webb	Webber				

Absent and Absent with Leave: 7

Colona	Hodges	Kelly 24	McCann Beatty	Pierson	Swinger	Walton Gray
--------	--------	----------	---------------	---------	---------	-------------

Vacancies: 3

Senator Rupp moved that **CCS** for **SS** for **HCS** for **HB 193** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

## YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Wasson—28				

## NAYS—Senators

Chappelle-Nadal	Green	Keaveny	McKenna	Stouffer	Wright-Jones—6
-----------------	-------	---------	---------	----------	----------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

**PRIVILEGED MOTIONS**

Senator Dixon moved that the Senate refuse to concur in **HCS** for **SB 173**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Lager assumed the Chair.

**HOUSE BILLS ON THIRD READING**

**HB 190**, introduced by Representative Ruzicka, entitled:

An Act to repeal section 253.082, RSMo, and to enact in lieu thereof three new sections relating to cash transactions by the department of natural resources.

Was taken up by Senator Brown.

Senator Schmitt assumed the Chair.

On motion of Senator Brown, **HB 190** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Curls	Dixon—2
-------	---------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 250**, with **SCS**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to well water.

Was taken up by Senator Stouffer.

**SCS** for **HCS** for **HB 250**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 250

An Act to repeal section 256.400, RSMo, and to enact in lieu thereof three new sections relating to well water.

Was taken up.

Senator Stouffer moved that **SCS** for **HCS** for **HB 250** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SCS** for **HCS** for **HB 250** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 101**, with **SCS**, introduced by Representative Loehner, entitled:

An Act to repeal section 311.297, RSMo, and to enact in lieu thereof one new section relating to the tasting of liquor.

Was taken up by Senator Cunningham.

**SCS** for **HB 101**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 101

An Act to repeal section 311.297, RSMo, and to enact in lieu thereof two new sections relating to liquor control.

Was taken up.

Senator Cunningham moved that **SCS** for **HB 101** be adopted.

Senator McKenna offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 101, Page 2, Section 311.297, Line 36, by inserting after all of said line the following:

“311.482. 1. Notwithstanding any other provision of this chapter, a permit for the sale of **all kinds of** intoxicating liquor [as defined in section 311.020], **including intoxicating liquor in the original package, at retail by the drink** for consumption on **the** premises [where sold] **of the licensee** may be issued to any church, school, civic, service, fraternal, veteran, political, or charitable club or organization for the sale of such intoxicating liquor at a picnic, bazaar, fair, or similar gathering. The permit shall be issued only for the day or days named therein and it shall not authorize the sale of intoxicating liquor for more than seven days by any such club or organization.

2. To secure the permit, the applicant shall complete a form provided by the supervisor, but no applicant shall be required to furnish a personal photograph as part of the application. The applicant shall pay a fee of twenty-five dollars for such permit.

3. If the event will be held on a Sunday, the permit shall authorize the sale of intoxicating liquor on that day beginning at 11:00 a.m.

4. At the same time that an applicant applies for a permit under the provisions of this section, the applicant shall notify the director of revenue of the holding of the event and by such notification, by certified mail, shall accept responsibility for the collection and payment of any applicable sales tax. Any sales tax due shall be paid to the director of revenue within fifteen days after the close of the event, and failure to do so shall result in a liability of triple the amount of the tax due plus payment of the tax, and denial of any other permit for a period of three years. Under no circumstances shall a bond be required from the applicant.

5. No provision of law or rule or regulation of the supervisor shall be interpreted as preventing any wholesaler or distributor from providing customary storage, cooling or dispensing equipment for use by the permit holder at such picnic, bazaar, fair or similar gathering.

311.485. 1. The supervisor of liquor control may issue a temporary permit to caterers and other persons



holding licenses to sell intoxicating liquor, **including intoxicating liquor in the original package**, by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion or event at a particular location other than the licensed premises, but not including a festival as defined in chapter 316. The temporary permit shall be effective for a period not to exceed one hundred sixty-eight consecutive hours, and shall authorize the service of alcoholic beverages at such function, occasion or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages for on-premises consumption. For every permit issued pursuant to the provisions of this section, the permittee shall pay to the director of revenue the sum of ten dollars for each calendar day, or fraction thereof, for which the permit is issued.

2. Except as provided in subsection 3 of this section, all provisions of the liquor control law and the ordinances, rules and regulations of the incorporated city, or the unincorporated area of any county, in which is located the premises in which such function, occasion or event is held shall extend to such premises and shall be in force and enforceable during all the time that the permittee, its agents, servants, employees, or stock are in such premises. [Except for Missouri-produced wines in the original package, the provisions of this section shall not include the sale of packaged goods covered by this temporary permit.]

3. Notwithstanding any other law to the contrary, any caterer who possesses a valid state and valid local liquor license may deliver alcoholic beverages in the course of his or her catering business. A caterer who possesses a valid state and valid local liquor license need not obtain a separate license for each city the caterer delivers in, so long as such city permits any caterer to deliver alcoholic beverages within the city.

4. To assure and control product quality, wholesalers may, but shall not be required to, give a retailer credit for intoxicating liquor with an alcohol content of less than five percent by weight delivered and invoiced under the catering permit number, but not used, if the wholesaler removes the product within seventy-two hours of the expiration of the catering permit issued pursuant to this section.

311.486. 1. The supervisor of alcohol and tobacco control may issue a special license to caterers and other persons holding licenses to sell intoxicating liquor, **including intoxicating liquor in the original package**, by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion, or event at a particular location other than the licensed premises, but not including a festival as defined in chapter 316. The special license shall be effective for a maximum of fifty days during any year, and shall authorize the service of alcoholic beverages at such function, occasion, or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages for on-premises consumption. For every special license issued pursuant to the provisions of this subsection, the licensee shall pay to the director of revenue the sum of five hundred dollars a year payable at the same time and in the same manner as its other license fees.

2. The supervisor of alcohol and tobacco control may issue a special license to caterers and other persons holding licenses to sell intoxicating liquor by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion, or event at a particular location other than the licensed premises, but not including a festival as defined in chapter 316. The special license shall be effective for an unlimited number of functions during the year, and shall authorize the service of alcoholic beverages at such function, occasion, or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic

beverages for on-premises consumption. For every special license issued pursuant to the provisions of this subsection, the licensee shall pay to the director of revenue the sum of one thousand dollars a year payable at the same time and in the same manner as its other license fees.

3. Caterers issued a special license pursuant to subsections 1 and 2 of this section shall report to the supervisor of alcohol and tobacco control the location of each function three business days in advance. The report of each function shall include permission from the property owner and city, description of the premises, and the date or dates the function will be held.

4. Except as provided in subsection 5 of this section, all provisions of the liquor control law and the ordinances, rules and regulations of the incorporated city, or the unincorporated area of any county, in which is located the premises in which such function, occasion, or event is held shall extend to such premises and shall be in force and enforceable during all the time that the licensee, its agents, servants, employees, or stock are in such premises. [Except for wines in the original package, the provisions of this section shall not include the sale of packaged goods covered by this special license.]

5. Notwithstanding any other law to the contrary, any caterer who possesses a valid state and valid local liquor license may deliver alcoholic beverages, in the course of his or her catering business. A caterer who possesses a valid state and valid local liquor license need not obtain a separate license for each city the caterer delivers in, so long as such city permits any caterer to deliver alcoholic beverages within the city.

6. To assure and control product quality, wholesalers may, but shall not be required to, give a retailer credit for intoxicating liquor with an alcohol content of less than five percent by weight delivered and invoiced under the catering license number, but not used, if the wholesaler removes the product within seventy-two hours of the expiration of the catering function.”; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted.

Senator Ridgeway raised the point of order that **SA 1** is out of order in that it is outside the scope of the underlying bill.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

**SA 1** was again taken up.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 101, Page 1, Section 311.087, Line 16, by inserting after all of said line the following:

**“311.088. Any person possessing the qualifications and meeting the requirements of this chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the premises in a home rule city with more than four hundred thousand inhabitants and located in more than one county may be issued a special permit by the state and such city. Notwithstanding the provisions of 311.089 to the contrary, the special permit issued under this section shall allow the licensed premises to sell intoxicating liquor from 6:00 a.m. until 3:00 a.m. on the morning of the following day within one twenty-four hour period. Any person granted a special permit under this section shall only be**

**authorized to receive up to six such special permits from the city in a calendar year.”; and**

Further amend the title and enacting clause accordingly

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SCS** for **HB 101**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **HB 101**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lembke
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Goodman	Lamping	Mayer	Purgason—4
---------	---------	-------	------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

## **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 23**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 37**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 42**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

The Senate observed a moment of silence in memory of Craig Tuttle.

### **RESOLUTIONS**

Senator Dempsey offered Senate Resolution No. 1017, regarding Merle Schneider, which was adopted.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

---

SIXTY-FOURTH DAY—THURSDAY, MAY 5, 2011

---

### **FORMAL CALENDAR**

### **VETOED BILLS**

SCS for SB 188-Lager, et al

### **HOUSE BILLS ON SECOND READING**

HCS for HB 773

HCS for HJR 16

HCS for HB 552

HCS for HB 787

HCS for HB 597

HJR 27-Brattin, et al

### **THIRD READING OF SENATE BILLS**

SCS for SB 11-McKenna  
(In Fiscal Oversight)

SB 204-Dempsey, et al  
(In Fiscal Oversight)

### **SENATE BILLS FOR PERFECTION**

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler

8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham, with SCS
11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones

15. SB 45-Wright-Jones  
 16. SB 14-Pearce, with SCS  
 17. SB 281-Kraus

18. SB 399-Kraus  
 19. SB 44-Wright-Jones

#### HOUSE BILLS ON THIRD READING

HB 462-Pollock, with SCS (Lager)  
 HCS for HB 89, with SCS (Lager)  
 (In Fiscal Oversight)  
 HCS for HB 578, with SCS (Lager)

HB 737-Redmon and Shumake, with SCS  
 (Lager)  
 HB 183-Silvey (Kraus)

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

#### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
 (pending)  
 SBs 7, 5, 74 & 169-Goodman, with SCS  
 SB 10-Rupp  
 SB 23-Keaveny, with SCS & SS for SCS  
 (pending)  
 SB 25-Schaaf, with SCS & SS for SCS  
 (pending)  
 SB 28-Brown  
 SB 37-Lembke, with SCS  
 SB 52-Cunningham  
 SB 72-Kraus, with SS (pending)  
 SBs 88 & 82-Schaaf, with SCS & SA 1  
 (pending)  
 SB 120-Stouffer, with SS (pending)  
 SB 130-Rupp, with SCS & SS for SCS  
 (pending)  
 SB 155-Rupp, with SCS  
 SB 175-Munzlinger, et al, with SA 1  
 (pending)

SB 176-Munzlinger, et al  
 SBs 189, 217, 246, 252 & 79-Schmitt,  
 with SCS  
 SB 200-Crowell  
 SB 203-Schmitt, et al, with SS (pending)  
 SB 208-Lager  
 SB 209-Lager  
 SB 228-Pearce  
 SB 242-Cunningham, with SCS & SS for SCS  
 (pending)  
 SB 247-Pearce, with SS (pending)  
 SB 264-Rupp, with SCS  
 SB 278-Munzlinger, et al  
 SB 280-Purgason, et al, with SCS & SS  
 for SCS (pending)  
 SBs 291, 184 & 294-Pearce, with SCS & SA 4  
 (pending)  
 SB 299-Munzlinger, with SCS (pending)  
 SB 326-Wasson  
 SBs 369 & 370-Cunningham, with SCS

SB 390-Schmitt, et al  
SBs 408 & 80-Crowell, with SCS  
SB 420-Mayer, with SCS

SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HCS for HB 61  
HB 71-Nasheed, et al  
HCS for HBs 112 & 285, with SCS (Brown)  
HCS for HB 143 (Goodman)  
HB 282-Franz, with SCS (Crowell)  
HCS for HBs 294, 123, 125, 113, 271 &  
215, with SCS & SS for SCS (pending)  
(Munzlinger)  
HCS for HB 336 (Schmitt)  
HCS for HB 338 (Lager)  
HB 361-Leara (Cunningham)  
HB 442-Franz, with SA 2 (pending)  
(Parson)

HCS for HB 545, with SCS & SS for SCS  
(pending) (Schaaf)  
HCS for HB 556  
HCS#2 for HB 609, with SCS (Wasson)  
HB 648-Montecillo, with SS (pending)  
(Rupp)  
HB 738-Nasheed, et al, with SCS  
(pending) (Cunningham)  
HJR 2-McGhee, et al (Goodman)  
HJR 6-Cierpiot, et al (Cunningham)  
HJR 29-Solon, et al, with SA 1 (pending)  
(Munzlinger)

#### SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 58-Stouffer and  
Lembke, with HCS, as amended  
SS for SB 135-Schaefer, with HCS, as  
amended  
SCS for SB 163-Pearce, with HCS, as  
amended

SCS for SB 219-Wasson, with HCS, as  
amended  
SB 220-Wasson, with HCS, as amended  
SJR 2-Stouffer, with HCS#2

#### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

##### In Conference

HCS for HB 2, with SCS (Schaefer)  
HCS for HB 3, with SCS (Schaefer)  
HCS for HB 4, with SCS (Schaefer)  
HCS for HB 5, with SCS (Schaefer)

HCS for HB 6, with SCS (Schaefer)  
HCS for HB 7, with SCS, as amended  
(Schaefer)  
HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)  
HCS for HB 10, with SCS (Schaefer)  
HCS for HB 11, with SCS (Schaefer)

HCS for HB 12, with SCS (Schaefer)  
HCS for HB 13, with SCS (Schaefer)

Requests to Recede or Grant Conference

SS#2 for SCS for SB 8-Goodman, with HCS,  
as amended (Senate requests House  
recede or grant conference)

SB 173-Dixon and Kehoe, with  
HCS, as amended (Senate requests  
House recede or grant conference)

RESOLUTIONS

Reported from Committee

SR 179-Purgason  
HCS for HCR 23 (Dixon)

HCR 37-Franklin, et al  
HCR 42-Funderburk, et al

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SIXTY-FOURTH DAY—THURSDAY, MAY 5, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Comfort ye, comfort ye my people, says your God.” (Isaiah 40:1)

Heavenly Father, we hear Your words of care and need what You want to give as the tension and stress grows among us yet hard work must be completed and long hours demanded of us. We trust You O Lord that You will guide and direct our efforts through these closing days that we will bear good fruit and our effort will be blessed. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon, Daily Star-Journal and ABC-17 News were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

## RESOLUTIONS

Senator Parson offered Senate Resolution No. 1018, regarding the Fiftieth Wedding Anniversary of Mr.



and Mrs. Buzz Marquis, Collins, which was adopted.

Senator Parson offered Senate Resolution No. 1019, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jack Gipson, Sedalia, which was adopted.

Senator Lamping offered Senate Resolution No. 1020, regarding Justin DuBois, St. Ann, which was adopted.

Senator Wasson offered Senate Resolution No. 1021, regarding Eugene G. “Gene” Hayworth, Nixa, which was adopted.

Senator Wasson offered Senate Resolution No. 1022, regarding Robert A. Neal, Nixa, which was adopted.

Senator Schaefer offered Senate Resolution No. 1023, regarding Arwa Mohammad, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1024, regarding Kanwal Haq, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1025, regarding Megan Schoor, Columbia, which was adopted.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **SB 3**, entitled:

An Act to repeal section 115.427, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute No. 2 for Senate Bill No. 3, Page 1, Section 115.276, Line 18, by inserting at the end of said line the following:

“**publication under section 115.127,**”; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 282**, entitled:

An Act to repeal sections 51.050, 52.010, 54.033, 54.330, 78.090, 115.015, 115.123, 115.124, 115.127, 115.241, 115.293, 115.315, 115.327, 115.342, 115.399, 115.601, 115.637, 115.755, and 115.761, RSMo, and to enact in lieu thereof twenty new sections relating to elections, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5 and House Amendment No. 5, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 282, Section 115.761, Page 15, Line 17 by enclosing in brackets the phrase:

“one thousand dollars” on said Line and inserting immediately thereafter the phrase: “**five thousand dollars for any election held on or before December 1, 2012, and ten thousand dollars for any election held thereafter**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 282, Page 1, Section A, Line 6 by inserting after all of said Section and Line the following:

**“26.016. In the case of any vacancy for any cause in the office of lieutenant governor, the governor shall immediately fill such vacancy by special election as provided in section 105.030 for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the lieutenant governor under section 17, article IV, Constitution of Missouri. The governor shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the lieutenant governor shall be suspended until the impeachment is determined. If the lieutenant governor is acquitted, the lieutenant governor shall be reinstated to office. If the lieutenant governor is convicted, the vacancy shall be filled in the same manner as provided in this section.**

**27.015. In the case of any vacancy for any cause in the office of attorney general, the governor shall immediately appoint an acting attorney general to fill such vacancy until the vacancy is filled by special election as provided in section 105.030 for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the attorney general under section 17, article IV, Constitution of Missouri. The acting attorney general shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the attorney general shall be suspended until the impeachment is determined. If the attorney general is acquitted, the attorney general shall be reinstated to office. If the attorney general is convicted, the vacancy shall be filled in the same manner as provided in this section.**

**28.190. In case of death, resignation, removal from office, impeachment, or vacancy from any cause in the office of secretary of state, the governor shall immediately [appoint a qualified person to] fill such vacancy by special election as provided in section 105.030 for the remainder of the term in which such vacancy occurred [and] until [his] a successor is elected [or appointed, commissioned] and qualified[; and] at the next election scheduled for the secretary of state under section 17, article IV, Constitution of Missouri. The governor shall take charge of the office and superintend its business until such person is [appointed, commissioned] elected and qualified[; except that]. In case of impeachment as provided in chapter 106, the governor shall appoint a qualified person to serve only until such impeachment is determined, when the suspended officer, if acquitted, shall be reinstated in office[, or]. If the suspended officer is convicted, [a new appointment shall be made] the vacancy shall be filled by the governor as [in the case of other vacancies] provided in this section.**

**29.280. When a vacancy occurs in the office of state auditor, the governor shall immediately appoint**

an **acting** auditor to fill such vacancy **until the vacancy is filled by special election as provided in section 105.030** for the residue of the term in which the vacancy occurred[, and] until [his] a successor is elected [or appointed, commissioned] and qualified **at the next election scheduled for the state auditor under section 17, article IV, Constitution of Missouri.** The acting auditor shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the auditor shall be suspended until the impeachment is determined. If the auditor is acquitted, the auditor shall be reinstated to office. If the auditor is convicted, the vacancy shall be filled in the same manner as provided in this section.

30.060. In case of death, resignation, removal from office, impeachment, or vacancy from any cause[.] in the office of the state treasurer, the governor shall **immediately fill such vacancy by special election as provided in section 105.030 for the remainder of the term in which such vacancy occurred until a successor is elected and qualified at the next election scheduled for the state treasurer under section 17, article IV, Constitution of Missouri.** The governor shall take charge of such office and superintend the business thereof until a successor is [appointed, commissioned] **elected** and qualified [except]. In case of impeachment **as provided in chapter 106**, when no [appointment] **election** shall be made until a determination of the matter is had, when, in the event of an acquittal, the suspended officer shall be reinstated in office. **If the treasurer is convicted, the vacancy shall be filled in the same manner as provided in this section.**

30.080. Immediately after the [appointment] **election** and qualification of a state treasurer, made to fill any vacancy occurring in said office, or the resumption of [his] duties by said officer, after the removal of any disability or temporary suspension therefrom the general assembly if in session, or, if such assembly be not in session, then the governor, shall cause a settlement to be made of the accounts of the former state treasurer, or any such office ad interim, remaining unsettled, and ascertain what balance, if any, is due the state or such officer, as the case may be.”;

and

Further amend said bill, Page 3, Section 78.090, Line 23 by inserting after all of said Section and Line the following:

“105.030. **1.** Whenever any vacancy, caused in any manner or by any means whatsoever, occurs or exists in any state or county office originally filled by election of the people, other than in the offices of lieutenant governor, **attorney general, secretary of state, state auditor, state treasurer,** state senator or representative, sheriff, or recorder of deeds in the city of St. Louis, the vacancy shall be filled by appointment by the governor except that when a vacancy occurs in the office of county assessor after a general election at which a person other than the incumbent has been elected, the person so elected shall be appointed to fill the remainder of the unexpired term; and the person appointed after duly qualifying and entering upon the discharge of [his] **the** duties under the appointment shall continue in office until the first Monday in January next following the first ensuing general election, at which general election a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term, as the case may be, and the person so elected shall enter upon the discharge of the duties of the office the first Monday in January next following his election, except that when the term to be filled begins on any day other than the first Monday in January, the appointee of the governor shall be entitled to hold the office until such other date. This section shall not apply to vacancies in county offices in any county which has adopted a charter for its own government under section 18, article VI of the constitution. Any vacancy in the office of recorder of

deeds in the city of St. Louis shall be filled by appointment by the mayor of that city.

**2. Any vacancy occurring in the offices of lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer, except for vacancies occurring under section 106.060, shall be filled by a special election called by the governor for that purpose. Upon receiving the notice of vacancies occurring under this subsection, the governor shall without delay issue a writ of election to fill the vacancy. The secretary of state shall conduct the special election as provided in chapter 115.**

105.040. Whenever a vacancy in the office of senator of the United States from this state exists, the governor[, unless otherwise provided by law,] shall appoint a person to fill such vacancy, who shall continue in office until a successor shall have been duly elected and qualified [according to law] **by a special election called by the governor for that purpose. Upon receiving the notice of a vacancy occurring in the office, the governor shall without delay appoint a person to fill the vacancy and issue a writ of election to fill the vacancy. The secretary of state shall conduct the special election as provided in chapter 115.**

105.050. If any vacancy shall happen from any cause in the office of the [attorney general,] circuit attorney, prosecuting attorney or assistant prosecuting attorney, the governor, upon being satisfied that such vacancy exists, shall appoint some competent person to fill the same until the next regular election for [attorney general,] prosecuting attorney or assistant prosecuting attorney, as the case may be; provided, in the case of a vacancy in the office of prosecuting attorney, if there is no qualified person in the county who can or will accept such appointment, then the governor may appoint any person who possesses all the qualifications set forth in section 56.010, RSMo, except the qualification as to residence.”; and

Further amend said bill, Page 19, Section 190.056, Line 88 by inserting after all of said Section and Line the following:

“[30.070. When a vacancy occurs in the office of state treasurer, the governor shall immediately appoint a state treasurer to fill such vacancy for the residue of the term in which the vacancy occurred, and until his successor is elected or appointed, commissioned and qualified.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 282, Page 1, In the Title, Line 2, by inserting after the word “sections” the number “11.010,”; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word “twenty” and inserting in lieu thereof the word “twenty-two”; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word “Sections” the number “11.010,”; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word “twenty” and inserting in lieu thereof the word “twenty-two”; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the word “sections” the numbers “11.010, 11.025,”; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after all of said line the following:

“11.010. The official manual, commonly known as the “Blue Book”, compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is

unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund.”;** and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 282, Page 19, Section 190.056, Line 88 by inserting after all of said section and line the following:

**“Section 1. Notwithstanding the provisions of sections 77.230 and 78.440, any individual who is twenty four years of age or older shall be eligible to serve as mayor in a city of the third classification with a form of government organized under sections 78.430 to 78.640.”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 1 TO

#### HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 282, Page 1, Line 4 by inserting after all of said Line the following:

**“Further amend said bill, Page 5, Section 115.123, Line 4 by removing the brackets from the phrase: “February or”; and”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 282, Page 3, Section 115.015, Line 2, by inserting at the end of said line the following:

**“with the powers and duties subject to the limitations set forth in the respective charter,”;** and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 306**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 83**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 57**, entitled:

An Act to repeal section 475.115, RSMo, and to enact in lieu thereof one new section relating to public administrators.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 57, Section 475.115, Page 1, Line 15, by inserting the following after all of said Line:

“537.620. Notwithstanding any direct or implied prohibitions in chapter 375, 377, or 379, any three or more political subdivisions of this state may form a business entity for the purpose of providing liability and all other insurance, including insurance for elderly or low-income housing in which the political subdivision has an insurable interest, for any of the subdivisions upon the assessment plan as provided in sections 537.600 to 537.650. Any public governmental body or quasi-public governmental body, as defined in section 610.010, and any political subdivision of this state or any other state may join this entity and use public funds to pay any necessary assessments. Except for being subject to the regulation of the director of the department of insurance, financial institutions and professional registration under sections 375.930 to 375.948, sections 375.1000 to 375.1018, and sections 537.600 to 537.650, any such business entity shall not be deemed to be an insurance company or insurer under the laws of this state, and the coverage provided by such entity and the administration of such entity shall not be deemed to constitute the transaction of an insurance business. **Risk coverages procured under this section shall not be deemed to constitute a contract, purchase, or expenditure of public funds for which a public governmental body, quasi-public governmental body, or political subdivision is required to solicit competitive bids.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **SB 165**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **SB 96**, entitled:

An Act to authorize the conveyance of various properties owned by the state, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

On behalf of Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HB 667**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HCS** for **HB 431**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HB 151**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 697**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 661**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 591**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 464**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 412**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 407**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 265**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Stouffer, Chairman of the Committee on Transportation, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **HB 484**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HCS** for **HB 430**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 1008**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 604**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 111**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:



Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 562**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 525**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 523**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HB 139**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 167**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

#### SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 167, Page 2, Section 302.173, Line 34, by striking the following: “neither supply nor permit” and inserting in lieu thereof the following: “**not supply**”.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 402**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HBs 470** and **429**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 38**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 68**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 161**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 184**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 664**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 366**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 675**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HJR 3**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 458**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 89**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce assumed the Chair.

### **HOUSE BILLS ON SECOND READING**

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 773**—Small Business, Insurance and Industry.

**HCS** for **HJR 16**—Financial and Governmental Organizations and Elections.

**HCS for HB 552**—Financial and Governmental Organizations and Elections.

**HCS for HB 787**—Financial and Governmental Organizations and Elections.

**HCS for HB 597**—Agriculture, Food Production and Outdoor Resources.

**HJR 27**—General Laws.

### **PRIVILEGED MOTIONS**

Senator Schaefer moved that the Senate refuse to concur in **HCS for SS for SB 135**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Engler moved that the Senate refuse to concur in **HCS for SB 282**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Stouffer assumed the Chair.

Senator Pearce moved that **SCS for SB 163**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SCS for SB 163**, as amended, entitled:

#### HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 163

An Act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education governing boards, with an existing penalty provision.

Was taken up.

Senator Pearce moved that **HCS for SCS for SB 163**, as amended, be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

#### NAYS—Senators—None

#### Absent—Senators—None

#### Absent with leave—Senator Green—1

#### Vacancies—None

On motion of Senator Pearce, **HCS for SCS for SB 163**, as amended, was read the 3rd time and passed

by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Engler moved that **SB 96**, with **HCS No. 2**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS No. 2** for **SB 96**, entitled:

HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR  
SENATE BILL NO. 96

An Act to authorize the conveyance of various properties owned by the state, with an emergency clause.

Was taken up.

Senator Engler moved that **HCS No. 2** for **SB 96** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Engler, **HCS No. 2** for **SB 96** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

**HOUSE BILLS ON THIRD READING**

**HB 282**, with **SCS**, introduced by Representative Franz, entitled:

An Act to repeal sections 105.915 and 105.927, RSMo, and to enact in lieu thereof two new sections relating to the state employee deferred contribution program.

Was called from the Informal Calendar and taken up by Senator Crowell.

**SCS** for **HB 282**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 282**

An Act to repeal sections 70.710, 70.720, 70.730, 105.915, and 105.927, RSMo, and to enact in lieu thereof six new sections relating to public employee retirement.

Was taken up.

Senator Crowell moved that **SCS** for **HB 282** be adopted.

Senator Crowell offered **SS** for **SCS** for **HB 282**:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 282**

An Act to repeal sections 70.710, 70.720, 70.730, 86.900, 86.1030, 86.1100, 86.1110, 86.1120, 86.1140, 86.1150, 86.1230, 86.1240, 86.1250, 86.1310, 86.1420, 86.1480, 86.1490, 86.1500, 86.1510, 86.1540, 86.1560, 86.1600, 86.1610, 86.1620, 87.205, 87.207, 105.915, and 105.927, RSMo, and to enact in lieu thereof thirty-one new sections relating to public employee retirement.

Senator Crowell moved that **SS** for **SCS** for **HB 282** be adopted.

Senator Crowell offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 282, Page 65, Section 104.603, Line 12 of said page, by inserting immediately after said line the following:

“105.661. 1. Each plan shall annually prepare and have available as public information a comprehensive annual financial report showing the financial condition of the plan as of the end of the plan's fiscal year. The report shall contain, but not be limited to, detailed financial statements prepared in accordance with generally accepted accounting principles for public employee retirement systems including an independent auditors report thereon, prepared by a certified public accountant or a firm of certified public accountants, a detailed summary of the plan's most recent actuarial valuation including a certification letter from the actuary and a summary of actuarial assumptions and methods used in such valuation, a detailed listing of the investments, showing both cost and market value, held by the plan as of the date of the report together with a detailed statement of the annual rates of investment return from all assets and from each type of investment, a detailed list of investments acquired and disposed of during the fiscal year, a listing of the plan's board of trustees or responsible administrative body and administrative staff, a detailed list of administrative expenses of the plan including all fees paid for professional services, a detailed list of brokerage commissions paid, a summary plan description, and such other data as the plan shall deem

necessary or desirable for a proper understanding of the condition of the plan. In the event a plan is unable to comply with any of the disclosure requirements outlined above, a detailed statement must be included in the report as to the reason for such noncompliance.

2. Any rule or portion of rule promulgated by any plan pursuant to the authority of chapter 536, or of any other provision of law, shall be submitted to the joint committee on public employee retirement prior to or concurrent with the filing of a notice of proposed rulemaking with the secretary of state's office pursuant to section 536.021. The requirement of this subsection is intended solely for the purpose of notifying the joint committee on public employee retirement with respect to a plan's proposed rulemaking so that the joint committee on public employee retirement has ample opportunity to submit comments with respect to such proposed rulemaking in accordance with the normal process. Any plan not required to file a notice of proposed rulemaking with the secretary of state's office shall submit any proposed rule or portion of a rule to the joint committee on public employee retirement within ten days of its promulgation.

3. A copy of the comprehensive annual financial report as outlined in subsection 1 of this section shall be forwarded within six months of the end of the plan's fiscal year to the state auditor and the joint committee on public employee retirement.

**4. Each defined benefit plan shall submit a quarterly report regarding the plan's investment performance to the joint committee on public employee retirement in the form and manner requested by the committee. If the plan fails to submit this report, the committee may subpoena witnesses, take testimony under oath, and compel the production of records regarding this information, pursuant to its authority under section 21.561.”; and**

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Crowell, **HB 282**, with **SCS, SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

**HCS** for **HB 338** was called from the Informal Calendar and taken up by Senator Lager.

Senator Lager offered **SS** for **HCS** for **HB 338**:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 338

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

Senator Lager moved that **SS** for **HCS** for **HB 338** be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Lager, **SS** for **HCS** for **HB 338** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### PRIVILEGED MOTIONS

Senator Callahan moved that **SCS** for **SB 57**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 57**, as amended, entitled:

#### HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 57

An Act to repeal section 475.115, RSMo, and to enact in lieu thereof one new section relating to public administrators.

Was taken up.

Senator Callahan moved that **HCS** for **SCS** for **SB 57**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Green—1

Vacancies—None

Senator Pearce assumed the Chair.

On motion of Senator Callahan, **HCS** for **SCS** for **SB 57**, as amended, was read the 3rd time and passed



by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Callahan, title to the bill was agreed to.

Senator Callahan moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### HOUSE BILLS ON THIRD READING

At the request of Senator Lager, **HB 462**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 89**, with **SCS**, entitled:

An Act to repeal sections 253.090, 644.036, and 644.054, RSMo, and to enact in lieu thereof three new sections relating to funding for the department of natural resources, with an emergency clause.

Was taken up by Senator Lager.

**SCS** for **HCS** for **HB 89**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 89

An Act to repeal sections 247.060, 253.082, 253.090, 256.400, 260.262, 260.380, 260.475, 260.965, 319.132, 386.850, 414.072, 621.250, 643.020, 643.040, 643.050, 643.060, 643.079, 643.080, 643.130, 643.191, 643.225, 643.232, 643.237, 643.240, 643.242, 643.245, 643.250, 643.253, 643.260, 644.036, 644.051, 644.054, 644.071, 701.033, and 701.332, RSMo, and to enact in lieu thereof forty-six new sections relating to natural resources, with penalty provisions and an emergency clause.

Was taken up.

Senator Lager moved that **SCS** for **HCS** for **HB 89** be adopted.

Senator Lager offered **SS** for **SCS** for **HCS** for **HB 89**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 89

An Act to repeal sections 247.060, 253.082, 253.090, 260.262, 260.380, 260.475, 260.965, 304.120, 319.132, 386.850, 414.072, 444.773, 621.250, 643.020, 643.040, 643.050, 643.060, 643.079, 643.080, 643.130, 643.191, 643.225, 643.232, 643.237, 643.240, 643.242, 643.245, 643.250, 643.253, 643.260, 644.036, 644.051, 644.054, 644.071, 701.033, and 701.332, RSMo, and to enact in lieu thereof fifty-three new sections relating to natural resources, with penalty provisions and an emergency clause.

Senator Lager moved that **SS** for **SCS** for **HCS** for **HB 89** be adopted.

At the request of Senator Lager, **HCS** for **HB 89**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

**HCS** for **HB 578**, with **SCS**, entitled:

An Act to amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of tires.

Was taken up by Senator Lager.

**SCS** for **HCS** for **HB 578**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 578

An Act to amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of tires.

Was taken up.

Senator Lager moved that **SCS** for **HCS** for **HB 578** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **HCS** for **HB 578** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 737**, with **SCS**, introduced by Representatives Redmon and Shumake, entitled:

An Act to repeal sections 137.010, 137.073, and 137.080, RSMo, section 137.115 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 137.115 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 2058 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 711 merged with conference committee substitute for house committee substitute no. 2 for senate substitute for senate committee substitute for senate bill no. 718, ninety-fourth general assembly, second regular session, and to enact in lieu thereof four new sections relating to tangible personal property.

Was taken up by Senator Lager.

**SCS** for **HB 737**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 737

An Act to repeal sections 135.950, 135.963, and 137.010, RSMo, section 135.953 as enacted by conference committee substitute for senate committee substitute for house committee substitute for house bill no. 1965, ninety-fifth general assembly, second regular session, and section 135.953 as enacted by house committee substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session, and to enact in lieu thereof four new sections relating to renewable energy.

Was taken up.

Senator Lager moved that **SCS** for **HB 737** be adopted, which motion prevailed.

Senator Ridgeway assumed the Chair.

On motion of Senator Lager, **SCS** for **HB 737** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Engler—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

May 5, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you for your advice and consent:

Craig Van Matre, Democrat, 450 Covered Bridge Road, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2013, and until his successor is duly appointed and qualified; vice, Buford Fraser, resigned.

Thomas Strong, Independent, 3967 Eaglescliffe Drive, Springfield, Greene County, Missouri 65809, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2012, and until his successor is duly appointed and qualified; vice, Thomas Strong, withdrawn.

Michelle R. Bernth, Independent, 528 Queens Court Place, Saint Peters, Saint Charles County, Missouri 63376, as a member of the Air Conservation Commission, for a term ending October 13, 2013, and until her successor is duly appointed and qualified; vice, Michelle R. Bernth, withdrawn.

John J. Hickey, 701 Wildrose Place, Columbia, Boone County, Missouri 65201, as a member of the Labor and Industrial Relations Commission, for a term ending July 27, 2014, and until his successor is duly appointed and qualified; vice, John J. Hickey, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer moved that the above appointments be returned to the Governor per his request, which motion prevailed.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 173**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS No. 2** for **SCS** for **SB 8**, as amended, and grants the Senate a conference thereon and the conferees be allowed to exceed the differences and the conferees be bound to chapter 287 with regard to the second injury fund.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 282**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 135**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS**, as amended, for **HB 142** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

### **PRIVILEGED MOTIONS**

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SB 220**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 173**, as amended: Senators Dixon, Stouffer, Rupp, Callahan and Justus.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS No. 2** for **SCS** for **SB 8**, as amended: Senators Goodman, Crowell, Pearce, Callahan and Green.

### **PRIVILEGED MOTIONS**

Senator Dempsey moved that the Senate refuse to recede from its position on **SCS** for **HB 142**, as amended, and grant the House a conference thereon, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

Senator Crowell moved that **HB 282**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 2**:

### **SENATE AMENDMENT NO. 2**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 282, Page 59, Section 87.205, Line 8, by inserting after the word “student” the following: “, **fails to provide proof of achievement of a grade point average of two on a four-point scale or the equivalent on another scale for each academic term,**”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Crowell moved that **SS** for **SCS** for **HB 282**, as amended, be adopted, which motion prevailed.

On motion of Senator Crowell, **SS** for **SCS** for **HB 282**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Crowell, title to the bill was agreed to.

Senator Crowell moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

## CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 135**, as amended: Senators Schaefer, Lager, Munzlinger, Justus and Green.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 282**, as amended: Senators Engler, Wasson, Richard, Justus and Wright-Jones.

On motion of Senator Dempsey, the Senate recessed until 1:00 p.m.

## RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

## MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2** and has taken up and

passed **CCS** for **SCS** for **HCS** for **HB 2**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 3** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 3**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 145**, entitled:

An Act to repeal sections 55.030, 56.807, 475.115, and 488.026, RSMo, and to enact in lieu thereof six new sections relating to political subdivisions.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment Nos. 5, 6, 7, 8, 9, 10, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11, as amended, House Amendment Nos. 12, 13, 14, 15, 16, 17, 18, 19, House Amendment No. 1 to House Amendment No. 20, House Amendment No. 20, as amended, House Amendment Nos. 21, 22, 23, House Amendment No. 1 to House Amendment No. 24, House Amendment No. 24, as amended, House Amendment Nos. 25, 26, House Amendment No. 1 to House Amendment No. 27, House Amendment No. 27, as amended, and House Amendment Nos. 28 and 29.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting immediately after said line the following:

“311.297. 1. Any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide and pour distilled spirits, wine, or malt beverage samples off a licensed retail premises for tasting purposes provided no sales transactions take place. For purposes of this section, a “sales transaction” shall mean an actual and immediate exchange of monetary consideration for the immediate delivery of goods at the tasting site.

2. Notwithstanding any other provisions of this chapter to the contrary, any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide, furnish, or pour distilled spirits, wine, or malt beverage samples for customer tasting purposes on any temporary licensed retail premises as described in section 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization’s licensed premises as described in section 311.090.

**3. (1) Notwithstanding any other provisions of this chapter to the contrary, any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide or furnish distilled spirits, wine, or malt beverage samples on a licensed retail premises for customer tasting purposes so long as the winery, distiller, manufacturer, wholesaler, or brewer or designated employee has permission from the person holding the retail license. The retail licensed premises where such product tasting is provided shall maintain a special permit in accordance with section 311.294 or hold a by-the-drink-for-consumption-on-the-premises-where-sold retail license. No money or anything of value shall be given to the retailers for the privilege or opportunity of conducting the on-the-premises product tasting.**

**(2) Distilled spirits, wine, or malt beverage samples may be dispensed by an employee of the**

**retailer, winery, distiller, manufacturer, or brewer or by a sampling service retained by the retailer, winery, distiller, manufacturer, or brewer. All sampling service employees that provide and pour intoxicating liquor samples on a licensed retail premises shall be required to complete a server training program approved by the division of alcohol and tobacco control.**

**(3) Any distilled spirits, wine, or malt beverage sample provided by the retailer, winery, distiller, manufacturer, wholesaler, or brewer remaining after the tasting shall be returned to the retailer, winery, distiller, manufacturer, wholesaler, or brewer.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District (“District”) shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.



5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to Chapter 140 or, if applicable to that county, Chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

“447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per

week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, **environmental insurance premiums, backfill of areas where contaminated soil excavation occurs**, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one

hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148.

The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 [to 6] **and 5** of section 135.250. The director of the department of economic development shall notify the directors of the departments of natural resources

and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and

the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

(1) The shareholders of the corporation described in section 143.471;

(2) The partners of the partnership. The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 145, Page 2, Line 12, by inserting the following after all of said Line:

“67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be

stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (1) Acquisition of land;
- (2) Installation of infrastructure for industrial or business parks;
- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;
- (5) Providing matching dollars for state or federal grants;
- (6) Marketing;
- (7) **Construction and operation of job training and educational facilities;**

(8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

(1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent

all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;

(3) One member shall be appointed by the largest public school district in the city or county;

(4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

6. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

7. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

8. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on



December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

9. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.”; and”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53 by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city, town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] **a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for incarcerating the prisoner**, the prisoner shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 6, Section 488.026, Line 12 by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a

surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2014.

**5. Any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an additional five dollars if approved by the county commission.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 145, Section 488.026, Page 6, Line 12, by inserting the following after all of said Lines:

“537.620. Notwithstanding any direct or implied prohibitions in chapter 375, 377, or 379, any three or more political subdivisions of this state may form a business entity for the purpose of providing liability and all other insurance, including insurance for elderly or low-income housing in which the political subdivision has an insurable interest, for any of the subdivisions upon the assessment plan as provided in sections 537.600 to 537.650. Any public governmental body or quasi-public governmental body, as defined in section 610.010, and any political subdivision of this state or any other state may join this entity and use public funds to pay any necessary assessments. Except for being subject to the regulation of the director of the department of insurance, financial institutions and professional registration under sections 375.930 to 375.948, sections 375.1000 to 375.1018, and sections 537.600 to 537.650, any such business entity shall not be deemed to be an insurance company or insurer under the laws of this state, and the coverage provided by such entity and the administration of such entity shall not be deemed to constitute the transaction of an insurance business. **Risk coverages procured under this section shall not be deemed to constitute a contract, purchase, or expenditure of public funds for which a public governmental body, quasi-public governmental body, or political subdivision is required to solicit competitive bids.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 145, Section 67.319, Page 5, Line 53, by inserting the following after all of said Line:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been

established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section

shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 145, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

“50.1260. [1.] A distributee may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover **to the extent and in the time and manner as set forth in regulations and as otherwise provided by the board.**

[2. An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include any distribution that is one of a series of substantially equal periodic payments, not less frequently than annually, made for the life, or life expectancy, of the distributee or the joint lives, or joint life expectancy, of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required pursuant to 26 U.S.C. 401(a)(9); and the portion of any distribution that is not includable in gross income, determined without regard to the exclusion for net unrealized appreciation

with respect to employer securities.

3. An eligible retirement plan is an individual retirement account, an individual retirement annuity, an annuity plan described in 26 U.S.C. 403(a), or a qualified trust described in 26 U.S.C. 401(a) that accepts the distributee's eligible rollover distribution. However, in the case of an eligible rollover distribution to the surviving spouse, an eligible retirement plan is an individual retirement account or individual retirement annuity.

4. A distributee includes a member, the member's surviving spouse and the member's former spouse who is the alternate payee pursuant to a qualified domestic relations order.

5. A direct rollover is a payment made, in accordance with the provisions of section 50.1250, to the eligible retirement plan specified by the distributee.

6. A distributee may elect a complete direct rollover with respect to all of the distribution or a partial direct rollover with respect to a portion of the distribution with the remainder paid directly to the distributee. The amount of a partial direct rollover must be at least five hundred dollars.

7. A distributee who does not make any election shall be deemed to have rejected the direct rollover option.

8. A distribution of less than two hundred dollars that otherwise would be an eligible rollover distribution shall not be an eligible rollover distribution if it is reasonable to expect that all such distributions to the distributee from the plan during the same calendar year will not exceed two hundred dollars.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 145, Section 67.319, Page 5, Line 53, by inserting the following after all of said Section and Line:

**“143.789. The director of the department shall have the authority to impose an offset against a refund owed to any taxpayer for the following items and in the following order of priority:**

**(1) Delinquent taxes owed by the taxpayer to the state of Missouri;**

**(2) Debts owed by such taxpayer to any state agency or support obligation owed by such taxpayer which is enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425;**

**(3) Collection assistance fees authorized under section 143.790;**

**(4) Eligible claims under section 143.790; and**

**(5) Delinquent taxes owed by the taxpayer to the United States.**

143.790. 1. [Any hospital or health care provider who has provided health care services to an individual who was not covered by a health insurance policy or was not eligible to receive benefits under the state's medical assistance program of needy persons, Title XIX, P.L. 89-97, 1965 amendments to the federal Social Security Act, 42 U.S.C. Section 301, et seq., under chapter 208, RSMo, and the health insurance for uninsured children under sections 208.631 to 208.657, RSMo, at the time such health care services were administered, and such person has failed to pay for such services for a period greater than ninety days, may submit a claim to the director of the department of health and senior services for the unpaid health care

services. The director of the department of health and senior services shall review such claim. If the claim appears meritorious on its face, the claim for the unpaid medical services shall constitute a debt of the department of health and senior services for purposes of sections 143.782 to 143.788, and the director may certify the debt to the department of revenue in order to set off the debtor's income tax refund. Once the debt has been certified, the director of the department of health and senior services shall submit the debt to the department of revenue under the setoff procedure established under section 143.783.

2. At the time of certification, the director of the department of health and senior services shall supply any information necessary to identify each debtor whose refund is sought to be set off pursuant to section 143.784 and certify the amount of the debt or debts owed by each such debtor.

3. If a debtor identified by the director of the department of health and senior services is determined by the department of revenue to be entitled to a refund, the department of revenue shall notify the department of health and senior services that a refund has been set off on behalf of the department of health and senior services for purposes of this section and shall certify the amount of such setoff, which shall not exceed the amount of the claimed debt certified. When the refund owed exceeds the claimed debt, the department shall send the excess amount to the debtor within a reasonable time after such excess is determined.

4. The department of revenue shall notify the debtor by certified mail the taxpayer whose refund is sought to be set off that such setoff will be made. The notice shall contain the provisions contained in subsection 3 of section 143.794, including the opportunity for a hearing to contest the setoff provided therein, and shall otherwise substantially comply with the provisions of subsection 3 of section 143.784.

5. Once a debt has been set off and finally determined under the applicable provisions of sections 143.782 to 143.788, and the department of health and senior services has received the funds transferred from the department of revenue, the department of health and senior services shall settle with each hospital or health care provider for the amounts that the department of revenue set off for such party. At the time of each settlement, each hospital or health care provider shall be charged for administration expenses which shall not exceed twenty percent of the collected amount.

6. Lottery prize payouts made under section 313.321, RSMo, shall also be subject to the setoff procedures established in this section and any rules and regulations promulgated thereto.

7. The director of the department of revenue shall have priority to offset any delinquent tax owed to the state of Missouri. Any remaining refund shall be offset to pay a state agency debt or to meet a child support obligation that is enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425, RSMo.

**8.] As used in this section, the following terms shall mean:**

**(1) "Appeals committee", a committee consisting of at least three people appointed by a provider to hear patient appeals of review officer rulings:**

**(a) That the provider has a valid claim;**

**(b) Regarding the amount of the claim;**

**(c) That a claim qualifies as an eligible claim under this section;**

**(2) "Collection assistance fee", a fee in the amount of fourteen dollars payable to the general fund of this state for each debt setoff being processed and an additional seventeen dollars payable to the claim clearinghouse for each debt being processed by the claim clearinghouse shall be recovered from**

each eligible claim to recover the costs incurred in collecting debts under this section;

(3) “Court”, the supreme court, court of appeals, or any circuit court of the state, or any of their judicially or legislatively created subdivisions;

(4) “Department”, the department of revenue;

(5) “Claim”, a claim by a provider to receive payment of fifty dollars or more for health care services provided by such provider to a patient which has not been paid in whole or in part by the patient or third party payer for more than ninety days after the date the patient was first billed for such health care services;

(6) “Claim clearinghouse”, the entity selected by the department to receive and submit eligible claims on behalf of a provider in accordance with this section. The claim clearinghouse shall be selected by the department through use of and in compliance with the applicable requirements of chapter 34;

(7) “Health care services”, any services that a provider renders to a patient in the course of such provider’s furnishing of ambulance services to the patient. Health care services shall include, but not be limited to, treatment of patients and transporting of patients incidental, or pursuant, to the delivery of ambulance services by a provider or in furtherance of the purposes for which such provider is organized and licensed, provided that with respect to ground ambulance services provided by a provider that is not owned and operated by a city, county, municipality, political subdivision, governmental entity, or an entity that is exempt from federal and state income taxation, health care services shall only include those ground ambulance services provided by the provider that qualify and emergency services as defined in section 190.100 and are provided under the terms of an agreement between the provider and a city, county, municipality, political subdivision, or a governmental entity under section 190.105;

(8) “Patient”, an individual who has received health care services from a provider and who was not, at the time such health care services were provided, eligible to receive benefits under the state’s medical assistance program for needy persons under chapter 208 and the health insurance for uninsured children under sections 208.631 to 208.657;

(9) “Provider”, any provider of ambulance services licensed by the Missouri department of health and senior services in accordance with chapter 190, to include but not be limited to any provider of air ambulance services licensed under section 190.108 and any provider of ground ambulance services licensed under section 190.109;

(10) “Refund”, a patient’s Missouri income tax refund which the department determines to be due pursuant to the provisions of this chapter;

(11) “Review officer”, a person designated by a provider to review claims, at the request of a patient, to determine whether such provider has a valid claim, the amount of such claim, and whether such claim qualifies as an eligible claim under this section.

2. Prior to submission of a claim to the claim clearinghouse, a provider shall send written notice to a patient that such provider intends to submit a claim to the claim clearinghouse for collection by setoff under this section. The notice shall:

(1) Provide the basis for the claim;

(2) State that the provider intends to request that the department apply the patient's refund against the claim;

(3) State that a collection assistance fee will be added to the claim if it is submitted for setoff;

(4) Inform the patient of the right to contest the validity or amount of such claim by filing a request for a review with the provider; and

(5) State the time limit and procedure for requesting such review, and that failure to request a review within thirty days following receipt of the notice required under this section shall result in submission of the claim to the claim clearinghouse for setoff of the debt by the department.

3. Upon receipt of the notice required under subsection 2 of this section, any patient seeking review of a claim with the provider shall file a written request for review within thirty days of receipt of such notice. A request for a review shall be deemed filed when properly addressed and delivered to the United States Postal Service for mailing with postage prepaid. A review officer shall be appointed by the provider to review such claim. In reviewing a claim, any issue that has previously been litigated in a court proceeding shall not be considered by the review officer. If the patient seeks a review of the claim and the review officer finds either that the claim is invalid or the claim does not qualify as an eligible claim under this section, the review officer's determination shall be final and binding on the provider and such provider shall have no right to appeal such determination. If all or part of the claim is found by the review officer to be valid and eligible for setoff under this section, the review officer shall notify the provider and the patient of such fact. Such notice shall:

(1) Inform the patient that the patient has the right to appeal the review officer's determination by filing an appeal with the appeals committee;

(2) State the time limit and procedure for requesting such an appeal; and

(3) State that failure to request the appeal within thirty days following receipt of the notice required under this subsection shall result in submission of the claim to the claim clearinghouse for setoff of the debt by the department.

4. Upon receipt of the notice required under subsection 3 of this section, any patient seeking an appeal of a determination of a review officer under subsection 4 of this section shall file a written request for such appeal within thirty days following receipt of such notice. An appeal shall be deemed filed when properly addressed and delivered to the United States Postal Service for mailing with postage prepaid. An appeal of a review officer's determination shall be heard by an appeals committee. In an appeal under this section, any issue that has been previously litigated in a court proceeding shall not be considered. A decision made after an appeal under this section shall determine whether a claim is owed to the provider, the amount of the claim, and whether the claim is an eligible claim under this section.

5. If the appeals committee finds a claim to be invalid or otherwise ineligible under this section, the decision of the appeals committee shall be final and binding on the provider and may not be appealed by the provider. If all or part of the claim is found by the appeals committee to be valid and eligible for setoff under this section, the appeals committee shall notify the provider and the patient of such fact. Such notice shall:

(1) Inform the patient that the patient has the right to challenge the appeals committee



determination by notifying the provider that it disagrees with the determination and advising the provider as to the basis of such disagreement;

(2) State that the patient must notify the provider of the challenge within ninety days of the patient's receipt of the notice from the appeals committee;

(3) Advise the patient that if the patient challenges the appeals committee's determination under this subsection, the provider will not be permitted to setoff the provider's claim against the patient's refund under this section unless and until the provider files suit against the patient in court seeking a determination that the provider's claim is valid regarding the amount of the claim and that the claim is eligible for setoff under this section, and the court determines that the provider's claim is valid, the amount of the provider's claim, and that provider's claim is eligible for setoff under this section; and

(4) Advise the patient that if the patient does not challenge the appeal committee's determination under this subsection, the provider will submit the claim to the claim clearinghouse for setoff by the department under this subsection.

6. If the provider prevails in the lawsuit filed under subsection 5 of this section, the provider may submit the claim to the claim clearinghouse for setoff by the department under this section. If the patient prevails in the lawsuit filed by the provider under subsection 5 of this section, the provider shall be:

(1) Forever barred from submitting the claim to the claim clearinghouse for setoff by the department under this section;

(2) Forever barred from taking any other steps to collect the amount of the claim from the patient; and

(3) Obligated to reimburse the patient for court costs and attorney's fees associated with the lawsuit filed under subsection 5 of this section.

7. Any provider may submit a claim to the claim clearinghouse for review. In connection with its submission of a claim to the claim clearinghouse, the provider, whenever possible, shall provide the claim clearinghouse with the patient's full name, Social Security number, address, and any other identifying information that the department advises the claim clearinghouse is necessary for the department to setoff the claim under this section. The provider shall also provide the claim clearinghouse with information demonstrating the provider's compliance with the requirements of this section with respect to the claim.

8. If the claim clearinghouse receives sufficient evidence that a provider has fully complied with the requirements of this section and finds the claim valid, the claim shall be deemed eligible for setoff by the department under this section and shall be forwarded to the department. In connection with its submission of the claim to the department, the claim clearinghouse, whenever possible, shall provide the department with the patient's full name, Social Security number, address, and any other identifying information that the department advises the claim clearinghouse is necessary for the department to setoff the claim under this section.

9. If the claim clearinghouse determines that the provider has failed to comply with any applicable requirements in this section or that the claim is not valid, the claim clearinghouse shall return the

claim to the provider.

10. If the department determines that a patient identified by a provider in an eligible claim filed with the department is entitled to a refund, the department shall notify the claim clearinghouse that a refund is available for setoff and the amount of such refund, and whether the refund results from a joint or combined return. Notwithstanding any provision of section 32.057 and any other confidentiality statute of this state to the contrary, the department may provide the claim clearinghouse with all information necessary to accomplish and carry out the provisions of this section and section 143.789, but shall not provide the claim clearinghouse with any information whose disclosure is prohibited by Section 6103(d) of the Internal Revenue Code of 1986, as amended. The information obtained by the claim clearinghouse from the department in accordance with this section and section 143.789 shall retain its confidentiality and shall only be used by the claim clearinghouse for the purpose described in this section and section 143.789.

11. (1) At that time, the department shall also notify the patient by regular mail that setoff against the patient's tax refund has been authorized under this section. The notice shall include the following information:

- (a) The amount of the eligible claim and the name of the provider seeking setoff;
- (b) That a setoff to the patient's refund against the eligible claim has been performed; and
- (c) Any amount of the refund remaining after the offset of the eligible claim.

(2) In the case of a joint or combined return, the notice shall also state the name of the nonobligated taxpayer named in the return, if any, against whom no claim is asserted, the fact that no claim is asserted against such taxpayer, and the fact that such taxpayer is entitled to receive a refund if it is due the taxpayer regardless of the claim asserted against the taxpayer's spouse. In order to obtain the refund due the taxpayer, the taxpayer shall apply in writing for an apportionment of the refund with the department within thirty days of the date of receipt of the notice unless, in anticipation of the setoff of the taxpayer's spouse's refund, such nonobligated taxpayer provided the department with a request for apportionment of the anticipated refund which was filed at the same time the original tax return was filed, in which case the department shall determine the apportionment of the refund and forward the determination of apportionment and the nonobligated taxpayer's portion of the refund to the nonobligated taxpayer within fifteen working days of the transfer of the obligated taxpayer's portion of the refund to the claim clearinghouse. Unless a request for apportionment of the anticipated refund was provided to the department as provided in this section, within ninety days after the filing of such taxpayer's application for apportionment of the refund with the department a determination of apportionment shall be mailed to the nonobligated taxpayer by the department. The apportionment of the refund shall be final upon the expiration of thirty days from the date on which the determination of apportionment is mailed to the nonobligated taxpayer unless, within such thirty-day period, the nonobligated taxpayer applies in writing for a hearing with the department.

12. The department shall then pay to the claim clearinghouse the amount that the department has setoff for such provider, which shall include the collection assistance allocable to the claim clearinghouse. In the event the department is unable to setoff the entire eligible claim and collection assistance fee under this section, the setoff of the collection assistance fee shall have priority over the setoff of the eligible claim. If, after the department has paid to the claim clearinghouse the amount

that the department has setoff for the provider, the provider is found not to have complied with any applicable requirement of this section, the provider shall send to the patient the entire amount of the claim offset by the department for the provider plus an amount equal to the collection assistance fee.

**13. In addition to refunds, lottery prize payouts made under section 313.321 shall be subject to the setoff procedures established in this section.**

**14.** The director of the department of revenue and the director of the department of health and senior services shall promulgate rules and regulations necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 145, Pages 6-7, Section 1, Lines 1-54, by deleting all of said section and inserting in lieu thereof the following:

**“Section 1. 1. If approved by a majority of the voters voting on the proposal, any city, town, village, sewer district, or water supply district located within this state may, by order or ordinance, levy and impose annually, upon lateral sewer service lines providing sewer service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, village, sewer district, or water supply district, a fee not to exceed four dollars per month or forty-eight dollars annually.**

**2. The ballot of submission shall be in substantially the following form:**

**For the purpose of repair or replacement of lateral sewer service lines extending from the residential dwelling to its connection with the public sewer system line, due to failure of the line, shall ..... (city, town, village, sewer district, or water supply district) be authorized to impose a fee not to exceed four dollars per month or forty-eight dollars annually on residential property for each lateral sewer service line providing sewer service within the (city, town, village, sewer district, or water supply district) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary lateral sewer service line repairs or replacements?**

**3. For the purpose of this section, a lateral sewer service line may be defined by local order or ordinance, but shall not include more than the portion of the sewer line which extends from the sewer mains owned by the utility or municipality to the point of entry into the premises receiving sewer service, and may not include facilities owned by the utility or municipality. For purposes of this section, repair may be defined and limited by local ordinance, and may include replacement or repairs.**

**4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1 of this section, the governing body of the city, town, village, sewer district, or water supply district may enact an order or ordinance for the collection of such fee. The funds collected under such ordinance shall**

be deposited in a special account to be used solely for the purpose of paying for the reasonable costs associated with and necessary to administer and carry out the lateral sewer service line repairs as defined in the order or ordinance and to reimburse the necessary costs of lateral sewer service line repair or replacement. All interest generated on deposited funds shall be accrued to the special account established for the repair of lateral sewer service lines.

5. The city, town, village, sewer district, or water supply district may establish, as provided in the order or ordinance, regulations necessary for the administration of collections, claims, repairs, replacements and all other activities necessary and convenient for the implementation of any order or ordinance adopted and approved under this section. The city, town, village, sewer district, or water supply district may administer the program or may contract with one or more persons, through a competitive process, to provide for administration of any portion of implementation activities of any order or ordinance adopted and approved under this section, and reasonable costs of administering the program may be paid from the special account established under this section not to exceed five percent of the fund on an annual basis.

6. Notwithstanding any other provision of law to the contrary, the collector in any city, town, village, sewer district, or water supply district that adopts an order or ordinance under this section, who now or hereafter collects any fee to provide for, ensure or guarantee the repair of lateral sewer service lines, may add such fee to the general tax levy bills of property owners within the city, town, village, sewer district, or water supply district. All revenues received on such combined bill which are for the purpose of providing for, ensuring or guaranteeing the repair of lateral sewer service lines, shall be separated from all other revenues so collected and credited to the appropriate fund or account of the city, town, village, sewer district, or water supply district. The collector of the city, town, village, sewer district, or water supply district may collect such fee in the same manner and to the same extent as the collector now or hereafter may collect delinquent real estate taxes and tax bills.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“87.005. 1. Notwithstanding the provisions of any law to the contrary, after five years’ service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. This section shall apply only to the provisions of chapter 87, RSMo 1959.

3. As used in this section, the term “infectious disease” means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D,

**diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome.**

87.006. 1. Notwithstanding the provisions of any law to the contrary, and only for the purpose of computing retirement benefits provided by an established retirement plan, after five years' service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. Any condition of cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, breast, testicular, genitourinary, liver or prostate systems, as well as any condition of cancer which may result from exposure to heat or radiation or to a known or suspected carcinogen as determined by the International Agency for Research on Cancer, which results in the total or partial disability or death to a uniformed member of a paid fire department who successfully passed a physical examination within five years prior to the time a claim is made for disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty unless the contrary be shown by competent evidence and it can be proven to a reasonable degree of medical certainty that the condition did not result nor was contributed to by the voluntary use of tobacco.

3. This section shall apply to paid members of all fire departments of all counties, cities, towns, fire districts, and other governmental units.

**4. As used in this section, the term "infectious disease" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 11

Amend House Amendment No. 11 to House Committee Substitute for Senate Bill No. 145, Page 1, Line 29 by inserting immediately after "damages" the following:

**"for termination of such service";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53 by inserting after said line the following:

**"250.140. 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and owner of the premises receiving such service and, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply**

district organized and incorporated under chapter 247 rendering such services shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service[; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable for sums due for more than ninety days]. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider **or premises owner** who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages, **nor shall it be deemed constructive eviction.**

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53 by inserting after all of said section and line the following:

**"67.4500. As used in sections 67.4500 to 67.4520, the following terms shall mean:**

**(1) "Authority", any county drinking water supply lake authority created by sections 67.4500 to 67.4520;**

**(2) "Conservation storage level", the target elevation established for a drinking water supply lake at the time of design and construction of such lake;**

**(3) "Costs", the sum total of all reasonable or necessary expenses incidental to the acquisition, construction, expansion, repair, alteration, and improvement of the project, including without limitation the following: the expense of studies and surveys; the cost of all lands, properties, rights, easements, and franchises acquired; land title and mortgage guaranty policies; architectural and**

engineering services; legal, organizational marketing, or other special services; provisions for working capital; reserves for principal and interest; and all other necessary and incidental expenses, including interest during construction on bonds issued to finance the project and for a period subsequent to the estimated date of completion of the project;

(4) “Project”, recreation and tourist facilities and services, including, but not limited to, lakes, parks, recreation centers, restaurants, hunting and fishing reserves, historic sites and attractions, and any other facilities that the authority may desire to undertake, including the related infrastructure buildings and the usual and convenient facilities appertaining to any undertakings, and any extensions or improvements of any facilities, and the acquisition of any property necessary therefore, all as may be related to the development of a water supply source, recreational and tourist accommodations, and facilities;

(5) “Water commission”, a water commission owning a reservoir formed under sections 393.700 to 393.770;

(6) “Watershed”, the area that contributes or may contribute to the surface water of any lake as determined by the authority.

**67.4505. 1.** Any county of the third classification with a township form of government and with more than seven thousand two hundred but fewer than seven thousand three hundred inhabitants or any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants may establish a county drinking water supply lake authority, which shall be a body corporate and politic and a political subdivision of this state.

2. The authority may exercise the powers provided to it under section 67.4520 over the reservoir area encompassing any drinking water supply lake of one thousand five hundred acres or more, as measured at its conservation storage level, and within the lake's watershed.

3. It shall be the purpose of each authority to promote the general welfare and a safe drinking water supply through the construction, operation, and maintenance of a drinking water supply lake.

4. The income of the authority and all property at any time owned by the authority shall be exempt from all taxation or any assessments whatsoever to the state or of any political subdivision, municipality, or other governmental agency thereof.

5. No county in which an authority is organized shall be held liable in connection with the construction, operation, or maintenance of any project or program undertaken under sections 67.4500 to 67.4520, including any actions taken by the authority in connection with such project or program.

**67.4510.** A county drinking water supply lake authority shall consist of at least six but not more than thirty members, appointed as follows:

(1) Members of the water commission shall appoint all members to the authority, one-third of the initial members for a six-year term, one-third for a four-year term, and the remaining one-third for a two-year term, until a successor is appointed; provided that, if there is an odd number of members, the last person appointed shall serve a two-year term. Upon the expiration of each term, a successor shall be appointed for a six-year term;

(2) No person shall be appointed to serve on the authority unless he or she is a registered voter in the state for more than five years, a resident in the county where the water commission is located for

more than five years, and over the age of twenty-five years. If any member moves outside such county, the seat shall be deemed vacant and a new member shall be appointed by the county commission to complete the unexpired term.

**67.4515. 1.** The water commission shall by resolution establish a date and time for the initial meeting of the authority.

**2.** At the initial meeting, and annually thereafter, the authority shall elect one of its members as chairman and one as vice chairman, and appoint a secretary and a treasurer who may be a member of the authority. If not a member of the authority, the secretary or treasurer shall receive compensation that shall be fixed from time to time by action of the authority. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority may designate the secretary to act in lieu of the executive director. The secretary shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may from time to time deem proper and necessary.

**3.** Each member of the authority shall execute a surety bond in the penal sum of fifty thousand dollars or, in lieu thereof, the chairman of the authority shall execute a blanket bond covering each member and the employees or other officers of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in the state as surety, and to be approved by the attorney general and filed in the office of the secretary of state. The cost of each such bond shall be paid by the authority.

**4.** No authority member shall participate in any deliberations or decisions concerning issues where the authority member has a direct financial interest in contracts, property, supplies, services, facilities, or equipment purchased, sold, or leased by the authority. Authority members shall additionally be subject to the limitations regarding the conduct of public officials as provided in chapter 105.

**67.4520. 1.** The authority may:

- (1)** Acquire, own, construct, lease, and maintain recreational or water quality projects;
- (2)** Acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated thereon and in personal property necessary to fulfill the purposes of the authority;
- (3)** Contract and be contracted with, and to sue and be sued;
- (4)** Accept gifts, grants, loans, or contributions from the federal government, the state of Missouri, political subdivisions, municipalities, foundations, other public or private agencies, individuals, partnerships, or corporations;



**(5) Employ such managerial, engineering, legal, technical, clerical, accounting, advertising, stenographic, and other assistance as it may deem advisable. The authority may also contract with independent contractors for any of the foregoing assistance;**

**(6) Disburse funds for its lawful activities and fix salaries and wages of its employees;**

**(7) Fix rates, fees, and charges for the use of any projects and property owned, leased, operated, or managed by the authority;**

**(8) Adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business may be transacted; however, said bylaws, rules, and regulations shall not exceed the powers granted to the authority by sections 67.4500 to 67.4520;**

**(9) Either jointly with a similar body, or separately, recommend to the proper departments of the government of the United States, or any state or subdivision thereof, or to any other body, the carrying out of any public improvement;**

**(10) Provide for membership in any official, industrial, commercial, or trade association, or any other organization concerned with such purposes, for receptions of officials or others as may contribute to the advancement of the authority and development therein, and for such other public relations activities as will promote the same, and such activities shall be considered a public purpose;**

**(11) Cooperate with municipalities and other political subdivisions as provided in chapter 70;**

**(12) Enter into any agreement with any other state, agency, authority, commission, municipality, person, corporation, or the United States, to effect any of the provisions contained in sections 67.4500 to 67.4520;**

**(13) Sell and supply water and construct, own, and operate infrastructure projects in areas within its jurisdiction, including but not limited to roads, bridges, water and sewer systems, and other infrastructure improvements;**

**(14) Issue revenue bonds in the same manner as provided under section 67.789; and**

**(15) Adopt tax increment financing within its boundaries in the same manner as provided under section 67.790.**

**2. The state or any political subdivision or municipal corporation thereof may in its discretion, with or without consideration, transfer or cause to be transferred to the authority or may place in its possession or control, by deed, lease, or other contract or agreement, either for a limited period or in fee, any property wherever situated.**

**3. The state or any political subdivision may appropriate, allocate, and expend such funds of the state or political subdivision for the benefit of the authority as are reasonable and necessary to carry out the provisions of sections 67.4500 to 67.4520.**

**4. The authority shall have the authority to exercise all zoning and planning powers that are granted to cities, towns, and villages under chapter 89, except that the authority shall not exercise such powers inside the corporate limits of any city, town, or village which has adopted a city plan under the laws of this state before August 28, 2011.**

**226.224. Notwithstanding any provision of the law to the contrary, the state highways and transportation commission may enter into binding highway infrastructure agreements to reimburse**

or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the state highways and transportation commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The state highways and transportation commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues, only if terms of the contract explicitly state such a condition and the contract shall further provide for a date or dates certain for repayment of funds and may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule or if repayment would jeopardize the receipt of federal highway moneys only if terms of the contract explicitly state such a condition and the contract shall further provide for a date or dates certain for repayment of funds.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

(1) “Board”, the board of directors of a district;

(2) “Commission”, the Missouri highways and transportation commission;

(3) “District”, a transportation development district organized under sections 238.200 to 238.275;

(4) “Local transportation authority”, a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

(5) “Project” includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or [other mass transit] **public mass transportation system** and any similar or related improvement or infrastructure. **In the case of a district located in a home rule city with more than four hundred thousand inhabitants and located in more than one county, whose district boundaries are contained solely within that portion of such a home rule city that is contained within a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the term “Project” shall also include the operation of a street car or other rail-based or fixed guideway public mass transportation system, and the revenue of such district may be used to pay for the design, construction, ownership and operation of such a street car or other rail-based or fixed guideway public mass transportation system by such district or such municipality, or by a local transportation authority having jurisdiction within such municipality.**

(6) “Public mass transportation system”, a transportation system owned or operated by a

**governmental or quasi-governmental entity, employing motor buses, rails, or any other means of conveyance, by whatsoever type of power, operated for public use in the conveyance of persons, mainly providing local transportation service within a municipality or a single metropolitan statistical area.**

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

(1) “Approval of the required majority” or “direct voter approval”, a simple majority;

(2) “Qualified electors”, “qualified voters” or “voters”:

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) “Registered voters”, persons qualified and registered to vote pursuant to chapter 115.

238.225. 1. Before construction or funding of any project the district shall submit the proposed project to the commission for its prior approval. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may preliminarily approve the project subject to the district providing plans and specifications for the proposed project and making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission’s preliminary approval. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission’s jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project.

Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

**4. Notwithstanding any provision of this section to the contrary, this section shall not apply to any district whose project is a public mass transportation system.**

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of ..... (transportation development district's name) impose a transportation development district-wide sales tax at the rate of ..... (insert amount) for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of ..... (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the

price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

(7) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5. All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

6. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with

any amendments thereto, shall remain in effect.

**7. Notwithstanding any provision of sections 99.800 to 99.865, and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Bill No. 145, Section A, Page 1, Line 3, by inserting after all of said line the following:

**“44.035. The name, address, social security number, as well as any other personal identifying information that is utilized in a voluntary registry of persons with health-related ailments created by a public governmental body to assist individuals in case of a disaster or emergency, shall not be considered a public record under the provisions of chapter 610. Nothing in this section shall authorize a public governmental body to deny a lawful request for such name, address, social security number, or other personal identifying information from a law enforcement agency or any public governmental body that provides firefighting, medical or other emergency services.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

**“70.710. 1. The “Employer Accumulation Fund” is hereby created. It is the fund in which shall be accumulated the contributions made by employers for benefits, and from which shall be made transfers, as provided in sections 70.600 to 70.755.**

**2. When paid to the system, the employer contributions provided for in subsections 2 and 3 of section 70.730 shall be credited to the employer accumulation fund account of the employer making the contributions.**

**3. When an allowance other than a disability allowance or an allowance that results from a member’s death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee first becomes due and payable, there shall be transferred to the benefit reserve fund from his employer’s account in the employer accumulation fund the difference between the reserve for the allowance and the accumulated contributions standing to his credit in the members deposit fund at the time the allowance first becomes due and payable, of the member or former member to whom or on whose behalf the allowance is payable.**

**4. A separate account shall be maintained in the employer accumulation fund for each employer. No employer shall be responsible for the employer accumulation fund liabilities of another employer.**

**5. When a disability allowance or an allowance that results from a member’s death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee first becomes due and payable, the accrued service**

pension reserve covering the retiring member shall be calculated in the manner provided for in subsection 3 of section 70.730, as of the effective date of the disability allowance. Such reserve shall be transferred to the benefit reserve fund from the employer's account in the employer accumulation fund.

70.720. 1. The "Casualty Reserve Fund" is hereby created. It is the fund in which shall be accumulated the contributions made by employers for pensions **either** to be paid members who retire on account of disability **or that result from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee**, and from which shall be made transfers as provided in sections 70.600 to 70.755.

2. When paid to the system, the employer contributions provided for in subsection 4 of section 70.730 shall be credited to the casualty reserve fund.

3. When a disability allowance **or an allowance that results from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** first becomes due and payable, there shall be transferred to the benefit reserve fund from the casualty reserve fund an amount equal to the reserve for the allowance, minus:

(1) The accumulated contributions, standing to the member's credit in the members deposit fund at the time the allowance first becomes due and payable; and

(2) The accrued service pension reserve determined pursuant to subsection 5 of section 70.710.

70.730. 1. Each employer's contributions to the system shall be the total of the contribution amounts provided for in subsections 2 through 5 of this section; provided, that such contributions shall be subject to the provisions of subsection 6 of this section.

2. An employer's normal cost contributions shall be determined as follows: Using the financial assumptions adopted by the board from time to time, the actuary shall annually compute the rate of contributions which, if paid annually by each employer during the total service of its members, will be sufficient to provide the pension reserves required at the time of their retirements to cover the pensions to which they might be entitled or which might be payable on their behalf. The board shall annually certify to the governing body of each employer the amount of membership service contribution so determined, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time determine. When received, such payments shall be credited to the employer's account in the employer accumulation fund.

3. An employer's accrued service contributions shall be determined as follows: Using the financial assumptions adopted by the board from time to time, the actuary shall annually compute for each employer the portions of pension reserves for pensions which will not be provided by future normal cost contributions. The accrued service pension reserves so determined for each employer less the employer's applicable balance in the employer accumulation fund shall be amortized over a period of years, as determined by the board. Such period of years shall not extend beyond the latest of (1) forty years from the date the political subdivision became an employer, or (2) thirty years from the date the employer last elected to increase its optional benefit program, or (3) fifteen years from the date of the annual actuarial computation. The board shall annually certify to the governing body of each employer the amount of accrued service contribution



so determined for the employer, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time determine. When received, such payments shall be credited to the employer's account in the employer accumulation fund.

4. The employer's contributions for the portions of disability pensions **or pensions that result from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** not covered by accrued service pension reserves shall be determined on a one-year term basis. The board may determine different rates of contributions for employers having policeman members or having fireman members or having neither policeman members nor fireman members. The board shall annually certify to the governing body of each employer the amount of contribution so ascertained for the employer, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time ascertain. When received, such payments shall be credited to the casualty reserve fund.

5. Each employer shall provide its share, as determined by the board, of the administrative expenses of the system and shall pay same to the system to be credited to the income-expense fund.

6. The employer's total contribution to the system, expressed as a percent of active member compensations, in any employer fiscal year, beginning with the second fiscal year that the political subdivision is an employer, shall not exceed its total contributions for the immediately preceding fiscal year, expressed as a percent of active member compensations, by more than one percent."; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Bill No. 145, Page 6, Section 488.026, Line 12, by inserting after all of said line the following:

"523.040. 1. The court, or judge thereof in vacation, on being satisfied that due notice of the pendency of the petition has been given, shall appoint three disinterested commissioners, who shall be residents of the county in which the real estate or a part thereof is situated, **and in any city not within a county, any county with a charter form of government and with more than one million inhabitants, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants at least one of the commissioners shall be either a licensed real estate broker or a state-licensed or state-certified real estate appraiser**, to assess the damages which the owners may severally sustain by reason of such appropriation, who, within forty-five days after appointment by the court, which forty-five days may be extended by the court to a date certain with good cause shown, after applying the definition of fair market value contained in subdivision (1) of section 523.001, and after having viewed the property, shall return to the clerk of such court, under oath, their report in duplicate of such assessment of damages, setting forth the amount of damages allowed to the person or persons named as owning or claiming the tract of land condemned, and should more than one tract be condemned in the petition, then the damages allowed to the owner, owners, claimant or claimants of each tract, respectively, shall be stated separately, together with a specific description of the tracts for which such damages are assessed; and the clerk shall file one copy of said report in his office and record the same in the order book

of the court, and he shall deliver the other copy, duly certified by him, to the recorder of deeds of the county where the land lies (or to the recorder of deeds of the city of St. Louis, if the land lies in said city) who shall record the same in his office, and index each tract separately as provided in section 59.440, and the fee for so recording shall be taxed by the clerk as costs in the proceedings; and thereupon such company shall pay to the clerk the amount thus assessed for the party in whose favor such damages have been assessed; and on making such payment it shall be lawful for such company to hold the interest in the property so appropriated for the uses prescribed in this section; and upon failure to pay the assessment, the court may, upon motion and notice by the party entitled to such damages, enforce the payment of the same by execution, unless the said company shall, within ten days from the return of such assessment, elect to abandon the proposed appropriation of any parcel of land, by an instrument in writing to that effect, to be filed with the clerk of the court, and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages shall be void.

2. Prior to the issuance of any report under subsection 1 of this section, a commissioner shall notify all parties named in the condemnation petition no less than ten days prior to the commissioners' viewing of the property of the named parties' opportunity to accompany the commissioners on the commissioners' viewing of the property and of the named parties' opportunity to present information to the commissioners.

3. The commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 17

Amend House Committee Substitute for Senate Bill No. 145, Page 1, Section A, Line 3, by inserting immediately after said section and line, the following:

“50.622. **1.** Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

**2.** Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or higher, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations must take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall.

**3.** Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

**4.** The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this section and such notice must include a published summary of the proposed reductions and an explanation of the shortfall. If the county has a website, publication on the website will satisfy the notice requirement for this section.

**5. This section shall expire on July 1, 2015.**

**6. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 18**

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

“99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. [Effective January 1, 2008,] **No municipality shall approve a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, if, after concluding the hearing required under this section, the commission formed under subsection 3 of section 99.820 makes a recommendation under section 99.820 in opposition to [a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve] such project, plan, designation, or amendments [shall do so only upon a two-thirds majority vote of the governing body of such municipality] provided, however, that a municipality may**

**approve such project, plan, designation, or amendment if such municipality places the question before the qualified voters residing within such municipality and such question is approved by voters voting thereon.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 19

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

“67.1000. 1. The governing body of **the following cities and counties may impose a tax as provided in this section:**

(1) Any county [or of];

(2) Any city which is the county seat of any county or which now or hereafter has a population of more than three thousand five hundred inhabitants and which has heretofore been authorized by the general assembly[, or of];

(3) Any other city which has a population of more than eighteen thousand and less than forty-five thousand inhabitants located in a county of the first classification with a population over two hundred thousand adjacent to a county of the first classification with a population over nine hundred thousand[.].

**2. The governing body of any city or county listed in subsection 1 of this section** may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under the provisions of this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

[2.] **3. As used in this section and section 67.1002, the term “transient guests” means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter, except that** in any county of the third classification without a township form of government and with more than forty-one thousand one hundred but fewer than forty-one thousand two hundred inhabitants, “transient guests”[, as used in this section and section 67.1002,] means a person or persons who occupy a room or rooms in a hotel or motel for ninety days or less during any calendar quarter.

[3.] **4.** Provisions of this section to the contrary notwithstanding, the governing body of any home rule city with more than thirty-nine thousand six hundred but fewer than thirty-nine thousand seven hundred

inhabitants and partially located in any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than seven percent per occupied room per night, except that such tax shall not become effective unless the governing body of such city submits to the voters of the city at an election permitted under section 115.123 a proposal to authorize the governing body of the city to impose a tax under the provisions of this [section] **subsection** and section 67.1002. The tax authorized by this [section] **subsection** and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city has contracted, and which is established for the purpose of promoting the city as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.

**5. Notwithstanding any other provision of this section to the contrary, the governing body of any city or county with more than three hundred fifty hotel and motel rooms within the boundaries of such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under this subsection and section 67.1002. The tax authorized by this subsection and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau. Such convention and visitors bureau shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.**

**6. Notwithstanding any other provision of law to the contrary, the taxes authorized in this section and section 67.1002 shall not be imposed by the following cities or counties:**

**(1) Any city or any county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such city or county or a portion thereof under this section and section 67.1002 or any other law of this state; or**

**(2) Any city not already imposing a tax under this section and section 67.1002 and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section and section 67.1002 or any other law of this state, except that cities of the third classification with more than two thousand five hundred hotel and motel rooms and located in a county of the first classification where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in subsection 5 of this section of not more than one-half percent per occupied room per night.**

**7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011.**

67.1002. 1. The question shall be submitted in substantially the following form:

Shall the ..... (City or County) levy a tax of ..... percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city or county, where the proceeds of which shall be expended for promotion of tourism **or funding a convention and visitors bureau?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city or county shall have no power to impose the tax authorized by this section unless and until the governing body of the city or county again submits the question to the qualified voters of the city or county and such question is approved by a majority of the qualified voters voting on the question.

2. On and after the effective date of any tax authorized under the provisions of this section and section 67.1000, the city or county which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city or county which levied the tax may adopt rules and regulations for the internal collection of such tax by the city or county officers usually responsible for collection and administration of city or county taxes; or

(2) The city or county may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section and section 67.1000. In the event any city or county enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section and section 67.1000, the director of revenue shall perform all functions incident to the administration, collection, enforcement and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section and section 67.1000. The tax authorized under the provisions of this section and section 67.1000 shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not less than one percent nor more than three percent for cost of collection.

3. If a tax is imposed by a city or county under this section and section 67.1000, the city or county may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter.

67.1003. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) Any city or county[, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state,] having more than three hundred fifty hotel and motel rooms inside such city or county;

(2) A county of the third classification with a population of more than seven thousand but less than seven thousand four hundred inhabitants;

(3) A third class city with a population of greater than ten thousand but less than eleven thousand located in a county of the third classification with a township form of government with a population of more than

thirty thousand;

(4) A county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-one thousand;

(5) Any third class city with a population of more than eleven thousand but less than thirteen thousand which is located in a county of the third classification with a population of more than twenty-three thousand but less than twenty-six thousand;

(6) Any city of the third classification with more than ten thousand five hundred but fewer than ten thousand six hundred inhabitants;

(7) Any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants;

(8) Any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

3. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed [in any city or county already imposing such tax pursuant to any other law of this state, except that] **by the following cities or counties:**

**(1) Any city or county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in any such city or county or a portion thereof under this section or any other law of this state; or**

**(2) Any city not already imposing a tax under this section and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section or any other law of this state.**

4. Cities of the third class having more than two thousand five hundred hotel and motel rooms, and located in a county of the first classification in which and where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed, may impose the tax authorized by this section of not more than one-half of one percent per occupied room per night.

[4.] 5. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of

percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

[5.] 6. As used in this section, “transient guests” means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

**7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011.”; and**

Further amend said bill, Page 7, Section 1, Line 54, by inserting after all of said line the following:

“[67.1005. 1. The governing body of any city or county, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state, having more than three hundred fifty hotel and motel rooms inside such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

2. The tax authorized in this section shall not be imposed in any city or county where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof is imposed pursuant to any other law of this state, except that cities of the third class having more than two thousand five hundred hotel and motel rooms and located in a county of the first class where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in this section of not more than one-half percent per occupied room per night.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate



of (insert rate of percent) percent?

☐ YES

☐ NO

4. As used in this section, “transient guests” shall mean a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.]”; and Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 20

Amend House Amendment No. 20 to House Committee Substitute for Senate Bill No. 145, Page 2, Line 21, by inserting after all of said line the following:

Further amend said bill, Section 67.319, Page 5, Line 53, by inserting the following after all of said line:

“321.120. 1. The decree of incorporation shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree, and until it has been assented to by a majority vote of the voters of the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of incorporating the district, and to select three or five persons to act as the first board of directors, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall there be incorporated a fire protection district?

[ ] YES

[ ] NO

3. The proposition of electing the first board of directors or the election of subsequent directors may be submitted on a separate ballot or on the same ballot which contains any other proposition of the fire protection district. The ballot to be used for the election of a director or directors shall be substantially in the following form:

OFFICIAL BALLOT Instruction to voters:

Place a cross (X) mark in the square opposite the name of the candidate or candidates you favor. (Here state the number of directors to be elected and their term of office.) ELECTION

(Here insert name of district.) Fire Protection District. (Here insert date of election.) FOR BOARD OF DIRECTORS

..... [ ]

..... [ ]

..... [ ]

4. If a majority of the voters voting on the proposition or propositions voted in favor of the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be void and of no effect. If the court enters an order declaring the decree of incorporation to be final and conclusive, it shall at the same time designate the first board of

directors of the district who have been elected by the voters voting thereon. If a board of three members is elected, the person receiving the third highest number of votes shall hold office for a term of two years, the person receiving the second highest number of votes shall hold office for a term of four years, and the person receiving the highest number of votes shall hold office for a term of six years from the date of the election of the first board of directors and until their successors are duly elected and qualified. If a board of five members is elected, the person who received the highest number of votes shall hold office for a term of six years, the persons who received the second and third highest numbers of votes shall hold office for terms of four years and the persons who received the fourth and fifth highest numbers of votes shall hold office for terms of two years and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified[, provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified]. The court shall at the same time enter an order of record declaring the result of the election on the proposition, if any, to incur bonded indebtedness.

5. Notwithstanding the provisions of subsections 1 to 4 of this section to the contrary, upon a motion by the board of directors in districts where there are three-member boards, and upon approval by the voters in the district, the number of directors may be increased to five, except that in any county of the first classification with a population of more than nine hundred thousand inhabitants such increase in the number of directors shall apply only in the event of a consolidation of existing districts. The ballot to be used for the approval of the voters to increase the number of members on the board of directors of the fire protection district shall be substantially in the following form:

Shall the number of members of the board of directors of the ..... (Insert name of district) Fire Protection District be increased to five members?

☐ YES                      ☐ NO

If a majority of the voters voting on the proposition vote in favor of the proposition then at the next election of board members after the voters vote to increase the number of directors, the voters shall select two persons to act in addition to the existing three directors as the board of directors. The court which entered the order declaring the decree of incorporation to be final shall designate the additional board of directors who have been elected by the voters voting thereon as follows: the one receiving the second highest number of votes to hold office for a term of four years, and the one receiving the highest number of votes to hold office for a term of six years from the date of the election of such additional board of directors and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified[, provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified].

6. Members of the board of directors in office on the date of an election pursuant to subsection 5 of this section to elect additional members to the board of directors shall serve the term to which they were elected or appointed and until their successors are elected and qualified.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 20

Amend House Committee Substitute for Senate Bill No. 145, Page 3, Section 56.807, Line 60, by inserting after all of said line the following:

**“66.640. 1. As used in this section, the following terms mean:**

**(1) “Distressed municipality”, any city, town, or village located in any county with a charter form of government and with more than one million inhabitants and that is in “Group B” under sections 66.600 to 66.630;**

**(2) “Emergency telephone service”, a telephone system using a single three-digit number, “911”, for reporting police, fire, medical, or other emergency situations;**

**(3) “Peace officer”, any peace officer as defined in section 590.010 who is licensed under chapter 590;**

**(4) “POST commission”, the police officer standards and training commission established in chapter 590.**

**2. Every distressed municipality shall provide at least the following level of municipal services:**

**(1) An emergency telephone service;**

**(2) Law enforcement twenty-four hours per day, seven days per week by armed peace officers;**

**(3) Policies regarding pursuit and the use of force by peace officers;**

**(4) Benefits for injured peace officers;**

**(5) Construction code enforcement review, directly or by contract with a private or public agency;**

**(6) Adequate maintenance of public roads and streets;**

**(7) Weekly refuse and recycling collection;**

**(8) A balanced annual budget;**

**(9) An annual audit of the distressed municipality’s finances by a certified public accountant.**

**3. If any distressed municipality fails to provide any of the services listed in subsection 2 of this section, the governing body of the county in which it is located may pursue the following remedies together or consecutively in any appropriate court with jurisdiction:**

**(1) Petition the court to compel the director of revenue to withhold the distribution of Group B sales tax revenues collected under this chapter on behalf of the noncompliant distressed municipality until the distressed municipality develops and adopts a plan to provide all of the services required under this section;**

**(2) Petition the court to authorize the county to administer the Group B sales tax revenues collected under this chapter on behalf of the noncompliant distressed municipality. If the court enters**

**an order authorizing the county to administer the revenues under this subdivision, the director of revenue shall distribute such revenues to the county, and the county shall use such revenues to provide the services required under this section in the distressed municipality.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 21

Amend House Committee Substitute for Senate Bill No. 145, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

“To repeal sections 11.010, 55.030, 56.807, 475.115, and 488.026, RSMo, and to enact in lieu thereof eight”; and

Further amend said bill, Page 1, Section A, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

“Section A. Sections 11.010, 55.030, 56.807, 475.115, and 488.026, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 11.010, 11.025, 55.030, 56.807, 475.115, and 488.026, to read as follows:

11.010. The official manual, commonly known as the “Blue Book”, compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state’s general revenue fund.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 22

Amend House Committee Substitute for Senate Bill No. 145, Page 2 , Line 31 by inserting after all of said Line the following:

“Further amend said Bill, Page 5, Section 67.319, Line 53 by inserting after all of said Section and Line the following:

“Section 67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the “Missouri Law Enforcement District Act”.

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

- (1) “Approval of the required majority” or “direct voter approval”, a simple majority;
- (2) “Board”, the board of directors of a district;
- (3) “District”, a law enforcement district organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**;
- (4) “**Registered voter**”, **any voter registered within the boundaries of the district or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification [without a charter form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a] **and each** registered voter [resident] within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

**5. In the event any owner of real property within the proposed district who is named in the**

**petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.**

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section**, each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

**If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.**

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898] **67.1894** the district shall have the following general powers:

(1) To contract with the [local] **county** sheriff’s department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

**3. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. [The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections



thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board] **Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question.”;** and

Further amend said bill, Section 1, Page 7, Line 54 by inserting after all of said Section and Line the following:

“[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.]

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in

such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES ☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.]

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

☐ YES ☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be

dissolved?

☐ YES

☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 23

Amend House Committee Substitute for Senate Bill No. 145, Page 1, In the Title, Line 2, by inserting immediately after "RSMo," the following:

"section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for senate committee substitute for house substitute for house bill no. 1238, ninetieth general assembly, second regular session, and section 141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session," ; and

Further amend said bill and page, Section A, Line 1, by inserting immediately after "RSMo," the following:

“section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for senate committee substitute for house substitute for house bill no. 1238, ninetieth general assembly, second regular session, and section 141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session,” ; and

Further amend said bill, Page 5, Section 67.319, Line 53, by adding after all of said section and line the following:

“141.210. Sections 141.210 to [141.810] **141.982** shall be known by the short title of “Land Tax Collection Law”.

141.220. The following words, terms and definitions, when used in sections 141.210 to 141.810 **and sections 141.980 to 141.982**, shall have the meanings ascribed to them in this section, except where the text clearly indicates a different meaning:

(1) “Appraiser” shall mean a state licensed or certified appraiser licensed or certified pursuant to chapter 339 who is not an employee of the collector or collection authority;

(2) “Collector” shall mean the collector of the revenue in any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**;

(3) “County” shall mean any county of the first class in this state having a charter form of government, any county of the first class not having a charter form of government with a population of at least one hundred fifty thousand but less than one hundred sixty thousand and any county of the first class not having a charter form of government with a population of at least eighty-two thousand but less than eighty-five thousand;

(4) “Court” shall mean the circuit court of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**;

(5) “Delinquent land tax attorney” shall mean a licensed attorney-at-law, employed or designated by the collector as hereinafter provided;

(6) “**Land bank agency**”, **an agency created under section 141.980**;

(7) “**Land bank commission**”, **a commission created under section 141.980**;

(8) “Land taxes” shall mean taxes on real property or real estate and shall include the taxes both on land and the improvements thereon;

[ (7) ] (9) “Land trustees” and “land trust” shall mean the land trustees and land trust as the same are created by and described in section 141.700;

[ (8) ] (10) “Municipality” shall include any incorporated city or town, or a part thereof, located in whole or in part within a county of class one, which municipality now has or which may hereafter contain a population of two thousand five hundred inhabitants or more, according to the last preceding federal decennial census;

[ (9) ] (11) “Person” shall mean any individual, male or female, firm, copartnership, joint adventure,

association, corporation, estate, trust, business trust, receiver or trustee appointed by any state or federal court, trustee otherwise created, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

**(12) “Private sale” and “private foreclosure sale”, a sheriff’s private foreclosure sale to a land bank agency under a tax lien foreclosure judgment as provided in sections 141.210 to 141.810 and sections 141.980 to 141.902;**

[(10)] **(13)** “School district”, “road district”, “water district”, “sewer district”, “levee district”, “drainage district”, “special benefit district”, “special assessment district”, or “park district” shall include those located within a county as such county is described in subdivision (3) of this section;

[(11)] **(14)** “Sheriff” and “circuit clerk” shall mean the sheriff and circuit clerk, respectively, of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982;**

[(12)] **(15)** “Tax bill” as used in sections 141.210 to 141.810 **and sections 141.980 to 141.982** shall represent real estate taxes and the lien thereof, whether general or special, levied and assessed by any taxing authority;

[(13)] **(16)** “Tax district” shall mean the state of Missouri and any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, located in any municipality or county as herein described;

[(14)] **(17)** “Tax lien” shall mean the lien of any tax bill as defined in [subdivision (12) of] this section;

[(15)] **(18)** “Taxing authority” shall include any governmental, managing, administering or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of Missouri or any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982.**

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri, the county, any municipality and any school district, for the same tax year, shall be equal and first liens upon the real estate described in the respective tax bills thereof; provided, however, that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax year.

2. All tax bills for other than general taxes shall constitute liens junior to the liens for general taxes upon the real estate described therein; provided, however, that a tax bill for other than general taxes, of the more recent issue shall likewise be senior to any such tax bill of less recent date.

3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens, or held by the land trustees **or acquired by a land bank agency a deemed sale under subsection 3 of section 141.560, by redemption under subsection 3 of section 141.981, by gift under subsection 2 of section 141.980, or by deed from land trustees under subsection 1 of section 141.980,** shall be distributed to the owners of such liens in the order of the seniority of the liens, or their respective interests as shown by the records of the land trust **or such land bank agency.** Those holding liens of equal rank shall share in direct proportion to the amounts of their respective liens.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax bills collectible by him which are delinquent according to his records and he shall combine such lists with the list filed by any taxing authority or tax bill owner.

2. The collector shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the county on any delinquent tax bill included in any list, the collector shall give the court docket number of such suit and some appropriate designation of the place where such suit is pending, and such pending suit so listed in any petition filed pursuant to the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.982** shall, without further procedure or court order, be deemed to be consolidated with the suit brought under sections 141.210 to 141.810 **and sections 141.980 to 141.982**, and such pending suit shall thereupon be abated.

3. The collector shall deliver such combined lists to the delinquent land tax attorney from time to time but not later than April the first of each year.

4. The delinquent land tax attorney shall incorporate such lists in petitions in the form prescribed in section 141.410, and shall file such petitions with the circuit clerk not later than June first of each year.

141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax bills appearing on the list or lists filed with him under the provisions of section 141.290, which receipt shall be held by the owner or holder of the tax bills or by the treasurer or other corresponding financial officer of the taxing authority so filing such list with the collector.

2. The collector shall, on or before the fifth day of each month, file with the owner or holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing authority, a detailed statement, verified by affidavit, of all taxes collected by him during the preceding month which appear on the list or lists received by him, and shall, on or before the fifteenth day of the month, pay the same, less his commissions and costs payable to the county, to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any taxing authority; provided, however, that the collector shall be given credit for the full amount of any tax bill which is bid in by the land trustees and where title to the real estate described in such tax bill is taken by the land trust **or where title to the real estate described in such tax bill is taken by the land bank agency under a deemed sale under subsection 3 of section 141.560.**

141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a compensation of ten thousand dollars per year, or in counties having a county counselor, the collector shall at his option designate the county counselor and such of his assistants as shall appear necessary to act as the delinquent land tax attorney.

2. A delinquent land tax attorney who is not the county counselor, with the approval of the collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not less than two hundred dollars and not more than four hundred dollars per month, and such clerical employees as may be necessary, at salaries to be fixed by the collector at not less than three hundred dollars and not more than four hundred dollars per month; and the appointed delinquent tax attorney may incur such reasonable expenses as are necessary for the performance of his duties.

3. The delinquent land tax attorney and his assistants shall perform legal services for the collector and shall act as attorney for him in the prosecution of all suits brought for the collection of land taxes; but they shall not perform legal services for the land trust **or any land bank agency.**

4. Salaries and expenses of a delinquent land tax attorney who is not also the county counselor, his

assistants and his employees shall be paid monthly out of the treasury of the county from the same funds as employees of the collector whenever the funds provided for by sections 141.150, 141.270, and 141.620 are not sufficient for such purpose.

5. The compensation herein provided shall be the total compensation for a delinquent land tax attorney who is not also a county counselor, his assistants and employees, and when the compensation received by him or owing to him by the collector exceeds ten thousand dollars in any one calendar year by virtue of the sums charged and collected pursuant to the provisions of section 141.150, the surplus shall be credited and applied by the collector to the expense of the delinquent land tax attorney and to the compensation of his assistants and employees, and any sum then remaining shall be paid into the county treasury on or before the first day of March of each year and credited to the general revenue fund of the county.

6. A delinquent land tax attorney who is not also the county counselor shall make a return quarterly to the county commission of such county of all compensation received by him, and of all amounts owing to him by the collector, and of all salaries and expenses of any assistants and employees, stating the same in detail, and verifying such amounts by his affidavit.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk a petition, which petition shall contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of ..... County, Missouri,

In the Matter of

Foreclosure of Liens for Delinquent Land Taxes

By Action in Rem.

Collector of Revenue of .... County, Missouri,

Plaintiff

-vs.-

Parcels of Land Encumbered with Delinquent Tax Liens

Defendants.

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to **either** be sold by the sheriff at public sale as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.982** and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under sections 141.210 to 141.810 **and sections 141.980 to 141.982, or be sold by the sheriff at a private sale to a land bank agency if so designated by such land bank agency within thirty days after judgment of foreclosure has been entered. Any additional costs relating to such a private sale incurred by the county shall be reimbursed by such land bank agency to the county within thirty days after the county submits a bill therefor to such land bank agency.**



4. The delinquent land tax attorney within ten days after the filing of any such petition, shall forward by United States registered mail to each person or taxing authority having filed a list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.982** a notice of the time and place of the filing of such petition and of the newspaper in which the notice of publication has been or will be published.

5. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

141.420. 1. Except as otherwise provided in subsection 3 of section 141.520, any person having any right, title or interest in, or lien upon, any parcel of real estate described in such petition, may redeem such parcel of real estate by paying to the collector all of the sums mentioned therein, including principal, interest, penalties, attorney's fees and costs then due, at any time prior to the time of the **public foreclosure sale or private** foreclosure sale of such real estate by the sheriff.

2. In the event of failure to redeem prior to the time of the **public foreclosure sale or private** foreclosure sale **of such parcel** by the sheriff, such person shall be barred and forever foreclosed of all his right, title and interest in and to the parcels of real estate described in such petition.

3. Upon redemption, as permitted by this section, the person redeeming shall be entitled to a certificate of redemption from the collector describing the property in the same manner as it is described in such petition, and the collector shall thereupon note on his records the word "redeemed" and the date of such payment opposite the description of such parcel of real estate.

4. The collector shall promptly notify the taxing authority and the delinquent land tax attorney of such redemption, and such payment shall operate as a release of the lien of the tax bill or bills involved and as a dismissal of the suit so far as such tax bill or bills are concerned.

141.430. 1. Upon the filing of such suits with the circuit clerk, the delinquent land tax attorney shall forthwith cause a notice of foreclosure to be published four times, once a week, during successive weeks, and on the same day of each week, in a daily newspaper of general circulation regularly published in such county, qualified according to law for the publication of public notices and advertisements.

2. Such notice shall be in substantially the following form:

NOTICE OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES,  
BY ACTION IN REM

Public notice is hereby given that on the ..... day of ....., 20.., the Collector of Revenue of ..... County, Missouri, filed a petition, being suit No. ....., in the Circuit Court of ..... County, Missouri, at ..... (stating the city), for the foreclosure of liens for delinquent land taxes (except liens in favor of the United States of America, if any) against the real estate situated in such county, all as described in said petition.

The object of said suit is to obtain from the Court a judgment foreclosing the tax liens against such real estate and ordering the sale of such real estate for the satisfaction of said tax liens thereon (except liens in favor of the United States of America, if any), including principal, interest, penalties, attorneys' fees and costs. Such action is brought against the real estate only and no personal judgment shall be entered therein.

The serial number assigned by the Collector to each parcel of real estate, a description of each such parcel, a statement of the total principal amount of all delinquent tax bills against each such parcel of real

estate, all of which, as to each parcel, is more fully set out and itemized in the aforesaid petition, and the name of the last known person appearing on the records of the collector in whose name said tax bills were listed or charged for the year preceding the calendar year in which the list described in said petition was filed with the collector, are, respectively, as follows: (Here set out the respective serial numbers, descriptions, names, and statements of total principal amounts of tax bills, next above referred to.)

The total principal amounts of delinquent taxes set out in this notice do not include the lawful interest, penalties, attorneys' fees and costs which have accrued against the respective parcels of real estate, all of which in each case is set out and itemized in the aforesaid petition.

Any person or taxing authority owning or holding any tax bill or claiming any right, title or interest in or to or lien upon any such parcel of real estate, must file an answer to such suit in the office of the Circuit Clerk of the aforesaid County, and a copy of such answer with the Delinquent Land Tax Attorney at the office of the Collector of Revenue of said County, on or before the .... day of ....., 20.., and in such answer shall set forth in detail the nature and amount of such interest and any defense or objection to the foreclosure of the tax liens, or any affirmative relief he or it may be entitled to assert with respect thereto.

Any person having any right, title or interest in or to, or lien upon, any parcel of such real estate, may redeem such parcel of real estate by paying all of the sums mentioned therein, to the undersigned Collector of Revenue, including principal, interest, penalties, attorneys' fees and costs then due, at any time prior to the time of the **public foreclosure sale or the private** foreclosure sale of such real estate by the sheriff.

In the event of failure to answer or redeem on or before the date herein fixed as the last day for filing answer in the suit, by any person having the right to answer or redeem, such person shall be forever barred and foreclosed as to any defense or objection he might have to the foreclosure of such liens for delinquent taxes and a judgment of foreclosure may be taken by default. Redemption may be made, however, up to the time fixed for the holding of sheriff's **public foreclosure sale or the private** foreclosure sale **of any such real estate**, and thereafter there shall be no equity of redemption and each such person having any right, title or interest in or to, or any lien upon, any such parcel of real estate described in the petition so failing to answer or redeem as aforesaid, shall be forever barred and foreclosed of any right, title or interest in or lien upon or any equity of redemption in said real estate.

.....  
Collector of Revenue .....  
County, Missouri

.....  
Address

.....  
Delinquent Land Tax Attorney

.....  
Address

.....  
First Publication:

.....

141.450. Such notice shall be substantially as follows:

To the person to whom this notice is addressed:

You are the last known person, according to the records in this office, in whose name land taxes were billed or charged, as to one or more parcels of real estate described in a certain petition bearing cause No. .... (fill in number of case) filed in the Circuit Court of .... County, Missouri, at .... (fill in city), on ....., 20.., wherein a foreclosure of the lien of various delinquent tax bills is sought and a court order asked for the purpose of selling said real estate at a public sale **or a private sale** for payment of all delinquent tax bills, together with interest, penalties, attorney's fees and costs. Publication of notice of such foreclosure was commenced on the .... day of ....., 20.., in .... (here insert name of newspaper), a daily newspaper published in .... (here insert name of city), Missouri.

Unless all delinquent taxes be paid upon the parcels of real estate described in said petition and said real estate redeemed prior to the time of the **public** foreclosure sale **or private foreclosure sale** of such real estate by the sheriff, the owner or any person claiming any right, title or interest in or to, or lien upon, any such parcels of real estate, shall be forever barred and foreclosed of all right, title and interest and equity of redemption in and to such parcels of real estate; provided, however, that any such persons shall have the right to file an answer in said suit on or before the .... day of ....., 20.., in the office of the Circuit Clerk and a copy thereof with the Delinquent Land Tax Attorney, setting forth in detail the nature and amount of the interest and any defense or objection to the foreclosure.

Dated .....

.....  
Delinquent Land Tax  
Attorney  
.....

.....  
Collector of Revenue  
.....County, Missouri  
.....

Address

Address

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill, whether general or special, issued by any taxing authority shall be prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated by the tax bill and that the tax is unpaid. Absent any answer the court shall take the allegations of the petition as confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon trial, affirmatively establish such defense.

2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated statement of facts. The court shall hear the evidence offered by the collector or relator as the case may be, and by all answering parties, and shall determine the amount of each and every tax bill proved by the collector or any answering party, together with the amount of interest, penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and determine every issue of law and of fact necessary to a complete adjudication of all tax liens asserted by any and every pleading, and may also hear evidence and determine any other issue of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate, sought to be enforced by any party to the proceeding against any other party to the proceeding who has been served by process or publication as authorized by law, or who has voluntarily appeared, and shall determine the order and priority

of the liens and of any other rights or interest put in issue by the pleadings.

3. After the court has first determined the validity of the tax liens of all tax bills affecting parcels of real estate described in the petition, the priorities of the respective tax bills and the amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the **public** foreclosure sale **and the time of the private foreclosure sale**. The petition shall be dismissed as to any parcel of real estate redeemed prior to the time fixed for the sheriff's **public or private** foreclosure sale **thereof** as provided in sections 141.210 to 141.810 **and sections 141.980 to 141.982**. If the parcel of real estate auctioned off at sheriff's **public** foreclosure sale **or sold at sheriff's private foreclosure sale** is sold for a sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by the court, then all other proceedings as to such parcels of real estate shall be finally dismissed as to all parties and interests other than tax bill owners or holders; provided, however, that any parties seeking relief other than an interest in or lien upon the real estate may continue with said suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of foreclosure sale. If the parcel of real estate auctioned off at sheriff's **public** foreclosure sale is sold for a sum greater than the total amount necessary to pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is confirmed by the court, and no appeal is taken by any person claiming any right, title or interest in or to or lien upon said parcel of real estate or by any person or taxing authority owning or holding or claiming any right, title or interest in or to any tax bills within the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution to the owners or holders of the respective tax bills included in the judgment of the amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by the court to be dismissed as to such persons or taxing authorities owning, holding or claiming any right, title, or interest in any such tax bill or bills so paid, and the case shall proceed as to any parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by such tax bill or bills as to their respective claims to such surplus funds then remaining in the hands of the sheriff.

4. Whenever an answer is filed to the petition, as herein provided, a severance of the action as to all parcels of real estate affected by such answer shall be granted, and the issues raised by the petition and such answer shall be tried separate and apart from the other issues in the suit, but the granting of such severance shall not delay the trial or other disposition of any other issue in the case. A separate appeal may be taken from any action of the court affecting any right, title, or interest in or to, or lien upon, such real estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court without the aid of a jury and the suit shall be in equity. This action shall take precedence over and shall be triable before any other action in equity affecting the title to such real estate, upon motion of any interested party.

141.520. 1. **With respect to parcels of real estate to be sold in a public foreclosure sale**, after the judgment of foreclosure has been entered, or, after a motion for a new trial has been overruled, or, if an appeal be taken from such judgment and the judgment has been affirmed, after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, there shall be a waiting period of six months before any advertisement of sheriff's **public foreclosure** sale shall be published.

2. If any such parcel of real estate **to be sold in a public foreclosure sale** be not redeemed, or if no written contract providing for redemption be made within six months after the date of the judgment of foreclosure, if no motion for rehearing be filed, and, if filed, within six months after such motion may have been overruled, or, if an appeal be taken from such judgment and the judgment be affirmed, within six months after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, the sheriff shall commence to advertise the real estate described in the judgment and shall fix the date of **the public foreclosure** sale within thirty days after the date of the first publication of the notice of sheriff's sale as herein provided, and shall at such sale proceed to sell the real estate.

3. **With respect to parcels of real estate to be sold to a land bank agency in a private foreclosure sale, after the judgement of foreclosure has been entered or after a motion for a new trial has been overruled or if an appeal is taken from such judgment and the judgment has been affirmed, after the collector shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the clerk, there shall be a waiting period of six months before such private foreclosure sale.**

4. Any provisions of this chapter to the contrary notwithstanding, the owner of any parcel of real property against which a judgment has been rendered shall not have the right to redeem such property from said judgment if at the time of judgment such property is assessed as residential property and the judgment finds the property has been vacant for a period of not less than six months prior to the judgment. After a judgment as provided for in this section becomes final, the waiting period shall not apply to such judgment and a sale under execution of the judgment shall be immediately held as provided under the applicable provisions of this chapter.

141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of **the public or the private** foreclosure sale **of a parcel** by the sheriff, any interested party may redeem [any] **such** parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of **the public or the private** foreclosure sale **of a parcel** by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in [any] **such** parcel of real estate, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments shall have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments shall have been made.

2. So long as such installments be paid according to the terms of the contract, the said six months waiting period shall be extended, but if any installment be not paid when due, the extension of said waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.

[3. No redemption contracts may be used under this section for residential property which has been vacant for at least six months in any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand.]

[141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, other than a residential property which has been vacant for at least six months, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on the individual's behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments being made.

2. So long as such installments are paid according to the terms of the contract, the six-month waiting period shall be extended, but if any installment is not paid when due, the extension of such waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.]

141.540. 1. In any county at a certain front door of whose courthouse sales of real estate are customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell **in a public foreclosure sale** the respective parcels of real estate ordered sold by him or her pursuant to any judgment of foreclosure by any court pursuant to sections 141.210 to 141.810 at any of such courthouses **which are not sold in a private foreclosure sale**, but the sale of such parcels of real estate shall be held at the same front door as sales of real estate are customarily made by the sheriff under execution.

2. Such advertisements may include more than one parcel of real estate, and shall be in substantially the following form: NOTICE OF SHERIFF'S SALE UNDER JUDGMENT OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES

No. . . . . In the Circuit Court of . . . . . County, Missouri. In the Matter of Foreclosure of Liens for Delinquent Land Taxes Collector of Revenue of . . . . . County, Missouri, Plaintiff, vs. Parcels of Land encumbered with Delinquent Tax Liens, Defendants.

WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest, penalties, attorney's fees and costs with the serial numbers of each parcel of real estate, the description thereof, the name of the person appearing in the petition in the suit, and the total amount of the judgment against each such parcel for taxes, interest, penalties, attorney's fees and costs, all as set out in said judgment and described in each case, respectively, as follows: (Here set out the respective serial numbers, descriptions, names and total amounts of each judgment, next above referred to.) and,

WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to satisfy the total amount of such judgment, including interest, penalties, attorney's fees and costs,

NOW, THEREFORE,

Public Notice is hereby given that I . . . . ., Sheriff of . . . . . County, Missouri, will sell such real estate, parcel by parcel, at public auction, to the highest bidder, for cash, between the hours of nine o'clock A.M. and five o'clock P.M., at the . . . . . front door of the . . . . . County Courthouse in . . . . ., Missouri, on . . . . ., the . . . . . day of . . . . ., 20.., and continuing from day to day thereafter, to satisfy the judgment as to each respective parcel of real estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel shall be sold to the Land Trust of . . . . . (insert name of County), Missouri.

Any bid received shall be subject to confirmation by the court.

.....  
 Sheriff of . . . . .  
 County,  
 Missouri.

.....  
 Delinquent Land Tax Attorney

Address: . . . . .

First Publication . . . . .,

20. . .

3. Such advertisement shall be published four times, once a week, upon the same day of each week during successive weeks prior to the date of such sale, in a daily newspaper of general circulation regularly published in the county, qualified according to law for the publication of public notices and advertisements.

4. In addition to the provisions herein for notice and advertisement of **public** sale, the county collector shall enter upon the property subject to foreclosure of these tax liens and post a written informational notice in any conspicuous location thereon. This notice shall describe the property and advise that it is the subject of delinquent land tax collection proceedings before the circuit court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment of delinquent taxes at a **public foreclosure** sale to be held at ten o'clock a.m., date and place, **or at a private foreclosure sale, date, and place**, and shall also contain a file number and the address and phone number of the collector. If the collector chooses to post such notices as authorized by this subsection, such posting must be made not later than the fourteenth day prior to the date of the sale.

5. The collector shall, concurrently with the beginning of the publication of sale **for parcels to be sold in a public foreclosure sale, or not less than thirty days prior to the sale for parcels to be sold in a private foreclosure sale**, cause to be prepared and sent by [restricted, registered or certified] **first class** mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the persons named in the petition as being the last known persons in whose names tax bills affecting the respective parcels of real estate described in said petition were last billed or charged on the books of the collector, or the last known owner of record, if different, and to the addresses of said persons upon said records of the collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail.] If the notice is returned to the collector by the postal authorities as undeliverable for

reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown by the return receipt], then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any person who, from such records, appears as a successor to the person to whom the original notice was addressed, and to cause another notice to be mailed to such person. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected of any such notices of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the same, or of any notice otherwise nondeliverable by mail, or in the event that any name or address does not appear on the records of the collector, then of that fact. The affidavit in addition to the recitals set forth above shall also state reason for the nondelivery of such notice.

6. The collector may, at his or her option, concurrently with the beginning of the publication of sale **for parcels to be sold in a public foreclosure sale, or not less than thirty days prior to the sale for parcels to be sold in a private foreclosure sale**, cause to be prepared and sent by [restricted, registered or certified] **first class** mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the mortgagee or security holder, if known, of the respective parcels of real estate described in said petition, and to the addressee of such mortgagee or security holder according to the records of the collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail.] If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown by the return receipt], then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any security holder who, from such records, appears as a successor to the security holder to whom the original notice was addressed, and to cause another notice to be mailed to such security holder. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected by any such notices of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the same, or of any notice otherwise nondeliverable by mail, and stating the reason for the nondelivery of such notice.

141.550. 1. The **public foreclosure** sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any **public foreclosure** sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the



official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more violations of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality.

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

[141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more convictions based on violations occurring within a two-year period of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality.

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by

him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.]

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale **at public foreclosure sale**, there be no bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels of real estate so advertised, the sheriff shall adjourn such sale from day to day at the same place and commencing at the same hour as when first offered and shall announce that such real estate will be offered or reoffered for sale at such time and place.

2. **With respect to any parcel of real estate not located within a municipality that is an appointing authority under section 141.980**, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after any parcel of real estate has been offered for sale on three different days, which need not be successive, the land trustees shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and if no other bid be then received by the sheriff in excess of the bid of the trustees, and the sheriff shall so announce at the sale, then the bid of the trustees shall be announced as accepted. The sheriff shall report any such bid or bids so made by the land trustees in the same way as his report of other bids is made. **The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on the collector's books and in the collector's statements with any other taxing authorities.**

3. [The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.] **With respect to any parcel of real estate located within a municipality that is an appointing authority under section 141.980**, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due thereon shall be received at such sale after such parcel of real estate has been offered for sale on three different days, which need not be successive, the land bank agency for which such municipality is an appointing authority shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due, and the sheriff shall so announce at the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff shall report any such bid or bids so made by such land bank agency in the same way as the sheriff's report of other bids is made. Upon confirmation by the court of such bid at such sale by such land bank agency, the collector shall mark the tax bills so bid by such land bank agency as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on the collector's books and in the collector's statements with any other taxing authorities.

141.570. 1. The title to any real estate which shall vest in the land trust under the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.982** shall be held by the land trust of such county in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure. **The title to any real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560 or by deed from land trustees under subsection 1 of section 141.980 shall be held in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure.**

2. The title to any real estate which shall vest in any purchaser **in a private or public foreclosure sale**, upon confirmation of such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the United States of America, if any, and all persons, including the state of Missouri, infants, incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption, and the court shall order immediate possession of such real estate be given to such purchaser; provided, however, that such title shall also be subject to the liens of any tax bills which may have attached to such parcel of real estate prior to the time of the filing of the petition affecting such parcel of real estate not then delinquent, or which may have attached after the filing of the petition and prior to sheriff's sale and not included in any answer to such petition, but if such parcel of real estate is **deemed** sold to the land trust **under subsection 2 of section 141.560 or deemed sold to a land bank agency under subsection 3 of section 141.560**, the title thereto shall be free of any such liens to the extent of the interest of any taxing authority in such real estate; provided further, that such title shall not be subject to the lien of special tax bills which have attached to the parcel of real estate prior to November 22, 1943, but the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the ultimate sale of such parcel by the land trust.

141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own motion or upon motion of any interested party, set the cause down for hearing to confirm the foreclosure sale thereof, even though such parcels are not all of the parcels of real estate described in the notice of sheriff's foreclosure sale. At the time of such hearing, the sheriff shall make report of the sale, and the court shall hear evidence of the value of the property offered on behalf of any interested party to the suit, and shall forthwith determine whether an adequate consideration has been paid for each such parcel; **provided that the amount to be paid by a land bank agency under subsection 5 of section 141.982 for a parcel sold to such land bank agency in a private foreclosure sale shall be deemed to be adequate consideration therefor and no evidence of value shall be heard with respect to such parcel; and provided further, that the amount bid for a parcel by a land bank agency under subsection 3 of section 141.560 shall be deemed adequate consideration and no evidence of value shall be heard with respect to such parcel; and provided further, that the amount bid for a parcel by land trust under subsection 2 of section 141.560 shall be deemed adequate consideration and no evidence of value shall be heard with respect to such parcel.**

2. For this purpose the court shall have power to summon any city or county official or any private person to testify as to the reasonable value of the property, and if the court finds that adequate consideration has been paid, he **or she** shall confirm the sale and order the sheriff to issue a deed to the purchaser. If the court finds that the consideration paid is inadequate, **the court shall confirm the sale if** the purchaser [may] increase his **or her** bid to such amount as the court [may deem] **deems** to be adequate[, whereupon the court

may confirm the sale. If, however,] **and makes such additional payment, or if all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due thereon are not paid in full by one or more interested parties to the suit. If the court finds that the consideration is inadequate, but the purchaser declines to increase his or her bid to such an amount as the court deems adequate and make such additional payment, then the sale shall be disapproved if all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due thereon are paid in full by one or more interested parties to the suit,** the lien of the judgment continued, and such parcel of real estate shall be again advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure sale. [Unless the court requires evidence of the value of the property conveyed to land trust, none shall be required, and the amount bid by the land trustees shall be deemed adequate consideration.]

3. If the sale is confirmed, the court shall order the proceeds of the sale applied in the following order:

(1) To the payment of the costs of the publication of the notice of foreclosure and of the sheriff's foreclosure sale;

(2) To the payment of all costs including appraiser's fee not to exceed fifteen dollars and attorney's fees;

(3) To the payment of all tax bills adjudged to be due in the order of their priority, including principal, interest and penalties thereon.

If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure sale, the court shall thereupon try and determine the other issues in the suit in accordance with section 141.480. If any answering parties have specially appealed as provided in section 141.570, the court shall retain the custody of such funds pending disposition of such appeal, and upon disposition of such appeal shall make such distribution. If there are not sufficient proceeds of the sale to pay all claims in any class described, the court shall order the same to be paid pro rata in accordance with the priorities.

4. If there are any funds remaining of the proceeds after the sheriff's sale and after the distribution of such funds as herein set out and no person entitled to any such funds, whether or not a party to the suit, shall, within two years after such sale, appear and claim the funds, they shall [escheat to the state as provided by law] **be distributed to the appropriate taxing authorities.**

141.720. 1. The land trust shall be composed of three members, one of whom shall be appointed by the county, **as directed by the county** executive, or if the county does not have a county executive, **as directed by the county commission of the county**, one of whom shall be appointed by [the city council of that city] **that municipality** in the county which **is not an appointing authority under section 141.980** and then has the largest population according to the last preceding federal decennial census, and one of whom shall be appointed by [the board of directors of the] **that school district in the county which is not an appointing authority under section 141.980** and then has the largest population according to such census in the county. **If any such appointing authority fails to make any appointment of a land trustee after any term expires, then the appointment shall be made by the county.**

2. The terms of office of the land trustees shall be for four years each, except the terms of the first land trustees who shall be appointed by the foregoing appointing authorities, respectively, not sooner than twelve months and not later than eighteen months after sections 141.210 to 141.810 take effect; **provided, however, that the term of any land trustee appointed by a municipality or school district that becomes an appointing authority under section 141.980 shall thereupon terminate.**

3. Each land trustee shall have been a resident of the county for at least five years next prior to appointment, shall not hold other salaried or compensated public office by election or appointment during service as land trustee, the duties of which would in any way conflict with his duties as land trustee, and shall have had at least ten years experience in the management or sale of real estate.

4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee appointed by the county commission shall serve for a term ending February 1, 1946, the land trustee appointed by the board of directors of the school district then having the largest population in the county shall serve for a term expiring February 1, 1947, and the land trustee appointed by the city council of the city then having the largest population in the county shall serve for a term expiring February 1, 1948. Each land trustee shall serve until his successor has been appointed and qualified.

5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the same appointing authority which made the original appointment. If any appointing authority fails to make any appointment of a land trustee within the time the first appointments are required by sections 141.210 to 141.810 to be made, or within thirty days after any term expires or vacancy occurs, then the appointment shall be made by the mayor of that city in the county then having the largest population, according to the last preceding federal decennial census.

6. The members shall receive for their services as land trustees a salary of two thousand four hundred dollars per year.

7. Each land trustee may be removed for cause by the respective appointing authority, after public hearing, if requested by the land trustee, and an opportunity to be represented by counsel and to present evidence is afforded the trustee.

141.770. 1. Each annual budget of the land trust shall be itemized as to objects and purposes of expenditure, prepared not later than [December tenth] **October first** of each year with copies delivered to the [county and city] **taxing authorities** that appointed trustee members, and shall include therein only such appropriations as shall be deemed necessary to meet the reasonable expenses of the land trust during the forthcoming fiscal year. That budget shall not become the required annual budget of the land trust unless and until it has been approved by the governing bodies of the [county or city] **taxing authorities** that appointed trustee members. If [either] **any** of the governing bodies of the [county and city] **taxing authorities** that appointed trustee members fail to notify the land trust in writing of any objections to the proposed annual budget on or before [December] **November** twentieth, then such failure or failures to object shall be deemed approval. In the event objections have been made and a budget for the fiscal year beginning January first has not been approved by the governing bodies of the [county and city] **taxing authorities that appointed trustee members** on or before January first, then the budget for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements of the forthcoming year.

2. Copies of the budget shall be made available to the public on or before [December] **October** tenth, and a public hearing shall be had thereon prior to [December] **October** twentieth, in each year. The approved and adopted budget may be amended by the trustee members only with the approval of the governing bodies of the [county and city] **taxing authorities** that appointed trustee members.

3. If at any time there are not sufficient funds available to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any

expenditures authorized by section 141.760, funds sufficient to pay such expenses shall be advanced and paid to the land trust upon its requisition therefor **by the ad valorem taxing authorities in the county that are not appointing authorities under section 141.980, [fifty] seven percent thereof by the county commission of such county, and the other [fifty] ninety-three percent by all of the [municipalities in such county as defined in section 141.220] other such ad valorem taxing authorities, in proportion to their assessed valuations [at the time of their last completed assessment for state and county purposes] of the properties then in the land trust inventory located within their respective taxing jurisdictions.** The land trust shall have power to requisition such funds in an amount not to exceed twenty-five percent of the total annual budget of the land trust from such sources for that fiscal year of the land trust for which there are not sufficient funds otherwise available to pay the salaries and other expenses of the land trust, but any amount in excess of twenty-five percent of the total annual budget in any fiscal year may be requisitioned by and paid to the land trust only if such additional sums are agreed to and approved by [the county commission and the respective municipalities in such county so desiring to make such payment] **such ad valorem taxing authorities.** All moneys so requisitioned shall be paid in a lump sum within thirty days after such requisition or the commencement of the fiscal year of the land trust for which such requisition is made, whichever is later, [and] **by the county paying seven percent thereof due from the county under this section and advancing the remaining ninety-three percent due from other ad valorem taxing authorities under this section on behalf of such other ad valorem taxing authorities, and such amounts so paid** shall be deposited to the credit of the land trust in some bank or trust company, subject to withdrawal by warrant as herein provided. **Amounts advanced by the county on behalf of any ad valorem taxing authority under this section shall be reimbursed to the county upon demand by the county or by the county withholding such amounts from distributions of tax moneys to such ad valorem taxing authority.**

4. The fiscal year of the land trust shall commence on January first of each year. Such land trust shall audit all claims for the expenditure of money, and shall, acting by the chairman or vice chairman thereof, draw warrants therefor from time to time.

5. No warrant for the payment of any claim shall be drawn by such land trust until such claim shall have been approved by the land commissioner and shall bear the commissioner's certificate that there is a sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for the payment thereof. For any certification contrary thereto, such land commissioner shall be liable personally and on the commissioner's official bond for the amounts so certified, and shall thereupon be promptly removed from office by the land trustees.

6. In addition to the annual audit provided for in section 141.760, the land trust may be performance audited at any time by the state auditor or by the auditor of any home rule city with more than four hundred thousand inhabitants and located in more than one county that is a member of the land trust. The cost of such audit shall be paid by the land trust, and copies shall be made available to the public within thirty days of the completion of the audit.

141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust, the proceeds therefrom shall be applied and distributed in the following order:

(1) **To the payment of amounts due from the land trustees under subsection 2 of section 141.560 on the sale or other disposition of such parcel;**

(2) To the payment of the expenses of sale;

[(2)] (3) The balance to be retained by the land trust to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, as provided for in its annual budget;

[(3)] (4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land trust in any fiscal year, and including a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, [may] **shall** be paid to the respective taxing authorities which, at the time of the distribution, are taxing the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities; distribution shall be made on January first and July first of each year, and at such other times as the land trustees in their discretion may determine.

**141.980. 1. Any municipality located wholly or partially within a county in which a land trust created under section 141.700 was operating on January 1, 2011, may establish a land bank agency for the management, sale, transfer, and other disposition of interest in real estate owned by such land bank agency. Any such land bank agency created shall be created to foster the public purpose of returning land, including land that is in a nonrevenue-generating nontax-producing status, to effective use in order to provide housing, new industry, and jobs for citizens of the establishing municipality, and to create new revenues for such municipality. Such land bank agency shall be established by order or ordinance as applicable. Such land bank agency shall not own any interest in real estate that is located outside such establishing municipality or outside such county. Within one year of the effective date of an order or ordinance passed establishing such a land bank agency, title to any real estate held by the land trustees of the land trust of such county that is located within the establishing municipality shall be transferred by deed to such land bank agency.**

**2. Any land bank agency created under this section shall be known as “The Land Bank of the City of ....., Missouri”. Such land bank agency shall have the authority to accept the grant of any interest in real property made to it, or to accept gifts and grant in aid assistance. Any interest in real property acquired by such land bank agency by gift shall be administered in the same manner as other property sold to the land bank agency. Such land bank agency shall have and exercise all the powers that are conferred by sections 141.210 to 141.810 and sections 141.980 to 141.982 necessary and incidental to the effective management, sale, or other disposition of real estate acquired under and by virtue of the foreclosure of the lien for delinquent real estate taxes, as provided in such sections, and in the exercise of such powers, the land bank agency shall be deemed to be a public corporation acting in a governmental capacity.**

**3. The beneficiaries of the land bank agency shall be the taxing authorities that held or owned tax bills against the respective parcels of real estate acquired by such land bank agency under a deemed sale under subsection 3 of section 141.560 or by deed from land trustees under subsection 1 of this section included in the judgment of the court, and their respective interests in each parcel of real estate shall be to the extent and in the proportion and according to the priorities determined by the court on the basis that the principal amount of their respective tax bills bore to the total principal amount of all of the tax bills described in the judgment.**

**4. The land bank agency shall be composed of three members, two of whom shall be appointed by the establishing municipality, and the third shall be appointed by the school district that is wholly or partially located within such municipality and county and then has the largest population according**

**5. The land bank commissioners shall meet immediately after all have been appointed and qualified, and shall select a chair, a vice chair, and a secretary. The commissioners shall each furnish a surety bond, if such bond is not already covered by governmental surety bond, in a penal sum not to exceed twenty-five thousand dollars to be approved by the comptroller or director of finance, the premium on such bond to be paid by the comptroller or director of finance out of the city funds. Such bond shall be issued by a surety company licensed to do business in the state of Missouri, and shall be deposited with the county clerk of such county, and shall be conditioned to guarantee the faithful performance of their duties under sections 141.980 to 141.982, and shall be written to cover all the commissioners.**

State of Missouri, )  
 )ss  
City of ..... )

.....  
**Subscribed and sworn to this ..... day of ....., 20...**  
**My commission expires: .....**  
 .....

**141.981. 1. Such land bank agency shall be a continuing body and shall have and adopt an official seal which shall bear on its face the words “Land Bank Agency of ....., Missouri”, “Seal”, and shall have the power to sue and issue deeds in its name, which deed shall be signed by the chair or vice chair, and attested by the secretary and the official seal of the land bank agency affixed thereon, and shall have the general power to administer its business as any other corporate body.**

**2. A land bank agency may convey title to any real estate sold or conveyed by it by general or special warranty deed, and may convey as absolute title in fee simple, without in any case procuring any consent, conveyance, or other instrument from the beneficiaries for which it acts, provided that each such deed shall recite whether the selling price represents a consideration equal to or in excess**



of two-thirds of the appraised value of such real estate so sold or conveyed. If such selling price represents a consideration less than two-thirds of the appraised value of the real estate, then the land bank commissioners shall first procure the consent thereto of not less than two of the three appointing authorities, which consent shall be evidenced by a copy of the action of each such appointing authority duly certified to by its clerk or secretary attached to and made a part of land bank commission official minutes.

3. As a condition of the sale or other authorized conveyance of ownership of any unimproved parcel of land classified as residential property owned by the land bank agency to a private owner, unless the owner owns an adjacent improved parcel, such owner may be required to enter into a contract with the land bank agency stipulating that such owner or owner's successor agree that the parcel of land shall, within one year of such sale, either be improved by a nontemporary structure or returned to the land bank agency by special warranty deed. The contract shall further state that if the private owner fails to comply with the stipulation, the owner shall be liable to the land bank agency for damages at the rate of one hundred dollars per month accruing on the first day of each month after the termination of the one-year period so long as the private owner fails to convey the parcel to the land bank agency. The performance of such agreement shall be secured by a deed of trust or other lien encumbering the parcel. If the land bank agency finds by resolution that the terms of the agreement have not been satisfied, the land bank agency shall be authorized to bring suit to recover damages for the breach and to redeem the ownership of such property without consideration or compensation by seeking a judicial foreclosure of such agreement under sections 443.190 to 443.260, except that upon final judgment of the court, title shall revert to the land bank agency without necessity of sale. Notwithstanding subsection 2 of this section, the original deed conveying title to the private owner shall contain a possibility of reverter upon the condition that the private owner fails to comply with the terms of the contract, with a right of reentry retained by the land bank agency. As an alternative to, or in addition to, seeking a judicial foreclosure, the land bank agency may exercise the right of reentry under chapter 524, 527, or 534. The land bank agency shall assume title to the land by filing a copy of the judgment with the recorder of deeds in the county where the property is located. Any property redeemed by the land bank agency under the provisions of this section shall be administered in the same manner as other property sold to the land bank agency.

4. It shall be the duty of such land bank agency to administer the tax delinquent lands and other lands in its possession as provided in this section.

(1) The land bank agency shall immediately assume possession and control of all real estate acquired by it under the provisions of sections 141.210 to 141.810 and sections 141.980 to 141.982 or otherwise and proceed to inventory and appraise such land, and thereafter keep and maintain a perpetual inventory of such real estate, except that individual parcels may be consolidated and grouped or regrouped for economy, utility, or convenience.

(2) The land bank agency shall use reasonable efforts, consistent with the funding available, to market the property in its inventory, and will endeavor to obtain a purchase price consistent with the market conditions for that particular type of property in a similar location, however, the land bank agency may take into consideration factors that include: the costs expended either by it or the municipality in which the property is located to continue to maintain the property while it is held in inventory, the detrimental impact of vacant property on other properties within its vicinity, the proposed use of the property, and the advantage of returning the property to the tax rolls for the

benefit of all taxing authorities intended to benefit from proceeds generated by the land bank agency. The land bank agency shall maintain an inventory of the property held by it, and make it available to the public, through means that make the best use of its limited resources, including limiting accessibility through electronic means. The land bank agency shall systematically update its inventory information, no less than quarterly per year. The records from each transaction with respect to the transfer or exchange of property in the land bank agency's inventory shall be maintained, and provided upon request to any taxing authority intended to benefit from the proceeds of the land bank. A summary of all such transactions shall be prepared at least annually, and made publicly available upon request, and submitted with the budget request of such land bank as provided in subsection 6 of section 141.981.

(3) The land bank commissioners shall have power, and it shall be their duty, to manage, maintain, protect, rent, lease, repair, insure, alter, hold and return, assemble, sell, trade, acquire, exchange, or otherwise dispose of any such real estate, on such terms and conditions as may be determined in the sole discretion of the commissioners. The land bank commissioners may assemble tracts or parcels of real estate for public parks or any other purposes and to such end may exchange or acquire parcels, and otherwise effectuate such purposes by agreement with any taxing authority. Without limiting the foregoing power vested in the land bank commissioners to directly dispose of its inventory property, such commissioners may, but are not obligated to, enter into listing or commission agreements with real estate brokers licensed to do business within the city, and such commissioners.

(4) The land bank agency shall adopt rules and regulations in harmony with sections 141.210 to 141.810 and sections 141.980 to 141.982, and shall keep records of all its transactions, which records shall be open to inspection of any taxing authority in the city at any time. There shall be an annual audit of the affairs, accounts, expenses, and financial transactions of such land bank agency by certified public accountants as of April thirtieth of each year, which accountants shall be employed by the commissioners on or before March first of each year, and certified copies thereof shall be furnished to the appointing authorities described in section 141.980, and shall be available for public inspection at the office of the land bank agency and on the land bank agency's internet website, if it maintains a website. In addition to the annual audit provided for in this subdivision, the land bank agency may be performance audited at any time by the state auditor or by the auditor of the city that appoints members. The cost of such audit shall be paid by the land bank agency, and copies shall be made available to the public within thirty days of the completion of the audit.

5. The land bank commissioners may appoint a director and such other employees who are deemed necessary to carry out the responsibilities and duties imposed under sections 141.980 to 141.982, and may incur such other reasonable and proper costs and expenses as are related thereto. The director shall furnish a surety bond at the expense of the land bank agency in a penal sum of not less than ten thousand dollars, to be approved by the land bank commissioners, conditioned to guarantee the faithful performance of the director's duties. The bond shall be filed with the county clerk of the county. The director, who shall be a person experienced in the management and sale of real estate, shall be executive officer and administrator of the land bank agency, and shall manage all of its business, under the supervision, direction, and control of the land bank commissioners.

6. Each annual budget of the land bank agency shall be itemized as to objects and purposes of expenditure, prepared not later than December tenth of each year with copies delivered to the ad valorem taxing authorities that appointed members, and shall include therein only such

appropriations as shall be deemed necessary to meet the reasonable expenses of the land bank agency during the forthcoming fiscal year. That budget shall not become the required annual budget of the land bank agency unless and until it has been approved by the governing bodies of the ad valorem taxing authorities that appointed members. If either of the governing bodies of the ad valorem taxing authorities that appointed members fails to notify the land bank agency in writing of any objections to the proposed annual budget on or before December twentieth, then such failure or failures to object shall be deemed approved. In the event objections have been made and a budget for the fiscal year beginning May first has not been approved by the governing bodies of the ad valorem taxing authorities that appointed members on or before May first, then the budget for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements of the forthcoming year. Copies of the budget shall be made available to the public on or before December tenth, and a public hearing shall be had thereon before December twentieth, in each year. The approved and adopted budget may be amended by the land bank commissioners only with the approval of the governing bodies of the ad valorem taxing authorities that appointed members.

7. The fiscal year of the land bank agency shall commence on May first of each year. Such land bank agency shall audit all claims for the expenditure of money and shall, acting by the chair or vice chair thereof, draw warrants therefor from time to time.

8. No warrant for the payment of any claim shall be drawn by such land bank agency until such claim shall have been approved by the director and shall bear the director's certificate that there is a sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for the payment thereof.

141.982. 1. Such land bank agency shall set up and maintain a perpetual inventory on each tract of its real estate, except that individual tracts may be consolidated and grouped or regrouped for economy or convenience.

2. When any parcel of real estate acquired by such land bank agency under a deemed sale under subsection 3 of section 141.560, by redemption under subsection 3 of section 141.981, by gift under subsection 2 of section 141.980, or by deed from land trustees under subsection 1 of section 141.980 is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of the expenses of sale;

(2) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees, including any expenditures authorized by subsection 4 of section 141.981, as provided for in its annual budget;

(3) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, exclusive of net profit from the sale of parcels acquired by the land bank agency under a private foreclosure sale, shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed.

The distributions shall be in proportion to the amounts of the taxes levied on the properties by the

taxing authorities. Distribution shall be made on January first and July first of each year, and at such other times as the land bank commissioners in their discretion may determine.

3. When any parcel of real estate acquired by such land bank agency under a private foreclosure sale is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of all land taxes and related charges then due on such parcel, subject to subsection 5 of section 141.982;

(2) To the payment of the expenses of sale;

(3) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees, including any expenditures authorized by subsection 4 of section 141.981, as provided for in its annual budget;

(4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, shall be paid in accordance with subdivision (3) of subsection 2 of this section.

4. Upon acquiring title to any real estate under a deemed sale under subsection 3 of section 141.560, by redemption under subsection 3 of section 141.981, by gift under subsection 2 of section 141.980, or by deed from land trustees under subsection 1 of section 141.980, such land bank agency shall immediately notify the county assessor of such ownership, and the interests of each taxing authority therein shall be exempt from all taxation, in the same manner and to the same extent as any other publicly owned real estate, and upon the sale or other disposition of any real estate held by it, such land bank agency shall immediately notify the county assessor of such change of ownership.

5. Upon confirmation under section 141.580 of a sheriff's private foreclosure sale of a parcel of real estate to a land bank agency, the sheriff shall deliver a court administrator's deed for such parcel to the purchasing land bank agency and such land bank agency shall pay the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. Such parcel shall not be exempt from taxation; provided however, if all land taxes on such parcel are paid in full at the time of sale or other disposition of such parcel by the land bank agency or two years from the date of its acquisition by the land bank agency, whichever occurs first, then all interest and penalties that may have accrued thereon shall be abated.

6. Neither the land bank commissioners nor any salaried employee of the land bank agency provided for in sections 141.980 to 141.982 shall receive any compensation, emolument, or other profit directly or indirectly from the rental, management, purchase, sale, or other disposition of any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.982; provided further that neither the land bank commissioners nor any salaried employee of the land bank agency provided for in sections 141.980 to 141.982 shall have any relationship with, or be employed by, or otherwise receive any form of compensation from, any contractor or developer who purchases property from the land bank agency. Any person convicted of violating this subsection shall be deemed guilty of a felony and upon conviction thereof shall be sentenced to serve not less than two nor more than five years in the state penitentiary." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 24

Amend House Amendment No. 24 to House Committee Substitute for Senate Bill No. 145, Page 3, Line 16, by deleting all of said line and inserting in lieu thereof the following:

“term to which they were elected or appointed and until their successors are elected and qualified.

**321.552. 1. Any ambulance or fire protection district may impose a sales tax as provided in this section, except in the following counties:**

**(1)** Any county of the first classification with over two hundred thousand inhabitants[, or];

**(2)** Any county of the first classification [without a charter form of government and] with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; [or]

**(3)** Any county of the first classification [without a charter form of government and] with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; [or]

**(4)** Any county with a charter form of government with over one million inhabitants, **except as provided in subsection 9 of this section;** [or]

**(5)** Any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants[.].

**2.** The governing body of any ambulance or fire protection district may impose a sales tax in an amount up to one-half of one percent on all retail sales made in such ambulance or fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 provided that such sales tax shall be accompanied by a reduction in the district’s tax rate as defined in section 137.073. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the ambulance or fire protection district submits to the voters of such ambulance or fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the ambulance or fire protection district to impose a tax pursuant to this section.

[2.] **3.** The ballot of submission shall contain, but need not be limited to, the following language:

Shall ..... (insert name of ambulance or fire protection district) impose a sales tax of ..... (insert amount up to one-half) of one percent for the purpose of providing revenues for the operation of the ..... (insert name of ambulance or fire protection district) and the total property tax levy on properties in the ..... (insert name of the ambulance or fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year’s revenue collected from this sales tax?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

[3.] **4.** If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the ambulance or fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year.

If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the ambulance or fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such ambulance or fire protection district resubmits a proposal to authorize the governing body of the ambulance or fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

[4.] **5.** All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

[5.] **6.** All sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". The moneys in the ambulance or fire protection district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the governing body of the district which levied the tax; such funds shall be deposited with the board treasurer of each such district.

[6.] **7.** The director of revenue may make refunds from the amounts in the trust fund and credit any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. If any district abolishes the tax, the district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

[7.] **8.** Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

**9. Any fire protection district in any county with a charter form of government and with more than one million inhabitants with a general revenue operating budget of less than five million dollars to which section 72.418 applies may impose a sales tax as provided in this section."**; "and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 24

Amend House Committee Substitute for Senate Bill No. 145, Section 67.319, Page 5, Line 53, by inserting the following after all of said Section and Line:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any

city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may

order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and

(f) Providing matching dollars for state or federal grants relating to such long-term projects. (3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of five **or nine** members[.,].



**The number of members of the board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and are to be appointed as follows:**

**(a) For a five-member board:**

**a.** One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

**[(b)] b.** Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; **and**

**[(c)] c.** One member shall be appointed by the governing body of the county in which the city is located;

**(b) For a nine-member board:**

**a.** Two members shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

**b.** Five members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; **and**

**c.** Two members shall be appointed by the governing body of the county in which the city is located.

**(3)** The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

**(a)** One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

**(b)** Four members shall be appointed by the governing body of the county; **and**

**(c)** Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. **If there are more than seven members initially appointed, the eighth and ninth members shall be designated to serve for terms of two years.** Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

**(4)** If an economic development tax board established by a city is already in existence on August 28, 2011, any increase in the number of members of the board shall be designated in an order or ordinance. The sixth and seventh members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the two board member positions that were originally appointed to terms of four years. The eighth and ninth members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were

**the additional appointments.**

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

- (d) Job training investments;
- (e) Direct business incentives;
- (f) Marketing;
- (g) Administration and legal expenses; and
- (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.

[67.1305. 1. As used in this section, the term “city” shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county, or state general, primary, or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in

addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of .....  
(insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or city or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax under and pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate city or municipal officer in the case of a city or municipal tax, and all expenditures of funds arising from the local option economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or city or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue

shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in and by this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process; and
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of five members, to be appointed as follows:

- (a) One member shall be appointed by the school districts included within any economic

development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; and

(c) One member shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities, towns or villages. Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects, or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project, or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project, or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project, or area designation.

15. Notwithstanding any other provision of law to the contrary, the local option economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the

purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the department of economic development shall submit to the joint committee on economic development a report which shall include the following information for each project using the tax authorized under this section:

- (1) A statement of its primary economic development goals;
- (2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year; and
- (3) A statement of total expenditures during the preceding calendar year in each of the following categories:
  - (a) Infrastructure improvements;
  - (b) Land and or buildings, or both;
  - (c) Machinery and equipment;
  - (d) Job training investments;
  - (e) Direct business incentives;
  - (f) Marketing;
  - (g) Administration and legal expenses; and
  - (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application,

and to this end the provisions of this section and section 67.1303 are declared severable.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 25

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

"70.660. 1. Except as otherwise provided herein, before the date the first payment of a person's allowance becomes due but not thereafter, a person about to become a retirant may elect to receive his or her allowance for life with or without a partial lump-sum distribution, as provided in this subsection. A person about to become a retirant may elect to receive a partial lump-sum distribution equal to twenty-four times the amount of his or her monthly allowance for life, not including any monthly temporary allowance which may be payable. Such lump sum shall be paid to the retirant, upon written application to the board, not fewer than ninety days nor more than one hundred fifty days after the date the first payment of his or her monthly allowance becomes due. The retirant's monthly life allowance shall be reduced to eighty-four percent if the retirant's age at the time of retirement is sixty, which percent shall be decreased by four-tenths of one percent for each year the retirant's age at the time of retirement is greater than sixty, or which percent shall be increased by four-tenths of one percent for each year the retirant's age at the time of retirement is less than sixty, **up to a maximum of ninety percent**. The reductions in monthly life allowance in this subsection shall be calculated and applied before any reductions under subsection 2 of this section are calculated and applied.

2. Before the date the first payment of a person's allowance becomes due but not thereafter, a person about to become a retirant may elect to have his or her allowance for life reduced but not any temporary allowance which may be payable, and nominate a beneficiary, as provided by option A, B, C, or D set forth below:

(1) Option A. Under option A, a retirant's allowance payable to the retirant shall be reduced to a certain percent of the allowance otherwise payable to the retirant. If such first payment due date is on or after October 1, 1998, such percent shall be eighty-five percent if the retirant's age and the retirant's beneficiary's age are the same on such first due date, which shall be decreased by three-quarters of one percent for each year that the beneficiary's age is less than the retirant's age, or which shall be increased by three-quarters of one percent, up to a maximum of ninety percent, for each year that the beneficiary's age is more than the retirant's age. Upon the retirant's death three-quarters of the retirant's reduced allowance to which the retirant would have been entitled had the retirant lived shall be paid to his or her surviving beneficiary, nominated before such first payment due date but not thereafter, who was the retirant's spouse for not less than the two years immediately preceding such first payment due date, or another person aged forty years or older receiving more than one-half support from the retirant for not less than the two years immediately preceding such first payment due date.

(2) Option B. Under option B, a retirant's allowance payable to the retirant shall be reduced to a certain percent of the allowance otherwise payable to the retirant. If such first payment due date is on or after October 1, 1998, such percent shall be ninety percent if the retirant's age and the retirant's beneficiary's age are the same on such first payment due date, which shall be decreased by one-half of one percent for each year that the beneficiary's age is less than the retirant's age, or which shall be increased by one-half of one percent, up to a maximum of ninety-five percent for each year that the beneficiary's age is more than the retirant's age. Upon the retirant's death one-half of his or her reduced allowance to which the retirant would



have been entitled had the retirant lived shall be paid to the retirant's surviving beneficiary, nominated before such first payment due date but not thereafter, who was either the retirant's spouse for not less than the two years immediately preceding such first payment due date, or another person aged forty years or older receiving more than one-half support from the retirant for not less than the two years immediately preceding such first payment due date.

(3) Option C. Under option C, a retirant's allowance payable to the retirant shall be reduced to ninety-five percent of the allowance otherwise payable to the retirant if such first payment due date is on or after October 1, 1998. If the retirant dies before having received one hundred twenty monthly payments of his or her reduced allowance, his or her reduced allowance to which the retirant would have been entitled had the retirant lived shall be paid for the remainder of the one hundred twenty months' period to such person as the retirant shall have nominated by written designation duly executed and filed with the board. If there is no such beneficiary surviving the retirant, the reserve for such allowance for the remainder of such one hundred twenty months' period shall be paid to the retirant's estate.

(4) Option D. Some other option approved by the board which shall be the actuarial equivalent of the allowance to which the member is entitled under this system.

3. The death of the beneficiary designated under option A or B of subsection 2 of this section before the death of the retirant after retirement shall, upon written notification to the system of the death of the beneficiary, cancel any optional plan elected at retirement to provide continuing lifetime benefits to the beneficiary and shall return the retirant to his or her single lifetime benefit equivalent, to be effective the month following receipt of the written notification of the death of the beneficiary by the system.

4. If a member fails to elect a benefit option under subsection 2 of this section, his or her allowance for life shall be paid to the member as a single lifetime benefit."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 26

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

"256.400. As used in sections 71.287 and 256.400 to [256.430] **256.433**, unless the context clearly indicates otherwise, the following terms mean:

(1) "Department", the department of natural resources;

(2) "Director", the director of the department of natural resources;

(3) "Division", the division of geology and land survey of the department of natural resources;

(4) "Major water user", any person, firm, corporation or the state of Missouri, its agencies or corporations and any other political subdivision of this state, their agencies or corporations, with a water source and equipment necessary to withdraw or divert one hundred thousand gallons or more per day from any stream, river, lake, well, spring or other water source;

(5) "State geologist", the director of the division of geology and land survey of the department of natural resources;

(6) "Water source", any stream, river, lake, well, spring or other water source.

**256.433. Notwithstanding any provision of law to the contrary, no major water user shall convey water withdrawn or diverted from within the Southeast Missouri Regional Water District created under section 256.643 when such withdrawal or diversion and subsequent conveyance to a location outside such district unduly interferes with the reasonable and customary activities of a major water user registered under section 256.410 located within said district. If such conveyance occurs, the attorney general or the party or parties affected may file an action for an injunction, however, in no case shall an injunction be issued if the injunction would be detrimental to public health or safety.”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 27

Amend House Amendment No. 27 to House Committee Substitute for Senate Bill No. 145, Page 5, Section 238.235, Line 34, by inserting immediately after said line the following:

“Further amend said bill, Page 5, Section 67.319, Line 53, by inserting immediately after said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

- (1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
- (2) Establish one-way streets and provide for the regulation of vehicles thereon;
- (3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter,

except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

**5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.**

**444.771. Notwithstanding any other provision of law to the contrary, the commission and the department shall not issue any permits under this chapter or under chapters 643 or 644, RSMo, to any person whose mine plan boundary is within 1,000 feet of any real property where an accredited school has been located for at least five years prior to such application for permits made pursuant to these provisions, except that the provisions of this section shall not apply to any request for an expansion to an existing mine and/or to any underground mining operation.”; and**

Further amend said bill, Page 6, Section 488.026, Line 12, by inserting immediately after said line the following:

**537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

**2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.**

**3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 27

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

“67.1956. 1. In each tourism community enhancement district established pursuant to section 67.1953, there shall be a board of directors, to consist of seven members. Three members shall be selected by the governing body of the city, town or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. Two members shall be selected by the governing body of the city, town or village, located within the district, that collected the

second largest amount of retail sales tax within the district in the year preceding the establishment of the district, if such a city, town or village exists in the district. If no such city, town or village exists in the district then two additional members shall be selected by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member shall be selected by the governing body of the county located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member shall be selected by the governing body of the county located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district.

2. Of the members first selected, the three members [from] **selected by** the city, town or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district shall be selected for a term of three years, the two members [from] **selected by** the city, town, or village located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district shall be selected for a term of two years, and the remaining members shall be selected for a term of one year. Thereafter, each member selected shall serve a three-year term. **Except in any city of the fourth classification with more than two thousand nine hundred but fewer than three thousand inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but fewer than seventy-three thousand eight hundred inhabitants**, every member shall be either a resident of the district, own real property within the district, be employed by a business within the district, or operate a business within the district. All members shall serve without compensation. The board shall elect its own treasurer, secretary and such other officers as it deems necessary and expedient, and it may make such rules, regulations, and bylaws to carry out its duties pursuant to sections 67.1950 to 67.1977.

3. Any vacancy within the board shall be filled in the same manner as the person who vacated the position was selected within sixty days of the vacancy occurring, with the new person serving the remainder of the term of the person who vacated the position. In the event that a person is not so selected within sixty days of the vacancy occurring, the remaining members of the board shall select a person to serve the remainder of the term of the person who vacated the position.

4. If a tourism community enhancement district is already in existence on August 28, 2005, the one additional board member shall be appointed by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district for a one-year term and the other additional board member shall be appointed by the governing body of the county located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district for a two-year term, thereafter all board members shall serve three-year terms. The existing board members shall serve out their terms with the provisions of this section controlling the appointment of successor board members, with first and second **existing** board [existing] positions to expire to be appointed by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district, the third and fourth existing board positions to expire to be appointed by the governing body of the city, town, or village located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district and the fifth existing board position to expire to be appointed by the governing body of the county located within the district that collected the largest amount of retail sales

tax within the district in the year preceding the establishment of the district.

5. The board, on behalf of the district, may:

- (1) Cooperate with public agencies and with any industry or business in the implementation of any project;
- (2) Enter into any agreement with any public agency, person, firm, or corporation to implement any of the provisions of sections 67.1950 to 67.1977;
- (3) Contract and be contracted with, and sue and be sued; and
- (4) Accept gifts, grants, loans, or contributions from the United States of America, the state, any political subdivision, foundation, other public or private agency, individual, partnership or corporation on behalf of the tourism enhancement district community.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 28

Amend House Committee Substitute for Senate Bill No. 145, Page 7, Section 1, Line 54, by inserting after all of said section and line, the following:

**“Section 2. 1. There is hereby created a twelve-member interim committee to study and review the issue of consolidating all of the fire protection districts and fire departments in any county with a charter form of government and with more than one million inhabitants into at least one but not more than seven consolidated fire protection districts. In studying this issue the committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from the state department of public safety, and the fire protection districts, fire departments, ambulance districts, and any other special districts or political subdivisions within the county or bordering the county, as well as professional groups or association representing fire fighters, and the general public. The committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary for submission to the general assembly by December 31, 2011.**

**2. The committee shall consist of twelve members as follows:**

- (1) Two members of the house of representatives appointed by the speaker, who shall be from different political parties;**
- (2) Two member of the senate appointed by the president pro tem, who shall be from different political parties;**
- (3) A member of the governing body of any county with a charter form of government and with more than one million inhabitants, appointed by the county executive;**
- (4) The president of the board of directors of the county municipal league in any county with a charter form of government and with more than one million inhabitants, or the president’s designee;**
- (5) A representative from the international association of fire fighters;**
- (6) A chief of a fire protection district within any county with a charter form of government and with more than one million inhabitants, or the chief’s designee, appointed by majority vote of the governing body of the county;**

(7) A chief of a municipal fire department within any county with a charter form of government and with more than one million inhabitants, or the chief's designee, appointed by a majority vote of the governing body of the county;

(8) A representative of the insurance industry, appointed by the governor, with the advice and consent of the senate;

(9) A member of the general public residing within any county with a charter form of government and with more than one million inhabitants, appointed by the governor, with the advice and consent of the senate; and

(10) An outside consultant with experience regarding consolidation issues, appointed by the governor, with the advice and consent of the senate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 29

Amend House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

**“67.451. Any city in which voters have approved fees to recover costs associated with enforcement of municipal housing, property maintenance, or nuisance ordinances may issue a special tax bill against the property where such ordinance violations existed. The officer in charge of finance shall cause the amount of unrecovered costs to be included in a special tax bill or added to the annual real estate tax bill for the property at the collecting official’s option, and the costs shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by laws governing delinquent and back taxes. The tax bill shall be deemed a personal debt against the owner from the date of issuance, and shall also be a lien on the property until paid. Notwithstanding any provision of the city’s charter to the contrary, the city may provide, by ordinance, that the city may discharge the special tax bill upon a determination by the city that a public benefit will be gained by such discharge, and such discharge shall include any costs of tax collection, accrued interest, or attorney fees related to the special tax bill.”; and**

Further amend said bill, Page 5, Section 475.115, Line 15, by inserting after all of said line the following:

**“479.011. 1. (1) The following cities may establish an administrative adjudication system under this section:**

**(a) Any city not within a county [or];**

**(b) Any home rule city with more than four hundred thousand inhabitants and located in more than one county;**

**(c) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.**

**(2) The cities listed in subdivision (1) of this subsection may establish, by order or ordinance, an administrative system for adjudicating housing, property maintenance, nuisance, parking, and other civil, nonmoving municipal code violations consistent with applicable state law. Such administrative adjudication**

system shall be subject to practice, procedure, and pleading rules established by the state supreme court, circuit court, or municipal court. This section shall not be construed to affect the validity of other administrative adjudication systems authorized by state law and created before August 28, 2004.

2. The order or ordinance creating the administrative adjudication system shall designate the administrative tribunal and its jurisdiction, including the code violations to be reviewed. The administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance and in a manner consistent with state law. The administrative tribunal shall adopt policies and procedures for administrative hearings, and filing and notification requirements for appeals to the municipal or circuit court, subject to the approval of the municipal or circuit court.

3. The administrative adjudication process authorized in this section shall ensure a fair and impartial review of contested municipal code violations, and shall afford the parties due process of law. The formal rules of evidence shall not apply in any administrative review or hearing authorized in this section. Evidence, including hearsay, may be admitted only if it is the type of evidence commonly relied upon by reasonably prudent persons in the conduct of their affairs. The code violation notice, property record, and related documentation in the proper form, or a copy thereof, shall be prima facie evidence of the municipal code violation. The officer who issued the code violation citation need not be present.

4. An administrative tribunal may not impose incarceration or any fine in excess of the amount allowed by law. Any sanction, fine or costs, or part of any fine, other sanction, or costs, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under chapter 536 shall be a debt due and owing the city, and may be collected in accordance with applicable law.

5. Any final decision or disposition of a code violation by an administrative tribunal shall constitute a final determination for purposes of judicial review. Such determination is subject to review under chapter 536 or, at the request of the defendant made within ten days, a trial de novo in the circuit court. After expiration of the judicial review period under chapter 536, unless stayed by a court of competent jurisdiction, the administrative tribunal's decisions, findings, rules, and orders may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Upon being recorded in the manner required by state law or the uniform commercial code, a lien may be imposed on the real or personal property of any defendant entering a plea of nolo contendere, pleading guilty to, or found guilty of a municipal code violation in the amount of any debt due the city under this section and enforced in the same manner as a judgment lien under a judgment of a court of competent jurisdiction. **The city may also issue a special tax bill to collect fines issued for housing, property maintenance, and nuisance code violations.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 4** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 4**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 5** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 5**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 6** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 6**.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2** moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

#### FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott T. Rupp  
/s/ David Pearce  
/s/ Timothy P. Green  
/s/ Shalonn K. Curls

#### FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Jamilah Nasheed

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

#### NAYS—Senators

Crowell	Kraus	Purgason—3
---------	-------	------------



Absent—Senators

Kehoe                      Nieves—2

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell	Kraus	Nieves	Purgason—4
---------	-------	--------	------------

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 3** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 3

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ David Pearce

/s/ Timothy P. Green

/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Sara Lampe

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lembke	Purgason	Schaaf—5
---------	-------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 3**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of

Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lembke	Purgason	Schaaf—5
---------	-------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 4** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 4

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

## FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ David Pearce

/s/ Timothy P. Green

/s/ Shalonn K. Curls

## FOR THE HOUSE:

/s/ Ryan Silvey

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Sara Lampe

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

## NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Purgason	Schaaf—6		
---------	-------	--------	--------	----------	----------	--	--

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 4**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt

Stouffer            Wasson            Wright-Jones—27

NAYS—Senators

Crowell            Kraus            Lembke            Nieves            Schaaf—5

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 5** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 5

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ David Pearce

/s/ Timothy P. Green

/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Sara Lampe

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Purgason	Schaaf—6		
---------	-------	--------	--------	----------	----------	--	--

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 5**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 5

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Mayer	McKenna	Munzlinger
Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Purgason	Schaaf—6		
---------	-------	--------	--------	----------	----------	--	--

Absent—Senator Lamping—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 6** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 6

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ David Pearce

/s/ Timothy P. Green

/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Sara Lampe

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna	Munzlinger
Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Crowell	Cunningham	Kraus	Lembke	Nieves	Purgason	Schaaf—7
---------	------------	-------	--------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 6**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Schaaf—5
---------	-------	--------	--------	----------

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has



taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 7**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 7**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 8** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 8**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 9** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 9**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 10** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 10**.

### **PRIVILEGED MOTIONS**

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **CCR** for **SCS** for **HCS** for **HB 7**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### **CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 7**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7 as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ David Pearce

/s/ Timothy P. Green

/s/ Shalonn K. Curls

**FOR THE HOUSE:**

/s/ Ryan Silvey

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Sara Lampe

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lembke	Purgason	Schaaf—5
---------	-------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 7**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lembke	Purgason	Schaaf—5
---------	-------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 8** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 8

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ David Pearce

/s/ Timothy P. Green

/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Sara Lampe

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lembke	Purgason	Schaaf—5
---------	-------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 8**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lembke	Purgason	Schaaf—5
---------	-------	--------	----------	----------

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 9** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 9

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for

House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ David Pearce

/s/ Timothy P. Green

/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Sara Lampe

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lembke	Schaaf—4
---------	-------	--------	----------

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HB 9**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lembke	Schaaf—4
---------	-------	--------	----------

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 10** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 10

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ David Pearce

FOR THE HOUSE:

/s/ Ryan Silvey

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Timothy P. Green

/s/ Sara Lampe

/s/ Shalonn K. Curls

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

## NAYS—Senators

Crowell	Cunningham	Kraus	Lembke	Schaaf—5
---------	------------	-------	--------	----------

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 10**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

## NAYS—Senators

Crowell	Kraus	Lembke	Schaaf—4
---------	-------	--------	----------

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schmitt assumed the Chair.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 11** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 11**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 12** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 12**.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 11** moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 11

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

FOR THE HOUSE:

/s/ Ryan Silvey

/s/ Rick Stream



/s/ David Pearce

/s/ Tom Flanigan

/s/ Timothy P. Green

/s/ Sara Lampe

/s/ Shalonn K. Curls

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

## NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Schaaf—5
---------	-------	--------	--------	----------

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 11**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 11

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

## NAYS—Senators

Crowell	Kraus	Lembke	Nieves	Schaaf—5
---------	-------	--------	--------	----------

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 12** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 12

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 12.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott T. Rupp  
/s/ David Pearce  
/s/ Timothy P. Green  
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell      Kraus      Lembke      Schaaf—4

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 12**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell      Kraus      Lembke      Schaaf—4

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 13**, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 13**.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 13** moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 13

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 13.
2. That the House recede from its position on House Committee Substitute for House Bill No. 13.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 13, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ David Pearce

/s/ Timothy P. Green

/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Sara Lampe

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

## NAYS—Senators

Crowell            Kraus            Lembke            Schaaf—4

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 13**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 13

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

## NAYS—Senators

Crowell            Kraus            Lembke            Schaaf—4

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**CONFERENCE COMMITTEE  
APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 142**, as amended: Senators Dempsey, Mayer, Parson, McKenna and Curls.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 282** as amended. Representatives: Dugger, Smith (150), Cox, Conway (27), and Newman.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 135** as amended. Representatives: Jones (89), Ruzicka, Pollock, Holsman, and Brown (50).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HB 142** as amended. Representatives: Gatschenberger, Diehl, Lauer, Quinn, and Taylor.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SS No. 2** for **SCS** for **SB 8** as amended. Representatives: Fisher, Nolte, Richardson, Meadows, and McManus.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 173** as amended. Representatives: Cierpiot, Long, Smith (150), Fallert, and Casey.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 220**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HB 101**, as amended, and request the Senate to recede from its position and, failing to do so, grant the House a conference thereon and the conferees be allowed to exceed the differences on Sections 311.088 and 311.486.

On motion of Senator Dempsey, the Senate recessed until 4:30 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

**RESOLUTIONS**

On behalf of Senator Green, Senator Callahan offered Senate Resolution No. 1026, regarding Jacquelyn Luley, Florissant, which was adopted.

Senator Engler offered Senate Resolution No. 1027, regarding Chester Wells, which was adopted.

Senator Nieves offered Senate Resolution No. 1028, regarding Maretie Reas Wagner, Lonedell, which was adopted.

Senator Nieves offered Senate Resolution No. 1029, regarding Beverly Lynn Wagner, Lonedell, which was adopted.

Senator Mayer offered Senate Resolution No. 1030, regarding Stanley Cunningham, Poplar Bluff, which was adopted.

Senator Mayer offered Senate Resolution No. 1031, regarding Kathern J. Harris, Poplar Bluff, which was adopted.

Senator Schaefer offered Senate Resolution No. 1032, regarding Jo Lynn Steitz, Columbia, which was adopted.

Senator Parson offered Senate Resolution No. 1033, regarding the Tenth Wedding Anniversary of Mr. and Mrs. Jackie Shelledy, Sedalia, which was adopted.

Senator Lembke offered Senate Resolution No. 1034, regarding Kelly O'Connor, St. Louis, which was adopted.

Senator Rupp offered Senate Resolution No. 1035, regarding Joey Shelton, which was adopted.

**COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

May 5, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Ron Richard to the following commission:

Missouri State Capitol Commission

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

May 5, 2011

Ms. Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Shalonn “Kiki” Curls to the following commission:

Missouri State Capitol Commission

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

### **INTRODUCTIONS OF GUESTS**

Senator Dixon introduced to the Senate, Eric Hillgren and Katie MacKoul.

Senator Schaaf introduced to the Senate, the Physician of the Day, Dr. Warren Hagan, M.D., St. Joseph.

On motion of Senator Dempsey, the Senate adjourned until 3:00 p.m., Monday, May 9, 2011.

### **SENATE CALENDAR**

---

SIXTY-FIFTH DAY—MONDAY, MAY 9, 2011

---

### **FORMAL CALENDAR**

### **VETOED BILLS**

SCS for SB 188-Lager, et al

### **THIRD READING OF SENATE BILLS**

SCS for SB 11-McKenna (In Fiscal Oversight)

SB 204-Dempsey, et al (In Fiscal Oversight)

### **SENATE BILLS FOR PERFECTION**

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS

5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler
8. SJR 16-Goodman, with SCS



- |                                              |                            |
|----------------------------------------------|----------------------------|
| 9. SB 391-Lager                              | 15. SB 45-Wright-Jones     |
| 10. SB 253-Callahan and Cunningham, with SCS | 16. SB 14-Pearce, with SCS |
| 11. SB 223-Mayer                             | 17. SB 281-Kraus           |
| 12. SB 119-Schaefer                          | 18. SB 399-Kraus           |
| 13. SB 150-Munzlinger                        | 19. SB 44-Wright-Jones     |
| 14. SB 84-Wright-Jones                       |                            |

### HOUSE BILLS ON THIRD READING

- |                                            |                                              |
|--------------------------------------------|----------------------------------------------|
| 1. HB 183-Silvey (Kraus)                   | 17. HCS for HB 562, with SCS                 |
| 2. HB 667-Carter, et al                    | 18. HB 525-Molendorp                         |
| 3. HCS for HB 431, with SCS (Curls)        | 19. HCS for HB 523, with SCS                 |
| 4. HB 151-Kelly (24) and Molendorp         | 20. HB 139-Smith (150), et al (Cunningham)   |
| 5. HCS for HB 697, with SCS (Dixon)        | 21. HB 167-Nolte, et al, with SCA 1 (Nieves) |
| 6. HB 661-Wells, et al, with SCS (Lamping) | 22. HB 402-Diehl and Korman (Wasson)         |
| 7. HB 591-Lichtenegger, et al, with SCS    | 23. HCS for HBs 470 & 429, with SCS (Rupp)   |
| 8. HCS for HB 464, with SCS                | 24. HCS for HB 38, with SCS (Wright-Jones)   |
| 9. HCS for HB 412, with SCS (Wasson)       | 25. HB 68-Scharnhorst                        |
| 10. HCS for HB 407                         | 26. HCS for HB 161, with SCS                 |
| 11. HCS for HB 265, with SCS (Wasson)      | 27. HB 184-Dugger, with SCS (Purgason)       |
| 12. HB 484-Faith                           | 28. HCS for HB 664, with SCS (Schmitt)       |
| 13. HCS for HB 430, with SCS (Stouffer)    | 29. HCS for HB 366                           |
| 14. HB 1008-Long, et al, with SCS          | 30. HB 675-Largent and Hoskins (Parson)      |
| 15. HCS for HB 604, with SCS (Rupp)        | 31. HCS for HJR 3 (Brown)                    |
| 16. HCS for HB 111, with SCS               | 32. HB 458-Loehner, et al (Brown)            |

### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

#### SENATE BILLS FOR PERFECTION

- |                                                    |                                                  |
|----------------------------------------------------|--------------------------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 37-Lembke, with SCS                           |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 52-Cunningham                                 |
| SB 10-Rupp                                         | SB 72-Kraus, with SS (pending)                   |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SBs 88 & 82-Schaaf, with SCS & SA 1<br>(pending) |
| SB 25-Schaaf, with SCS & SS for SCS<br>(pending)   | SB 120-Stouffer, with SS (pending)               |
| SB 28-Brown                                        | SB 130-Rupp, with SCS & SS for SCS<br>(pending)  |
|                                                    | SB 155-Rupp, with SCS                            |

SB 175-Munzlinger, et al, with SA 1 (pending)  
 SB 176-Munzlinger, et al  
 SBs 189, 217, 246, 252 & 79-Schmitt,  
     with SCS  
 SB 200-Crowell  
 SB 203-Schmitt, et al, with SS (pending)  
 SB 208-Lager  
 SB 209-Lager  
 SB 228-Pearce  
 SB 242-Cunningham, with SCS & SS for SCS  
     (pending)  
 SB 247-Pearce, with SS (pending)  
 SB 264-Rupp, with SCS

SB 278-Munzlinger, et al  
 SB 280-Purgason, et al, with SCS & SS  
     for SCS (pending)  
 SBs 291, 184 & 294-Pearce, with SCS & SA 4  
     (pending)  
 SB 299-Munzlinger, with SCS (pending)  
 SB 326-Wasson  
 SBs 369 & 370-Cunningham, with SCS  
 SB 390-Schmitt, et al  
 SBs 408 & 80-Crowell, with SCS  
 SB 420-Mayer, with SCS  
 SJR 11-Munzlinger, with SCS  
 SJR 15-Nieves, et al, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HCS for HB 61  
 HB 71-Nasheed, et al  
 HCS for HB 89, with SCS & SS for SCS  
     (pending) (Lager)  
 HCS for HBs 112 & 285, with SCS (Brown)  
 HCS for HB 143 (Goodman)  
 HCS for HBs 294, 123, 125, 113, 271 & 215,  
     with SCS & SS for SCS (pending)  
     (Munzlinger)  
 HCS for HB 336 (Schmitt)  
 HB 361-Leara (Cunningham)  
 HB 442-Franz, with SA 2 (pending) (Parson)  
 HB 462-Pollock, with SCS (Lager)

HCS for HB 545, with SCS & SS for SCS  
     (pending) (Schaaf)  
 HCS for HB 556  
 HCS#2 for HB 609, with SCS (Wasson)  
 HB 648-Montecillo, with SS (pending)  
     (Rupp)  
 HB 738-Nasheed, et al, with SCS (pending)  
     (Cunningham)  
 HJR 2-McGhee, et al (Goodman)  
 HJR 6-Cierpiot, et al (Cunningham)  
 HJR 29-Solon, et al, with SA 1 (pending)  
     (Munzlinger)

#### SENATE BILLS WITH HOUSE AMENDMENTS

SB 3-Stouffer, with HCS#2, as amended  
 SS for SCS for SB 58-Stouffer and Lembke,  
     with HCS, as amended  
 SB 145-Dempsey, with HCS, as amended

SCS for SB 219-Wasson, with HCS,  
     as amended  
 SJR 2-Stouffer, with HCS#2

#### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

##### In Conference

SS#2 for SCS for SB 8-Goodman, with HCS,  
     as amended  
 SS for SB 135-Schaefer, with HCS, as amended

SB 173-Dixon and Kehoe, with HCS,  
     as amended  
 SB 220-Wasson, with HCS, as amended

SB 282-Engler, with HCS, as amended

HB 142-Gatschenberger, with SCS,  
as amended (Dempsey)

## Requests to Recede or Grant Conference

HB 101-Loehner, with SCS, as amended

(Cunningham)

(House requests Senate recede or grant conference)

## RESOLUTIONS

## Reported from Committee

SR 179-Purgason

HCS for HCR 23 (Dixon)

HCR 37-Franklin, et al

HCR 42-Funderburk, et al

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**SIXTY-FIFTH DAY—MONDAY, MAY 9, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Those of steadfast mind you keep in peace - in peace because they trust in you.” (Isaiah 26:3)

O loving God we trust in You and desire to continue to learn of You. As we deal with each other this day may Your peace and love be communicated in and through us as we continue to be part of the work that is required of us. May we walk in righteousness and trust wholly in You. You have watched our going out and coming in bringing us safely here so we give You thanks. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, May 5, 2011 was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon, were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Mayer offered Senate Resolution No. 1036, regarding Rhonda June Meloy, Naylor, which was

adopted.

Senator Purgason offered Senate Resolution No. 1037, regarding Kathryn Jean Hodits, Camdenton, which was adopted.

Senator Lager offered Senate Resolution No. 1038, regarding Sharon L. Smith, Osborn, which was adopted.

Senator Lager offered Senate Resolution No. 1039, regarding Colby Harrison Scroggins, which was adopted.

Senator Lager offered Senate Resolution No. 1040, regarding Phillip Roy Fish, Cameron, which was adopted.

Senator McKenna offered Senate Resolution No. 1041, regarding Kayla Reece, Festus, which was adopted.

Senators Kehoe and Green offered Senate Resolution No. 1042, regarding Maurice R. Schulte, Jefferson City, which was adopted.

Senator Kraus offered Senate Resolution No. 1043, regarding Dr. Keith Gurley, Kansas City, which was adopted.

Senator Engler offered Senate Resolution No. 1044, regarding Sandra “Sandy” Whitby, Cadet, which was adopted.

Senator Rupp offered Senate Resolution No. 1045, regarding Discovery Ridge Elementary School, Wentzville, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1046, regarding the International Association of Workforce Professionals, which was adopted.

Senator Lager offered Senate Resolution No. 1047, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Clark Peterson, Chillicothe, which was adopted.

Senator Lager offered Senate Resolution No. 1048, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Frank Woodruff, Gallatin, which was adopted.

Senator Lager offered Senate Resolution No. 1049, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Eugene Poynter, Mound City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1050, regarding Layne E. Kempker, Jefferson City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1051, regarding Daniel Blake, Clark, which was adopted.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 220**, as amended: Senators Wasson, Richard, Parson, Callahan and Justus.

### **PRIVILEGED MOTIONS**

Senator Cunningham moved that the Senate refuse to recede from its position on **SCS** for **HB 101**, as

amended, and grant the House a conference thereon and further that the conferees be allowed to exceed the differences on Section 311.088 and 311.486, which motion prevailed.

Senator Dempsey moved that the Senate refuse to concur in **HCS** for **SB 145**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCS** for **HB 17** and has taken up and passed **SCS** for **HCS** for **HB 17**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCS** for **HB 18** and has taken up and passed **SCS** for **HCS** for **HB 18**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 21** and has taken up and passed **SCS** for **HCS** for **HB 21**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCS** for **HB 22** and has taken up and passed **SCS** for **HCS** for **HB 22**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 999**, entitled:

An Act to repeal sections 43.650, 589.400, 589.402, 589.403, 589.405, 589.407, and 589.414, RSMo, and to enact in lieu thereof ten new sections relating to sexual offender registration, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 61**, entitled:

An Act to repeal sections 50.535, 51.050, 52.010, 54.033, 54.330, 67.1521, 84.010, 84.220, 86.200, 86.213, 115.342, 140.410, 140.660, 301.130, and 523.040, RSMo, and to enact in lieu thereof twenty-three new sections relating to local government, with penalty provisions.

With House Amendment Nos. 1, 2 and 3.

## HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 61, Page 5, Section 67.1521, Line 57 by inserting after all of said section and line the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 61, Page 6, Section 84.344, Line 1, by deleting the word “**department**” and inserting in lieu thereof the following: “**force**”; and

Further amend said bill, Page 6, Section 84.344, Line 9, by deleting all of said line and inserting in lieu thereof the following: “**the discharge of the official duties of said force;**”; and

Further amend said bill, Page 6, Section 84.344, Line 13, by deleting all of said line and inserting in lieu thereof the following: “**force; or**”; and



Further amend said bill, Page 6, Section 84.344, Line 15, by deleting the word “**department**” and inserting in lieu thereof the following: “**force**”; and

Further amend said bill, Page 6, Section 84.344, Line 17, by deleting the word “**department**” and inserting in lieu thereof the following: “**force**”; and

Further amend said bill, Page 7, Section 84.345, Line 1, by deleting the number “**1.**”; and

Further amend said bill, Page 7, Section 84.345, Line 9, by deleting the word “**cities**” and inserting in lieu thereof the following: “**city**”; and

Further amend said bill, Page 7, Section 84.345, Lines 14 to 28, by deleting all of said lines; and

Further amend said bill, Page 7, Section 84.346, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following: “**not within a county may establish a municipal police force on or after January 1, 2012, according to the procedures and**”; and

Further amend said bill, Page 7, Section 84.346, Line 7, by deleting all of said line and inserting in lieu thereof the following:

**“2. Before the establishment of a municipal police force by a city under sections 84.345 to 84.348, the board of police commissioners shall convey, assign, and otherwise transfer to the city title and ownership of all indebtedness and assets, including, but not limited to, all funds and real and personal property held in the name of or controlled by the board of police commissioners created under sections 84.020 and 84.030. The board of police commissioners shall execute all documents reasonably required to accomplish such transfer of ownership and obligations.**

**3. Upon the completion of the transfer described in subsection 2 of this section, the city shall appropriate the necessary funds for the maintenance of the municipal police force, however, in no event shall the city be required to appropriate funds for pensions or retirement plans for any fiscal year in excess of any limitation imposed by section 21, article X, of the Missouri Constitution. Such city may appropriate, by ordinance, a sum in excess of such limitation for any fiscal year. Nothing in sections 84.345 to 84.348 shall be construed as requiring a new activity or service, or an increase in the level of any activity or service, beyond that required by existing law if the city elects to establish a police force under sections 84.345 to 84.348.**

**4. Before a city not within a county may establish a municipal police force under this section, the city shall adopt an ordinance accepting responsibility, ownership, and liability as successor-in-interest for contractual obligations, indebtedness, and other lawful obligations of the board of police commissioners.**

**5. A city not within a county that establishes a municipal police force shall initially”** and renumber all remaining subsections accordingly; and

Further amend said bill, Page 8, Section 84.346, Lines 14 to 16, by deleting all of said lines and inserting in lieu thereof the following: “**to as employees of the board of police commissioners.**”; and

Further amend said bill, Page 8, Section 84.346, Line 27, by deleting “**8 of section 84.346.**” and inserting in lieu thereof the following: “**6 of this section.**”; and

Further amend said bill, Page 8, Section 84.346, Lines 43 to 71, by deleting all of said lines; and

Further amend said bill, Page 10, Section 84.346, Line 80, by deleting the semicolon; and

Further amend said bill, Page 10, Section 84.346, Line 84, by deleting the semicolon; and

Further amend said bill, Page 10, Section 84.346, Line 92, by deleting the words “**purpose of coordinating**” and inserting in lieu thereof the following: “**purpose of: coordinating**”; and

Further amend said bill, Page 10, Section 84.347, Line 7, by deleting number “**84.345**” and inserting in lieu thereof the following: “**84.346**”; and

Further amend said bill, Page 10, Section 84.347, Line 13, by deleting the words “**section 84.345, and state shall continue**” and inserting in lieu thereof the following: “**section 84.346, and state shall not continue**”; and

Further amend said bill, Page 11, Section 84.347, Line 14, by deleting the words “**shall continue**” and inserting in lieu thereof the following: “**shall not continue**”; and

Further amend said bill, Page 11, Section 84.347, Line 16, by deleting the words “**collective bargaining agreement**,”; and

Further amend said bill, Page 11, Section 84.347, Line 19, by deleting the number “**5**” and inserting in lieu thereof the following: “**8**”; and

Further amend said bill, Page 15, Section 86.213, Line 33, by inserting after all of said line the following:

**“86.371. In the event that the state or any state official is ordered to provide state funds to any city not within a county to satisfy pension obligations to any member of the system provided for in sections 86.200 to 86.366, the amount of state funds ordered shall constitute a first lien on the funds of such city. The state is authorized to certify such amount to the state treasurer and the director of the department of revenue. The state treasurer and the director of the department of revenue shall withhold all moneys due the city not within a county from the state until such amount, together with regular interest, is satisfied.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 61, Page 6, Section 84.344, Line 20, by inserting after all of said line the following:

**“3. The chief, or any manager of the highest rank regardless of that person’s title, of a municipal police force established under section 84.346 shall not:**

**(1) Solicit orally, by letter, or otherwise any assessment, contribution, or payment for any political purpose whatsoever;**

**(2) Directly or indirectly give, pay, lend, or contribute any of his or her salary, compensation, money, or other valuable thing to any person on account of, or to be applied to, the promotion of any political party, political club, or any political purpose whatsoever;**

(3) Use his or her official authority or influence for the purpose of interfering with any election, nomination for office, or result thereof;

(4) Be a member or official of any committee of any political party or board of aldermen;

(5) Solicit any person to vote for or against any candidate for public office, poll precincts, or be connected with other political work of similar character on behalf of any political organization, party, or candidate;

(6) Affix any sign, bumper sticker, or other device, which either supports or opposes any ballot measure or political candidate, to any property or vehicle under the control of the police force;

(7) Publicly endorse a candidate for any public office;

(8) Work for, or provide any service to, on a paid or voluntary basis, a candidate for any public office or a campaign for or against any ballot initiative.

All such persons shall, however, retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. Any person who violates this subsection shall immediately forfeit and vacate his or her office.”; and

Further amend said bill, Page 8, Section 84.346, Line 36, by deleting all of said line and inserting in lieu thereof the following: **“the rules and regulations. Unless otherwise provided for,”**; and

Further amend said bill, Page 8, Section 84.346, Line 39, by deleting the word **“may”** and inserting in lieu thereof the following: **“shall”**; and

Further amend said bill, Page 8, Section 84.346, Line 40, by inserting immediately after the word **“appeals”** the following: **“that involve discipline resulting in a suspension of greater than fifteen days, demotion, or termination”**; and

Further amend said bill, Page 10, Section 84.346, Line 80, by deleting the word **“retired”** and inserting in lieu thereof the following: **“retire”**; and

Further amend said bill, Page 10, Section 84.346, Lines 101 and 102, by deleting said lines and inserting in lieu thereof the following: **“enforcement officers. The remaining members of the committee shall include the police chief of the municipal police force, the city’s director of public safety, and a person who has retired from service with the board of police commissioners or the municipal police who shall be appointed to the committee by a law enforcement association that represents a majority of members of the municipal police force. The committee shall elect a chair by majority vote.”**; and

Further amend said bill, Page 11, Section 84.349, Line 4, by inserting at the end of said line the following: **“The nonseverability provision in this section shall not apply to subsection 3 of section 84.344.”**; and

Further amend said bill, Page 15, Section 86.213, Lines 13 and 14, by deleting all of said lines and inserting in lieu thereof the following:

**“[(3) Three] (2) Two** members to be appointed by the mayor of the city to serve for a term of two years, except the mayor shall not appoint the police chief of the municipal police force, the city’s director

**of public safety, or the president of the board of police commissioners of the city;”**; and

Further amend said bill, Page 15, Section 86.213, Line 23, by deleting all of said line and inserting in lieu thereof the following:

**“[(5) Two] (4) Three** members who shall be retired members of the retirement system to be”; and

Further amend said bill, Page 21, Section 2, Line 4, by inserting after all of said line the following:

**“Section 3. No elected or appointed official of the state or any political subdivision thereof shall act or refrain from acting in any manner to impede, obstruct, hinder, or otherwise interfere with any member of a municipal police force established under section 84.346 in the performance of his or her job duties, or with any aspect of any investigation arising from the performance of such job duties. This section shall not be construed to prevent such officials from acting within the normal course and scope of their employment or from acting to implement sections 84.345 to 84.348. Any person who shall violate this section shall be liable for a penalty of two thousand five hundred dollars for each offense and shall forever be disqualified from holding any office or employment whatsoever with the governmental entity the person served at the time of the violation. The penalty shall not be paid by the funds of any committee as the term “committee” is defined in section 130.011. This section shall not be construed to interfere with the punishment, under any laws of this state, of a criminal offense committed by such officials, nor shall this section apply to duly appointed members of the municipal police force, or their appointing authorities, whose conduct is otherwise provided for by law.**

**Section 4. 1. It shall be an unlawful employment practice for an official, employee, or agent of a municipal police force established under section 84.346 to discharge, demote, reduce the pay of, or otherwise retaliate against an employee of the municipal police force for reporting to any superior, government agency, or the press the conduct of another employee that the reporting employee believes, in good faith, is illegal.**

**2. Any employee of the municipal police force may bring a cause of action for general or special damages based on a violation of this section.”**; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 187**, entitled:

An Act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 226**, entitled:

An Act to repeal sections 143.790, 190.015, 190.035, 190.040, and 321.120, RSMo, and to enact in lieu thereof seven new sections relating to emergency services.

With House Amendment Nos. 1, 2, 3 and 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 226, Page 1, Section 143.789, Lines 4-10, by deleting all of said lines and inserting in lieu thereof the following:

**“(1) Delinquent taxes owed by the taxpayer to the state of Missouri;**

**(2) Debts owed by such taxpayer to any state agency or support obligation owed by such taxpayer which are enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425;**

**(3) Collection assistance fees authorized under section 143.790;**

**(4) Eligible claims under section 143.790; and**

**(5) Delinquent taxes owed by the taxpayer to the United States.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 226, Section 143.790, Page 8, Line 245, by inserting after all of said section and line the following:

**“143.1016. 1. For all tax years beginning on or after January 1, 2011, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that two dollars or any amount in excess of two dollars on a single return, and four dollars or any amount in excess of four dollars on a combined return, of the refund due be credited to the organ donor program fund established in section 194.297. The contribution designation authorized by this section shall be clearly and unambiguously printed on each income tax return form provided by this state. If any individual that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the organ donor program fund, such individual may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, clearly designated for the organ donor program fund, the amount the individual wishes to contribute. The department of revenue shall deposit such amount to the organ donor program fund as provided in subsection 2 of this section.**

**2. The director of revenue shall transfer at least monthly all contributions designated by individuals under this section, less an amount sufficient to cover the cost of collecting and handling by the department of revenue which shall not exceed five percent of the transferred contributions, to the state treasurer for deposit in the state treasury to the credit of the organ donor program fund. A contribution designated under this section shall only be transferred and deposited in the organ donor program fund after all other claims against the refund from which such contribution is to be made have been satisfied.**

**3. All moneys transferred to the fund shall be distributed as provided in this section and sections 194.297 and 194.299.**

**4. Under section 23.253 of the Missouri sunset act:**

**(1) The provisions of the new program authorized under this section shall automatically sunset**

on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 226, Page 1, Section A, Line 3, by inserting after all of said line the following:

“66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county, less one percent for cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the “County Sales Tax Trust Fund”. The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, “Group A” and “Group B”. Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group A shall include all portions of any city of the fourth classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity.** For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19,

1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group B shall not include any portion of any city of the fourth classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity.**

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as

follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the “adjusted county average” is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the “redistribution formula” is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project



established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term “economic development funds” means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin

on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof.

The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 226, Page 8, Section 143.790, Line 245, by inserting after all of said section the following:

**“170.310. 1. Each school district that operates a high school, and each charter school that**

contains grades 9 to 12, shall provide instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course in grades 9 to 12.

2. Instruction shall include hands-on practicing and skills testing to support cognitive learning. Instruction shall be through a program developed by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.

3. The teacher of the health education course shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

4. Instruction as required under this section shall become a requirement for high school graduation for students graduating in the 2014-2015 school year and subsequent school years.

5. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 322**, entitled:

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 208.798, 338.550, and 633.401, RSMo, and to enact in lieu thereof seven new sections relating to certain provider taxes.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 322, Page 1, In the title, Line 3, by deleting the words, “certain provider taxes” and inserting in lieu thereof the words, “the collection and distribution of public money”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 322, Section A, Page 1, Line 3, by inserting the following after all of said Line:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law, **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420.**

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

**32.058. For all years beginning after January 1, 2012, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail.**

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall

be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated

at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his **or her** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself **or herself** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his **or her** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He **or she** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him **or her** under the local sales tax law or in the event a determination has been made against him **or her** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

**32.088. 1. Beginning January 1, 2012, the possession of a statement from the department of revenue stating no tax is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under sections 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.**

**2. Beginning January 1, 2012, in lieu of subsection 1 of this section, the director may enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under sections 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.**

**32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in chapters 143 and 144, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2011, to October 31, 2011, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2011. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2010, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.**

**2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not**

seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted, unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due within sixty days of approval by the department of revenue, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2011, shall be invalid and void.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official" means a unit or official of the federal government charged with the collection



of non-tax liabilities payable to the federal government under 31 U.S.C. section 3716.

(2) “State agency” means any department, division, board, commission, office, or other agency of the state of Missouri.

(3) “Non-tax liability due the state” means a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other non-tax assessments imposed by or payable to any state agency that is finally determined to be due and owing.

(4) “Person” means an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing.

(5) “Refund” means an amount described as a refund of tax under the provisions of the state tax law that authorized its payment.

(6) “Vendor payment” means any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person’s salary, wages, or pension.

(7) “Offset agreement” is the agreement authorized by this section.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person’s delinquent non-tax liability owed by the person to the federal government; and

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled.

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and non-tax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state.

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) the full name of the person and any other names known to be used by the person;

(2) the social security number or federal tax identification number;

(3) the amount of the non-tax liability; and

(4) a statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) in accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) pay to the federal official the lesser of:

(a) the entire refund or vendor payment; or

(b) the amount certified; and

(4) pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) certify to a federal official the existence of a person's delinquent tax or non-tax liability due the state owed by the person to any state agency;

(2) request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) the full name and address of the person and any other names known to be used by the person;

(2) the social security number or tax identification number;

(3) the amount of the tax or non-tax liability;

(4) a statement that the debt is past due and legally enforceable in the amount certified; and

(5) any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for

a debt;

(3) “Department”, the department of revenue;

(4) “State agency”, any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

**32.420. 1.** Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

**2.** A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

**3.** The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency’s applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

**4.** The state agency shall send notice to the debtor by United States regular mail at the debtor’s last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency’s own procedures.

**32.430. 1.** Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 143.902 or section 140.910 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

**2.** In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under section 143.902 and section 140.910 in the collection of any state debt referred to the department.

**3.** The department may employ department staff and attorneys, and at the department’s discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

**32.440. 1.** The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

**2.** The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the

debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

**32.450.** The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

**32.460.** The department and state agencies, including the judiciary, may exchange information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring state agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of the state agency and to the department when the information has been forwarded to the department.

105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made. In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial

exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

**5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorneys fees and expenses associated with creating the liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.**

136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule

are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

**6. Any person acting as agent of the department of revenue for the collection of sales and use tax when required under sections 144.070 and 144.440 shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax under section 144.140 to offset the actual cost incurred by such person, on behalf of the department of revenue, in the collection of such taxes in accordance with the provisions of Article IV, Section 30(b) of the Missouri Constitution.**

7. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

[7.] **8.** Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.

**140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or his or her designee may issue an order directing any person to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or his or her designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.**

**2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. 1673.**

**3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence**

that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a

result of such order. This presumption shall be overcome only by clear, cogent and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or his or her designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or his or her designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under [sections 144.010 to 144.510 or sections 143.191 to 143.261] **section 32.088** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business [where goods are sold at retail]. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.



3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, **and until December 31, 2011**, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; [or]

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract; **or**

**(6) Beginning, January 1, 2012, the government entity issuing a valid certificate of license to teach in Missouri under section 168.011, shall at least one time each year provide the name and Social Security number of each certificate holder or applicant for certificate of a license to teach in Missouri to the director of revenue. The director of revenue shall at least one time each year check the status of each certificate holder or applicant for certificate of a license to teach in Missouri against a database developed by the director to determine if all state income tax returns have been filed and all state income taxes owed have been paid. If such certificate holder or applicant for certificate of a license to teach in Missouri is delinquent on any state taxes, or has failed to file state income tax returns in the last three years, the director shall then send notice to the certificate holder or applicant for certificate of a license to teach in Missouri and the department of elementary and secondary education. In the case of such delinquency or failure to file, the certificate holder's license shall be suspended within ninety days after notice of such delinquency or failure to file, and the applicant for certificate's license shall not be issued unless the director of revenue verifies that such certificate**

**holder or applicant for certificate has remedied such delinquency or failure or has made arrangements to achieve such remedy. The director of revenue shall, within ten business days of notification to the government entity issuing the certificate of license to teach, that the delinquency has been remedied or arrangements have been made to remedy such delinquency, and send written notification to the certificate holder or applicant for certificate that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.**

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: rape; statutory rape in the first degree; statutory rape in the second degree; sexual assault; forcible sodomy; statutory sodomy in the first degree; statutory sodomy in the second degree; child molestation in the first degree; child molestation in the second degree; deviate sexual assault; sexual misconduct involving a child; sexual misconduct in the first degree; sexual abuse; enticement of a child; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest; abandonment of child in the first degree; abandonment of child in the second degree; endangering the welfare of a child in the first degree; abuse of a child; child used in a sexual performance; promoting sexual performance by a child; or trafficking in children; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree; promoting obscenity in the second degree when the penalty is enhanced to a class D felony; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography in the first degree; possession of child pornography in the second degree; furnishing child pornography to a minor; furnishing pornographic materials to minors; or coercing acceptance of obscene material.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.” ; and

Further amend said bill, Page 5, Section 633.401, Line 94, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.  
Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.  
In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **SCS** for **SB 320**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 59**, entitled:

An Act to repeal sections 404.710, 456.3-301, 456.5-505, 456.8-813, 469.411, 469.437, 469.459, 475.060, 475.061, and 475.115, RSMo, and to enact in lieu thereof thirty-seven new sections relating to judicial procedures.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7 and House Amendment No. 7, as amended.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 59, Page 4, Section 404.710, Lines 91-92 by deleting from said lines the words “, **including, but not limited to exercising and giving consent to a do-not-resuscitate order on behalf on the principal**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 59, Page 3, Section 404.710, Lines 65-69 by deleting all of said lines and inserting in lieu thereof the following:

“(1) To execute, amend or revoke any trust agreement;”; and

Further amend said bill and page and section, Line 85 by deleting all of said line and inserting in lieu thereof the following:

“(8) To make [a] **an anatomical** gift of, or [decline to make a] **prohibit [a] an anatomical** gift of, **all**”; and

Further amend said bill and section, Page 4, Lines 91-92 by deleting all of said lines and inserting in lieu thereof the following:

“procedure to the extent authorized by sections 404.800 to 404.865;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 59, Page 18, Section 475.115, Lines 9 and 10, by deleting the phrase “**and the ward does not file an answer opposing the petition for transfer**”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 59, Page 27, Section 475.555, Line 5 by inserting after all of said section and line the following:

“[490.660. Sections 490.660 to 490.690 may be cited as “The Uniform Business Records as Evidence Law”.]

[490.670. The term “business” shall include every kind of business, profession, occupation, calling or operation of institutions, whether carried on for profit or not.]

[490.680. A record of an act, condition or event, shall, insofar as relevant, be competent evidence if the custodian or other qualified witness testifies to its identity and the mode of its preparation, and if it was made in the regular course of business, at or near the time of the act, condition or event, and if, in the opinion of the court, the sources of information, method and time of preparation were such as to justify its admission.]

[490.690. Sections 490.660 to 490.690 shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.]

[490.692. 1. Any records or copies of records reproduced in the ordinary course of business by any photographic, photostatic, microfilm, microcard, miniature photographic, optical disk imaging, or other process which accurately reproduces or forms a durable medium for so reproducing the original that would be admissible under sections 490.660 to 490.690 shall be admissible as a business record, subject to other substantive or procedural objections, in any court in this state upon the affidavit of the person who would otherwise provide the prerequisites of sections 490.660 to 490.690, that the records attached to the affidavit were kept as required by section 490.680.

2. No party shall be permitted to offer such business records into evidence pursuant to this section unless all other parties to the action have been served with copies of such records and such affidavit at least seven days prior to the day upon which trial of the cause commences.

3. The affidavit permitted by this section may be in form and content substantially as follows:

THE STATE OF..... COUNTY  
OF..... AFFIDAVIT

Before me, the undersigned authority, personally appeared ....., who, being by me duly sworn, deposed as follows:

My name is ....., I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of ..... Attached hereto are ..... pages of records from .....  
.... These ..... pages of records are kept by ..... in the regular course of business, and it was the regular course of business of ..... for an employee or representative of ..... with knowledge of the act, event, condition, opinion, or diagnosis recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time of the act, event, condition, opinion or diagnosis. The records attached hereto are the original or exact duplicates of the original.

.....

Affiant

In witness whereof I have hereunto subscribed my name and affixed my official seal this .....  
day of ....., 20... . . . .

(Signed)

(Seal)]

**490.660. Sections 490.660 to 490.699 may be cited as “The Records of Regularly Conducted Activity as Evidence Law.”**

**490.670. The term “business” includes business, institution, association, profession, occupation and calling of every kind, whether or not conducted for profit.**

**490.680. The following is not excluded by any hearsay rule, even though the declarant is available as a witness: A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record or data compilation.**

**490.690. Sections 490.660 to 490.699 shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states with such laws and/or rules of evidence regarding the admissibility of third party business records.**

**490.692. Extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the original or a duplicate of a record of regularly conducted activity if accompanied by a written certification of its custodian or other qualified person that the record**

**(A) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of these matters;**

**(B) was kept in the course of the regularly conducted activity; and**

**(C) was made by the regularly conducted activity as a regular practice.**

**The word “certification” as used in this subsection means with respect to a domestic record, a written declaration under oath subject to the penalty of perjury and, with respect to a record maintained or located in a foreign country, or written declaration signed in a country which, if falsely made, would subject the maker to criminal penalty under the laws of the country. A party intending to offer a record into evidence under this paragraph must provide written notice of that intention to all adverse parties, and must make the record and certification available for inspection sufficiently in advance of their offer into evidence to provide an adverse party with a fair opportunity to challenge them.”;**  
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 5**

Amend House Committee Substitute for Senate Bill No. 59, Page 27, Section 475.555, Line 5, by inserting after all of said section and line, the following:

“482.305. When sitting as a small claims court, the judge shall have original jurisdiction of all civil

cases, whether tort or contract, where the amount in controversy does not exceed [three] **five** thousand dollars, exclusive of interest or costs, or as provided in this chapter.

482.315. 1. If the amount in controversy in an action exceeds [three] **five** thousand dollars, a plaintiff may file and prosecute a small claims action for recovery of money, but such plaintiff waives any claim for any sum in excess of [three] **five** thousand dollars in that or in any subsequent proceeding involving the same parties and issues.

2. In an action transferred under section 482.325, the plaintiff or defendant may amend the claim or counterclaim to a dollar amount not to exceed the jurisdictional limit of the division of the circuit court to which the action was transferred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 59, Page 27, Section 475.555, Line 5, by inserting after all of said section and line the following:

“568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide, without good cause, adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide, without good cause, adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **“Arrearage”, includes any reduction or abatement of a support obligation for the period of time from the filing of a modification until such modification is awarded if a reduction or abatement of the support obligation is applied to such time period. Arrearage also includes any amount waived by the custodial parent under an order of support issued by a court of competent jurisdiction or any authorized administrative agency;**

(2) **“Child”** means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) **“Good cause”** means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his **or her** inability to support;

[(3)] (4) **“Support”** means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivisions (2) and (4) of subsection 2 and subsection 3 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of [twelve] **eighteen** monthly payments due under any order of support issued by any court of competent

jurisdiction or any authorized administrative agency, in which case it is a class D felony. **In the event that the revisor of statutes is notified by the director of economic development that the Missouri unemployment rate has remained at six percent or lower for six consecutive months, the limit on the aggregate of eighteen monthly payments shall become twelve monthly payments effective on the July first immediately following such notification.**

6. (1) If at any time a defendant **who is convicted of criminal nonsupport or who pleads guilty or nolo contendere to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court or administrative ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) **If the defendant satisfies all current child support obligations as well as all periodic payments toward satisfaction of arrears for an additional twenty-four consecutive months after completion of probation or parole, any conviction of the defendant under this section may be expunged from the defendant's record.**

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the **child support enforcement service of the family support** division [of child support enforcement] shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or



(2) In any county in which the defendant resided during the period of time for which the defendant is charged.” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 59, Page 1, Line 26, by inserting after all of said line the following:

“Further amend said Bill, Section A, Page 1, Line 7 by inserting after all of said section and line the following:

**“34.376. 1. Sections 34.376 to 34.380 may be known as the “Transparency in Private Attorney Contracts Act”.**

**2. As used in sections 34.376 to 34.380, the following terms shall mean:**

**(1) “Government attorney”, an attorney employed by the state as an assistant attorney general;**

**(2) “Private attorney”, any private attorney or law firm;**

**(3) “State”, the state of Missouri, in any action instituted by the attorney general pursuant to section 27.060.**

**34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:**

**(1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general’s office to handle the matter;**

**(2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;**

**(3) The geographic area where the attorney services are to be provided; and**

**(4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney’s experience with similar issues or cases.**

**2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.**

**3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.**

**4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:**

**(1) The government attorneys shall retain complete control over the course and conduct of the case;**

**(2) A government attorney with supervisory authority shall oversee the litigation;**

**(3) The government attorneys shall retain veto power over any decisions made by outside counsel;**

**(4) A government attorney with supervisory authority for the case shall attend all settlement conferences; and**

**(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.**

**5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.**

**6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.**

**7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.**

**8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:**

**(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:**

**(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;**

**(b) The nature and status of the legal matter;**

**(c) The name of the parties to the legal matter;**

**(d) The amount of any recovery; and**

**(e) The amount of any contingency fee paid.**

**(2) Include copies of any written determinations made under subsections 1 and 2 of this section.**

**34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed.”; and”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 59, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“11.010. The official manual, commonly known as the “Blue Book”, compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state’s general revenue fund.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 732**, entitled:

An Act to repeal sections 324.043, 334.040, 334.070, 334.090, 334.100, 334.102, 334.103, 334.715, 536.063, 536.067, 536.070, 621.045, 621.100, and 621.110, RSMo, and to enact in lieu thereof twenty-nine new sections relating to licensure of certain professions, with penalty provisions and an effective date for

certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### REFERRALS

President Pro Tem Mayer referred **HCS** for **HB 431**, with **SCS**; **HB 151**; **HB 139**; **HCS** for **HB 366**; and **HCS** for **HJR 3** to the Committee on Ways and Means and Fiscal Oversight.

### PRIVILEGED MOTIONS

Senator Stouffer moved that **SJR 2**, with **HCS No. 2**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS No. 2** for **SJR 2**, entitled:

#### HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR SENATE JOINT RESOLUTION NO. 2

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting four new sections relating to elections.

Was taken up.

Senator Stouffer moved that **HCS No. 2** for **SJR 2** be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Lager	Lamping	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—23	

#### NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	Lembke	Purgason
Ridgeway	Wright-Jones—10						

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Stouffer, **HCS No. 2** for **SJR 2** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Mayer	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson—25							

## NAYS—Senators

Callahan      Chappelle-Nadal      Curls                      Green                      Justus                      Keaveny                      Lembke                      Purgason  
Wright-Jones—9

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Stouffer, title to the joint resolution was agreed to.

Senator Stouffer moved that the vote by which the joint resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Joint Resolution ordered enrolled.

Senator Stouffer moved that **SB 3**, with **HCS No. 2**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS No. 2** for **SB 3**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR  
SENATE BILL NO. 3

An Act to repeal section 115.427, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

Was taken up.

Senator Stouffer moved that **HCS No. 2** for **SB 3**, as amended, be adopted.

At the request of Senator Stouffer, the above motion was withdrawn, which placed the bill back on the Calendar.

Senator Schaefer moved that the Senate refuse to concur in **HCS** for **SB 322**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Engler moved that the Senate refuse to concur in **HCS** for **SS** for **SB 226**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Keaveny moved that the Senate refuse to concur in **HCS** for **SB 59**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Keaveny moved that the Senate refuse to concur in **HCS** for **SB 61**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Ridgeway assumed the Chair.

**HOUSE BILLS ON THIRD READING**

**HB 71**, introduced by Representative Nasheed, et al, entitled:

An Act to repeal section 84.010, RSMo, and to enact in lieu thereof eight new sections relating to the St. Louis police force with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Engler.

Senator Engler offered **SS** for **HB 71**, entitled:

**SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 71**

An Act to repeal sections 84.010, 84.220, 86.200, and 86.213, RSMo, and to enact in lieu thereof ten new sections relating to the St. Louis police force, with penalty provisions.

Senator Engler moved that **SS** for **HB 71** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for House Bill No. 71, Page 3, Section 84.344, Line 13 of said page, by inserting immediately after said line the following:

**“3. The chief, or any manager of the highest rank regardless of that person’s title, of a municipal police force established under section 84.346 shall not:**

**(1) Solicit orally, by letter, or otherwise any assessment, contribution, or payment for any political purpose whatsoever;**

**(2) Directly or indirectly give, pay, lend, or contribute any of his or her salary, compensation, money, or other valuable thing to any person on account of, or to be applied to, the promotion of any political party, political club, or any political purpose whatsoever;**

**(3) Use his or her official authority or influence for the purpose of interfering with any election, nomination for office, or result thereof;**

**(4) Be a member or official of any committee of any political party or board of aldermen;**

**(5) Solicit any person to vote for or against any candidate for public office, “poll precincts”, or be connected with other political work of similar character on behalf of any political organization, party, or candidate;**

**(6) Affix any sign, bumper sticker, or other device, which either supports or opposes any ballot measure or political candidate, to any property or vehicle under the control of the police force;**

**(7) Publicly endorse a candidate for any public office;**

**(8) Work for, or provide any service to, on a paid or voluntary basis, a candidate for any public office or a campaign for or against any ballot initiative.**

**All such persons shall, however, retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. Any person who shall violate this subsection shall**

**be liable for a penalty of five thousand dollars for each offense. The penalty shall not be paid for by the funds of the municipality.**

**4. Any person who violates subsection 3 of this section shall immediately forfeit and vacate his or her office.”; and**

Further amend said bill, Page 4, Section 84.346, Line 5 of said page, by striking “January” and inserting in lieu thereof the following: **“July”**; and further amend Line 12 of said page, by striking “pursuant to” and inserting in lieu thereof the following: **“under”**; and further amend line 17 of said page, by striking “pursuant to” and inserting in lieu thereof the following: **“under”**; and

Further amend said bill and section, Page 5, line 4 of said page, by striking “pursuant to” and inserting in lieu thereof the following: **“under”**; and

Further amend said bill, Page 6, Section 84.346, Line 23 of said page, by striking all of said line and inserting in lieu thereof the following: **“Unless otherwise provided for,”**; and further amend line 27 of said page, by striking the word “may” and inserting in lieu thereof the following: **“shall”**; and further amend line 28 of said page, by inserting immediately after the word “appeals” the following: **“that involve discipline resulting in a suspension of greater than fifteen days, demotion, or termination”**; and

Further amend said bill and section, Page 7, Line 15 of said page, by striking the word “retired” and inserting in lieu thereof the following: **“retire”**; and

Further amend said bill and section, Page 8, lines 15-17 of said page, by striking all of said lines and inserting in lieu thereof the following: **“enforcement officers. The remaining members of the committee shall include the police chief of the municipal police force, the city’s director of public safety, and a person who has retired from service with the board of police commissioners or the municipal police appointed to the committee by a law enforcement association that represents a majority of members of the municipal police force.”**; and

Further amend said bill, Page 10, Section 84.349, Lines 11-14 of said page, by striking all of said lines and inserting in lieu thereof the following: **“the contrary, the provisions of this act shall be nonseverable, except for section 84.343 and subsection 4 of section 84.344, which shall be severable. If any provision, except for section 84.343 and subsection 4 of section 84.344, is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of sections 84.344 to 84.348 of this act except for section 84.343 and subsection 4 of section 84.344.”**; and

Further amend said bill, Page 16, Section 86.213, Line 15 of said page, by striking “Three” and inserting in lieu thereof the following: **“Two”**; and further amend line 16 of said page, by inserting immediately after the word “years” the following: **“, except the mayor shall not appoint the police chief of the municipal police force, the city’s director of public safety, or the president of the board of police commissioners of the city”**; and

Further amend said bill and section, page 16, line 28 of said page, by striking the word “Two” and inserting in lieu thereof the following: **“Three”**; and

Further amend said bill, Page 17, section 86.371, line 25 of said page, by inserting immediately after said line the following:

105.483. Each of the following persons shall be required to file a financial interest statement:

(1) Associate circuit judges, circuit court judges, judges of the courts of appeals and of the supreme

court, and candidates for any such office;

(2) Persons holding an elective office of the state, whether by election or appointment, and candidates for such elective office, except those running for or serving as county committee members for a political party pursuant to section 115.609 or section 115.611;

(3) The principal administrative or deputy officers or assistants serving the governor, lieutenant governor, secretary of state, state treasurer, state auditor and attorney general, which officers shall be designated by the respective elected state official;

(4) The members of each board or commission and the chief executive officer of each public entity created pursuant to the constitution or interstate compact or agreement and the members of each board of regents or curators and the chancellor or president of each state institution of higher education;

(5) The director and each assistant deputy director and the general counsel and the chief purchasing officer of each department, division and agency of state government;

(6) Any official or employee of the state authorized by law to promulgate rules and regulations or authorized by law to vote on the adoption of rules and regulations;

(7) Any member of a board or commission created by interstate compact or agreement, including the executive director and any Missouri resident who is a member of the bi-state development agency created pursuant to sections 70.370 to 70.440;

(8) Any board member of a metropolitan sewer district authorized under section 30(a) of article VI of the state constitution;

(9) Any member of a commission appointed or operating pursuant to sections 64.650 to 64.950, sections 67.650 to 67.658, or sections 70.840 to 70.859;

(10) The members, the chief executive officer and the chief purchasing officer of each board or commission which enters into or approves contracts for the expenditure of state funds;

(11) Each elected official, candidate for elective office, the chief administrative officer, the chief purchasing officer and the general counsel, if employed full time, of each political subdivision with an annual operating budget in excess of one million dollars, and each official or employee of a political subdivision who is authorized by the governing body of the political subdivision to promulgate rules and regulations with the force of law or to vote on the adoption of rules and regulations with the force of law; unless the political subdivision adopts an ordinance, order or resolution pursuant to subsection 4 of section 105.485;

(12) Any person who is designated as a decision-making public servant by any of the officials or entities listed in subdivision (6) of section 105.450;

**(13) The police chief of a municipal police force established under section 84.346 by any city not within a county, and such city's director of public safety.**

**Section 1. 1. No elected or appointed official of the state or any political subdivision thereof shall act or refrain from acting in any manner to impede, obstruct, hinder, or otherwise interfere with any member of a municipal police force established under section 84.346 in the performance of his or her job duties, or with any aspect of any investigation arising from the performance of such job duties. This section shall not be construed to prevent such officials from acting within the normal course and**



scope of their employment or from acting to implement sections 84.345 to 84.348. Any person who shall violate this section shall be liable for a penalty of two thousand five hundred dollars for each offense and shall forever be disqualified from holding any office or employment whatsoever with the governmental entity the person served at the time of the violation. The penalty shall not be paid by the funds of any committee as the term “committee” is defined in section 130.011. This section shall not be construed to interfere with the punishment, under any laws of this state, of a criminal offense committed by such officials, nor shall this section apply to duly appointed members of the municipal police force, or their appointing authorities, whose conduct is otherwise provided for by law.

**Section 2. 1. It shall be an unlawful employment practice for an official, employee, or agent of a municipal police force established under section 84.346 to discharge, demote, reduce the pay of, or otherwise retaliate against an employee of the municipal police force for reporting to any superior, government agency, or the press the conduct of another employee that the reporting employee believes, in good faith, is illegal.**

**2. Any employee of the municipal police force may bring a cause of action for general or special damages based on a violation of this section.”; and**

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted.

At the request of Senator Engler, **HB 71**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

President Kinder assumed the Chair.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 504, 505** and **874**, entitled:

An Act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.020, 455.027, 455.035, 455.038, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.505, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, 589.683, 595.100, and 595.220, RSMo, and to enact in lieu thereof twenty-seven new sections relating to domestic violence, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 658**, entitled:

An Act to repeal sections 195.017 and 195.417, RSMo, and to enact in lieu thereof two new sections relating to the meth lab elimination act, with existing penalty provisions and an expiration date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 707**, entitled:

An Act to repeal sections 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.420, 141.430, 141.450, 141.480, 141.520, 141.540 141.560, 141.570, 141.580, 141.720, 141.770, and 141.790, RSMo, section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for senate committee substitute for house substitute for house bill no. 1238, ninetieth general assembly, second regular session, and section 141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session, and to enact in lieu thereof twenty-four new sections relating to land tax collection, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 138**, entitled:

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to wages for work done on behalf of a school.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HB 101**, as amended. Representatives: Loehner, Fitzwater, Johnson, Quinn, and Talboy.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 145**, as amended and grants the Senate a conference there.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 71**, entitled:

An Act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

With House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 1, as amended, and House Amendment

No. 2.

HOUSE AMENDMENT NO. 1 TO  
HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR  
HOUSE AMENDMENT NO. 1

Amend House Substitute Amendment No. 1 for House Amendment No. 1 to Senate Bill No. 71, Page 2, Section 6, Line 29, by adding the following:

“The operating budget of the M.H.D.C. shall be subject to annual appropriation”.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR  
HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 71, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

“To repeal sections 215.020 and 339.1115, RSMo, and to enact in lieu thereof two new sections”; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

“Section A. Sections 215.020 and 339.1115, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 215.020 and 339.1115, to read as follows:

215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the “Missouri Housing Development Commission” which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

**6. The employment of the executive director, including the executive director serving in such**

**capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 71, Page 2, Section 339.1115, Line 22, by inserting after all of said line the following:

“523.040. 1. The court, or judge thereof in vacation, on being satisfied that due notice of the pendency of the petition has been given, shall appoint three disinterested commissioners, who shall be residents of the county in which the real estate or a part thereof is situated, **and in any city not within a county, any county with a charter form of government and with more than one million inhabitants, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants at least one of the commissioners shall be either a licensed real estate broker or a state-licensed or state-certified real estate appraiser**, to assess the damages which the owners may severally sustain by reason of such appropriation, who, within forty-five days after appointment by the court, which forty-five days may be extended by the court to a date certain with good cause shown, after applying the definition of fair market value contained in subdivision (1) of section 523.001, and after having viewed the property, shall return to the clerk of such court, under oath, their report in duplicate of such assessment of damages, setting forth the amount of damages allowed to the person or persons named as owning or claiming the tract of land condemned, and should more than one tract be condemned in the petition, then the damages allowed to the owner, owners, claimant or claimants of each tract, respectively, shall be stated separately, together with a specific description of the tracts for which such damages are assessed; and the clerk shall file one copy of said report in his office and record the same in the order book of the court, and he shall deliver the other copy, duly certified by him, to the recorder of deeds of the county where the land lies (or to the recorder of deeds of the city of St. Louis, if the land lies in said city) who shall record the same in his office, and index each tract separately as provided in section 59.440, and the fee for so recording shall be taxed by the clerk as costs in the proceedings; and thereupon such company shall pay to the clerk the amount thus assessed for the party in whose favor such damages have been assessed; and on making such payment it shall be lawful for such company to hold the interest in the property so appropriated for the uses prescribed in this section; and upon failure to pay the assessment, the court may, upon motion and notice by the party entitled to such damages, enforce the payment of the same by execution, unless the said company shall, within ten days from the return of such assessment, elect to abandon the proposed appropriation of any parcel of land, by an instrument in writing to that effect, to be filed with the clerk of the court, and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages shall be void.

2. Prior to the issuance of any report under subsection 1 of this section, a commissioner shall notify all parties named in the condemnation petition no less than ten days prior to the commissioners’ viewing of the property of the named parties’ opportunity to accompany the commissioners on the commissioners’ viewing of the property and of the named parties’ opportunity to present information to the commissioners.

3. The commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties.”; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **SB 97**, entitled:

An Act to authorize the conveyance of real property owned by the state.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute No. 2 for Senate Bill No. 97, Page 3, Section 3, Line 10, by inserting after all of said section and line, the following:

**“Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in Callaway County to the City of Fulton. The property to be conveyed is more particularly described as follows:**

**Part of Section 16 in Township 47 North, Range 9 West, in the City of Fulton, Callaway County, Missouri, more particularly described as follows:**

**TRACT 1: Commencing at the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 16; thence S1°34'55"W, along the Quarter-Quarter Section Line, 1553.12 feet to the southerly right of way of Missouri State Route "O", as described in Book 154, Page 119, Callaway County Recorder's Office; thence S89°01'33"E, along the southerly right of way of said Missouri State Route "O", 525.24 feet; thence on a curve to the left having a radius of 1940.39 feet, an arc distance of 11.95 feet (Ch=S89°12'08"E, 11.95 feet) to the POINT OF BEGINNING for this description; thence continuing along the southerly right of way line of said Missouri State Route "O" the following courses and distances: on a curve to the left having a radius of 1940.39 feet, an arc distance of 388.23 feet (Ch=N84°53'22"E, 387.59 feet); thence N79°09'27"E, 245.94 feet; thence leaving the said Hwy. right of way S04°40'06"E, 77.57 feet; thence on a curve to the right having a radius of 72.00 feet, an arc distance of 61.43 feet (Ch=S19°46'31"W, 59.59 feet); thence on a curve to the left having a radius of 280 feet, an arc distance of 148.34 feet (Ch=S29°02'28"W, 146.62 feet); thence S13°51'49"W, 453.89 feet; thence on a curve to the left having a radius of 270 feet, an arc distance of 212.47 feet (Ch=S08°40'47"E, 207.03 feet); thence S20°19'55"W, 261.02 feet; thence N87°23'57"W, 418.88 feet; thence N02°23'59"E, 1052.77 feet to the point of beginning.**

**Containing 12.66**

**TRACT 2: Being a 60 feet wide public right of way, described as follows:**

**Commencing at the Northeast corner of the above described tract; thence continuing N79°09'27"E, 47.86 feet; thence on a curve to the right having a radius of 686.52 feet, an arc distance of 12.48 feet (Ch=N79°40'39"E, 12.48 feet); thence leaving the said Hwy. right of way S04°40'06"E, 83.94 feet; thence on a curve to the right having a radius of 132.00 feet, an arc distance of 112.63 feet (Ch=S19°41'06"W, 108.87 feet); thence on a curve to the left having a radius of 220.00 feet, an arc distance of 116.56 feet (Ch=S29°05'42"W, 115.60 feet); thence**

**S13°51'49"E, 435.89 feet; thence on a curve to the left having a radius of 210.00 feet, an arc distance of 111.64 feet (Ch=S01°21'56"E, 110.33 feet); thence S20°19'55"W, 85.30 feet to a point; thence on a curve to the right having a radius of 270.00 feet, an arc distance of 212.47 feet (Ch=N08°40'47"W, 207.03 feet); thence N13°51'49"E, 453.89 feet; thence on a curve to the right having a radius of 280.00 feet, an arc distance of 148.34 feet (Ch=N29°02'28"E, 146.62 feet); thence on a curve to the left having a radius of 72.00 feet, an arc distance of 61.43 feet (Ch=N19°46'31"E, 59.59 feet); thence N04°40'06"W, 77.57 feet to the point of beginning.**

**Containing 1.26**

**2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.**

**3. The attorney general shall approve the form of the instrument of conveyance.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

#### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 101**, as amended: Senators Cunningham, Ridgeway, Lembke, Justus and McKenna.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 145**, as amended: Senators Dempsey, Brown, Rupp, Callahan and Green.

On motion of Senator Dempsey, the Senate recessed until 7:30 p.m.

#### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

#### **RESOLUTIONS**

Senator Munzlinger offered Senate Resolution No. 1052, regarding James M. Scudder, Brashear, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1053, regarding the One Hundred Twenty-fifth Anniversary of Mary Immaculate Parish, Kirksville, which was adopted.

Senator Brown offered Senate Resolution No. 1054, regarding Mylan Myers, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1055, regarding Karana Southard, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1056, regarding the One Hundredth Birthday of Roy Edward Carlton, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1057, regarding Dawn Harmount, which was adopted.

Senator Brown offered Senate Resolution No. 1058, regarding the Thirtieth Anniversary of Brewer Science, Rolla, which was adopted.

Senator Engler offered Senate Resolution No. 1059, regarding Stanley Cook, which was adopted.

Senator Engler offered Senate Resolution No. 1060, regarding Ray Politte, which was adopted.

Senator Engler offered Senate Resolution No. 1061, regarding Pamela Frakes, which was adopted.

Senator Engler offered Senate Resolution No. 1062, regarding Luke Kyle Nash, Belleview, which was adopted.

Senator Engler offered Senate Resolution No. 1063, regarding Holden Ace Armstrong, Belleview, which was adopted.

Senator Schmitt offered Senate Resolution No. 1064, regarding Lucy Rebecca Short, which was adopted.

### **HOUSE BILLS ON THIRD READING**

**HCS No. 2 for HB 609**, with **SCS**, entitled:

An Act to repeal section 374.284, RSMo, and to enact in lieu thereof nine new sections relating to the Show-Me health insurance exchange act.

Was called from the Informal Calendar and taken up by Senator Wasson.

**SCS for HCS No. 2 for HB 609**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR HOUSE BILL NO. 609**

An Act to repeal section 374.284, RSMo, and to enact in lieu thereof nine new sections relating to the Show-Me health insurance exchange act.

Was taken up.

Senator Wasson moved that **SCS for HCS No. 2 for HB 609** be adopted.

At the request of Senator Wasson, **HCS No. 2 for HB 609**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Rupp moved that **HB 648**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Rupp, **SS for HB 648** was withdrawn.

Senator Rupp offered **SS No. 2 for HB 648**, entitled:

#### **SENATE SUBSTITUTE NO. 2 FOR HOUSE BILL NO. 648**

An Act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 208.955, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 402.210, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.167, 630.183, 630.192, 630.210, 630.335, 630.405,

630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, and 633.309, RSMo, and to enact in lieu thereof eighty-one new sections relating to individuals with disabilities, with existing penalty provisions.

Senator Rupp moved that **SS No. 2** for **HB 648** be adopted.

Senator Rupp offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for House Bill No. 648, Page 25, Section 208.955, Line 14 of said page, by striking “twenty” and inserting in lieu thereof the following: “**nineteen**”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp moved that **SS No. 2** for **HB 648**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SS No. 2** for **HB 648**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

#### NAYS—Senators—None

#### Absent—Senators—None

#### Absent with leave—Senators—None

#### Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Kraus, **HB 183** was placed on the Informal Calendar.

**HB 667** was placed on the Informal Calendar.

**HCS** for **HB 697**, with **SCS**, entitled:

An Act to amend chapter 536, RSMo, by adding thereto one new section relating to the repromulgation of state administrative rules.

Was taken up by Senator Dixon.



**SCS** for **HCS** for **HB 697**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 697**

An Act to amend chapter 536, RSMo, by adding thereto two new sections relating to the review of state administrative rules.

Was taken up.

Senator Dixon moved that **SCS** for **HCS** for **HB 697** be adopted.

At the request of Senator Dixon, **HCS** for **HB 697**, with **SCS** (pending), was placed on the Informal Calendar.

At the request of Senator Lamping, **HB 661**, with **SCS**, was placed on the Informal Calendar.

**HB 591**, with **SCS**, introduced by Representative Lichtenegger, et al, entitled:

An Act to amend chapter 332, RSMo, by adding thereto one new section relating to limited dental teaching license.

Was taken up by Senator Curls.

**SCS** for **HB 591**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 591**

An Act to amend chapter 332, RSMo, by adding thereto one new section relating to limited dental teaching license.

Was taken up.

Senator Curls moved that **SCS** for **HB 591** be adopted, which motion prevailed.

On motion of Senator Curls, **SCS** for **HB 591** was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—32

**NAYS—Senator Brown—1**

**Absent—Senator Wright-Jones—1**

**Absent with leave—Senators—None**

**Vacancies—None**

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HB 464, with SCS, entitled:**

An Act to repeal sections 8.650, 8.900, 21.475, 21.780, 26.600, 26.603, 26.605, 26.607, 26.609, 26.611, 26.614, 32.250, 32.260, 90.101, 105.1006, 105.1010, 105.1012, 162.1000, 162.1060, 166.200, 166.201, 166.203, 166.205, 166.207, 166.209, 166.212, 166.215, 166.218, 166.220, 166.222, 166.225, 166.228, 166.231, 166.233, 166.235, 166.237, 166.240, 166.242, 190.176, 192.350, 192.352, 192.355, 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, 199.051, 208.175, 208.195, 208.275, 208.530, 208.533, 208.535, 208.792, 208.955, 210.101, 210.102, 210.496, 260.372, 260.705, 260.720, 260.725, 260.735, 286.001, 286.005, 286.200, 286.205, 286.210, 302.136, 304.028, 320.094, 320.205, 334.721, 344.060, 344.105, 344.108, 361.070, 361.092, 361.093, 361.094, 361.095, 361.096, 361.097, 361.098, 361.105, 362.040, 362.111, 362.325, 369.014, 369.024, 369.144, 369.159, 369.294, 369.299, 369.304, 369.309, 369.314, 369.319, 369.329, 371.060, 371.090, 371.240, 620.638, 620.641, 620.644, 620.647, 620.650, 620.653, 630.900, 630.910, 630.915, 632.020, 660.010, and 701.302, RSMo, and section 362.105 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and to enact in lieu thereof eighty-five new sections for the sole purpose of eliminating, combining, and revising certain state boards, commissions, committees, and councils.

Was taken up by Senator Wasson.

**SCS for HCS for HB 464, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 464

An Act to repeal sections 8.650, 8.900, 21.475, 21.780, 26.600, 26.603, 26.605, 26.607, 26.609, 26.611, 26.614, 32.250, 32.260, 105.1006, 105.1010, 105.1012, 162.1000, 162.1060, 166.200, 166.201, 166.203, 166.205, 166.207, 166.209, 166.212, 166.215, 166.218, 166.220, 166.222, 166.225, 166.228, 166.231, 166.233, 166.235, 166.237, 166.240, 166.242, 190.176, 192.350, 192.352, 192.355, 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, 199.051, 208.175, 208.195, 208.275, 208.530, 208.533, 208.535, 208.792, 208.955, 210.101, 210.102, 210.496, 260.372, 260.705, 260.720, 260.725, 260.735, 286.001, 286.005, 286.200, 286.205, 286.210, 302.136, 304.028, 320.094, 320.205, 324.600, 324.603, 324.606, 324.609, 324.612, 324.615, 324.618, 324.621, 324.624, 324.627, 324.630, 324.635, 324.1100, 324.1102, 324.1103, 324.1104, 324.1106, 324.1108, 324.1110, 324.1112, 324.1114, 324.1116, 324.1118, 324.1120, 324.1122, 324.1124, 324.1128, 324.1130, 324.1132, 324.1134, 324.1136, 324.1138, 324.1144, 344.060, 344.105, 344.108, 361.070, 361.092, 361.093, 361.094, 361.095, 361.096, 361.097, 361.098, 361.105, 362.040, 362.111, 362.325, 369.014, 369.024, 369.144, 369.159, 369.294, 369.299, 369.304, 369.309, 369.314, 369.319, 369.329, 371.060, 371.090, 371.240, 536.310, 620.638, 620.641, 620.644, 620.647, 620.650, 620.653, 630.900, 630.910, 630.915, 632.020, 660.010, and 701.302, RSMo, section 362.105 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 362.105 as enacted by senate committee substitute for house committee substitute for house bill no. 221 merged with house substitute for senate committee substitute for senate bill no. 346, ninety-second general assembly, first regular session, and to enact in lieu thereof one hundred nine new sections relating

to repealing and revising certain state boards, councils, committees, and commissions, with existing penalty provisions.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 464** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Pages 27-33, Section 208.955, by striking all of said section and inserting in lieu thereof the following:

“208.955. 1. There is hereby established in the department of social services the “MO HealthNet Oversight Committee”, which shall be appointed by January 1, 2008, and shall consist of [eighteen] **nineteen** members as follows:

(1) Two members of the house of representatives, one from each party, appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives;

(2) Two members of the Senate, one from each party, appointed by the president pro tem of the senate and the minority floor leader of the senate;

(3) One consumer representative **who has no financial interest in the health care industry and who has not been an employee of the state within the last five years;**

(4) Two primary care physicians, licensed under chapter 334, [recommended by any Missouri organization or association that represents a significant number of physicians licensed in this state,] who care for participants, not from the same geographic area, **chosen in the same manner as described in section 334.120;**

(5) Two physicians, licensed under chapter 334, who care for participants but who are not primary care physicians and are not from the same geographic area, [recommended by any Missouri organization or association that represents a significant number of physicians licensed in this state] **chosen in the same manner as described in section 334.120;**

(6) One representative of the state hospital association;

(7) [One] **Two** nonphysician health care [professional] **professionals, the first nonphysician health care professional licensed under chapter 335 and the second nonphysician health care professional licensed under chapter 337,** who [cares] **care** for participants[, recommended by the director of the department of insurance, financial institutions and professional registration];

(8) One dentist, who cares for participants[. The dentist shall be recommended by any Missouri organization or association that represents a significant number of dentists licensed in this state], **chosen in the same manner as described in section 332.021;**

(9) Two patient advocates **who have no financial interest in the health care industry and who have not been employees of the state within the last five years;**

(10) One public member **who has no financial interest in the health care industry and who has not been an employee of the state within the last five years;** and

(11) The directors of the department of social services, the department of mental health, the department

of health and senior services, or the respective directors' designees, who shall serve as ex-officio members of the committee.

2. The members of the oversight committee, other than the members from the general assembly and ex-officio members, shall be appointed by the governor with the advice and consent of the senate. A chair of the oversight committee shall be selected by the members of the oversight committee. Of the members first appointed to the oversight committee by the governor, eight members shall serve a term of two years, seven members shall serve a term of one year, and thereafter, members shall serve a term of two years. Members shall continue to serve until their successor is duly appointed and qualified. Any vacancy on the oversight committee shall be filled in the same manner as the original appointment. Members shall serve on the oversight committee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of social services for that purpose. The department of social services shall provide technical, actuarial, and administrative support services as required by the oversight committee. The oversight committee shall:

(1) Meet on at least four occasions annually, including at least four before the end of December of the first year the committee is established. Meetings can be held by telephone or video conference at the discretion of the committee;

(2) Review the participant and provider satisfaction reports and the reports of health outcomes, social and behavioral outcomes, use of evidence-based medicine and best practices as required of the health improvement plans and the department of social services under section 208.950;

(3) Review the results from other states of the relative success or failure of various models of health delivery attempted;

(4) Review the results of studies comparing health plans conducted under section 208.950;

(5) Review the data from health risk assessments collected and reported under section 208.950;

(6) Review the results of the public process input collected under section 208.950;

(7) Advise and approve proposed design and implementation proposals for new health improvement plans submitted by the department, as well as make recommendations and suggest modifications when necessary;

(8) Determine how best to analyze and present the data reviewed under section 208.950 so that the health outcomes, participant and provider satisfaction, results from other states, health plan comparisons, financial impact of the various health improvement plans and models of care, study of provider access, and results of public input can be used by consumers, health care providers, and public officials;

(9) Present significant findings of the analysis required in subdivision (8) of this subsection in a report to the general assembly and governor, at least annually, beginning January 1, 2009;

(10) Review the budget forecast issued by the legislative budget office, and the report required under subsection (22) of subsection 1 of section 208.151, and after study:

(a) Consider ways to maximize the federal drawdown of funds;

(b) Study the demographics of the state and of the MO HealthNet population, and how those demographics are changing;

(c) Consider what steps are needed to prepare for the increasing numbers of participants as a result of

the baby boom following World War II;

(11) Conduct a study to determine whether an office of inspector general shall be established. Such office would be responsible for oversight, auditing, investigation, and performance review to provide increased accountability, integrity, and oversight of state medical assistance programs, to assist in improving agency and program operations, and to deter and identify fraud, abuse, and illegal acts. The committee shall review the experience of all states that have created a similar office to determine the impact of creating a similar office in this state; and

(12) Perform other tasks as necessary, including but not limited to making recommendations to the division concerning the promulgation of rules and emergency rules so that quality of care, provider availability, and participant satisfaction can be assured.

3. By July 1, 2011, the oversight committee shall issue findings to the general assembly on the success and failure of health improvement plans and shall recommend whether or not any health improvement plans should be discontinued.

4. The oversight committee shall designate a subcommittee devoted to advising the department on the development of a comprehensive entry point system for long-term care that shall:

(1) Offer Missourians an array of choices including community-based, in-home, residential and institutional services;

(2) Provide information and assistance about the array of long-term care services to Missourians;

(3) Create a delivery system that is easy to understand and access through multiple points, which shall include but shall not be limited to providers of services;

(4) Create a delivery system that is efficient, reduces duplication, and streamlines access to multiple funding sources and programs;

(5) Strengthen the long-term care quality assurance and quality improvement system;

(6) Establish a long-term care system that seeks to achieve timely access to and payment for care, foster quality and excellence in service delivery, and promote innovative and cost-effective strategies; and

(7) Study one-stop shopping for seniors as established in section 208.612.

5. The subcommittee shall include the following members:

(1) The lieutenant governor or his or her designee, who shall serve as the subcommittee chair;

(2) One member from a Missouri area agency on aging, designated by the governor;

(3) One member representing the in-home care profession, designated by the governor;

(4) One member representing residential care facilities, predominantly serving MO HealthNet participants, designated by the governor;

(5) One member representing assisted living facilities or continuing care retirement communities, predominantly serving MO HealthNet participants, designated by the governor;

(6) One member representing skilled nursing facilities, predominantly serving MO HealthNet participants, designated by the governor;

(7) One member from the office of the state ombudsman for long-term care facility residents, designated

by the governor;

- (8) One member representing Missouri centers for independent living, designated by the governor;
- (9) One consumer representative with expertise in services for seniors or [the disabled] **persons with a disability**, designated by the governor;
- (10) One member with expertise in Alzheimer's disease or related dementia;
- (11) One member from a county developmental disability board, designated by the governor;
- (12) One member representing the hospice care profession, designated by the governor;
- (13) One member representing the home health care profession, designated by the governor;
- (14) One member representing the adult day care profession, designated by the governor;
- (15) One member gerontologist, designated by the governor;
- (16) Two members representing the aged, blind, and disabled population, not of the same geographic area or demographic group designated by the governor;
- (17) The directors of the departments of social services, mental health, and health and senior services, or their designees; and
- (18) One member of the house of representatives and one member of the senate serving on the oversight committee, designated by the oversight committee chair.

Members shall serve on the subcommittee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of health and senior services for that purpose. The department of health and senior services shall provide technical and administrative support services as required by the committee.

6. By October 1, 2008, the comprehensive entry point system subcommittee shall submit its report to the governor and general assembly containing recommendations for the implementation of the comprehensive entry point system, offering suggested legislative or administrative proposals deemed necessary by the subcommittee to minimize conflict of interests for successful implementation of the system. Such report shall contain, but not be limited to, recommendations for implementation of the following consistent with the provisions of section 208.950:

- (1) A complete statewide universal information and assistance system that is integrated into the web-based electronic patient health record that can be accessible by phone, in-person, via MO HealthNet providers and via the Internet that connects consumers to services or providers and is used to establish consumers' needs for services. Through the system, consumers shall be able to independently choose from a full range of home, community-based, and facility-based health and social services as well as access appropriate services to meet individual needs and preferences from the provider of the consumer's choice;
- (2) A mechanism for developing a plan of service or care via the web-based electronic patient health record to authorize appropriate services;
- (3) A preadmission screening mechanism for MO HealthNet participants for nursing home care;
- (4) A case management or care coordination system to be available as needed; and
- (5) An electronic system or database to coordinate and monitor the services provided which are

integrated into the web-based electronic patient health record.

7. Starting July 1, 2009, and for three years thereafter, the subcommittee shall provide to the governor, lieutenant governor and the general assembly a yearly report that provides an update on progress made by the subcommittee toward implementing the comprehensive entry point system.

8. The provisions of section 23.253 shall not apply to sections 208.950 to 208.955.”; and

Further amend said bill, Page 64, Section 324.1144, Line 6 of said page, by inserting after all of said line the following:

“332.021. 1. “The Missouri Dental Board” shall consist of seven members including five registered and currently licensed dentists, one registered and currently licensed dental hygienist with voting authority as limited in subsection 4 of this section, and one voting public member. Any currently valid certificate of registration or currently valid specialist’s certificate issued by the Missouri dental board as constituted pursuant to prior law shall be a valid certificate of registration or a valid specialist’s certificate, as the case may be, upon October 13, 1969, and such certificates shall be valid so long as the holders thereof comply with the provisions of this chapter.

2. Any person other than the public member appointed to the board as hereinafter provided shall be a dentist or a dental hygienist who is registered and currently licensed in Missouri, is a United States citizen, has been a resident of this state for one year immediately preceding his or her appointment, has practiced dentistry or dental hygiene for at least five consecutive years immediately preceding his or her appointment, shall have graduated from an accredited dental school or dental hygiene school, and at the time of his or her appointment or during his or her tenure on the board has or shall have no connection with or interest in, directly or indirectly, any dental college, dental hygiene school, university, school, department, or other institution of learning wherein dentistry or dental hygiene is taught, or with any dental laboratory or other business enterprise directly related to the practice of dentistry or dental hygiene.

3. The governor shall appoint members to the board by and with the advice and consent of the senate when a vacancy thereon occurs either by the expiration of a term or otherwise; provided, however, that any board member shall serve until his or her successor is appointed and has qualified. Each appointee, except where appointed to fill an unexpired term, shall be appointed for a term of five years. The president of the Missouri Dental Association in office at the time shall, at least ninety days prior to the expiration of the term of a board member other than the dental hygienist or public member, or as soon as feasible after a vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five dentists qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri Dental Association shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

4. The public member shall be at the time of his or her appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. **The list of dentists submitted to the governor shall include the names submitted to the director of the division of**

**professional registration by the president of the Missouri Dental Association. This list shall be a public record available for inspection and copying under chapter 610.** Lists of dental hygienists submitted to the governor may include names submitted to the director of the division of professional registration by the president of the Missouri Dental Hygienists' Association. The duties of the dental hygienist member shall not include participation in the determination for or the issuance of a certificate of registration or a license to practice as a dentist. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

5. The board shall have a seal which shall be in circular form and which shall impress the word "SEAL" in the center and around said word the words "Missouri Dental Board". The seal shall be affixed to such instruments as hereinafter provided and to any other instruments as the board shall direct.

6. The board may sue and be sued as the Missouri dental board, and its members need not be named as parties. Members of the board shall not be personally liable, either jointly or severally, for any act or acts committed in the performance of their official duties as board members; nor shall any board member be personally liable for any court costs which accrue in any action by or against the board.

334.120. 1. There is hereby created and established a board to be known as "The State Board of Registration for the Healing Arts" for the purpose of registering, licensing and supervising all physicians and surgeons, and midwives in this state. The board shall consist of nine members, including one voting public member, to be appointed by the governor by and with the advice and consent of the senate, at least five of whom shall be graduates of professional schools accredited by the Liaison Committee on Medical Education or recognized by the Educational Commission for Foreign Medical Graduates, and at least two of whom shall be graduates of professional schools approved and accredited as reputable by the American Osteopathic Association, and all of whom, except the public member, shall be duly licensed and registered as physicians and surgeons pursuant to the laws of this state. Each member must be a citizen of the United States and must have been a resident of this state for a period of at least one year next preceding his or her appointment and shall have been actively engaged in the lawful and ethical practice of the profession of physician and surgeon for at least five years next preceding his or her appointment. Not more than four members shall be affiliated with the same political party. All members shall be appointed for a term of four years. Each member of the board shall receive as compensation an amount set by the board not to exceed fifty dollars for each day devoted to the affairs of the board, and shall be entitled to reimbursement of his or her expenses necessarily incurred in the discharge of his or her official duties. The president of the Missouri State Medical Association, for all medical physician appointments, or the president of the Missouri Association of Osteopathic Physicians and Surgeons, for all osteopathic physician appointments, in office at the time shall, at least ninety days prior to the expiration of the term of the respective board member, other than the public member, or as soon as feasible after the appropriate vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five physicians and surgeons qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri State Medical Association or the Missouri Association of Osteopathic Physicians and Surgeons, as appropriate, shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

2. The public member shall be at the time of his or her appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a



member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. **The list of medical physicians or osteopathic physicians submitted to the governor shall include the names submitted to the director of the division of professional registration by the president of the Missouri State Medical Association or the Missouri Association of Osteopathic Physicians and Surgeons, respectively. This list shall be a public record available for inspection and copying under chapter 610.** The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 2** which was read:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 38, Section 210.496, Lines 1-21, by striking all of said section from the bill; and

Further amend said bill, page 132, section 208.530 lines 1-13, by striking all of said section from the bill; and

Further amend said bill, pages 132-133, section 208.533 by striking all of said section from the bill; and

Further amend said bill, pages 133-135, section 208.535 by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

At the request of Senator Wasson, **HCS** for **HB 464**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

Senator Engler moved that **HB 71**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

At the request of Senator Engler, **HB 71**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 118**, entitled:

An Act to repeal sections 198.006 and 198.074, RSMo, and to enact in lieu thereof two new sections

relating to sprinkler system requirements in long-term care facilities.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 118, Page 6, Section 198.074, Line 37, by inserting an opening bracket “[” immediately before the word “If”; and

Further amend said bill, section and page, line 40, by inserting a closing bracket “]” immediately after the date “2013.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 61**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 322**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 226**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 250**, entitled:

An Act to repeal sections 566.147 and 589.040, RSMo, and to enact in lieu thereof two new sections relating to requirements for persons convicted of sexual assault offenses, with penalty provisions.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 250, Page 1, in the Title, Line 3, by deleting from said line the word “assault”; and

Further amend said Page, Section A, Line 2, by inserting after all of said section and line, the following:

“43.650. 1. The patrol shall, subject to appropriation, maintain a web page on the Internet which shall be open to the public and shall include a registered sexual offender search capability. **This web page shall only include the names and information for Tier II and III offenders. Tier I offenders’ names and information shall not be included on this public web page but the patrol shall maintain a separate registry for Tier I offenders to which only law enforcement agencies shall have access and then only**

**for a period of five years.**

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the Internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) [Any photographs of the offender] **A current photograph of the individual to be taken by the registering official;**

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register, **including the tier level assigned to the offender under sections 589.400 to 589.425;**

(8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the offender with the provisions of section 589.400 to 589.425; [and]

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender;

(11) **The original and most recent registration date of the offender;**

(12) **The status of the offender's term of incarceration, probation, or parole; and**

(13) **Whether the offender is a repeat offender due to having multiple adjudications for separate offenses requiring registration under sections 589.400 to 589.425.**

**5. Although required to register under sections 589.400 to 589.425, if:**

(1) **There is no other offense for which the offender is required to register;**

(2) **The offender is not a repeat offender as a result of multiple adjudications for the offenses listed**

**in this subsection; and**

**(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.**

**Then offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110, are exempt from the public notification requirements of this section.**

**6. Witnesses afforded federal protection required to register under sections 589.400 to 589.425, may be excluded from public notification under 18 U.S.C. Section 3521 et seq. while under active federal protection.**

**7. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 are exempt from public notification to include out-of-state, federal, military, tribal, territory, District of Columbia, or foreign country.”; and**

Further amend said bill, Page 2, Section 589.040, Line 9, by inserting after all of said section and line, the following:

“589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who[, since July 1, 1979,] has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit [a felony] **an** offense [of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor,] **listed in section 589.414** unless such person is [exempted] **exempt** from registering under subsection **7 or 8** of this section **or section 589.401**; or

(2) [Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3)] Any person who[, since July 1, 1979,] has been committed to the department of mental health as a criminal sexual psychopath; or

[(4)] **(3)** Any person who[, since July 1, 1979,] has been found not guilty as a result of mental disease or defect of any offense listed in [subdivision (1) or (2) of this subsection] **section 589.414**; or

[(5)] **(4)** Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been [convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense] **adjudicated of an offense listed in section 589.414; or**

[(6)] **(5)** Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

[(7)] **(6)** Any person who is a resident of this state who has[, since July 1, 1979,] **been** or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia**, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would [be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection] **constitute an offense listed in section 589.414** or has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law; or

[(8)] **(7)** Any person who has been or is required to register in another state, **territory, the District of Columbia, or foreign country** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. “Part-time” in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three **business** days of [conviction] **adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile in subdivision (5) of subsection 1 of this section, within three business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three **business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official[, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested].

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

- (1) All offenses requiring registration are reversed, vacated or set aside;
- (2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not**

**in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender;**

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of [subsection 6 of this] section **589.401**; or

(4) The [registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the] court orders the removal or exemption of such person from the registry **under section 589.401**.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

**6. The following individuals shall be exempt from registering as a sexual offender:** any person currently on the sexual offender registry **or who otherwise would be required to register** for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint **of a nonsexual nature** when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping **of a nonsexual nature** when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

**7. The following individuals shall be exempt from registering as a sexual offender upon filing a petition with the court with jurisdiction under section 589.401, and that court ordering the petitioner to be removed from the registry:**

(1) Any person currently on the sexual offender registry **or who otherwise would be required to register** for [having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register] **a sexual offense involving sexual conduct where no force or threat of force was directed toward the victim or any other individual involved and:**

(a) The victim was an adult, unless the adult was under the custodial authority of the offender at the time of the offense; or

(b) The victim was eighteen years of age or younger and the offender was not more than five years older than the victim at the time of the commission of the offense.

**However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425; or**

**(2) Effective August 28, 2011, any person currently required to register for the following sexual offenses, however, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425:**

- (a) Sexual misconduct in the second degree under section 566.093;**
- (b) Sexual misconduct in the third degree under section 566.095;**
- (c) Promoting obscenity in the first degree under section 573.020;**
- (d) Promoting obscenity in the second degree under section 573.030;**
- (e) Furnishing pornographic materials to minors under section 573.040;**
- (f) Public display of explicit sexual material under section 573.060; or**
- (g) Coercing acceptance of obscene material under section 573.065.**

8. [Effective August 28, 2009,] Any person **currently** on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to [an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense] **committing, attempting to commit, or conspiring to commit a Tier I, II, or juvenile Tier III offense or other comparable offense listed in section 589.414 may file a petition under section 589.401.**

9. [(1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

10.] Any nonresident worker **to include work as a volunteer or intern** or nonresident student shall register for the duration of such person's employment or attendance at any school **whether public or private in nature, including any secondary school, trade school, professional school, or institution** of higher education [and is not entitled to relief under the provisions of subsection 9 of this section] **on a full-time or part-time basis in Missouri unless granted relief under section 589.401**. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency [and is not entitled to the provisions of subsection 9 of this section] **unless granted relief under section 589.401**.

[11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.]

**589.401. 1. A person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name removed from the sexual offender registry.**

**2. A person who is required to register in Missouri because of an adjudication that was committed in another jurisdiction shall file their petition for removal according to the laws of the state, territory, tribal, or military jurisdiction, the District of Columbia, or foreign country in which their offense was adjudicated. Upon the grant of the petition for removal in the jurisdiction where the offense was adjudicated, said judgment may be registered in this state by sending the information required in subsection 5 of this section as well as one authenticated copy of the order granting removal from the sexual offender registry in the jurisdiction where the offense was adjudicated, to the court in the county in which the offender is required to register. On receipt of a request for registration removal, the registering court shall cause the order to be filed as a foreign judgment, together with one copy of the documents and information, regardless of their form. The petitioner shall be responsible for costs associated with filing the petition.**

**3. A person required to register as a Tier III offender cannot file a petition under this section unless the requirement to register results from a juvenile adjudication.**

**4. The petition shall be dismissed without prejudice if the following time periods have not elapsed since the date the person was required to register:**

- (1) For a Tier I offense, five years;**
- (2) For a Tier II offense, ten years;**
- (3) For a Tier III offense adjudicated as a juvenile, twenty-five years.**

**5. The petition shall be dismissed without prejudice if it fails to include any of the following:**

- (1) The petitioner's:**
  - (a) Full name;**
  - (b) Sex;**
  - (c) Race;**
  - (d) Date of birth;**



- (e) Last four digits of the Social Security number;**
  - (f) Address;**
  - (g) Place of employment, school, or volunteer status;**
  - (2) The offense and tier of the offense that required the petitioner to register;**
  - (3) The date the petitioner plead to, was convicted of or was adjudicated for the offense;**
  - (4) The date the petitioner was required to register;**
  - (5) The case number and court, including county, that entered the original order for the adjudicated sex offense;**
  - (6) Petitioner's fingerprints on an applicant fingerprint card;**
  - (7) If the petitioner was pardoned or an offense requiring registration was reversed, vacated or set aside, an authenticated copy of the order;**
  - (8) If the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.**
- 6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.**
- 7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.**
- 8. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.**
- 9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner including but not limited to criminal history records, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.**
- 10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.**
- 11. The court shall not enter an order directing the removal of the petitioner's name from the sexual offender registry unless it finds the petitioner:**
- (1) Has not been adjudicated of or have charges pending for any additional nonsexual offense for which imprisonment for more than one year may be imposed since the date that the offender was required to register for their current tier level;**
  - (2) Has not been adjudicated of or have charges pending for any additional sex offense that would require registration under sections 589.400 to 589.425 since the date that the offender was required to register for their current tier level, even if the offense was punishable by less than one year imprisonment;**

(3) Has successfully completed any required periods of supervised release, probation, or parole without revocation since the date that the offender was required to register for their current tier level;

(4) Has successfully completed an appropriate sex offender treatment program as approved by a court of jurisdiction or the Missouri department of corrections; and

(5) Is not a current or potential threat to public safety.

12. In order to prove the facts required by subdivisions (1) and (2) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol.

13. If it is found that the petition is denied due to a violation of subdivision (1) or (2) of subsection 11 of this section then the petitioner may not file a new petition under this section until:

(1) Five years have passed from the date of the adjudication resulting in the denial of relief, if the petitioner is classified as a Tier I offender;

(2) Ten years have passed from the date of adjudication resulting in the denial of relief, if the petitioner is classified as a Tier II offender; or

(3) Twenty-five years have passed from the date of the adjudication resulting in the denial of relief, if the petitioner is classified as a Tier III offender on the basis of a juvenile adjudication.

14. If the petition is denied for reasons other than those outlined in subdivision (1) or (2) of subsection 11 of this section, no successive petition requesting such relief shall be filed for at least five years from the date the judgment denying relief is entered.

15. If the court finds that the petitioner is entitled to have his or her name removed from the sexual offender registry, it shall enter judgment directing the Missouri state highway patrol to remove the name within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

16. Any person subject to judgment requiring his or her name to be removed from the sexual offender registry is not required to register under sections 589.400 to 589.425 unless such person is required to register for an offense that was committed after the judgment of removal was entered.

17. The court may deny the petition for any legitimate legal justification.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a web page on the Internet, which shall be open to the public and shall include a registered sexual offender search capability. **This web page shall only include the names and information for Tier II and III offenders. Tier I offenders names and information shall not be included on this public web page.**

2. **Except as provided by subsections 5 and 6 of this section** the registered sexual offender search [shall] **may** make it possible for any person using the Internet to search for and find the information specified in subsection 3 of this section, if known, on **Tier II and III** offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. Only the information listed in this subsection [shall] **may** be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) [Any photographs of the offender] **A current photograph of the individual to be taken by the registering official;**
- (6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7) The nature and dates of all offenses qualifying the offender to register, **including the Tier level assigned to the offender under sections 589.400 to 589.425;**
- (8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- (9) Compliance status of the offender with the provisions of sections 589.400 to 589.425; [and]
- (10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender;
- (11) The original registration date and most recent registration date of the offender;**
- (12) The status of the offender's term of incarceration, probation, or parole; and**
- (13) Whether the offender is a repeat offender due to having multiple adjudications for separate offenses requiring registration under sections 589.400 to 589.425.**

4. The chief law enforcement officer of any county or city not within a county may publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any **Tier II or III** offender residing in the county or city not within a county.

**5. Although required to register under sections 589.400 to 589.425, if:**

- (1) There is no other offense for which the offender is required to register;**
- (2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and**
- (3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct, occurred during the offense.**

**Then offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120, or kidnapping of a nonsexual in nature when the victim was under the age of eighteen under section 565.110, are exempt from the public notification requirements of this section.**

**6. Witnesses afforded federal protection required to register under sections 589.400 to 589.425,**

may be excluded from public notification under 18 U.S.C. Section 3521 et seq. while under active federal protection.

**7. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 are exempt from public notification to include out-of-state, federal, military, tribal, territory, District of Columbia, or foreign country.**

**589.403. 1.** Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections [or], any mental health institution, **private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall:

**(1) If the person plans to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release, to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release[. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.]; **or**

**(2) If the person does not reside or plan to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

**2.** If the offender refuses to complete and sign the registration information as outlined in this section, or fails to register with the chief law enforcement official within three business days as directed, it will constitute an offense of failure to register under section 589.425.

**589.404.** As used in sections 589.400 to 589.425 the following terms mean:

**(1) "Absconder"**, a sex offender who has failed to register and whose whereabouts are unknown;

**(2) "Adjudication"**, a plea of guilt, finding of guilt, finding of not guilty due to mental disease or defect, plea of nolo contendere to committing, attempting to commit, or conspiring to commit;

**(3) "Employee"**, includes an individual who is self-employed or works for any other entity, whether compensated or not. This definition includes working as a volunteer or unpaid intern;

**(4) "Habitually lives"**, when an offender is classified as homeless, the place where the offender habitually lives shall be defined as information about a certain part of a city, town, or county that is the sex offender's habitual locale, a park, or spot on the street, or a number of such places, where the sex offender stations himself or herself during the day or sleeps at night, shelters among which the

sex offender circulates, or places in public buildings, restaurants, libraries, or other establishments that the sex offender frequents;

(5) “Habitually located”, in regard to means of transportation, the place where a vehicle, watercraft, or aircraft is normally located when not in use;

(6) “Noncompliant”, a sexual offender who has not completed or updated his or her information and is not compliant with the chief law enforcement officer in the county in which they reside;

(7) “Offender registration”, defines the required minimum informational content of sex offender registries and will consist of but will not be limited to, a full set of fingerprints on a standard sex offender registration card upon initial registration in Missouri, as well as all other forms required by the Missouri state highway patrol upon each initial and subsequent registration;

(8) “Residence”, is defined as any place where an offender sleeps for seven or more consecutive or nonconsecutive days or nights within a twelve-month period;

(9) “Sexual act”, any type or degree of genital, oral, or anal penetration;

(10) “Sexual contact”, any sexual touching of or contact with a person’s body, either directly or through the clothing;

(11) “Sexual element”, used for the purposes of distinguishing if sexual contact or a sexual act was committed. Authorities will refer to information filed by the prosecutor, amended information filed by the prosecutor, indictment information filed by the prosecutor, or amended indictment information filed by the prosecutor, plea agreement, or court documentation to determine if a sexual element exists;

(12) “Sex offender”, any person who meets the criteria to register under sections 589.400 to 589.425 or the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109);

(13) “Sex offense”, any offense which is listed in section 589.414 or comparable to those listed in section 589.414 or otherwise comparable to offenses covered under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109);

(14) “Signature”, the name of the offender signed in writing or electronic form approved by the Missouri state highway patrol;

(15) “Student”, an individual who enrolls in or attends the physical location of an educational institution, including (whether public or private) a secondary school, trade or professional school, and institutions of higher education;

(16) “Vehicle”, any land vehicle.

589.405. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall [obtain the address where the person expects to reside upon discharge, parole or

release and shall] **make it a condition of probation that the offender** report, within three business days[, such address] to the chief law enforcement official of the county **of adjudication** or city not within a county [where the person expects to reside, upon discharge, parole or release] **of adjudication, to complete the initial registration. If such offender is not placed on probation the court shall:**

(1) **If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;**

(2) **If the offender does not reside in Missouri, the court shall:**

(a) **Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and**

(b) **Complete the initial notification of duty to register form approved by the state judicial records committee and Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.**

**2. If the offender refuses to complete and sign the registration information as outlined in subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subsection 2 of this section, it will constitute an offense of failure to register under section 589.425.**

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **will consist of a statement in writing, including the signature of the offender and** shall include, but is not limited to the following:

(1) [A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;] **The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) **The date of birth of the individual to include any alias date of births used;**

(3) **The address of the individual's residences or, if the individual is deemed homeless under section 589.414, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;**

(4) **The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed,**

**the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;**

**(5) The name and address of any institutions of higher education that the individual attends;**

**(6) The Social Security number of the individual including any alias Social Security numbers used;**

**(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;**

**(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;**

**(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;**

**(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;**

**(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;**

**(12) The age and gender of the victim at the time of the offense;**

**(13) The date the individual successfully completed the Missouri sexual offender program under section 589.040 or that the program was not successfully completed;**

**(14) The status of the individual's parole, probation, or supervised release, if applicable;**

**(15) Passport and immigration numbers to include expiration dates;**

**(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.**

**2. The following shall be included with the form:**

**(1) Copies of all of the individual's passport or immigration documents;**

**(2) The fingerprints, palm prints, and a photograph of the person; [and]**

**(3) A current photograph of the individual to be taken by the registering official; and**

**[(3)] (4) A DNA sample from the individual, if a sample has not already been obtained.**

**[2.] 3. The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:**

**(1) A photocopy of a valid driver's license or nondriver's identification card;**

**(2) A document verifying proof of the offender's residency; and**

**(3) A photocopy of the vehicle registration for each of the offender's vehicles.**

**4. The Missouri state highway patrol shall maintain all required registration information in digitized form.**

**5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.**

**6. The offender shall be responsible for reviewing their existing registration information for accuracy at every regular in person appearance and if any inaccuracies are found provide proof of the information in question.**

**7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425 and a statement to this effect will be included on the form that the individual is required to sign at each registration.**

**589.408. 1. Any person who would otherwise be a Tier II or Tier III offender may file a petition in the division of the circuit court in the county in which the offense requiring classification as a Tier II or Tier III offender was adjudicated to have his or her classification lowered one Tier.**

**2. A person whose offense requiring classification in Missouri as a Tier II or Tier III offender was adjudicated in another jurisdiction shall file his or her petition in the court in the county in which the offender is required to register. The petitioner shall be responsible for costs associated with filing the petition.**

**3. The petition shall be dismissed without prejudice if it fails to include any of the following:**

**(1) The petitioner's:**

**(a) Full name;**

**(b) Sex;**

**(c) Race;**

**(d) Date of birth;**

**(e) Last four digits of the Social Security number;**

**(f) Address;**

**(g) Place of employment, school, or volunteer status;**

**(2) The offense or offenses requiring classification as a Tier II or Tier III offender;**

**(3) All offenses that required the petitioner to register;**

**(4) The date the petitioner was required to register;**

**(5) The case number and court, including county, that entered the order for the adjudicated sex offense requiring classification as a Tier II or Tier III offender;**

**(6) Petitioner's fingerprints on an applicant fingerprint card;**

**(7) If the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.**

**4. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.**

**5. All proceedings under this section shall be governed under the Missouri supreme court rules**



**of civil procedure.**

**6. In making a determination as to whether the petition should be granted the court shall, at a minimum, consider the following factors:**

**(1) The seriousness of the offense should the offender reoffend. This factor includes consideration of the following:**

- (a) The degree of likely force or harm;**
- (b) The degree of likely physical contact; and**
- (c) The age of the likely victim;**

**(2) The offender's prior offense history. This factor includes consideration of the following:**

- (a) The relationship of prior victims to the offender;**
- (b) The number of prior sexual offenses or victims;**
- (c) The number of prior noncontact sexual offenses;**
- (d) The number of prior nonsexual violent offenses;**
- (e) The number of prior sentencing dates;**

**(f) The duration of the offender's prior offense history;**

**(g) The length of time since the offender's last prior offense while the offender was at risk to commit offenses; and**

**(h) The offender's prior history of other antisocial acts;**

**(3) The offender's characteristics. This factor includes consideration of the following:**

- (a) The offender's response to prior treatment efforts; and**
- (b) The offender's history of substance abuse;**

**(4) The availability of community supports to the offender. This factor includes consideration of the following:**

**(a) The availability and likelihood that the offender will be involved in therapeutic treatment;**

**(b) The availability of residential supports to the offender, such as a stable and supervised living arrangement in an appropriate location;**

**(c) The offender's familial and social relationships, including the nature and length of these relationships and the level of support that the offender may receive from these persons; and**

**(d) The offender's lack of education or employment stability;**

**(5) Whether the offender has indicated or credible evidence in the record indicates that the offender will reoffend if released into the community;**

**(6) Whether the offender had any unrelated victims;**

**(7) Whether the offender had any stranger victims;**

**(8) Whether the offender had any male victims;**

**(9) The current age of the offender;**

**(10) Whether the offender has ever lived with a lover for at least two years; and**

**(11) Whether the offender demonstrates a physical condition that minimizes the risk of reoffense, including but not limited to, advanced age or a debilitating illness or physical condition.**

**7. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking a reduction in classification, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking a reduction in classification level to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.**

**8. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner including but not limited to criminal history records, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.**

**9. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to be classified as a Tier II or Tier III offender of the petition and the dates and times of any hearings or other proceedings in connection with that petition.**

**10. The court shall not enter an order directing the lowering of the classification from a Tier II offender to a Tier I offender or from a Tier III offender to a Tier II offender unless it finds the petitioner:**

**(1) Has not been adjudicated of or have charges pending for any additional nonsexual offense for which imprisonment for more than one year may be imposed since the date that the offender was required to register for the offense requiring classification as a Tier III offender;**

**(2) Has not been adjudicated of or have charges pending for any additional sex offense that would require registration under sections 589.400 to 589.425 since the date that the offender was required to register for the offense requiring classification as a Tier II or Tier III offender, even if the offense was punishable by less than one year imprisonment.**

**11. In order to prove the facts required by subdivisions (1) and (2) of subsection 10 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol.**

**12. If it is found that the petition is denied a Tier II offender may not file a new petition under this section until five years have passed from the date of the adjudication resulting in the denial of relief and a Tier III offender may not file a new petition under this section until ten years have passed from the date of the adjudication resulting in the denial of relief.**

**13. If the court finds that the petitioner is entitled to have his or her classification lowered, it shall enter judgment directing the Missouri state highway patrol to change the offender's classification either from a Tier II to a Tier I offender or from a Tier III to a Tier II offender within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.**

**14. The court may deny the petition for any legitimate legal justification.**

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than three

business days [after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,] appear in person to the chief law enforcement officer of the county or city not within a county [and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days] **if there is a change to any of the following information:**

- (1) Name;
- (2) Residence;
- (3) Employment;
- (4) Student status; or
- (5) A termination to any of the items listed in this subsection.

**2. Any person required to register under sections 589.400 to 589.425 shall within three business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:**

- (1) Vehicle information;
- (2) Temporary residence information;

**(3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.**

**3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.**

[2.] **4.** If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state, **or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state, **or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state, **or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3.] **5. Tier I sexual offenders**, in addition to the requirements of subsections 1 [and 2] **to 4** of this section, [the following offenders] shall report in person to the chief law enforcement [agency every ninety days] **official annually in the month of their birth** to verify the information contained in their statement

made pursuant to section 589.407. **Tier I sexual offenders include:**

(1) [Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;] **Any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the crime of:**

(a) **Felonious restraint when there is sexual motivation under section 565.120;**

(b) **Skilled nursing facility residents, sexual contact or intercourse with under section 565.200;**

(c) **Invasion of privacy first degree under section 565.252;**

(d) **Invasion of privacy second degree under section 565.253;**

(e) **Child molestation second degree when the victim is fourteen to seventeen years of age under section 566.068;**

(f) **Sexual misconduct involving a child under section 566.083;**

(g) **Sexual misconduct in the first degree under section 566.090;**

(h) **Sexual contact with prisoner or offender under section 566.145;**

(i) **Age misrepresentation under section 566.153;**

(j) **Endangering the welfare of a child in the second degree when it is sexual in nature and when the victim is fourteen to seventeen years of age under section 568.050; or**

(k) **Possession of child pornography under section 537.037;**

(2) **Any offender whose classification was changed to a Tier I offender by court order under section 589.408;**

(3) **Any offender who is [registered for a crime where the victim was less than eighteen years of age at the time of the offense; and] or has been convicted of, been found guilty of, or pled guilty or nolo contendere in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense of a sexual nature or with a sexual element that is comparable to the Tier I sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as Tier I offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109).**

[(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.] **6. Tier II sexual offenders**, in addition to the requirements of subsections 1 [and 2] **to 4** of this section, [all registrants] shall report [semiannually] in person in the month of their birth [and six months thereafter] to the chief law enforcement [agency] **official** to verify the information contained in their statement made pursuant to section 589.407 **and six months thereafter, shall report by mail, on a form to be provided by the Missouri state highway patrol, to update any change in information or to indicate that there has been no change. This form shall require the signature of the offender.** [All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency.] **Tier II sexual offenders include:**

(1) **Any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere**

**to committing, attempting to commit, or conspiring to commit the crime of:**

- (a) Statutory rape in the second degree under section 566.034;**
  - (b) Statutory sodomy in the second degree under section 566.064;**
  - (c) Child molestation in the first degree when the victim is fourteen to seventeen years of age under section 566.067;**
  - (d) Sexual contact with a student while on public school property when the victim is fourteen to seventeen years of age under section 566.086;**
  - (e) Sexual abuse when the victim is fourteen years of age or older under section 566.100;**
  - (f) Enticement of a child under section 566.151;**
  - (g) Trafficking for the purpose of sexual exploitation under section 566.209;**
  - (h) Child molestation in the second degree when the victim is under fourteen years of age under section 566.068;**
  - (i) Promoting prostitution in the second degree when the victim is under eighteen years of age under section 567.060;**
  - (j) Promoting prostitution in the third degree when the victim is under eighteen years of age under section 567.070;**
  - (k) Endangering the welfare of a child in the first degree when there is sexual conduct or sexual contact with a victim fourteen to seventeen years of age under section 568.045;**
  - (l) Endangering the welfare of a child in the second degree when the offense is sexual in nature and the victim is under thirteen years of age under section 568.050;**
  - (m) Abuse of a child when the offense is sexual in nature under section 568.060;**
  - (n) Genital mutilation of a female child under section 568.065;**
  - (o) Child used in sexual performance under section 568.080;**
  - (p) Promoting sexual performance by a child under section 568.090;**
  - (q) Sexual exploitation of a minor under section 573.023;**
  - (r) Promoting child pornography in the first degree under section 573.025;**
  - (s) Promoting child pornography in the second degree under section 573.035; or**
  - (t) Unlawful sex with an animal under section 566.111;**
- (2) Any offender whose classification was changed to a Tier II offender by court order under section 589.408;**
- (3) Any person who is convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a crime comparable to a Tier I offense listed in this section or failure to register offense under section 589.425 or comparable out-of-state failure to register offense, who is already required to register as a Tier I offender due to having been convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a Tier I offense on a previous occasion; or**

(4) Any person who is or has been convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense of a sexual nature or with a sexual element that is comparable to the Tier II sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as Tier II offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109).

7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this section, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition such offenders shall report by mail, on a form to be provided by the Missouri state highway patrol, to update any change in information or to indicate that there has been no change, ninety days after each in-person report. This form shall require the signature of the offender. Except as provided in subsections 8 and 9 of this section, Tier III sexual offenders include:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the crime of:

(a) Kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense and when the victim is less than eighteen years of age and excluding kidnapping by parent or guardian under section 565.110;

(b) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(c) Forcible rape under section 566.030;

(d) Statutory rape in the first degree under section 566.032;

(e) Sexual assault under section 566.040;

(f) Forcible sodomy under section 566.060;

(g) Statutory sodomy in the first degree under section 566.062;

(h) Child molestation in the first degree when the victim is less than fourteen years of age under section 566.067;

(i) Deviate sexual assault under section 566.070;

(j) Sexual contact with a student while on public school property when the victim is less than fourteen years of age under section 566.086;

(k) Sexual abuse when the victim is less than fourteen years of age under section 566.100;

(l) Sexual trafficking of a child under section 566.212;

(m) Sexual trafficking of a child under the age of twelve, under section 566.213;

(n) Promoting prostitution in the first degree when the victim is less than eighteen years of age under section 567.050;

(o) Incest under section 568.020;

(p) Endangering the welfare of a child in the first degree when there is sexual conduct or sexual contact with a victim less than fourteen years of age under section 568.045;

(q) Endangering the welfare of a child in the first degree when there is sexual intercourse or deviate sexual intercourse with a victim less than eighteen years of age under section 568.045;

(3) Any offender who is convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a crime comparable to a Tier I or Tier II offense listed in this section or failure to register offense under section 589.425, or other comparable out-of-state failure to register offense, who has been or is already required to register as a Tier II offender because of having been convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a Tier II offense, two Tier I offenses, or a combination of a Tier I offense and failure to register offense, on a previous occasion;

(4) Any offender who is or has been convicted of, been found guilty of, or pled guilty or nolo contendere in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense of a sexual nature or with a sexual element that is comparable to a Tier III offense listed in this section or a Tier III offense under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109); or

(5) Any offender who is or has been convicted of, been found guilty of, or pled guilty to or nolo contendere to any offense of a sexual nature requiring registration under sections 589.400 to 589.425 that is not classified as a Tier I or Tier II offense in this section.

[5.] 8. In addition to the requirements of subsections 1 [and 2] to 7 of this section, all Missouri registrants who work, **including as a volunteer or unpaid intern**, or attend **any school [or training] whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education** on a full-time or part-time basis [in any other state] **or has a temporary residence in Missouri** shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. “Part-time” in this subsection means for more than seven days in any twelve-month period.

[6.] 9. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.

**10. It is not a defense to a prosecution for a violation of any Tier I, Tier II, or Tier III offense listed in this section that the victim was a peace officer masquerading as a minor.**

**11. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.**

**If such person’s original offense is not currently a crime such person shall still be classified as a Tier I, II, or III offender. The classification shall be made by determining which current crime is most comparable to the original offense and then placing such person in the Tier which corresponds to that**

**current crime.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 237**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 59**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 29**, entitled:

An Act to repeal sections 197.705, 302.291, 324.043, 334.040, 334.070, 334.090, 334.100, 334.102, 334.103, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 536.063, 536.067, 536.070, 621.045, 621.100, and 621.110, RSMo, and to enact in lieu thereof thirty new sections relating to the licensing of certain professions, with penalty provisions.

With House Amendment No. 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4, 5, 6, 7, 8, 9, House Substitute Amendment No. 1 for House Amendment No. 11, House Amendment Nos. 12, 13, 14 and 15.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 2, Section 197.705, Line 41, by inserting after all of said section and line the following:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the “Missouri Housing Development Commission” which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the



commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

**6. The employment of the executive director including the executive director serving in such capacity on the effective date of this act shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of Article IV, Section 51 of the Missouri Constitution; and shall be for a term of 3 years subject to the reappointment for additional terms; each such additional term shall also be subject to the advice and consent of the senate.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill 29, Page 29, Section 334.108, Line 1, by inserting immediately after said line the following:

**“(3) Home health services provided by a home health agency as defined in section 197.400;”;** and

Further amend said amendment by renumbering said section accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Pages 5 and 6, Section 324.043, Lines 1 to 37, by deleting all of said lines and inserting in lieu thereof the following:

“324.043. 1. Except as provided in this section, no disciplinary proceeding against any person or entity licensed, registered, or certified to practice a profession within the division of professional registration shall be initiated unless such action is commenced within three years of the date upon which the licensing, registering, or certifying agency received notice of an alleged violation of an applicable statute or regulation.

2. For the purpose of this section, notice shall be limited to:

(1) A written complaint;

(2) Notice of final disposition of a malpractice claim, including exhaustion of all extraordinary remedies and appeals;

(3) Notice of exhaustion of all extraordinary remedies and appeals of a conviction based upon a criminal statute of this state, any other state, or the federal government;

(4) Notice of exhaustion of all extraordinary remedies and appeals in a disciplinary action by a hospital, state licensing, registering or certifying agency, or an agency of the federal government.

3. For the purposes of this section, an action is commenced when a complaint is filed by the agency with

the administrative hearing commission, any other appropriate agency, or in a court; or when a complaint is filed by the agency's legal counsel with the agency in respect to an automatic revocation or a probation violation.

4. Disciplinary proceedings based upon repeated negligence shall be exempt from all limitations set forth in this section.

5. Disciplinary proceedings based upon a complaint involving sexual misconduct shall be exempt from all limitations set forth in this section.

6. Any time limitation provided in this section shall be tolled:

(1) During any time the accused licensee, registrant, or certificant is practicing exclusively outside the state of Missouri or residing outside the state of Missouri and not practicing in Missouri;

(2) As to an individual complainant, during the time when such complainant is less than eighteen years of age;

(3) During any time the accused licensee, registrant, or certificant maintains legal action against the agency; or

(4) When a settlement agreement is offered to the accused licensee, registrant, or certificant, in an attempt to settle such disciplinary matter without formal proceeding pursuant to section 621.045 until the accused licensee, registrant, or certificant rejects or accepts the settlement agreement.

7. The licensing agency may, in its discretion, toll any time limitation when the accused **applicant**, licensee, registrant, or certificant enters into and participates in a treatment program for chemical dependency or mental impairment.”; and

Further amend said bill, Page 6, Section 324.045, Lines 1 to 17, by deleting all of said lines and inserting in lieu thereof the following:

**“324.045. 1. Notwithstanding any provision of chapter 536, in any proceeding initiated by the division of professional registration or any board, committee, commission, or office within the division of professional registration to determine the appropriate level of discipline or additional discipline, if any, against a licensee of the board, committee, commission, or office within the division, if the licensee against whom the proceeding has been initiated upon a properly pled writing filed to initiate the contested case and upon proper notice fails to plead or otherwise defend against the proceeding, the board, commission, committee, or office within the division shall enter a default decision against the licensee without further proceedings. The terms of the default decision shall not exceed the terms of discipline authorized by law for the division, board, commission, or committee. The division, office, board, commission, or committee shall provide the licensee notice of the default decision in writing.**

**2. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. “Good cause” includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.”; and**

Further amend said bill, Pages 7 and 8, Section 334.001, Lines 1 to 36, by deleting all of said lines and inserting in lieu thereof the following:

**“334.001. 1. Notwithstanding any other provision of law to the contrary, the following information**

is an open record and shall be released upon request of any person and may be published on the board's website:

- (1) The name of a licensee or applicant;
- (2) The licensee's business address;
- (3) Registration type;
- (4) Currency of the license, certificate, or registration;
- (5) Professional schools attended;
- (6) Degrees and certifications, including certification by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule;
- (7) To the extent provided to the board after August 28, 2011, discipline by another state or administrative agency;
- (8) Limitations on practice placed by a court of competent jurisdiction;
- (9) Any final discipline by the board, including the content of the settlement agreement or order issued; and
- (10) Whether a discipline case brought by the board is pending in the administrative hearing commission or any court.

2. All other information pertaining to a licensee or applicant not specifically denominated an open record in subsection 1 of this section is a closed record and confidential.

3. The board shall disclose confidential information without charge or fee upon written request of the licensee or applicant if the information is less than five years old. If the information requested is more than five years old, the board may charge a fee equivalent to the fee specified by regulation.

4. At its discretion, the board may disclose confidential information, without the consent of the licensee or applicant, to a licensee or applicant for a license in order to further a board investigation or to facilitate settlement negotiations with the board, in the course of voluntary exchange of information with another state's licensing authority, pursuant to a court order, or to other administrative or law enforcement agencies acting within the scope of their statutory authority.

5. Information obtained from a federal administrative or law enforcement agency shall be disclosed only after the board has obtained written consent to the disclosure from the federal administrative or law enforcement agency.

6. The board is entitled to the attorney/client privilege and work product privilege to the same extent as any other person.”; and

Further amend said bill, Pages 8 and 9, Section 334.040, Lines 1 to 52, by deleting all of said lines and inserting in lieu thereof the following:

“334.040. 1. Except as provided in section 334.260, all persons desiring to practice as physicians and surgeons in this state shall be examined as to their fitness to engage in such practice by the board. All persons applying for examination shall file a completed application with the board [at least eighty days before the date set for examination upon blanks] **upon forms** furnished by the board.

2. The examination shall be sufficient to test the applicant's fitness to practice as a physician and surgeon. The examination shall be conducted in such a manner as to conceal the identity of the applicant until all examinations have been scored. In all such examinations an average score of not less than seventy-five percent is required to pass; provided, however, that the board may require applicants to take the Federation Licensing Examination, also known as FLEX, or the United States Medical Licensing Examination (USMLE). If the FLEX examination is required, a weighted average score of no less than seventy-five [percent] is required to pass. **Scores from one test administration of the FLEX shall not be combined or averaged with scores from other test administrations to achieve a passing score.** The passing score of the United States Medical Licensing Examination shall be determined by the board through rule and regulation. The board shall not issue a permanent license as a physician and surgeon or allow the Missouri state board examination to be administered to any applicant who has failed to achieve a passing score within three attempts on licensing examinations administered in one or more states or territories of the United States, the District of Columbia or Canada. The steps one, two and three of the United States Medical Licensing Examination shall be taken within a seven-year period with no more than three attempts on any step of the examination; however, the board may grant an extension of the seven-year period if the applicant has obtained a MD/PhD degree in a program accredited by the [liaison committee on medical education] **Liaison Committee on Medical Education (LCME)** and a regional university accrediting body **or a DO/PhD degree accredited by the American Osteopathic Association and a regional university accrediting body.** The board may waive the provisions of this section if the applicant is licensed to practice as a physician and surgeon in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia and no license issued to the applicant has been disciplined in any state or territory of the United States or the District of Columbia[. Prior to waiving the provisions of this section, the board may require the applicant to achieve a passing score on one of the following:

(1) The American Specialty Board's certifying examination in the physician's field of specialization;

(2) Part II of the FLEX; or

(3) The Federation portion of the State Medical Board's Special Purpose Examination (SPEX)] **and the applicant is certified in the applicant's area of specialty by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule.**

3. If the board waives the provisions of this section, then the license issued to the applicant may be limited or restricted to the applicant's board specialty. [Scores from one test administration shall not be combined or averaged with scores from other test administrations to achieve a passing score.] The board shall not be permitted to favor any particular school or system of healing.

**4. If an applicant has not actively engaged in the practice of clinical medicine or held a teaching or faculty position in a medical or osteopathic school approved by the American Medical Association, the Liaison Committee on Medical Education, or the American Osteopathic Association for any two years in the three year period immediately preceding the filing of his or her application for licensure, the board may require successful completion of another examination, continuing medical education, or further training before issuing a permanent license. The board shall adopt rules to prescribe the form and manner of such reexamination, continuing medical education, and training.”; and**

Further amend said bill, Page 10, Section 334.070, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

“334.070. 1. Upon due application therefor and upon submission by such person of evidence satisfactory to the board that he **or she** is licensed to practice in this state, and upon the payment of fees required to be paid by this chapter, the board shall issue to [him] **such person** a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his **or her** office address [and residence address], the expiration date, and the date and number of the license to practice.

2. [Every person shall, upon receiving such certificate, cause it to be conspicuously displayed at all times in every office maintained by him in the state. If he maintains more than one office in this state, the board shall without additional fee issue to him duplicate certificates of registration for each office so maintained.] If any registrant shall change the location of his **or her** office during the period for which any certificate of registration has been issued, [he] **the registrant** shall, within fifteen days thereafter, notify the board of such change [and it shall issue to him without additional fee a new registration certificate showing the new location].”; and

Further amend said bill, Page 10, Section 334.090, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

“334.090. 1. Each applicant for registration under this chapter shall accompany the application for registration with a registration fee to be paid to the [director of revenue] **board**. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; but whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule and regulation, the delinquent fee may be waived by the board. Whenever any new license is granted to any person under the provisions of this chapter, the board shall, upon application therefor, issue to such licensee a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to section 536.021. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.”; and

Further amend said bill, Pages 10 to 12, Section 334.099, Lines 1 to 58, by deleting all of said lines and inserting in lieu thereof the following:

“**334.099. 1. The board may initiate a contested hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances:**

**(1) The board shall serve notice pursuant to section 536.067 of the contested hearing at least fifteen days prior to the hearing. Such notice shall include a statement of the reasons the board believes there is reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances;**

**(2) For purposes of this section and prior to any contested hearing, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to the licensee or applicant without the licensee's or applicant's consent, upon issuance of a subpoena by the board. These data and records shall be admissible without further**

authentication by either board or licensee at any hearing held pursuant to this section;

(3) After a contested hearing before the board, and upon a showing of reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances the board may require a licensee or applicant to submit to an examination. The board shall maintain a list of facilities approved to perform such examinations. The licensee or applicant may propose a facility not previously approved to the board and the board may accept such facility as an approved facility for such licensee or applicant by a majority vote;

(4) For purposes of this subsection, every licensee or applicant is deemed to have consented to an examination upon a showing of reasonable cause. The applicant or licensee shall be deemed to have waived all objections to the admissibility of testimony by the provider of the examination and to the admissibility of examination reports on the grounds that the provider of the examination's testimony or the examination is confidential or privileged;

(5) Written notice of the order for an examination shall be sent to the applicant or licensee by registered mail, addressed to the licensee or applicant at the licensee's or applicant's last known address on file with the board, or shall be personally served on the applicant or licensee. The order shall state the cause for the examination, how to obtain information about approved facilities, and a time limit for obtaining the examination. The licensee or applicant shall cause a report of the examination to be sent to the board;

(6) The licensee or applicant shall sign all necessary releases for the board to obtain and use the examination during a hearing and to disclose the recommendations of the examination as part of a disciplinary order;

(7) After receiving the report of the examination ordered in subdivision (3) of this subsection, the board may hold a contested hearing to determine if by clear and convincing evidence the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances. If the board finds that the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or excessive use or abuse of controlled substances, the board shall, after a hearing, enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of section 334.100; and

(8) The provisions of chapter 536 for a contested case, except those provisions or amendments which are in conflict with this section, shall apply to and govern the proceedings contained in this subsection and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence under chapter 536 relevant to the allegations.

2. Failure to submit to the examination when directed shall be cause for the revocation of the license of the licensee or denial of the application. No license may be reinstated or application granted until such time as the examination is completed and delivered to the board or the board withdraws its order.

3. Neither the record of proceedings nor the orders entered by the board shall be used against a

**licensee or applicant in any other proceeding, except for a proceeding in which the board or its members are a party or in a proceeding involving any state or federal agency.**

**4. A licensee or applicant whose right to practice has been affected under this section shall, at reasonable intervals not to exceed twelve months, be afforded an opportunity to demonstrate that he or she can resume the competent practice of his or her profession or should be granted a license. The board may hear such motion more often upon good cause shown.**

**5. The board shall promulgate rules and regulations to carry out the provisions of this section.**

**6. For purposes of this section, “examination” means a skills, multidisciplinary, or substance abuse evaluation.”; and**

Further amend said bill, Pages 12 to 19, Section 334.100, Lines 1 to 268, by deleting all of said lines and inserting in lieu thereof the following:

“334.100. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense [an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination **including failing to establish a valid physician-patient relationship pursuant to section 334.108**, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

(i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;

(j) **Being listed on any state or federal sexual offender registry;**

(k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

[(k)] (l) Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;

[(l)] (m) Failure of any applicant or licensee[, other than the licensee subject to the investigation,] to cooperate with the board during any investigation;

[(m)] (n) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of



the board;

[(n)] **(o)** Failure to timely pay license renewal fees specified in this chapter;

[(o)] **(p)** Violating a probation agreement, **order, or other settlement agreement** with this board or any other licensing agency;

[(p)] **(q)** Failing to inform the board of the physician's current residence and business address;

[(q)] **(r)** Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;

**(s) Any other conduct that is unethical or unprofessional involving a minor;**

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter **or chapter 324**, or of any lawful rule or regulation adopted pursuant to this chapter **or chapter 324**;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, **including but not limited to any provision of chapter 195**, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;

(15) **Knowingly making a false statement, orally or in writing to the board;**

(16) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

[(16)] (17) Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

[(17)] (18) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the federal Medicare program;

[(18)] (19) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

[(19)] (20) Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

[(20)] (21) Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

[(21)] (22) Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands

that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

[(22)] **(23)** A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

[(23)] **(24) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;**

**(25) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;**

**(26)** Revocation, suspension, limitation, **probation**, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, **or voluntary termination of a controlled substance authority while under investigation;**

[(24)] **(27)** For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center[;

(25) Being unable to practice as a physician and surgeon or with a specialty with reasonable skill and safety to patients by reasons of medical or osteopathic incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physician to submit to a reexamination for the purpose of establishing his or her competency to practice as a physician or surgeon or with a specialty conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physician's or surgeon's professional conduct, or to submit to a mental or physical examination or combination thereof by at least three physicians, one selected by the physician compelled to take the examination, one selected by the board, and one selected by the two physicians so selected who are graduates of a professional school approved and accredited as reputable by the association which has approved and accredited as reputable the professional school from which the licentiate graduated. However, if the physician is a graduate of a medical school not accredited by the American Medical Association or American Osteopathic Association, then each party shall choose any physician who is a graduate of a medical school accredited by the American Medical Association or the American Osteopathic Association;

(b) For the purpose of this subdivision, every physician licensed pursuant to this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board and further to have waived all objections to the admissibility of the examining physician's testimony or examination reports on the ground that the examining physician's testimony or examination is privileged;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physician or applicant without the physician's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physician, by registered mail, addressed to the physician at the physician's last known address. Failure of a physician to designate an examining physician to the board or failure to submit to the examination when directed shall constitute an admission of the allegations against the physician, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physician's control. A physician whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physician can resume the competent practice as a physician and surgeon with reasonable skill and safety to patients;

(e) In any proceeding pursuant to this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physician in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of this section].

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient.”; and

Further amend said bill, Pages 19 to 24, Section 334.102, Lines 1 to 158, by deleting all of said lines and inserting in lieu thereof the following:

“334.102. 1. [Upon receipt of information that the holder of any certificate of registration or authority, permit or license issued pursuant to this chapter may present a clear and present danger to the public health and safety, the executive secretary or director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending and/or restricting the holder of a certificate of registration or authority, permit or license if it believes:

(1) The licensee's acts, conduct or condition may have violated subsection 2 of section 334.100; and

(2) A licensee is practicing, attempting or intending to practice in Missouri; and

(3) Either a licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice, or another state, territory, federal agency or country has issued an order suspending or restricting the holder of a license or other right to practice a profession regulated by this chapter, or the licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.100; and

(4) The acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

(a) Shall be based on the sworn testimony or affidavits presented to the board;

(b) May be issued without notice and hearing to the licensee;

(c) Shall include the facts which lead the board to conclude that the acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety; and

(2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.

(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed pursuant to this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee.

The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3.

5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that either adopts, terminates or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the administrative hearing commission pursuant to section 621.110 and subsection 3 of section 334.100.

8. In cases where the board initiates summary suspension or restriction proceedings against a physician licensed pursuant to this chapter, and said petition is subsequently denied by the administrative hearing commission, in addition to any award made pursuant to sections 536.085 and 536.087, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.

9. Notwithstanding the provisions of this chapter or chapter 610 or chapter 621 to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.] **The board may apply to the administrative hearing commission for an emergency suspension or restriction of a licensee for the following causes:**

**(1) Engaging in sexual conduct, as defined in section 566.010, with a patient who is not the licensee's spouse, regardless of whether the patient consented;**

**(2) Engaging in sexual misconduct with a minor or person the licensee believes to be a minor. "Sexual misconduct" means any conduct of a sexual nature which would be illegal under state or federal law;**

**(3) Possession of a controlled substance in violation of chapter 195 or any state or federal law, rule, or regulation, excluding record keeping violations;**

**(4) Use of a controlled substance without a valid prescription;**

**(5) The licensee is adjudicated incapacitated or disabled by a court of competent jurisdiction;**

**(6) Habitual intoxication or dependence upon alcohol or controlled substances or failure to comply with a treatment or aftercare program entered into pursuant to a board order, settlement agreement, or as part of the licensee's professional health program;**

**(7) A report from a board approved facility or a professional health program stating the licensee is not fit to practice. For purposes of this section, a licensee is deemed to have waived all objections to the admissibility of testimony from the provider of the examination and admissibility of the examination reports. The licensee shall sign all necessary releases for the board to obtain and use the examination during a hearing; or**

**(8) Any conduct for which the board may discipline that constitutes a serious danger to the health, safety, or welfare of a patient or the public.**

**2. The board shall submit existing affidavits and existing certified court records together with a complaint alleging the facts in support of the board's request for an emergency suspension or restriction to the administrative hearing commission and shall supply the administrative hearing commission with the last home or business addresses on file with the board for the licensee. Within one business day of the filing of the complaint, the administrative hearing commission shall return a service packet to the board. The service packet shall include the board's complaint and any affidavits or records the board intends to rely on that have been filed with the administrative hearing commission. The service packet may contain other information in the discretion of the administrative hearing commission. Within twenty-four hours of receiving the packet, the board shall either personally serve the licensee or leave a copy of the service packet at all of the licensee's current addresses on file with the board. Prior to the hearing, the licensee may file affidavits and certified court records for consideration by the administrative hearing commission.**

**3. Within five days of the board's filing of the complaint, the administrative hearing commission shall review the information submitted by the board and the licensee and shall determine based on that information if probable cause exists pursuant to subsection 1 of this section and shall issue its findings of fact and conclusions of law. If the administrative hearing commission finds that there is probable cause, the administrative hearing commission shall enter the order requested by the board. The order shall be effective upon personal service or by leaving a copy at all of the licensee's current addresses on file with the board.**

**4. The administrative hearing commission shall hold a hearing within forty-five days of the board's filing of the complaint to determine if cause for discipline exists. The administrative hearing commission may grant a request for a continuance, but shall in any event, hold the hearing within one hundred twenty days of the board's initial filing. The board shall be granted leave to amend its complaint if it is more than thirty days prior to the hearing. If less than thirty days, the board may be granted leave to amend if public safety requires.**

**(1) If no cause for discipline exists, the administrative hearing commission shall issue findings of fact, conclusions of law, and an order terminating the emergency suspension or restriction.**

**(2) If cause for discipline exists, the administrative hearing commission shall issue findings of fact and conclusions of law and order the emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing before the board. The board shall hold a hearing following the**

certification of the record by the administrative hearing commission and may impose any discipline otherwise authorized by state law.

5. Any action under this section shall be in addition to and not in lieu of any discipline otherwise in the board's power to impose and may be brought concurrently with other actions.

6. If the administrative hearing commission does not find probable cause and does not grant the emergency suspension or restriction, the board shall remove all reference to such emergency suspension or restriction from its public records. Records relating to the suspension or restriction shall be maintained in the board's files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written request of the licensee.

7. (1) The board may initiate a hearing before the board, for discipline of any licensee's license or certificate upon receipt of one of the following:

(a) Certified court records of a finding of guilt or plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or of the United States for any offense involving the qualifications, functions, or duties of any profession licensed or regulated under this chapter, for any offense involving fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(b) Evidence of final disciplinary action against the licensee's license, certification or registration issued by any other state, by any other agency or entity of this state or any other state or the United States or its territories, or any other country;

(c) Evidence of certified court records finding the licensee has been judged incapacitated or disabled under Missouri law or under the laws of any other state or of the United States or its territories.

(2) The board shall provide the licensee not less than ten days notice of any hearing held pursuant to chapter 536.

(3) Upon a finding that cause exists to discipline a licensee's license the board may impose any discipline otherwise available when disciplining licensees of that same profession.

8. A final decision of the administrative hearing commission or the board shall be subject to judicial review pursuant to chapter 536.”; and

Further amend said bill, Page 24, Section 334.103, Lines 1 to 18, by deleting all of said lines and inserting in lieu thereof the following:

“334.103. 1. A license issued under this chapter by the Missouri State Board of Registration for the Healing Arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense[, an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state



following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.”; and

Further amend said bill, Pages 24 and 25, Section 334.108, Lines 1 to 22, by deleting all of said lines and inserting in lieu thereof the following:

**“334.108. 1. Prior to prescribing any drug, controlled substance, or other treatment through the internet, a physician shall establish a valid physician-patient relationship. This relationship shall include:**

**(1) Obtaining a reliable medical history and performing a physical examination of the patient, adequate to establish the diagnosis for which the drug is being prescribed and to identify underlying conditions or contraindications to the treatment recommended or provided;**

**(2) Having sufficient dialogue with the patient regarding treatment options and the risks and benefits of treatment or treatments;**

**(3) If appropriate, following up with the patient to assess the therapeutic outcome;**

**(4) Maintaining a contemporaneous medical record that is readily available to the patient and, subject to the patient's consent, to the patient's other health care professionals; and**

**(5) Including the electronic prescription information as part of the patient's medical record.**

**2. The requirements of subsection 1 of this section may be satisfied by the prescribing physician's designee when treatment is provided in:**

**(1) A hospital as defined in section 197.020;**

**(2) A hospice program as defined in section 197.250;**

**(3) Accordance with a collaborative practice agreement as defined in section 334.104;**

**(4) Conjunction with a physician assistant licensed pursuant to section 334.738;**

**(5) Consultation with another physician who has an ongoing physician-patient relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications; or**

**(6) On-call or cross-coverage situations.”; and**

Further amend said bill, Pages 25 to 27, Section 334.715, Lines 1 to 63, by deleting all of said lines and inserting in lieu thereof the following:

**“334.715. 1. The board may refuse to issue or renew any license [any applicant or may suspend, revoke, or refuse to renew the license of any licensee for any one or any combination of the causes provided in section 334.100, or if the applicant or licensee] required under sections 334.700 to 334.725 for one or any combination of causes listed in subsection 2 of this section or any cause listed in section 334.100. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the**

applicant of the applicant's right to file a complaint with the administrative hearing commission as provided in chapter 621. As an alternative to a refusal to issue or renew any certificate, registration, or authority, the board may, in its discretion, issue a license which is subject to reprimand, probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes listed in subsection 2 of this section or section 334.100. The board's order of reprimand, probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered waived.

**2. The board may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against any holder of a certificate of registration or authority, permit, or license required by sections 334.700 to 334.725 or any person who has failed to renew or has surrendered the person's certification of registration or license for any one or any combination of the following causes:**

(1) Violated or conspired to violate any provision of sections 334.700 to 334.725 or any provision of any rule promulgated pursuant to sections 334.700 to 334.725; or

(2) Has been found guilty of unethical conduct as defined in the ethical standards of the National Athletic Trainers Association or the National Athletic Trainers Association Board of Certification, or its successor agency, as adopted and published by the committee and the board and filed with the secretary of state; or

**(3) Any cause listed in section 334.100.**

[2. Upon receipt of a written application made in the form and manner prescribed by the board, the board may reinstate any license which has expired, been suspended or been revoked or may issue any license which has been denied; provided, that no application for reinstatement or issuance of license or licensure shall be considered until at least six months have elapsed from the date of denial, expiration, suspension, or revocation when the license to be reinstated or issued was denied issuance or renewal or was suspended or revoked for one of the causes listed in subsection 1 of this section.]

**3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:**

(1) Warn, censure, or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years; or

(2) Suspend the person's license, certificate, or permit for a period not to exceed three years; or

(3) Administer a public or private reprimand; or

(4) Deny the person's application for a license; or

**(5) Permanently withhold issuance of a license or require the person to submit to the care, counseling, or treatment of physicians designated by the board at the expense of the individual to be examined; or**

**(6) Require the person to attend such continuing education courses and pass such examinations as the board may direct.**

**4. In any order of revocation, the board may provide that the person shall not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll such time period.**

**5. Before restoring to good standing a license, certificate, or permit issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing education courses and pass such examinations as the board may direct.”; and**

Further amend said bill, Pages 33 and 34, Section 536.063, Lines 1 to 43, by deleting all of said lines and inserting in lieu thereof the following:

“536.063. In any contested case:

(1) The contested case shall be commenced by the filing of a writing by which the party or agency instituting the proceeding seeks such action as by law can be taken by the agency only after opportunity for hearing, or seeks a hearing for the purpose of obtaining a decision reviewable upon the record of the proceedings and evidence at such hearing, or upon such record and additional evidence, either by a court or by another agency. Answering, intervening and amendatory writings and motions may be filed in any case and shall be filed where required by rule of the agency, except that no answering instrument shall be required unless the notice of institution of the case states such requirement. Entries of appearance shall be permitted[.];

(2) Any writing filed whereby affirmative relief is sought shall state what relief is sought or proposed and the reason for granting it, and shall not consist merely of statements or charges phrased in the language of a statute or rule; provided, however, that this subdivision shall not apply when the writing is a notice of appeal as authorized by law[.];

(3) Reasonable opportunity shall be given for the preparation and presentation of evidence bearing on any issue raised or decided or relief sought or granted. Where issues are tried without objection or by consent, such issues shall be deemed to have been properly before the agency. Any formality of procedure may be waived by mutual consent[.];

(4) Every writing seeking relief or answering any other writing, and any motion shall state the name and address of the attorney, if any, filing it; otherwise the name and address of the party filing it[.];

(5) By rule the agency may require any party filing such a writing to furnish, in addition to the original of such writing, the number of copies required for the agency's own use and the number of copies necessary to enable the agency to comply with the provisions of this subdivision hereinafter set forth. The agency shall, without charge therefor, mail one copy of each such writing, as promptly as possible after it is filed, to every party or his **or her** attorney who has filed a writing or who has entered his **or her** appearance in the case, and who has not theretofore been furnished with a copy of such writing and shall have requested copies of the writings; provided that in any case where the parties are so numerous that the requirements

of this subdivision would be unduly onerous, the agency may in lieu thereof (a) notify all parties of the fact of the filing of such writing, and (b) permit any party to copy such writing[.];

**(6) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. “Good cause” includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.”; and**

Further amend said bill, Pages 34 and 35, Section 536.067, Lines 1 to 54, by deleting all of said lines and inserting in lieu thereof the following:

“536.067. In any contested case:

(1) The agency shall promptly mail a notice of institution of the case to all necessary parties, if any, and to all persons designated by the moving party and to any other persons to whom the agency may determine that notice should be given. The agency or its clerk or secretary shall keep a permanent record of the persons to whom such notice was sent and of the addresses to which sent and the time when sent. Where a contested case would affect the rights, privileges or duties of a large number of persons whose interests are sufficiently similar that they may be considered as a class, notice may in a proper case be given to a reasonable number thereof as representatives of such class. In any case where the name or address of any proper or designated party or person is not known to the agency, and where notice by publication is permitted by law, then notice by publication may be given in accordance with any rule or regulation of the agency or if there is no such rule or regulation, then, in a proper case, the agency may by a special order fix the time and manner of such publication[.];

(2) The notice of institution of the case to be mailed as provided in this section shall state in substance:

(a) The caption and number of the case;

(b) That a writing seeking relief has been filed in such case, the date it was filed, and the name of the party filing the same;

(c) A brief statement of the matter involved in the case unless a copy of the writing accompanies said notice;

(d) Whether an answer to the writing is required, and if so the date when it must be filed;

(e) That a copy of the writing may be obtained from the agency, giving the address to which application for such a copy may be made. This may be omitted if the notice is accompanied by a copy of such writing;

(f) The location in the Code of State Regulations of any rules of the agency regarding discovery or a statement that the agency shall send a copy of such rules on request;

(3) Unless the notice of hearing hereinafter provided for shall have been included in the notice of

institution of the case, the agency shall, as promptly as possible after the time and place of hearing have been determined, mail a notice of hearing to the moving party and to all persons and parties to whom a notice of institution of the case was required to be or was mailed, and also to any other persons who may thereafter have become or have been made parties to the proceeding. The notice of hearing shall state:

- (a) The caption and number of the case;
- (b) The time and place of hearing;

(4) No hearing in a contested case shall be had, except by consent, until a notice of hearing shall have been given substantially as provided in this section, and such notice shall in every case be given a reasonable time before the hearing. Such reasonable time shall be at least ten days except in cases where the public morals, health, safety or interest may make a shorter time reasonable; provided that when a longer time than ten days is prescribed by statute, no time shorter than that so prescribed shall be deemed reasonable;

**(5) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the holder of a license, registration, permit, or certificate of authority without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. “Good cause” includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.”; and**

Further amend said bill, Pages 35 to 38, Section 536.070, Lines 1 to 93, by deleting all of said lines and inserting in lieu thereof the following:

“536.070. In any contested case:

(1) Oral evidence shall be taken only on oath or affirmation[.];

(2) Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not the subject of the direct examination, to impeach any witness regardless of which party first called him **or her** to testify, and to rebut the evidence against him[.] **or her**;

(3) A party who does not testify in his **or her** own behalf may be called and examined as if under cross-examination[.];

(4) Each agency shall cause all proceedings in hearings before it to be suitably recorded and preserved. A copy of the transcript of such a proceeding shall be made available to any interested person upon the payment of a fee which shall in no case exceed the reasonable cost of preparation and supply[.];

(5) Records and documents of the agency which are to be considered in the case shall be offered in evidence so as to become a part of the record, the same as any other evidence, but the records and

documents may be considered as a part of the record by reference thereto when so offered[.];

(6) Agencies shall take official notice of all matters of which the courts take judicial notice. They may also take official notice of technical or scientific facts, not judicially cognizable, within their competence, if they notify the parties, either during a hearing or in writing before a hearing, or before findings are made after hearing, of the facts of which they propose to take such notice and give the parties reasonable opportunity to contest such facts or otherwise show that it would not be proper for the agency to take such notice of them[.];

(7) Evidence to which an objection is sustained shall, at the request of the party seeking to introduce the same, or at the instance of the agency, nevertheless be heard and preserved in the record, together with any cross-examination with respect thereto and any rebuttal thereof, unless it is wholly irrelevant, repetitious, privileged, or unduly long[.];

(8) Any evidence received without objection which has probative value shall be considered by the agency along with the other evidence in the case. The rules of privilege shall be effective to the same extent that they are now or may hereafter be in civil actions. Irrelevant and unduly repetitious evidence shall be excluded[.];

(9) Copies of writings, documents and records shall be admissible without proof that the originals thereof cannot be produced, if it shall appear by testimony or otherwise that the copy offered is a true copy of the original, but the agency may, nevertheless, if it believes the interests of justice so require, sustain any objection to such evidence which would be sustained were the proffered evidence offered in a civil action in the circuit court, but if it does sustain such an objection, it shall give the party offering such evidence reasonable opportunity and, if necessary, opportunity at a later date, to establish by evidence the facts sought to be proved by the evidence to which such objection is sustained[.];

(10) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of an act, transaction, occurrence or event, shall be admissible as evidence of the act, transaction, occurrence or event, if it shall appear that it was made in the regular course of any business, and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect the weight of such evidence, but such showing shall not affect its admissibility. The term "business" shall include business, profession, occupation and calling of every kind[.];

(11) The results of statistical examinations or studies, or of audits, compilations of figures, or surveys, involving interviews with many persons, or examination of many records, or of long or complicated accounts, or of a large number of figures, or involving the ascertainment of many related facts, shall be admissible as evidence of such results, if it shall appear that such examination, study, audit, compilation of figures, or survey was made by or under the supervision of a witness, who is present at the hearing, who testifies to the accuracy of such results, and who is subject to cross-examination, and if it shall further appear by evidence adduced that the witness making or under whose supervision such examination, study, audit, compilation of figures, or survey was made was basically qualified to make it. All the circumstances relating to the making of such an examination, study, audit, compilation of figures or survey, including the nature and extent of the qualifications of the maker, may be shown to affect the weight of such evidence but such showing shall not affect its admissibility[.];

(12) Any party or the agency desiring to introduce an affidavit in evidence at a hearing in a contested

case may serve on all other parties (including, in a proper case, the agency) copies of such affidavit in the manner hereinafter provided, at any time before the hearing, or at such later time as may be stipulated. Not later than seven days after such service, or at such later time as may be stipulated, any other party (or, in a proper case, the agency) may serve on the party or the agency who served such affidavit an objection to the use of the affidavit or some designated portion or portions thereof on the ground that it is in the form of an affidavit; provided, however, that if such affidavit shall have been served less than eight days before the hearing such objection may be served at any time before the hearing or may be made orally at the hearing. If such objection is so served, the affidavit or the part thereof to which objection was made, may not be used except in ways that would have been permissible in the absence of this subdivision; provided, however, that such objection may be waived by the party or the agency making the same. Failure to serve an objection as aforesaid, based on the ground aforesaid, shall constitute a waiver of all objections to the introduction of such affidavit, or of the parts thereof with respect to which no such objection was so served, on the ground that it is in the form of an affidavit, or that it constitutes or contains hearsay evidence, or that it is not, or contains matters which are not, the best evidence, but any and all other objections may be made at the hearing. Nothing herein contained shall prevent the cross-examination of the affiant if he **or she** is present in obedience to a subpoena or otherwise and if he **or she** is present, he **or she** may be called for cross-examination during the case of the party who introduced the affidavit in evidence. If the affidavit is admissible in part only it shall be admitted as to such part, without the necessity of preparing a new affidavit. The manner of service of such affidavit and of such objection shall be by delivering or mailing copies thereof to the attorneys of record of the parties being served, if any, otherwise, to such parties, and service shall be deemed complete upon mailing; provided, however, that when the parties are so numerous as to make service of copies of the affidavit on all of them unduly onerous, the agency may make an order specifying on what parties service of copies of such affidavit shall be made, and in that case a copy of such affidavit shall be filed with the agency and kept available for inspection and copying. Nothing in this subdivision shall prevent any use of affidavits that would be proper in the absence of this subdivision.”; and

Further amend said bill, Pages 40 and 41, Section 621.045, Lines 1 to 72, by deleting all of said lines and inserting in lieu thereof the following:

“621.045. 1. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in those cases when, under the law, a license issued by any of the following agencies may be revoked or suspended or when the licensee may be placed on probation or when an agency refuses to permit an applicant to be examined upon his **or her** qualifications or refuses to issue or renew a license of an applicant who has passed an examination for licensure or who possesses the qualifications for licensure without examination:

Missouri State Board of Accountancy

Missouri State Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects

Board of Barber Examiners

Board of Cosmetology

Board of Chiropody and Podiatry

Board of Chiropractic Examiners

Missouri Dental Board

Board of Embalmers and Funeral Directors

Board of Registration for the Healing Arts

Board of Nursing

Board of Optometry

Board of Pharmacy

Missouri Real Estate Commission

Missouri Veterinary Medical Board

Supervisor of Liquor Control

Department of Health and Senior Services

Department of Insurance, Financial Institutions and Professional Registration

Department of Mental Health

Board of Private Investigator Examiners.

2. If in the future there are created by law any new or additional administrative agencies which have the power to issue, revoke, suspend, or place on probation any license, then those agencies are under the provisions of this law.

3. The administrative hearing commission is authorized to conduct hearings and make findings of fact and conclusions of law in those cases brought by the Missouri state board for architects, professional engineers, professional land surveyors and landscape architects against unlicensed persons under section 327.076.

4. Notwithstanding any other provision of this section to the contrary, after August 28, 1995, in order to encourage settlement of disputes between any agency described in subsection 1 or 2 of this section and its licensees, any such agency shall:

(1) Provide the licensee with a written description of the specific conduct for which discipline is sought and a citation to the law and rules allegedly violated, together with copies of any documents which are the basis thereof and the agency's initial settlement offer, or file a contested case against the licensee;

(2) If no contested case has been filed against the licensee, allow the licensee at least sixty days, from the date of mailing, to consider the agency's initial settlement offer and to contact the agency to discuss the terms of such settlement offer;

(3) If no contested case has been filed against the licensee, advise the licensee that the licensee may, either at the time the settlement agreement is signed by all parties, or within fifteen days thereafter, submit the agreement to the administrative hearing commission for determination that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee; and

(4) In any contact under this subsection by the agency or its counsel with a licensee who is not represented by counsel, advise the licensee that the licensee has the right to consult an attorney at the licensee's own expense.

5. If the licensee desires review by the administrative hearing commission under subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming final, the licensee may rescind and



withdraw from the settlement and any admissions of fact or law in the agreement shall be deemed withdrawn and not admissible for any purposes under the law against the licensee. Any settlement submitted to the administrative hearing commission shall not be effective and final unless and until findings of fact and conclusions of law are entered by the administrative hearing commission that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee.

**6. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under sections 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. “Good cause” includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.”; and**

Further amend said bill, Pages 42 and 43, Section 621.100, Lines 1 to 42, by deleting all of said lines and inserting in lieu thereof the following:

“621.100. 1. Upon receipt of a written complaint from an agency named in section 621.045 in a case relating to a holder of a license granted by such agency, or upon receipt of such complaint from the attorney general, the administrative hearing commission shall cause a copy of said complaint to be served upon such licensee in person, **or by leaving a copy of the complaint at the licensee's dwelling house or usual place of abode or last address given to the agency by the licensee with some person residing or present therein over the age of fifteen,** or by certified mail, together with a notice of the place of and the date upon which the hearing on said complaint will be held. If service cannot be accomplished [in person or by certified mail] **as described in this section,** notice by publication as described in subsection 3 of section 506.160 shall be allowed; any commissioner is authorized to act as a court or judge would in that section, and any employee of the commission is authorized to act as a clerk would in that section. In any case initiated upon complaint of the attorney general, the agency which issued the license shall be given notice of such complaint and the date upon which the hearing will be held by delivery of a copy of such complaint and notice to the office of such agency or by certified mail. Such agency may intervene and may retain the services of legal counsel to represent it in such case.

**2. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section and section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of**

**the default decision. “Good cause” includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

3. In any case initiated under this section, the custodian of the records of an agency may prepare a sworn affidavit stating truthfully pertinent information regarding the license status of the licensee charged in the complaint, including only: the name of the licensee; his **or her** license number; its designated date of expiration; the date of his **or her** original Missouri licensure; the particular profession, practice or privilege licensed; and the status of his **or her** license as current and active or otherwise. This affidavit shall be received as substantial and competent evidence of the facts stated therein notwithstanding any objection as to the form, manner of presentment or admissibility of this evidence, and shall create a rebuttable presumption of the veracity of the statements therein; provided, however, that the procedures specified in section 536.070 shall apply to the introduction of this affidavit in any case where the status of this license constitutes a material issue of fact in the proof of the cause charged in the complaint.”; and

Further amend said bill, Page 43, Section 621.110, Lines 1 to 22, by deleting all of said lines and inserting in lieu thereof the following:

“621.110. Upon a finding in any cause charged by the complaint for which the license may be suspended or revoked as provided in the statutes and regulations relating to the profession or vocation of the licensee **and within one hundred twenty days of the date the case became ready for decision**, the commission shall deliver or transmit by mail to the agency which issued the license the record and a transcript of the proceedings before the commission together with the commission's findings of fact and conclusions of law. The commission may make recommendations as to appropriate disciplinary action but any such recommendations shall not be binding upon the agency. A copy of the findings of fact, conclusions of law and the commission's recommendations, if any, shall be delivered or transmitted by mail to the licensee if the licensee's whereabouts are known, and to any attorney who represented the licensee. Within thirty days after receipt of the record of the proceedings before the commission and the findings of fact, conclusions of law, and recommendations, if any, of the commission, the agency shall set the matter for hearing upon the issue of appropriate disciplinary action and shall notify the licensee of the time and place of the hearing, provided that such hearing may be waived by consent of the agency and licensee where the commission has made recommendations as to appropriate disciplinary action. In case of such waiver by the agency and licensee, the recommendations of the commission shall become the order of the agency. The licensee may appear at said hearing and be represented by counsel. The agency may receive evidence relevant to said issue from the licensee or any other source. After such hearing the agency may order any disciplinary measure it deems appropriate and which is authorized by law. In any case where the commission fails to find any cause charged by the complaint for which the license may be suspended or revoked, the commission shall dismiss the complaint, and so notify all parties.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence

submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

[7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 27, Section 334.715, Line 63, by inserting after all of said line the following:

"335.036. 1. The board shall:

(1) Elect for a one-year term a president and a secretary, who shall also be treasurer, and the board may appoint, employ and fix the compensation of a legal counsel and such board personnel as defined in subdivision (4) of subsection 10 of section 324.001 as are necessary to administer the provisions of sections 335.011 to 335.096;

(2) Adopt and revise such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 335.011 to 335.096;

(3) Prescribe minimum standards for educational programs preparing persons for licensure pursuant to the provisions of sections 335.011 to 335.096;

(4) Provide for surveys of such programs every five years and in addition at such times as it may deem necessary;

(5) Designate as "approved" such programs as meet the requirements of sections 335.011 to 335.096 and the rules and regulations enacted pursuant to such sections; and the board shall annually publish a list of such programs;

(6) Deny or withdraw approval from educational programs for failure to meet prescribed minimum standards;

(7) Examine, license, and cause to be renewed the licenses of duly qualified applicants;

(8) Cause the prosecution of all persons violating provisions of sections 335.011 to 335.096, and may incur such necessary expenses therefor;

(9) Keep a record of all the proceedings; and make an annual report to the governor and to the director of the department of insurance, financial institutions and professional registration;

(10) Establish an impaired nurse program.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

3. All fees received by the board pursuant to the provisions of sections 335.011 to 335.096 shall be deposited in the state treasury and be placed to the credit of the state board of nursing fund. All administrative costs and expenses of the board shall be paid from appropriations made for those purposes. **The board is authorized to provide funding for the nursing education incentive program established in sections 335.200 to 335.203.**

4. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be

transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule, permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

335.200. As used in sections 335.200 to [335.209] **335.203**, the following terms mean:

(1) "Board", the [Missouri coordinating board for higher education] **state board of nursing**;

(2) "**Department**", the **Missouri department of higher education**;

(3) "Eligible [nursing program] **institution of higher education**", a **Missouri institution of higher education accredited by the higher learning commission of the north central association which offers a nursing education program [accredited under this chapter]**;

[(3) "Fund", the nurse training incentive fund, established in section 335.203;]

(4) "[Incentive] Grant", a grant awarded to [a nurse education program] **an eligible institution of higher education** under the guidelines set forth in sections **335.200 to 335.203** [to 335.209];

(5) "Nontraditional student", a person admitted to an eligible nursing program that is older than twenty-two years of age at the time he is admitted to the nursing program;

(6) "Nurse", a person holding a license as a registered nurse, pursuant to this chapter; and

(7) "Professional nursing education program", a program of education accredited by the state board of nursing, pursuant to this chapter, designed to prepare persons for licensure as registered professional nurses with an enrollment of no less than sixty-five percent of the enrollment approved by the state board of nursing].

335.203. [The "Nurse Training Incentive Fund" is hereby established in the state treasury. The fund shall be administered by the coordinating board for higher education. The board shall base its appropriation request on enrollment, graduation and licensure figures for the previous year. The board may accept funds from private, federal and other sources for the purposes of sections 335.200 to 335.209. All appropriations, private donations, and other funds provided to the board for the implementation of sections 335.200 to 335.209 shall be placed in the nurse training incentive fund. Notwithstanding the provisions of section 33.080 to the contrary, funds in the nurse training incentive fund shall not revert to the general revenue fund. Interest accruing to the fund shall be part of the fund. Grants provided pursuant to section 335.206 shall be made within the amounts appropriated therefor.] **1. There is hereby established the "Nursing Education**

**Incentive Program” within the department of higher education.**

**2. Subject to appropriation, grants shall be awarded through the nursing education incentive program to eligible institutions of higher education based on criteria jointly determined by the board and the department. Grant award amounts shall not exceed one hundred fifty thousand dollars. No campus shall receive more than one grant per year.**

**3. To be considered for a grant, an eligible institution of higher education shall offer a program of nursing that meets the predetermined category and area of need as established by the board and the department under subsection 4 of this section.**

**4. The board and the department shall determine categories and areas of need for designating grants to eligible institutions of higher education. In establishing categories and areas of need, the board and department may consider criteria including, but not limited to:**

**(1) Data generated from licensure renewal data and the department of health and senior services; and**

**(2) National nursing statistical data and trends that have identified nursing shortages.**

**5. The department shall be the administrative agency responsible for implementation of the program established under sections 335.200 to 335.203, and shall promulgate reasonable rules for the exercise of its functions and the effectuation of the purposes of sections 335.200 to 335.203. The department shall, by rule, prescribe the form, time, and method of filing applications and shall supervise the processing of such applications.**

**6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill, Page 43, Section 621.110, Line 22, by inserting after all of said line the following:

“[335.206. 1. The nurse training incentive fund shall, upon appropriation, be used to provide incentive grants to eligible nursing programs which increase enrollment. Grants shall not be awarded to classes begun on or after July 1, 1996.

2. Grants shall be awarded to eligible nursing programs which increase enrollment pursuant to subsection 3 of this section. Eligible programs receiving grants provided under sections 335.200 to 335.209 shall monitor the enrollment of nontraditional students in their program and shall annually report to the board the number of nontraditional students enrolled therein. It shall be the intent of sections 335.200 to 335.209 to encourage the enrollment and graduation of nontraditional students in nursing education programs.

3. Incentive grants shall be awarded to professional nurse education programs, as follows:

(1) A grant of eight thousand dollars for each entering class of ten students by which the program

increases its enrollment over the number of entering students admitted in the fall of 1989; and

(2) A grant of four hundred dollars for each student from each entering class cited in subdivision (1) of this section by which the program increases its number of graduates over the number of students graduated in the preceding year; or

(3) Beginning with the first graduating class of the classes which enter and are enrolled after August 28, 1990, a grant of four hundred dollars for each student by which the program increases its number of graduates over the number of graduates of the preceding year, if the program is not otherwise qualified to receive the grant provided pursuant to subdivision (1) of this section.]

[335.209. No rule or portion of a rule promulgated under the authority of sections 335.200 to 335.209 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.]; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill 29, Page 7, Section 332.425, Line 7, Lines 24 & 25, by striking all of said lines and inserting in lieu thereof the following:

**“(7) Submit to the board evidence of successful passage of an examination approved by the board of spoken and written proficiency in the English language.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 2, Section 197.705, Line 9, by deleting the words, **“in a single line”**; and

Further amend said section and page, Line 10, by deleting the words, **“one-half inch”**; and

Further amend said section page and line, by inserting before the word, **“bottom”** the words, **“top or”**; and

Further amend said section and page, Line 14, by deleting all of said line and inserting correct punctuation, **“:”** after the word, **“Physician”** on line 13; and

Further amend said section and page, Line 41, by deleting the word, **“five”** and inserting in lieu thereof the word, **“ten”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

**“197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections 197.010 to [197.120] 197.162, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to such determination that the person aggrieved seek a**

reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

**2. The department shall review and revise its regulations governing hospital licensure and enforcement as to promote hospital and regulatory efficiencies and eliminate duplicative regulation and inspections by or on behalf of state and federal agencies. The hospital licensure regulations adopted under this section shall incorporate standards which shall include, but not be limited to, the following:**

**(1) Each citation or finding of a regulatory deficiency shall refer to the specific written and publicly available standard and associated written interpretative guidance that are the basis of the citation or finding;**

**(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the federal Centers for Medicare and Medicaid Services' Conditions of Participation for hospitals and associated interpretive guidance;**

**(3) The department shall establish and publish a process and standards for complaint investigation, including but not limited to:**

**(a) A process and standards for determining which complaints warrant an onsite investigation based on a preliminary review of available information from the complainant and the hospital. The process and standards shall, at a minimum, provide for a departmental determination independent of any recommendation for investigation by or in consultation with the federal Centers for Medicare and Medicaid Services (CMS). For purposes of evaluating such process and standards, the number and nature of complaints filed and the recommended actions by the department and, as appropriate, CMS shall be disclosed upon request to hospitals, so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;**

**(b) The scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a threat of immediate jeopardy of safety is observed or identified during such investigation;**

**(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;**

**(4) Subject to appropriations, the department shall designate adequate and sufficient resources to the annual inspection of hospitals necessary for licensure, including but not limited to resources for consultation services and collaboration with hospital personnel to facilitate improvements;**

**(5) Hospitals and hospital personnel shall have the opportunity to participate in:**

**(a) Training sessions provided to state licensure surveyors, which shall be provided at least annually subject to appropriations. Hospitals and hospital personnel shall assume all costs associated with their participation in training sessions and use of curriculum materials; and**

**(b) Training of surveyors assigned to inspection of hospitals to the fullest extent possible, including the training of surveyors previously designated as a surveyor specific, which resulted in the exclusion of all hospital personnel from such training sessions;**



**(6) The regulations shall establish specific time lines for state hospital officials to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations. Such time lines shall be identical to, to the extent practicable, to the time lines established for the federal hospital certification and enforcement system in CMS's State Operations Manual, as amended.**

**3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

197.080. The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

197.100. 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall annually inspect each licensed hospital [and] **but shall accept in lieu of an annual inspection reports of hospital inspections from other governmental and recognized accrediting organizations as authorized by this section. Recognizing accrediting organizations shall be those that have deemed status conferred by the Centers for Medicare and Medicaid Services (CMS) to take the place of direct CMS oversight and enforcement. The department shall make any other inspections and investigations as it deems necessary for good cause shown; provided that, the scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a documented threat of immediate jeopardy of safety is observed or identified during the investigation.** The department of health and senior services shall accept reports of hospital inspections from governmental agencies and recognized accrediting organizations [in whole or in part] for licensure purposes if[:

(1) The inspection is comparable to an inspection performed by the department of health and senior services;

(2) The hospital meets minimum licensure standards; and

(3)] **The accreditation inspection was conducted within [one year of the date of license renewal] the term of accreditation authorized by the Centers for Medicare and Medicaid Services in granting deemed status to the recognized accrediting organization.** The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and

senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety related matters so long as any new standards shall apply only to new construction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, In the Title, Lines 2 to 6, by deleting all of said lines and inserting in lieu thereof the following:

“To repeal sections 197.705, 302.291, 324.043, 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 334.040, 334.070, 334.090, 334.100, 334.102, 334.103, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, 536.063, 536.067, 536.070, 621.045, 621.100, and 621.110, RSMo, and to enact in lieu thereof forty-three new sections relating to the licensing of certain professions, with penalty provisions.”; and

Further amend said bill, Page 1, Section A, Lines 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

“Section A. Sections 197.705, 302.291, 324.043, 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 334.040, 334.070, 334.090, 334.100, 334.102, 334.103, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, 536.063, 536.067, 536.070, 621.045, 621.100, and 621.110, RSMo, are repealed and forty-three new sections enacted in lieu thereof, to be known as sections 197.705, 302.291, 324.013, 324.043, 324.045, 332.425, 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 334.001, 334.040, 334.070, 334.090, 334.099, 334.100, 334.102, 334.103, 334.108, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, 536.063, 536.067, 536.070, 537.033, 621.045, 621.100, and 621.110, to read as follows:”; and

Further amend said bill, Page 7, Section 332.425, Line 25, by inserting after all of said line the following:

“333.041. 1. Each applicant for a license to practice funeral directing shall furnish evidence to establish to the satisfaction of the board that he or she is:

(1) At least eighteen years of age, and possesses a high school diploma, **a general equivalency diploma**, or equivalent thereof, **as determined, at its discretion, by the board; and**

(2) [Either a citizen or a bona fide resident of the state of Missouri or entitled to a license pursuant to section 333.051, or a resident in a county contiguous and adjacent to the state of Missouri who is employed by a funeral establishment located within the state of Missouri, to practice funeral directing upon the grant of a license to do so; and

(3)] A person of good moral character.

2. Every person desiring to enter the profession of embalming dead human bodies within the state of

Missouri and who is enrolled in [an] **a program** accredited [institution of mortuary science education] **by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board**, shall register with the board as a practicum student upon the form provided by the board. After such registration, a student may assist, under the direct supervision of Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while serving his or her practicum [for the accredited institution of mortuary science education]. The form for registration as a practicum student shall be accompanied by a fee in an amount established by the board.

3. Each applicant for a license to practice embalming shall furnish evidence to establish to the satisfaction of the board that he or she:

(1) Is at least eighteen years of age, and possesses a high school diploma, **a general equivalency diploma**, or equivalent thereof, **as determined, at its discretion, by the board**;

(2) [Is either a citizen or bona fide resident of the state of Missouri or entitled to a license pursuant to section 333.051, or a resident in a county contiguous and adjacent to the state of Missouri who is employed by a funeral establishment located within the state of Missouri, to practice embalming upon the grant of a license to do so;

(3)] Is a person of good moral character;

[(4)] **(3) Has [graduated from an institute of mortuary science education] completed a funeral service education program** accredited by the American Board of Funeral Service Education, [or] any successor organization [recognized by the United States Department of Education, for funeral service education], **or other accrediting entity as approved by the board**. If an applicant does not [appear for the final examination before the board] **complete all requirements for licensure** within five years from the date of his or her [graduation from] **completion of** an accredited [institution of mortuary science education] **program**, his or her registration as [a student] **an apprentice** embalmer shall be automatically canceled. **The applicant shall be required to file a new application and pay applicable fees. No previous apprenticeship shall be considered for the new application**;

[(5)] **(4) Upon due examination administered by the board, is possessed of a knowledge of the subjects of embalming, anatomy, pathology, bacteriology, mortuary administration, chemistry, restorative art, together with statutes, rules and regulations governing the care, custody, shelter and disposition of dead human bodies and the transportation thereof or has passed the national board examination of the Conference of Funeral Service Examining Boards. If any applicant fails to pass the state examination, he or she may retake the examination at the next regular examination meeting. The applicant shall notify the board office of his or her desire to retake the examination at least thirty days prior to the date of the examination. Each time the examination is retaken, the applicant shall pay a new examination fee in an amount established by the board**;

[(6)] **(5) Has been employed full time in funeral service in a licensed funeral establishment and has personally embalmed at least twenty-five dead human bodies under the personal supervision of an embalmer who holds a current and valid Missouri embalmer's license or an embalmer who holds a current and valid embalmer's license in a state with which the Missouri board has entered into a reciprocity agreement during an apprenticeship of not less than twelve consecutive months. "Personal supervision" means that the licensed embalmer shall be physically present during the entire embalming process in the first six months of the apprenticeship period and physically present at the beginning of the embalming process and available for consultation and personal inspection within a period of not more than one hour in the remaining six**

months of the apprenticeship period. All transcripts and other records filed with the board shall become a part of the board files.

4. If the applicant does not [appear for oral examination] **complete the application process** within the five years after his or her [graduation from an accredited institution of mortuary science education] **completion of an approved program**, then he or she must file a new application and no fees paid previously shall apply toward the license fee.

5. Examinations required by this section and section 333.042 shall be held at least twice a year at times and places fixed by the board. The board shall by rule and regulation prescribe the standard for successful completion of the examinations.

6. Upon establishment of his or her qualifications as specified by this section or section 333.042, the board shall issue to the applicant a license to practice funeral directing or embalming, as the case may require, and shall register the applicant as a duly licensed funeral director or a duly licensed embalmer. Any person having the qualifications required by this section and section 333.042 may be granted both a license to practice funeral directing and to practice embalming.

7. The board shall, upon request, waive any requirement of this chapter and issue a temporary funeral director's license, valid for six months, to the surviving spouse or next of kin or the personal representative of a licensed funeral director, or to the spouse, next of kin, employee or conservator of a licensed funeral director disabled because of sickness, mental incapacity or injury.

333.042. 1. Every person desiring to enter the profession of funeral directing in this state shall make application with the state board of embalmers and funeral directors and pay the current application and examination fees. **Except as otherwise provided in section 41.950**, applicants not entitled to a license pursuant to section 333.051 shall serve an apprenticeship for at least twelve **consecutive** months in a funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state or in another state which has established standards for admission to practice funeral directing equal to, or more stringent than, the requirements for admission to practice funeral directing in this state. The applicant shall devote at least fifteen hours per week to his or her duties as an apprentice under the supervision of a Missouri licensed funeral director. Such applicant shall submit proof to the board, on forms provided by the board, that the applicant has arranged and conducted ten funeral services during the applicant's apprenticeship under the supervision of a Missouri licensed funeral director. Upon completion of the apprenticeship, the applicant shall appear before the board to be tested on the applicant's legal and practical knowledge of funeral directing, funeral home licensing, preneed funeral contracts and the care, custody, shelter, disposition and transportation of dead human bodies. Upon acceptance of the application and fees by the board, an applicant shall have twenty-four months to successfully complete the requirements for licensure found in this section or the application for licensure shall be canceled.

2. If a person applies for a limited license to work only in a funeral establishment which is licensed only for cremation, including transportation of dead human bodies to and from the funeral establishment, he or she shall make application, pay the current application and examination fee and successfully complete the Missouri law examination. He or she shall be exempt from the twelve-month apprenticeship **required by subsection 1 of this section** and the practical examination before the board. If a person has a limited license issued pursuant to this subsection, he or she may obtain a full funeral director's license if he or she fulfills the apprenticeship and successfully completes the funeral director practical examination.

3. If an individual is a Missouri licensed embalmer or has [graduated from an institute of mortuary

science education] **completed a program** accredited by the American Board of Funeral Service Education [or], any successor organization [recognized by the United States Department of Education for funeral service education], **or other accrediting entity as approved by the board** or has successfully completed a course of study in funeral directing offered by [a college] **an institution** accredited by a recognized national, regional or state accrediting body and approved by the state board of embalmers and funeral directors, and desires to enter the profession of funeral directing in this state, the individual shall comply with all the requirements for licensure as a funeral director pursuant to subsection 1 of section 333.041 and subsection 1 of this section; however, the individual is exempt from the twelve-month apprenticeship required by subsection 1 of this section.

333.051. 1. Any [nonresident] individual holding a valid, unrevoked and unexpired license as a funeral director or embalmer in the state of his **or her** residence may be granted a license to practice funeral directing or embalming in this state on application to the board and on providing the board with such evidence as to his **or her** qualifications as is required by the board. [No license shall be granted to a nonresident applicant except one who resides in a county contiguous and adjacent to the state of Missouri and who is regularly engaged in the practice of funeral directing or embalming, as defined by this chapter, at funeral establishments within this state or in an establishment located in a county contiguous and adjacent to the state of Missouri, unless the law of the state of the applicant's residence authorizes the granting of licenses to practice funeral directing in such state to persons licensed as funeral directors under the law of the state of Missouri.]

2. Any individual holding a valid, unrevoked and unexpired license as an embalmer or funeral director in another state having requirements substantially similar to those existing in this state [who is or intends to become a resident of this state] may apply for a license to practice in this state by filing with the board a certified statement from the examining board of the state or territory in which the applicant holds his **or her** license showing the grade rating upon which [his] **the** license was granted, together with a recommendation, and the board shall grant the applicant a license upon his **or her** successful completion of an examination over Missouri laws as required in section 333.041 or section 333.042 if the board finds that the applicant's qualifications meet the requirements for funeral directors or embalmers in this state at the time the applicant was originally licensed in the other state.

3. A person holding a valid, unrevoked and unexpired license to practice funeral directing or embalming in another state or territory with requirements less than those of this state may, after five consecutive years of active experience as a licensed funeral director or embalmer in that state, apply for a license to practice in this state after passing a test to prove his **or her** proficiency, including but not limited to a knowledge of the laws and regulations of this state as to funeral directing and embalming.

333.061. 1. No funeral establishment shall be operated in this state unless the owner or operator thereof has a license issued by the board.

2. A license for the operation of a funeral establishment shall be issued by the board, if the board finds:

(1) That the establishment is under the general management and the supervision of a duly licensed funeral director;

(2) That all embalming performed therein is performed by or under the direct supervision of a duly licensed embalmer;

(3) That any place in the funeral establishment where embalming is conducted contains a preparation

room with a sanitary floor, walls and ceiling, and adequate sanitary drainage and disposal facilities including running water, and complies with the sanitary standard prescribed by the department of health and senior services for the prevention of the spread of contagious, infectious or communicable diseases;

(4) Each funeral establishment shall have [available in the preparation or embalming room] a register book or log which shall be available at all times [in full view] for the board's inspector and [the name of each body embalmed, place, if other than at the establishment, the date and time that the embalming took place, the name and signature of the embalmer and the embalmer's license number shall be noted in the book] **that shall contain:**

**(a) The name of each body that has been in the establishment;**

**(b) The date the body arrived at the establishment;**

**(c) If applicable, the place of embalming, if known; and**

**(d) If the body was embalmed at the establishment, the date and time that the embalming took place, and the name, signature, and license number of the embalmer; and**

(5) The establishment complies with all applicable state, county or municipal zoning ordinances and regulations.

3. The board shall grant or deny each application for a license pursuant to this section within thirty days after it is filed. The applicant may request in writing up to two thirty-day extensions of the application, provided the request for an extension is received by the board prior to the expiration of the thirty-day application or extension period.

4. Licenses shall be issued pursuant to this section upon application and the payment of a funeral establishment fee and shall be renewed at the end of the licensing period on the establishment's renewal date.

5. The board may refuse to renew or may suspend or revoke any license issued pursuant to this section if it finds, after hearing, that the funeral establishment does not meet any of the requirements set forth in this section as conditions for the issuance of a license, or for the violation by the owner of the funeral establishment of any of the provisions of section 333.121. No new license shall be issued to the owner of a funeral establishment or to any corporation controlled by such owner for three years after the revocation of the license of the owner or of a corporation controlled by the owner. Before any action is taken pursuant to this subsection the procedure for notice and hearing as prescribed by section 333.121 shall be followed.

333.091. [Each establishment, funeral director or embalmer receiving a license under this chapter shall have recorded in the office of the local registrar of vital statistics of the registration district in which the licensee practices.] All licenses or registrations, or duplicates thereof, issued pursuant to this chapter shall be displayed at each place of business.

333.151. 1. The state board of embalmers and funeral directors shall consist of ten members, including one voting public member appointed by the governor with the advice and consent of the senate. Each member, other than the public member, appointed shall possess either a license to practice embalming or a license to practice funeral directing in this state or both said licenses and shall have been actively engaged in the practice of embalming or funeral directing for a period of five years next before his or her appointment. Each member shall be a United States citizen, a resident of this state for a period of at least one year, a qualified voter of this state and shall be of good moral character. Not more than five members

of the board shall be of the same political party. The nonpublic members shall be appointed by the governor, with the advice and consent of the senate[, one from each of the state's congressional districts be of good moral character and submit an audited financial statement of their funeral establishment by an independent auditor for the previous five years. This audited financial statement must include all at-need and preneed business]. **A majority of the members shall constitute a quorum. Members shall be appointed to represent diversity in gender, race, ethnicity, and the various geographic regions of the state.**

2. Each member of the board shall serve for a term of five years. Any vacancy on the board shall be filled by the governor and the person appointed to fill the vacancy shall possess the qualifications required by this chapter and shall serve until the end of the unexpired term of his or her predecessor, if any.

3. The public member shall be at the time of his or her appointment a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

333.171. The board shall hold at least two regular meetings each year for the purpose of administering examinations at times and places fixed by the board. Other meetings shall be held at the times fixed by regulations of the board or on the call of the chairman of the board. Notice of the time and place of each regular or special meeting shall be mailed by the executive secretary to each member of the board at least five days before the date of the meeting. [At all meetings of the board three members constitute a quorum.] The board may adopt and use a common seal.”; and

Further amend said bill, Page 34, Section 339.190, Line 43, by inserting after all of said line the following:

“436.405. 1. As used in sections 436.400 to 436.520, unless the context otherwise requires, the following terms shall mean:

(1) “Beneficiary”, the individual who is to be the subject of the disposition or who will receive funeral services, facilities, or merchandise described in a preneed contract;

(2) **“Board”, the board of embalmers and funeral directors;**

(3) “Guaranteed contract”, a preneed contract in which the seller promises, assures, or guarantees to the purchaser that all or any portion of the costs for the disposition, services, facilities, or merchandise identified in a preneed contract will be no greater than the amount designated in the contract upon the preneed beneficiary’s death or that such costs will be otherwise limited or restricted;

[(3)] (4) “Insurance-funded preneed contract”, a preneed contract which is designated to be funded by payments or proceeds from an insurance policy or [single premium] **a deferred annuity contract that is not classified as a variable annuity and has death benefit proceeds that are never less than the sum of premiums paid;**

[(4)] (5) “Joint account-funded preneed contract”, a preneed contract which designates that payments

for the preneed contract made by or on behalf of the purchaser will be deposited and maintained in a joint account in the names of the purchaser and seller, as provided in this chapter;

[(5)] (6) “Market value”, a fair market value:

(a) As to cash, the amount thereof;

(b) As to a security as of any date, the price for the security as of that date obtained from a generally recognized source, or to the extent no generally recognized source exists, the price to sell the security in an orderly transaction between unrelated market participants at the measurement date; and

(c) As to any other asset, the price to sell the asset in an orderly transaction between unrelated market participants at the measurement date consistent with statements of financial accounting standards;

[(6)] (7) “Nonguaranteed contract”, a preneed contract in which the seller does not promise, assure, or guarantee that all or any portion of the costs for the disposition, facilities, service, or merchandise identified in a preneed contract will be limited to the amount designated in the contract upon the preneed beneficiary’s death or that such costs will be otherwise limited or restricted;

[(7)] (8) “Preneed contract”, any contract or other arrangement which provides for the final disposition in Missouri of a dead human body, funeral or burial services or facilities, or funeral merchandise, where such disposition, services, facilities, or merchandise are not immediately required. Such contracts include, but are not limited to, agreements providing for a membership fee or any other fee for the purpose of furnishing final disposition, funeral or burial services or facilities, or funeral merchandise at a discount or at a future date;

[(8)] (9) “Preneed trust”, a trust to receive deposits of, administer, and disburse payments received under preneed contracts, together with income thereon;

[(9)] (10) “Purchaser”, the person who is obligated to pay under a preneed contract;

[(10)] (11) “Trustee”, the trustee of a preneed trust, including successor trustees;

[(11)] (12) “Trust-funded preneed contract”, a preneed contract which provides that payments for the preneed contract shall be deposited and maintained in trust.

2. All terms defined in chapter 333 shall be deemed to have the same meaning when used in sections 436.400 to 436.520.

436.412. Each preneed contract made before August 28, 2009, and all payments and disbursements under such contract shall continue to be governed by this chapter as the chapter existed at the time the contract was made. Any licensee or registrant of the board may be disciplined for violation of any provision of sections 436.005 to 436.071 within the applicable statute of limitations. [In addition, the provisions of section 436.031, as it existed on August 27, 2009, shall continue to govern disbursements to the seller from the trust and payment of trust expenses.] Joint accounts in existence as of August 27, 2009, shall continue to be governed by the provisions of section 436.053, as that section existed on August 27, 2009.

436.445. A trustee of any preneed trust, including trusts established before August 28, 2009, shall not after August 28, 2009, make any decisions to invest any trust fund with:

(1) The spouse of the trustee;

(2) The descendants, siblings, parents, or spouses of a seller or an officer, manager, director or employee



of a seller, provider, or preneed agent;

(3) Agents, **other than authorized external investment advisors as authorized by section 436.440**, or attorneys of a trustee, seller, or provider; or

(4) A corporation or other person or enterprise in which the trustee, seller, or provider owns a controlling interest or has an interest that might affect the trustee's judgment.

436.450. 1. An insurance-funded preneed contract shall comply with sections 436.400 to 436.520 and the specific requirements of this section.

2. A seller, provider, or any preneed agent shall not receive or collect from the purchaser of an insurance-funded preneed contract any amount in excess of what is required to pay the premiums on the insurance policy as assessed or required by the insurer as premium payments for the insurance policy except for any amount required or authorized by this chapter or by rule. A seller shall not receive or collect any administrative or other fee from the purchaser for or in connection with an insurance-funded preneed contract, other than those fees or amounts assessed by the insurer. As of August 29, 2009, no preneed seller, provider, or agent shall use any existing preneed contract as collateral or security pledged for a loan or take preneed funds of any existing preneed contract as a loan for any purpose other than as authorized by this chapter.

3. Payments collected by or on behalf of a seller for an insurance-funded preneed contract shall be promptly remitted to the insurer or the insurer's designee as required by the insurer; provided that payments shall not be retained or held by the seller or preneed agent for more than thirty days from the date of receipt.

4. It is unlawful for a seller, provider, or preneed agent to procure or accept a loan against any insurance contract used to fund a preneed contract.

5. Laws regulating insurance shall not apply to preneed contracts, but shall apply to any insurance or [single premium] annuity sold with a preneed contract; provided, however, the provisions of [this act] **sections 436.400 to 436.520** shall not apply to [single premium] annuities or insurance policies regulated by chapters 374, 375, and 376 used to fund preneed funeral agreements, contracts, or programs.

6. This section shall apply to all preneed contracts including those entered into before August 28, 2009.

7. For any insurance-funded preneed contract sold after August 28, 2009, the following shall apply:

(1) The purchaser or beneficiary shall be the owner of the insurance policy purchased to fund a preneed contract; and

(2) An insurance-funded preneed contract shall be valid and enforceable only if the seller or provider is named as the beneficiary or assignee of the life insurance policy funding the contract.

8. If the proceeds of the life insurance policy exceed the actual cost of the goods and services provided pursuant to the nonguaranteed preneed contract, any overage shall be paid to the estate of the beneficiary, or, if the beneficiary received public assistance, to the state of Missouri.

436.455. 1. A joint account-funded preneed contract shall comply with sections 436.400 to 436.520 and the specific requirements of this section.

2. In lieu of a trust-funded or insurance-funded preneed contract, the seller and the purchaser may agree in writing that all funds paid by the purchaser or beneficiary for the preneed contract shall be deposited with a financial institution chartered and regulated by the federal or state government authorized to do business

in Missouri in an account in the joint names and under the joint control of the seller and purchaser, beneficiary or party holding power of attorney over the beneficiary's estate, **or in an account titled in the beneficiary's name and payable on the beneficiary's death to the seller.** There shall be a separate joint account established for each preneed contract sold or arranged under this section. Funds shall only be withdrawn or paid from the account upon the signatures of both the seller and the purchaser or under a pay-on-death designation or as required to pay reasonable expenses of administering the account.

3. All consideration paid by the purchaser under a joint account-funded contract shall be deposited into a joint account as authorized by this section within ten days of receipt of payment by the seller.

4. The financial institution shall hold, invest, and reinvest funds deposited under this section in other accounts offered to depositors by the financial institutions as provided in the written agreement of the purchaser and the seller, provided the financial institution shall not invest or reinvest any funds deposited under this section in term life insurance or any investment that does not reasonably have the potential to gain income or increase in value.

5. Income generated by preneed funds deposited under this section shall be used to pay the reasonable expenses of administering the account as charged by the financial institution and the balance of the income shall be distributed or reinvested upon fulfillment of the contract, cancellation or transfer pursuant to the provisions of this chapter.

6. Within fifteen days after a provider [and a witness certify to the financial institution in writing] **delivers a copy of a certificate of performance to the seller, signed by the provider and the person authorized to make arrangements on behalf of the beneficiary, certifying** that the provider has furnished the final disposition, funeral, and burial services and facilities, and merchandise as required by the preneed contract, or has provided alternative funeral benefits for the beneficiary under special arrangements made with the purchaser, the [financial institution shall distribute the deposited funds to the seller if the certification has been approved by the purchaser] **seller shall take whatever steps are required by the financial institution to secure payment of the funds from the financial institution.** The seller shall pay the provider within ten days of receipt of funds.

7. Any seller, provider, or preneed agent shall not procure or accept a loan against any investment, or asset of, or belonging to a joint account. As of August 28, 2009, it shall be prohibited to use any existing preneed contract as collateral or security pledged for a loan, or take preneed funds of any existing preneed contract as a loan or for any purpose other than as authorized by this chapter.

436.456. At any time before final disposition, or before the funeral or burial services, facilities, or merchandise described in a preneed contract are furnished, the purchaser may cancel the contract, if designated as revocable, without cause. In order to cancel the contract the purchaser shall:

(1) In the case of a joint account-funded preneed contract, deliver written notice of the cancellation to the seller [and the financial institution]. Within fifteen days of receipt of notice of the cancellation, the [financial institution shall distribute all deposited funds to the purchaser] **seller shall take whatever steps may be required by the financial institution to obtain the funds from the financial institution. Upon receipt of the funds from the financial institution, the seller shall distribute the principal to the purchaser.** Interest shall be distributed as provided in the agreement with the seller and purchaser;

(2) In the case of an insurance-funded preneed contract, deliver written notice of the cancellation to the seller. Within fifteen days of receipt of notice of the cancellation, the seller shall notify the purchaser that

the cancellation of the contract shall not cancel any life insurance funding the contract and that insurance cancellation is required to be made in writing to the insurer;

(3) In the case of a trust-funded preneed contract, deliver written notice of the cancellation to the seller and trustee. Within fifteen days of receipt of notice of the cancellation, the trustee shall distribute one hundred percent of the trust property including any percentage of the total payments received on the trust-funded contract that have been withdrawn from the account under subsection 4 of section 436.430 but excluding the income, to the purchaser of the contract;

(4) In the case of a guaranteed installment payment contract where the beneficiary dies before all installments have been paid, the purchaser shall pay the seller the amount remaining due under the contract in order to receive the goods and services set out in the contract, otherwise the purchaser or their estate will receive full credit for all payments the purchaser has made towards the cost of the beneficiary's funeral at the provider current prices."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR  
HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 33, Section 339.190, Line 18, by inserting after all of said section and line, the following:

**"376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.**

**2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.**

**3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.**

**4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.**

**5. As used in this section, the terms "health benefit plan" and "health carrier" shall have the same meanings ascribed to such terms in section 376.1350.**

**6. Coverage under this section shall be limited to Federal Drug Administration approved indications and National Comprehensive Cancer Network recommendations.**

**7. Coverage under this section may be administered by a specialty pharmacy network."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, In the Title, Line 2, by inserting after the word “sections” the numbers “195.060, 195.080,”; and

Further amend said bill, Page 1, In the Title, Line 3, by inserting after the number “334.715,” the number “334.747,”; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word “thirty” and inserting in lieu thereof the word “forty-four”; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word “Sections” the numbers “195.060, 195.080,”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number “334.715,” the number “334.747,”; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word “thirty” and inserting in lieu thereof the word “forty-four”; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the word “sections” the numbers “195.060, 195.080, 195.450, 195.453, 195.456, 195.459, 195.462, 195.465, 195.468, 195.471, 195.474, 195.477, 195.480,”; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after the number “334.715,” the number “334.747,”; and

Further amend said bill, Page 1, Section A, Line 7, by inserting after all of said line the following:

“195.060. 1. Except as provided in subsection [3] **4** of this section, a pharmacist, in good faith, may sell and dispense controlled substances to any person only upon a prescription of a practitioner as authorized by statute, provided that the controlled substances listed in Schedule V may be sold without prescription in accordance with regulations of the department of health and senior services. All written prescriptions shall be signed by the person prescribing the same. All prescriptions shall be dated on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is prescribed, and the full name, address, and the registry number under the federal controlled substances laws of the person prescribing, if he is required by those laws to be so registered. If the prescription is for an animal, it shall state the species of the animal for which the drug is prescribed. The person filling the prescription shall either write the date of filling and his own signature on the prescription or retain the date of filling and the identity of the dispenser as electronic prescription information. The prescription or electronic prescription information shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this law. No prescription for a drug in Schedule I or II shall be filled more than six months after the date prescribed; no prescription for a drug in schedule I or II shall be refilled; no prescription for a drug in Schedule III or IV shall be filled or refilled more than six months after the date of the original prescription or be refilled more than five times unless renewed by the practitioner.

**2. A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a practitioner located in another state, provided that the prescription was issued according to and in compliance with the applicable laws of that state and the United States.**

**3.** The legal owner of any stock of controlled substances in a pharmacy, upon discontinuance of dealing in such drugs, may sell the stock to a manufacturer, wholesaler, or pharmacist, but only on an official written order.

[3.] **4.** A pharmacist, in good faith, may sell and dispense any Schedule II drug or drugs to any person in emergency situations as defined by rule of the department of health and senior services upon an oral prescription by an authorized practitioner.

[4.] **5.** Except where a bona fide physician-patient-pharmacist relationship exists, prescriptions for narcotics or hallucinogenic drugs shall not be delivered to or for an ultimate user or agent by mail or other common carrier.

195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided, sections 195.005 to 195.425 shall not apply to the following cases: prescribing, administering, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain controlled substances in such combinations of drugs as to prevent the drugs from being readily extracted from such liniments, ointments, or preparations, except that sections 195.005 to 195.425 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

2. [The quantity of Schedule II controlled substances prescribed or dispensed at any one time shall be limited to a thirty-day supply.] The quantity of Schedule **II**, III, IV or V controlled substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the general provisions of sections 195.005 to 195.425. [The supply limitations provided in this subsection may be increased up to three months if the physician describes on the prescription form or indicates via telephone, fax, or electronic communication to the pharmacy to be entered on or attached to the prescription form the medical reason for requiring the larger supply.] The supply limitations provided in this subsection shall not apply if:

**(1) The prescription issued by a practitioner located in another state according to and in compliance with the applicable laws of that state and the United States and dispensed to a patient located or residing in another state; or**

**(2) The prescription is dispensed directly to a member of the United States armed forces serving outside the United States.**

3. The partial filling of a prescription for a Schedule II substance is permissible as defined by regulation by the department of health and senior services.

**195.450. 1. Sections 195.450 to 195.480 shall be known and may be cited as the “Prescription Drug Monitoring Program Act”.**

**2. As used in sections 195.450 to 195.480, the following terms mean:**

**(1) “Controlled substance”, the same meaning given such term in section 195.010;**

**(2) “Department”, the department of health and senior services;**

**(3) “Dispenser”, a person located in Missouri who delivers a schedule II, III, IV, or V controlled substance to the ultimate user, but does not include:**

**(a) A hospital, as defined in section 197.020, that distributes such substances for the purpose of inpatient hospital care or dispenses prescriptions for controlled substances at the time of discharge**

from an inpatient stay at such facility;

(b) A practitioner or other authorized person who administers such a substance; or

(c) A wholesale distributor of a schedule II, III, IV, or V controlled substance;

(4) “Patient”, a person or animal who is the ultimate user of a drug for whom a prescription is issued or for whom a drug is dispensed;

(5) “Schedule II, III, IV, or V controlled substance”, a controlled substance that is listed in schedules II, III, IV, or V of the schedules provided under this chapter or the Federal Controlled Substances Act, 21 U.S.C. Section 812.

**195.453. 1.** Subject to appropriations, the department of health and senior services shall establish and maintain a program for the monitoring of prescribing and dispensing of all schedule II, III, IV, and V controlled substances by all professionals, except schedule V controlled substance containing any detectable amount of pseudoephedrine, by all professionals licensed to prescribe or dispense such substances in this state. The department may apply for any available grants and accept any gifts, grants, or donations to assist in developing and maintaining the program.

**2.** Each dispenser shall submit to the department by electronic means information regarding each dispensation of a drug included in subsection 1 of this section. The information submitted for each shall include, but not be limited to:

(1) The dispenser identification number;

(2) The date of the dispensation;

(3) If there is a prescription:

(a) The prescription number;

(b) Whether the prescription is new or a refill;

(c) The prescriber identification number;

(d) The date the prescription is issued by the prescriber;

(e) The person who receives the prescription from the dispenser, if other than the patient;

(f) The source of payment for the prescription;

(4) The NDC code for the drug dispensed;

(5) The number of days’ supply of the drug;

(6) The quantity dispensed;

(7) The patient identification number;

(8) The patient’s name, address, and date of birth.

**3.** Each dispenser shall submit the information in accordance with transmission methods and frequency established by the department; except that, each dispenser shall report at least every seven days between the first and fifteenth of the month following the month of the dispensation.

**4.** The department may issue a waiver to a dispenser that is unable to submit dispensation information by electronic means. Such waiver may permit the dispenser to submit dispensation

information by paper form or other means, provided all information required in subsection 2 of this section is submitted in such alternative format.

**195.456. 1.** Dispensation information submitted to the department shall be confidential and not subject to public disclosure under chapter 610 except as provided in subsections 3 to 5 of this section.

**2.** The department shall maintain procedures to ensure that the privacy and confidentiality of patients and personnel information collected, recorded, transmitted, and maintained is not disclosed to persons except as provided in subsections 3 to 5 of this section.

**3.** The department shall review the dispensation information and, if there is reasonable cause to believe a violation of law or breach of professional standards may have occurred, the department shall notify the appropriate law enforcement or professional licensing, certification, or regulatory agency or entity, and provide dispensation information required for an investigation.

**4.** The department may provide data in the controlled substances dispensation monitoring program to the following persons:

**(1)** Persons, both in-state and out-of-state, authorized to prescribe or dispense controlled substances for the purpose of providing medical or pharmaceutical care for their patients;

**(2)** An individual who requests his or her own dispensation monitoring information in accordance with state law;

**(3)** The state board of pharmacy;

**(4)** Any state board charged with regulating a professional that has the authority to prescribe or dispense controlled substances that requests data related to a specific professional under the authority of that board;

**(5)** Local, state, and federal law enforcement or prosecutorial officials, both in-state and out-of-state engaged in the administration, investigation, or enforcement of the laws governing licit drugs based on a specific case and under a subpoena or court order;

**(6)** The family support division within the department of social services regarding Medicaid program recipients;

**(7)** A judge or other judicial authority under a subpoena or court order; and

**(8)** Authorized personnel of the department of health and senior services for the administration and enforcement of sections 195.450 to 195.480.

**5.** The department may provide data to public or private entities for statistical, research, or educational purposes after removing information that could be used to identify individual patients or persons who received dispensations from dispensers.

**6.** Nothing in sections 195.450 to 195.480 shall be construed to require a pharmacist or prescriber to obtain information about a patient from the database. A pharmacist or prescriber shall not be held liable for damages to any person in any civil action for injury, death, or loss to person or property on the basis that the pharmacist or prescriber did or did not seek or obtain information from the database.

**195.459.** The department is authorized to contract with any other agency of this state or with a

private vendor, as necessary, to ensure the effective operation of the prescription monitoring program. Any contractor shall comply with the provisions regarding confidentiality of prescription information in section 195.456.

**195.462.** The department shall promulgate rules setting forth the procedures and methods of implementing sections 195.450 to 195.480. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 195.450 to 195.480 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

**195.465. 1.** A dispenser who knowingly fails to submit dispensation monitoring information to the department as required in sections 195.450 to 195.480 or knowingly submits the incorrect dispensation information is guilty of a class A misdemeanor.

**2.** A person authorized to have dispensation monitoring information under sections 195.450 to 195.480 who knowingly discloses such information in violation of sections 195.450 to 195.480 or who uses such information in a manner and for a purpose in violation of sections 195.450 to 195.480 is guilty of a class A misdemeanor.

**195.468. 1.** The department shall implement the following education courses:

**(1)** An orientation course during the implementation phase of the dispensation monitoring program established in section 195.453;

**(2)** A course for persons who are authorized to access the dispensation monitoring information but who did not participate in the orientation course;

**(3)** A course for persons who are authorized to access the dispensation monitoring information but who have violated laws or breached occupational standards involving dispensing, prescribing, and use of substances monitored by the dispensation monitoring program established in section 195.453;

When appropriate, the department shall develop the content of the education courses described in subdivisions (1) to (3) of this subsection.

**2.** The department shall, when appropriate:

**(1)** Work with associations for impaired professionals to ensure intervention, treatment, and ongoing monitoring and followup; and

**(2)** Encourage individual patients who are identified and who have become addicted to substances monitored by the dispensation monitoring program established in section 195.453 to receive addiction treatment.

**195.471.** The department of health and senior services shall develop and implement an electronic logbook to monitor the sale of schedule V controlled substances containing any detectable amount of pseudoephedrine. All pharmacists and registered pharmacy technicians shall submit their logbooks, as required under section 195.017, electronically in accordance with rules promulgated by the department.



**195.474. 1. Beginning January 1, 2012, the bureau of narcotics and dangerous drugs within the department of health and senior services shall establish a two-year statewide pilot project for the reporting of fraudulently obtained prescription controlled substances. The pilot project shall include the following:**

**(1) Provide a toll-free number for reporting to the bureau by physicians, pharmacists, and other health care professionals with prescriptive authority who have reason to believe that a person is fraudulently attempting to obtain a prescription for a controlled substance or is attempting to obtain an excessive amount of a controlled substance by prescription;**

**(2) Establish a system within the bureau for receiving such reports under subdivision (1) of this subsection along with any evidence offered or submitted by the reporter which indicates the fraud; and**

**(3) Forward such reports, along with any evidence offered or submitted to the appropriate prosecuting attorney or the state attorney general for investigation and prosecution.**

**2. On or before February 1, 2013, and February 1, 2014, the bureau of narcotics and dangerous drugs shall submit a report to the general assembly detailing the following specifics regarding the pilot project:**

**(1) The number of reports received under this section;**

**(2) The type of evidence offered or submitted indicating the fraud;**

**(3) The number of referrals to the attorney general and each local prosecuting attorney;**

**(4) The number of cases investigated and prosecuted as a result of such reporting, and the number of convictions or pleas resulting from such investigations and prosecutions. The attorney general and local prosecuting attorneys shall cooperate with the bureau in the submission and collection of the information necessary for inclusion in the report; and**

**(5) Any recommendations regarding continuance of and improvements in the pilot project.**

**Nothing in this section shall be construed as authorizing the inclusion or release of any identifying information of any reporter or person who is identified as a person who is attempting to fraudulently obtain prescription controlled substances.**

**3. Any person who in good faith reports to the bureau under this section shall be immune from any civil or criminal liability as the result of such good faith reporting.**

**4. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**5. The pilot project shall be funded from existing appropriations or with any moneys specifically appropriated for this pilot project. The lack of any additional new appropriations for this pilot**

project shall not be sufficient cause for the department to fail to establish the pilot project under this section.

**6. Under section 23.253 of the Missouri sunset act:**

(1) The provisions of the new program authorized under this section shall automatically sunset three years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

**195.477. Under section 23.253 of the Missouri sunset act:**

(1) The provisions of the new program authorized under sections 195.450 to 195.480 shall automatically sunset six years after the effective date of sections 195.450 to 195.480 unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 195.450 to 195.480 shall automatically sunset six years after the effective date of the reauthorization of sections 195.450 to 195.480; and

(3) Sections 195.450 to 195.480 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 195.450 to 195.480 is sunset.

**195.480. The provisions of sections 195.450 to 195.480 shall be funded with federal or private grant moneys. If no federal or private grant moneys are available to implement the provisions of sections 195.450 to 195.480, the prescription drug monitoring act shall be implemented subject to appropriations.”; and**

Further amend said bill, Page 27, Section 334.715, Line 63, by inserting after all of said line the following:

“334.747. 1. A physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in schedule III, IV, or V of section 195.017 when delegated the authority to prescribe controlled substances in a supervision agreement. Such authority shall be listed on the supervision verification form on file with the state board of healing arts. The supervising physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the physician assistant is permitted to prescribe. Any limitations shall be listed on the supervision form. Physician assistants shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances shall be limited to a five-day supply without refill. Physician assistants who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include [such] **the Drug Enforcement Administration** registration [numbers] **number** on prescriptions for controlled substances.

2. The supervising physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the physician assistant during which the physician

assistant shall practice with the supervising physician on-site prior to prescribing controlled substances when the supervising physician is not on-site. Such limitation shall not apply to physician assistants of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

3. A physician assistant shall receive a certificate of controlled substance prescriptive authority from the board of healing arts upon verification of the completion of the following educational requirements:

(1) Successful completion of an advanced pharmacology course that includes clinical training in the prescription of drugs, medicines, and therapeutic devices. A course or courses with advanced pharmacological content in a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency shall satisfy such requirement;

(2) Completion of a minimum of three hundred clock hours of clinical training by the supervising physician in the prescription of drugs, medicines, and therapeutic devices;

(3) Completion of a minimum of one year of supervised clinical practice or supervised clinical rotations. One year of clinical rotations in a program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency, which includes pharmacotherapeutics as a component of its clinical training, shall satisfy such requirement. Proof of such training shall serve to document experience in the prescribing of drugs, medicines, and therapeutic devices;

(4) A physician assistant previously licensed in a jurisdiction where physician assistants are authorized to prescribe controlled substances may obtain a state bureau of narcotics and dangerous drugs registration if a supervising physician can attest that the physician assistant has met the requirements of subdivisions (1) to (3) of this subsection and provides documentation of existing federal Drug Enforcement Agency registration.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill 29, Page 2, Section 197.705, Line 40, by inserting immediately after the word “**hospitals**” the following:

“, **ambulatory surgical centers**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, Section A, Line 7, by inserting after all of said line the following:

**“44.114. Except as otherwise provided in this section, at the time of any emergency, catastrophe or other life or property threatening event which jeopardizes the ability of an insurer to address the financial needs of its insureds or the public, no political subdivision shall impose restrictions or enforce local licensing or registration ordinances with respect to such insurer’s claims handling operations. As used in this section, the term “claims handling operations” includes but is not limited to the establishment of a base of operations by an insurer within the disaster area and the investigation and handling of claims by personnel authorized by any such insurer. Nothing herein shall prohibit a political subdivision from performing any safety inspection authorized by local**

**ordinance of the premises fo the insurer's base of operations within the disaster area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Section A, Page 1, Line 7, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient’s health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient’s condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient’s health care records to the patient, the patient’s authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Copying, in an amount not more than [seventeen] **twenty-one** dollars and [five] **thirty-six** cents plus [forty] **fifty** cents per page for the cost of supplies and labor **plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or**

**(b) If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less;**

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient’s record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient’s record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall

report the annual adjustment and the adjusted fees authorized in this section on the department's Internet website by February first of each year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 59**, as amended: Senators Keaveny, Goodman, Crowell, Ridgeway and Justus.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 226**, as amended: Senators Engler, Dixon, Parson, Callahan and Keaveny.

### **HOUSE BILLS ON THIRD READING**

Senator Engler moved that **HB 71**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

Senator Chappelle-Nadal offered **SA 1** to **SA 1**, which was read:

#### **SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 to Senate Substitute for House Bill No. 71, Page 2, Section 84.344, Lines 7-8 of said amendment page, by striking the following: “or voluntary”; and further amend said amendment page, Lines 19 to 21, by striking said lines and inserting in lieu thereof the following:

“Further amend said bill, Page 4, Section 84.346, Line 12 of said page,”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

**SA 1**, as amended, was again taken up.

Senator Crowell offered **SA 2** to **SA 1**:

#### **SENATE AMENDMENT NO. 2 TO SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 to Senate Substitute for House Bill No. 71, Page 1, Lines 4-5, by striking the following: “, **or any manager of the highest rank regardless of that person's title,**”; and further amend lines 9 to 13 by striking all of said lines; and further amend lines 19 to 21 by striking all of said lines; and further amend said amendment page 2, line 1 by striking all of said line; and

Further renumber the remaining subdivisions accordingly.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

**SA 1**, as amended, was again taken up.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Engler moved that **SS** for **HB 71**, as amended, be adopted, which motion prevailed.

At the request of Senator Engler, **SS** for **HB 71**, as amended, was placed on the Informal Calendar.

### **COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

May 9, 2011

Ms. Terry Spieler  
Secretary of the Senate  
State Capitol  
Jefferson City, MO 65101

Dear Ms. Spieler:

Please be advised I am rescinding my appointment of Senator Ron Richard to the Missouri State Capitol Commission.  
Should you have any questions please feel free to contact me.

Sincerely,  
/s/ Robert N. Mayer  
ROBERT N. MAYER  
President Pro Tem

### **INTRODUCTIONS OF GUESTS**

Senator Lamping introduced to the Senate, his wife, Caryn and their daughters, Emma, Shelby and Charlotte, St. Louis; and Emma and Shelby were made honorary pages.

Senator Schmitt introduced to the Senate, his wife, Jaime and their daughters, Sophia and Olivia, Glendale; and Sophia was made an honorary page.

Senator Goodman introduced to the Senate, his sons, Jack Elliott and William True Goodman, Mt. Vernon; and Jack Elliott and William True were made honorary pages.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

---

SIXTY-SIXTH DAY—TUESDAY, MAY 10, 2011

---

### **FORMAL CALENDAR**

### **VETOED BILLS**

SCS for SB 188-Lager, et al

### **HOUSE BILLS ON SECOND READING**

HCS for HB 999

HCS for HB 732

HCS for HBs 504, 505 & 874  
HB 658-Schatz, et al

HCS for HB 707  
HB 138-Thomson, et al

### THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)

SB 204-Dempsey, et al (In Fiscal Oversight)

### SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler
8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham, with SCS

11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones
15. SB 45-Wright-Jones
16. SB 14-Pearce, with SCS
17. SB 281-Kraus
18. SB 399-Kraus
19. SB 44-Wright-Jones

### HOUSE BILLS ON THIRD READING

1. HCS for HB 431, with SCS (Justus)  
(In Fiscal Oversight)
2. HB 151-Kelly (24) and Molendorp (Schaefer)  
(In Fiscal Oversight)
3. HCS for HB 412, with SCS (Wasson)
4. HCS for HB 407 (Parson)
5. HCS for HB 265, with SCS (Wasson)
6. HB 484-Faith (Stouffer)
7. HCS for HB 430, with SCS (Stouffer)
8. HB 1008-Long, et al, with SCS (Dempsey)
9. HCS for HB 604, with SCS (Rupp)
10. HCS for HB 111, with SCS (Goodman)
11. HCS for HB 562, with SCS (Schmitt)
12. HB 525-Molendorp (Rupp)
13. HCS for HB 523, with SCS (Pearce)
14. HB 139-Smith (150), et al (Cunningham)  
(In Fiscal Oversight)

15. HB 167-Nolte, et al, with SCA 1 (Nieves)
16. HB 402-Diehl and Korman (Wasson)
17. HCS for HBs 470 & 429, with SCS (Rupp)
18. HCS for HB 38, with SCS (Wright-Jones)
19. HB 68-Scharnhorst (Nieves)
20. HCS for HB 161, with SCS (Parson)
21. HB 184-Dugger, with SCS (Purgason)
22. HCS for HB 664, with SCS (Schmitt)
23. HCS for HB 366 (Justus)  
(In Fiscal Oversight)
24. HB 675-Largent and Hoskins (Parson)
25. HCS for HJR 3 (Brown)  
(In Fiscal Oversight)
26. HB 458-Loehner, et al (Brown)

INFORMAL CALENDAR  
THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 10-Rupp  
SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 25-Schaaf, with SCS & SS for SCS  
(pending)  
SB 28-Brown  
SB 37-Lembke, with SCS  
SB 52-Cunningham  
SB 72-Kraus, with SS (pending)  
SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)  
SB 120-Stouffer, with SS (pending)  
SB 130-Rupp, with SCS & SS for SCS  
(pending)  
SB 155-Rupp, with SCS  
SB 175-Munzlinger, et al, with SA 1  
(pending)  
SB 176-Munzlinger, et al  
SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS

SB 200-Crowell  
SB 203-Schmitt, et al, with SS (pending)  
SB 208-Lager  
SB 209-Lager  
SB 228-Pearce  
SB 242-Cunningham, with SCS & SS for SCS  
(pending)  
SB 247-Pearce, with SS (pending)  
SB 264-Rupp, with SCS  
SB 278-Munzlinger, et al  
SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)  
SBs 291, 184 & 294-Pearce, with SCS & SA 4  
(pending)  
SB 299-Munzlinger, with SCS (pending)  
SB 326-Wasson  
SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SBs 408 & 80-Crowell, with SCS  
SB 420-Mayer, with SCS  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al, with SS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 61  
SS for HB 71-Nasheed, et al (Engler)  
HCS for HB 89, with SCS & SS for SCS  
(pending) (Lager)  
HCS for HBs 112 & 285, with SCS (Brown)  
HCS for HB 143 (Goodman)  
HB 183-Silvey (Kraus)  
HCS for HBs 294, 123, 125, 113, 271 & 215,  
with SCS & SS for SCS (pending)  
(Munzlinger)

HCS for HB 336 (Schmitt)  
HB 361-Leara (Cunningham)  
HB 442-Franz, with SA 2 (pending) (Parson)  
HB 462-Pollock, with SCS (Lager)  
HCS for HB 464, with SCS & SA 2 (pending)  
(Wasson)  
HCS for HB 545, with SCS & SS for SCS  
(pending) (Schaaf)  
HCS for HB 556  
HCS#2 for HB 609, with SCS (pending) (Wasson)



HB 661-Wells, et al, with SCS (Lamping)  
HB 667-Carter, et al (Wright-Jones)  
HCS for HB 697, with SCS (pending) (Dixon)  
HB 738-Nasheed, et al, with SCS (pending)  
(Cunningham)

HJR 2-McGhee, et al (Goodman)  
HJR 6-Cierpiot, et al (Cunningham)  
HJR 29-Solon, et al, with SA 1 (pending)  
(Munzlinger)

#### SENATE BILLS WITH HOUSE AMENDMENTS

SB 3-Stouffer, with HCS#2, as amended  
SCS for SB 29-Brown, with HCS, as amended  
SS for SCS for SB 58-Stouffer and Lembke,  
with HCS, as amended  
SB 71-Parson, with HSA 1 for HA 1,  
as amended & HA 2

SB 97-Engler, with HCS#2, as amended  
SS for SB 118-Stouffer, with HCS, as amended  
SB 187-Lager, et al, with HCS  
SCS for SB 219-Wasson, with HCS, as amended  
SB 250-Kehoe, with HCS, as amended

#### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

##### In Conference

SS#2 for SCS for SB 8-Goodman, with HCS,  
as amended  
SB 59-Keaveny, with HCS, as amended  
SB 61-Keaveny, with HCS, as amended  
SS for SB 135-Schaefer, with HCS, as amended  
SB 145-Dempsey, with HCS, as amended  
SB 173-Dixon and Kehoe, with HCS,  
as amended

SB 220-Wasson, with HCS, as amended  
SS for SB 226-Engler, with HCS, as amended  
SB 282-Engler, with HCS, as amended  
SB 322-Schaefer, with HCS, as amended  
HB 101-Loehner, with SCS, as amended  
(Cunningham)  
HB 142-Gatschenberger, with SCS,  
as amended (Dempsey)

#### RESOLUTIONS

##### Reported from Committee

SR 179-Purgason  
HCS for HCR 23 (Dixon)

HCR 37-Franklin, et al (Wright-Jones)  
HCR 42-Funderburk, et al (Lembke)

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**SIXTY-SIXTH DAY—TUESDAY, MAY 10, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“So let us not grow weary in doing what is right, for we will reap at harvest time, if we don’t give up.” (Galatians 6:9)

Gracious God, it has been a long session with days whisking by and the work increasing and now in this final week we have much to accomplish. Give us the strength to persist in spite of life’s obstacles and do what is needful and right. So walk with us these days and let us look and find areas to celebrate with one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon and KRCG-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

### RESOLUTIONS

Senator Goodman offered Senate Resolution No. 1065, regarding Tyler White, Reeds Spring, which was adopted.

Senator Goodman offered Senate Resolution No. 1066, regarding Ryan Eugene Drake, which was adopted.

Senator Goodman offered Senate Resolution No. 1067, regarding Mr. and Mrs. Tommie Anderson, Branson West, which was adopted.

Senator Lamping offered Senate Resolution No. 1068, regarding Alpha Epsilon Pi at the University of Missouri-Columbia, which was adopted.

### PRIVILEGED MOTIONS

Senator Kehoe moved that the Senate refuse to concur in **HCS** for **SB 250**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 220**, as amended. Representatives: Diehl, Elmer, Korman, Kelly (24) and Carlson.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 59**, as amended. Representatives: Diehl, Cox, Jones (117), McManus and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 322**, as amended. Representatives: Silvey, Stream, Flanigan, Kelly (24) and Carter.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 61**, as amended. Representatives: Diehl, Cox, Richardson, Nasheed and Hubbard.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 226**, as amended. Representatives: Franz, Bernskoetter, Hough, Sifton and Schupp.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker

has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 145**, as amended. Representatives: Gatschenberger, Schneider, Diehl, Hummel and McManus.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 270**, entitled:

An Act to repeal sections 28.190, 29.280, 30.060, 30.070, 30.080, 54.330, 105.030, 105.040, 105.050, 115.123, 115.241, and 115.293, RSMo, and to enact in lieu thereof thirteen new sections relating to elections.

With House Amendment Nos. 1, 2, 3, 4, 5 and 6.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Section 115.123, Pages 4 and 5 by removing all of said Section from the bill and inserting in lieu thereof the following:

“115.123. 1. All public elections shall be held on Tuesday. Except as provided in subsections 2[, 3, ] and [4] **3** of this section, and section 247.180, all public elections shall be held on the general election day, the primary election day, the general municipal election day, the first Tuesday after the first Monday in February or November, or on another day expressly provided by city or county charter, [the first Tuesday after the first Monday in June] and in nonprimary years on the first Tuesday after the first Monday in August.

2. Notwithstanding the provisions of subsection 1 of this section, an election for a presidential primary held pursuant to sections [115.755] **115.758** to 115.785 shall be held on the first Tuesday after the first Monday in March of each presidential election year.

3. The following elections shall be exempt from the provisions of subsection 1 of this section:

- (1) Bond elections necessitated by fire, vandalism or natural disaster;
- (2) Elections for which ownership of real property is required by law for voting; and
- (3) Special elections to fill vacancies and to decide tie votes or election contests.

4. No city or county shall adopt a charter or charter amendment which calls for elections to be held on dates other than those established in subsection 1 of this section.

5. Nothing in this section prohibits a charter city or county from having its primary election in March if the charter provided for a March primary before August 28, 1999.

6. Nothing in this section shall prohibit elections held pursuant to section 65.600, but no other issues shall be on the March ballot except pursuant to this chapter.”; and

Further amend said bill, Page 8, Section 115.241 (repealed), Line 2 by inserting after all of said Section and Line the following:

“[115.755. A statewide presidential preference primary shall be held on the first Tuesday after the first Monday in February of each presidential election year.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 5, Section 115.293, Line 11, by inserting after all of said section and line the following:

“181.060. 1. The general assembly may appropriate moneys for state aid to public libraries, which moneys shall be administered by the state librarian, and distributed as specified in rules and regulations promulgated by the Missouri state library, and approved by the secretary of state.

2. At least fifty percent of the moneys appropriated for state aid to public libraries shall be apportioned to all public libraries established and maintained under the provisions of the library laws or other laws of the state relating to libraries. The allocation of the moneys shall be based on an equal per capita rate for the population of each city, village, town, township, urban public library district, county or consolidated library district in which any library is or may be established, in proportion to the population according to the latest federal census of the cities, villages, towns, townships, school districts, county or regional library districts maintaining public libraries primarily supported by public funds which are designed to serve the general public. No grant shall be made to any public library which is tax supported if the rate of tax levied or the appropriation for the library should be decreased below the rate in force on December 31, 1946, or on the date of its establishment. Grants shall be made to any public library if a public library tax of at least ten cents per one hundred dollars assessed valuation has been voted in accordance with sections 182.010 to 182.460 or as authorized in section 137.030 and is duly assessed and levied for the year preceding that in which the grant is made, or if the appropriation for the public library in any city of first class yields one dollar or more per capita for the previous year according to the population of the latest federal census or if the amount provided by the city for the public library, in any other city in which the library is not supported by a library tax, is at least equal to the amount of revenue which would be realized by a tax of ten cents per one hundred dollars assessed valuation if the library had been tax supported. Except that, no grant under this section shall be affected because of a reduction in the rate of levy which is required by the provisions of section 137.073, **or because of a voluntary reduction in the levy following the enactment of a district sales tax under section 182.802, if the proceeds from the sales tax equal or exceed the reduction in revenue from the levy.**

3. The librarian of the library together with the treasurer of the library or the treasurer of the city if there is no library treasurer shall certify to the state librarian the annual tax income and rate of tax or the appropriation for the library on the date of the enactment of this law, and of the current year, and each year thereafter, and the state librarian shall certify to the commissioner of administration the amount to be paid to each library.

4. The balance of the moneys shall be administered and supervised by the state librarian who may provide grants to public libraries for:

(1) Establishment, on a population basis to newly established city, county city/county or consolidated libraries;

(2) Equalization to city/county[.], urban public, county or consolidated libraries;

(3) Reciprocal borrowing;

(4) Technological development;

(5) Interlibrary cooperation;

(6) Literacy programs; and

(7) Other library projects or programs that may be determined by the local library, library advisory committee and the state library staff that would improve access to library services by the residents of this state. Newly established libraries shall certify through the legally established board or the governing body of the city supporting the library and the librarian of the library to the state librarian the fact of establishment, the rate of tax, the assessed valuation of the library district and the annual tax yield of the library. The state librarian shall then certify to the commissioner of administration the amount of establishment grant to be paid to the libraries and warrants shall be issued for the amount allocated and approved. The sum appropriated for state aid to public libraries shall be separate and apart from any and all appropriations made to the state library.

**182.802. 1. As used in this section, the following terms mean:**

**(1) “Public library district”, any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district;**

**(2) “Qualified voters” or “voters”, any individuals residing within the public library district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.**

**2. The board of directors of any public library district located at least partially within the following counties may impose a tax as provided in this section:**

**(1) Any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;**

**(2) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;**

**(3) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;**

**(4) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;**

**(5) Any county of the third classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants;**

**(6) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;**  
**or**

**(7) Any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty thousand one hundred inhabitants.**

**3. The board of directors of any public library district described in subsection 1 of this section**

may, upon a majority vote of the board, impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-half of one cent, and shall be imposed solely for the purpose of funding the operation and maintenance of public libraries within the boundaries of the district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

4. No sales tax imposed under this section shall become effective unless the board of directors of the district submits to the voters within the district at a county or state general, primary, or special election a proposal to authorize the board of directors of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter immediately following the adoption of the sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. The board of directors of any district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. If the tax is repealed or terminated by any means, all remaining revenues generated from the sales tax shall continue to be used solely for the designated purposes, and the board of directors shall retain for a period of one year two percent of the amount collected after the repeal or termination to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 5, Section 115.293, Line 11, by inserting after all of said line the following:

“130.021. 1. Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state and serve in the capacity of committee treasurer in the event the committee treasurer is unable for any reason to perform the treasurer’s duties.

2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a statement of exemption pursuant to that subsection and every candidate for offices listed in subsection 6 of section

130.016 who is not excluded from filing a statement of organization and disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee and appoint a treasurer. Thereafter, all contributions on hand and all further contributions received by such candidate and any of the candidate's own funds to be used in support of the person's candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing in this chapter shall prevent a candidate from appointing himself or herself as a committee of one and serving as the person's own treasurer, maintaining the candidate's own records and filing all the reports and statements required to be filed by the treasurer of a candidate committee.

3. A candidate who has more than one candidate committee supporting the person's candidacy shall designate one of those candidate committees as the committee responsible for consolidating the aggregate contributions to all such committees under the candidate's control and direction as required by section 130.041. No person shall form a new committee or serve as a deputy treasurer of any committee as defined in section 130.011 until the person or the treasurer of any committee previously formed by the person or where the person served as treasurer or deputy treasurer has filed all required campaign disclosure reports and statements of limited activity for all prior elections and paid outstanding previously imposed fees assessed against that person by the ethics commission.

4. (1) Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name. An "official depository account" shall be a checking account or some type of negotiable draft or negotiable order of withdrawal account, and the official fund depository shall, regarding an official depository account, be a type of financial institution which provides a record of deposits, canceled checks or other canceled instruments of withdrawal evidencing each transaction by maintaining copies within this state of such instruments and other transactions. All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate. Contributions received by a committee shall not be commingled with any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of the candidate's own funds to the person's candidate committee shall be deposited to an official depository account of the person's candidate committee. No expenditure shall be made by a committee when the office of committee treasurer is vacant except that when the office of a candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

(2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a committee's official depository account and deposit such funds in one or more savings accounts in the committee's name in any bank, savings and loan association or credit union within this state, and may also withdraw funds from an official depository account for investment in the committee's name in any certificate of deposit, bond or security. Proceeds from interest or dividends from a savings account or other investment or proceeds from withdrawals from a savings account or from the sale of an investment shall not be expended or reinvested, except in the case of renewals of certificates of deposit, without first redepositing such proceeds in an official depository account. Investments, other than savings accounts, held outside the committee's official depository account at any time during a reporting period shall be disclosed by



description, amount, any identifying numbers and the name and address of any institution or person in which or through which it is held in an attachment to disclosure reports the committee is required to file. Proceeds from an investment such as interest or dividends or proceeds from its sale, shall be reported by date and amount. In the case of the sale of an investment, the names and addresses of the persons involved in the transaction shall also be stated. Funds held in savings accounts and investments, including interest earned, shall be included in the report of money on hand as required by section 130.041.

5. The treasurer or deputy treasurer acting on behalf of any person or organization or group of persons which is a committee by virtue of the definitions of committee in section 130.011 and any candidate who is not excluded from forming a committee in accordance with the provisions of section 130.016 shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than the date for filing the first report required pursuant to the provisions of section 130.046. The statement of organization shall contain the following information:

(1) The name, mailing address and telephone number, if any, of the committee filing the statement of organization. If the committee is deemed to be affiliated with a connected organization as provided in subdivision (10) of section 130.011, the name of the connected organization, or a legally registered fictitious name which reasonably identifies the connected organization, shall appear in the name of the committee. If the committee is a candidate committee, the name of the candidate shall be a part of the committee's name;

(2) The name, mailing address and telephone number of the candidate;

(3) The name, mailing address and telephone number of the committee treasurer, and the name, mailing address and telephone number of its deputy treasurer if the committee has named a deputy treasurer;

(4) The names, mailing addresses and titles of its officers, if any;

(5) The name and mailing address of any connected organizations with which the committee is affiliated;

(6) The name and mailing address of its depository, and the name and account number of each account the committee has in the depository. The account number of each account shall be redacted prior to disclosing the statement to the public;

(7) Identification of the major nature of the committee such as a candidate committee, campaign committee, political action committee, political party committee, incumbent committee, or any other committee according to the definition of committee in section 130.011;

(8) In the case of the candidate committee designated in subsection 3 of this section, the full name and address of each other candidate committee which is under the control and direction of the same candidate, together with the name, address and telephone number of the treasurer of each such other committee;

(9) The name and office sought of each candidate supported or opposed by the committee;

(10) The ballot measure concerned, if any, and whether the committee is in favor of or opposed to such measure.

6. A committee may omit the information required in subdivisions (9) and (10) of subsection 5 of this section if, on the date on which it is required to file a statement of organization, the committee has not yet determined the particular candidates or particular ballot measures it will support or oppose.

7. A committee which has filed a statement of organization and has not terminated shall not be required to file another statement of organization, except that when there is a change in any of the information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section an amended statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.

8. Upon termination of a committee, a termination statement indicating dissolution shall be filed not later than ten days after the date of dissolution with the appropriate officer or officers with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

9. Any statement required by this section shall be signed and attested by the committee treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

10. A committee domiciled outside this state shall **not** be required to file a statement of organization and appoint a treasurer residing in this state and open an account in a depository within this state[]; provided that either of the following conditions prevails:

(1) The aggregate of all contributions received from persons domiciled in this state exceeds twenty percent in total dollar amount of all funds received by the committee in the preceding twelve months; or

(2) The aggregate of all contributions and expenditures made to support or oppose candidates and ballot measures in this state exceeds one thousand five hundred dollars in the current calendar year].

11. If a committee domiciled in this state receives a contribution of one thousand five hundred dollars or more from any committee domiciled outside of this state, the committee domiciled in this state shall file a disclosure report with the commission. The report shall disclose the full name, mailing address, telephone numbers and domicile of the contributing committee and the date and amount of the contribution. The report shall be filed within forty-eight hours of the receipt of such contribution if the contribution is received after the last reporting date before the election.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 8, Section 190.056, Line 88, by inserting after all of said section and line, the following:

**“Section 1. Notwithstanding the provisions of sections 77.230 and 78.440, any individual who is twenty four years of age or older shall be eligible to serve as mayor in a city of the third classification with a form of government organized under sections 78.430 to 78.640.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 1, Section A, Line 4 by inserting after said line the following:

**“11.010. The official manual, commonly known as the “Blue Book”, compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is**

unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund.”;**  
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 4, Section 105.050, Line 8, by inserting after all of said section and line, the following:

**“115.043. Each election authority may make all rules and regulations, not inconsistent with statutory provisions, necessary for the registration of voters and the conduct of elections. Such rules and regulations may include a procedure by which an election authority may provide each registered voter residing within the election authority’s jurisdiction the option of providing the voter’s email address to the election authority to use for providing information to voters in conjunction with the conduct of elections. Providing information to a voter’s email address by an election authority shall not be construed to fulfill the election authority’s responsibility to provide notice or other election communications to any voter as required by state law.”;** and

Further amend said bill, Page 5, Section 115.123, Line 20, by inserting after all of said section and line, the following:

**“115.155. 1. The election authority shall provide for the registration of each voter. Each application shall be in substantially the following form: APPLICATION FOR REGISTRATION Are you a citizen of the United States?**

☐ YES

☐ NO

Will you be 18 years of age on or before election day?

☐ YES

☐ NO

IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO NOT COMPLETE THIS FORM.

IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE REGISTERING FOR THE FIRST TIME, PLEASE SUBMIT A COPY OF A CURRENT, VALID PHOTO IDENTIFICATION. IF YOU DO NOT SUBMIT SUCH INFORMATION, YOU WILL BE REQUIRED TO PRESENT ADDITIONAL IDENTIFICATION UPON VOTING FOR THE FIRST TIME SUCH AS A BIRTH CERTIFICATE, A NATIVE AMERICAN TRIBAL DOCUMENT, OTHER PROOF OF UNITED STATES CITIZENSHIP, A VALID MISSOURI DRIVERS LICENSE OR OTHER FORM OF PERSONAL IDENTIFICATION.

.....	.....
	Township (or Ward)
.....	.....
Name	Precinct
.....	.....
Home Address	Required Personal Identification Information
.....	
City            ZIP	
.....	.....
Date of Birth	Place of Birth (Optional)
.....	.....
Telephone Number (Optional)	Mother's Maiden Name (Optional)
.....	.....
Occupation (Optional)	Last Place Previously Registered
.....	.....
Last four digits of Social Security Number (Required for registration unless no Social Security number exists for Applicant)	Under What Name
Remarks:	
	.....
	When

I am a citizen of the United States and a resident of the state of Missouri. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or of a misdemeanor connected with

the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I do solemnly swear that all statements made on this card are true to the best of my knowledge and belief. I UNDERSTAND THAT IF I REGISTER TO VOTE KNOWING THAT I AM NOT LEGALLY ENTITLED TO REGISTER, I AM COMMITTING A CLASS ONE ELECTION OFFENSE AND MAY BE PUNISHED BY IMPRISONMENT OF NOT MORE THAN FIVE YEARS OR BY A FINE OF BETWEEN TWO THOUSAND FIVE HUNDRED DOLLARS AND TEN THOUSAND DOLLARS OR BY BOTH SUCH IMPRISONMENT AND FINE.

.....

Signature of Voter

.....

Date

.....

Signature of Election Official

2. After supplying all information necessary for the registration records, each applicant who appears in person before the election authority shall swear or affirm the statements on the registration application by signing his or her full name, witnessed by the signature of the election authority or such authority's deputy registration official. Each applicant who applies to register by mail pursuant to section 115.159, or pursuant to section 115.160 or 115.162, shall attest to the statements on the application by his or her signature.

3. Upon receipt by mail of a completed and signed voter registration application, a voter registration application forwarded by the division of motor vehicle and drivers licensing of the department of revenue pursuant to section 115.160, or a voter registration agency pursuant to section 115.162, the election authority shall, if satisfied that the applicant is entitled to register, transfer all data necessary for the registration records from the application to its registration system. Within seven business days after receiving the application, the election authority shall send the applicant a verification notice. If such notice is returned as undeliverable by the postal service within the time established by the election authority, the election authority shall not place the applicant's name on the voter registration file.

4. If, upon receipt by mail of a voter registration application or a voter registration application forwarded pursuant to section 115.160 or 115.162, the election authority determines that the applicant is not entitled to register, such authority shall, within seven business days after receiving the application, so notify the applicant by mail and state the reason such authority has determined the applicant is not qualified. The applicant may have such determination reviewed pursuant to the provisions of section 115.223. If an applicant for voter registration fails to answer the question on the application concerning United States citizenship, the election authority shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form before the next election.

5. It shall be the responsibility of the secretary of state to prescribe specifications for voter registration documents so that they are uniform throughout the state of Missouri and comply with the National Voter Registration Act of 1993, including the reporting requirements, and so that registrations, name changes and transfers of registrations within the state may take place as allowed by law.

6. All voter registration applications shall be preserved in the office of the election authority.

**7. Each election authority may provide each applicant for voter registration with the option of providing the applicant's email address with the applicant's voter registration form.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 284**, entitled:

An Act to repeal sections 144.030, 338.055, and 338.330, RSMo, and to enact in lieu thereof three new sections relating to pharmacy, with an emergency clause for a certain section.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 284, Section 338.330, Page 13, Line 38, by inserting after all of said section and line the following:

**“376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.**

**2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.**

**3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.**

**4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.**

**5. As used in this section, the terms “health benefit plan” and “health carrier” shall have the same meanings ascribed to such terms in section 376.1350.**

**6. Coverage under this section shall be limited to Federal Drug Administration approved indications and National Comprehensive Cancer Network recommendations.**

**7. Coverage under this section may be administered by a specialty pharmacy network.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

**HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS for HB 999**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 732**—Financial and Governmental Organizations and Elections.

**HCS for HBs 504, 505 and 874**—Judiciary and Civil and Criminal Jurisprudence.

**HB 658**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 707**—Jobs, Economic Development and Local Government.

**HB 138**—General Laws.

Senator Stouffer assumed the Chair.

**PRIVILEGED MOTIONS**

Senator Brown moved that the Senate refuse to concur in **HCS for SCS for SB 29**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

**HJR 2**, introduced by Representative McGhee, et al, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 5 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right to pray.

Was called from the Informal Calendar and taken up by Senator Goodman.

On motion of Senator Goodman, **HJR 2** was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

**NAYS—Senators—None****Absent—Senators—None****Absent with leave—Senators—None****Vacancies—None**

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HB 412**, with **SCS**, entitled:

An Act to repeal section 338.330, RSMo, and to enact in lieu thereof one new section relating to wholesale drug distributors.

Was taken up by Senator Wasson.

**SCS for HCS for HB 412**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 412

An Act to repeal sections 338.055 and 338.330, RSMo, and to enact in lieu thereof two new sections relating to the authority of the board of pharmacy, with an emergency clause for a certain section.

Was taken up.

Senator Wasson moved that **SCS for HCS for HB 412** be adopted.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 412, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“338.010. 1. The “practice of pharmacy” means the interpretation, implementation, and evaluation of medical prescription orders, including **any legend drugs under 21 U.S.C. Section 353**; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, **and veterinarians and their clients about legend drugs**, about the safe and effective use of drugs and devices; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his **or her** duties. This assistance in no way is intended to relieve the pharmacist from his **or her** responsibilities for compliance with this chapter and he **or she** will be responsible for the actions of the auxiliary personnel acting in his **or her** assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, **or** podiatry, or veterinary medicine **only for use in animals**, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, **administering, prescribing**, or dispensing of his **or her** own prescriptions.



2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.”; and

Further amend said bill, page 4, section 338.055, line 115, by inserting immediately after said line the

following:

“338.140. 1. The board of pharmacy shall have a common seal, and shall have power to adopt such rules and bylaws not inconsistent with law as may be necessary for the regulation of its proceedings and for the discharge of the duties imposed pursuant to sections 338.010 to 338.198, and shall have power to employ an attorney to conduct prosecutions or to assist in the conduct of prosecutions pursuant to sections 338.010 to 338.198.

2. The board shall keep a record of its proceedings.

3. The board of pharmacy shall make annually to the governor and, upon written request, to persons licensed pursuant to the provisions of this chapter a written report of its proceedings.

4. The board of pharmacy shall appoint an advisory committee composed of [five] **six** members, one of whom shall be a representative of pharmacy but who shall not be a member of the pharmacy board, three of whom shall be representatives of wholesale drug distributors as defined in section 338.330, [and] one of whom shall be a representative of drug manufacturers, **and one of whom shall be a licensed veterinarian recommended to the board of pharmacy by the board of veterinary medicine**. The committee shall review and make recommendations to the board on the merit of all rules and regulations dealing with pharmacy distributors, wholesale drug distributors [and], drug manufacturers, **and veterinary legend drugs** which are proposed by the board.

5. A majority of the board shall constitute a quorum for the transaction of business.

6. Notwithstanding any other provisions of law to the contrary, the board may issue letters of reprimand, censure or warning to any holder of a license or registration required pursuant to this chapter for any violations that could result in disciplinary action as defined in section 338.055.

338.150. Any person authorized by the board of pharmacy is hereby given the right of entry and inspection upon all open premises purporting or appearing to be drug or chemical stores, apothecary shops, pharmacies or places of business for exposing for sale, or the dispensing or selling of drugs, pharmaceuticals, medicines, chemicals or poisons or for the compounding of physicians' **or veterinarians'** prescriptions.

338.210. 1. Pharmacy refers to any location where the practice of pharmacy occurs or such activities are offered or provided by a pharmacist or another acting under the supervision and authority of a pharmacist, including every premises or other place:

(1) Where the practice of pharmacy is offered or conducted;

(2) Where drugs, chemicals, medicines, **any legend drugs under 21 U.S.C. Section 353**, prescriptions, or poisons are compounded, prepared, dispensed or sold or offered for sale at retail;

(3) Where the words “pharmacist”, “apothecary”, “drugstore”, “drugs”, and any other symbols, words or phrases of similar meaning or understanding are used in any form to advertise retail products or services;

(4) Where patient records or other information is maintained for the purpose of engaging or offering to engage in the practice of pharmacy or to comply with any relevant laws regulating the acquisition, possession, handling, transfer, sale or destruction of drugs, chemicals, medicines, prescriptions or poisons.

2. All activity or conduct involving the practice of pharmacy as it relates to an identifiable prescription or drug order shall occur at the pharmacy location where such identifiable prescription or drug order is first

presented by the patient or the patient's authorized agent for preparation or dispensing, unless otherwise expressly authorized by the board.

3. The requirements set forth in subsection 2 of this section shall not be construed to bar the complete transfer of an identifiable prescription or drug order pursuant to a verbal request by or the written consent of the patient or the patient's authorized agent.

4. The board is hereby authorized to enact rules waiving the requirements of subsection 2 of this section and establishing such terms and conditions as it deems necessary, whereby any activities related to the preparation, dispensing or recording of an identifiable prescription or drug order may be shared between separately licensed facilities.

5. If a violation of this chapter or other relevant law occurs in connection with or adjunct to the preparation or dispensing of a prescription or drug order, any permit holder or pharmacist-in-charge at any facility participating in the preparation, dispensing, or distribution of a prescription or drug order may be deemed liable for such violation.

6. Nothing in this section shall be construed to supersede the provisions of section 197.100.

338.220. 1. It shall be unlawful for any person, copartnership, association, corporation or any other business entity to open, establish, operate, or maintain any pharmacy as defined by statute without first obtaining a permit or license to do so from the Missouri board of pharmacy. A permit shall not be required for an individual licensed pharmacist to perform nondispensing activities outside of a pharmacy, as provided by the rules of the board. A permit shall not be required for an individual licensed pharmacist to administer drugs, vaccines, and biologicals by protocol, as permitted by law, outside of a pharmacy. The following classes of pharmacy permits or licenses are hereby established:

- (1) Class A: Community/ambulatory;
- (2) Class B: Hospital outpatient pharmacy;
- (3) Class C: Long-term care;
- (4) Class D: Nonsterile compounding;
- (5) Class E: Radio pharmaceutical;
- (6) Class F: Renal dialysis;
- (7) Class G: Medical gas;
- (8) Class H: Sterile product compounding;
- (9) Class I: Consultant services;
- (10) Class J: Shared service;
- (11) Class K: Internet;
- (12) Class L: Veterinary.

2. Application for such permit or license shall be made upon a form furnished to the applicant; shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration; and shall be accompanied by a permit or license fee. The permit or license issued

shall be renewable upon payment of a renewal fee. Separate applications shall be made and separate permits or licenses required for each pharmacy opened, established, operated, or maintained by the same owner.

3. All permits, licenses or renewal fees collected pursuant to the provisions of sections 338.210 to 338.370 shall be deposited in the state treasury to the credit of the Missouri board of pharmacy fund, to be used by the Missouri board of pharmacy in the enforcement of the provisions of sections 338.210 to 338.370, when appropriated for that purpose by the general assembly.

4. Class L: veterinary permit shall not be construed to prohibit or interfere with any legally registered practitioner of veterinary medicine in the compounding, **administering, prescribing,** or dispensing of their own prescriptions, **medicine, drug, or pharmaceutical product to be used for animals.**

5. [Notwithstanding any other law to the contrary] **Except for any legend drugs under 21 U.S.C. Section 353,** the provisions of this section shall not apply to the sale, dispensing, or filling of a pharmaceutical product or drug used for treating animals.

338.240. **1.** Upon evidence satisfactory to the said Missouri board of pharmacy:

(1) That the pharmacy for which a permit, or renewal thereof, is sought, will be conducted in full compliance with sections 338.210 to 338.300, with existing laws, and with the rules and regulations as established hereunder by said board;

(2) That the equipment and facilities of such pharmacy are such that it can be operated in a manner not to endanger the public health or safety;

(3) That such pharmacy is equipped with proper pharmaceutical and sanitary appliances and kept in a clean, sanitary and orderly manner;

(4) That the management of said pharmacy is under the supervision of either a registered pharmacist, or an owner or employee of the owner, who has at his **or her** place of business a registered pharmacist employed for the purpose of compounding physician's **or veterinarian's** prescriptions in the event any such prescriptions are compounded or sold;

(5) That said pharmacy is operated in compliance with the rules and regulations legally prescribed with respect thereto by the Missouri board of pharmacy, a permit or renewal thereof shall be issued to such persons as the said board of pharmacy shall deem qualified to conduct such pharmacy.

**2. In lieu of a registered pharmacist as required by subdivision (4) of subsection 1 of this section, a pharmacy permit holder that only holds a class L veterinary permit and no other pharmacy permit, may designate a supervising registered pharmacist who shall be responsible for reviewing the activities and records of the class L pharmacy permit holder as established by the board by rule. The supervising registered pharmacist shall not be required to be physically present on site during the business operations of a class L pharmacy permit holder identified in subdivision (5) of subsection 1 of this section when noncontrolled legend drugs under 21 U.S.C. Section 353 are being dispensed for use in animals, but shall be specifically present on site when any noncontrolled drugs for use in animals are being compounded.”; and**

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Crowell offered **SA 2:**

## SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 412, Page 1, In the Title, Line 3, by striking the words “the authority of the board of”; and

Further amend said bill and page, section A, line 3 by inserting after all of said line the following:

“208.798. [1. The provisions of sections 208.550 to 208.568 shall terminate following notice to the revisor of statutes by the Missouri RX plan advisory commission that the Medicare Prescription Drug, Improvement and Modernization Act of 2003 has been fully implemented.

2. Pursuant to section 23.253 of the Missouri sunset act, the provisions of the new program authorized under sections 208.780 to 208.798 shall automatically sunset August 28, 2011, unless reauthorized by an act of the general assembly] **The provisions of sections 208.780 to 208.798 shall terminate on August 28, 2014.**”; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Wasson moved that **SCS** for **HCS** for **HB 412**, as amended, be adopted, which motion prevailed.

Senator Wasson moved that **SCS** for **HCS** for **HB 412**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **SCS** for **HCS** for **HB 412**, as amended, to the Committee on Ways and Means and Fiscal Oversight.

**HCS** for **HB 407**, entitled:

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to certificates of insurance for property and casualty insurance coverage.

Was taken up by Senator Parson.

On motion of Senator Parson, **HCS** for **HB 407** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

## NAYS—Senators—None

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HB 265**, with **SCS**, entitled:

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to professional registration.

Was taken up by Senator Wasson.

**SCS for HCS for HB 265**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 265

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to notifying employers regarding the licensing status of employees.

Was taken up.

Senator Wasson moved that **SCS for HCS for HB 265** be adopted.

Senator Wasson offered **SS for SCS for HCS for HB 265**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 265

An Act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 436.405, 436.412, 436.445, 436.450, 436.455, and 436.456, RSMo, and to enact in lieu thereof fourteen new sections relating to professional registration.

Senator Wasson moved that **SS for SCS for HCS for HB 265** be adopted.

Senator Kehoe assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 265, Page 1, In the Title, Line 6 of the title, by striking “**professional registration**” and inserting in lieu thereof the following: “licensure of certain professions”; and

Further amend said bill, page 2, section 324.014, line 7, by inserting after all of said line the following:

“324.043. 1. Except as provided in this section, no disciplinary proceeding against any person or entity licensed, registered, or certified to practice a profession within the division of professional registration shall be initiated unless such action is commenced within three years of the date upon which the licensing, registering, or certifying agency received notice of an alleged violation of an applicable statute or regulation.

2. For the purpose of this section, notice shall be limited to:

(1) A written complaint;

(2) Notice of final disposition of a malpractice claim, including exhaustion of all extraordinary remedies and appeals;

(3) Notice of exhaustion of all extraordinary remedies and appeals of a conviction based upon a criminal statute of this state, any other state, or the federal government;

(4) Notice of exhaustion of all extraordinary remedies and appeals in a disciplinary action by a hospital, state licensing, registering or certifying agency, or an agency of the federal government.

3. For the purposes of this section, an action is commenced when a complaint is filed by the agency with the administrative hearing commission, any other appropriate agency, or in a court; or when a complaint is filed by the agency's legal counsel with the agency in respect to an automatic revocation or a probation violation.

4. Disciplinary proceedings based upon repeated negligence shall be exempt from all limitations set forth in this section.

5. Disciplinary proceedings based upon a complaint involving sexual misconduct shall be exempt from all limitations set forth in this section.

6. Any time limitation provided in this section shall be tolled:

(1) During any time the accused licensee, registrant, or certificant is practicing exclusively outside the state of Missouri or residing outside the state of Missouri and not practicing in Missouri;

(2) As to an individual complainant, during the time when such complainant is less than eighteen years of age;

(3) During any time the accused licensee, registrant, or certificant maintains legal action against the agency; or

(4) When a settlement agreement is offered to the accused licensee, registrant, or certificant, in an attempt to settle such disciplinary matter without formal proceeding pursuant to section 621.045 until the accused licensee, registrant, or certificant rejects or accepts the settlement agreement.

7. The licensing agency may, in its discretion, toll any time limitation when the accused **applicant**, licensee, registrant, or certificant enters into and participates in a treatment program for chemical dependency or mental impairment.

**324.045. 1. Notwithstanding any provision of chapter 536, in any proceeding initiated by the division of professional registration or any board, committee, commission, or office within the division of professional registration to determine the appropriate level of discipline or additional discipline, if any, against a licensee of the board, committee, commission, or office within the division, if the licensee against whom the proceeding has been initiated upon a properly pled writing filed to initiate the contested case and upon proper notice fails to plead or otherwise defend against the proceeding, the board, commission, committee, or office within the division shall enter a default decision against the licensee without further proceedings. The terms of the default decision shall not exceed the terms of discipline authorized by law for the division, board, commission, or committee. The division, office, board, commission, or committee shall provide the licensee notice of the default decision in writing.**

**2. Upon motion stating facts constituting a meritorious defense and for good cause shown, a**

default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. “Good cause” includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.”; and

Further amend said bill, page 13, section 333.171, line 19, by inserting after all of said line the following:

**“334.001. 1. Notwithstanding any other provision of law to the contrary, the following information is an open record and shall be released upon request of any person and may be published on the board’s website:**

**(1) The name of a licensee or applicant;**

**(2) The licensee’s business address;**

**(3) Registration type;**

**(4) Currency of the license, certificate, or registration;**

**(5) Professional schools attended;**

**(6) Degrees and certifications, including certification by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule;**

**(7) To the extent provided to the board after August 28, 2011, discipline by another state or administrative agency;**

**(8) Limitations on practice placed by a court of competent jurisdiction;**

**(9) Any final discipline by the board, including the content of the settlement agreement or order issued; and**

**(10) Whether a discipline case brought by the board is pending in the administrative hearing commission or any court.**

**2. All other information pertaining to a licensee or applicant not specifically denominated an open record in subsection 1 of this section is a closed record and confidential.**

**3. The board shall disclose confidential information without charge or fee upon written request of the licensee or applicant if the information is less than five years old. If the information requested is more than five years old, the board may charge a fee equivalent to the fee specified by regulation.**

**4. At its discretion, the board may disclose confidential information, without the consent of the licensee or applicant, to a licensee or applicant for a license in order to further a board investigation or to facilitate settlement negotiations with the board, in the course of voluntary exchange of information with another state’s licensing authority, pursuant to a court order, or to other administrative or law enforcement agencies acting within the scope of their statutory authority.**

**5. Information obtained from a federal administrative or law enforcement agency shall be disclosed only after the board has obtained written consent to the disclosure from the federal administrative or law enforcement agency.**

**6. The board is entitled to the attorney/client privilege and work product privilege to the same extent as any other person.**



334.040. 1. Except as provided in section 334.260, all persons desiring to practice as physicians and surgeons in this state shall be examined as to their fitness to engage in such practice by the board. All persons applying for examination shall file a completed application with the board [at least eighty days before the date set for examination upon blanks] **upon forms** furnished by the board.

2. The examination shall be sufficient to test the applicant's fitness to practice as a physician and surgeon. The examination shall be conducted in such a manner as to conceal the identity of the applicant until all examinations have been scored. In all such examinations an average score of not less than seventy-five percent is required to pass; provided, however, that the board may require applicants to take the Federation Licensing Examination, also known as FLEX, or the United States Medical Licensing Examination (USMLE). If the FLEX examination is required, a weighted average score of no less than seventy-five [percent] is required to pass. **Scores from one test administration of the FLEX shall not be combined or averaged with scores from other test administrations to achieve a passing score.** The passing score of the United States Medical Licensing Examination shall be determined by the board through rule and regulation. The board shall not issue a permanent license as a physician and surgeon or allow the Missouri state board examination to be administered to any applicant who has failed to achieve a passing score within three attempts on licensing examinations administered in one or more states or territories of the United States, the District of Columbia or Canada. The steps one, two and three of the United States Medical Licensing Examination shall be taken within a seven-year period with no more than three attempts on any step of the examination; however, the board may grant an extension of the seven-year period if the applicant has obtained a MD/PhD degree in a program accredited by the [liaison committee on medical education] **Liaison Committee on Medical Education (LCME)** and a regional university accrediting body **or a DO/PhD degree accredited by the American Osteopathic Association and a regional university accrediting body.** The board may waive the provisions of this section if the applicant is licensed to practice as a physician and surgeon in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia and no license issued to the applicant has been disciplined in any state or territory of the United States or the District of Columbia[. Prior to waiving the provisions of this section, the board may require the applicant to achieve a passing score on one of the following:

- (1) The American Specialty Board's certifying examination in the physician's field of specialization;
- (2) Part II of the FLEX; or

(3) The Federation portion of the State Medical Board's Special Purpose Examination (SPEX)] **and the applicant is certified in the applicant's area of specialty by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule.**

3. If the board waives the provisions of this section, then the license issued to the applicant may be limited or restricted to the applicant's board specialty. [Scores from one test administration shall not be combined or averaged with scores from other test administrations to achieve a passing score.] The board shall not be permitted to favor any particular school or system of healing.

**4. If an applicant has not actively engaged in the practice of clinical medicine or held a teaching or faculty position in a medical or osteopathic school approved by the American Medical Association, the Liaison Committee on Medical Education, or the American Osteopathic Association for any two years in the three year period immediately preceding the filing of his or her application for licensure,**

**the board may require successful completion of another examination, continuing medical education, or further training before issuing a permanent license. The board shall adopt rules to prescribe the form and manner of such reexamination, continuing medical education, and training.**

334.070. 1. Upon due application therefor and upon submission by such person of evidence satisfactory to the board that he **or she** is licensed to practice in this state, and upon the payment of fees required to be paid by this chapter, the board shall issue to [him] **such person** a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his **or her** office address [and residence address], the expiration date, and the date and number of the license to practice.

2. [Every person shall, upon receiving such certificate, cause it to be conspicuously displayed at all times in every office maintained by him in the state. If he maintains more than one office in this state, the board shall without additional fee issue to him duplicate certificates of registration for each office so maintained.] If any registrant shall change the location of his **or her** office during the period for which any certificate of registration has been issued, [he] **the registrant** shall, within fifteen days thereafter, notify the board of such change [and it shall issue to him without additional fee a new registration certificate showing the new location].

334.090. 1. Each applicant for registration under this chapter shall accompany the application for registration with a registration fee to be paid to the [director of revenue] **board**. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; but whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule and regulation, the delinquent fee may be waived by the board. Whenever any new license is granted to any person under the provisions of this chapter, the board shall, upon application therefor, issue to such licensee a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to section 536.021. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

**334.099. 1. The board may initiate a contested hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances:**

**(1) The board shall serve notice pursuant to section 536.067 of the contested hearing at least fifteen days prior to the hearing. Such notice shall include a statement of the reasons the board believes there is reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances;**

**(2) For purposes of this section and prior to any contested hearing, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to the licensee or applicant without the licensee's or applicant's consent, upon issuance of a subpoena by the board. These data and records shall be admissible without further authentication by either board or licensee at any hearing held pursuant to this section;**

**(3) After a contested hearing before the board, and upon a showing of reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances the board may require a licensee or applicant to submit to an examination. The board shall maintain a list of facilities approved to perform such examinations. The licensee or applicant may propose a facility not previously approved to the board and the board may accept such facility as an approved facility for such licensee or applicant by a majority vote;**

**(4) For purposes of this subsection, every licensee or applicant is deemed to have consented to an examination upon a showing of reasonable cause. The applicant or licensee shall be deemed to have waived all objections to the admissibility of testimony by the provider of the examination and to the admissibility of examination reports on the grounds that the provider of the examination's testimony or the examination is confidential or privileged;**

**(5) Written notice of the order for an examination shall be sent to the applicant or licensee by registered mail, addressed to the licensee or applicant at the licensee's or applicant's last known address on file with the board, or shall be personally served on the applicant or licensee. The order shall state the cause for the examination, how to obtain information about approved facilities, and a time limit for obtaining the examination. The licensee or applicant shall cause a report of the examination to be sent to the board;**

**(6) The licensee or applicant shall sign all necessary releases for the board to obtain and use the examination during a hearing and to disclose the recommendations of the examination as part of a disciplinary order;**

**(7) After receiving the report of the examination ordered in subdivision (3) of this subsection, the board may hold a contested hearing to determine if by clear and convincing evidence the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances. If the board finds that the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or excessive use or abuse of controlled substances, the board shall, after a hearing, enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of section 334.100; and**

**(8) The provisions of chapter 536 for a contested case, except those provisions or amendments which are in conflict with this section, shall apply to and govern the proceedings contained in this subsection and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence under chapter 536 relevant to the allegations.**

**2. Failure to submit to the examination when directed shall be cause for the revocation of the license of the licensee or denial of the application. No license may be reinstated or application granted until such time as the examination is completed and delivered to the board or the board withdraws its order.**

**3. Neither the record of proceedings nor the orders entered by the board shall be used against a licensee or applicant in any other proceeding, except for a proceeding in which the board or its members are a party or in a proceeding involving any state or federal agency.**

**4. A licensee or applicant whose right to practice has been affected under this section shall, at reasonable intervals not to exceed twelve months, be afforded an opportunity to demonstrate that he or she can resume the competent practice of his or her profession or should be granted a license. The board may hear such motion more often upon good cause shown.**

**5. The board shall promulgate rules and regulations to carry out the provisions of this section.**

**6. For purposes of this section, “examination” means a skills, multidisciplinary, or substance abuse evaluation.**

334.100. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant’s right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board’s order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board’s determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board’s decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person’s certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person’s ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense [an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception

or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination **including failing to establish a valid physician-patient relationship pursuant to section 334.108**, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

(i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;

(j) **Being listed on any state or federal sexual offender registry;**

(k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

[(k)] (l) Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;

[(l)] (m) Failure of any applicant or licensee[, other than the licensee subject to the investigation,] to cooperate with the board during any investigation;

[(m)] (n) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

[(n)] (o) Failure to timely pay license renewal fees specified in this chapter;

[(o)] (p) Violating a probation agreement, **order, or other settlement agreement** with this board or any

other licensing agency;

[(p)] **(q)** Failing to inform the board of the physician's current residence and business address;

[(q)] **(r)** Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;

**(s) Any other conduct that is unethical or unprofessional involving a minor;**

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter **or chapter 324**, or of any lawful rule or regulation adopted pursuant to this chapter **or chapter 324**;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, **including but not limited to any**

**provision of chapter 195**, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;

**(15) Knowingly making a false statement, orally or in writing to the board;**

**(16)** Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

[(16)] **(17)** Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

[(17)] **(18)** Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the federal Medicare program;

[(18)] **(19)** Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

[(19)] **(20)** Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

[(20)] **(21)** Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

[(21)] **(22)** Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

[(22)] **(23)** A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

[(23)] **(24) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;**

**(25) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;**

**(26) Revocation, suspension, limitation, probation, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, or voluntary termination of a controlled substance authority while under investigation;**

[(24)] **(27)** For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center[;

(25) Being unable to practice as a physician and surgeon or with a specialty with reasonable skill and safety to patients by reasons of medical or osteopathic incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physician to submit to a reexamination for the purpose of establishing his or her competency to practice as a physician or surgeon or with a specialty conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physician's or surgeon's professional conduct, or to submit to a mental or physical examination or combination thereof by at least three physicians, one selected by the physician compelled to take the examination, one selected by the board, and one selected by the two physicians so selected who are graduates of a professional school approved and accredited as reputable by the association which has approved and accredited as reputable the professional school from which the licensee graduated. However, if the physician is a graduate of a medical school not accredited by the American Medical Association or American Osteopathic Association, then each party shall choose any physician who is a graduate of a medical school accredited by the American Medical Association or the American Osteopathic Association;

(b) For the purpose of this subdivision, every physician licensed pursuant to this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board and further to have waived all objections to the admissibility of the examining physician's testimony or examination reports on the ground that the examining physician's testimony or examination is privileged;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physician or applicant without the physician's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physician, by registered mail, addressed to the physician at the physician's last known address. Failure of a physician to designate an examining physician to the board or failure to submit to the examination when directed shall constitute an admission of the allegations against the physician, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond



the physician's control. A physician whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physician can resume the competent practice as a physician and surgeon with reasonable skill and safety to patients;

(e) In any proceeding pursuant to this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physician in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of this section].

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient.

334.102. 1. [Upon receipt of information that the holder of any certificate of registration or authority, permit or license issued pursuant to this chapter may present a clear and present danger to the public health and safety, the executive secretary or director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending and/or restricting the holder of a certificate of registration or authority, permit or license if it believes:

(1) The licensee's acts, conduct or condition may have violated subsection 2 of section 334.100; and

(2) A licensee is practicing, attempting or intending to practice in Missouri; and

(3) Either a licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice, or another state, territory, federal agency or country has issued an order suspending or restricting the holder of a license or other right to practice a profession regulated by this chapter, or the licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.100; and

(4) The acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

(a) Shall be based on the sworn testimony or affidavits presented to the board;

(b) May be issued without notice and hearing to the licensee;

(c) Shall include the facts which lead the board to conclude that the acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety; and

(2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.

(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed pursuant to this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3.

5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing,

the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that either adopts, terminates or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the administrative hearing commission pursuant to section 621.110 and subsection 3 of section 334.100.

8. In cases where the board initiates summary suspension or restriction proceedings against a physician licensed pursuant to this chapter, and said petition is subsequently denied by the administrative hearing commission, in addition to any award made pursuant to sections 536.085 and 536.087, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.

9. Notwithstanding the provisions of this chapter or chapter 610 or chapter 621 to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.] **The board may apply to the administrative hearing commission for an emergency suspension or restriction of a licensee for the following causes:**

**(1) Engaging in sexual conduct, as defined in section 566.010, with a patient who is not the licensee's spouse, regardless of whether the patient consented;**

**(2) Engaging in sexual misconduct with a minor or person the licensee believes to be a minor. "Sexual misconduct" means any conduct of a sexual nature which would be illegal under state or federal law;**

**(3) Possession of a controlled substance in violation of chapter 195 or any state or federal law, rule, or regulation, excluding record keeping violations;**

**(4) Use of a controlled substance without a valid prescription;**

**(5) The licensee is adjudicated incapacitated or disabled by a court of competent jurisdiction;**

**(6) Habitual intoxication or dependence upon alcohol or controlled substances or failure to comply with a treatment or aftercare program entered into pursuant to a board order, settlement agreement, or as part of the licensee's professional health program;**

**(7) A report from a board approved facility or a professional health program stating the licensee is not fit to practice. For purposes of this section, a licensee is deemed to have waived all objections to the admissibility of testimony from the provider of the examination and admissibility of the**

examination reports. The licensee shall sign all necessary releases for the board to obtain and use the examination during a hearing; or

(8) Any conduct for which the board may discipline that constitutes a serious danger to the health, safety, or welfare of a patient or the public.

2. The board shall submit existing affidavits and existing certified court records together with a complaint alleging the facts in support of the board's request for an emergency suspension or restriction to the administrative hearing commission and shall supply the administrative hearing commission with the last home or business addresses on file with the board for the licensee. Within one business day of the filing of the complaint, the administrative hearing commission shall return a service packet to the board. The service packet shall include the board's complaint and any affidavits or records the board intends to rely on that have been filed with the administrative hearing commission. The service packet may contain other information in the discretion of the administrative hearing commission. Within twenty-four hours of receiving the packet, the board shall either personally serve the licensee or leave a copy of the service packet at all of the licensee's current addresses on file with the board. Prior to the hearing, the licensee may file affidavits and certified court records for consideration by the administrative hearing commission.

3. Within five days of the board's filing of the complaint, the administrative hearing commission shall review the information submitted by the board and the licensee and shall determine based on that information if probable cause exists pursuant to subsection 1 of this section and shall issue its findings of fact and conclusions of law. If the administrative hearing commission finds that there is probable cause, the administrative hearing commission shall enter the order requested by the board. The order shall be effective upon personal service or by leaving a copy at all of the licensee's current addresses on file with the board.

4. The administrative hearing commission shall hold a hearing within forty-five days of the board's filing of the complaint to determine if cause for discipline exists. The administrative hearing commission may grant a request for a continuance, but shall in any event, hold the hearing within one hundred twenty days of the board's initial filing. The board shall be granted leave to amend its complaint if it is more than thirty days prior to the hearing. If less than thirty days, the board may be granted leave to amend if public safety requires.

(1) If no cause for discipline exists, the administrative hearing commission shall issue findings of fact, conclusions of law, and an order terminating the emergency suspension or restriction.

(2) If cause for discipline exists, the administrative hearing commission shall issue findings of fact and conclusions of law and order the emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing before the board. The board shall hold a hearing following the certification of the record by the administrative hearing commission and may impose any discipline otherwise authorized by state law.

6. Any action under this section shall be in addition to and not in lieu of any discipline otherwise in the board's power to impose and may be brought concurrently with other actions.

7. If the administrative hearing commission does not find probable cause and does not grant the emergency suspension or restriction, the board shall remove all reference to such emergency suspension or restriction from its public records. Records relating to the suspension or restriction

shall be maintained in the board's files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written request of the licensee.

**8. (1) The board may initiate a hearing before the board, for discipline of any licensee's license or certificate upon receipt of one of the following:**

(a) Certified court records of a finding of guilt or plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or of the United States for any offense involving the qualifications, functions, or duties of any profession licensed or regulated under this chapter, for any offense involving fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(b) Evidence of final disciplinary action against the licensee's license, certification or registration issued by any other state, by any other agency or entity of this state or any other state or the United States or its territories, or any other country;

(c) Evidence of certified court records finding the licensee has been judged incapacitated or disabled under Missouri law or under the laws of any other state or of the United States or its territories.

**(2) The board shall provide the licensee not less than ten days notice of any hearing held pursuant to chapter 536.**

**(3) Upon a finding that cause exists to discipline a licensee's license the board may impose any discipline otherwise available when disciplining licensees of that same profession.**

**9. A final decision of the administrative hearing commission or the board shall be subject to judicial review pursuant to chapter 536.**

334.103. 1. A license issued under this chapter by the Missouri State Board of Registration for the Healing Arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense[, an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.

**334.108. 1. Prior to prescribing any drug, controlled substance, or other treatment through the internet, a physician shall establish a valid physician-patient relationship. This relationship shall include:**

(1) Obtaining a reliable medical history and performing a physical examination of the patient, adequate to establish the diagnosis for which the drug is being prescribed and to identify underlying conditions or contraindications to the treatment recommended or provided;

(2) Having sufficient dialogue with the patient regarding treatment options and the risks and benefits of treatment or treatments;

(3) If appropriate, following up with the patient to assess the therapeutic outcome;

(4) Maintaining a contemporaneous medical record that is readily available to the patient and, subject to the patient's consent, to the patient's other health care professionals; and

(5) Including the electronic prescription information as part of the patient's medical record.

2. The requirements of subsection 1 of this section may be satisfied by the prescribing physician's designee when treatment is provided in:

(1) A hospital as defined in section 197.020;

(2) A hospice program as defined in section 197.250;

(3) Home health services provided by a home health agency as defined in section 197.400;

(4) Accordance with a collaborative practice agreement as defined in section 334.104;

(5) Conjunction with a physician assistant licensed pursuant to section 334.738;

(6) Consultation with another physician who has an ongoing physician-patient relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications; or

(7) On-call or cross-coverage situations.

334.715. 1. The board may refuse to **issue or renew any** license [any applicant or may suspend, revoke, or refuse to renew the license of any licensee for any one or any combination of the causes provided in section 334.100, or if the applicant or licensee] **required under sections 334.700 to 334.725 for one or any combination of causes listed in subsection 2 of this section or any cause listed in section 334.100.** The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided in chapter 621. As an alternative to a refusal to issue or renew any certificate, registration, or authority, the board may, in its discretion, issue a license which is subject to reprimand, probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes listed in subsection 2 of this section or section 334.100. The board's order of reprimand, probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as

**provided in chapter 621 against any holder of a certificate of registration or authority, permit, or license required by sections 334.700 to 334.725 or any person who has failed to renew or has surrendered the person's certification of registration or license for any one or any combination of the following causes:**

(1) Violated or conspired to violate any provision of sections 334.700 to 334.725 or any provision of any rule promulgated pursuant to sections 334.700 to 334.725; or

(2) Has been found guilty of unethical conduct as defined in the ethical standards of the National Athletic Trainers Association or the National Athletic Trainers Association Board of Certification, or its successor agency, as adopted and published by the committee and the board and filed with the secretary of state; or

**(3) Any cause listed in section 334.100.**

[2. Upon receipt of a written application made in the form and manner prescribed by the board, the board may reinstate any license which has expired, been suspended or been revoked or may issue any license which has been denied; provided, that no application for reinstatement or issuance of license or licensure shall be considered until at least six months have elapsed from the date of denial, expiration, suspension, or revocation when the license to be reinstated or issued was denied issuance or renewal or was suspended or revoked for one of the causes listed in subsection 1 of this section.]

**3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:**

(1) Warn, censure, or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years; or

(2) Suspend the person's license, certificate, or permit for a period not to exceed three years; or

(3) Administer a public or private reprimand; or

(4) Deny the person's application for a license; or

(5) Permanently withhold issuance of a license or require the person to submit to the care, counseling, or treatment of physicians designated by the board at the expense of the individual to be examined; or

(6) Require the person to attend such continuing education courses and pass such examinations as the board may direct.

**4. In any order of revocation, the board may provide that the person shall not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll such time period.**

**5. Before restoring to good standing a license, certificate, or permit issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing education courses and pass such examinations as the board may direct.”; and**

Further amend said bill, page 22, section 436.456, line 1, by inserting after all of said line the following:

“536.063. In any contested case:

(1) The contested case shall be commenced by the filing of a writing by which the party or agency instituting the proceeding seeks such action as by law can be taken by the agency only after opportunity for hearing, or seeks a hearing for the purpose of obtaining a decision reviewable upon the record of the proceedings and evidence at such hearing, or upon such record and additional evidence, either by a court or by another agency. Answering, intervening and amendatory writings and motions may be filed in any case and shall be filed where required by rule of the agency, except that no answering instrument shall be required unless the notice of institution of the case states such requirement. Entries of appearance shall be permitted[.];

(2) Any writing filed whereby affirmative relief is sought shall state what relief is sought or proposed and the reason for granting it, and shall not consist merely of statements or charges phrased in the language of a statute or rule; provided, however, that this subdivision shall not apply when the writing is a notice of appeal as authorized by law[.];

(3) Reasonable opportunity shall be given for the preparation and presentation of evidence bearing on any issue raised or decided or relief sought or granted. Where issues are tried without objection or by consent, such issues shall be deemed to have been properly before the agency. Any formality of procedure may be waived by mutual consent[.];

(4) Every writing seeking relief or answering any other writing, and any motion shall state the name and address of the attorney, if any, filing it; otherwise the name and address of the party filing it[.];

(5) By rule the agency may require any party filing such a writing to furnish, in addition to the original of such writing, the number of copies required for the agency’s own use and the number of copies necessary to enable the agency to comply with the provisions of this subdivision hereinafter set forth. The agency shall, without charge therefor, mail one copy of each such writing, as promptly as possible after it is filed, to every party or his **or her** attorney who has filed a writing or who has entered his **or her** appearance in the case, and who has not theretofore been furnished with a copy of such writing and shall have requested copies of the writings; provided that in any case where the parties are so numerous that the requirements of this subdivision would be unduly onerous, the agency may in lieu thereof (a) notify all parties of the fact of the filing of such writing, and (b) permit any party to copy such writing[.];

**(6) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. “Good cause” includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

536.067. In any contested case:



(1) The agency shall promptly mail a notice of institution of the case to all necessary parties, if any, and to all persons designated by the moving party and to any other persons to whom the agency may determine that notice should be given. The agency or its clerk or secretary shall keep a permanent record of the persons to whom such notice was sent and of the addresses to which sent and the time when sent. Where a contested case would affect the rights, privileges or duties of a large number of persons whose interests are sufficiently similar that they may be considered as a class, notice may in a proper case be given to a reasonable number thereof as representatives of such class. In any case where the name or address of any proper or designated party or person is not known to the agency, and where notice by publication is permitted by law, then notice by publication may be given in accordance with any rule or regulation of the agency or if there is no such rule or regulation, then, in a proper case, the agency may by a special order fix the time and manner of such publication[.];

(2) The notice of institution of the case to be mailed as provided in this section shall state in substance:

(a) The caption and number of the case;

(b) That a writing seeking relief has been filed in such case, the date it was filed, and the name of the party filing the same;

(c) A brief statement of the matter involved in the case unless a copy of the writing accompanies said notice;

(d) Whether an answer to the writing is required, and if so the date when it must be filed;

(e) That a copy of the writing may be obtained from the agency, giving the address to which application for such a copy may be made. This may be omitted if the notice is accompanied by a copy of such writing;

(f) The location in the Code of State Regulations of any rules of the agency regarding discovery or a statement that the agency shall send a copy of such rules on request;

(3) Unless the notice of hearing hereinafter provided for shall have been included in the notice of institution of the case, the agency shall, as promptly as possible after the time and place of hearing have been determined, mail a notice of hearing to the moving party and to all persons and parties to whom a notice of institution of the case was required to be or was mailed, and also to any other persons who may thereafter have become or have been made parties to the proceeding. The notice of hearing shall state:

(a) The caption and number of the case;

(b) The time and place of hearing;

(4) No hearing in a contested case shall be had, except by consent, until a notice of hearing shall have been given substantially as provided in this section, and such notice shall in every case be given a reasonable time before the hearing. Such reasonable time shall be at least ten days except in cases where the public morals, health, safety or interest may make a shorter time reasonable; provided that when a longer time than ten days is prescribed by statute, no time shorter than that so prescribed shall be deemed reasonable;

**(5) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall**

**be entered against the holder of a license, registration, permit, or certificate of authority without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

536.070. In any contested case:

(1) Oral evidence shall be taken only on oath or affirmation[.];

(2) Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not the subject of the direct examination, to impeach any witness regardless of which party first called him **or her** to testify, and to rebut the evidence against him[.] **or her**;

(3) A party who does not testify in his **or her** own behalf may be called and examined as if under cross-examination[.];

(4) Each agency shall cause all proceedings in hearings before it to be suitably recorded and preserved. A copy of the transcript of such a proceeding shall be made available to any interested person upon the payment of a fee which shall in no case exceed the reasonable cost of preparation and supply[.];

(5) Records and documents of the agency which are to be considered in the case shall be offered in evidence so as to become a part of the record, the same as any other evidence, but the records and documents may be considered as a part of the record by reference thereto when so offered[.];

(6) Agencies shall take official notice of all matters of which the courts take judicial notice. They may also take official notice of technical or scientific facts, not judicially cognizable, within their competence, if they notify the parties, either during a hearing or in writing before a hearing, or before findings are made after hearing, of the facts of which they propose to take such notice and give the parties reasonable opportunity to contest such facts or otherwise show that it would not be proper for the agency to take such notice of them[.];

(7) Evidence to which an objection is sustained shall, at the request of the party seeking to introduce the same, or at the instance of the agency, nevertheless be heard and preserved in the record, together with any cross-examination with respect thereto and any rebuttal thereof, unless it is wholly irrelevant, repetitious, privileged, or unduly long[.];

(8) Any evidence received without objection which has probative value shall be considered by the agency along with the other evidence in the case. The rules of privilege shall be effective to the same extent that they are now or may hereafter be in civil actions. Irrelevant and unduly repetitious evidence shall be excluded[.];

(9) Copies of writings, documents and records shall be admissible without proof that the originals thereof cannot be produced, if it shall appear by testimony or otherwise that the copy offered is a true copy of the original, but the agency may, nevertheless, if it believes the interests of justice so require, sustain any objection to such evidence which would be sustained were the proffered evidence offered in a civil action

in the circuit court, but if it does sustain such an objection, it shall give the party offering such evidence reasonable opportunity and, if necessary, opportunity at a later date, to establish by evidence the facts sought to be proved by the evidence to which such objection is sustained[.];

(10) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of an act, transaction, occurrence or event, shall be admissible as evidence of the act, transaction, occurrence or event, if it shall appear that it was made in the regular course of any business, and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect the weight of such evidence, but such showing shall not affect its admissibility. The term “business” shall include business, profession, occupation and calling of every kind[.];

(11) The results of statistical examinations or studies, or of audits, compilations of figures, or surveys, involving interviews with many persons, or examination of many records, or of long or complicated accounts, or of a large number of figures, or involving the ascertainment of many related facts, shall be admissible as evidence of such results, if it shall appear that such examination, study, audit, compilation of figures, or survey was made by or under the supervision of a witness, who is present at the hearing, who testifies to the accuracy of such results, and who is subject to cross-examination, and if it shall further appear by evidence adduced that the witness making or under whose supervision such examination, study, audit, compilation of figures, or survey was made was basically qualified to make it. All the circumstances relating to the making of such an examination, study, audit, compilation of figures or survey, including the nature and extent of the qualifications of the maker, may be shown to affect the weight of such evidence but such showing shall not affect its admissibility[.];

(12) Any party or the agency desiring to introduce an affidavit in evidence at a hearing in a contested case may serve on all other parties (including, in a proper case, the agency) copies of such affidavit in the manner hereinafter provided, at any time before the hearing, or at such later time as may be stipulated. Not later than seven days after such service, or at such later time as may be stipulated, any other party (or, in a proper case, the agency) may serve on the party or the agency who served such affidavit an objection to the use of the affidavit or some designated portion or portions thereof on the ground that it is in the form of an affidavit; provided, however, that if such affidavit shall have been served less than eight days before the hearing such objection may be served at any time before the hearing or may be made orally at the hearing. If such objection is so served, the affidavit or the part thereof to which objection was made, may not be used except in ways that would have been permissible in the absence of this subdivision; provided, however, that such objection may be waived by the party or the agency making the same. Failure to serve an objection as aforesaid, based on the ground aforesaid, shall constitute a waiver of all objections to the introduction of such affidavit, or of the parts thereof with respect to which no such objection was so served, on the ground that it is in the form of an affidavit, or that it constitutes or contains hearsay evidence, or that it is not, or contains matters which are not, the best evidence, but any and all other objections may be made at the hearing. Nothing herein contained shall prevent the cross-examination of the affiant if he **or she** is present in obedience to a subpoena or otherwise and if he **or she** is present, he **or she** may be called for cross-examination during the case of the party who introduced the affidavit in evidence. If the affidavit is admissible in part only it shall be admitted as to such part, without the necessity of preparing a new affidavit. The manner of service of such affidavit and of such objection shall be by delivering or mailing copies thereof to the attorneys of record of the parties being served, if any, otherwise, to such parties, and

service shall be deemed complete upon mailing; provided, however, that when the parties are so numerous as to make service of copies of the affidavit on all of them unduly onerous, the agency may make an order specifying on what parties service of copies of such affidavit shall be made, and in that case a copy of such affidavit shall be filed with the agency and kept available for inspection and copying. Nothing in this subdivision shall prevent any use of affidavits that would be proper in the absence of this subdivision.”; and

“621.045. 1. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in those cases when, under the law, a license issued by any of the following agencies may be revoked or suspended or when the licensee may be placed on probation or when an agency refuses to permit an applicant to be examined upon his **or her** qualifications or refuses to issue or renew a license of an applicant who has passed an examination for licensure or who possesses the qualifications for licensure without examination:

Missouri State Board of Accountancy

Missouri State Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects

Board of Barber Examiners

Board of Cosmetology

Board of Chiropody and Podiatry

Board of Chiropractic Examiners

Missouri Dental Board

Board of Embalmers and Funeral Directors

Board of Registration for the Healing Arts

Board of Nursing

Board of Optometry

Board of Pharmacy

Missouri Real Estate Commission

Missouri Veterinary Medical Board

Supervisor of Liquor Control

Department of Health and Senior Services

Department of Insurance, Financial Institutions and Professional Registration

Department of Mental Health

Board of Private Investigator Examiners.

2. If in the future there are created by law any new or additional administrative agencies which have the power to issue, revoke, suspend, or place on probation any license, then those agencies are under the provisions of this law.

3. The administrative hearing commission is authorized to conduct hearings and make findings of fact and conclusions of law in those cases brought by the Missouri state board for architects, professional

engineers, professional land surveyors and landscape architects against unlicensed persons under section 327.076.

4. Notwithstanding any other provision of this section to the contrary, after August 28, 1995, in order to encourage settlement of disputes between any agency described in subsection 1 or 2 of this section and its licensees, any such agency shall:

(1) Provide the licensee with a written description of the specific conduct for which discipline is sought and a citation to the law and rules allegedly violated, together with copies of any documents which are the basis thereof and the agency's initial settlement offer, or file a contested case against the licensee;

(2) If no contested case has been filed against the licensee, allow the licensee at least sixty days, from the date of mailing, to consider the agency's initial settlement offer and to contact the agency to discuss the terms of such settlement offer;

(3) If no contested case has been filed against the licensee, advise the licensee that the licensee may, either at the time the settlement agreement is signed by all parties, or within fifteen days thereafter, submit the agreement to the administrative hearing commission for determination that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee; and

(4) In any contact under this subsection by the agency or its counsel with a licensee who is not represented by counsel, advise the licensee that the licensee has the right to consult an attorney at the licensee's own expense.

5. If the licensee desires review by the administrative hearing commission under subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming final, the licensee may rescind and withdraw from the settlement and any admissions of fact or law in the agreement shall be deemed withdrawn and not admissible for any purposes under the law against the licensee. Any settlement submitted to the administrative hearing commission shall not be effective and final unless and until findings of fact and conclusions of law are entered by the administrative hearing commission that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee.

**6. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under sections 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

621.100. 1. Upon receipt of a written complaint from an agency named in section 621.045 in a case relating to a holder of a license granted by such agency, or upon receipt of such complaint from the attorney general, the administrative hearing commission shall cause a copy of said complaint to be served upon such licensee in person, **or by leaving a copy of the complaint at the licensee's dwelling house or usual place**

of abode or last address given to the agency by the licensee with some person residing or present therein over the age of fifteen, or by certified mail, together with a notice of the place of and the date upon which the hearing on said complaint will be held. If service cannot be accomplished [in person or by certified mail] **as described in this section**, notice by publication as described in subsection 3 of section 506.160 shall be allowed; any commissioner is authorized to act as a court or judge would in that section, and any employee of the commission is authorized to act as a clerk would in that section. In any case initiated upon complaint of the attorney general, the agency which issued the license shall be given notice of such complaint and the date upon which the hearing will be held by delivery of a copy of such complaint and notice to the office of such agency or by certified mail. Such agency may intervene and may retain the services of legal counsel to represent it in such case.

**2. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section and section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. “Good cause” includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

**3.** In any case initiated under this section, the custodian of the records of an agency may prepare a sworn affidavit stating truthfully pertinent information regarding the license status of the licensee charged in the complaint, including only: the name of the licensee; his **or her** license number; its designated date of expiration; the date of his **or her** original Missouri licensure; the particular profession, practice or privilege licensed; and the status of his **or her** license as current and active or otherwise. This affidavit shall be received as substantial and competent evidence of the facts stated therein notwithstanding any objection as to the form, manner of presentment or admissibility of this evidence, and shall create a rebuttable presumption of the veracity of the statements therein; provided, however, that the procedures specified in section 536.070 shall apply to the introduction of this affidavit in any case where the status of this license constitutes a material issue of fact in the proof of the cause charged in the complaint.

621.110. Upon a finding in any cause charged by the complaint for which the license may be suspended or revoked as provided in the statutes and regulations relating to the profession or vocation of the licensee **and within one hundred twenty days of the date the case became ready for decision**, the commission shall deliver or transmit by mail to the agency which issued the license the record and a transcript of the proceedings before the commission together with the commission’s findings of fact and conclusions of law. The commission may make recommendations as to appropriate disciplinary action but any such recommendations shall not be binding upon the agency. A copy of the findings of fact, conclusions of law and the commission’s recommendations, if any, shall be delivered or transmitted by mail to the licensee if the licensee’s whereabouts are known, and to any attorney who represented the licensee. Within thirty days after receipt of the record of the proceedings before the commission and the findings of fact, conclusions of law, and recommendations, if any, of the commission, the agency shall set the matter for hearing upon

the issue of appropriate disciplinary action and shall notify the licensee of the time and place of the hearing, provided that such hearing may be waived by consent of the agency and licensee where the commission has made recommendations as to appropriate disciplinary action. In case of such waiver by the agency and licensee, the recommendations of the commission shall become the order of the agency. The licensee may appear at said hearing and be represented by counsel. The agency may receive evidence relevant to said issue from the licensee or any other source. After such hearing the agency may order any disciplinary measure it deems appropriate and which is authorized by law. In any case where the commission fails to find any cause charged by the complaint for which the license may be suspended or revoked, the commission shall dismiss the complaint, and so notify all parties.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 265**, as amended, be adopted, which motion prevailed.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 265**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **SS** for **SCS** for **HCS** for **HB 265**, as amended, to the Committee on Ways and Means and Fiscal Oversight.

At the request of Senator Stouffer, **HB 484** was placed on the Informal Calendar.

At the request of Senator Stouffer, **HCS** for **HB 430**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dempsey, **HB 1008**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 604**, with **SCS**, entitled:

An Act to repeal sections 210.496, 211.447, and 453.070, RSMo, and to enact in lieu thereof three new sections relating to parental rights of individuals with disabilities.

Was taken up by Senator Rupp.

**SCS** for **HCS** for **HB 604**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 604

An Act to repeal sections 210.112, 210.496, 210.498, 210.565, 210.566, 211.031, 211.447, and 453.070, RSMo, and to enact in lieu thereof eleven new sections relating to parental rights.

Was taken up.

Senator Rupp moved that **SCS** for **HCS** for **HB 604** be adopted.

Senator Rupp offered **SS** for **SCS** for **HCS** for **HB 604**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 604

An Act to repeal sections 210.112, 210.496, 210.498, 210.565, 211.031, 211.447, and 453.070, RSMo,

and to enact in lieu thereof ten new sections relating to parental rights.

Senator Rupp moved that **SS** for **SCS** for **HCS** for **HB 604** be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SCS** for **HCS** for **HB 604** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 111**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 562**, with **SCS**, entitled:

An Act to repeal sections 210.101 and 210.102, RSMo, and to enact in lieu thereof three new sections relating to the Missouri children's services commission which oversees the Missouri task force on prematurity and infant mortality.

Was taken up by Senator Schmitt.

**SCS** for **HCS** for **HB 562**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 562

An Act to repeal sections 210.101, 210.102, 210.211, and 210.245, RSMo, and to enact in lieu thereof seven new sections relating to the well-being of children, with a penalty provision.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 562** be adopted.

At the request of Senator Schmitt, **HCS** for **HB 562**, with **SCS** (pending), was placed on the Informal Calendar.



**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 798**, **HB 141**, **HB 153**, **HCS** for **HB 363**, **HB 415** and **HB 813** and has taken up and passed **SCS** for **HB 798**, **HB 141**, **HB 153**, **HCS** for **HB 363**, **HB 415** and **HB 813**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 307** and **HB 812** and has taken up and passed **SCS** for **HB 307** and **HB 812**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 388** and has taken up and passed **SCS** for **HB 388**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 631** and has taken up and passed **SCS** for **HCS** for **HB 631**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 270** and has taken up and passed **SCS** for **HB 270**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 186** and has taken up and passed **SCS** for **HB 186**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 149** and has taken up and passed **SCS** for **HB 149**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 250**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 29**, as amended, and grants the Senate a conference thereon.

**PRIVILEGED MOTIONS**

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 270**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SB 284**, as amended, and request

the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 250**, as amended: Senators Kehoe, Goodman, Engler, Callahan and Keaveny.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 29**, as amended: Senators Brown, Dempsey, Crowell, Justus and Keaveny.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HCS** for **HBs 300, 334 and 387**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 506**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HBs 600, 337 and 413**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 213**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HBs 223 and 231**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, Senator Dempsey submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 840**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 344**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

### **RESOLUTIONS**

Senator Goodman offered Senate Resolution No. 1069, regarding Evdokia Romanova, Samara, Russia, which was adopted.

Senator Nieves offered Senate Resolution No. 1070, regarding Ian Yenzer, Union, which was adopted.

Senator Engler offered Senate Resolution No. 1071, regarding Rebecca L. Ruth, which was adopted.

Senator Engler offered Senate Resolution No. 1072, regarding Janice A. Volz, which was adopted.

Senator Engler offered Senate Resolution No. 1073, regarding Judy A. Rosener, which was adopted.

Senator Richard offered Senate Resolution No. 1074, regarding Bill Gipson, Carl Junction, which was adopted.

Senator Richard offered Senate Resolution No. 1075, regarding Parker Scott Belden, Joplin, which was adopted.

Senator Green offered Senate Resolution No. 1076, regarding Phyllis Hughes, which was adopted.

Senator Goodman offered Senate Resolution No. 1077, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. John Brafford, Mt. Vernon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1078, regarding the Twenty-fifth Wedding Anniversary of Mr. and Mrs. Ronald Alexander, Memphis, which was adopted.

Senator Goodman offered Senate Resolution No. 1079, regarding Port of Kimberling Resort Hotel, which was adopted.

Senator Goodman offered Senate Resolution No. 1080, regarding the late Lloyd Presley, Branson, which was adopted.

Senator Parson offered Senate Resolution No. 1081, regarding Kimberly Wilken, Cole Camp, which was adopted.

Senator Parson offered Senate Resolution No. 1082, regarding Danielle Farr, Creighton, which was adopted.

Senator Engler offered Senate Resolution No. 1083, regarding Keaton Stewart Ashlock, Bolivar, which was adopted.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS**, as amended, for **SCS** for **HCS** for **HBs 73** and **47** and has taken up and passed **SS** for **SCS** for **HCS** for **HBs 73** and **47**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 256** and has taken up and passed **SCS** for **HB 256**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 214** and has taken up and passed **SCS** for **HCS** for **HB 214**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HB 737** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 250**, as amended. Representatives: Schad, Cierpiot, Higdon, Colona and Swearingen.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 29**, as amended. Representatives: Jones (117), Wells, Frederick, Talboy and Swinger.

### PRIVILEGED MOTIONS

Senator Stouffer moved that **SB 3**, with **HCS No. 2**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS No. 2** for **SB 3**, as amended, was again taken up.

Senator Stouffer moved that **HCS No. 2** for **SB 3**, as amended, be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Callahan	Cunningham	Dempsey	Dixon	Engler	Goodman	Green
Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Rupp	Schaaf	Schaefer	Schmitt

Stouffer—25

#### NAYS—Senators

Chappelle-Nadal	Crowell	Curls	Justus	Lembke	Purgason	Ridgeway	Wright-Jones—8
-----------------	---------	-------	--------	--------	----------	----------	----------------

Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Stouffer, **HCS No. 2** for **SB 3**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Dempsey	Dixon	Engler	Goodman	Green
Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Rupp	Schaaf	Schaefer	Schmitt

Stouffer—25

NAYS—Senators

Chappelle-Nadal	Crowell	Curls	Justus	Lembke	Purgason	Ridgeway	Wasson
-----------------	---------	-------	--------	--------	----------	----------	--------

Wright-Jones—9

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### HOUSE BILLS ON THIRD READING

At the request of Senator Rupp, **HB 525** was placed on the Informal Calendar.

**HCS** for **HB 523**, with **SCS**, was placed on the Informal Calendar.

**HB 167**, introduced by Representative Nolte, et al, with **SCA 1**, entitled:

An Act to repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to drivers' examinations.

Was taken up by Senator Nieves.

**SCA 1** was taken up.

Senator Nieves moved that the above committee amendment be adopted.

At the request of Senator Nieves, **HB 167**, with **SCA 1** (pending), was placed on the Informal Calendar.

At the request of Senator Wasson, **HB 402** was placed on the Informal Calendar.

**HCS** for **HBs 470** and **429**, with **SCS**, entitled:

An Act to repeal sections 67.641 and 143.183, RSMo, and to enact in lieu thereof two new sections

relating to the nonresident entertainers tax.

Was taken up by Senator Rupp.

**SCS** for **HCS** for **HBs 470** and **429**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 470 and 429

An Act to repeal sections 67.641 and 143.183, RSMo, and to enact in lieu thereof two new sections relating to the nonresident entertainers tax.

Was taken up.

Senator Rupp moved that **SCS** for **HCS** for **HBs 470** and **429** be adopted.

Senator Rupp offered **SS** for **SCS** for **HCS** for **HBs 470** and **429**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NOS. 470 and 429

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to the nonresident entertainers tax.

Senator Rupp moved that **SS** for **SCS** for **HCS** for **HBs 470** and **429** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 470 and 429, Page 3, Section 143.183, Line 20, by striking the opening bracket “[” on said line and further amend line 22 by striking the closing bracket “]”; and further amend line 26 by striking the opening bracket “[” and closing bracket “]” on said line; and further amend page 4 line 9 by striking the opening bracket “[” on said line and further amend line 11 by striking the closing bracket “]”; and further amend line 15 by striking the opening bracket “[” on said line and further amend line 16 by striking the closing bracket “]”; and further amend line 25 by striking the opening bracket “[” on said line and further amend line 27 by striking the closing bracket “]”; and further amend page 5 line 3 by striking the opening bracket “[” on said line and further amend line 4 by striking the closing bracket “]”; and further amend line 14 by striking the opening bracket “[” on said line and further amend line 16 by striking the closing bracket “]”; and further amend line 20 by striking the opening bracket “[” on said line and further amend line 21 by striking the closing bracket “]”; and further amend page 6 line 21 by striking the opening bracket “[” on said line and further amend line 23 by striking the closing bracket “]”; and further amend line 27 by striking the opening bracket “[” on said line and further amend line 28 by striking the closing bracket “]”; and further amend page 7 line 9 by striking the opening bracket “[” on said line and further amend line 19 by striking the closing bracket “]”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway offered **SA 2**, which was read:

## SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 470 and 429, Page 5, Section 143.183, Line 28, by inserting immediately after the word “year” the following “[”]; and further amend page 6 line 19 by inserting after the word “grants” the following “[”].

Senator Ridgeway moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

At the request of Senator Rupp, **HCS** for **HBs 470** and **429**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

**HCS** for **HB 38**, with **SCS**, entitled:

An Act to amend chapter 221, RSMo, by adding thereto one new section relating to jailors.

Was taken up by Senator Wright-Jones.

**SCS** for **HCS** for **HB 38**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 38

An Act to repeal section 71.220, RSMo, and to enact in lieu thereof two new sections relating to jails.

Was taken up.

Senator Wright-Jones moved that **SCS** for **HCS** for **HB 38** be adopted, which motion prevailed.

On motion of Senator Wright-Jones, **SCS** for **HCS** for **HB 38** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—32

NAYS—Senator Wasson—1

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wright-Jones, title to the bill was agreed to.

Senator Wright-Jones moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 68**, introduced by Representative Scharnhorst, entitled:

An Act to repeal section 190.308, RSMo, and to enact in lieu thereof one new section relating to misuse of emergency telephone service, with an existing penalty provision.

Was taken up by Senator Nieves.

On motion of Senator Nieves, **HB 68** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Schaefer—1

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 161**, with **SCS**, entitled:

An Act to repeal sections 67.1000, 67.1002, 67.1003, 67.1005, 67.1006, and 67.1008, RSMo, and to enact in lieu thereof five new sections relating to county transient guest taxes for tourism purposes.

Was taken up by Senator Parson.

**SCS** for **HCS** for **HB 161**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 161

An Act to repeal sections 67.1000, 67.1002, 67.1003, 67.1005, 67.1006, 67.1008, and 94.900, RSMo, and to enact in lieu thereof six new sections relating to certain taxes imposed by local governments.

Was taken up.

Senator Parson moved that **SCS** for **HCS** for **HB 161** be adopted.

Senator Parson offered **SS** for **SCS** for **HCS** for **HB 161**, entitled:



SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 161

An Act to repeal sections 67.1000, 67.1002, 67.1003, 67.1005, 67.1006, 67.1303, 67.1956, 94.900, and 181.060, RSMo, and to enact in lieu thereof nine new sections relating to certain taxes imposed by local governments.

Senator Parson moved that **SS** for **SCS** for **HCS** for **HB 161** be adopted, which motion prevailed.

Senator Ridgeway assumed the Chair.

On motion of Senator Parson, **SS** for **SCS** for **HCS** for **HB 161** was read the 3rd time and passed by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler	Goodman
Justus	Kehoe	Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—25

NAYS—Senators

Brown	Cunningham	Green	Keaveny	Kraus	Lager	Lembke	Nieves
-------	------------	-------	---------	-------	-------	--------	--------

Purgason—9

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**PRIVILEGED MOTIONS**

Senator Lager moved that the Senate refuse to recede from its position on **SCS** for **HB 737**, and grant the House a conference thereon, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 430**, with **SCS**, entitled:

An Act to repeal sections 301.3084, 302.181, 304.120, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, 390.280, and 571.101, RSMo, and to enact in lieu thereof twenty new sections relating to transportation.

Was called from the Informal Calendar and taken up by Senator Stouffer.

**SCS** for **HCS** for **HB 430**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 430

An Act to repeal sections 21.795, 70.441, 144.030, 226.095, 226.520, 227.107, 301.010, 301.3084, 302.181, 302.291, 302.309, 302.341, 302.700, 304.120, 304.200, 304.820, 323.020, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, 390.280, 558.021, 571.101, and 577.023, RSMo, and to enact in lieu thereof thirty-eight new sections relating to transportation, with existing penalty provisions and a contingent effective dates for certain sections.

Was taken up.

Senator Stouffer moved that **SCS** for **HCS** for **HB 430** be adopted.

Senator Stouffer offered **SS** for **SCS** for **HCS** for **HB 430**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 430

An Act to repeal sections 21.795, 70.441, 144.030, 226.095, 226.520, 227.107, 301.010, 301.147, 301.225, 301.559, 301.560, 301.562, 302.181, 302.291, 302.309, 302.341, 302.700, 304.120, 304.180, 304.200, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, 390.280, 558.021, 571.101, and 577.023, RSMo, and to enact in lieu thereof forty-three new sections relating to transportation, with penalty provisions, a contingent effective dates for certain sections, and effective dates for certain sections.

Senator Stouffer moved that **SS** for **SCS** for **HCS** for **HB 430** be adopted.

Senator Green raised the point of order that **SS** for **SCS** and **SCS** are out of order as they go beyond the scope and title of the underlying bill.

The point of order was referred to the President Pro Tem who took it under advisement, which placed the bill back on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 32**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 39**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS**, as amended, for **SCS** for **HB 137** and has taken up and passed **SS** for **SCS** for **HB 137**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 641** and has taken up and passed **SCS** for **HCS** for **HB 641**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCA 1** to **HCS** for **HB 197** and has taken up and passed **HCS** for **HB 197**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **HB 340** and has taken up and passed **HB 340**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **HCS** for **HB 338** and has taken up and passed **SS** for **HCS** for **HB 338**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 578** and has taken up and passed **SCS** for **HCS** for **HB 578**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HB 282**, as amended and has taken up and passed **SS** for **SCS** for **HB 282**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 604** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 604**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 591** and has taken up and passed **SCS** for **HB 591**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS No. 2**, as amended, for **HB 648** and has taken up and passed **SS No. 2** for **HB 648**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 284**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 270**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 270**, as amended. Representatives: Dugger, Wells, Smith (150), Conway (27) and Newman.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 323**.

With House Amendment Nos. 1 and 3.

#### HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 323, Page 2, Section 29.375, Line 20, by inserting after all of said section and line, the following:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the “Missouri Housing Development Commission” which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars

per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

**6. The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 323, Page 2, Section 29.375, Line 20, by inserting after all of said line the following:

**“4. In addition, a comparative audit of the Missouri House of Representatives and the Missouri Senate shall be performed.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

#### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 284**, as amended: Senators Wasson, Parson, Richard, Callahan and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 270**, as amended: Senators Kraus, Engler, Cunningham, Justus and Wright-Jones.

#### PRIVILEGED MOTIONS

Senator Lager moved that **SB 187**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 187**, entitled:

#### HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 187

An Act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

Was taken up.

Senator Lager moved that **HCS** for **SB 187** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Kehoe	Kraus	Lager	Lamping	Mayer	Munzlinger	Nieves	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Green	Justus	Keaveny	Lembke	McKenna	Wright-Jones—8
-----------------	-------	-------	--------	---------	--------	---------	----------------

Absent—Senators

Parson	Schaefer—2
--------	------------

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lager, **HCS** for **SB 187** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Kehoe	Kraus	Lager	Lamping	Mayer	Munzlinger	Nieves	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Green	Justus	Keaveny	Lembke	McKenna	Wright-Jones—8
-----------------	-------	-------	--------	---------	--------	---------	----------------

Absent—Senators

Parson	Schaefer—2
--------	------------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Engler, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 282**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 282

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 282, with

House Amendment Nos. 1, 2, 3 and 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 282, as amended;
2. The Senate recede from its position on Senate Bill No. 282;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler

/s/ Jay Wasson

/s/ Ron Richard

/s/ Jolie Justus

/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Tony Dugger

/s/ Jason Smith

/s/ Stan Cox

/s/ Pat Conway

/s/ Stacey Newman

Senator Engler moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Green Lager—2

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Engler, **CCS** for **HCS** for **SB 282**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 282

An Act to repeal sections 28.190, 29.280, 30.060, 30.070, 30.080, 52.010, 54.033, 54.330, 78.090, 105.030, 105.040, 105.050, 115.015, 115.123, 115.124, 115.127, 115.241, 115.293, 115.342, 115.601, 115.637, 115.755, and 115.761, RSMo, and to enact in lieu thereof twenty-three new sections relating to elections, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Green Lager—2

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Keaveny, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 59**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 59

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 59, with House Amendment Nos. 1, 2, 3, 4, 5 & 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 59, as amended;
2. The Senate recede from its position on Senate Bill No. 59;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 59, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph P. Keaveny  
/s/ Jack A.L. Goodman  
/s/ Jason Crowell  
/s/ Luann Ridgeway

FOR THE HOUSE:

/s/ John Diehl  
/s/ Stan Cox  
/s/ Caleb Jones  
/s/ Chris Kelly



/s/ Jolie Justus

/s/ Kevin McManus

Senator Keaveny moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Keaveny, **CCS** for **HCS** for **SB 59**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 59

An Act to repeal sections 404.710, 456.3-301, 456.5-505, 456.8-813, 469.411, 469.437, 469.459, 475.060, 475.061, 475.115, 482.305, and 482.315, RSMo, and to enact in lieu thereof forty-two new sections relating to judicial procedures.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

Senator Stouffer moved that **HCS** for **HB 430**, with **SCS**, **SS** for **SCS** and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Green, the point of order was withdrawn.

**SS** for **SCS** for **HCS** for **HB 430**, was again taken up.

Senator Stouffer offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Pages 79-83, Section 302.181, by striking all of said section from the bill; and

Further amend said bill, pages 83 to 87, section 302.291, by striking all of said section from the bill; and

Further amend said bill, pages 137 to 146, section 571.101 by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer offered **SA 2**:

#### **SENATE AMENDMENT NO. 2**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 116, Section 304.180, Line 12 of said page, by striking the following: “the Arkansas state line” and inserting in lieu thereof the following: “**U.S. Highway 36**”.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer offered **SA 3**:

#### **SENATE AMENDMENT NO. 3**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 18, Section 144.030, Line 13 of said page, by striking said line and inserting in lieu thereof the following: “trailers used by [common] carriers [, as defined in section”]; and further amend line 14 of said page, by inserting after “390.020,]” the following: “**who have received federal authority to haul for hire**”.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Lembke offered **SA 4**:

#### **SENATE AMENDMENT NO. 4**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 118, Section 304.200, Line 11, by inserting immediately after said line the following:

“**304.289. The timing of any traffic-control signal shall conform to regulations promulgated by the**

**Department of Transportation. The department of transportation shall establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard.”; and**

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Lembke offered **SA 5**:

**SENATE AMENDMENT NO. 5**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 78, Section 301.4036, Line 29, by inserting after all of said line the following:

“302.010. Except where otherwise provided, when used in this chapter, the following words and phrases mean:

(1) “Circuit court”, each circuit court in the state;

(2) “Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than fifteen passengers;

(3) “Conviction”, any final conviction; also a forfeiture of bail or collateral deposited to secure a defendant’s appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction, except that when any conviction as a result of which points are assessed pursuant to section 302.302 is appealed, the term “conviction” means the original judgment of conviction for the purpose of determining the assessment of points, and the date of final judgment affirming the conviction shall be the date determining the beginning of any license suspension or revocation pursuant to section 302.304;

(4) “Director”, the director of revenue acting directly or through the director’s authorized officers and agents;

(5) “Farm tractor”, every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry;

(6) “Highway”, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;

(7) “Incompetent to drive a motor vehicle”, a person who has become physically incapable of meeting the prescribed requirements of an examination for an operator’s license, or who has been adjudged by a probate division of the circuit court in a capacity hearing of being incapacitated;

(8) “License”, a license issued by a state to a person which authorizes a person to operate a motor vehicle;

(9) “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks except motorized bicycles, as defined in section 307.180;

(10) “Motorcycle”, a motor vehicle operated on two wheels; however, this definition shall not include motorized bicycles as defined in section 301.010;

(11) “Motortricycle”, a motor vehicle operated on three wheels, including a motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a third wheel;

(12) “Moving violation”, that character of traffic violation where at the time of violation the motor vehicle involved is in motion, except that the term does not include the driving of a motor vehicle without a valid motor vehicle registration license, or violations of sections 304.170 to 304.240, inclusive, relating to sizes and weights of vehicles. **The term “moving violation” shall also include any violation of any state law, county ordinance, or municipal ordinance governing the operation of a motor vehicle with respect to violations described in section 304.010 and sections 304.271 to 304.331. Such traffic violations shall be deemed moving violations regardless of how such violations are enforced or whether or not such violations are committed within or outside the presence of a law enforcement officer at the time of the violation;**

(13) “Municipal court”, every division of the circuit court having original jurisdiction to try persons for violations of city ordinances;

(14) “Nonresident”, every person who is not a resident of this state;

(15) “Operator”, every person who is in actual physical control of a motor vehicle upon a highway;

(16) “Owner”, a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of sections 302.010 to 302.540;

(17) “Record” includes, but is not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, digitized images, deposited or filed with the department of revenue;

(18) “Residence address”, “residence”, or “resident address” shall be the location at which a person has been physically present, and that the person regards as home. A residence address is a person’s true, fixed, principal, and permanent home, to which a person intends to return and remain, even though currently residing elsewhere;

(19) “Restricted driving privilege”, a driving privilege issued by the director of revenue following a suspension of driving privileges for the limited purpose of driving in connection with the driver’s business, occupation, employment, formal program of secondary, postsecondary or higher education, or for an alcohol education or treatment program or certified ignition interlock provider;

(20) “School bus”, when used in sections 302.010 to 302.540, means any motor vehicle, either publicly or privately owned, used to transport students to and from school, or to transport pupils properly chaperoned to and from any place within the state for educational purposes. The term “school bus” shall not include a bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interstate transportation of passengers when such bus is not traveling a specific school bus route but is:

(a) On a regularly scheduled route for the transportation of fare-paying passengers; or

(b) Furnishing charter service for the transportation of persons enrolled as students on field trips or other special trips or in connection with other special events;

(21) “School bus operator”, an operator who operates a school bus as defined in subdivision (20) of this section in the transportation of any schoolchildren and who receives compensation for such service. The term “school bus operator” shall not include any person who transports schoolchildren as an incident to employment with a school or school district, such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under contract with or employed by a school or school district as a school bus operator;

(22) “Signature”, any method determined by the director of revenue for the signing, subscribing or verifying of a record, report, application, driver’s license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, application, driver’s license or related document;

(23) “Substance abuse traffic offender program”, a program certified by the division of alcohol and drug abuse of the department of mental health to provide education or rehabilitation services pursuant to a professional assessment screening to identify the individual needs of the person who has been referred to the program as the result of an alcohol- or drug-related traffic offense. Successful completion of such a program includes participation in any education or rehabilitation program required to meet the needs identified in the assessment screening. The assignment recommendations based upon such assessment shall be subject to judicial review as provided in subsection 14 of section 302.304 and subsections 1 and 5 of section 302.540;

(24) “Vehicle”, any mechanical device on wheels, designed primarily for use, or used on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons.”; and

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Lembke offered **SA 6**:

#### SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 111, Section 304.120, Line 11, by inserting after all of said line the following:

**“304.152. All moving violations, as that term is defined in section 302.010, shall be subject to the assessment of points as provided under subsection 1 of section 302.302, notwithstanding any provision of a municipal or county ordinance to the contrary. No county, city, town, village, municipality, or other political subdivision of this state may enact, adopt or enforce any law, ordinance, regulation, or order that authorizes the prosecution or enforcement of a moving violation without the assessment of points. Nor shall any political subdivision of this state enact an ordinance that provides that no points will be assessed for a violation that is a moving violation in nature. Any law, ordinance, regulation, or order that violates or circumvents the provisions of this section, section 302.010, section 302.302, or section 302.225 shall be null and void.”; and**

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Kehoe, Nieves, McKenna and Schaaf.

**SA 6** failed of adoption by the following vote:

## YEAS—Senators

Crowell	Cunningham	Goodman	Kraus	Lembke	Mayer	Nieves	Ridgeway
Schaaf—9							

## NAYS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Green
Justus	Keaveny	Kehoe	Lager	Lamping	McKenna	Munzlinger	Pearce
Richard	Rupp	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—23	

## Absent—Senators

Parson	Purgason—2
--------	------------

Absent with leave—Senators—None

Vacancies—None

Senator Lager assumed the Chair.

Senator Lembke offered **SA 7**:

## SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 28, Section 144.030, Line 20, by inserting after all of said line the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire

protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

**6. Any person acting as agent of the department of revenue for the collection of sales and use tax when required under sections 144.070 and 144.440 shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax under section 144.140 to offset the actual cost incurred by such person, on behalf of the department of revenue, in the collection of such taxes in accordance with the provisions of Article IV Section 30(b) of the Missouri Constitution.**

7. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

[7.] **8.** Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer offered **SA 8**, which was read:

**SENATE AMENDMENT NO. 8**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 155, Section C, Lines 2-13, by striking all of said section from the bill.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 9**:

**SENATE AMENDMENT NO. 9**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill No. 430, Page 87, Section 302.291, Line 12, by inserting after all of said line the following:

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 . . . . . 2 points  
(except any violation of municipal stop sign ordinance where no accident is involved . . . . . 1 point)

(2) Speeding  
In violation of a state law . . . . . 3 points  
In violation of a county or municipal ordinance . . . . . 2 points

(3) Leaving the scene of an accident  
in violation of section 577.060 . . . . . 12 points  
In violation of any county or municipal ordinance . . . . . 6 points

(4) Careless and imprudent driving  
in violation of subsection 4 of section 304.016 . . . . . 4 points  
In violation of a county or municipal ordinance . . . . . 2 points

(5) Operating without a valid license  
in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

- (a) For the first conviction . . . . . 2 points
- (b) For the second conviction . . . . . 4 points
- (c) For the third conviction . . . . . 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges . . . . . 12 points

(7) Obtaining a license by misrepresentation . . . . . 12 points



- (8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs ..... 8 points
- (9) For the second or subsequent conviction of any of the following offenses however combined:  
driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight ..... 12 points
- (10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight  
In violation of state law ..... 8 points  
In violation of a county or municipal ordinance or federal law or regulation ..... 8 points
- (11) Any felony involving the use of a motor vehicle ..... 12 points
- (12) Knowingly permitting unlicensed operator to operate a motor vehicle ..... 4 points
- (13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025 ..... 4 points
- (14) Endangerment of a highway worker in violation of section 304.585 ..... 4 points
- (15) Aggravated endangerment of a highway worker in violation of section 304.585 ..... 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency . . . . . 4 points

**(17) Endangerment of an emergency responder in violation of section 304.894 . . . . . 4 points**

**(18) Aggravated endangerment of an emergency responder in violation of section 304.894 . . . . . 12 points**

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which

occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.”; and

Further amend said bill, Page 118, Section 304.200, Line 11, by inserting after all of said line the following:

**“304.890. As used in sections 304.890 to 304.894, the following terms shall mean:**

**(1) “Active emergency”, any incident occurring on a highway, as the term “highway” is defined in section 302.010, that requires emergency services from any emergency responder;**

**(2) “Active emergency zone”, any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:**

**(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or**

**(b) An emergency vehicle displaying active emergency lights or signals;**

**(3) “Emergency responder”, any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.**

**304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term “moving violation” is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.**

**2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.**

**3. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active**

emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

**304.894. 1.** A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

(1) Exceeding the posted speed limit by fifteen miles per hour or more;

(2) Passing in violation of subsection 3 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or

(7) Committing any of the following offenses for which points may be assessed under section 302.302:

(a) Leaving the scene of an accident in violation of section 577.060;

(b) Careless and imprudent driving in violation of subsection 4 of section 304.016;

(c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;

(d) Operating with a suspended or revoked license;

(e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;

(f) Any felony involving the use of a motor vehicle.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the

**offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302.**

**4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.**

**5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder.”; and**

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer offered **SA 10**:

#### SENATE AMENDMENT NO. 10

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 33, Section 226.520, Line 2 of said page, by inserting after all of said line the following:

“226.540. Notwithstanding any other provisions of sections 226.500 to 226.600, outdoor advertising shall be permitted within six hundred and sixty feet of the nearest edge of the right-of-way of highways located on the interstate, federal-aid primary system as it existed on June 1, 1991, or the national highway system as amended in areas zoned industrial, commercial or the like and in unzoned commercial and industrial areas as defined in this section, subject to the following regulations which are consistent with customary use in this state:

(1) Lighting:

(a) No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent, or moving light or lights will be permitted except scoreboards and other illuminated signs designating public service information, such as time, date, or temperature, or similar information, will be allowed; tri-vision, projection, and other changeable message signs shall be allowed subject to Missouri highways and transportation commission regulations;

(b) External lighting, such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle;

(c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal;

(2) Size of signs:

(a) The maximum area for any one sign shall be eight hundred square feet with a maximum height of thirty feet and a maximum length of seventy-two feet, inclusive of border and trim but excluding the base or apron, supports, and other structural members. The area shall be measured as established herein and in rules promulgated by the commission. In determining the size of a conforming or nonconforming sign structure, temporary cutouts and extensions installed for the length of a specific display contract shall not be considered a substantial increase to the size of the permanent display; provided the actual square footage of such temporary cutouts or extensions may not exceed thirty-three percent of the permanent display area. Signs erected in accordance with the provisions of sections 226.500 to 226.600 prior to August 28, 2002, which fail to meet the requirements of this provision shall be deemed legally nonconforming as defined herein;

(b) The maximum size limitations shall apply to each side of a sign structure, and signs may be placed back to back, double faced, or in V-type construction with not more than two displays to each facing, but such sign structure shall be considered as one sign;

(c) After August 28, 1999, no new sign structure shall be erected in which two or more displays are stacked one above the other. Stacked structures existing on or before August 28, 1999, in accordance with sections 226.500 to 226.600 shall be deemed legally nonconforming and may be maintained in accordance with the provisions of sections 226.500 to 226.600. Structures displaying more than one display on a horizontal basis shall be allowed, provided that total display areas do not exceed the maximum allowed square footage for a sign structure pursuant to the provisions of paragraph (a) of this subdivision;

(3) Spacing of signs:

(a) On all interstate highways, freeways, and nonfreeway federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System:

a. No sign structure shall be erected within one thousand four hundred feet of an existing sign on the same side of the highway;

b. Outside of incorporated municipalities, no structure may be located adjacent to or within five hundred feet of an interchange, intersection at grade, or safety rest area. Such five hundred feet shall be measured from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled way. For purpose of this subparagraph, the term "incorporated municipalities" shall include "urban areas", except that such "urban areas" shall not be considered "incorporated municipalities" if it is finally determined that such would have the effect of making Missouri be in noncompliance with the requirements of Title 23, United States Code, Section 131;

(b) The spacing between structure provisions of this subdivision do not apply to signs which are separated by buildings, natural surroundings, or other obstructions in such manner that only one sign facing located within such distance is visible at any one time. Directional or other official signs or those advertising the sale or lease of the property on which they are located, or those which advertise activities on the property on which they are located, including products sold, shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions;

(c) No sign shall be located in such manner as to obstruct or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor

vehicle operator's view of approaching, merging, or intersecting traffic;

(d) The measurements in this section shall be the minimum distances between outdoor advertising sign structures measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to outdoor advertising sign structures located on the same side of the highway involved;

(4) As used in this section, the words “unzoned commercial and industrial land” shall be defined as follows: that area not zoned by state or local law or ordinance and on which there is located one or more permanent structures used for a commercial business or industrial activity or on which a commercial or industrial activity is actually conducted together with the area along the highway extending outwardly seven hundred fifty feet from and beyond the edge of such activity. All measurements shall be from the outer edges of the regularly used improvements, buildings, parking lots, landscaped, storage or processing areas of the commercial or industrial activity and along and parallel to the edge of the pavement of the highway. Unzoned land shall not include:

(a) Land on the opposite side of the highway from an unzoned commercial or industrial area as defined in this section and located adjacent to highways located on the interstate, federal-aid primary system as it existed on June 1, 1991, or the national highway system as amended, unless the opposite side of the highway qualifies as a separate unzoned commercial or industrial area; or

(b) Land zoned by a state or local law, regulation, or ordinance;

(5) “Commercial or industrial activities” as used in this section means those which are generally recognized as commercial or industrial by zoning authorities in this state, except that none of the following shall be considered commercial or industrial:

(a) Outdoor advertising structures;

(b) Agricultural, forestry, ranching, grazing, farming, and related activities, including seasonal roadside fresh produce stands;

(c) Transient or temporary activities;

(d) Activities more than six hundred sixty feet from the nearest edge of the right-of-way or not visible from the main traveled way;

(e) Activities conducted in a building principally used as a residence;

(f) Railroad tracks and minor sidings;

(6) The words “unzoned commercial or industrial land” shall also include all areas not specified in this section which constitute an “unzoned commercial or industrial area” within the meaning of the present Section 131 of Title 23 of the United States Code, or as such statute may be amended. As used in this section, the words “zoned commercial or industrial area” shall refer to those areas zoned commercial or industrial by the duly constituted zoning authority of a municipality, county, or other lawfully established political subdivision of the state, or by the state and which is within seven hundred fifty feet of one or more permanent commercial or industrial activities. Commercial or industrial activities as used in this section are limited to those activities:

(a) In which the primary use of the property is commercial or industrial in nature;

(b) Which are clearly visible from the highway and recognizable as a commercial business;

(c) Which are permanent as opposed to temporary or transitory and of a nature that would customarily be restricted to commercial or industrial zoning in areas comprehensively zoned; and

(d) In determining whether the primary use of the property is commercial or industrial pursuant to paragraph (a) of this subdivision, the state highways and transportation commission shall consider the following factors:

- a. The presence of a permanent and substantial building;
- b. The existence of utilities and local business licenses, if any, for the commercial activity;
- c. On-premise signs or other identification;
- d. The presence of an owner or employee on the premises for at least twenty hours per week;

(7) In zoned commercial and industrial areas, whenever a state, county or municipal zoning authority has adopted laws or ordinances which include regulations with respect to the size, lighting and spacing of signs, which regulations are consistent with the intent of sections 226.500 to 226.600 and with customary use, then from and after the effective date of such regulations, and so long as they shall continue in effect, the provisions of this section shall not apply to the erection of signs in such areas. Notwithstanding any other provisions of this section, after August 28, 1992, with respect to any outdoor advertising which is regulated by the provisions of subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527:

(a) No county or municipality shall issue a permit to allow a regulated sign to be newly erected without a permit issued by the state highways and transportation commission;

(b) A county or municipality may charge a reasonable one-time permit or inspection fee to assure compliance with local wind load and electrical requirements when the sign is first erected, but a county or municipality may not charge a permit or inspection fee for such sign after such initial fee. Changing the display face or performing routine maintenance shall not be considered as erecting a new sign;

**(c) Local regulations adopted pursuant to this section or section 71.288 may be more restrictive than the size, lighting, and spacing provisions specified in this section, provided such local regulations allow for customary usage and comply with the intent of this section. Local regulations may not prohibit off-premise outdoor advertising structures on commercial or industrial property within six hundred sixty feet of federal aid primary or interstate highways. In the event a local regulation is determined by the courts to be prohibitive, unreasonable, or failing to allow for customary usage; statutory size, lighting, and spacing regulations shall automatically apply in such areas until such time as a valid local ordinance complying with the requirements under this section is adopted by the local zoning authority;**

(8) The state highways and transportation commission on behalf of the state of Missouri, may seek agreement with the Secretary of Transportation of the United States under Section 131 of Title 23, United States Code, as amended, that sections 226.500 to 226.600 are in conformance with that Section 131 and provides effective control of outdoor advertising signs as set forth therein. If such agreement cannot be reached and the penalties under subsection (b) of Section 131 are invoked, the attorney general of this state shall institute proceedings described in subsection (1) of that Section 131.

**226.541. 1. As used in this section, the following words or phrases mean:**

**(1) "Conforming out of standard signs", signs that fail to meet the current statutory and**



administrative rule requirements for outdoor advertising but currently comply with the terms of the federal/state agreement and meet the August 27, 1999, statutory and administrative rule requirements that governed outdoor advertising and the highway beautification act of 1965;

(2) “Federal/state agreement”, an agreement executed between the United States Department of Transportation and the state highways and transportation commission on February 22, 1972, for carrying out national policy relative to control of outdoor advertising in areas adjacent to the national system of interstate and defense highways and the federal-aid primary system;

(3) “Reset”, movement of a sign structure from one location to another location on the same or adjoining property, if the adjoining property is zoned commercial or industrial and the owner of the sign has obtained the legal right to erect a sign on the adjoining property from its owner, as authorized by a sign permit amendment and the terms of an executed written partial waiver and reset agreement between the permit owner and the state highways and transportation commission;

(4) “Substantially rebuilt”, any reconstruction or repair of a sign that requires the replacement of fifty-one percent or more of the sign structure's support poles in a twelve-month period.

2. Subject to the provisions of this section, conforming out of standard signs shall be treated as conforming signs under commission administrative rules, including new display technologies, lighting, cutouts, and extensions, except that such signs shall not be substantially rebuilt except in accordance with the provisions of this section. New technologies, lighting, cutouts, and extensions may be utilized on conforming and conforming out of standard signs in accordance with Missouri department of transportation regulations.

3. On the date the commission approves funding for any phase or portion of construction or reconstruction of any street or highway, the rules in effect for outdoor advertising on August 27, 1999, shall be reinstated for that section of highway scheduled for construction and there shall immediately be a moratorium imposed on the issuance of state sign permits for new sign structures.

4. Owners of existing signs which meet the requirements for outdoor advertising in effect on August 27, 1999, and the requirements of the federal/state agreement and who voluntarily execute a partial waiver and reset agreement may reset such signs on the same or adjoining property. Such reset agreements shall be contingent upon obtaining any required local approval to reset the sign structure. Any sign which has been reset must still comply with the August 27, 1999, outdoor advertising regulations after it has been reset.

5. Owners of existing signs who elect to reset qualifying signs shall receive compensation representing the actual cost to reset the existing sign. Signs which have been reset under these provisions must be reconstructed of the same type materials and may not exceed the square footage of the original sign structure.

6. Sign owners may elect to reset existing qualifying signs by executing a partial waiver and reset agreement with the commission. Such agreement shall specify the size, type, and location of the rebuilt sign and the reset expenses to be paid to the owner by the commission. In the event the owner fails to execute such an agreement within one hundred twenty days of receiving written notice the sign will be displaced by construction, the commission shall have the right at its sole discretion to initiate normal condemnation procedures for the compensated removal of the sign.

7. Immediately upon the completion of construction on any section of highway, the moratorium

on new permits shall be lifted and the rules for outdoor advertising in effect on the date the construction is completed shall apply to such section of highway.

**8. Local zoning authorities may prohibit the resetting of qualifying signs which fail to comply with local regulations.**

**9. All signs shall be subject to the biennial inspection fees under section 226.550.”; and**

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted.

Senator Justus offered **SA 1 to SA 10:**

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 10

Amend Senate Amendment No. 10 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 9, Section 226.541, Line 27 of said page, by inserting immediately after the word “section” the following: “**, and if allowed by applicable local regulation**”; and further amend line 3 of page 10, by striking all of said line and inserting in lieu thereof the following: “**with the provisions of this section. If allowed by applicable local regulations, new technologies, lighting,**”.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

**SA 10**, as amended, was again taken up.

At the request of Senator Stouffer, the above amendment was withdrawn.

Senator Green offered **SA 11:**

SENATE AMENDMENT NO. 11

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 118, Section 304.200, Line 11, by inserting after all of said line the following:

**“304.920. 1. A county, city, town, village, municipality, state agency, or other political subdivision shall only employ the use of automated speed enforcement systems to enforce speeding violations in a school zone, construction zone, work zone, or a MoDOT-Designated Travel Safe Zone as defined in section 304.590.**

**2. As used in this section, the term “automated speed enforcement system” means a device with one or more motor vehicle sensors, including, but not limited to, photographic devices, radar devices, laser devices, or other electrical or mechanical devices, designed to record the speed of a motor vehicle and to obtain a clear photograph or other recorded image of the motor vehicle and the motor vehicle’s license plate, which automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded image of a motor vehicle at the time it is used or operated in violation of the posted speed limit.”; and**

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Wright-Jones offered **SA 12:**

SENATE AMENDMENT NO. 12

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill No. 430, Page 76, Section 301.562, Line 26 of said page, by inserting after all of said line the following:

“301.3084. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight[, after an annual contribution of an emblem-use authorization fee to the Friends of the Missouri Women’s Council. Any contribution to the Friends of the Missouri Women’s Council pursuant to this section, except reasonable administrative costs, shall be designated for the sole purpose of providing breast cancer services, including but not limited to screening, treatment, staging, and follow-up services. The Friends of the Missouri Women’s Council hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any person may annually apply for the use of the emblem]. **Upon making a twenty-five dollar annual contribution to the breast cancer awareness fund, established in this section, the vehicle owner may apply for a “Breast Cancer Awareness” license plate. If the contribution is made directly to the state treasurer, the state treasurer shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the “Breast Cancer Awareness” license plate. If the contribution is made directly to the director of revenue, the director shall note the contribution and the owner may then apply for the “Breast Cancer Awareness” plate. The applicant for such plate must pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of “Breast Cancer Awareness” plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

2. [Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Friends of the Missouri Women’s Council, the organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized] **The “Breast Cancer Awareness”** license plate [which] shall bear a graphic design depicting the breast cancer awareness pink ribbon symbol [with the words “Breast Cancer Awareness” forming an oval around the symbol,] and shall bear the words [“MISSOURI WOMEN’S COUNCIL”] **“BREAST CANCER AWARENESS”** in place of the words “SHOW-ME STATE”. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with a breast cancer awareness emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

**4. There is hereby created in the state treasury the “Breast Cancer Awareness Fund” which shall consist of all gifts, donations, transfers, and moneys appropriated by the general assembly, and bequests to the fund. The fund shall be administered by the department of health and senior services.**

**5. The state treasurer or the director of revenue shall deposit the twenty-five dollar annual contribution in the breast cancer awareness fund. Funds deposited pursuant to subsection 1 of this section shall be used to support breast cancer awareness activities conducted by the department of health and senior services.**

**6. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and**

Further amend the title and enacting clause accordingly.

Senator Wright-Jones moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 13**:

#### SENATE AMENDMENT NO. 13

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 118, Section 304.200, Line 11, by inserting after all of said line the following:

**“304.286. No county, city, town, village, municipality, state agency, or other political subdivision of this state that is authorized to issue a notice of violation for a violation of a state or local traffic law or regulation, shall use or employ an automated photo red light enforcement system at any intersection within its jurisdiction. As used in this section, the term “automated photo red light enforcement system” shall mean a device, consisting of a camera or cameras and a vehicle sensor or sensors, installed to work in conjunction with a traffic control signal, which is used to produce recorded images of motor vehicles entering an intersection against a red signal indication.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Crowell, Cunningham, Lembke and Kraus.

**SA 13** failed of adoption by the following vote:

#### YEAS—Senators

Crowell	Cunningham	Goodman	Kraus	Lager	Lembke	Nieves	Purgason
Ridgeway	Rupp	Schaaf	Schmitt—12				

#### NAYS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Engler	Green	Justus
Keaveny	Kehoe	Lamping	Mayer	McKenna	Pearce	Richard	Schaefer
Stouffer	Wasson	Wright-Jones—19					

#### Absent—Senators

Dixon	Munzlinger	Parson—3
-------	------------	----------

Absent with leave—Senators—None

Vacancies—None

Senator Stouffer moved that **SS** for **SCS** for **HCS** for **HB 430**, as amended, be adopted, which motion prevailed.

Senator Stouffer moved that **SS** for **SCS** for **HCS** for **HB 430**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **SS** for **SCS** for **HCS** for **HB 430**, as amended, to the Committee on Ways and Means and Fiscal Oversight.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HB 737**. Representatives: Redmon, Funderburk, Houghton, Holsman and Quinn.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 284**, as amended. Representatives: Sater, Smith (150), Weter, Jones (63) and Swinger.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 38**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 202**, entitled:

An Act to repeal section 130.028, RSMo, and to enact in lieu thereof one new section relating to labor organizations, with penalty provisions.

With House Amendment Nos. 1, 2 and 3.

### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 202, Page 2, Section 130.028, Line 48, by inserting after all of said section and line, the following:

**“6. Notwithstanding other provisions of the law to the contrary, it shall be unlawful for a public entity or the state to discriminate against or otherwise penalize, punish, or refuse to allow to bid or award a public works contract to a bidder based on the bidders union affiliation or non-union affiliation or agreements to or with unions or non-union entities. The act of discriminating against a bidder based on union or non-union affiliation is a class C misdemeanor and a fine up to \$5,000 shall be levied.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 202, Page 1, Section A, Line 2, by inserting after all of said line the following:

“105.935. 1. Any state employee who has accrued any overtime hours may choose to use those hours as compensatory leave time provided that the leave time is available and agreed upon by both the state employee and his or her supervisor.

2. A state employee who is a nonexempt employee pursuant to the provisions of the Fair Labor Standards Act shall be eligible for payment of overtime in accordance with subsection 4 of this section. A nonexempt state employee who works on a designated state holiday shall be granted equal compensatory time off duty or shall receive, at his or her choice, the employee’s straight time hourly rate in cash payment. A nonexempt state employee shall be paid in cash for overtime unless the employee requests compensatory time off at the applicable overtime rate. As used in this section, the term “state employee” means any person who is employed by the state and earns a salary or wage in a position normally requiring the actual performance by him or her of duties on behalf of the state, but shall not include any employee who is exempt under the provisions of the Fair Labor Standards Act or any employee of the general assembly.

3. Beginning on January 1, 2006, and annually thereafter each department shall pay all nonexempt state employees in full for any overtime hours accrued during the previous calendar year which have not already been paid or used in the form of compensatory leave time. All nonexempt state employees shall have the option of retaining up to a total of eighty compensatory time hours **at any time during the year**.

4. The provisions of subsection 2 of this section shall only apply to nonexempt state employees who are otherwise eligible for compensatory time under the Fair Labor Standards Act, excluding employees of the general assembly. Any nonexempt state employee requesting cash payment for overtime worked shall notify such employee’s department in writing of such decision and state the number of hours, no less than twenty, for which payment is desired. The department shall pay the employee within the calendar month following the month in which a valid request is made. Nothing in this section shall be construed as creating a new compensatory benefit for state employees.

5. Each department shall, by November first of each year, notify the commissioner of administration, the house budget committee chair, and the senate appropriations committee chair of the amount of overtime paid in the previous fiscal year and an estimate of overtime to be paid in the current fiscal year. The fiscal year estimate for overtime pay to be paid by each department shall be designated as a separate line item in the appropriations bill for that department. The provisions of this subsection shall become effective July 1, 2005.

6. Each state department shall report quarterly to the house of representatives budget committee chair, the senate appropriations committee chair, and the commissioner of administration the cumulative number of accrued overtime hours for department employees, the dollar equivalent of such overtime hours, the number of authorized full-time equivalent positions and vacant positions, the amount of funds for any vacant positions which will be used to pay overtime compensation for employees with full-time equivalent positions, and the current balance in the department’s personal service fund.

7. This section is applicable to overtime earned under the Fair Labor Standards Act. This section is applicable to employees who are employed in nonexempt positions providing direct client care or custody in facilities operating on a twenty-four-hour seven-day-a-week basis in the department of corrections, the

department of mental health, the division of youth services of the department of social services, and the veterans commission of the department of public safety.”; and

Further amend said title, enacting clause and intersectional references accordingly.

### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 202, Page 2, Section 130.028, Line 48, by inserting after all of said line the following:

“429.010. 1. Any person who shall do or perform any work or labor upon land, rent any machinery or equipment, or use any rental machinery or equipment, or furnish any material, fixtures, engine, boiler or machinery for any building, erection or improvements upon land, or for repairing, grading, excavating, or filling of the same, or furnish and plant trees, shrubs, bushes or other plants or provides any type of landscaping goods or services or who installs outdoor irrigation systems under or by virtue of any contract with the owner or proprietor thereof, or his or her agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, upon complying with the provisions of sections 429.010 to 429.340, shall have for his or her work or labor done, machinery or equipment rented or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants furnished, or any type of landscaping goods or services provided, a lien upon such building, erection or improvements, and upon the land belonging to such owner or proprietor on which the same are situated, to the extent of three acres; or if such building, erection or improvements be upon any lot of land in any town, city or village, or if such building, erection or improvements be for manufacturing, industrial or commercial purposes and not within any city, town or village, then such lien shall be upon such building, erection or improvements, and the lot, tract or parcel of land upon which the same are situated, and not limited to the extent of three acres, to secure the payment of such work or labor done, machinery or equipment rented, or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants or any type of landscaping goods or services furnished, or outdoor irrigation systems installed; except that if such building, erection or improvements be not within the limits of any city, town or village, then such lien shall be also upon the land to the extent necessary to provide a roadway for ingress to and egress from the lot, tract or parcel of land upon which such building, erection or improvements are situated, not to exceed forty feet in width, to the nearest public road or highway. Such lien shall be enforceable only against the property of the original purchaser of such plants unless the lien is filed against the property prior to the conveyance of such property to a third person. For claims involving the rental of machinery or equipment to others who use the rental machinery or equipment, the lien shall be for the reasonable rental value of the machinery or equipment during the period of actual use and any periods of nonuse taken into account in the rental contract, while the machinery or equipment is on the property in question.

2. There shall be no lien involving the rental of machinery or equipment unless:

(1) The improvements are made on commercial property;

(2) The amount of the claim exceeds five thousand dollars; and

(3) The party claiming the lien provides written notice within five business days of the commencement of the use of the rental machinery or equipment to the property owner that rental machinery or equipment is being used upon their property. Such notice shall identify the name of the entity that rented the machinery

or equipment, the machinery or equipment being rented, and the rental rate. Nothing contained in this subsection shall apply to persons who use rented machinery or equipment in performing the work or labor described in subsection 1 of this section.

**3. (1) No lien shall be permitted on behalf of a collective bargaining unit fringe benefit fund with respect to all employee benefits, dues, and fringe costs arising out of the performance of work by a subcontractor or a lower tier subcontractor unless:**

**(a) a. The subcontractor or lower tier subcontractor is delinquent, which means being at least thirty days late, in making timely payments of employee benefits, dues, or fringe costs to the fund.**

**b. If the fund has actual knowledge that the delinquency relates to work performed on a particular project, the fund shall advise the original contractor for the project in question in writing of the fact of such delinquency, identifying the subcontractor or lower tier subcontractor at issue and an approximation of the amount of the obligation at issue within fifteen days after the subcontractor or lower tier subcontractor at issue becomes delinquent in payment.**

**c. If the fund does not have the actual knowledge described in subparagraph b. of this paragraph at a time that will permit it to comply with the timing requirements of subparagraph b. of this paragraph, the fund shall provide the written notice required by subparagraph b. of this paragraph within ten days after the fund acquires such actual knowledge.**

**d. An original contractor or subcontractor may make a request in writing for a written confirmation from the fund confirming that for a specific subcontractor or any of its specifically identified lower tier subcontractors with respect to a specifically identified project, all employee benefits, dues, and fringe costs arising out of the performance of the work on such project by the subcontractor and all of its lower tier subcontractors otherwise due to the fund have been paid. Such written requests shall be deemed effective if sent by certified mail, return receipt requested. The fund shall respond in writing by certified mail, return receipt requested, to such a request for confirmation within ten days of the fund's receipt of the request; and**

**(b) The fund has timely and accurately responded to any request for confirmation made under the terms of paragraph (a) of this subdivision.**

**(2) The obligations of this subsection shall apply with equal force and effect to like claims by a fund under a payment bond issued by an original contractor on a construction project, regardless of whether such construction project is a private project or a public works project.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

#### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 737**: Senators Lager, Munzlinger, Pearce, Callahan and Curls.

President Pro Tem Mayer assumed the Chair.

#### **REPORTS OF STANDING COMMITTEES**

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and



Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 552**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 473**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager assumed the Chair.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Donald Cupps, Democrat, as a member of the University of Missouri Board of Curators;

Also,

Joseph Cavato, Democrat, as a member of the Health and Educational Facilities Authority;

Also,

Bryan Hampton, as a member of the Crime Laboratory Review Commission;

Also,

Shane Mecham and Michael Sparks, as members of the Missouri Head Injury Advisory Council;

Also,

Garry Kemp, Democrat, as a member of the Jackson County Sports Complex Authority;

Also,

Mary Ellen Miller, Democrat, as a member and Chair of the Jackson County Board of Election Commissioners;

Also,

Randall Relford, as a member of the Missouri Dental Board;

Also,

Daniel Kappel, Republican, as a member of the Missouri Community Service Commission;

Also,

Lisa Reynolds-Korobey and Suzanne Taggart, as members of the Child Abuse and Neglect Review Board;

Also,

Joseph Nicholson, as a member of the Board of Cosmetology and Barber Examiners;

Also,

Anthony Bologna, Democrat, as a member and Chair of the Clay County Board of Election Commissioners;

Also,

Michael Whitehead, Republican, as a member of the Jackson County Board of Election Commissioners.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

### **REFERRALS**

President Pro Tem Mayer referred **HCS** for **HBs 600, 337 and 413**, with **SCS**; **HCS** for **HB 213**; **HCS** for **HB 840**; and **HCS** for **HB 473** to the Committee on Ways and Means and Fiscal Oversight.

### **RESOLUTIONS**

Senator Goodman offered Senate Resolution No. 1084, regarding Ann Hall, Purdy, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Justus introduced to the Senate, the Physician of the Day, Dr. Jeremy Burd, M.D., Kansas City.

Senator Brown introduced to the Senate, Aeon Strange, Rolla; and Aeon was made an honorary page.

Senator Schaaf introduced to the Senate, Addie Von Drehle, Laini Reynolds, Meg Thoma and Catherine Brooks.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

---

SIXTY-SEVENTH DAY—WEDNESDAY, MAY 11, 2011

---

### **FORMAL CALENDAR**

### **VETOED BILLS**

SCS for SB 188-Lager, et al

## THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna  
(In Fiscal Oversight)

SB 204-Dempsey, et al  
(In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler
8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham,  
with SCS

11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones
15. SB 45-Wright-Jones
16. SB 14-Pearce, with SCS
17. SB 281-Kraus
18. SB 399-Kraus
19. SB 44-Wright-Jones

## HOUSE BILLS ON THIRD READING

1. HCS for HB 431, with SCS (Justus)  
(In Fiscal Oversight)
2. HB 151-Kelly (24) and Molendorp  
(Schaefer) (In Fiscal Oversight)
3. HB 139-Smith (150), et al  
(Cunningham) (In Fiscal Oversight)
4. HB 184-Dugger, with SCS (Purgason)
5. HCS for HB 664, with SCS (Schmitt)
6. HCS for HB 366 (Richard)  
(In Fiscal Oversight)
7. HB 675-Largent and Hoskins (Parson)
8. HCS for HJR 3 (Brown)  
(In Fiscal Oversight)
9. HB 458-Loehner, et al (Brown)

10. HCS for HBs 300, 334 & 387, with SCS  
(Mayer)
11. HCS for HB 506, with SCS (Lembke)
12. HCS for HBs 600, 337 & 413, with SCS  
(Goodman) (In Fiscal Oversight)
13. HCS for HB 213 (Mayer)  
(In Fiscal Oversight)
14. HCS for HBs 223 & 231 (Crowell)
15. HCS for HB 840 (Schmitt)  
(In Fiscal Oversight)
16. HCS for HB 344, with SCS (Munzlinger)
17. HCS for HB 552, with SCS
18. HCS for HB 473 (In Fiscal Oversight)

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 10-Rupp  
SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 25-Schaaf, with SCS & SS for SCS  
(pending)  
SB 28-Brown  
SB 37-Lembke, with SCS  
SB 52-Cunningham  
SB 72-Kraus, with SS (pending)  
SBs 88 & 82-Schaaf, with SCS & SA 1  
(pending)  
SB 120-Stouffer, with SS (pending)  
SB 130-Rupp, with SCS & SS for SCS  
(pending)  
SB 155-Rupp, with SCS  
SB 175-Munzlinger, et al, with SA 1  
(pending)  
SB 176-Munzlinger, et al  
SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS

SB 200-Crowell  
SB 203-Schmitt, et al, with SS (pending)  
SB 208-Lager  
SB 209-Lager  
SB 228-Pearce  
SB 242-Cunningham, with SCS & SS for SCS  
(pending)  
SB 247-Pearce, with SS (pending)  
SB 264-Rupp, with SCS  
SB 278-Munzlinger, et al  
SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)  
SBs 291, 184 & 294-Pearce, with SCS &  
SA 4 (pending)  
SB 299-Munzlinger, with SCS (pending)  
SB 326-Wasson  
SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SBs 408 & 80-Crowell, with SCS  
SB 420-Mayer, with SCS  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al, with SS (pending)

## HOUSE BILLS ON THIRD READING

HCS for HB 61  
SS for HB 71-Nasheed, et al (Engler)  
HCS for HB 89, with SCS & SS for SCS  
(pending) (Lager)  
HCS for HB 111, with SCS (Goodman)  
HCS for HBs 112 & 285, with SCS (Brown)  
HCS for HB 143 (Goodman)  
HB 167-Nolte, et al, with SCA 1  
(pending) (Nieves)  
HB 183-Silvey (Kraus)  
SS for SCS for HCS for HB 265 (Wasson)  
(In Fiscal Oversight)

HCS for HBs 294, 123, 125, 113, 271 &  
215, with SCS & SS for SCS (pending)  
(Munzlinger)  
HCS for HB 336 (Schmitt)  
HB 361-Leara (Cunningham)  
HB 402-Diehl and Korman (Wasson)  
SCS for HCS for HB 412 (Wasson)  
(In Fiscal Oversight)  
SS for SCS for HCS for HB 430 (Stouffer)  
(In Fiscal Oversight)  
HB 442-Franz, with SA 2 (pending)  
(Parson)

HB 462-Pollock, with SCS (Lager)  
HCS for HB 464, with SCS & SA 2  
(pending) (Wasson)  
HCS for HBs 470 & 429, with SCS, SS for  
SCS & SA 2 (pending) (Rupp)  
HB 484-Faith (Stouffer)  
HCS for HB 523, with SCS (Pearce)  
HB 525-Molendorp (Rupp)  
HCS for HB 545, with SCS & SS for SCS  
(pending) (Schaaf)  
HCS for HB 556  
HCS for HB 562, with SCS (pending)  
(Schmitt)

HCS#2 for HB 609, with SCS (pending)  
(Wasson)  
HB 661-Wells, et al, with SCS (Lamping)  
HB 667-Carter, et al (Wright-Jones)  
HCS for HB 697, with SCS (pending)  
(Dixon)  
HB 738-Nasheed, et al, with SCS  
(pending) (Cunningham)  
HB 1008-Long, et al, with SCS (Dempsey)  
HJR 6-Cierpiot, et al (Cunningham)  
HJR 29-Solon, et al, with SA 1 (pending)  
(Munzlinger)

#### SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 58-Stouffer and  
Lembke, with HCS, as amended  
SB 71-Parson, with HSA 1 for HA 1, as  
amended & HA 2  
SB 97-Engler, with HCS#2, as amended  
SS for SB 118-Stouffer, with HCS, as  
amended

SS for SB 202-Crowell, with HCS, as  
amended  
SCS for SB 219-Wasson, with HCS, as  
amended  
SCS for SB 323-Schaefer, with HA 1 & HA 3

#### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

##### In Conference

SS#2 for SCS for SB 8-Goodman, with HCS,  
as amended  
SCS for SB 29-Brown, with HCS, as amended  
SB 59-Keaveny, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SB 61-Keaveny, with HCS, as amended  
SS for SB 135-Schaefer, with HCS, as  
amended  
SB 145-Dempsey, with HCS,  
as amended

SB 173-Dixon and Kehoe, with HCS, as  
amended  
SB 220-Wasson, with HCS, as amended  
SS for SB 226-Engler, with HCS, as  
amended  
SB 250-Kehoe, with HCS, as amended  
SCS for SB 270-Kraus, with HCS, as  
amended  
SB 282-Engler, with HCS, as amended  
(Senate adopted CCR and passed CCS)

SB 284-Wasson, with HCS, as amended  
SB 322-Schaefer, with HCS, as amended  
HB 101-Loehner, with SCS, as amended  
(Cunningham)

HB 142-Gatschenberger, with SCS, as  
amended (Dempsey)  
HB 737-Redmon and Shumake, with SCS  
(Lager)

## RESOLUTIONS

### Reported from Committee

SR 179-Purgason  
HCS for HCR 23 (Dixon)  
HCR 37-Franklin, et al (Wright-Jones)

HCR 42-Funderburk, et al (Lembke)  
HCR 32-Bernskoetter (Kehoe)  
HCS for HCR 39

✓

# Journal of the Senate

## FIRST REGULAR SESSION

---

**SIXTY-SEVENTH DAY—WEDNESDAY, MAY 11, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“A lot of ‘distractions’ would vanish if we realized that we are not bound at all times to ignore the practical problems of our life when we are at prayer. On the contrary, sometimes these problems actually ought to be the subject of meditation.” (Thomas Merton)

As we continue through this week O Lord, help us to be mindful of You and turn to You in prayer at all times and about all things so that our work might not be bogged down by distractions but seen clearly as to the course we are to follow and the path our votes are to take. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

President Kinder assumed the Chair.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon, KRCG-TV and KOMU-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator McKenna offered Senate Resolution No. 1085, regarding Bill Haggard, Herculaneum, which was adopted.

Senator Crowell offered Senate Resolution No. 1086, regarding the Twenty-fifth Wedding Anniversary of Mr. and Mrs. Rick Freed, Cape Girardeau, which was adopted.

**HOUSE BILLS ON THIRD READING**

**HB 1008**, with **SCS**, introduced by Representative Long, et al, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to highway infrastructure improvement agreements.

Was called from the Informal Calendar and taken up by Senator Dempsey.

**SCS** for **HB 1008**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1008**

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to highway infrastructure improvement agreements.

Was taken up.

Senator Dempsey moved that **SCS** for **HB 1008** be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **HB 1008** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Goodman—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.



## **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **SB 187**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

President Pro Tem Mayer assumed the Chair.

## **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HCS** for **SB 187**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

## **BILLS DELIVERED TO THE GOVERNOR**

**HCS** for **SB 187**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

## **HOUSE BILLS ON THIRD READING**

Senator Munzlinger moved that **HCS** for **HBs 294, 123, 125, 113, 271** and **215**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Munzlinger, **SS** for **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271** and **215** was withdrawn.

Senator Munzlinger offered **SS No. 2** for **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271** and **215**, entitled:

### **SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NOS. 294, 123, 125, 113, 271 and 215**

An Act to repeal sections 50.535, 302.181, 407.500, 407.505, 571.020, 571.030, 571.101, 571.107, 571.111, and 571.117, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with penalty provisions and a contingent effective date for certain sections.

Senator Munzlinger moved that **SS No. 2** for **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271** and **215**, be adopted.

Senator Pearce assumed the Chair.

Senator Lembke offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for

House Bill Nos. 294, 123, 125, 113, 271 and 215, Page 19, Section 571.085, Lines 13-14 of said page, by striking the following: “, as administered by the United States Secretary of the Treasury,”; and further amend section 571.087, lines 21-22 of said page, by striking the following: “, as administered by the United States Secretary of the Treasury,”.

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SS No. 2** for **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271 and 215**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS No. 2** for **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271 and 215**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Stouffer	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Curls	Green	Justus	Keaveny	Wright-Jones—6
-----------------	-------	-------	--------	---------	----------------

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Rupp moved that **HCS** for **HBs 470 and 429**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 2** was again taken up.

At the request of Senator Ridgeway, the above amendment was withdrawn.

Senator Rupp moved that **SS** for **SCS** for **HCS** for **HBs 470 and 429**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SCS** for **HCS** for **HBs 470 and 429**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager

Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Lager moved that **HCS** for **HB 89**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Lager, **SS** for **SCS** for **HCS** for **HB 89** was withdrawn.

Senator Lager offered **SS No. 2** for **SCS** for **HCS** for **HB 89**, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 89

An Act to repeal sections 247.060, 253.090, 386.850, 444.773, 621.250, 643.020, 643.040, 643.050, 643.060, 643.079, 643.080, 643.130, 643.191, 643.225, 643.232, 643.237, 643.240, 643.242, 643.245, 643.250, 643.253, 643.260, 644.036, 644.051, 644.054, 644.071, 701.033, and 701.332, RSMo, and to enact in lieu thereof forty new sections relating to natural resources, with penalty provisions and an emergency clause for certain sections.

Senator Lager moved that **SS No. 2** for **SCS** for **HCS** for **HB 89** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Pages 20-21, Section 537.292, by striking all of said section from the bill; and

Further amend said bill, page 78, section 1, line 21 of said page, by striking the following: “537.292,”; and

Further amend said bill, page 79, section 1, line 2 of said page, by striking the following: “537.292,”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Lager offered **SSA 1 for SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Pages 20-21, Section 537.292, by striking all of said section from the bill; and

Further amend said bill, page 78, section 1, line 21 of said page, by striking the following: “304.120,”; and further amend said line, by striking the following: “537.292,”; and

Further amend said bill, page 79, section 1, line 1 of said page, by striking the following: “304.120,”; and further amend line 2 of said page, by striking the following: “537.292,”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Page 10, Section 247.060, Line 6 of said page, by inserting after the word “election” the following: “, **or if not a voter or resident of said district, shall have received service from the district at his or her primary place of residence one whole year immediately prior to his or her election**”.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator McKenna offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Page 21, Section 537.292, Line 16 of said page, by inserting after all of said line the following:

**“620.2300. 1. As used in this section, the following terms shall mean;**

**(1) “Department”, the Missouri department of economic development;**

**(2) “Biomass facility”, a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**

**(3) “Commission”, the Missouri public service commission;**

**(4) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of**

the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) “Full-time employee”, an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;

(6) “Major source”, the same meaning as is provided under 40 C.F.R. 70.2;

(7) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee’s work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the state average wage;

(8) “Park”, an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:

(a) The area consists of at least fifty contiguous acres;

(b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;

(c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;

(d) The development plan for the area includes a biomass facility; and

(e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;

(9) “Project”, a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;

(10) “Project application”, an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) “Project facility”, a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications

received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

**3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:**

**(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;**

**(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or**

**(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier.”; and**

Further amend said bill, page 80, section B, line 39 of said page, by inserting immediately after “444.771,” the following: “620.2300,”; and

Further amend said bill and section, page 81, line 5 of said page, by inserting immediately after “444.771,” the following: “620.2300,”; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SS No. 2** for **SCS** for **HCS** for **HB 89**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SS No. 2** for **SCS** for **HCS** for **HB 89**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Ridgeway assumed the Chair.

President Pro Tem Mayer assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 708**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 135**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 135

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 135, with House Amendment Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for

Senate Bill No. 135, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Bill No. 135;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 135, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Brad Lager

/s/ Brian Munzlinger

/s/ Jolie Justus

/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Tim Jones

/s/ Don Ruzicka

/s/ Darrell Pollock

/s/ Jason Holsman

/s/ Michael Brown

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, **CCS** for **HCS** for **SS** for **SB 135**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 135

An Act to repeal sections 253.090, 260.262, 260.380, 260.475, 260.965, 306.109, 319.132, and 414.072, RSMo, and to enact in lieu thereof thirteen new sections relating to environmental protection, with penalty provisions and an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce



Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Wasson moved that the conference on **HCS** for **SB 220**, as amended, be dissolved and **HCS** for **SB 220**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 220**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 220

An Act to repeal sections 429.015 and 516.098, RSMo, and to enact in lieu thereof two new sections relating to liens for architects, professional engineers, land surveyors, and landscape architects.

Was taken up.

Senator Wasson moved that **HCS** for **SB 220**, as amended, be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

## NAYS—Senators

Green Justus—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, **HCS** for **SB 220**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Green—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 132**, entitled:

An Act to repeal sections 384.015, 384.017, 384.021, 384.043, 384.051, 384.057, 384.061, 385.200,

385.206, and 385.208, RSMo, and to enact in lieu thereof fourteen new sections relating to certain specialty lines insurance contracts, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

With House Amendment Nos. 1, 2, 3 and 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Page 11, Section 385.206, Line 20, by deleting the words, **“and/or authorized representatives”**; and

Further amend said bill, Page 13, Section 385.207, Line 2, by inserting after the number, **“(6)”** the following word and number, **“or (7)”**; and

Further amend said section, Page 14, Line 10, by deleting the word, **“and”**; and

Further amend said page, section and line, by inserting after the second occurrence of the word, **“entity”** the following words, **“and information related to section 385.209 as required by the director”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Section A, Page 1, Line 5, by inserting after all of said section and line the following:

**“379.1500. As used in sections 379.1500 to 379.1550, the following terms shall mean:**

**(1) “Director”, the director of the department of insurance, financial institutions and professional registration;**

**(2) “Insurance company” or “insurer”, any person, reciprocal exchange, interinsurer, or any other legal entity licensed and authorized by the director to write inland marine coverage;**

**(3) “Insurance producer” or “producer”, a person required to be licensed under the laws of this state to sell, solicit, or negotiate insurance;**

**(4) “License”, the same meaning as such term is defined in section 375.012;**

**(5) “Location”, any physical location in this state or any website, call center site, or similar location directed to residents of this state;**

**(6) “Person”, an individual or business entity;**

**(7) “Portable electronics”, electronic devices that are portable in nature, their accessories, and services related to the use of the device. Portable electronics does not include telecommunication and cellular equipment used by a telecommunication company to provide telecommunication service to consumers;**

**(8) “Portable electronics insurance”, an insurance policy issued by an insurer which may be offered on a month-to-month or other periodic basis as a group or master commercial inland marine policy issued to a vendor of portable electronics under which individual customers may elect to enroll for coverage for the repair or replacement of portable electronics which may cover portable electronics against any one or more of the following causes of loss: loss, theft, mechanical failure,**

malfunction, damage, or other applicable perils, but does not include:

- (a) A service contract governed by sections 385.300 to 385.321;
- (b) A policy of insurance covering a seller's or manufacturer's obligations under a warranty; or
- (c) A homeowner's, renter's, private passenger automobile, commercial multiperil, similar policy, or endorsement to such policy that covers any portable electronics;
- (9) "Portable electronics insurance license", a license to sell or solicit portable electronics insurance;
- (10) "Portable electronics transaction", the sale or lease of portable electronics by a vendor to a customer or the sale of a service related to the use of portable electronics by a vendor to a customer;
- (11) "Negotiate", the same meaning as such term is defined in section 375.012;
- (12) "Sell", the same meaning as such term is defined in section 375.012;
- (13) "Solicit", the same meaning as such term is defined in section 375.012;
- (14) "Supervising business entity", the insurer or a licensed business entity producer designated by the insurer to supervise the actions of a vendor;
- (15) "Vendor", a person in the business of engaging in portable electronics transactions directly or indirectly.

**379.1505. 1.** No vendor shall sell or solicit portable electronics insurance coverage in this state unless such vendor has obtained a portable electronics insurance license.

**2.** A vendor applying for a portable electronics insurance license shall make application to the director on the prescribed form as required. On the prescribed form, the vendor shall be required to provide the name for an employee or officer of the vendor that is designated by the vendor as the person responsible for the vendor's compliance with the requirements of this section and such designated responsible person shall not be required to hold an insurance producer license. Such license shall authorize an employee or authorized representative of a vendor to sell or offer coverage under a policy of portable electronics insurance to a customer at each location at which the vendor engages in a portable electronics transaction.

**3.** Any vendor licensed under sections 379.1500 to 379.1550 shall pay an initial license fee to the director in an amount prescribed by the director by rule, but not to exceed one thousand dollars, and shall pay a renewal fee in an amount prescribed by the director by rule, but not to exceed five hundred dollars. License fees shall be deposited in the insurance dedicated fund.

**4.** Notwithstanding any provision of sections 375.012 to 375.018, a portable electronics insurance license, if not renewed by the director by its expiration date, shall terminate on its expiration date and shall not after such date authorize its holder to sell or solicit any portable electronics insurance under sections 379.1500 to 379.1550.

**379.1510. 1.** A vendor shall have the obligation to ensure that every location that is authorized to sell, solicit, or negotiate portable electronics insurance to customers shall have specific brochures and actual policies or certificates of coverage available to prospective customers which:

- (1) Disclose that portable electronics insurance may provide a duplication of coverage already

provided by a customer's homeowner's, renter's, or other source of coverage, and that the portable electronics insurance coverage is primary over any other collateral coverage;

(2) State that the enrollment by the customer in a portable electronics insurance program is not required in order to purchase or lease portable electronics or services;

(3) Summarize the material terms of the insurance coverage, including:

(a) The identity of the insurer;

(b) The identity of the supervising business entity;

(c) The amount of any applicable deductible and how it is to be paid;

(d) Benefits of the coverage; and

(e) Key terms and conditions of coverage, such as whether portable electronics may be repaired or replaced with similar make and model reconditioned or nonoriginal manufacturer parts or equipment;

(4) Summarize the process for filing a claim, including any requirement to return portable electronics and the maximum fee applicable in the event the customer fails to comply with any equipment return requirements; and

(5) State that the customer may cancel enrollment for coverage under a portable electronics insurance policy at any time and receive a refund of any unearned premium on a pro rata basis.

2. Eligibility and underwriting standards for customers electing to enroll in coverage shall be established for each portable electronics insurance program. Each insurer shall maintain all eligibility and underwriting records for a period of five years. Portable electronics insurance issued under sections 379.1500 to 379.1550 shall be deemed primary coverage over any other collateral coverage.

3. Insurers offering portable electronics insurance coverage through vendors shall appoint a supervising business entity to supervise the administration of the program. The supervising business entity shall be responsible for the development of a training program for employees and authorized representatives of a vendor, and shall include basic instruction about the portable electronics insurance offered to customers and the disclosures required under this section.

4. Insurers and applicable supervising business entities offering portable electronics insurance shall share all complaint, grievance, or inquiries regarding any conduct that is specific to a vendor and that may not comply with applicable state laws and regulations.

5. A supervising business entity shall maintain a registry of vendor locations which are authorized to sell or solicit portable electronics insurance coverage in this state. Upon request by the director and with ten days' notice to the supervising business entity, the registry shall be open to inspection and examination by the director during regular business hours of the supervising business entity.

6. Within thirty days of a supervising business entity terminating a vendor location's appointment to sell or solicit portable electronics insurance, the supervising business entity shall update the registry with the effective date of termination. If a supervising business entity has possession of information relating to any cause for discipline under section 375.141, the supervising business entity shall notify the director of such information in writing. The privileges and immunities applicable to insurers under section 375.022 shall apply to supervising business entities for any information

reported under this subsection.

7. The supervising business entity shall not charge a fee for adding or removing a vendor location from the registry.

8. No employee or authorized representative of a vendor shall advertise, represent, or otherwise hold himself or herself out as an insurance producer, unless such employee or authorized representative is otherwise licensed as an insurance producer.

9. The training required in subsection 3 of this section shall be delivered to all employees and authorized representatives of the vendors who are directly engaged in the activity of selling portable electronics insurance in this state. The training may be provided in electronic form. However, if conducted in an electronic form, the supervising business entity shall implement a supplemental education program regarding the portable electronics insurance product that is conducted and overseen by licensed employees of the supervising business entity.

10. The charges for portable electronics insurance coverage may be billed and collected by the vendor. Any charge to the customer that is not included in the cost associated with the purchase or lease of portable electronics or related services shall be separately itemized on the customer's bill. If the portable electronics insurance is included in the purchase or lease of portable electronics or related services, the vendor shall clearly and conspicuously disclose to the customer that the portable electronics insurance coverage is included with the portable electronics or related services. Vendors billing and collecting such charges shall not be required to maintain such funds in a segregated account, provided that the insurer authorized the vendor to hold such funds in an alternative manner and remits such amounts to the supervising business entity within forty-five days of receipt. All funds received by a vendor from a customer for the sale of portable electronics insurance shall be considered funds held in trust by the vendor in a fiduciary capacity for the benefit of the insurer. Vendors shall maintain all records related to the purchase of portable electronics insurance for a period of three years from the date of purchase.

379.1515. Persons licensed as vendors shall be subject to the provisions of sections 375.012 to 375.014, 375.018, 375.031, 375.046, 375.051, 375.052, 375.071, 375.106, 375.116, 375.141, and 375.144 of the insurance producers act.

379.1520. 1. The director may suspend, revoke, refuse to issue, or refuse to issue any license or renew any license required by the provisions of sections 379.1500 to 379.1550 for any reason listed in section 375.141 or for any one or more of the following causes:

(1) Use of any advertisement or solicitation that is false, misleading, or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(2) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation;

(3) Violation of any professional trust or confidence.

2. The director may impose other penalties that the director deems necessary and reasonable to carry out the purposes of sections 379.1500 to 379.1550, including:

(1) Suspending the privilege of transacting portable electronics insurance under sections 379.1500 to 379.1550 at specific locations where violations have occurred; and

**(2) Suspending or revoking the ability of individual employees or authorized representatives to act under the license.**

**379.1525. Vendors shall be subject to the investigation and examination provisions of section 374.190.**

**379.1530. Premiums received by a vendor or supervising business entity shall be deemed received by the insurer. Insurers may require consumers to provide proof of purchase.**

**379.1535. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice, or course of business constituting a violation of sections 379.1500 to 379.1550 or rule adopted or order issued thereunder, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 379.1500 to 379.1550, or a rule adopted or order issued thereunder, the director may:**

- (1) Issue such administrative orders as authorized under section 374.046; or**
- (2) Maintain a civil action for relief authorized under section 374.048.**

**A violation of sections 379.1500 to 379.1550 or rule adopted or order issued thereunder is a level two violation under section 374.049.**

**379.1540. The license of a supervising business entity may be suspended, revoked, renewal refused, or an application refused if the director finds that a violation by a portable electronics insurance vendor was known or should have been known by the supervising business entity and the violation was neither reported to the director nor correction action taken. A violation of this section is a level three violation under section 374.049.**

**379.1545. Notwithstanding any other provision of law:**

**(1) An insurer may terminate or otherwise change the terms and conditions of a policy of portable electronics insurance only upon providing the policyholder and enrolled customers with at least thirty days' notice;**

**(2) If the insurer changes the terms and conditions of a policy of portable electronics insurance, the insurer shall provide the vendor and any policyholders with a revised policy or endorsement and each enrolled customer with a revised certificate, endorsement, updated brochure, or other evidence indicating a change in the terms and conditions has occurred and a summary of material changes;**

**(3) Notwithstanding subdivision (1) of this section, an insurer may terminate an enrolled customer's enrollment under a portable electronics insurance policy upon fifteen days' notice for discovery of fraud or material misrepresentation in obtaining coverage or in the presentation of a claim thereunder;**

**(4) Notwithstanding subdivision (1) of this section, an insurer may immediately terminate an enrolled customer's enrollment under a portable electronics insurance policy:**

**(a) For nonpayment of premium;**

**(b) If the enrolled customer ceases to have an active service with the vendor of portable electronics; or**

(c) If an enrolled customer exhausts the aggregate limit of liability, if any, under the terms of the portable electronics insurance policy and the insurer sends notice of termination to the customer within thirty calendar days after exhaustion of the limit. However, if the notice is not timely sent, enrollment and coverage shall continue notwithstanding the aggregate limit of liability until the insurer sends notice of termination to the enrolled customer;

(5) Where a portable electronics insurance policy is terminated by a policyholder, the policyholder shall mail or deliver written notice to each enrolled customer advising the customer of the termination of the policy and the effective date of termination. The written notice shall be mailed or delivered to the customer at least thirty days prior to the termination;

(6) Whenever notice is required under this section, it shall be in writing and may be mailed or delivered to the vendor at the vendor's mailing address and to its affected enrolled customers' last known mailing addresses on file with the insurer. If notice is mailed, the insurer or vendor, as the case may be, shall maintain proof of mailing in a form authorized or accepted by the U.S. Postal Service or other commercial mail delivery service. Alternatively, an insurer or vendor policyholder may comply with any notice required by this section by providing electronic notice to a vendor or its affected enrolled customers, as the case may be, by electronic means. Additionally, if an insurer or vendor policyholder provides electronic notice to an affected enrolled customer and such delivery by electronic means is not available or is undeliverable, the insurer or vendor policyholder shall provide written notice to the enrolled customer by mail in accordance with this section. If notice is accomplished through electronic means, the insurer or vendor of portable electronics, as the case may be, shall maintain proof that the notice was sent.

**379.1550. 1. The director may promulgate rules to implement the provisions of sections 379.1500 to 379.1550. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 379.1500 to 379.1550 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 379.1500 to 379.1550 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**2. The provisions of sections 379.1500 to 379.1550 shall become effective January 1, 2012.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Page 1, Section A, Line 5, by inserting after all of said section the following:

**“44.114. Except as otherwise provided in this section, at the time of any emergency, catastrophe or other life or property threatening event which jeopardizes the ability of an insurer to address the financial needs of its insureds or the public, no political subdivision shall impose restrictions or enforce local licensing or registration ordinances with respect to such insurer's claims handling operations. As used in this section, the term “claims handling operations” includes but is not limited to the establishment of a base of operations by an insurer within the disaster area and the investigation and handling of claims by personnel authorized by any such insurer. Nothing herein**



**shall prohibit a political subdivision from performing any safety inspection authorized by local ordinance of the premises of the insurer's base of operations within the disaster area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Section A, Page 1, Line 6, by inserting after all of said section and line the following:

“375.916. 1. When by the laws of any other state or foreign country any premium or income or other taxes, or any fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions are imposed upon Missouri insurance companies or carriers doing business, or that might seek to do business, in the other state or country, which in the aggregate are in excess of the taxes, fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions directly imposed upon insurance companies of the other state or foreign country under the statutes of this state, so long as the laws continue in force, the same obligations, prohibitions, and restrictions of whatever kind shall be imposed upon insurance companies or carriers of the other state or foreign country doing business in Missouri. Any tax, license or other obligation imposed by any city, county or other political subdivision of a state or foreign country on Missouri insurance companies or carriers shall be deemed to be imposed by the state or foreign country within the meaning of this section, and the director of the department of insurance, financial institutions and professional registration for the purpose of this section shall compute the burden of the tax, license or other obligations on an aggregate statewide or foreign-countrywide basis as an addition to the tax and other charges payable by similar Missouri insurance companies or carriers in the state or foreign country. The provisions of this section shall not apply to ad valorem taxes on real or personal property, personal income taxes or to assessments on or credits to insurers for the payment of claims of policyholders of insolvent insurers. **An insurance company claiming a state premium tax credit or deduction shall not be required to pay any additional retaliatory tax levied pursuant to this section as a result of claiming such credit or deduction.**

2. All licenses, fees, taxes, fines or penalties collectible under this section shall be paid to the director of revenue. The payment and assessment of retaliatory tax shall be made on an estimated quarterly basis in the same manner as premium insurance tax as provided in sections 148.310 to 148.461.

**3. Effective January 1, 2012, notwithstanding any other provision of law to the contrary, operating assessments based upon workers compensation paid losses that are imposed upon an insurance company by the laws of its state or foreign country of domicile shall not be considered any premium or income or other taxes or any fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions, provided that with respect to the tax year in question the insurance company has its principal place of business within this state and receives more than three million dollars of direct insurance premiums on account of business done in this state.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **SCS** for **SB 60**, entitled:

An Act to repeal sections 32.056, 50.535, 56.807, 221.105, 301.146, 302.020, 302.321, 303.025, 311.325, 404.710, 407.500, 407.505, 429.015, 444.773, 454.425, 454.548, 455.040, 456.3-301, 456.5-505, 456.8-813, 469.411, 469.437, 469.459, 475.060, 475.115, 475.375, 488.026, 488.432, 516.098, 516.140, 544.455, 544.470, 557.011, 558.019, 559.100, 559.105, 570.120, and 571.030, RSMo, and to enact in lieu thereof seventy-three new sections relating to judicial procedures, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, House Amendment No. 1 to House Amendment No. 9 and House Amendment No. 9, as amended.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 8, Section 221.025, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

**“221.025. 1. As an alternative to confinement, an individual may be placed on electronic monitoring pursuant to subsection 1 of section 544.455 or subsection 6 of section 557.011, but subject to any minimum sentence requirement of subsection 6 of section 577.023, with such terms and conditions as a court shall deem just and appropriate under the circumstances.**

**2. A judge may, in his or her discretion, credit any such period of electronic monitoring against any period of confinement or incarceration ordered, however, electronic monitoring shall not be considered to be in custody or incarceration for purposes of eligibility for the MOHealthNet program, nor shall it be considered confinement in a correctional center or private or county jail for purposes of determining responsibility for the individual’s health care.**

**3. The circuit court may contract with a private company to provide electronic monitoring services pursuant to this section and any private company which provides such electronic monitoring services shall certify to the circuit court the number of days that any individual was electronically monitored.” ; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Section 56.089, Page 6, Line 93, by inserting after all of said line the following:

**“15. Notwithstanding any other provision of this section, a court or prosecutor may not allow the holder of a commercial driver’s license to enter a diversion program that results in declining to file charges or dismissing charges for a violation of the vehicle and traffic law related to the operation of a motor vehicle, or a violation of local law, rule or ordinance related to the operation of a motor vehicle, when such offense was committed by the holder of a commercial driver’s license or was committed in a commercial motor vehicle, as defined in section 302.700.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 39, Section 475.060, Line 74 by inserting after all of said section and line the following:

“475.061. 1. Any person may file a petition in the probate division of the circuit court of the county of proper venue for the appointment of himself or some other qualified person as conservator of the estate of a minor or disabled person. The petition shall contain the same allegations as are set forth in subdivisions (1), (8), and (10) **of subsection 2** of section 475.060 with respect to the appointment of a guardian for an incapacitated person and, in addition thereto, an allegation that the respondent is unable by reason of some specific physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the respondent lacks ability to manage his financial resources or that the respondent is under the age of eighteen years.

2. A petition for appointment of a conservator or limited conservator of the estate may be combined with a petition for appointment of a guardian or limited guardian of the person. In such a combined petition allegations need not be repeated.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 7, Section 56.807, Line 60 by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city, town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] **a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for incarcerating the prisoner**, the prisoner shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 51, Section 488.026, Line 12 by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2014.

**5. Any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an additional five dollars if approved by the county commission.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 12, Section 302.321, Line 30, by inserting after all of said section and line the following:

“302.341. 1. If a Missouri resident charged with a moving [traffic] violation, **as defined in section 302.010**, of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant’s driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual’s driving record. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver’s license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating

revenue from fines and court costs for [traffic] **cited moving** violations occurring on state highways, **whether the violation is adjudicated finally as a moving or nonmoving violation**, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words “state highways” shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. [The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue.]

**3. The governing body of each fourth class city or village with over one hundred thousand dollars in traffic revenues in the previous year in this state shall cause to be prepared an annual report of the fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation occurring on state highways, along with the entity’s annual general operating revenue for the year, in such summary form as the state courts administrator’s office shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of the entity’s general revenue for the year, the entity shall include with the annual report payment of the excess revenues to the director of the department of revenue. Within thirty days of receipt of payment of the excess revenues, the director of the department of revenue shall disburse the excess to the proper schools, as provided in subsection 2 of this section.** If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. [Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.]

**4. The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**5. In the event a city, town, or village fails to comply with subsections 2 and 3 of this section, such entity shall be subject to a civil penalty in an amount of ten percent of excess revenues required to be submitted that were not submitted, with such penalty to be distributed to the local schools where the moving violation occurred.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 51, Section 488.432, Line 11, by inserting after all of said section and line the following:

“488.5026. 1. [Upon approval of the governing body of a city, county, or a city not within a county,] A surcharge of two dollars shall be assessed **and collected** as costs in each court proceeding filed in any court in any city, county, or city not within a county [adopting such a surcharge,] in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the “Inmate Security Fund”. Funds deposited shall be utilized to develop **information sharing and** biometric verification systems to ensure that inmates can be properly identified **upon booking** and tracked within the local jail **and criminal justice** system. Upon the installation of the **information sharing and** biometric verification system, funds in the inmate security fund may be used for the maintenance of the **information sharing and** biometric verification system, and to pay for any expenses related to custody and housing and other expenses for prisoners.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 3, Section 50.535, Line 37, by inserting after all of said section and line the following:

“50.622. **1.** Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

**2.** Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or higher, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations must take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall.

**3.** Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

**4. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this section and such notice must include a published summary of the proposed reductions and an explanation of the shortfall. If the county has a website, publication on the website will satisfy the notice requirement for this section.**

**5. This section shall expire on July 1, 2015.**

**6. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 8**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Section 32.056, Page 2, Line 17, by inserting after all of said section and line the following:

**“34.376. 1. Sections 34.376 to 34.380 may be known as the “Transparency in Private Attorney Contracts Act”.**

**2. As used in sections 34.376 to 34.380, the following terms shall mean:**

**(1) “Government attorney”, an attorney employed by the state as an assistant attorney general;**

**(2) “Private attorney”, any private attorney or law firm;**

**(3) “State”, the state of Missouri, in any action instituted by the attorney general pursuant to section 27.060.**

**34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:**

**(1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general’s office to handle the matter;**

**(2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;**

**(3) The geographic area where the attorney services are to be provided; and**

**(4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney’s experience with similar issues or cases.**

**2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.**

**3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.**

**4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:**

**(1) The government attorneys shall retain complete control over the course and conduct of the case;**

**(2) A government attorney with supervisory authority shall oversee the litigation;**

**(3) The government attorneys shall retain veto power over any decisions made by outside counsel;**

**(4) A government attorney with supervisory authority for the case shall attend all settlement conferences; and**

**(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.**

**5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.**

**6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.**

**7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.**

**8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:**

**(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:**

**(a) The name of the private attorney with whom the department has contracted, including the**



**name of the attorney's law firm;**

**(b) The nature and status of the legal matter;**

**(c) The name of the parties to the legal matter;**

**(d) The amount of any recovery; and**

**(e) The amount of any contingency fee paid.**

**(2) Include copies of any written determinations made under subsections 1 and 2 of this section.**

**34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 2, Line 10, by inserting after all of said line, the following:

“Further amend said bill, Page 21, Section 429.015, Line 62, by inserting after all of said section and line, the following:

**“444.771. Notwithstanding any other provision of law to the contrary, the commission and the department shall not issue any permits under this chapter or under chapters 643 or 644, RSMo, to any person whose mine plan boundary is within 1,000 feet of any real property where an accredited school has been located for at least five years prior to such application for permits made pursuant to these provisions, except that the provisions of this section shall not apply to any request for an expansion to an existing mine and/or to any underground mining operation.”; and”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 14, Section 303.025, Line 53, by inserting after all of said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

**5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.”;**  
and

Further amend said bill, Page 52, Section 516.140, Line 7, by inserting after all of said section and line the following:

**“537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

**2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.**

**3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

**PRIVILEGED MOTIONS**

Senator Engler, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 226**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 226**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 226, with House Amendment Nos. 1, 2, 3 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 226, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Bill No. 226;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 226 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Kevin Engler

/s/ Bob Dixon

/s/ Michael Parson

/s/ Victor E. Callahan

/s/ Joseph Keaveny

**FOR THE HOUSE:**

/s/ Ward Franz

/s/ Mike Bernskoetter

/s/ Lincoln Hough

/s/ Scott Sifton

/s/ Jill Schupp

Senator Engler moved that the above conference committee report be adopted, which motion prevailed by the following vote:

**YEAS—Senators**

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

**NAYS—Senators—None**

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Engler, **CCS** for **HCS** for **SS** for **SB 226**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 226

An Act to repeal sections 190.015, 190.035, 190.040, and 321.120, RSMo, and to enact in lieu thereof six new sections relating to emergency services.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 173**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 173

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 173, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7 and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 173, as amended;
2. The Senate recede from its position on Senate Bill No. 173;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 173, be Third Read and Finally Passed.

## FOR THE SENATE:

/s/ Bob Dixon

/s/ Bill Stouffer

/s/ Scott T. Rupp

/s/ Victor E. Callahan

/s/ Jolie Justus

## FOR THE HOUSE:

/s/ Mike Cierpiot

/s/ R. Thomas Long

/s/ Jason Smith

/s/ Joseph Fallert Jr.

/s/ Ron Casey

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

## NAYS—Senators—None

## Absent—Senators—None

## Absent with leave—Senators—None

## Vacancies—None

On motion of Senator Dixon, **CCS** for **HCS** for **SB 173**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 173

An Act to repeal sections 21.920, 227.107, 227.410, 238.202, 238.225, 238.235, 319.016, and 319.025, RSMo, and to enact in lieu thereof twelve new section relating to infrastructure.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce

Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Stouffer moved that **SS** for **SB 118**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SB 118**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 118

An Act to repeal sections 198.006 and 198.074, RSMo, and to enact in lieu thereof two new sections relating to sprinkler system requirements in long-term care facilities.

Was taken up.

Senator Stouffer moved that **HCS** for **SS** for **SB 118**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senator Goodman—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Stouffer, **HCS for SS for SB 118**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Goodman—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Parson moved that **SB 71**, with **HSA 1** for **HA 1**, as amended, and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

**HSA 1** for **HA 1**, as amended, was taken up.

Senator Parson moved that the above amendment be adopted.

At the request of Senator Parson, the above motion was withdrawn, which placed the bill back on the calendar.

On motion of Senator Dempsey, the Senate recessed until 3:30 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS for SB 238**.

With House Amendment Nos. 1 and 2.

## HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 238, Page 3, Section 87.006, Line 33, by inserting after all of said section and line the following:

**“170.310. 1. Each school district that operates a high school, and each charter school that contains grades 9 to 12, shall provide instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course in grades 9 to 12.**

**2. Instruction shall include hands-on practicing and skills testing to support cognitive learning. Instruction shall be through a program developed by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.**

**3. The teacher of the health education course shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.**

**4. Instruction as required under this section shall become a requirement for high school graduation for students graduating in the 2014-2015 school year and subsequent school years.**

**5. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 238, Page 3, Section 87.006, Line 33, by inserting after all of said line the following;

**“87.120. The following words and phrases as used in sections 87.120 to 87.370, unless a different meaning is plainly required by the context, have the following meanings:**

**(1) “Accumulated contributions”, the sum of all amounts deducted from the compensation of a member and credited to his or her individual account in the members’ savings fund together with interest thereon;**

**(2) “Actuarial equivalent”, a benefit of equal value when computed upon the basis of such mortality tables and interest rate as shall be adopted by the board of trustees;**

**(3) “Average final compensation”, the average earnable compensation of the member during his or her last two years of service as a firefighter, or if the firefighter has less than two years of service, then the average earnable compensation of his or her entire period of service;**



(4) “Beneficiary”, any person in receipt of a retirement allowance or other benefit as provided by sections 87.120 to 87.370;

(5) “Benefit reserve”, the present value of all payments to be made on account of any retirement allowance or benefit in lieu of a retirement allowance upon the basis of such mortality tables and interest rate as shall be adopted by the board of trustees;

(6) “Board of trustees”, the board provided for in section 87.140 to administer the retirement system;

(7) “City”, any city not within a county and adopting the retirement system provided by sections 87.120 to 87.370;

(8) “Creditable service”, prior service plus membership service as provided in section 87.135;

(9) “DROP”, the deferred retirement option plan provided in section 87.182;

(10) “Earnable compensation”, the regular compensation which a member would earn during one year on the basis of the stated compensation for his or her rank or position;

(11) “Firefighter”, any officer or employee of the fire department of the city employed by the city for the duty of fighting fires, but does not include anyone employed in a clerical or other capacity not involving fire-fighting duties. In case of doubt as to whether any person is a firefighter within the meaning of sections 87.120 to 87.370, the decision of the board of trustees shall be final;

(12) “Medical board”, the board of physicians provided for in section 87.160;

(13) “Member”, a member of the retirement system as defined by section 87.130;

(14) “Membership service”, service as a firefighter rendered since last becoming a member;

(15) “Prior service”, all service as a firefighter rendered prior to the date the system becomes operative which is creditable in accordance with the provisions of section 87.135;

(16) “Retirement allowance”, annual payments for life which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon retirement or to a beneficiary;

(17) “Retirement system”, the firefighter’s retirement system of any city as defined in section 87.125.

**87.127. A retirement plan under sections 87.120 to 87.370 is intended to be a qualified governmental plan under the provisions of applicable federal law. The benefits and conditions of the plan shall be interpreted and the system shall be operated to ensure that the system meets the federal qualification requirements.**

87.205. 1. Upon retirement for accidental disability **before August 28, 2011**, a member shall receive seventy-five percent of the pay then provided by law for the highest step in the range of salary for the title or rank held by such member at the time of such retirement unless the member is permanently and totally incapacitated from performing any work, occupation or vocation of any kind whatsoever and is continuously confined to the member’s home except for visits to obtain medical treatment, in which event the member may receive, in the discretion of the board of trustees, a retirement allowance in an amount not exceeding the member’s rate of compensation as a firefighter in effect as of the date the allowance begins.

2. Anyone who has retired pursuant to the provisions of section 87.170 and has been reinstated pursuant to subsection 2 of section 87.130 who subsequently becomes disabled, as provided in section 87.200, shall receive a total benefit which is the higher of either the disability pension or the service pension.

3. Upon retirement for accidental disability on or after August 28, 2011, based on conditions of the heart, lungs, or cancer or based on permanent and total disability which will prevent the member from obtaining employment elsewhere, as determined by the board of trustees based on medical evidence presented by the retirement system's physicians, a member shall receive, regardless of his or her number of years of credible service, seventy-five percent of the earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

4. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, a member shall receive a base pension equal to twenty-five percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

5. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, the member may elect to receive an education allowance in an amount not to exceed the tuition for a state resident at the University of Missouri-St. Louis. The accidentally disabled member shall enroll in a college, university, community college, or vocational or technical school at the first opportunity after the accidentally disabled member was retired and shall receive such educational allowance in the form of reimbursement upon proof of payment to such institution. The education allowance described in this subsection shall cease when the accidentally disabled member ceases to be a full-time student or if the accidentally disabled member is restored to active service as a firefighter, but in no event shall such education allowance be available for more than five years after the member is retired under section 87.200.

6. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, in addition to the base pension provided for in subsection 4 of this section and the education allowance provided for in subsection 5 of this section, members with twenty-five years or less of creditable service shall receive an additional accidental retirement pension equal to two and three-fourths percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of retirement for each year of credible service equal to or greater than ten years but not more than twenty-five years.

7. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, in addition to the base pension provided for in subsection 4 of this section and the additional accidental retirement pension provided for in subsection 6 of this section, for members with twenty-five years or less of creditable service, then during such time that the disabled member is a full-time student in a college, university, community college, or vocational or technical school and is receiving the educational allowance provided for in subsection 5 of this section, such member shall also receive a supplemental disability retirement pension in the amount necessary so that his or her total accidental disability retirement pension, excluding the education allowance, shall be equal to one hundred percent of the earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement. In no event shall such supplemental accidental disability pension be paid for a period more than five years after the member is retired under section 87.200.

8. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, in addition to the base pension provided for in subsection 4 of this section

and the education allowance provided for in subsection 5 of this section, for members with more than twenty-five years of credible service, such member shall also receive an additional pension equal to fifty percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

9. Notwithstanding any other provisions in this section, upon retirement for accidental disability, other than as provided in subsection 3 of this section, on or after August 28, 2011, a member with more than twenty years of credible service but not more than twenty-five years of creditable service may waive the right to receive the education allowance provided for in subsection 5 of this section, the right to additional pension retirement allowance provided for in subsection 6 of this section, and the right to receive the supplemental disability retirement pension provided for in subsection 7 of this section and may elect to receive instead in addition to the accidental disability retirement base pension as provided for in subsection 4 of this section an additional pension from the date of such member's retirement equal to forty percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement. Any such election shall be made prior to such member's receipt of his or her first accidental disability pension payment.

87.207. The following allowances due under the provisions of sections 87.120 to 87.371 of any member who retired from service shall be increased annually, as approved by the board of trustees beginning with the first increase in the October following his or her retirement and subsequent increases in each October thereafter, at the rates designated:

(1) With a retirement service allowance or ordinary disability allowance:

(a) One and one-half percent per year, compounded each year, up to age sixty for those retiring with twenty to twenty-four years of service,

(b) Two and one-fourth percent per year, compounded each year, up to age sixty for those retiring with twenty-five to twenty-nine years of service,

(c) Three percent per year, compounded each year, up to age sixty for those retiring with thirty or more years of service,

(d) After age sixty, five percent per year for five years;

(2) With an accidental disability allowance, three percent per year, compounded each year, up to age sixty, then five percent per year for five years. **Provided, however, for accidental disability on or after August 28, 2011, for reasons other than provided in subsection 3 of section 87.205, unless a member has more than twenty-five years of creditable service, the accidental disability allowance shall only increase at a rate of one percent per year, compounded each year, up to age sixty, then five percent per year for five years. For accidental disability on or after August 28, 2011, for reasons other than provided in subsection 3 of section 87.205, if a member has more than twenty-five years of creditable service, the accidental disability allowance shall only increase at a rate of two and one-fourth percent per year, compounded each year, up to age sixty, then five percent per year for five years.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 325**, entitled:

An Act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 338.315, 338.330, 339.190, 429.015, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, and 516.098, RSMo, and to enact in lieu thereof twenty-seven new sections relating to professional registration, with penalty provisions and an emergency clause for a certain section.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 325, Page 8, Section 333.171, Line 7, by inserting after all of said line the following:

“335.036. 1. The board shall:

(1) Elect for a one-year term a president and a secretary, who shall also be treasurer, and the board may appoint, employ and fix the compensation of a legal counsel and such board personnel as defined in subdivision (4) of subsection 10 of section 324.001 as are necessary to administer the provisions of sections 335.011 to 335.096;

(2) Adopt and revise such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 335.011 to 335.096;

(3) Prescribe minimum standards for educational programs preparing persons for licensure pursuant to the provisions of sections 335.011 to 335.096;

(4) Provide for surveys of such programs every five years and in addition at such times as it may deem necessary;

(5) Designate as “approved” such programs as meet the requirements of sections 335.011 to 335.096 and the rules and regulations enacted pursuant to such sections; and the board shall annually publish a list of such programs;

(6) Deny or withdraw approval from educational programs for failure to meet prescribed minimum standards;

(7) Examine, license, and cause to be renewed the licenses of duly qualified applicants;

(8) Cause the prosecution of all persons violating provisions of sections 335.011 to 335.096, and may incur such necessary expenses therefor;

(9) Keep a record of all the proceedings; and make an annual report to the governor and to the director of the department of insurance, financial institutions and professional registration;

(10) Establish an impaired nurse program.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

3. All fees received by the board pursuant to the provisions of sections 335.011 to 335.096 shall be deposited in the state treasury and be placed to the credit of the state board of nursing fund. All

administrative costs and expenses of the board shall be paid from appropriations made for those purposes. **The board is authorized to provide funding for the nursing education incentive program established in sections 335.200 to 335.203.**

4. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule, permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.”; and

Further amend said bill, Page 8, Section 335.099, Line 9, by inserting after all of said line the following:

“335.200. As used in sections 335.200 to [335.209] **335.203**, the following terms mean:

(1) “Board”, the [Missouri coordinating board for higher education] **state board of nursing**;

(2) “Department”, the **Missouri department of higher education**;

(3) “Eligible [nursing program] **institution of higher education**”, a **Missouri institution of higher education accredited by the higher learning commission of the north central association which offers a nursing education program [accredited under this chapter]**;

[(3) “Fund”, the nurse training incentive fund, established in section 335.203;]

(4) “[Incentive] Grant”, a grant awarded to [a nurse education program] **an eligible institution of higher education** under the guidelines set forth in sections **335.200 to 335.203** [to 335.209];

(5) “Nontraditional student”, a person admitted to an eligible nursing program that is older than twenty-two years of age at the time he is admitted to the nursing program;

(6) “Nurse”, a person holding a license as a registered nurse, pursuant to this chapter; and

(7) “Professional nursing education program”, a program of education accredited by the state board of nursing, pursuant to this chapter, designed to prepare persons for licensure as registered professional nurses with an enrollment of no less than sixty-five percent of the enrollment approved by the state board of nursing].

335.203. [The “Nurse Training Incentive Fund” is hereby established in the state treasury. The fund shall be administered by the coordinating board for higher education. The board shall base its appropriation request on enrollment, graduation and licensure figures for the previous year. The board may accept funds

from private, federal and other sources for the purposes of sections 335.200 to 335.209. All appropriations, private donations, and other funds provided to the board for the implementation of sections 335.200 to 335.209 shall be placed in the nurse training incentive fund. Notwithstanding the provisions of section 33.080 to the contrary, funds in the nurse training incentive fund shall not revert to the general revenue fund. Interest accruing to the fund shall be part of the fund. Grants provided pursuant to section 335.206 shall be made within the amounts appropriated therefor.] **1. There is hereby established the “Nursing Education Incentive Program” within the department of higher education.**

**2. Subject to appropriation, grants shall be awarded through the nursing education incentive program to eligible institutions of higher education based on criteria jointly determined by the board and the department. Grant award amounts shall not exceed one hundred fifty thousand dollars. No campus shall receive more than one grant per year.**

**3. To be considered for a grant, an eligible institution of higher education shall offer a program of nursing that meets the predetermined category and area of need as established by the board and the department under subsection 4 of this section.**

**4. The board and the department shall determine categories and areas of need for designating grants to eligible institutions of higher education. In establishing categories and areas of need, the board and department may consider criteria including, but not limited to:**

**(1) Data generated from licensure renewal data and the department of health and senior services; and**

**(2) National nursing statistical data and trends that have identified nursing shortages.**

**5. The department shall be the administrative agency responsible for implementation of the program established under sections 335.200 to 335.203, and shall promulgate reasonable rules for the exercise of its functions and the effectuation of the purposes of sections 335.200 to 335.203. The department shall, by rule, prescribe the form, time, and method of filing applications and shall supervise the processing of such applications.**

**6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill, Page 21, Section 516.098, Line 6, by inserting after all of said line the following:

“[335.206. 1. The nurse training incentive fund shall, upon appropriation, be used to provide incentive grants to eligible nursing programs which increase enrollment. Grants shall not be awarded to classes begun on or after July 1, 1996.

2. Grants shall be awarded to eligible nursing programs which increase enrollment pursuant to subsection 3 of this section. Eligible programs receiving grants provided under sections 335.200 to 335.209 shall monitor the enrollment of nontraditional students in their program and shall

annually report to the board the number of nontraditional students enrolled therein. It shall be the intent of sections 335.200 to 335.209 to encourage the enrollment and graduation of nontraditional students in nursing education programs.

3. Incentive grants shall be awarded to professional nurse education programs, as follows:

(1) A grant of eight thousand dollars for each entering class of ten students by which the program increases its enrollment over the number of entering students admitted in the fall of 1989; and

(2) A grant of four hundred dollars for each student from each entering class cited in subdivision (1) of this section by which the program increases its number of graduates over the number of students graduated in the preceding year; or

(3) Beginning with the first graduating class of the classes which enter and are enrolled after August 28, 1990, a grant of four hundred dollars for each student by which the program increases its number of graduates over the number of graduates of the preceding year, if the program is not otherwise qualified to receive the grant provided pursuant to subdivision (1) of this section.]

[335.209. No rule or portion of a rule promulgated under the authority of sections 335.200 to 335.209 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.]”; and

Further amend said title, enacting clause and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **SCS** for **SB 162**, entitled:

An Act to repeal sections 144.010, 144.020, 144.030, 144.070, 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, 268.121, 275.360, 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof fifteen new sections relating to agriculture, with penalty provisions.

With House Amendment No. 1, House Amendment No. 2 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3, 4, 5 and 6.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 16, Section 144.070, Line 80, by inserting after all of said section and line the following:

**“262.005. 1. Agriculture which provides food, energy, and security is the foundation and stabilizing force of Missouri’s economy. To protect this vital sector of Missouri’s economy, it shall be the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on livestock owners.**

**2. As used in this section, the following terms shall mean:**

(1) **“Generally accepted scientific principles”, agricultural standards and practices established by the University of Missouri, and the most current industry standards and practices;**

(2) **“Humane manner”, care of livestock regarding the livestock’s health and environment in compliance with generally accepted scientific principles;**

(3) **“Livestock”, horses, cattle, swine, sheep, goats, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild and raised in confinement for human consumption or animal husbandry, poultry or birds;**

(4) **“Undue economic burden”, expenses incurred resulting from changes in agricultural practices deemed legal under state or local laws or ordinances in effect at the time this section was enacted.”;**  
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO  
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 1, Line 12 by inserting after the word **“conservation”** the following:

**“and upon receiving the consent of the department of conservation”**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 16, Section 144.070, Line 80, by inserting after all of said section and line the following:

**“252.040. 1.** No wildlife shall be pursued, taken, killed, possessed or disposed of except in the manner, to the extent and at the time or times permitted by such rules and regulations; and any pursuit, taking, killing, possession or disposition thereof, except as permitted by such rules and regulations, are hereby prohibited. Any person violating this section shall be guilty of a misdemeanor except that any person violating any of the rules and regulations pertaining to record-keeping requirements imposed on licensed fur buyers and fur dealers shall be guilty of an infraction and shall be fined not less than ten dollars nor more than one hundred dollars.

**2. After first notifying the department of conservation, wild elk may be destroyed by the land owner or lessor of land when such wild elk have caused any damage to agricultural property including, but not limited to, fences and crops.”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 16, Section 144.070, Line 80, by inserting after all of said section and line the following:

**“262.815. 1. This section shall be known and may be cited as the “Missouri Farmland Trust Act”. The purpose of this section is to allow individuals and entities to donate, gift, or otherwise convey**



farmland to the state department of agriculture for the purpose of preserving the land as farmland and to further provide beginning farmers with an opportunity to farm by allowing long-term low and variable cost leases, thereby making it affordable for the next generation of farmers to continue to produce food, fiber, and fuel.

2. There is hereby created the “Missouri Farmland Trust” which shall be implemented in a manner to accomplish the following objectives:

- (1) Protect and preserve Missouri’s farmland;
- (2) Link new generations of prospective farmers with present farmers; and
- (3) Promote best practices in environmental, livestock, and land stewardship.

3. (1) There is hereby created within the department of agriculture the “Missouri Farmland Trust Advisory Board” which shall be comprised of five members appointed by the director of the department of agriculture. Members shall serve without compensation but, subject to appropriations, may be reimbursed for actual and necessary expenses.

(2) The board shall make recommendations to the director on the appropriate uses of farmland in the trust, criteria to be used to select applicants for the program, and review and make recommendations regarding applications to lease farmland in the trust.

(3) Members shall serve five-year terms, with each term beginning July first and ending June thirtieth; except that, of the members initially appointed two shall be appointed for a term of three years, two shall be appointed for a term of four years, and one shall be appointed for a term of five years. Each member shall serve until his or her successor is appointed. Any vacancies occurring prior to the expiration of a term shall be filled by appointment for the remainder of such term. No member shall serve more than two consecutive terms.

4. The department of agriculture is authorized to accept or acquire by purchase, lease, donation, or agreement any agricultural lands, easements, real and personal property, or rights in lands, easements, or real and personal property, including but not limited to buildings, structures, improvements, equipment, or facilities subject to preservation and improvement. Such lands shall be properties of the Missouri farmland trust for purposes of this section and shall be governed by the provisions of this section and rules promulgated thereunder.

5. (1) There is hereby created in the state treasury the “Missouri Farmland Trust Fund”, which shall consist of all gifts, bequests, donations, transfers, and moneys appropriated by the general assembly under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Upon appropriation, money in the fund shall be used for the administration of this section and may be used to make payments to counties for the value of land as payment in lieu of real and personal property taxes for privately owned land acquired after the effective date of this section in such amounts as determined by the department; except that, the amount determined shall not be less than the real property tax paid at the time of acquisition. The department of agriculture may require applicants who are awarded leases to pay the property taxes owed under this section for such property.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The department of agriculture is authorized to accept all moneys, appropriations, gifts, bequests, donations, or other contributions of moneys or other real or personal property to be expended or used for any of the purposes of this section. The department may improve, maintain, operate, and regulate any such lands, easements, or real or personal property to promote agriculture and the general welfare using moneys in the fund. Property acquired by the department under this section shall be used for agricultural purposes. The director shall establish by rule guidelines for leasing farmland to the trust to beginning farmers for a period not to exceed twenty years. All property acquired by the department under this section shall be farmed and maintained using the best environmental, conservation, and stewardship practices as outlined by the department. The department may charge an administrative fee for lease application processing under this section.

7. The department, in consultation with the Missouri farmland advisory board, shall promulgate rules to implement the provisions of this section, including but not limited to requirements for lessees, selection process for granting leases, and the terms of the lease, including requirements for applicants, renewal process, requirements for the maintenance of real and personal property by the lessee, and conditions for the termination of leases.

8. Any person or entity donating land to or leasing land from the department shall forever release the state of Missouri, the Missouri department of agriculture, the department's director, officers, employees, volunteers, agents, contractors, servants, heirs, successors, assigns, persons, firms, corporations, representatives, and other entities who are or who will be acting in concert or privity with or on behalf of the state from any and all actions, claims, or demands that he or she, family members, heirs, successors, assigns, agents, servants, employees, distributees, guardians, next-of-kin, spouse, and legal representatives now have or may have in the future for any injury, death, property damage related to:

(1) Participation in such activities;

(2) The negligence, intentional acts, or other acts, whether directly connected to such activities or not, and however caused; and

(3) The condition of the premises where such activities occur.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 2, Section 144.010, Line 21, by inserting immediately following the word “**purposes**” the following:

**“. The provision of this subdivision shall not apply to sales tax on a harvested animal”;** and

Further amend said bill, Page 7, Section 144.030, Lines 17 and 20, by deleting the words “[or], poultry, or **captive wildlife**” and inserting in lieu thereof the words “or poultry”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 1, Section A, Line 6, by inserting after all of said line and section the following:

“60.510. The functions, duties and responsibilities of the department of [natural resources] **agriculture** shall be as follows:

(1) To restore, maintain, and preserve the land survey monuments, section corners, and quarter section corners established by the United States public land survey within Missouri, together with all pertinent field notes, plats and documents; and also to restore, establish, maintain, and preserve other boundary markers considered by the department of [natural resources] **agriculture** to be of importance, or otherwise established by law;

(2) To design and cause to be placed at established public land survey corner sites, where practical, substantial monuments permanently indicating, with words and figures, the exact location involved, but if such monuments cannot be placed at the exact corner point, then witness corners of similar design shall be placed as near by as possible, with words and figures indicating the bearing and distance to the true corner;

(3) To establish, maintain, and provide safe storage facilities for a comprehensive system of recordation of information respecting all monuments established by the United States public land survey within this state, and such records as may be pertinent to the department of [natural resources'] **agricultures'** establishment or maintenance of other land corners, Missouri state coordinate system stations and accessories, and monuments in general;

(4) To extend throughout this state a triangulation and leveling net of precision, whereby the Missouri state coordinate system, as established by section 60.400, may be made to cover to the necessary extent those areas of the state which do not now have enough geodetic control stations to permit the general use of the system by land surveyors and others;

(5) To collect and preserve information obtained from surveys made by those authorized to establish land monuments or land boundaries, and to assist in the proper recording of the same by the duly constituted county officials, or otherwise;

(6) To furnish, upon reasonable request and tender of the required fees therefor, certified copies of records created or maintained by the department of [natural resources] **agriculture** which, when certified by the state land surveyor or a designated assistant, shall be admissible in evidence in any court in this state, as the original record;

(7) To prescribe, and disseminate to those engaged in the business of land surveying, advisory regulations designed to assist in uniform and professional surveying methods and standards in this state; and

(8) To select and appoint a state land surveyor, who shall be the chief administrative officer of the [authority] **land survey program**, and who shall hold office at the pleasure of the [authority] **director of the department of agriculture**.

60.530. The state land surveyor shall, under guidance of the department of [natural resources] **agriculture**, carry out the routine functions and duties of the department of [natural resources] **agriculture**, as prescribed in sections [60.500] **60.510** to 60.610. He shall, whenever practical, cause all land surveys, except geodetic surveys, to be executed, under his direction by the registered county surveyor or a local registered land surveyor when no registered county surveyor exists. He shall perform such other work and acts as shall, in the judgment of the department of [natural resources] **agriculture**, be necessary and proper to carry out the objectives of sections [60.500] **60.510** to 60.610 and, within the limits of appropriations made therefor and subject to the approval of the department of [natural resources] **agriculture**, employ and fix the compensation of such additional employees as may be necessary to carry out the provisions of sections [60.500] **60.510** to 60.610.

60.540. The department of [natural resources] **agriculture** may acquire, in the name of the state of Missouri, lands or interests therein, where necessary, to establish permanent control stations; and may lease or purchase or acquire by negotiation or condemnation, where necessary, land for the establishment of an office of the department of [natural resources] **agriculture**. If condemnation is necessary, the attorney general shall bring the suit in the name of the state in the same manner as authorized by law for the acquisition of lands by the state transportation department.

60.550. The custody and ownership of the original United States public land survey corners and accessories, including all restoration and replacements thereof and all accessories, belonging to the state of Missouri is hereby transferred to the department of [natural resources] **agriculture**. The department of [natural resources] **agriculture** shall see that the markers are maintained, and the alteration, removal, disfiguration or destruction of any of the corners or accessories, without specific permission of the department of [natural resources] **agriculture**, is an act of destruction of state property and is a misdemeanor. Any person convicted thereof shall be punished as provided by law. Each of the several prosecuting attorneys is specifically directed to prosecute for the violation of this section for any act of destruction which occurs in his **or her** county.

60.560. Upon request, the state attorney general shall advise the department of [natural resources] **agriculture** or the state land surveyor with respect to any legal matter, and shall represent the department of [natural resources] **agriculture or state land surveyor** in any proceeding in any court of the state in which the [authority] **department or state land surveyor** shall be a party.

60.580. The state land surveyor or any and all employees of the department of [natural resources] **agriculture** have the right to enter upon private property for the purpose of making surveys, or for searching for, locating, relocating, or remonumenting land monuments, leveling stations, or section corners. Should any of these persons necessarily damage property of the owner in making the surveys or searches or remonumentations, the department of [natural resources] **agriculture** may make reasonable payment for the damage from funds available for that purpose. However, department of [natural resources] **agriculture** employees are personally liable for any damage caused by their wantonness, willfulness, or negligence. All department of [natural resources] **agriculture** employees are immune from arrest for trespass in performing their legal duties as stated in sections [60.500] **60.510** to 60.610.

60.590. 1. On request of the department of [natural resources] **agriculture** or the state land surveyor, all city and county recorders of deeds, together with all departments, boards or agencies of state government, county, or city government, shall furnish to the department of [natural resources] **agriculture** or the state land surveyor certified copies of desired records which are in their custody. This service shall

be free of cost when possible; otherwise, it shall be at actual cost of reproduction of the records. On the same basis of cost, the department of [natural resources] **agriculture** shall furnish records within its custody to other agencies or departments of state, county or city, certifying them.

2. The department of [natural resources] **agriculture** may produce, reproduce and sell maps, plats, reports, studies, and records, and shall fix the charge therefor. All income received shall be promptly deposited in the state treasury to the credit of the department of [natural resources document] **agriculture revolving** services fund.

60.595. 1. The "Department of [Natural Resources] **Agriculture Revolving Services Fund**" is hereby created. All funds received by the department of [natural resources] **agriculture** from the delivery of services and the sale or resale of maps, plats, reports, studies, records and other publications and documents by the department shall be credited to the fund. The director of the department shall administer the fund. The state treasurer is the custodian of the fund and [shall] **may** approve disbursements from the fund requested by the director of the department. When appropriated, moneys in the fund shall be used to purchase goods or services that will ultimately be used to reprint maps, publications or other documents requested by governmental agencies or members of the general public; to publish the maps, publications or other documents or to purchase maps, publications or other documents for resale; and to pay shipping charges, laboratory services, core library fees, workshops, conferences, interdivisional cooperative agreements, but for no other purpose.

2. An unencumbered balance in the fund at the end of the fiscal year not exceeding one million dollars is exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the general revenue fund.

3. The department of [natural resources] **agriculture** shall report all income to and expenditures from such fund on a quarterly basis to the house budget committee and the senate appropriations committee.

60.600. Every employee of the department of [natural resources] **agriculture** who is engaged in work required by law to be done by a registered land surveyor [will] **shall** be so registered. No employee of the department of [natural resources] **agriculture** shall engage in private land surveying or consultation while employed by the department of [natural resources] **agriculture**.

60.610. Whenever the department of [natural resources] **agriculture** deems it expedient, and when funds appropriated permit, the department of [natural resources] **agriculture** may enter into any contract with agencies of the United States, with agencies of other states, or with private persons, registered land surveyors or professional engineers, in order to plan and execute desired land surveys or geodetic surveys, or to plan and execute other projects which are within the scope and purpose of sections [60.500] **60.510** to 60.610.

60.620. 1. There is hereby created the "Land Survey Advisory Committee", within the department of [natural resources] **agriculture**. The committee shall consist of five members appointed by the director of the department of [natural resources] **agriculture**. Members of the committee shall hold office for terms of three years, but of the original appointments, two members shall serve for one year, two members shall serve for two years, and one member shall serve for three years.

2. The advisory committee shall consist of persons who reside in this state and are not employed by the department of [natural resources] **agriculture**. Three members shall be registered land surveyors, one of which shall be a county surveyor. One member shall represent the real estate or land title industry.

3. The advisory committee shall elect a chairman annually. The committee shall meet semiannually and at other such times as called by the chairman of the committee and shall have a quorum when at least three members are present.

4. The advisory committee members shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

5. The advisory committee shall provide the director of the department of [natural resources] **agriculture** with advice and counsel on the planning and prioritization of the program and the design of regulations needed to carry out the functions, duties, and responsibilities of the department of [natural resources] **agriculture**.

6. The committee shall, at least annually, prepare a report, which shall be available to the general public, of the review by the committee of the land survey program, stating its findings, conclusions, and recommendations to the director.

60.653. 1. It shall be the duty of the recorder of deeds to maintain a copy of all survey plats delivered to his custody in an appropriate file medium capable of reproduction.

2. Survey plats shall be placed in the plat books or such other record books as have been previously established.

3. A duplicate of the recorded survey plat shall be provided to the land survey [division] **program** of the department of [natural resources] **agriculture** at an amount not to exceed the actual cost of the duplicate.

4. The recorder shall maintain an index of all survey plats, subdivision plats, and condominium plats by section, township, and range and by subdivision or condominium name.

5. Copies of survey plats shall be evidence in all courts of justice when properly certified under the hand and official seal of the recorder.

60.670. 1. As used in this section, the following terms shall mean:

(1) "Cadastral parcel mapping", an accurately delineated identification of all real property parcels. The cadastral map is based upon the USPLSS. For cadastral parcel maps the position of the legal framework is derived from the USPLSS, existing tax maps, and tax database legal descriptions, recorded deeds, recorded surveys, and recorded subdivision plats;

(2) "Digital cadastral parcel mapping", encompasses the concepts of automated mapping, graphic display and output, data analysis, and database management as pertains to cadastral parcel mapping. Digital cadastral parcel mapping systems consist of hardware, software, data, people, organizations, and institutional arrangements for collecting, storing, analyzing, and disseminating information about the location and areas of parcels and the USPLSS;

(3) "USPLSS" or "United States Public Land Survey System", a survey executed under the authority of the United States government as recorded on the official plats and field notes of the United States public land survey maintained by the land survey program of the department of [natural resources] **agriculture**;

(4) "Tax map", a document or map for taxation purposes representing the location, dimensions, and other relevant information pertaining to a parcel of land subject to property taxes.

2. The office of the state land surveyor established within the department of [natural resources] **agriculture** shall promulgate rules and regulations establishing minimum standards for digital cadastral

parcel mapping. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

3. Any map designed and used to reflect legal property descriptions or boundaries for use in a digital cadastral mapping system shall comply with the rules promulgated under this section, unless the party requesting the map specifies otherwise in writing, the map was designed and in use prior to the promulgation of the rules, or the parties requesting and designing the map have already agreed to the terms of their contract on the effective date of the rules promulgation.”; and

Further amend said bill, Page 16, Section 144.030, Line 80, by inserting after all of said section and line the following:

“261.023. 1. There is hereby created a department of agriculture to be headed by a director of the department of agriculture to be appointed by the governor, by and with the advice and consent of the senate. The director shall possess the qualifications presently provided by law for the position of commissioner of agriculture.

2. All powers, duties and functions now vested by law to the commissioner of the department of agriculture and the department of agriculture, chapter 261 and others, are transferred by type I transfer to the director of the department of agriculture and to the department of agriculture herein created.

3. The state horticultural society created by sections 262.010 and 262.020 is transferred by type I transfer to the department of agriculture.

4. All the powers, duties, and functions vested in the state milk board, chapter 196, are transferred to the department of agriculture by type III transfer. The appointed members of the board shall be nominated by the department director, and appointed by the governor with the advice and consent of the senate. The department of health and senior services shall retain the powers, duties and functions assigned by chapter 196.

5. All the powers, duties, functions and properties of the state fruit experiment station, chapter 262, are transferred by type I transfer to the Southwest Missouri State University and fruit experiment station board of trustees is abolished.

6. All the powers, duties and functions of the department of revenue relating to the inspection of motor fuel and special fuel distributors, chapters 323 and 414, are transferred by type I transfer to the department of agriculture and to the director of that department. The collection of the taxes provided in chapters 142 and 136, however, shall be made by the department of revenue.

**7. All the powers, duties, and functions of the land survey program of the department of natural resources are transferred to the department of agriculture by type I transfer. In no case shall any cost allocation plan charged to the land survey program be greater than the cost allocation plan charged to any other program within the department of agriculture.”; and**

Further amend said bill, Page 25, Section 411.280, Line 7, by inserting after all of said section and line

the following:

“640.010. 1. There is hereby created a department of natural resources in charge of a director appointed by the governor, by and with the advice and consent of the senate. The director shall administer the programs assigned to the department relating to environmental control and the conservation and management of natural resources. The director shall coordinate and supervise all staff and other personnel assigned to the department. He shall faithfully cause to be executed all policies established by the boards and commissions assigned to the department, be subject to their decisions as to all substantive and procedural rules and his decisions shall be subject to appeal to the board or commission on request of the board or commission or by affected parties. The director shall recommend policies to the various boards and commissions assigned to the department to achieve effective and coordinated environmental control and natural resource conservation policies.

2. The director shall appoint directors of staff to service each of the policy making boards or commissions assigned to the department. Each director of staff shall be qualified by education, training and experience in the technical matters of the board to which he is assigned and his appointment shall be approved by the board to which he is assigned and he shall be removed or reassigned on their request in writing to the director of the department. All other employees of the department and of each board and commission assigned to the department shall be appointed by the director of the department in accord with chapter 36, and shall be assigned and may be reassigned as required by the director of the department in such a manner as to provide optimum service, efficiency and economy.

3. The air conservation commission, chapter 203 and others, the clean water commission, chapter 204 and others, are transferred by type II transfer to the department of natural resources. The governor shall appoint the members of these bodies in accord with the laws establishing them, with the advice and consent of the senate. The bodies hereby transferred shall retain all rulemaking and hearing powers allotted by law, as well as those of any bodies transferred to their jurisdiction. All the powers, duties and functions of the state environmental improvement authority, chapter 260 and others, are transferred by type III transfer to the air conservation commission. All the powers, duties and functions of the water resources board, chapter 256 and others, are transferred by type I transfer to the clean water commission and the board is abolished. No member of the clean water commission shall receive or shall have received, during the previous two years from the date of his appointment, a significant portion of his income directly or indirectly from permit holders or applicants for a permit under the jurisdiction of the clean water commission. The state park board, chapter 253, is transferred to the department of natural resources by type I transfer.

4. All the powers, duties and functions of the state soil and water districts commission, chapter 278 and others, are transferred by a type II transfer to the department.

5. All the powers, duties and functions of the state geologist, chapter 256 and others, are transferred by type I transfer to the department of natural resources. [All the powers, duties and functions of the state land survey authority, chapter 60, are transferred to the department of natural resources by type I transfer and the authority is abolished.] All the powers, duties and functions of the state oil and gas council, chapter 259 and others are transferred to the department of natural resources by type II transfer. The director of the department shall appoint a state geologist who shall have the duties to supervise and coordinate the work formerly done by the departments or authorities abolished by this subsection, and shall provide staff services for the state oil and gas council.

6. All the powers, duties and functions of the land reclamation commission, chapter 444 and others, are



transferred to the department of natural resources by type II transfer. All necessary personnel required by the commission shall be selected, employed and discharged by the commission. The director of the department shall not have the authority to abolish positions.

7. The functions performed by the division of health in relation to the maintenance of a safe quality of water dispensed to the public, sections 640.100 to 640.115, and others, and for licensing and regulating solid waste management systems and plans are transferred by type I transfer to the department of natural resources.

8. (1) The state interagency council for outdoor recreation, chapter 258, is transferred to the department of natural resources by type II transfer. The council shall consist of representatives of the following state agencies: department of agriculture; department of conservation; office of administration; department of natural resources; department of economic development; department of social services; department of transportation; and the University of Missouri.

(2) The council shall function as provided in chapter 258, except that the department of natural resources shall provide all staff services as required by the council notwithstanding the provisions of sections 258.030 and 258.040, and all personnel and property of the council are hereby transferred by type I transfer to the department of natural resources and the office of executive secretary to the council is abolished.

Section A. The provisions of sections 60.510, 60.530, 60.540, 60.550, 60.560, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 261.023, and 640.010 of section A of this Act shall become effective August 28, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 24, Section 276.441, Line 12, by inserting immediately after said line the following:

“338.010. 1. The “practice of pharmacy” means the interpretation, implementation, and evaluation of medical prescription orders, including **any legend drugs under 21 U.S.C. Section 353**; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, **and veterinarians and their clients about legend drugs**, about the safe and effective use of drugs and devices; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his

**or her** duties. This assistance in no way is intended to relieve the pharmacist from his **or her** responsibilities for compliance with this chapter and he **or she** will be responsible for the actions of the auxiliary personnel acting in his **or her** assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, **or** podiatry, or veterinary medicine **only for use in animals**, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, **administering, prescribing,** or dispensing of his **or her** own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage

in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

**11. “Veterinarian”, “doctor of veterinary medicine”, “practitioner of veterinary medicine”, “DVM”, “VMD”, “BVSe”, “BVMS”, “BSe (Vet Science)”, “VMB”, “MRCVS”, or an equivalent title means a person who has received a doctor’s degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).**

338.140. 1. The board of pharmacy shall have a common seal, and shall have power to adopt such rules and bylaws not inconsistent with law as may be necessary for the regulation of its proceedings and for the discharge of the duties imposed pursuant to sections 338.010 to 338.198, and shall have power to employ an attorney to conduct prosecutions or to assist in the conduct of prosecutions pursuant to sections 338.010 to 338.198.

2. The board shall keep a record of its proceedings.

3. The board of pharmacy shall make annually to the governor and, upon written request, to persons licensed pursuant to the provisions of this chapter a written report of its proceedings.

4. The board of pharmacy shall appoint an advisory committee composed of [five] **six** members, one of whom shall be a representative of pharmacy but who shall not be a member of the pharmacy board, three of whom shall be representatives of wholesale drug distributors as defined in section 338.330, [and] one of whom shall be a representative of drug manufacturers, **and one of whom shall be a licensed veterinarian recommended to the board of pharmacy by the board of veterinary medicine.** The committee shall review and make recommendations to the board on the merit of all rules and regulations dealing with pharmacy distributors, wholesale drug distributors [and], drug manufacturers, **and veterinary legend drugs** which are proposed by the board.

5. A majority of the board shall constitute a quorum for the transaction of business.

6. Notwithstanding any other provisions of law to the contrary, the board may issue letters of reprimand, censure or warning to any holder of a license or registration required pursuant to this chapter for any violations that could result in disciplinary action as defined in section 338.055.

338.150. Any person authorized by the board of pharmacy is hereby given the right of entry and inspection upon all open premises purporting or appearing to be drug or chemical stores, apothecary shops, pharmacies or places of business for exposing for sale, or the dispensing or selling of drugs, pharmaceuticals, medicines, chemicals or poisons or for the compounding of physicians' **or veterinarians'** prescriptions.

338.210. 1. Pharmacy refers to any location where the practice of pharmacy occurs or such activities are offered or provided by a pharmacist or another acting under the supervision and authority of a pharmacist, including every premises or other place:

(1) Where the practice of pharmacy is offered or conducted;

(2) Where drugs, chemicals, medicines, **any legend drugs under 21 U.S.C. Section 353**, prescriptions,

or poisons are compounded, prepared, dispensed or sold or offered for sale at retail;

(3) Where the words “pharmacist”, “apothecary”, “drugstore”, “drugs”, and any other symbols, words or phrases of similar meaning or understanding are used in any form to advertise retail products or services;

(4) Where patient records or other information is maintained for the purpose of engaging or offering to engage in the practice of pharmacy or to comply with any relevant laws regulating the acquisition, possession, handling, transfer, sale or destruction of drugs, chemicals, medicines, prescriptions or poisons.

2. All activity or conduct involving the practice of pharmacy as it relates to an identifiable prescription or drug order shall occur at the pharmacy location where such identifiable prescription or drug order is first presented by the patient or the patient’s authorized agent for preparation or dispensing, unless otherwise expressly authorized by the board.

3. The requirements set forth in subsection 2 of this section shall not be construed to bar the complete transfer of an identifiable prescription or drug order pursuant to a verbal request by or the written consent of the patient or the patient’s authorized agent.

4. The board is hereby authorized to enact rules waiving the requirements of subsection 2 of this section and establishing such terms and conditions as it deems necessary, whereby any activities related to the preparation, dispensing or recording of an identifiable prescription or drug order may be shared between separately licensed facilities.

5. If a violation of this chapter or other relevant law occurs in connection with or adjunct to the preparation or dispensing of a prescription or drug order, any permit holder or pharmacist-in-charge at any facility participating in the preparation, dispensing, or distribution of a prescription or drug order may be deemed liable for such violation.

6. Nothing in this section shall be construed to supersede the provisions of section 197.100.

338.220. 1. It shall be unlawful for any person, copartnership, association, corporation or any other business entity to open, establish, operate, or maintain any pharmacy as defined by statute without first obtaining a permit or license to do so from the Missouri board of pharmacy. A permit shall not be required for an individual licensed pharmacist to perform nondispensing activities outside of a pharmacy, as provided by the rules of the board. A permit shall not be required for an individual licensed pharmacist to administer drugs, vaccines, and biologicals by protocol, as permitted by law, outside of a pharmacy. The following classes of pharmacy permits or licenses are hereby established:

- (1) Class A: Community/ambulatory;
- (2) Class B: Hospital outpatient pharmacy;
- (3) Class C: Long-term care;
- (4) Class D: Nonsterile compounding;
- (5) Class E: Radio pharmaceutical;
- (6) Class F: Renal dialysis;
- (7) Class G: Medical gas;
- (8) Class H: Sterile product compounding;
- (9) Class I: Consultant services;

(10) Class J: Shared service;

(11) Class K: Internet;

(12) Class L: Veterinary.

2. Application for such permit or license shall be made upon a form furnished to the applicant; shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration; and shall be accompanied by a permit or license fee. The permit or license issued shall be renewable upon payment of a renewal fee. Separate applications shall be made and separate permits or licenses required for each pharmacy opened, established, operated, or maintained by the same owner.

3. All permits, licenses or renewal fees collected pursuant to the provisions of sections 338.210 to 338.370 shall be deposited in the state treasury to the credit of the Missouri board of pharmacy fund, to be used by the Missouri board of pharmacy in the enforcement of the provisions of sections 338.210 to 338.370, when appropriated for that purpose by the general assembly.

4. Class L: veterinary permit shall not be construed to prohibit or interfere with any legally registered practitioner of veterinary medicine in the compounding, **administering, prescribing,** or dispensing of their own prescriptions, **or medicine, drug, or pharmaceutical product to be used for animals.**

5. [Notwithstanding any other law to the contrary] **Except for any legend drugs under 21 U.S.C. Section 353,** the provisions of this section shall not apply to the sale, dispensing, or filling of a pharmaceutical product or drug used for treating animals.

338.240. 1. Upon evidence satisfactory to the said Missouri board of pharmacy:

(1) That the pharmacy for which a permit, or renewal thereof, is sought, will be conducted in full compliance with sections 338.210 to 338.300, with existing laws, and with the rules and regulations as established hereunder by said board;

(2) That the equipment and facilities of such pharmacy are such that it can be operated in a manner not to endanger the public health or safety;

(3) That such pharmacy is equipped with proper pharmaceutical and sanitary appliances and kept in a clean, sanitary and orderly manner;

(4) That the management of said pharmacy is under the supervision of either a registered pharmacist, or an owner or employee of the owner, who has at his **or her** place of business a registered pharmacist employed for the purpose of compounding physician's **or veterinarian's** prescriptions in the event any such prescriptions are compounded or sold;

(5) That said pharmacy is operated in compliance with the rules and regulations legally prescribed with respect thereto by the Missouri board of pharmacy, a permit or renewal thereof shall be issued to such persons as the said board of pharmacy shall deem qualified to conduct such pharmacy.

**2. In lieu of a registered pharmacist as required by subdivision (4) of subsection 1 of this section, a pharmacy permit holder that only holds a class L veterinary permit and no other pharmacy permit, may designate a supervising registered pharmacist who shall be responsible for reviewing the activities and records of the class L pharmacy permit holder as established by the board by rule. The supervising registered pharmacist shall not be required to be physically present on site during the**

**business operations of a class L pharmacy permit holder identified in subdivision (5) of subsection 1 of this section when noncontrolled legend drugs under 21 U.S.C. Section 353 are being dispensed for use in animals, but shall be specifically present on site when any noncontrolled drugs for use in animals are being compounded.**

338.315. It shall be unlawful for any pharmacist, pharmacy owner or person employed by a pharmacy to knowingly purchase or receive any legend drugs **under 21 U.S.C. Section 353** from other than a licensed or registered drug distributor or licensed pharmacy. Any person who violates the provisions of this section shall, upon conviction, be adjudged guilty of a class A misdemeanor. Any subsequent conviction shall constitute a class D felony.

338.330. As used in sections 338.300 to 338.370, the following terms mean:

(1) “Out-of-state wholesale drug distributor”, a wholesale drug distributor with no physical facilities located in the state;

(2) “Pharmacy distributor”, any licensed pharmacy, as defined in section 338.210, engaged in the delivery or distribution of legend drugs to any other licensed pharmacy where such delivery or distribution constitutes at least five percent of the total gross sales of such pharmacy;

(3) “**Legend drug**”:

(a) **Any drug or biological product:**

**a. Subject to Section 503(b) of the Federal Food, Drug and Cosmetic Act, including finished dosage forms and active ingredients subject to such section;**

**b. Required under federal law to be labeled with one of the following statements prior to being dispensed or delivered:**

(i) “**Caution: Federal law prohibits dispensing without prescription**”;

(ii) “**Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian**”;  
or

(iii) “**Rx only**”;

**c. Required by any applicable federal or state law or regulation to be dispensed by prescription only or that is restricted to use or dispensed by practitioners only;**

(b) The term “**drug**”, “**prescription drug**”, or “**legend drug**” shall not include:

**a. An investigational new drug, as defined in 21 CFR 312.3(b), that is being utilized for the purposes of conducting a clinical trial or investigation of such drug or product that is governed by and being conducted under 21 CFR 312, et seq.;**

**b. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed by and being conducted under 21 CFR 312, et seq.;**

**c. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed or approved by an institutional review board subject to 21 CFR Part 56 or 45 CFR Part 46;**

(4) “**Wholesale drug distributor**”, anyone engaged in the delivery or distribution of legend drugs from any location and who is involved in the actual, constructive or attempted transfer of a drug or drug-related

device in this state, other than to the ultimate consumer. This shall include, but not be limited to, drug wholesalers, repackagers and manufacturers which are engaged in the delivery or distribution of drugs in this state, with facilities located in this state or in any other state or jurisdiction. A wholesale drug distributor shall not include any common carrier or individual hired solely to transport legend drugs. Any locations where drugs are delivered on a consignment basis, as defined by the board, shall be exempt from licensure as a drug distributor, and those standards of practice required of a drug distributor but shall be open for inspection by board of pharmacy representatives as provided for in section 338.360.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 351**, entitled:

An Act to repeal section 453.121, RSMo, and to enact in lieu thereof one new section relating to adoption records.

With House Amendment No. 1.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 2, Section 453.121, Line 25, by deleting the number “**10**” and inserting in lieu thereof the number “**9**”; and

Further amend said bill, Page 2, Section 453.121, Line 28, by deleting the number “**10**” and inserting in lieu thereof the number “**9**”; and

Further amend said bill, Page 3, Section 453.121, Line 71, by inserting after the word “court” the phrase “**or if a biological parent is found to be deceased**”; and

Further amend said bill, Pages 3 and 4, Section 453.121, Lines 84 to 93, by deleting all of said lines and inserting in lieu there of the following:

“8. [If the biological parent is deceased but previously had filed an affidavit with the court stating that identifying information shall be disclosed, the information shall be forwarded to and released by the court to the adopted adult. If the biological parent is deceased and, at any time prior to his death, the biological parent did not file an affidavit with the court stating that the identifying information shall be disclosed, the adopted adult may petition the court for an order releasing the identifying information. The court shall grant the petition upon a finding that disclosure of the information is necessary for health-related purposes.

9.] Any adopted adult whose adoption was finalized in this state or whose biological”; and

Further amend said bill, Page 4, Section 453.121, Line 100, by deleting the number “10.” and inserting in lieu thereof the following: “[10.] **9.**”; and

Further amend said bill, Page 4, Section 453.121, Line 118, by deleting the number “11.” and inserting in lieu thereof the following: “[11.] **10.**”; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 356**, entitled:

An Act to repeal sections 21.801, 144.010, 144.020, 144.030, 144.070, 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, 268.121, 275.360, 276.401, 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof twenty-five new sections relating to agriculture, with penalty provisions and an emergency clause for a certain section.

With House Amendment Nos. 1, 2, 3 and 4.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 20, Section 262.005, Line 11, by inserting immediately after the number “(3)” the following:

**“Livestock”, horses, cattle, swine, sheep, goats, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild and raised in confinement for human consumption or animal husbandry, poultry or birds;**

**(4)”**; and

Further amend said bill, page and section, Line 12, by deleting all of said line and inserting in lieu thereof the following:

**“agricultural practices deemed legal under state or local laws or ordinances in effect at the time this section was enacted.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 21, Section 263.190, Line 40, by deleting all of said line and inserting in lieu thereof the following:

**“4. All sales of noxious weed species are prohibited.”**; and

Further amend said bill, Page 22, Section 263.241, Lines 1-14, by deleting all of said section and lines; and

Further amend said bill, Page 34, Section 263.232, Line 20, by inserting after all of said section and line the following:

**“[263.241. The plant, purple loosestrife (*Lythrum salicaria*), and any hybrids thereof, is hereby designated a noxious weed. No person shall buy, sell, offer for sale, distribute or plant seeds, plants or parts of plants of purple loosestrife without a permit issued by the Missouri department of conservation. Such permits shall be issued only for experiments to control and eliminate nuisance weeds. Any person who violates the provisions of this section shall be guilty of a class A misdemeanor.]”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.



HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 5, Section 144.010, Line 21, by inserting immediately following the word **“purposes”** the following:

**“ . The provision of this subdivision shall not apply to sales tax on a harvested animal”**; and

Further amend said bill, Page 9, Section 144.030, Line 17, by deleting the words **“[or], poultry, or captive wildlife”** and inserting in lieu thereof the words **“or poultry”**; and

Further amend said bill, Page 10, Section 144.030, Line 20, by deleting the words **“[or], poultry, or captive wildlife”** and inserting in lieu thereof the words **“or poultry”**; and

Further amend said bill, Page 19, Section 144.527, Line 19, by inserting after all of said section and line:

**“252.040. 1. No wildlife shall be pursued, taken, killed, possessed or disposed of except in the manner, to the extent and at the time or times permitted by such rules and regulations; and any pursuit, taking, killing, possession or disposition thereof, except as permitted by such rules and regulations, are hereby prohibited. Any person violating this section shall be guilty of a misdemeanor except that any person violating any of the rules and regulations pertaining to record-keeping requirements imposed on licensed fur buyers and fur dealers shall be guilty of an infraction and shall be fined not less than ten dollars nor more than one hundred dollars.**

**2. After first notifying the department of conservation, wild elk may be destroyed by the land owner or lessor of land when such wild elk have caused any damage to agricultural property including, but not limited to, fences and crops.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 20, Section 262.005, Line 12, by inserting after all of said section and line the following:

**“262.815. 1. This section shall be known and may be cited as the “Missouri Farmland Trust Act”. The purpose of this section is to allow individuals and entities to donate, gift, or otherwise convey farmland to the state department of agriculture for the purpose of preserving the land as farmland and to further provide beginning farmers with an opportunity to farm by allowing long-term low and variable cost leases, thereby making it affordable for the next generation of farmers to continue to produce food, fiber, and fuel.**

**2. There is hereby created the “Missouri Farmland Trust” which shall be implemented in a manner to accomplish the following objectives:**

- (1) Protect and preserve Missouri’s farmland;**
- (2) Link new generations of prospective farmers with present farmers; and**
- (3) Promote best practices in environmental, livestock, and land stewardship.**

**3. (1) There is hereby created within the department of agriculture the “Missouri Farmland Trust Advisory Board” which shall be comprised of five members appointed by the director of the department of agriculture. Members shall serve without compensation but, subject to appropriations, may be reimbursed for actual and necessary expenses.**

(2) The board shall make recommendations to the director on the appropriate uses of farmland in the trust, criteria to be used to select applicants for the program, and review and make recommendations regarding applications to lease farmland in the trust.

(3) Members shall serve five-year terms, with each term beginning July first and ending June thirtieth; except that, of the members initially appointed two shall be appointed for a term of three years, two shall be appointed for a term of four years, and one shall be appointed for a term of five years. Each member shall serve until his or her successor is appointed. Any vacancies occurring prior to the expiration of a term shall be filled by appointment for the remainder of such term. No member shall serve more than two consecutive terms.

4. The department of agriculture is authorized to accept or acquire by purchase, lease, donation, or agreement any agricultural lands, easements, real and personal property, or rights in lands, easements, or real and personal property, including but not limited to buildings, structures, improvements, equipment, or facilities subject to preservation and improvement. Such lands shall be properties of the Missouri farmland trust for purposes of this section and shall be governed by the provisions of this section and rules promulgated thereunder.

5. (1) There is hereby created in the state treasury the “Missouri Farmland Trust Fund”, which shall consist of all gifts, bequests, donations, transfers, and moneys appropriated by the general assembly under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Upon appropriation, money in the fund shall be used for the administration of this section and may be used to make payments to counties for the value of land as payment in lieu of real and personal property taxes for privately owned land acquired after the effective date of this section in such amounts as determined by the department; except that, the amount determined shall not be less than the real property tax paid at the time of acquisition. The department of agriculture may require applicants who are awarded leases to pay the property taxes owed under this section for such property.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The department of agriculture is authorized to accept all moneys, appropriations, gifts, bequests, donations, or other contributions of moneys or other real or personal property to be expended or used for any of the purposes of this section. The department may improve, maintain, operate, and regulate any such lands, easements, or real or personal property to promote agriculture and the general welfare using moneys in the fund. Property acquired by the department under this section shall be used for agricultural purposes. The director shall establish by rule guidelines for leasing farmland to the trust to beginning farmers for a period not to exceed twenty years. All property acquired by the department under this section shall be farmed and maintained using the best environmental, conservation, and stewardship practices as outlined by the department. The department may charge an administrative fee for lease application processing under this section.

7. The department, in consultation with the Missouri farmland advisory board, shall promulgate rules to implement the provisions of this section, including but not limited to requirements for lessees, selection process for granting leases, and the terms of the lease, including requirements for applicants,

renewal process, requirements for the maintenance of real and personal property by the lessee, and conditions for the termination of leases.

8. Any person or entity donating land to or leasing land from the department shall forever release the state of Missouri, the Missouri department of agriculture, the department's director, officers, employees, volunteers, agents, contractors, servants, heirs, successors, assigns, persons, firms, corporations, representatives, and other entities who are or who will be acting in concert or privity with or on behalf of the state from any and all actions, claims, or demands that he or she, family members, heirs, successors, assigns, agents, servants, employees, distributees, guardians, next-of-kin, spouse, and legal representatives now have or may have in the future for any injury, death, property damage related to:

(1) Participation in such activities;

(2) The negligence, intentional acts, or other acts, whether directly connected to such activities or not, and however caused; and

(3) The condition of the premises where such activities occur.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

## REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 431**, with **SCS**; **HCS** for **HJR 3**; **HB 151**; **HCS** for **HB 213**; **HCS** for **HB 473**; and **SS** for **SCS** for **HCS** for **HB 430**, as amended, begs leave to report that it has considered the same and recommends that the bills and joint resolution do pass.

## HOUSE BILLS ON THIRD READING

Senator Stouffer moved that **SS** for **SCS** for **HCS** for **HB 430**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HB 430**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping

Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Lembke—1

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 431**, with **SCS**, entitled:

An Act to repeal sections 210.112, 210.498, 210.565, and 210.566, RSMo, and to enact in lieu thereof seven new sections relating to foster care and adoption promotion.

Was taken up by Senator Justus.

**SCS** for **HCS** for **HB 431**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 431

An Act to repeal sections 210.112, 210.498, 210.565, 210.566, and 660.023, RSMo, and to enact in lieu thereof eight new sections relating to vulnerable persons.

Was taken up.

Senator Justus moved that **SCS** for **HCS** for **HB 431** be adopted.

Senator Justus offered **SS** for **SCS** for **HCS** for **HB 431**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 431

An Act to repeal sections 210.112, 210.498, and 210.565, RSMo, and to enact in lieu thereof six new sections relating to foster care and adoption promotion.

Senator Justus moved that **SS** for **SCS** for **HCS** for **HB 431** be adopted, which motion prevailed.

On motion of Senator Justus, **SS** for **SCS** for **HCS** for **HB 431** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 151**, introduced by Representatives Kelly (24) and Molendorp, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to donations to the organ donor program fund.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **HB 151** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 184**, with **SCS**, introduced by Representative Dugger, entitled:

An Act to repeal section 233.280, RSMo, and to enact in lieu thereof one new section relating to the compensation of road district commissioners.

Was taken up by Senator Purgason.

**SCS** for **HB 184**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 184

An Act to repeal sections 233.280 and 537.620, RSMo, and to enact in lieu thereof two new sections relating to the expenditure of public funds by certain political subdivisions.

Was taken up.

Senator Purgason moved that **SCS** for **HB 184** be adopted.

Senator Purgason offered **SS** for **SCS** for **HB 184**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 184

An Act to repeal sections 233.280, 537.620, and 537.635, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

Senator Purgason moved that **SS** for **SCS** for **HB 184** be adopted, which motion prevailed.

On motion of Senator Purgason, **SS** for **SCS** for **HB 184** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Purgason, title to the bill was agreed to.

Senator Purgason moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 664**, with **SCS**, entitled:

An Act to repeal sections 87.005, 87.006, 87.120, 87.205, 87.207, 87.325, 87.330, 87.335, 87.340, and 87.345, RSMo, and to enact in lieu thereof eleven new sections relating to the firemen's retirement system of St. Louis.

Was taken up by Senator Schmitt.

**SCS** for **HCS** for **HB 664**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 664

An Act to repeal sections 87.005, 87.006, 87.120, 87.205, 87.207, 87.325, 87.330, 87.335, 87.340, and 87.345, RSMo, and to enact in lieu thereof eleven new sections relating to firemen's retirement.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 664** be adopted.

Senator Schmitt offered **SS** for **SCS** for **HCS** for **HB 664**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 664

An Act to repeal sections 87.005, 87.006, 87.205, and 87.207, RSMo, and to enact in lieu thereof five new sections relating to firemen's retirement.

Senator Schmitt moved that **SS** for **SCS** for **HCS** for **HB 664** be adopted.

At the request of Senator Schmitt, **HCS** for **HB 664**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 360**, entitled:

An Act to repeal sections 135.950, 135.953, 135.963, 137.010, and 137.016, RSMo, and to enact in lieu thereof twelve new sections relating to rural community development, with an emergency clause for a certain section.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 2 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos. 2, 3, 4, 5, 6, 7, 9 and 10.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Line 19, by inserting immediately following the number “**305.333.**” on said line the following:

**“No tax shall be imposed by an authority created under this subsection in any county where such tax was not approved by the voters.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO  
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Lines 8-11, by deleting all of said lines; and

Further amend said amendment, page, Line 12, by deleting the number “**3**” and inserting the number “**2**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 17, Section 226.224, Line 17, by inserting after all of said section and line the following:

“305.300. **1.** The governing body of any county may create an airport authority to build or acquire and operate one or more airports within the boundaries of the county or an adjoining county. The authority shall be created by resolution of the governing body not sooner than ten days after public notice is posted at the courthouse announcing the intention of forming such a body.

**2.** The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants may create an airport authority within the boundaries of the city in the same manner as provided in sections 305.300 to 305.333.

**3.** The governing body of any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants, any county of the first classification with more than forty thousand seven hundred but fewer than forty thousand eight hundred inhabitants and any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants or any two of the counties may create an airport authority within the boundaries of the counties in the same manner as provided in sections 305.300 to 305.333.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 360, Section A, Page 1, Line 4, by inserting the following after all of said Line:

“67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the “Missouri Law Enforcement



District Act”.

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

(1) “Approval of the required majority” or “direct voter approval”, a simple majority;

(2) “Board”, the board of directors of a district;

(3) “District”, a law enforcement district organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**;

(4) **“Registered voter”, any voter registered within the boundaries of the district or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification [without a charter form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a] **and each** registered voter [resident] within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

**5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any**

**objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.**

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section**, each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency

of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES                      ☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

**If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.**

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898] **67.1894** the district shall have the following general powers:

(1) To contract with the [local] **county** sheriff’s department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

**3. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. [The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is

granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board] **Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question.**

[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition

shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.]

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES      ☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.]

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

☐ YES      ☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES      ☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further

details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Section A, Line 4, by inserting the following after all of said Line:

"67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its



boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

(a) The district's real property, except for public rights-of-way for utilities;

(b) The district's personal property, except in a city not within a county; or

(c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;

(12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;

(13) To loan money as provided in sections 67.1401 to 67.1571;

(14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

(15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;

(16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:

(a) Pedestrian or shopping malls and plazas;

(b) Parks, lawns, trees, and any other landscape;

(c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

(d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

(e) Parking lots, garages, or other facilities;

(f) Lakes, dams, and waterways;

(g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;

(h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

(i) Paintings, murals, display cases, sculptures, and fountains;

(j) Music, news, and child-care facilities; [and]

**(k) Any property, device, structure, or equipment necessary for the acquisition, installation, equipping, and improvement of any real or personal property used for the purpose of creating a solar photovoltaic project or a solar thermal energy project, whether such real or personal property is publicly or privately owned; and**

**(l) Any other useful, necessary, or desired improvement;**

(17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;

(18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;

(19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;

(20) Within its boundaries, to lease space for sidewalk café tables and chairs;

(21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;

(22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property, **including, but not limited to, real or personal property installed as part of a special energy improvement project;**

(23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;

(24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;

(25) To provide or support training programs for employees of businesses within the district;

(26) To provide refuse collection and disposal services within the district;

(27) To contract for or conduct economic, planning, marketing or other studies;

(28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and

(29) To carry out any other powers set forth in sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

(1) Within its blighted area, to contract with any private property owner to demolish [and], remove, renovate, reconstruct, **construct**, or rehabilitate any building [or], structure, **or improvement** owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 16, Section 137.016, Line 82, by inserting the following after all of said Line:

“137.1018. 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100.

4. (1) As used in this subsection, the following terms mean:

(a) “Eligible expenses”, expenses incurred in this state to manufacture, maintain, or improve a freight

line company's qualified rolling stock;

(b) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall, subject to appropriation, be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) Subject to appropriation, the state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this subsection.

5. Pursuant to section 23.253 of the Missouri sunset act:

(1) [The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2008, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,] The program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **expire on August 28, 2020;** and

[(3)] (2) This section shall terminate on September [first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset] **1, 2021.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 16 -17, Section 226.224, Lines 1-17, by deleting all of said section and lines, and inserting in lieu thereof the following:

**"226.224. Notwithstanding any provision of the law to the contrary, the state highways and transportation commission may enter into binding highway infrastructure improvement agreements to reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the state highways and transportation commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The state highways and transportation commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues only if terms of the contract explicitly state such a condition. The contract shall further provide for a date or dates certain for repayment of funds and the commission may delay repayment of the advanced**

**funds if highway revenues fall below the projections used to determine the repayment schedule, or if repayment would jeopardize the receipt of federal highway moneys, only if terms of the contract state such a condition and the contract provides for a date or dates certain for repayment of funds.”;**  
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 16, Section 137.016, Line 82, by inserting after all of said line the following:

“144.054. 1. As used in this section, the following terms mean:

(1) **“Essential” refers to an activity necessary and indispensable to the process of manufacturing, without which the actual process of manufacturing could not take place;**

(2) **“Manufacturing, processing, compounding, mining, or producing”, includes testing, installing, calibrating, maintaining, repairing, restoring, and all other activities of the manufacturer, processor, compounder, miner, or producer essential to manufacturing, processing, compounding, mining, or producing;**

(3) **“Processing”, any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;**

[(2)] (4) **“Recovered materials”, those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.**

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. **The exemptions granted in this subsection include chemicals, machinery, equipment, and other materials essential to the processes of repairing and maintaining manufacturing equipment. Activities deemed nonessential and thus not exempt under this section shall include, but are not limited to, transportation, delivery, human resources activities, accounting, and other activities that are not part of the manufacturing process.** The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all utilities, machinery, and equipment used or consumed directly in

television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669.” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 360, Section A, Page 1, Line 4, by inserting the following after all of said line:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District (“District”) shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable

method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to Chapter 140 or, if applicable to that county, Chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 360, Section 67.4520, Page 5, Line 51, by inserting the following after all of said line:

**“94.585. 1. The governing body of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county may impose, by order or ordinance, a sales tax on all retail sales made within the city which**

are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one percent, and shall be imposed solely for the purpose of funding the construction, maintenance, operation, and equipping of a community center and retiring any bonds issued for such purposes. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax and issue bonds under this section. Such a proposal may include only the proposal to impose a sales tax or a proposal to issue bonds and to impose a sales tax to retire such bonds.

3. The ballot of submission shall contain, but need not be limited to the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the municipality of ..... (municipality's name) impose a sales tax of ..... (insert amount) for a period of twenty-five years for the purpose of funding the construction, maintenance, operation, and equipping of a community center which may include the retirement of debt under previously authorized bonded indebtedness?

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the municipality of ..... (municipality's name) issue bonds in the amount ..... of ..... (insert amount) for a period of twenty-five years to fund construction, maintenance, operation, and equipping of a community center and impose a sales tax of ..... (insert amount) to repay bonds?

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax, except that any proposal submitted to issue bonds shall be approved by the constitutionally required percentage of the voters voting thereon to become effective. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by the requisite majority of the qualified voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Community Center Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the city for



erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special fund which are not needed for meeting current obligations under any bond issued under this section or for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

9. No sales tax imposed under this section shall be terminated until all of any bonds issued under this section have been retired.

10. The sales tax imposed under this section shall be imposed for a period of twenty-five years, and may be extended upon the approval of the voters of the city in the same manner in which the sales tax was adopted.

11. The city shall establish a board consisting of seven members, one of which shall be the mayor of the city, to administer the provisions of this section with such powers and duties which shall be delegated by the governing body of the city.

**12. No bonds issued under this section shall be refinanced for a term longer than the number of years remaining on the original terms of the bonds being refinanced without the approval of the voters of the city. Any proposal to refinance such bonds submitted to the voters shall include the number of years the bonds will be refinanced and the number of years the sales tax will be extended to repay such refinanced bonds.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than five thousand nine hundred but fewer than six thousand inhabitants may impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [or], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room, **RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room, **RV site, or campsite** and all other taxes imposed by law, and [fifty percent of] the proceeds of such tax shall be used [by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used] to fund the promotion, **operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the county) impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [and], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in ..... (name of county) at a rate of ..... (insert rate of percent) percent for the [benefit of the county] **promotion, operation, and development of tourism?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon and the conferees be allowed to exceed the differences.

### PRIVILEGED MOTIONS

Senator Purgason moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended, and grant the House a conference thereon, which motion prevailed.

### HOUSE BILLS ON THIRD READING

Senator Schmitt moved that **HCS** for **HB 664**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HB 664** was again taken up.

Senator Schmitt moved that **SS** for **SCS** for **HCS** for **HB 664** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **HCS** for **HB 664** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 675**, introduced by Representatives Largent and Hoskins, entitled:

An Act to repeal section 58.095, RSMo, and to enact in lieu thereof one new section relating to county coroner training.

Was taken up by Senator Parson.

On motion of Senator Parson, **HB 675** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Brown, **HCS** for **HJR 3** was placed on the Informal Calendar.

**HB 458**, introduced by Representative Loehner, et al, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the Missouri farmland trust.

Was taken up by Senator Brown.

Senator Brown offered **SS** for **HB 458**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 458

An Act to repeal sections 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, 268.121, 276.401, 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof twelve new sections relating to agriculture, with penalty provisions.

Senator Brown moved that **SS** for **HB 458** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 458, Page 24, Section 411.280, Line 6 of said page, by inserting after all of said line the following:

**“442.014. 1. This act shall be known and may be cited as the “Private Landowner Protection Act”.**

**2. As used in this section, unless the context otherwise requires, the following terms mean:**

(1) “Conservation easement”, a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property;

(2) “Holder”, any of the following:

(a) A governmental body empowered to hold an interest in real property under the laws of this state or the United States;

(b) A charitable corporation, charitable association, or charitable trust, the purposes, powers, or intent of which include retaining or protecting the natural, scenic, or open-space values of real property, assuring the availability of real property for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property; or

(c) An individual or other private entity;

(3) “Third-party right of enforcement”, a right expressly provided in a conservation easement to enforce any of its items granted to a designated governmental body, charitable corporation, charitable association, charitable trust, individual, or any other private entity which, although eligible to be a holder, is not a holder.

3. (1) Except as otherwise provided in this section, a conservation easement may be created, conveyed, recorded, assigned, released, modified, terminated, or otherwise altered or affected in the same manner as other easements. No right or duty in favor of or against a holder and no right in favor of a person having a third-party right of enforcement arises under a conservation easement before its acceptance by the holder and a recordation of the acceptance. Except as provided in subdivision (2) of this subsection, a conservation easement is unlimited in duration unless the instrument creating it provides otherwise.

(2) An interest in real property in existence at the time a conservation easement is created is not impaired by it unless the owner of the interest is a party to the conservation easement or consents to it.

4. (1) An action affecting a conservation easement may be brought by an owner of an interest in real property burdened by the easement; a holder of the easement, a person having a third-party right of enforcement; or a person authorized by other law.

(2) This section does not affect the power of a court to modify or terminate a conservation easement in accordance with the principles of law and equity.

5. A conservation easement is valid even though:

(1) It is not appurtenant to an interest in real property;

(2) It can be or has been assigned to another holder;

(3) It is not of a character that has been recognized traditionally at common law;

(4) It imposes a negative burden that would prevent a landowner from performing acts on the land he or she would otherwise be privileged to perform absent the agreed-upon easement;

**(5) It imposes affirmative obligations upon the owner of an interest in the burdened property or upon the holder;**

**(6) The benefit does not touch or concern real property; or**

**(7) There is no privity of estate or of contract.**

**6. Nothing in this section shall affect the ability of any public utility, municipal utility, joint municipal utility commission, rural electric cooperative, telephone cooperative, or public water supply district to acquire an easement, either through negotiation with an owner of an interest in real property or by condemnation, to lay or construct plants or facilities for the transmission or distribution of electricity, natural gas, telecommunications service, water, or the carriage of sewage along or across a conservation easement.**

**7. This section applies to any interest created after its effective date which complies with this section, whether designated as a conservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise. This section applies to any interest created before its effective date if it would have been enforceable had it been created after its effective date unless retroactive application contravenes the constitution or laws of this state or the United States. This section does not alter the terms of any interest created before its effective date, or impose any additional burden or obligation on any grantor or grantee of such interest, or on their successors or assigns. This section does not invalidate any interest, whether designated as a conservation or preservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise, that is enforceable under other laws of this state.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer offered **SA 2:**

#### SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 458, Page 1, Section A, Line 7 of said page, by inserting after all of said line the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed

for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a “material recovery processing plant” means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to



manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, **and any freight charges on any exempt item.** As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon **and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes,** and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry,

pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid

exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event."; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SS** for **HB 458**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **HB 458**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS for HBs 300, 334 and 387, with SCS, entitled:**

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to student athlete brain injuries.

Was taken up by Senator Mayer.

**SCS for HCS for HBs 300, 334 and 387, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILLS NOS. 300, 334 and 387

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to student athlete brain injuries.

Was taken up.

Senator Mayer moved that **SCS for HCS for HBs 300, 334 and 387** be adopted.

Senator Cunningham offered **SA 1:**

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Committee Substitute for House Bill Nos. 300, 334 and 387, Page 2, Section 167.765, Line 39, by inserting after all of said line the following:

**“167.775. 1. Any statewide athletic organization with a public school district as a member shall be required to publish an annual report relating to the impact of concussions and head injuries on student athletes which details efforts that may be made to minimize damages from injuries sustained by students participating in school sports. The annual report shall be distributed to the joint committee on education, the house committee on elementary and secondary education or any other education committee designated by the speaker of the house of representatives, and the senate committee on education or any other education committee designated by the president pro tem of the senate. The first report required under this section shall be completed and distributed no later than January 31, 2012. Such report shall be made available to school districts and to parents of students.**

**2. Notwithstanding any other law, no public school shall be a member of any statewide athletic**

**organization failing to comply with the provisions of subsection 1 of this section.”; and**

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Mayer moved that **SCS** for **HCS** for **HBs 300, 334 and 387**, as amended, be adopted, which motion prevailed.

On motion of Senator Mayer, **SCS** for **HCS** for **HBs 300, 334 and 387**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Nieves—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Lembke, **HCS** for **HB 506**, with **SCS**, was placed on the Informal Calendar.

Senator Schmitt moved that **HCS** for **HB 562**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator McKenna offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 562, Page 1, Section A, Line 4, by inserting immediately after said line the following:

**“160.2100. 1. Sections 160.2100 and 160.2110 shall be known and may be cited as “Erin’s Law”.**

**2. The “Task Force on the Prevention of Sexual Abuse of Children” is hereby created to study the issue of sexual abuse of children until January 1, 2013. The task force shall consist of all of the following members:**

**(1) One member of the general assembly appointed by the president pro tem of the senate;**

- (2) One member of the general assembly appointed by the minority floor leader of the senate;**
- (3) One member of the general assembly appointed by the speaker of the house of representatives;**
- (4) One member of the general assembly appointed by the minority leader of the house of representatives;**
- (5) The director of the department of social services or his or her designee;**
- (6) The commissioner of education or his or her designee;**
- (7) The director of the department of health and senior services or his or her designee;**
- (8) The director of the office of prosecution services or his or her designee;**
- (9) A representative representing law enforcement appointed by the governor;**
- (10) Three active teachers employed in Missouri appointed by the governor;**
- (11) A representative of an organization involved in forensic investigation relating to child abuse in this state appointed by the governor;**
- (12) A school superintendent appointed by the governor;**
- (13) A representative of the state domestic violence coalition appointed by the governor;**
- (14) A representative from the juvenile and family court appointed by the governor;**
- (15) A representative from Missouri Network of Child Advocacy Centers appointed by the governor;**
- (16) An at-large member appointed by the governor.**

**3. Members of the task force shall be individuals who are actively involved in the fields of the prevention of child abuse and neglect and child welfare. The appointment of members shall reflect the geographic diversity of the state.**

**4. The task force shall elect a presiding officer by a majority vote of the membership of the task force. The task force shall meet at the call of the presiding officer.**

**5. The task force shall make recommendations for reducing child sexual abuse in Missouri. In making those recommendations, the task force shall:**

- (1) Gather information concerning child sexual abuse throughout the state;**
- (2) Receive reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations;**
- (3) Create goals for state policy that would prevent child sexual abuse; and**
- (4) Submit a final report with its recommendations to the governor, general assembly, and the state board of education by January 1, 2013.**

**6. The recommendations may include proposals for specific statutory changes and methods to foster cooperation among state agencies and between the state and local government.**

**7. The task force shall consult with employees of the department of social services, the department of public safety, department of elementary and secondary education, and any other state agency,**

board, commission, office, or department as necessary to accomplish the task force's responsibilities under this section.

8. The members of the task force shall serve without compensation and shall not be reimbursed for their expenses.

9. The provisions of sections 160.2100 and 160.2110 shall expire on January 1, 2013.

160.2110. 1. The task force on the prevention of sexual abuse of children established in section 160.2100 may adopt a policy addressing sexual abuse of children that may include:

(1) Age-appropriate curriculum for students in pre-K through fifth grade;

(2) Training for school personnel on child sexual abuse;

(3) Educational information to parents or guardians provided in the school handbook on the warning signs of a child being abused, along with any needed assistance, referral, or resource information;

(4) Available counseling and resources for students affected by sexual abuse; and

(5) Emotional and educational support for a child of abuse to continue to be successful in school.

2. Any policy adopted may address without limitation:

(1) Methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse;

(2) Actions that a child who is a victim of sexual abuse could take to obtain assistance and intervention; and

(3) Available counseling options for students affected by sexual abuse.”; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Schmitt, **HCS** for **HB 562**, with **SCS**, as amended (pending), was placed on the Informal Calendar.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended: Senators Purgason, Schmitt, Lager, Callahan and Chappelle-Nadal.

### **PRIVILEGED MOTIONS**

Senator Purgason moved that the conferees on **SS** for **SCS** for **HCS** for **HBs 116** and **316**, as amended, be allowed to exceed the differences, which motion prevailed.

Senator Keaveny moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 60**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.



Senator Wasson moved that the Senate refuse to concur in **HCS** for **SB 325**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### HOUSE BILLS ON THIRD READING

**HB 183**, introduced by Representative Silvey, entitled:

An Act to repeal sections 86.900, 86.1030, 86.1100, 86.1110, 86.1120, 86.1140, 86.1150, 86.1230, 86.1240, 86.1250, 86.1310, 86.1420, 86.1480, 86.1490, 86.1500, 86.1510, 86.1540, 86.1560, 86.1600, 86.1610, and 86.1620, RSMo, and to enact in lieu thereof twenty-one new sections relating to police and civilian employees' retirement systems.

Was called from the Informal Calendar and taken up by Senator Kraus.

On motion of Senator Kraus, **HB 183** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schmitt moved that **HCS** for **HB 562**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HCS** for **HB 562**, as amended, was again taken up.

Senator Schaefer offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 562, Page 14, Section 210.265, Line 29, by inserting after all of said line the following:

“568.045. 1. A person commits the crime of endangering the welfare of a child in the first degree if:

(1) The person knowingly acts in a manner that creates a substantial risk to the life, body, or health of

a child less than seventeen years old; or

(2) The person knowingly engages in sexual conduct with a person under the age of seventeen years over whom the person is a parent, guardian, or otherwise charged with the care and custody;

(3) The person knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which violates the provisions of chapter 195, RSMo;

(4) Such person enlists the aid, either through payment or coercion, of a person less than seventeen years of age to unlawfully manufacture, compound, produce, prepare, sell, transport, test or analyze amphetamine or methamphetamine or any of their analogues, or to obtain any material used to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues; or

(5) Such person, in the presence of a person less than seventeen years of age or in a residence where a person less than seventeen years of age resides, unlawfully manufactures[,] or attempts to manufacture compounds, possesses, produces, prepares, sells, transports, tests or analyzes amphetamine or methamphetamine or any of their analogues.

2. **Except as provided in subsection 4 of this section**, endangering the welfare of a child in the first degree is a class C felony unless the offense is committed as part of a ritual or ceremony, or except on a second or subsequent offense, in which case the crime is a class B felony.

3. This section shall be known as “Hope’s, Karra’s, and Jocelyn’s Law”.

**4. Endangering the welfare of a child in the first degree is a felony for which the authorized term of imprisonment shall not exceed twenty years, when committed under subdivision (1) of subsection 1 of this section and the person acts to create such substantial risk to the life, body, or health of a child by shaking a child under the age of five.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Schmitt, **HCS** for **HB 562**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

## **REPORTS OF STANDING COMMITTEES**

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following report, which was read:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Thomas Irwin, as a member of the Saint Louis City Board of Police Commissioners, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Keaveny moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

## **PRIVILEGED MOTIONS**

Having voted on the prevailing side, Senator Wasson moved that the vote by which the Senate requested conference on **HCS** for **SB 325**, as amended, be reconsidered, which motion prevailed by the following

vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green Kehoe—2

Absent with leave—Senators—None

Vacancies—None

At the request of Senator Wasson, his motion to refuse to concur, request the House to recede from its position or, failing to do so, grant the Senate a conference on **HCS** for **SB 325**, as amended, was withdrawn.

Senator Wasson moved that **SB 325**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 325**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 325

An Act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 338.315, 338.330, 339.190, 429.015, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, and 516.098, RSMo, and to enact in lieu thereof twenty-seven new sections relating to professional registration, with penalty provisions and an emergency clause for a certain section.

Was taken up.

Senator Wasson moved that **HCS** for **SB 325**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Rupp—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, **HCS** for **SB 325**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators

Green	Ridgeway—2
-------	------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

President Pro Tem Mayer assumed the Chair.

## REPORTS OF STANDING COMMITTEES

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HCS** for **HB 555**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

## HOUSE BILLS ON THIRD READING

Senator Dixon moved that **HCS** for **HB 697**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HCS** for **HB 697** was again taken up.

Senator Dixon offered **SS** for **SCS** for **HCS** for **HB 697**, entitled:

### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 697

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof eight new sections relating to the expiration of certain state programs.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 697** be adopted.

Senator Schaaf offered **SA 1**, which was read:

### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 697, Page 10, Section 633.401, Line 14, by inserting immediately after said line the following:

**“Section 1. The state auditor shall annually conduct an audit of the funds under each federal reimbursement allowance program under sections 190.800 to 190.839, sections 198.401 to 198.436, sections 208.431 to 208.437, sections 208.453 to 208.480, sections 338.500 to 338.550, and section 633.401, and provide an annual report to the general assembly that includes the amounts collected and drawn down from federal funds, and distributed to each entity under each such program.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Ridgeway offered **SA 1** to **SA 1**, which was read:

### SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 697, Page 1, Section 1, Line 3, by striking the word “shall” and inserting in lieu thereof the word “**may**”; and further amend line 7 by inserting at the end of said line the word “**may**”.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

**SA 1**, as amended, was again taken up.

Senator Schaefer moved that the above amendment be adopted.

Senator Schaefer requested a roll call vote be taken on the adoption of **SA 1**, as amended. He was joined in his request by Senators Callahan, Chappelle-Nadal, Keaveny and Parson.

**SA 1**, as amended, failed of adoption by the following vote:

YEAS—Senators

Kraus	Lembke	Ridgeway	Schaaf—4
-------	--------	----------	----------

NAYS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Rupp
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 697** be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 697** be read the 3rd time and was recognized to close.

President Pro Tem Mayer referred **SS** for **SCS** for **HCS** for **HB 697** to the Committee on Ways and Means and Fiscal Oversight.

Senator Stouffer assumed the Chair.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 70**.

With House Amendment Nos. 1 and 2.

### HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, Page 1, In the Title, Line 3, by inserting after “RSMo,” the following: “and section 402.210 as truly agreed to and finally passed by senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session,”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after “RSMo,” the following: “and section 402.210 as truly agreed to and finally passed by senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session,”; and

Further amend said bill, Page 17, Section 402.210, Line 56, by inserting after all of said line the

following:

“[402.210. 1. There is hereby created the “Missouri Family Trust Board of Trustees”, which shall be a body corporate and an instrumentality of the state. The board of trustees shall consist of nine persons appointed by the governor with the advice and consent of the senate. The members’ terms of office shall be three years and until their successors are appointed and qualified. The trustees shall be persons who are not prohibited from serving by sections 105.450 to 105.482 and who are not otherwise employed by the department of mental health. The board of trustees shall be composed of the following:

(1) Three members of the immediate family of persons who have a disability or are the recipients of services provided by the department in the treatment of mental illness. The advisory council for comprehensive psychiatric services, created pursuant to section 632.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for a term of one year, one for two years, and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council for comprehensive psychiatric services shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(2) Three members of the immediate family of persons who are recipients of services provided by the department in the habilitation of [the mentally retarded or developmentally disabled] **persons with intellectual disabilities or developmental disabilities**. The Missouri [advisory council on mental retardation and] developmental disabilities **council**, created pursuant to section 633.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri [advisory council on mental retardation and] developmental disabilities **council** shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(3) Three persons who are recognized for their expertise in general business matters and procedures. Of the three business people to be appointed by the governor, one shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the governor shall appoint one business person as trustee for a term of three years.

2. The trustees shall receive no compensation for their services. The trust shall reimburse the trustees for necessary expenses actually incurred in the performance of their duties.

3. As used in this section, the term “immediate family” includes spouse, parents, parents of spouse, children, spouses of children and siblings.

4. The board of trustees shall be subject to the provisions of sections 610.010 to 610.120.

5. The board of trustees shall annually prepare or cause to be prepared an accounting of the trust funds and shall transmit a copy of the accounting to the governor, the president pro tempore of the senate and the speaker of the house of representatives.

6. The board of trustees shall establish policies, procedures and other rules and regulations necessary to implement the provisions of sections 402.199 to 402.220.]”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, Page 1, Line 4 of the Title, by deleting the words “the Missouri family trust” and inserting in lieu thereof the words “contractual acts”; and

Further amend said bill, Page 1, Section A, Line 5 by inserting after said line the following:

**“34.376. 1. Sections 34.376 to 34.380 may be known as the “Transparency in Private Attorney Contracts Act”.**

**2. As used in sections 34.376 to 34.380, the following terms shall mean:**

- (1) “Government attorney”, an attorney employed by the state as an assistant attorney general;**
- (2) “Private attorney”, any private attorney or law firm;**
- (3) “State”, the state of Missouri, in any action instituted by the attorney general under section 27.060.**

**34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:**

- (1) Whether there exist sufficient and appropriate legal and financial resources within the attorney general’s office to handle the matter;**
- (2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;**
- (3) The geographic area where the attorney services are to be provided; and**
- (4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney’s experience with similar issues or cases.**

**2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request proposals from private attorneys to represent the department on a contingency fee basis, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing.**

**3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.**

**4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:**

- (1) The government attorneys shall retain complete control over the course and conduct of the case;**
- (2) A government attorney with supervisory authority shall be personally involved in overseeing the litigation;**
- (3) The government attorneys shall retain veto power over any decisions made by outside counsel;**



**(4) A government attorney with supervisory authority for the case shall attend all settlement conferences; and**

**(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the government attorneys and the state.**

**5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.**

**6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.**

**7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall make all such records available for inspection and copying upon request in accordance with chapter 610. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request.**

**8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:**

**(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:**

**(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;**

**(b) The nature and status of the legal matter;**

**(c) The name of the parties to the legal matter;**

**(d) The amount of any recovery; and**

**(e) The amount of any contingency fee paid.**

**(2) Include copies of any written determinations made under subsections 1 and 2 of this section.**

**34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state**

**agency or state agent to enter into contracts where no such authority previously existed.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 180**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 254**, entitled:

An Act to repeal sections 302.309, 302.530, 558.021, and 577.023, RSMo, and to enact in lieu thereof four new sections relating to intoxicated-related traffic offenses, with penalty provisions.

With House Amendment Nos. 1 and 2.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Page 10, Section 577.023, Lines 110 to 177 by deleting all of said Lines and inserting in lieu thereof the following:

“the jury outside of its hearing.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Pages 1-2, Section 302.309, Lines 12-26, by deleting all of said lines and inserting in lieu thereof, the following:

**“(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:**

**(a) A business, occupation, or employment;**

**(b) Seeking medical treatment for such operator;**

**(c) Attending school or other institution of higher education;**

**(d) Attending alcohol or drug treatment programs;**

**(e) Seeking the required services of a certified ignition interlock device provider; or**

**(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.**

[(2)] **(3)** When any court of record having jurisdiction or the director of revenue finds that an operator **convicted of violating the provisions of section 577.010 or 577.012** is required to operate a motor vehicle in connection with any of the following:

(a) [A business, occupation, or] **Driving to or from the operator's places of employment;**

(b) [Seeking medical treatment for such operator;

(c)] Attending school or other institution of higher education;

[(d)] **(c)** Attending alcohol or drug treatment programs; **or**

[(e)] **(d)** Seeking the required services of a certified ignition interlock device provider; [or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator;] the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.”; and

Renumber subsequent subdivisions accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HBS 116** and **316**. Representatives: Flanigan, Diehl, Jones (117), Kelly (24) and Talboy.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **SCS** for **SB 117**, entitled:

An Act to repeal sections 32.028, 32.087, 67.1303, 70.710, 70.720, 70.730, 105.716, 137.082, 144.032, 144.083, 144.190, 168.071, 250.140, 339.501, and 447.708, RSMo, and to enact in lieu thereof thirty-three new sections relating to collection of taxes and fees, with a penalty provision and an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14 and 15.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Section 32.420, Page 10, Line 3, by inserting the following at the end of said Line:

**“This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117,

Page 1, In the Title, Line 3, by inserting after the number “168.071,” the number “215.020,”; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word “thirty-three” and inserting in lieu thereof the word “thirty-four”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number “168.071,” the number “215.020,”; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word “thirty-three” and inserting in lieu thereof the word “thirty-four”; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after the number “205.205,” the number “215.020,”; and

Further amend said bill, Page 40, Section 205.205, Line 67, by inserting after all of said line the following:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the “Missouri Housing Development Commission” which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

**6. The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 20, Section 70.730, Line 52, by inserting after all of said section the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 22, Section 105.716, Line 40, by inserting after all of said line the following:

“135.630. 1. As used in this section, the following terms mean:

- (1) “Contribution”, a donation of cash, stock, bonds, or other marketable securities, or real property;
- (2) “Director”, the director of the department of social services;

(3) “Pregnancy resource center”, a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and

(d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost to its clients; and

(f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and

(g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(4) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) “Taxpayer”, a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer’s state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer’s state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer’s contribution or contributions to a pregnancy resource center or centers in such taxpayer’s taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset] **Pursuant to section 23.253 of the Missouri sunset act, the provisions of the program authorized under this section are hereby reauthorized and shall automatically sunset on August 28, 2015.”; and**



Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 41, Section 250.140, Line 34, by inserting after all of said section and line the following:

**“311.728. There is hereby created in the state treasury the “Division of Alcohol and Tobacco Control Enforcement Fund”, which shall consist of money collected under subsection 2 of section 311.730. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this chapter. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

311.730. 1. All **inspection and gauging** fees collected by the director of revenue as provided for in this chapter[, including licenses, inspection and gauging fees,] shall be paid into the state treasury, to the credit of the ordinary state revenue fund.

**2. All license fees shall be distributed equally between the ordinary state revenue fund and the alcohol and tobacco control enforcement fund established pursuant to section 311.728.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 27, Section 144.032, Line 4, by inserting after the number **“67.729”** the words **“or 205.205”**; and

Further amend said bill, Page 27, Section 144.032, Line 5, by deleting the number **“205.205”** and inserting in lieu thereof the number **“206.165”**; and

Further amend said bill, Page 39, Section 168.071, Line 114, by inserting after said line the following:

**“205.205. 1. The governing body of any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, and operates a hospital established under this chapter may, by resolution, abolish the property tax authorized to fund the county hospital under this chapter and impose a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the county hospital. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**2. No such resolution adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.**

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the county hospital, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and

**to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.”; and**

Further amend said bill, page 39, section 205.205, line 1, by deleting “**205.205**” and inserting in lieu thereof the number “**206.165**”; and

Further amend said bill, page 39, section 205.205, line 2 by deleting “**205.160 to 205.379**” and inserting in lieu thereof “**206.010 to 206.160**”; and

Further amend said bill, page 51, section B, line 3 by deleting “**205.205**” and inserting in lieu thereof the number “**206.165**”; and

Further amend said bill, page 51, section B, line 6, by deleting “**205.205**” and inserting in lieu thereof the number “**206.165**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Section 67.1303, Page 18, Line 124, by inserting the following after all of said line:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District (“District”) shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to Chapter 140 or, if applicable to that county, Chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill, Page 24, Section 137.082, Line 86, by inserting after all of said section and line, the following:

“140.410. In all cases where lands have been or may hereafter be sold for delinquent taxes, penalty, interest and costs due thereon, and a certificate of purchase has been or may hereafter be issued, it is hereby made the duty of such purchaser, his heirs or assigns, to cause **all subsequent taxes to be paid on the property purchased prior to the issuance of any collector's deed, and the purchaser shall further cause** a deed to be executed and placed on record in the proper county **all** within two years from the date of said sale; provided, that on failure of said purchaser, his heirs or assigns so to do, then and in that case the amount due such purchaser shall cease to be a lien on said lands so purchased as herein provided. **Upon the purchaser's forfeiture of all rights of the property acquired by the certificate of purchase issued, and including the nonpayment of all subsequent years' taxes as described in this section, it shall be**

**the responsibility of the collector to record the cancellation of the certificate of purchase in the office of the recorder of deeds of the county.** Certificates of purchase cannot be assigned to nonresidents or delinquent taxpayers. **However,** any person purchasing property at a delinquent land tax sale **who meets the requirements of this section, prior to receiving a collector's deed,** shall pay to the collector the fee necessary for the recording of such [collector] **collector's deed** to be issued. It shall be the responsibility of the collector to record the deed before delivering such deed to the purchaser of the property.”; and

Further amend said bill, Page 51, Section 2, Line 58, by inserting after all of said section and line, the following:

“[140.660. The state tax commission shall prescribe the forms of all certificates, blanks and books required under the provisions of this law and shall, with the advice of the attorney general, decide all questions that arise in reference to the true construction or interpretation of this law, or any part thereof, with reference to the powers and duties of county or township tax officers, and the decision shall have force and effect until modified or annulled by the judgment or decree of a court of competent jurisdiction.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 20, Section 70.730, Line 52, by inserting after all of said section and line the following:

“94.900. 1. **(1)** The governing body of **the following cities may impose a tax as provided in this section:**

**(a)** Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants[, or];

**(b)** Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants[, or];

**(c)** Any city of the fourth classification with more than two thousand six hundred but fewer than two thousand seven hundred inhabitants and located in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants[, or];

**(d)** Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

**(e) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.**

**(2) The governing body of any city listed in subdivision (1) of this subsection** is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless

the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of ..... (city's name) impose a citywide sales tax of ..... (insert amount) for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.”; and

Further amend said bill, Page 51, Section 2, Line 58, by inserting after all of said section and line the following:

**“Section 3. 1. The governing body of any home rule city with more than eighty-four thousand five hundred but fewer than eighty-four thousand six hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of capital improvements for public safety for such city, including but not limited to expenditures for new construction and equipment, repair and maintenance of buildings and equipment, and for financing such capital improvements for public safety. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.**

**2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:**

**Shall the city of ..... (city’s name) impose a citywide sales tax of ..... (insert amount) for the purpose of capital improvements for public safety of the city?**

☐ YES

☐ NO

**If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.**

**If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon.**

However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for capital improvements for public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for capital improvements for public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Capital Improvements for Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.



HOUSE AMENDMENT NO. 10

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Section 70.730, Page 20, Line 52, by inserting the following after all of said line:

**“94.585. 1. The governing body of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one percent, and shall be imposed solely for the purpose of funding the construction, maintenance, operation, and equipping of a community center and retiring any bonds issued for such purposes. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax and issue bonds under this section. Such a proposal may include only the proposal to impose a sales tax or a proposal to issue bonds and to impose a sales tax to retire such bonds.**

**3. The ballot of submission shall contain, but need not be limited to the following language:**

**(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:**

**Shall the municipality of ..... (municipality’s name) impose a sales tax of ..... (insert amount) for a period of twenty-five years for the purpose of funding the construction, maintenance, operation, and equipping of a community center which may include the retirement of debt under previously authorized bonded indebtedness?**

**(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:**

**Shall the municipality of ..... (municipality’s name) issue bonds in the amount ..... of ..... (insert amount) for a period of twenty-five years to fund construction, maintenance, operation, and equipping of a community center and impose a sales tax of ..... (insert amount) to repay bonds?**

**If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax, except that any proposal submitted to issue bonds shall be approved by the constitutionally required percentage of the voters voting thereon to become effective. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by the requisite majority of the qualified voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.**

**4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.**

5. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Community Center Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special fund which are not needed for meeting current obligations under any bond issued under this section or for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

9. No sales tax imposed under this section shall be terminated until all of any bonds issued under this section have been retired.

**10. The sales tax imposed under this section shall be imposed for a period of twenty-five years, and may be extended upon the approval of the voters of the city in the same manner in which the sales tax was adopted.**

**11. The city shall establish a board consisting of seven members, one of which shall be the mayor of the city, to administer the provisions of this section with such powers and duties which shall be delegated by the governing body of the city.**

**12. No bonds issued under this section shall be refinanced for a term longer than the number of years remaining on the original terms of the bonds being refinanced without the approval of the voters of the city. Any proposal to refinance such bonds submitted to the voters shall include the number of years the bonds will be refinanced and the number of years the sales tax will be extended to repay such refinanced bonds.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 24, Section 137.082, Line 86 by inserting after all of said section and line the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor’s deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor’s city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor’s books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor’s

plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

- (1) For real property in subclass (1), nineteen percent;
- (2) For real property in subclass (2), twelve percent; and
- (3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is real estate as defined in subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's

rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire

cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

House Committee Substitute for Senate Bill No. 207, Page 16, Section 137.115, Line 172, by inserting after all of said line the following:

**17. (1) As used in this subsection, the following terms mean:**

(a) **"Disabled", totally and permanently disabled or blind and receiving federal Social Security disability benefits, federal supplemental security income benefits, veterans administration benefits, state blind pension under sections 209.010 to 209.160, state aid to blind persons under section 209.240, or state supplemental payments under section 208.030;**

(b) **"Maximum upper limit", in the calendar year 2012, the federal adjusted gross income sum of seventy-two thousand three hundred eighty dollars. In each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined under section 17, article X, of the Missouri Constitution;**

(c) **"Principal residence", real property owned and occupied by or held in trust for a qualified taxpayer, or owned and occupied jointly by or held in trust for any individuals, any of whom is a qualified taxpayer;**

(d) **"Qualified taxpayer", any individual who:**

**a. Owns and occupies a principal residence;**

**b. Is sixty-five years of age or older, or is disabled;**

**c. Had a federal adjusted gross income not exceeding the maximum upper limit in the year before becoming qualified under this subsection.**

(2) **Notwithstanding any other provision of law to the contrary, for all property assessments conducted after December 31, 2011, the assessed valuation of a principal residence shall not increase by a percentage greater than the cost-of-living increase in Social Security benefits in the previous year, except as otherwise provided in this subsection, in any assessment conducted after the qualified taxpayer has reached sixty-five years of age or has become disabled.**

(3) **This subsection shall not apply to any increase in the assessed valuation of a principal residence due to an improvement made on the principal residence, unless the improvement was made solely for increased accessibility for individuals with physical disabilities.**

(4) **This subsection shall not apply to any increase in the assessed valuation of a principal residence after the conveyance of the principal residence to another individual who is not a qualified taxpayer. The assessed valuation of such principal residence shall be the assessed valuation as provided in subsections 1 to 16 of this section in the next annual assessment.**

(5) **Upon reaching sixty-five years of age, information regarding the age and income of qualified taxpayers that own and occupy a principal residence in this state shall be provided to the county assessor by affidavit by the owner of the real property before the next assessment is conducted to be eligible for assessment under this subsection. Any qualified taxpayer who is disabled or becomes disabled before the next assessment is conducted shall provide by affidavit proof of disability to the county assessor to claim assessment under this subsection. All qualified taxpayers claiming assessment**

under this subsection shall annually file such affidavit before the next assessment is conducted to be eligible for assessment under this subsection. Such affidavit shall clearly contain an acceptable standard of proof to reasonably determine whether the person submitting the affidavit is a qualified taxpayer. The state tax commission shall develop and make available to assessors a form for such affidavit and a method for assessors to determine the proper percentage of increase for such property owned by a qualified taxpayer that files such affidavit.

(6) The state tax commission may promulgate rules to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

(7) Under section 23.253 of the Missouri sunset act:

(a) The provisions of the new program authorized under this subsection shall automatically sunset on December thirty-first six years after the effective date of this subsection unless reauthorized by an act of the general assembly; and

(b) If such program is reauthorized, the program authorized under this subsection shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this subsection; and

(c) This subsection shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this subsection is sunset.” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 12

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 20, Section 70.730, Line 52, by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city, town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] **a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for incarcerating the prisoner**, the prisoner shall work one day.



And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 49, Section 447.708, Line 224 by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2014.

**5. Any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an additional five dollars if approved by the county commission.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 13

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 32.028, Line 16, by inserting after all of said section and line the following:

**“32.029. 1. This section shall be known and may be cited as the “Paperless Documents and Forms Act”.**

**2. Beginning no later than January 1, 2012, the department of revenue shall, by January 1, 2018, develop and implement a method by which all documents and forms provided to the public by the department, as well as any records, reports, returns, or other documents required by the department, relating to taxes imposed under chapters 142, 143, 144, and 149, and fees imposed under sections 260.262 and 260.273, are available in an electronic format online and are capable of electronic submission to the department. This section shall not be construed to prohibit the submission of paper forms to the department or to require the department to allow electronic filing of a form that requires a notary or authorization by a third party in order to be effective, or when any other document**

**associated with the form, either expressly or by implication, requires a third party to notarize, authorize, or issue the document. Notwithstanding any other provision of law to the contrary, no electronic form shall be invalid solely because a paper version of the form has been incorporated or otherwise referenced in a rule.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 14

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 51, Section 2, Line 58, by inserting after all of said section and line the following:

“[163.037. In any school year after the 2009-10 school year, if there is a twenty-five percent decrease in the statewide percentage of average daily attendance attributable to summer school compared to the percentage of average daily attendance attributable to summer school in the 2005-06 school year, then for the subsequent school year, weighted average daily attendance, as such term is defined in section 163.011, shall include the addition of the product of twenty-five hundredth times the average daily attendance for summer school.]” ; and

Further amend said bill, Page 51, Section B, Line 2, by inserting immediately after the word “revenue” the following:

“, and to provide adequate funding to school districts, the repeal of section 163.037, “; and

Further amend said bill, page, and section, Line 5, by inserting immediately after the first occurrence of the word “and” the following:

“the repeal of section 163.037,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 15

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 18, Section 67.1303, Line 124, by inserting after all of said line the following:

**“67.4500. As used in sections 67.4500 to 67.4520, the following terms shall mean:**

**(1) “Authority”, any county drinking water supply lake authority created by sections 67.4500 to 67.4520;**

**(2) “Conservation storage level”, the target elevation established for a drinking water supply lake at the time of design and construction of such lake;**

**(3) “Costs”, the sum total of all reasonable or necessary expenses incidental to the acquisition, construction, expansion, repair, alteration, and improvement of the project, including without limitation the following: the expense of studies and surveys; the cost of all lands, properties, rights, easements, and franchises acquired; land title and mortgage guaranty policies; architectural and engineering services; legal, organizational marketing, or other special services; provisions for working capital; reserves for principal and interest; and all other necessary and incidental expenses, including interest during construction on bonds issued to finance the project and for a period subsequent to the estimated date of completion of the project;**

**(4) “Project”, recreation and tourist facilities and services, including, but not limited to, lakes,**

parks, recreation centers, restaurants, hunting and fishing reserves, historic sites and attractions, and any other facilities that the authority may desire to undertake, including the related infrastructure buildings and the usual and convenient facilities appertaining to any undertakings, and any extensions or improvements of any facilities, and the acquisition of any property necessary therefore, all as may be related to the development of a water supply source, recreational and tourist accommodations, and facilities;

(5) “Water commission”, a water commission owning a reservoir formed under sections 393.700 to 393.770;

(6) “Watershed”, the area that contributes or may contribute to the surface water of any lake as determined by the authority.

**67.4505. 1.** Any county of the third classification with a township form of government and with more than seven thousand two hundred but fewer than seven thousand three hundred inhabitants or any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants may establish a county drinking water supply lake authority, which shall be a body corporate and politic and a political subdivision of this state.

2. The authority may exercise the powers provided to it under section 67.4520 over the reservoir area encompassing any drinking water supply lake of one thousand five hundred acres or more, as measured at its conservation storage level, and within the lake’s watershed.

3. It shall be the purpose of each authority to promote the general welfare and a safe drinking water supply through the construction, operation, and maintenance of a drinking water supply lake.

4. The income of the authority and all property at any time owned by the authority shall be exempt from all taxation or any assessments whatsoever to the state or of any political subdivision, municipality, or other governmental agency thereof.

5. No county in which an authority is organized shall be held liable in connection with the construction, operation, or maintenance of any project or program undertaken under sections 67.4500 to 67.4520, including any actions taken by the authority in connection with such project or program.

**67.4510.** A county drinking water supply lake authority shall consist of at least six but not more than thirty members, appointed as follows:

(1) Members of the water commission shall appoint all members to the authority, one-third of the initial members for a six-year term, one-third for a four-year term, and the remaining one-third for a two-year term, until a successor is appointed; provided that, if there is an odd number of members, the last person appointed shall serve a two-year term. Upon the expiration of each term, a successor shall be appointed for a six-year term;

(2) No person shall be appointed to serve on the authority unless he or she is a registered voter in the state for more than five years, a resident in the county where the water commission is located for more than five years, and over the age of twenty-five years. If any member moves outside such county, the seat shall be deemed vacant and a new member shall be appointed by the county commission to complete the unexpired term.

**67.4515. 1.** The water commission shall by resolution establish a date and time for the initial meeting of the authority.

2. At the initial meeting, and annually thereafter, the authority shall elect one of its members as chairman and one as vice chairman, and appoint a secretary and a treasurer who may be a member of the authority. If not a member of the authority, the secretary or treasurer shall receive compensation that shall be fixed from time to time by action of the authority. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority may designate the secretary to act in lieu of the executive director. The secretary shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may from time to time deem proper and necessary.

3. Each member of the authority shall execute a surety bond in the penal sum of fifty thousand dollars or, in lieu thereof, the chairman of the authority shall execute a blanket bond covering each member and the employees or other officers of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in the state as surety, and to be approved by the attorney general and filed in the office of the secretary of state. The cost of each such bond shall be paid by the authority.

4. No authority member shall participate in any deliberations or decisions concerning issues where the authority member has a direct financial interest in contracts, property, supplies, services, facilities, or equipment purchased, sold, or leased by the authority. Authority members shall additionally be subject to the limitations regarding the conduct of public officials as provided in chapter 105.

67.4520. 1. The authority may:

- (1) Acquire, own, construct, lease, and maintain recreational or water quality projects;
- (2) Acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated thereon and in personal property necessary to fulfill the purposes of the authority;
- (3) Contract and be contracted with, and to sue and be sued;
- (4) Accept gifts, grants, loans, or contributions from the federal government, the state of Missouri, political subdivisions, municipalities, foundations, other public or private agencies, individuals, partnerships, or corporations;
- (5) Employ such managerial, engineering, legal, technical, clerical, accounting, advertising, stenographic, and other assistance as it may deem advisable. The authority may also contract with independent contractors for any of the foregoing assistance;
- (6) Disburse funds for its lawful activities and fix salaries and wages of its employees;
- (7) Fix rates, fees, and charges for the use of any projects and property owned, leased, operated,

or managed by the authority;

(8) Adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business may be transacted; however, said bylaws, rules, and regulations shall not exceed the powers granted to the authority by sections 67.4500 to 67.4520;

(9) Either jointly with a similar body, or separately, recommend to the proper departments of the government of the United States, or any state or subdivision thereof, or to any other body, the carrying out of any public improvement;

(10) Provide for membership in any official, industrial, commercial, or trade association, or any other organization concerned with such purposes, for receptions of officials or others as may contribute to the advancement of the authority and development therein, and for such other public relations activities as will promote the same, and such activities shall be considered a public purpose;

(11) Cooperate with municipalities and other political subdivisions as provided in chapter 70;

(12) Enter into any agreement with any other state, agency, authority, commission, municipality, person, corporation, or the United States, to effect any of the provisions contained in sections 67.4500 to 67.4520;

(13) Sell and supply water and construct, own, and operate infrastructure projects in areas within its jurisdiction, including but not limited to roads, bridges, water and sewer systems, and other infrastructure improvements;

(14) Issue revenue bonds in the same manner as provided under section 67.789; and

(15) Adopt tax increment financing within its boundaries in the same manner as provided under section 67.790.

2. The state or any political subdivision or municipal corporation thereof may in its discretion, with or without consideration, transfer or cause to be transferred to the authority or may place in its possession or control, by deed, lease, or other contract or agreement, either for a limited period or in fee, any property wherever situated.

3. The state or any political subdivision may appropriate, allocate, and expend such funds of the state or political subdivision for the benefit of the authority as are reasonable and necessary to carry out the provisions of sections 67.4500 to 67.4520.

4. The authority shall have the authority to exercise all zoning and planning powers that are granted to cities, towns, and villages under chapter 89, except that the authority shall not exercise such powers inside the corporate limits of any city, town, or village which has adopted a city plan under the laws of this state before August 28, 2011.” ; and

Further amend said bill, Page 22, Section 105.716, Line 40, by inserting after all of said section and line the following:

“135.950. The following terms, whenever used in sections 135.950 to 135.970 mean:

(1) “Average wage”, the new payroll divided by the number of new jobs;

(2) “Blighted area”, an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete

platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use. **The term “blighted area” shall also include any area which produces or generates or has the potential to produce or generate electrical energy from a renewable energy resource, and which, by reason of obsolescence, decadence, blight, dilapidation, deteriorating or inadequate site improvements, substandard conditions, the predominance or defective or inadequate street layout, unsanitary or unsafe conditions, improper subdivision or obsolete platting, or the existence of conditions which endanger the life or property by fire or other means, or any combination of such factors, is underutilized, unutilized, or diminishes the economic usefulness of the land, improvements, or lock and dam site within such area for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;**

(3) “Board”, an enhanced enterprise zone board established pursuant to section 135.957;

(4) “Commencement of commercial operations” shall be deemed to occur during the first taxable year for which the new business facility is first put into use by the taxpayer in the enhanced business enterprise in which the taxpayer intends to use the new business facility;

(5) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, such taxpayer shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(6) “Department”, the department of economic development;

(7) “Director”, the director of the department of economic development;

(8) “Employee”, a person employed by the enhanced business enterprise that is scheduled to work an average of at least one thousand hours per year, and such person at all times has health insurance offered to him or her, which is partially paid for by the employer;

(9) “Enhanced business enterprise”, an industry or one of a cluster of industries that is either:

(a) Identified by the department as critical to the state’s economic security and growth; or

(b) Will have an impact on industry cluster development, as identified by the governing authority in its application for designation of an enhanced enterprise zone and approved by the department; but excluding gambling establishments (NAICS industry group 7132), retail trade (NAICS sectors 44 and 45), educational services (NAICS sector 61), religious organizations (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking places (NAICS subsector 722), however, notwithstanding provisions of this section to the contrary, headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other

requirements are satisfied. Service industries may be eligible only if a majority of its annual revenues will be derived from out of the state;

(10) “Existing business facility”, any facility in this state which was employed by the taxpayer claiming the credit in the operation of an enhanced business enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(11) “Facility”, any building used as an enhanced business enterprise located within an enhanced enterprise zone, including the land on which the facility is located and all machinery, equipment, and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(12) “Facility base employment”, the greater of the number of employees located at the facility on the date of the notice of intent, or for the twelve-month period prior to the date of the notice of intent, the average number of employees located at the facility, or in the event the project facility has not been in operation for a full twelve-month period, the average number of employees for the number of months the facility has been in operation prior to the date of the notice of intent;

(13) “Facility base payroll”, the total amount of taxable wages paid by the enhanced business enterprise to employees of the enhanced business enterprise located at the facility in the twelve months prior to the notice of intent, not including the payroll of owners of the enhanced business enterprise unless the enhanced business enterprise is participating in an employee stock ownership plan. For the purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on the consumer price index or other comparable measure, as determined by the department;

(14) “Governing authority”, the body holding primary legislative authority over a county or incorporated municipality;

(15) “Megaproject”, any manufacturing or assembling facility, approved by the department for construction and operation within an enhanced enterprise zone, which satisfies the following:

(a) The new capital investment is projected to exceed three hundred million dollars over a period of eight years from the date of approval by the department;

(b) The number of new jobs is projected to exceed one thousand over a period of eight years beginning on the date of approval by the department;

(c) The average wage of new jobs to be created shall exceed the county average wage;

(d) The taxpayer shall offer health insurance to all new jobs and pay at least eighty percent of such insurance premiums; and

(e) An acceptable plan of repayment, to the state, of the tax credits provided for the megaproject has been provided by the taxpayer;

(16) “NAICS”, the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(17) “New business facility”, a facility that **does not produce or generate electrical energy from a renewable energy resource and** satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of an enhanced business enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of an enhanced business enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of an enhanced business enterprise, the portion employed by the taxpayer in the operation of an enhanced business enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), and (d) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 2004. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 2004, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 2004;

(c) If such facility was acquired by the taxpayer from another taxpayer and such facility was employed immediately prior to the acquisition by another taxpayer in the operation of an enhanced business enterprise, the operation of the same or a substantially similar enhanced business enterprise is not continued by the taxpayer at such facility; and

(d) Such facility is not a replacement business facility, as defined in subdivision (25) of this section;

(18) "New business facility employee", an employee of the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.967 is claimed, except that truck drivers and rail and barge vehicle operators and other operators of rolling stock for hire shall not constitute new business facility employees;

(19) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by 135.967 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles, aircraft and other rolling stock for hire, track, switches, barges, bridges, tunnels, and rail yards and spurs shall not constitute new business facility investments. The total value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(20) "New job", the number of employees located at the facility that exceeds the facility base employment less any decrease in the number of the employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(21) "Notice of intent", a form developed by the department which is completed by the enhanced



business enterprise and submitted to the department which states the enhanced business enterprise's intent to hire new jobs and request benefits under such program;

(22) "Related facility", a facility operated by the enhanced business enterprise or a related company in this state that is directly related to the operation of the project facility;

(23) "Related facility base employment", the greater of:

(a) The number of employees located at all related facilities on the date of the notice of intent; or

(b) For the twelve-month period prior to the date of the notice of intent, the average number of employees located at all related facilities of the enhanced business enterprise or a related company located in this state;

(24) "Related taxpayer":

(a) A corporation, partnership, trust, or association controlled by the taxpayer;

(b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or

(c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. "Control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) **"Renewable energy generation zone", an area which has been found, by a resolution or ordinance adopted by the governing authority having jurisdiction of such area, to be a blighted area and which contains land, improvements, or a lock and dam site which is unutilized or underutilized for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;**

(26) **"Renewable energy resource", shall include:**

**(a) Wind;**

**(b) Solar thermal sources or photovoltaic cells and panels;**

**(c) Dedicated crops grown for energy production;**

**(d) Cellulosic agricultural residues;**

**(e) Plant residues;**

**(f) Methane from landfills, agricultural operations, or wastewater treatment;**

**(g) Thermal depolymerization or pyrolysis for converting waste material to energy;**

**(h) Clean and untreated wood such as pallets;**

**(i) Hydroelectric power, which shall include electrical energy produced or generated by hydroelectric power generating equipment, as such term is defined in section 137.010;**

**(j) Fuel cells using hydrogen produced by one or more of the renewable resources provided in paragraphs (a) to (i) of this subdivision; or**

**(k) Any other sources of energy, not including nuclear energy, that are certified as renewable by rule by the department of natural resources;**

(27) “Replacement business facility”, a facility otherwise described in subdivision (17) of this section, hereafter referred to in this subdivision as “new facility”, which replaces another facility, hereafter referred to in this subdivision as “old facility”, located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year for which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer’s or related taxpayer’s taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of an enhanced business enterprise and the taxpayer continues the operation of the same or substantially similar enhanced business enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer’s new business facility investment, as computed in subdivision (19) of this section, in the new facility during the tax period for which the credits allowed in section 135.967 are claimed exceed one million dollars and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two;

[ (26) ] (28) “Same or substantially similar enhanced business enterprise”, an enhanced business enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed, or conducted in the same or similar manner as in another enhanced business enterprise.

135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no

enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

- (a) The state of Missouri over the previous twelve months; or
- (b) The county or city not within a county over the previous twelve months.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a “county of declining population” is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

- (1) The potential to create sustainable jobs in a targeted industry; or
- (2) A demonstrated impact on local industry cluster development.

**5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.**

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution **or ordinance** by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. **Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions.** In addition to enhanced business

enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027.

137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums,

cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term “processing” shall not include hulling, cleaning, drying, grating, or polishing;

(2) **“Hydroelectric power generating equipment”, very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;**

(3) “Intangible personal property”, for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

[(3)] (4) “Real property” includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, **hydroelectric power generating equipment**, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, water, and sewage;

[(4)] (5) “Tangible personal property” includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the following terms mean:

(1) “Agricultural and horticultural property”, all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the Nation Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution. **Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor’s Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC**

**number 2421;**

(2) “Residential property”, all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, and manufactured home parks, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, “transient housing” means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(3) “Utility, industrial, commercial, railroad and other real property”, all real property used directly or indirectly, for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term “utility, industrial, commercial, railroad and other real property”.

2. Pursuant to article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to article X, subsection 2 of section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

- (1) Immediate prior use, if any, of such property;
- (2) Location of such property;

(3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;

(4) Other legal restrictions on the use of such property;

(5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;

(6) Size of such property;

(7) Access of such property to public thoroughfares; and

(8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution.

**7. No property tax classification changes resulting from this section shall have the effect of eliminating employer obligations under chapter 287.” ; and**

Further amend said bill, Page 40, Section 205.205, Line 67, by inserting after all of said section and line the following:

**“226.224. Notwithstanding any provision of the law to the contrary, the state highways and transportation commission may enter into binding highway infrastructure improvement agreements to reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission’s reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the state highways and transportation commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The state highways and transportation commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues only if terms of the contract explicitly state such a condition. The contract shall further provide for a date or dates certain for repayment of funds and the commission may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule, or if repayment would jeopardize the receipt of federal highway moneys, only if terms of the contract state such a condition and the contract provides for a date or dates certain for repayment of funds.”;**  
and

Further amend said bill, Page 49, Section 447.708, Line 224, by inserting after all of said section and line the following:

**“620.2300. 1. As used in this section, the following terms shall mean;**

**(1) “Department”, the Missouri department of economic development;**

(2) “Biomass facility”, a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;

(3) “Commission”, the Missouri public service commission;

(4) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) “Full-time employee”, an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;

(6) “Major source”, the same meaning as is provided under 40 CFR 70.2;

(7) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee’s work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the state average wage;

(8) “Park”, an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:

(a) The area consists of at least fifty contiguous acres;

(b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;

(c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;

(d) The development plan for the area includes a biomass facility; and

(e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;

(9) “Project”, a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;

(10) “Project application”, an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) “Project facility”, a biomass facility at which the new jobs will be located. A project facility



may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;

(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or

(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier.” ; and

Further amend said bill, Page 51, Section B, Line 2, by inserting immediately after the word “revenue” the following:

“and because of the need to ensure the creation of jobs through the utilization of alternative energy sources” ; and

Further amend said bill, page and section, Lines 3 and 6 by deleting “and 205.205” and inserting in lieu thereof the following:

“, 205.205, and 620.2300” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 60**, as amended, and grants the Senate a conference thereon.

**REFERRALS**

President Pro Tem Mayer referred **HB 555**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

**PRIVILEGED MOTIONS**

Senator Engler moved that the Senate refuse to concur in **HCS No. 2** for **SCS** for **SB 117**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schmitt moved that the Senate refuse to concur in **HA 1** and **HA 2** to **SS** for **SB 238** and request the House to recede from its position and take up and pass **SS** for **SB 238**, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 356**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

**CONFERENCE COMMITTEE  
APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 60**, as amended: Senators Keaveny, Justus, Rupp, Schaefer and Lamping.

**HOUSE BILLS ON THIRD READING**

**HB 661**, with **SCS**, introduced by Representative Wells, et al, entitled:

An Act to repeal sections 425.010, 425.020, 425.025, 425.027, and 425.040, RSMo, and to enact in lieu thereof six new sections relating to debt adjusters, with an existing penalty provision.

Was called from the Informal Calendar and taken up by Senator Lamping.

**SCS** for **HB 661**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 661**

An Act to repeal sections 425.010, 425.020, 425.025, 425.027, and 425.040, RSMo, and to enact in lieu thereof six new sections relating to debt adjusters, with an existing penalty provision.

Was taken up.

Senator Lamping moved that **SCS** for **HB 661** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **HB 661** was read the 3rd time and passed by the following vote:

**YEAS—Senators**

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Dixon Wasson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### CONCURRENT RESOLUTIONS

Senator Lembke moved that **HCR 42** be taken up for adoption, which motion prevailed.

On motion of Senator Lembke, **HCR 42** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

NAYS—Senators

Chappelle-Nadal Curls Justus Keaveny Wright-Jones—5

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Kehoe moved that **HCR 32** be taken up for adoption, which motion prevailed.

Senator Kehoe offered **SA 1**, which was read:

### SENATE AMENDMENT NO. 1

Amend House Concurrent Resolution No. 32, as it appears on Page 1134 of the Senate Journal for Wednesday, April 27, 2011, Line 9 of said journal page, by inserting immediately after the word “Senate” as it appears the second time on said line, the following: “and the Minority Leader of the Senate”.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Kehoe, **HCR 32**, as amended, was adopted by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

## NAYS—Senators—None

## Absent—Senators

Green                Richard—2

## Absent with leave—Senators—None

## Vacancies—None

Senator Lembke moved that **HCS** for **HCR 39** be taken up for adoption, which motion prevailed.

On motion of Senator Lembke, **HCS** for **HCR 39** was adopted by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

## NAYS—Senators—None

## Absent—Senator Green—1

## Absent with leave—Senators—None

## Vacancies—None

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 17**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto two new sections relating to cord blood banking.

With House Amendment Nos. 1, 2, 3, 4, 6, and 7.

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 191.758, Line 7, by inserting after all of said line the following:

**“191.1100. 1. Sections 191.1100 to 191.1112 shall be known and may be cited as the “Volunteer Health Services Act”.**

**2. As used in sections 191.1100 to 191.1112, the following terms shall mean:**

**(1) “Health care provider”, any physician, surgeon, dentist, nurse, optometrist, mental health professional, or other practitioner of a health care discipline, the professional practice of which requires licensure or certification under state law or under comparable laws of another state, territory, district, or possession of the United States;**

**(2) “Licensed health care provider”, any health care provider holding a current license or certificate issued under:**

**(a) Missouri state law;**

**(b) Comparable laws of another state, territory, district, or possession of the United States;**

**(3) “Regularly practice”, to practice more than sixty days within any ninety-day period;**

**(4) “Sponsoring organization”, any organization that organizes or arranges for the voluntary provision of health care services and registers with the department of health and senior services as a sponsoring organization in accordance with section 191.1106, and charges clients on a sliding scale based on income;**

**(5) “Voluntary provision of health care services”, the providing of professional health care services by a health care provider without charge to a recipient of the services or a third party.**

**191.1102. 1. Notwithstanding any provision of law to the contrary, no additional license or certificate otherwise required by state law is necessary for the voluntary provision of health care services by any person who:**

**(1) Is a licensed health care provider;**

**(2) Lawfully practices under an exception to the licensure or certification requirements of any state, territory, district, or possession of the United States; provided that the person does not and will not regularly practice in the state of Missouri.**

**2. The provisions of subsection 1 of this section shall not apply to:**

**(1) Any person whose license or certificate is suspended or revoked under disciplinary proceedings in any jurisdiction; or**

**(2) A licensed health care provider who renders services outside the scope of practice authorized by the provider’s licensure, certification, or exception to such licensure or certification.**

**191.1104. With regard to a person who voluntarily provides health care services and who is covered by the provisions of subsection 1 of section 191.1102, all requirements regarding display of a license or certificate shall be satisfied by the presentation for inspection, upon request, of a photocopy of the applicable license, certificate, or statement of exemption.**

**191.1106. 1. Before providing volunteer medical services in this state, a sponsoring organization shall register with the department of health and senior services by submitting a registration fee of fifty dollars and filing a registration form. The registration fee shall not apply to any sponsoring organization when providing volunteer health care services in cases of natural or manmade disasters.**

**Such registration form shall contain:**

- (1) The name of the sponsoring organization;**
- (2) The name of the principal individual or individuals who are the officer's or organization's officials responsible for the operation of the sponsoring organization;**
- (3) The address, including street, city, zip code, and county, of the sponsoring organization's principal office address and the same address information for each principal or official listed in subdivision (2) of this subsection;**
- (4) Telephone numbers for the principal office of the sponsoring agency and each principal or official listed in subdivision (2) of this subsection; and**
- (5) Such additional information as the department shall require.**

**Upon any change in the information required under this subsection, the sponsoring organization shall notify the department in writing of such change within thirty days of its occurrence.**

**2. The sponsoring organization shall file a quarterly voluntary services report with the department during the current quarter that lists all licensed health care providers who provided voluntary health care services during the preceding quarter. The sponsoring organization shall maintain on file for five years following the date of service additional information, including the date, place, and type of services provided.**

**3. Each sponsoring organization shall maintain a list of health care providers associated with its provision of voluntary health services. For each such health care provider, the organization shall maintain a copy of a current license, certificate, or statement of exemption from licensure or certification, or in the event that the health care provider is currently licensed in the state of Missouri, a copy of the health care provider's license verification obtained from a state-sponsored website, if available.**

**4. The sponsoring organization shall maintain such records for a period of at least five years following the provision of health care services and shall furnish such records upon request to any regulatory board of any healing arts profession established under state law.**

**5. Compliance with subsections 1 and 2 of this section shall be prima facie evidence that the sponsoring organization has exercised due care in its selection of health care providers.**

**6. The department may revoke the registration of any sponsoring organization that fails to comply with the requirements of this section.**

**191.1108. No contract of professional liability insurance covering a health care provider in this state, issued or renewed on or after August 28, 2011, shall exclude coverage to any provider who engages in the voluntary provision of health care services; provided that the sponsoring organization and the health care provider comply with the requirements of sections 191.1100 to 191.1112.**

**191.1110. 1. (1) No person who is licensed, certified, or authorized by the board of any of the professions of the healing arts and who engages in the voluntary provision of health care services within the limits of the person's license, certificate, or authorization to any patient of a sponsoring organization shall be liable for any civil damages for any act or omission resulting from the rendering of such services, unless the act or omission was the result of such person's gross negligence or willful**

**misconduct.**

**(2) The volunteer licensee who is providing free care shall not receive compensation of any type, directly or indirectly, or any benefits of any type whatsoever, or any consideration of any nature, from any person for the free care. Nor shall such service be a part of the provider's training or assignment.**

**(3) The volunteer licensee shall be acting within the scope of such license, certification, or authority.**

**(4) A health care licensee providing free health care shall not engage in activities at a clinic, or at the health care licensee's office, if the activities are performed on behalf of the sponsoring organization, unless such activities are authorized by the appropriate authorities to be performed at the clinic or office and the clinic or office is in compliance with all applicable regulations.**

**2. For purposes of this section, any commissioned or contract medical officer or dentist serving on active duty in the United States Armed Forces and assigned to duty as a practicing, commissioned, or contract medical officer or dentist at any military hospital or medical facility owned and operated by the United States government shall be deemed to be licensed.**

**191.1112. 1. For purposes of this section, the following terms shall mean:**

**(1) "Crisis intervention", a session at which crisis response services are rendered by a critical incident stress management team member or qualified mental health professional during or after a crisis or disaster;**

**(2) "Crisis response services", consultation, risk assessment, referral, and crisis intervention services provided by a critical incident stress management team or qualified mental health professional or paraprofessional trained within the Federal Emergency Management Agency (FEMA) Crisis Counseling Program or in psychological first aid to individuals affected by crisis or disaster;**

**(3) "Critical incident stress management team member" or "team member", an individual specially trained to provide crisis response services as a member of an organized community or local crisis response team that holds membership in a registered critical incident stress management team;**

**(4) "Registered team", a team formally registered with a recognized training agency. For purposes of this section, a recognized training agency shall include the International Critical Incident Stress Foundation, the National Organization for Victim Assistance, the National Red Cross, the Missouri department of mental health, and other such organizations;**

**(5) "Training session", a session providing crisis response training by a qualified trained trainer utilizing the standards established by the accrediting agencies set out in subdivision (4) of this subsection;**

**(6) "Volunteer", a person who serves and receives no remuneration for services except reimbursement for actual expenses.**

**2. (1) Any volunteer crisis response team member who participates in a crisis intervention shall not be liable in tort for any personal injuries or infliction of emotional distress of any participant to the crisis intervention that is caused by the act or omission of a crisis response team member during the course of a crisis intervention.**

**(2) Subdivision (1) of this subsection shall not apply unless the intervention or training is**

conducted within generally accepted protocols of a registered team, as defined by a nationally recognized accrediting agency.

**3. The tort immunity in subsection 2 of this section shall not apply if:**

- (1) The team member acted with actual malice or willful intent to injure the subject;**
- (2) The team member acted outside the scope of assigned duties;**
- (3) The team member acted without team coordination and dispatch;**
- (4) The action involved the commission of a crime;**
- (5) The action involved sexual harassment, or sexual or physical abuse;**
- (6) The actions involved any form of moral turpitude or moral misconduct within the normally accepted community standards; or**
- (7) If damages resulted from gross negligence of the team member.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said line the following:

**“170.310. 1. Each school district that operates a high school, and each charter school that contains grades 9 to 12, shall provide instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course in grades 9 to 12.**

**2. Instruction shall include hands-on practicing and skills testing to support cognitive learning. Instruction shall be through a program developed by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.**

**3. The teacher of the health education course shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.**

**4. Instruction as required under this section shall become a requirement for high school graduation for students graduating in the 2014-2015 school year and subsequent school years.**

**5. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**



Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section 191.758, Page 2, Line 7, by inserting after all of said section and line the following:

“197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections 197.010 to [197.120] **197.162**, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

197.080. **1.** The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

**2. The department shall review and revise its regulations governing hospital licensure and enforcement as to promote hospital and regulatory efficiencies and eliminate duplicative regulation and inspections by or on behalf of state and federal agencies. The hospital licensure regulations adopted under this section shall incorporate standards which shall include, but not be limited to, the following:**

**(1) Each citation or finding of a regulatory deficiency shall refer to the specific written and publicly available standard and associated written interpretative guidance that are the basis of the citation or finding;**

**(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the federal Centers for Medicare and Medicaid Services’ Conditions of Participation for hospitals and associated interpretive guidance;**

**(3) The department shall establish and publish a process and standards for complaint investigation, including but not limited to:**

**(a) A process and standards for determining which complaints warrant an onsite investigation based on a preliminary review of available information from the complainant and the hospital. The process and standards shall, at a minimum, provide for a departmental determination independent of any recommendation for investigation by or in consultation with the federal Centers for Medicare and Medicaid Services (CMS). For purposes of evaluating such process and standards, the number and nature of complaints filed and the recommended actions by the department and, as appropriate, CMS shall be disclosed upon request to hospitals, so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;**

**(b) The scope of a departmental investigation of a complaint shall be limited to the specific**

regulatory standard or standards raised by the complaint, unless a threat of immediate jeopardy of safety is observed or identified during such investigation;

(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;

(4) Subject to appropriations, the department shall designate adequate and sufficient resources to the annual inspection of hospitals necessary for licensure, including but not limited to resources for consultation services and collaboration with hospital personnel to facilitate improvements;

(5) Hospitals and hospital personnel shall have the opportunity to participate in:

(a) Training sessions provided to state licensure surveyors, which shall be provided at least annually subject to appropriations. Hospitals and hospital personnel shall assume all costs associated with their participation in training sessions and use of curriculum materials; and

(b) Training of surveyors assigned to inspection of hospitals to the fullest extent possible, including the training of surveyors previously designated as a surveyor specific, which resulted in the exclusion of all hospital personnel from such training sessions;

(6) The regulations shall establish specific time lines for state hospital officials to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations. Such time lines shall be identical to, to the extent practicable, to the time lines established for the federal hospital certification and enforcement system in CMS's State Operations Manual, as amended.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

197.100. 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall annually inspect each licensed hospital [and] **but shall accept in lieu of an annual inspection reports of hospital inspections from other governmental and recognized accrediting organizations as authorized by this section. Recognizing accrediting organizations shall be those that have deemed status conferred by the Centers for Medicare and Medicaid Services (CMS) to take the place of direct CMS oversight and enforcement. The department shall make any other inspections and investigations as it deems necessary for good cause shown; provided that, the scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a documented threat of immediate jeopardy of safety is observed or identified during the investigation.** The department of health and senior

services shall accept reports of hospital inspections from governmental agencies and recognized accrediting organizations [in whole or in part] for licensure purposes if[:

(1) The inspection is comparable to an inspection performed by the department of health and senior services;

(2) The hospital meets minimum licensure standards; and

(3)] the **accreditation** inspection was conducted within [one year of the date of license renewal] **the term of accreditation authorized by the Centers for Medicare and Medicaid Services in granting deemed status to the recognized accrediting organization.** The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety related matters so long as any new standards shall apply only to new construction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section A, Page 1, Line 2 by inserting after all of said section and line the following:

**“191.334. 1. This section shall be known and may be cited as “Chloe’s Law”.**

**2. By January 1, 2012, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include pulse oximetry screening prior to discharge of the newborn from the health care facility.**

**3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said line the following:

**“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state**

licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

[7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section 191.758, Page 2, Line 7, by inserting after all of said section and line the following:

"197.705. **1. Except as otherwise provided in subsection 2 of this section**, all hospitals [and health care facilities,] **and ambulatory surgical centers as defined in sections 197.020 and [197.305] 197.500**, shall require all personnel providing services in such facilities to wear identification badges while acting within the scope of their employment. The identification badges of all personnel shall prominently display the licensure status of such personnel **and shall include the following:**

(1) **A recent photograph of the employee, the employee's first name, the employee's title, and the name of the health care facility or organization;**

(2) **The title of the employee shall be as large as possible in block type and shall occupy a tall strip as close as practicable to the top or bottom edge of the badge;**

(3) **Titles shall be as follows:**

(a) **A medical doctor as defined in section 334.021 shall have the title "Physician";**

(b) **Any nurse as defined in section 335.016 may have the title "Advanced Practice Registered Nurse", "Certified Nurse Midwife", "Certified Nurse Practitioner", "Certified Registered Nurse Anesthetist", "Licensed Practical Nurse", "Registered Nurse", or "Clinical Nurse Specialist" as applicable for such nurse's level of nursing, licensure, and certification; and**

(c) **All other titles shall be determined by rule by the department of health and senior services.**

**Nothing in this section shall prohibit a health care provider from placing the provider's additional specialty or designation after the provider's name on the badge.**

**2. Personnel shall not be required to wear an identification badge while delivering direct care to a consumer if not clinically feasible.**

**3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**4. Nothing in this section shall require the immediate replacement of identification badges worn by personnel currently employed on or before August 28, 2011. Such identification badges shall be**

**replaced within a reasonable time after August 28, 2011, such as at a regularly scheduled interval of reissuance; except that, all identification badges worn by personnel of hospitals and health care facilities shall comply with this section within ten years from August 28, 2011.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 430**, as amended and requests the Senate to recede from its position and failing to do so grant the House a conference thereon and the conferees be allowed to exceed the differences on Senate Amendment No. 10.

### **PRIVILEGED MOTIONS**

Senator Stouffer moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 430**, as amended, and grant the House a conference thereon, which motion prevailed.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
May 11, 2011

TO THE SECRETARY OF THE SENATE  
96<sup>TH</sup> GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 187 entitled:

#### **AN ACT**

To repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

On May 11, 2011, I approved said House Committee Substitute for Senate Bill No. 187.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 430**, as amended: Senators Stouffer, Wasson, Richard, McKenna and Justus.

## **RESOLUTIONS**

Senator Schmitt offered Senate Resolution No. 1087, regarding Deborah Holmes, which was adopted.

Senator Schmitt offered Senate Resolution No. 1088, regarding Christine Lindquist, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1089, regarding Tracy Loretta Mertens, St. Louis, which was adopted.

Senator Schaaf offered Senate Resolution No. 1090, regarding Alexander Robert “Alex” Valdivia, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1091, regarding Matthew Edward “Matt” Wagner, Kansas City, which was adopted.

## **INTRODUCTIONS OF GUESTS**

Senator Chappelle-Nadal introduced to the Senate, the Physician of the Day, Dr. Patrick D’Souza, M.D., St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## **SENATE CALENDAR**

---

SIXTY-EIGHTH DAY—THURSDAY, MAY 12, 2011

---

## **FORMAL CALENDAR**

## **VETOED BILLS**

SCS for SB 188-Lager, et al

## **THIRD READING OF SENATE BILLS**

SCS for SB 11-McKenna (In Fiscal Oversight)

SB 204-Dempsey, et al (In Fiscal Oversight)

## **SENATE BILLS FOR PERFECTION**

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler

8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham, with SCS
11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger
14. SB 84-Wright-Jones

15. SB 45-Wright-Jones  
 16. SB 14-Pearce, with SCS  
 17. SB 281-Kraus

18. SB 399-Kraus  
 19. SB 44-Wright-Jones

#### HOUSE BILLS ON THIRD READING

1. HB 139-Smith (150), et al (Cunningham)  
 (In Fiscal Oversight)  
 2. HCS for HB 366 (Richard)  
 (In Fiscal Oversight)  
 3. HCS for HBs 600, 337 & 413, with SCS  
 (Goodman) (In Fiscal Oversight)  
 4. HCS for HB 213 (Mayer)  
 5. HCS for HBs 223 & 231 (Crowell)

6. HCS for HB 840 (Schmitt)  
 (In Fiscal Oversight)  
 7. HCS for HB 344, with SCS (Munzlinger)  
 8. HCS for HB 552, with SCS (Engler)  
 9. HCS for HB 473 (Stouffer)  
 10. HB 708-Curtman, et al, with SCS  
 11. HCS for HB 555, with SCS (Schmitt)  
 (In Fiscal Oversight)

#### INFORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

#### SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
 (pending)  
 SBs 7, 5, 74 & 169-Goodman, with SCS  
 SB 10-Rupp  
 SB 23-Keaveny, with SCS & SS for SCS  
 (pending)  
 SB 25-Schaaf, with SCS & SS for SCS (pending)  
 SB 28-Brown  
 SB 37-Lembke, with SCS  
 SB 52-Cunningham  
 SB 72-Kraus, with SS (pending)  
 SBs 88 & 82-Schaaf, with SCS & SA 1 (pending)  
 SB 120-Stouffer, with SS (pending)  
 SB 130-Rupp, with SCS & SS for SCS  
 (pending)  
 SB 155-Rupp, with SCS  
 SB 175-Munzlinger, et al, with SA 1 (pending)  
 SB 176-Munzlinger, et al

SBs 189, 217, 246, 252 & 79-Schmitt, with SCS  
 SB 200-Crowell  
 SB 203-Schmitt, et al, with SS (pending)  
 SB 208-Lager  
 SB 209-Lager  
 SB 228-Pearce  
 SB 242-Cunningham, with SCS & SS for SCS  
 (pending)  
 SB 247-Pearce, with SS (pending)  
 SB 264-Rupp, with SCS  
 SB 278-Munzlinger, et al  
 SB 280-Purgason, et al, with SCS & SS for SCS  
 (pending)  
 SBs 291, 184 & 294-Pearce, with SCS & SA 4  
 (pending)  
 SB 299-Munzlinger, with SCS (pending)  
 SB 326-Wasson  
 SBs 369 & 370-Cunningham, with SCS



SB 390-Schmitt, et al  
SBs 408 & 80-Crowell, with SCS  
SB 420-Mayer, with SCS

SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HCS for HB 61  
SS for HB 71-Nasheed, et al (Engler)  
HCS for HB 111, with SCS (Goodman)  
HCS for HBs 112 & 285, with SCS (Brown)  
HCS for HB 143 (Goodman)  
HB 167-Nolte, et al, with SCA 1 (pending)  
(Nieves)  
SS for SCS for HCS for HB 265 (Wasson)  
(In Fiscal Oversight)  
HCS for HB 336 (Schmitt)  
HB 361-Leara (Cunningham)  
HB 402-Diehl and Korman (Wasson)  
SCS for HCS for HB 412 (Wasson)  
(In Fiscal Oversight)  
HB 442-Franz, with SA 2 (pending) (Parson)  
HB 462-Pollock, with SCS (Lager)  
HCS for HB 464, with SCS & SA 2 (pending)  
(Wasson)  
HB 484-Faith (Stouffer)

HCS for HB 506, with SCS (Lembke)  
HCS for HB 523, with SCS (Pearce)  
HB 525-Molendorp (Rupp)  
HCS for HB 545, with SCS & SS for SCS  
(pending) (Schaaf)  
HCS for HB 556  
HCS for HB 562, with SCS & SA 2  
(pending)(Schmitt)  
HCS#2 for HB 609, with SCS (pending)  
(Wasson)  
HB 667-Carter, et al (Wright-Jones)  
SS for SCS for HCS for HB 697 (Dixon)  
(In Fiscal Oversight)  
HB 738-Nasheed, et al, with SCS (pending)  
(Cunningham)  
HCS for HJR 3 (Brown)  
HJR 6-Cierpiot, et al (Cunningham)  
HJR 29-Solon, et al, with SA 1 (pending)  
(Munzlinger)

#### SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 17-Lembke, with HCS,  
as amended  
SS for SCS for SB 58-Stouffer and  
Lembke, with HCS, as amended  
SS for SCS for SB 70-Schaefer, with HA 1  
& HA 2  
SB 71-Parson, with HSA 1 for HA 1,  
as amended & HA 2  
SB 97-Engler, with HCS#2, as amended  
SS for SCS for SB 132-Rupp, with HCS,  
as amended

SCS for SB 162-Munzlinger, with HCS#2,  
as amended  
SS for SB 202-Crowell, with HCS, as amended  
SCS for SB 219-Wasson, with HCS,  
as amended  
SS for SCS for SB 254-Stouffer, with HCS,  
as amended  
SCS for SB 323-Schaefer, with HA 1 & HA 3  
SS for SCS for SB 351-Lamping, with HCS,  
as amended  
SS for SB 360-Lager, with HCS, as amended

# BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

## In Conference

SS#2 for SCS for SB 8-Goodman, with HCS,  
as amended  
SCS for SB 29-Brown, with HCS, as amended  
SB 59-Keaveny, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SCS for SB 60-Keaveny, with HCS,  
as amended  
SB 61-Keaveny, with HCS, as amended  
SS for SB 135-Schaefer, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SB 145-Dempsey, with HCS, as amended  
SB 173-Dixon and Kehoe, with HCS,  
as amended  
(Senate adopted CCR and passed CCS)  
SS for SB 226-Engler, with HCS, as amended  
(Senate adopted CCR and passed CCS)

SB 250-Kehoe, with HCS, as amended  
SCS for SB 270-Kraus, with HCS, as amended  
SB 282-Engler, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SB 284-Wasson, with HCS, as amended  
SB 322-Schaefer, with HCS, as amended  
HB 101-Loehner, with SCS, as amended  
(Cunningham)  
HCS for HBs 116 & 316, with SS for SCS,  
as amended (Purgason)  
HB 142-Gatschenberger, with SCS,  
as amended (Dempsey)  
HCS for HB 430, with SS for SCS,  
as amended (Stouffer)  
HB 737-Redmon and Shumake, with SCS  
(Lager)

## Requests to Recede or Grant Conference

SCS for SB 117-Engler, with HCS#2,  
as amended  
(Senate requests House  
recede or grant conference)  
SS for SB 238-Schmitt, with HA 1 & HA 2  
(Senate requests House recede and  
pass the bill)

SCS for SB 356-Munzlinger, with HCS,  
as amended  
(Senate requests House  
recede or grant conference)

## RESOLUTIONS

### Reported from Committee

SR 179-Purgason  
HCS for HCR 23 (Dixon)

HCR 37-Franklin, et al (Wright-Jones)

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SIXTY-EIGHTH DAY—THURSDAY, MAY 12, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“My brothers and sisters, whenever you face trials of any kind, consider it nothing but joy, because you know that the testing of your faith produces endurance.” (James 1:2-3)

Lord God, knowing that when problems come into our lives, even here, it is part of the package that is life. So when they come, let us seek You and follow the path You have chosen, knowing that You will sustain us and not abandon us but be kept truly in Your heart. So grant us patience and strength and help us remain faithful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon and KRCG-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Parson offered Senate Resolution No. 1092, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Melvin Tatum, Lincoln, which was adopted.

Senator Kehoe offered Senate Resolution No. 1093, regarding Jeni DeFeo, Jefferson City, which was adopted.

Senator Schmitt offered Senate Resolution No. 1094, regarding Adam Crews, which was adopted.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 60**, as amended. Representatives: Cox, Elmer, Barnes, Kelly (24) and Carlson.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SBs 26** and **106**.

With House Amendment Nos. 1, 2 and 3.

**HOUSE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill Nos. 26 & 106, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population

of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill Nos. 26 and 106, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur’s, operator’s or driver’s license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, **window stickers**, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary, the director of revenue shall establish a system of registration of all fleet vehicles owned or purchased by a fleet owner registered pursuant to this section. The director of revenue shall prescribe the forms for such fleet registration and the forms and procedures for the registration updates prescribed in this section. Any owner of ten or more motor vehicles which must be registered in accordance with this chapter may register as a fleet owner. All registered fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar year or biennial basis pursuant to this section in lieu of the registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an identification number to each registered owner of fleet vehicles.

2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered during April each year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be payable not later than the last day of April of each year, with two years' fees due for biennially-registered vehicles. Notwithstanding the provisions of section 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval issued no more than one hundred twenty days prior to the date of application. The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee. When biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection.

4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee beyond the regular registration fee, owners of fleet vehicles may apply for fleet license plates bearing a company name or logo. All fleet license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab **or window sticker**. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued. The director of revenue shall promulgate rules and regulations establishing the procedure for application and issuance of fleet vehicle license plates.

5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390, if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of Missouri.

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state



highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) **Beginning January 1, 2012**, the director of revenue shall issue annually or biennially a [tab or set of tabs] **window sticker, to be placed on the front windshield of the motor vehicle**, as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. **Notwithstanding the provisions of this section, motorcycles and trailers shall be issued license plate tabs in lieu of window stickers.** Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs **or window sticker** to ensure that the tab or tabs **or the window sticker** positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs **or window stickers** shall be produced in each license bureau office.

(2) [The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate] **The window sticker shall be placed on the inside front window in an area prescribed by the director of revenue. Tabs issued to motorcycles and trailers shall be affixed and displayed in the designated area of the license plate.**

(3) A tab or [set of tabs] **window sticker** issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs **or window sticker** shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other

suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. [No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.] **Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates **and window sticker** shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a

motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. **A window sticker shall not be required during the thirty-day time frame.** As used in this subsection, the term “trade-in motor vehicle or trailer” shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and

fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

301.160. Upon approval of the application for registration of a motor vehicle or trailer and when the required fee has been paid to the department of revenue, the department shall forward or deliver to the applicant the registration receipt and the number of license plates prescribed for the vehicle or trailer by section 301.130, or renewal tabs **or window stickers** if appropriate. The attachment to the motor vehicle or trailer specified in the application of current license plates shall be prima facie evidence that the fees have been paid for such license.

301.290. 1. Correctional enterprises of the department of corrections shall purchase, erect and maintain all of the machinery and equipment necessary for the manufacture of the license plates [and], tabs, **and window stickers** issued by the director of revenue, and of signs used by the state transportation department. [Beginning on January 1, 2011, correctional enterprises shall no longer erect and maintain tabs for the department of revenue.]

2. The director of revenue shall procure all plates issued by [him] **the director**, and the state transportation department shall procure all signs used by it from correctional enterprises, unless an emergency arises and correctional enterprises cannot furnish the plates, tabs, **window stickers**, or signs.

3. Correctional enterprises shall furnish the plates and signs at such a price as will not exceed the price at which such plates and signs may be obtained upon the open market, but in no event shall such price be less than the cost of manufacture, including labor and materials.

4. All moneys derived from the sale of the plates, tabs, **window stickers**, and signs shall be paid into

the state treasury to the credit of the working capital revolving fund as provided in section 217.595.

301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate of ownership, number plate, tab [or set of tabs] **or window sticker** issued by the director of revenue, the lawful holder thereof shall, within five days, file with the director of revenue, an affidavit showing such fact, and shall, on the payment of a fee of eight dollars and fifty cents, obtain a duplicate or replacement of such plate, certificate, tab [or set of tabs] **or window sticker**. Any duplicate certificate issued for any “motor vehicle primarily for business use”, as defined in section 301.010, shall be issued only to the owner of record.

2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of registration, the director of revenue shall issue to the lawful owner a duplicate or replacement thereof upon payment of a fee of eight dollars and fifty cents.

3. Vehicle owners who elect not to transfer or renew multiyear plates shall be charged a fee equal to that charged for a lost plate in addition to the registration fee prescribed by law at the time the new plate or plates are issued.

4. Notwithstanding subsection 1 of this section, a new or used motor vehicle dealer may obtain a duplicate or replacement title in the owner’s name if the owner’s title has been lost, stolen, mutilated, or destroyed and is not available for assignment. In order to obtain the duplicate or replacement title from the department of revenue, the licensed dealer shall procure a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement title in the owner’s name and sign any title assignments on the owner’s behalf. The application to the department of revenue for the duplicate or replacement title shall be accompanied by the executed power of attorney, or a copy thereof, and the application shall contain the appropriate mailing address of the dealer. The director of the department of revenue is authorized to make all necessary rules and regulations for the administration of this subsection, and shall design all necessary forms required by this subsection. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

301.301. 1. Any person replacing a stolen license plate tab **or window sticker** issued on or after January 1, 2009, may receive at no cost up to two [sets of two] license plate tabs **or window stickers** per year when the application for the replacement tab **or sticker** is accompanied with a police report that is corresponding with the stolen license plate tab **or window sticker**.

2. Any person replacing a stolen license plate tab issued prior to January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.

301.302. A citation shall not be issued to any person stopped by law enforcement for a missing license plate tab or [tabs] **window sticker** if such person indicates that the tab or [tabs have] **window sticker has** been stolen and a check on such person’s vehicle registration reveals that the vehicle is properly registered. A law enforcement officer may issue a warning under these circumstances. In the event a citation is improperly issued to a person for a missing [tabs] **tab or window sticker** when the requirements of this

section are met, any court costs shall be waived.”; and

Further amend said bill, Page 4, Section 301.4006, Line 54, by inserting after all of said section and line the following:

“Section B. Section A of this act shall become effective January 1, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill Nos. 26 & 106, Page 1, Section 301.477, Line 2, by inserting after the word “**badge**” the following:

“, **combat action ribbon, or combat action medal**”; and

Further amend said bill, Page and Section, Line 8, by inserting after the word “**badge**” the following:

“, **combat action ribbon, or combat action medal**”; and

Further amend said bill, Page and Section, Line 17, by inserting after the word “**badge**” the following:

“, **combat action ribbon, or combat action medal**”; and

Further amend said bill, Page 2, Section 301.477, Line 19 by deleting the word “**badge**”; and

Further amend said bill, Page and Section, Line 34, by inserting after the word “**badges**” the following:

“, **combat action ribbons, or combat action medals**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 36**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 356**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 356**, as amended. Representatives: Loehner, Schad, Wright, Holsman and Harris.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS No. 2** for **SCS** for **SB 117**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS No. 2** for **SCS** for **SB 117**, as amended. Representatives: Flanigan, Keeney, Fitzwater, Hummel and Kelly (24).

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS No. 2** for **SCS** for **SB 117**, as amended: Senators Engler, Crowell, Schmitt, Justus and Chappelle-Nadal.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 356**, as amended: Senators Munzlinger, Parson, Brown, Callahan and Justus.

### CONCURRENT RESOLUTIONS

**HCR 37**, entitled:

#### HOUSE CONCURRENT RESOLUTION NO. 37

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week.

Was taken up by Senator Wright-Jones.

On motion of Senator Wright-Jones, **HCR 37** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Wright-Jones, title to the concurrent resolution was agreed to.

Senator Wright-Jones moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Dixon moved that **HCS** for **HCR 23** be taken up for adoption, which motion prevailed.

On motion of Senator Dixon, **HCS** for **HCR 23** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Goodman—1

Absent—Senator Purgason—1

Absent with leave—Senator Green—1

Vacancies—None

### HOUSE BILLS ON THIRD READING

**HB 484**, introduced by Representative Faith, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the Missouri state transit assistance program.

Was called from the Informal Calendar and taken up by Senator Stouffer.

On motion of Senator Stouffer, **HB 484** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 667**, introduced by Representative Carter, et al, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the prostate cancer



pilot program.

Was called from the Informal Calendar and taken up by Senator Wright-Jones.

On motion of Senator Wright-Jones, **HB 667** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wright-Jones, title to the bill was agreed to.

Senator Wright-Jones moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 213** was placed on the Informal Calendar.

**HCS** for **HBs 223** and **231**, entitled:

An Act to repeal sections 335.036, 335.200, 335.203, 335.206, and 335.209, RSMo, and to enact in lieu thereof four new sections relating to higher education financial assistance programs.

Was taken up by Senator Crowell.

On motion of Senator Crowell, **HCS** for **HBs 223** and **231** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Crowell, title to the bill was agreed to.

Senator Crowell moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### PRIVILEGED MOTIONS

Senator Schaefer moved that **SS** for **SCS** for **SB 70**, with **HA 1** and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Schaefer, the motion to adopt **HA 1** was withdrawn.

Senator Schaefer moved that the Senate refuse to concur in **HA 1** and **HA 2** to **SS** for **SCS** for **SB 70** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### HOUSE BILLS ON THIRD READING

**HCS** for **HB 213**, entitled:

An Act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Mayer.

Senator Mayer offered **SS** for **HCS** for **HB 213**, entitled:

### SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 213

An Act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

Senator Mayer moved that **SS** for **HCS** for **HB 213** be adopted, which motion prevailed.

On motion of Senator Mayer, **SS** for **HCS** for **HB 213** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson—28				

#### NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Wright-Jones—5
-----------------	-------	--------	---------	----------------

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 111**, with **SCS**, entitled:

An Act to repeal sections 11.010, 32.056, 211.031, 221.105, 301.146, 302.020, 302.321, 303.025, 311.325, 452.430, 455.040, 475.060, 475.061, 475.115, 475.375, 479.020, 488.432, 488.5026, 516.140, 537.528, 544.455, 544.470, 557.011, and 574.105, RSMo, and to enact in lieu thereof fifty-four new sections relating to the judiciary, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Goodman.

**SCS** for **HCS** for **HB 111**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 111

An Act to repeal sections 302.020, 302.321, 303.025, 311.325, 351.340, 475.060, 475.061, 475.115, 477.650, 484.350, 544.455, 544.470, 557.011, 566.086, 566.147, 568.040, 570.080, 578.150, and 589.040, RSMo, and to enact in lieu thereof forty-six new sections relating to the judiciary, with penalty provisions.

Was taken up.

Senator Goodman moved that **SCS** for **HCS** for **HB 111** be adopted.

Senator Goodman offered **SS** for **SCS** for **HCS** for **HB 111**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 111

An Act to repeal sections 302.020, 302.321, 303.025, 311.325, 351.340, 475.060, 475.061, 475.115, 477.650, 484.350, 544.455, 544.470, 557.011, 566.086, 566.147, 568.040, 570.080, 578.150, and 589.040, RSMo, and to enact in lieu thereof forty-six new sections relating to the judiciary, with penalty provisions.

Senator Goodman moved that **SS** for **SCS** for **HCS** for **HB 111** be adopted.

Senator Goodman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 44, Section 566.147, Line 24, by striking “, **which**” and inserting in lieu thereof the following: “**that**”.

Senator Goodman moved that the above amendment be adopted, which motion prevailed.

Senator McKenna offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 9, Section 303.025, Line 1, by inserting after all of said line the following:

“304.820. 1. Except as otherwise provided in this section, no person [twenty-one years of age or younger] operating a moving motor vehicle upon the highways of this state shall, by means of a hand-held electronic wireless communications device, send, read, or write a text message or electronic message.

2. The provisions of subsection 1 of this section shall not apply to a person operating:

(1) An authorized emergency vehicle; or

(2) A moving motor vehicle while using a hand-held electronic wireless communications device to:

(a) Report illegal activity;

(b) Summon medical or other emergency help;

(c) Prevent injury to a person or property; or

(d) Relay information between a transit or for-hire operator and that operator’s dispatcher, in which the device is permanently affixed to the vehicle.

3. Nothing in this section shall be construed or interpreted as prohibiting a person from making or taking part in a telephone call, by means of a hand-held electronic wireless communications device, while operating a motor vehicle upon the highways of this state.

4. As used in this section, “electronic message” means a self-contained piece of digital communication that is designed or intended to be transmitted between hand-held electronic wireless communication devices. “Electronic message” includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an Internet site.

5. As used in this section, “hand-held electronic wireless communications device” includes any hand-held cellular phone, palm pilot, blackberry, or other mobile electronic device used to communicate verbally or by text or electronic messaging, but shall not apply to any device that is permanently embedded into the architecture and design of the motor vehicle.

6. As used in this section, “making or taking part in a telephone call” means listening to or engaging in verbal communication through a hand-held electronic wireless communication device.

7. As used in this section, “send, read, or write a text message or electronic message” means using a hand-held electronic wireless telecommunications device to manually communicate with any person by using an electronic message. Sending, reading, or writing a text message or electronic message does not include reading, selecting, or entering a phone number or name into a hand-held electronic wireless communications device for the purpose of making a telephone call.

8. A violation of this section shall be deemed an infraction and shall be deemed a moving violation for purposes of point assessment under section 302.302.

9. The state preempts the field of regulating the use of hand-held electronic wireless communications

devices in motor vehicles, and the provisions of this section shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand-held electronic wireless communication devices by the operator of a motor vehicle.

10. The provisions of this section shall not apply to:

(1) The operator of a vehicle that is lawfully parked or stopped;

(2) Any of the following while in the performance of their official duties: a law enforcement officer; a member of a fire department; or the operator of a public or private ambulance;

(3) The use of factory-installed or aftermarket global positioning systems (GPS) or wireless communications devices used to transmit or receive data as part of a digital dispatch system;

(4) The use of voice-operated technology;

(5) The use of two-way radio transmitters or receivers by a licensee of the Federal Communications Commission in the Amateur Radio Service;

**(6) A person using a hand-held mobile telephone in conjunction with a voice-operated or hands-free device. The term “voice-operated or hands-free device” shall mean a device that allows the user to write, send, or read a text message without the use of either hand except to activate or deactivate a feature or function.”; and**

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 2** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it not well taken.

**SA 2** was again taken up.

At the request of Senator McKenna, the above amendment was withdrawn.

Senator Stouffer assumed the Chair.

Senator Munzlinger offered **SA 3**:

#### SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 1, Section A, Line 12 of said page, by inserting after all of said line the following:

**“34.376. 1. Sections 34.376 to 34.380 may be known as the “Transparency in Private Attorney Contracts Act”.**

**2. As used in sections 34.376 to 34.380, the following terms shall mean:**

**(1) “Government attorney”, an attorney employed by the state as an assistant attorney general;**

**(2) “Private attorney”, any private attorney or law firm;**

**(3) “State”, the state of Missouri, in any action instituted by the attorney general pursuant to section 27.060.**

**34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:**

**(1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general's office to handle the matter;**

**(2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;**

**(3) The geographic area where the attorney services are to be provided; and**

**(4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney's experience with similar issues or cases.**

**2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.**

**3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.**

**4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:**

**(1) The government attorneys shall retain complete control over the course and conduct of the case;**

**(2) A government attorney with supervisory authority shall oversee the litigation;**

**(3) The government attorneys shall retain veto power over any decisions made by outside counsel;**

**(4) A government attorney with supervisory authority for the case shall attend all settlement conferences; and**

**(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.**

**5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.**

**6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency**

fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.

7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.

8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:

(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(b) The nature and status of the legal matter;

(c) The name of the parties to the legal matter;

(d) The amount of any recovery; and

(e) The amount of any contingency fee paid.

(2) Include copies of any written determinations made under subsections 1 and 2 of this section.

**34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed.”; and**

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 4**, which was read:

**SENATE AMENDMENT NO. 4**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 55, Section 632.312, Line 23 of said page, by inserting at the end of said line the following: **“Reimbursement from the state for actual costs, except for allowable mileage expenses, shall be subject to appropriations.”.**

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 5**:

**SENATE AMENDMENT NO. 5**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill No. 111, Page 37, Section 484.350, Line 7 of said page, by inserting after all of said line the following:

“523.040. 1. The court, or judge thereof in vacation, on being satisfied that due notice of the pendency of the petition has been given, shall appoint three disinterested commissioners, who shall be residents of the county in which the real estate or a part thereof is situated, **and in any city not within a county, any county with a charter form of government and with more than one million inhabitants, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants at least one of the commissioners shall be either a licensed real estate broker or a state-licensed or state-certified real estate appraiser**, to assess the damages which the owners may severally sustain by reason of such appropriation, who, within forty-five days after appointment by the court, which forty-five days may be extended by the court to a date certain with good cause shown, after applying the definition of fair market value contained in subdivision (1) of section 523.001, and after having viewed the property, shall return to the clerk of such court, under oath, their report in duplicate of such assessment of damages, setting forth the amount of damages allowed to the person or persons named as owning or claiming the tract of land condemned, and should more than one tract be condemned in the petition, then the damages allowed to the owner, owners, claimant or claimants of each tract, respectively, shall be stated separately, together with a specific description of the tracts for which such damages are assessed; and the clerk shall file one copy of said report in his office and record the same in the order book of the court, and he shall deliver the other copy, duly certified by him, to the recorder of deeds of the county where the land lies (or to the recorder of deeds of the city of St. Louis, if the land lies in said city) who shall record the same in his office, and index each tract separately as provided in section 59.440, and the fee for so recording shall be taxed by the clerk as costs in the proceedings; and thereupon such company shall pay to the clerk the amount thus assessed for the party in whose favor such damages have been assessed; and on making such payment it shall be lawful for such company to hold the interest in the property so appropriated for the uses prescribed in this section; and upon failure to pay the assessment, the court may, upon motion and notice by the party entitled to such damages, enforce the payment of the same by execution, unless the said company shall, within ten days from the return of such assessment, elect to abandon the proposed appropriation of any parcel of land, by an instrument in writing to that effect, to be filed with the clerk of the court, and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages shall be void.

2. Prior to the issuance of any report under subsection 1 of this section, a commissioner shall notify all parties named in the condemnation petition no less than ten days prior to the commissioners’ viewing of the property of the named parties’ opportunity to accompany the commissioners on the commissioners’ viewing of the property and of the named parties’ opportunity to present information to the commissioners.

3. The commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Goodman, **HCS** for **HB 111**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:



Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 430**, as amended. Representatives: Burlison, Schoeller, Denison, Ellinger and Jones (63).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS**, as amended, for **HB 458** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 48**, entitled:

An Act to repeal sections 247.060, 250.236, 386.420, 386.490, 386.510, 386.515, 386.520, 386.530, 386.540, 393.015, 393.275, 393.1000, 393.1003, 414.530, 414.560, 414.570, and 660.122, RSMo, and to enact in lieu thereof eighteen new sections relating to utilities, with an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5 and 6.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 48, Page 19, Section 414.570, Line 36, by inserting after all of said line the following:

**“620.2300. 1. As used in this section, the following terms shall mean;**

**(1) “Department”, the Missouri department of economic development;**

**(2) “Biomass facility”, a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**

**(3) “Commission”, the Missouri public service commission;**

**(4) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**

**(5) “Full-time employee”, an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;**

**(6) “Major source”, the same meaning as is provided under 40 C.F.R. 70.2;**

**(7) “New job”, the number of full-time employees located at the project facility that exceeds the**

project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

(8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:

(a) The area consists of at least fifty contiguous acres;

(b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;

(c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;

(d) The development plan for the area includes a biomass facility; and

(e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;

(9) "Project", a clean fields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;

(10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

(1) Renewable energy resources purchased from the biomass facility located in the park by an

**electric power supplier;**

**(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or**

**(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier.”; and**

Further amend said bill, Page 20, Section B, Line 3, by inserting after the word “decisions” the following:

“and the need to ensure the creation of jobs through the utilization of alternative energy sources”; and

Further amend said bill, Page 20, Section B, Line 4, by inserting after the number “386.540” the following:

“and the enactment of section 620.2300”; and

Further amend said bill, Page 20, Section B, Line 7, by inserting after the number “386.540” the following:

“and the enactment of section 620.2300”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 48, Pages 14 - 15, Section 393.1000, Lines 1 - 47 by removing all of said Section and Lines from the bill; and

Further amend said bill, Pages 15 - 16, Section 393.1003, Lines 1 - 25 by removing all of said Section and Lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 48, Pages 1 - 3, Section 247.060, Lines 1 - 82, by removing all of said Section and Lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 48, Page 5, Section 386.420, Line 33, by adding the phrase “that is not classified as price-cap or competitive company” immediately following the words “public utility”; and

Further amend Section 386.520, Page 9, Line 57, by adding the phrase “for public utilities that are not classified as price-cap or competitive companies” immediately following the words “new rates or charges”.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 48, Page 1, In the Title, Line 4, by inserting after “RSMo,” the following: “section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth

general assembly, first regular session and section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session”; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after “RSMo,” the following: “section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session and section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session”; and

Further amend said bill, Page 19, Section 414.570, Line 36, by inserting after all of said section and line, the following:

“565.081. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer.

2. As used in this section, “emergency personnel” means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term “corrections officer” includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms “highway worker”, “construction zone”, or “work zone” shall have the same meaning as such terms are defined in section 304.580.

**5. As used in this section, the term “utility worker” means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

**6. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the first degree is a class A felony.**

[565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer.

2. As used in this section, “emergency personnel” means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term “corrections officer” includes any jailer or corrections officer of the state or any political subdivision of the state.

4. Assault of a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony.]

565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, **highway worker in a construction zone or work zone, utility worker**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel,

highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer.

2. As used in this section, “emergency personnel” means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term “corrections officer” includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms “highway worker”, “construction zone”, or “work zone” shall have the same meaning as such terms are defined in section 304.580.

**5. As used in this section, the term “utility worker” means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

**6.** Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence.

565.083. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer;

(2) Such person purposely places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer without the consent of the law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer.

2. As used in this section, “emergency personnel” means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term “corrections officer” includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms “highway worker”, “construction zone”, or “work zone” shall have the same meaning as such terms are defined in section 304.580.

**5. As used in this section, the term “utility worker” means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the third degree is a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 48, Page 1, Section A, Line 6, by inserting after all of said line the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established**



**unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 77**, entitled:

An Act to repeal sections 226.520 and 227.410, RSMo, and to enact in lieu thereof six new sections relating to roadway signs.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 54**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 65**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SS** for **SCS** for **SB 70**, as amended, and grants the Senate a conference thereon.

### **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, which was read:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
May 12, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you for your advice and consent:

Thomas Springer, 49 Forest Glen, Kirkwood, Saint Louis County, Missouri 63122, as a member of the Missouri State Board of Accountancy, for a term ending January 1, 2013, and until his successor is duly appointed and qualified; vice, Sandra Thomas, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer moved that the above appointment be returned to the Governor per his

request, which motion prevailed.

### **PRIVILEGED MOTIONS**

Senator Wright-Jones moved that the Senate refuse to concur in **HCS** for **SB 48**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown moved that the Senate refuse to recede from its position on **SS** for **HB 458**, as amended, and grant the House a conference thereon, which motion prevailed.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **SB 70**, with **HA 1** and **HA 2**: Senators Schaefer, Brown, Richard, Keaveny and Green.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **HB 458**, as amended: Senators Brown, Munzlinger, Schaefer, Callahan and Justus.

On motion of Senator Dempsey, the Senate recessed until 2:30 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 81**.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3.

### **HOUSE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Bill No. 81, Page 1, Section A, Line 2 by inserting after said line the following:

“143.183. 1. As used in this section, the following terms mean:

(1) “Nonresident entertainer”, a person residing or registered as a corporation outside this state who, for compensation, performs any vocal, instrumental, musical, comedy, dramatic, dance or other performance in this state before a live audience and any other person traveling with and performing services on behalf of a nonresident entertainer, including a nonresident entertainer who is paid compensation for providing entertainment as an independent contractor, a partnership that is paid compensation for entertainment provided by nonresident entertainers, a corporation that is paid compensation for entertainment provided by nonresident entertainers, or any other entity that is paid compensation for entertainment provided by nonresident entertainers;

(2) “Nonresident member of a professional athletic team”, a professional athletic team member who

resides outside this state, including any active player, any player on the disabled list if such player is in uniform on the day of the game at the site of the game, and any other person traveling with and performing services on behalf of a professional athletic team;

(3) “Personal service income” includes exhibition and regular season salaries and wages, guaranteed payments, strike benefits, deferred payments, severance pay, bonuses, and any other type of compensation paid to the nonresident entertainer or nonresident member of a professional athletic team, but does not include prizes, bonuses or incentive money received from competition in a livestock, equine or rodeo performance, exhibition or show;

(4) “Professional athletic team” includes, but is not limited to, any professional baseball, basketball, football, soccer and hockey team.

2. Any person, venue, or entity who pays compensation to a nonresident entertainer shall deduct and withhold from such compensation as a prepayment of tax an amount equal to two percent of the total compensation if the amount of compensation is in excess of three hundred dollars paid to the nonresident entertainer.

3. Any person, venue, or entity required to deduct and withhold tax pursuant to subsection 2 of this section shall, for each calendar quarter, on or before the last day of the month following the close of such calendar quarter, remit the taxes withheld in such form or return as prescribed by the director of revenue and pay over to the director of revenue or to a depository designated by the director of revenue the taxes so required to be deducted and withheld.

4. Any person, venue, or entity subject to this section shall be considered an employer for purposes of section 143.191, and shall be subject to all penalties, interest, and additions to tax provided in this chapter for failure to comply with this section.

5. Notwithstanding other provisions of this chapter to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but none after December 31, 2015, shall annually estimate the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, sixty percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri arts council trust fund, and shall be transferred from the general revenue fund to the Missouri arts council trust fund established in section 185.100 and any amount transferred shall be in addition to such agency’s budget base for each fiscal year. The director shall by rule establish the method of determining the portion of personal service income of such persons that is allocable to Missouri.

6. Notwithstanding the provisions of sections 186.050 to 186.067 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri humanities council trust fund, and shall be transferred from the general revenue fund to the Missouri humanities council trust fund established in section 186.055 and any amount transferred shall be in addition to such agency’s budget base for each fiscal year.

7. Notwithstanding other provisions of section 182.812 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri state library networking fund, and shall be transferred from the general revenue fund to the secretary of state for distribution to public libraries for acquisition of library materials as established in section 182.812 and any amount transferred shall be in addition to such agency's budget base for each fiscal year.

8. Notwithstanding other provisions of section 185.200 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri public television broadcasting corporation special fund, and shall be transferred from the general revenue fund to the Missouri public television broadcasting corporation special fund, and any amount transferred shall be in addition to such agency's budget base for each fiscal year; provided, however, that twenty-five percent of such allocation shall be used for grants to public radio stations which were qualified by the corporation for public broadcasting as of November 1, 1996. Such grants shall be distributed to each of such public radio stations in this state after receipt of the station's certification of operating and programming expenses for the prior fiscal year. Certification shall consist of the most recent fiscal year financial statement submitted by a station to the corporation for public broadcasting. The grants shall be divided into two categories, an annual basic service grant and an operating grant. The basic service grant shall be equal to thirty-five percent of the total amount and shall be divided equally among the public radio stations receiving grants. The remaining amount shall be distributed as an operating grant to the stations on the basis of the proportion that the total operating expenses of the individual station in the prior fiscal year bears to the aggregate total of operating expenses for the same fiscal year for all Missouri public radio stations which are receiving grants.

9. Notwithstanding other provisions of section 253.402 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to [the Missouri department of natural resources Missouri historic preservation revolving fund, and shall be transferred from the general revenue fund to the Missouri department of natural resources Missouri historic preservation revolving fund established in section 253.402 and any amount transferred shall be in addition to such agency's budget base for each fiscal year] **historically black colleges and universities (HBCU), to be allocated based on the student enrollment in each university and to be used solely for youth sport safety in each university's athletic facility, including physical safety and therapy.** As authorized pursuant to subsection 2 of section 30.953, it is the intention and desire of the general assembly that the state treasurer convey, to the Missouri investment trust

on January 1, 1999, up to one hundred percent of the balances of the Missouri arts council trust fund established pursuant to section 185.100 and the Missouri humanities council trust fund established pursuant to section 186.055. The funds shall be reconveyed to the state treasurer by the investment trust as follows: the Missouri arts council trust fund, no earlier than January 2, 2009; and the Missouri humanities council trust fund, no earlier than January 2, 2009.

**10. This section shall not be construed to apply to any person who makes a presentation for professional or technical education purposes or to apply to any presentation that is part of a seminar, conference, convention, school, or similar program format designed to provide professional or technical education.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 81, Page 1, Line 2 by inserting after all of said line the following:

“165.011. 1. The following funds are created for the accounting of all school moneys: teachers’ fund, incidental fund, capital projects fund and debt service fund. The treasurer of the school district shall open an account for each fund specified in this section, and all moneys received from the county school fund and all moneys derived from taxation for teachers’ wages shall be placed to the credit of the teachers’ fund. All tuition fees, state moneys received under section 163.031, and all other moneys received from the state except as herein provided shall be placed to the credit of the teachers’ and incidental funds at the discretion of the district board of education, except as provided in subsection 6 of section 163.031. Money received from other districts for transportation and money derived from taxation for incidental expenses shall be credited to the incidental fund. All money derived from taxation or received from any other source for the erection of buildings or additions thereto and the remodeling or reconstruction of buildings and the furnishing thereof, for the payment of lease-purchase obligations, for the purchase of real estate, or from sale of real estate, schoolhouses or other buildings of any kind, or school furniture, from insurance, from sale of bonds other than refunding bonds shall be placed to the credit of the capital projects fund. All moneys derived from the sale or lease of sites, buildings, facilities, furnishings, and equipment by a school district as authorized under section 177.088 shall be credited to the capital projects fund. Money derived from taxation for the retirement of bonds and the payment of interest thereon shall be credited to the debt service fund, which shall be maintained as a separate bank account. Receipts from delinquent taxes shall be allocated to the several funds on the same basis as receipts from current taxes, except that where the previous years’ obligations of the district would be affected by such distribution, the delinquent taxes shall be distributed according to the tax levies made for the years in which the obligations were incurred. All refunds received shall be placed to the credit of the fund from which the original expenditures were made. Money donated to the school districts shall be placed to the credit of the fund where it can be expended to meet the purpose for which it was donated and accepted. Money received from any other source whatsoever shall be placed to the credit of the fund or funds designated by the board.

2. The school board may transfer any portion of the unrestricted balance remaining in the incidental fund to the teachers’ fund. Any district that uses an incidental fund transfer to pay for more than twenty-five percent of the annual certificated compensation obligation of the district and has an incidental fund balance on June thirtieth in any year in excess of fifty percent of the combined incidental teachers’ fund

expenditures for the fiscal year just ended shall be required to transfer the excess from the incidental fund to the teachers' fund. If a balance remains in the debt service fund, after the total outstanding indebtedness for which the fund was levied is paid, the board may transfer the unexpended balance to the capital projects fund. If a balance remains in the bond proceeds after completion of the project for which the bonds were issued, the balance shall be transferred from the incidental or capital projects fund to the debt service fund. After making all placements of interest otherwise provided by law, a school district may transfer from the capital projects fund to the incidental fund the interest earned from undesignated balances in the capital projects fund. A school district may borrow from one of the following funds: teachers' fund, incidental fund, or capital projects fund, as necessary to meet obligations in another of those funds; provided that the full amount is repaid to the lending fund within the same fiscal year.

3. Tuition shall be paid from either the teachers' or incidental funds. Employee benefits for certificated staff shall be paid from the teachers' fund.

4. Other provisions of law to the contrary notwithstanding, the school board of a school district that meets the provisions of subsection 6 of section 163.031 may transfer from the incidental fund to the capital projects fund the sum of:

(1) The amount to be expended for transportation equipment that is considered an allowable cost under state board of education rules for transportation reimbursements during the current year; plus

(2) Any amount necessary to satisfy obligations of the capital projects fund for state-approved area vocational- technical schools; plus

(3) Current year obligations for lease-purchase obligations entered into prior to January 1, 1997; plus

(4) The amount necessary to repay costs of one or more guaranteed energy savings performance contracts to renovate buildings in the school district, provided that the contract is only for energy conservation measures as defined in section 640.651 and provided that the contract specifies that no payment or total of payments shall be required from the school district until at least an equal total amount of energy and energy-related operating savings and payments from the vendor pursuant to the contract have been realized by the school district; plus

(5) An amount not to exceed the greater of:

(a) One hundred sixty-two thousand three hundred twenty- six dollars; or

(b) Seven percent of the state adequacy target multiplied by the district's weighted average daily attendance, provided that transfer amounts in excess of current year obligations of the capital projects fund authorized under this subdivision may be transferred only by a resolution of the school board approved by a majority of the board members in office when the resolution is voted on and identifying the specific capital projects to be funded directly by the district by the transferred funds and an estimated expenditure date.

5. Beginning in the 2006-07 school year, a district meeting the provisions of subsection 6 of section 163.031 and not making the transfer under subdivision (5) of subsection 4 of this section, nor making payments or expenditures related to obligations made under section 177.088 may transfer from the incidental fund to the debt service fund or the capital projects fund the greater of:

(1) The state aid received in the 2005-06 school year as a result of no more than eighteen cents of the sum of the debt service and capital projects levy used in the foundation formula and placed in the respective debt service or capital projects fund, whichever fund had the designated tax levy; or

(2) Five percent of the state adequacy target multiplied by the district's weighted average daily attendance.

6. Beginning in the 2006-07 school year, the department of elementary and secondary education shall deduct from a school district's state aid calculated pursuant to section 163.031 an amount equal to the amount of any transfer of funds from the incidental fund to the capital projects fund or debt service fund performed during the previous year in violation of this section; except that the state aid shall be deducted over no more than five school years following the school year of an unlawful transfer based on a plan from the district approved by the commissioner of elementary and secondary education.

7. A school district may transfer unrestricted funds from the capital projects fund to the incidental fund in any year [in which that year's June thirtieth combined incidental and teachers' funds unrestricted balance compared to the combined incidental and teachers' funds expenditures would be less than ten percent without such transfer] **to avoid becoming financially stressed as defined in subsection 1 of section 161.520. If on June thirtieth of any fiscal year the sum of unrestricted balances in a school district's incidental fund and teacher's fund is less than twenty percent of the sum of the school district's expenditures from those funds for the fiscal year ending on that June thirtieth, the school district may, during the next succeeding fiscal year, transfer to its incidental fund an amount up to and including the amount of the unrestricted balance in its capital projects fund on that June thirtieth. For purposes of this subsection, in addition to any other restrictions that may apply to funds in the school district's capital projects fund, any funds that are derived from the proceeds of one or more general obligation bond issues shall be considered restricted funds and shall not be transferred to the school district's incidental fund.** ; and

Further amend said amendment by deleting the opening quotation mark on Line 4 of said amendment;

Further amend said amendment and page, Lines 11 and 13, by inserting after the numeral "163.037" the following:

"and the repeal and reenactment of 165.011" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 81, Page 2, Section 162.1195, Line 24, by inserting after all of said section and line the following:

"[163.037. In any school year after the 2009-10 school year, if there is a twenty-five percent decrease in the statewide percentage of average daily attendance attributable to summer school compared to the percentage of average daily attendance attributable to summer school in the 2005-06 school year, then for the subsequent school year, weighted average daily attendance, as such term is defined in section 163.011, shall include the addition of the product of twenty-five hundredth times the average daily attendance for summer school.]

Section B. Because of the need to provide adequate funding to school districts, the repeal of section 163.037 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal of section 163.037 of section A of this act shall be in full force and effect upon its passage and approval." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 81, Page 2, Section 162.1195, Line 24, by inserting after all of said section and line the following:

**“170.340. Books of a religious nature may be used in the classroom as part of instruction in elective courses in literature and history, so long as such books are not used in a manner so as to violate the establishment clause of the United States Constitution.” ; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 48**, as amended, and grants the Senate a conference thereon.

#### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 48**, as amended: Senators Wright-Jones, Green, Lager, Schaefer and Dixon.

#### PRIVILEGED MOTIONS

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 270**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 270

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 270;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus

FOR THE HOUSE:

/s/ Tony Dugger



/s/ Kevin Engler

/s/ Don Wells

/s/ Jane Cunningham

/s/ Jason Smith

Jolie L. Justus

/s/ Pat Conway

Robin Wright-Jones

/s/ Stacey Newman

Senator Kraus moved that the above conference committee report be adopted.

At the request of Senator Kraus, the above motion was withdrawn.

### REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HCS** for **HBs 600, 337 and 413**, with **SCS**; **SS** for **SCS** for **HCS** for **HB 265**, as amended; and **HCS** for **HB 555**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

### PRIVILEGED MOTIONS

Senator Kraus moved that the conference committee report on **HCS** for **SCS** for **SB 270**, as amended, be taken up for adoption, which motion prevailed.

Senator Kraus moved that the conference committee report be adopted, which motion failed by the following vote:

#### YEAS—Senators

Crowell	Cunningham	Dempsey	Dixon	Goodman	Green	Kraus	Lager
Lembke	Mayer	Nieves	Purgason	Ridgeway	Rupp	Schaaf	Stouffer—16

#### NAYS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Engler	Justus	Keaveny	Kehoe
Lamping	Munzlinger	Parson	Pearce	Richard	Schaefer	Schmitt	Wasson
Wright-Jones—17							

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

### HOUSE BILLS ON THIRD READING

Senator Wasson moved that **HCS** for **HB 464**, with **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 2** was again taken up.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Rupp assumed the Chair.

Senator Schmitt offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 34, Section 210.101, Lines 22-26, by striking all of said lines; and

Further amend said bill, Page 35 to 38, Section 210.102, by striking said section from the bill; and

Further amend said bill, Section 210.102, Page 38, Line 113, by inserting after all of said line the following:

**“210.105. 1. There is hereby created the “Missouri Task Force on Prematurity and Infant Mortality” within the children’s services commission to consist of the following eighteen members:**

**(1) The following six members of the general assembly:**

**(a) Three members of the house of representatives, with two members to be appointed by the speaker of the house and one member to be appointed by the minority leader of the house;**

**(b) Three members of the senate, with two members to be appointed by the president pro tem of the senate and one member to be appointed by the minority leader of the senate;**

**(2) The director of the department of health and senior services, or the director’s designee;**

**(3) The director of the department of social services, or the director’s designee;**

**(4) The director of the department of insurance, financial institutions and professional registration, or the director’s designee;**

**(5) One member representing a not-for-profit organization specializing in prematurity and infant mortality;**

**(6) Two members who shall be either a physician or nurse practitioner specializing in obstetrics and gynecology, family medicine, pediatrics or perinatology;**

**(7) Two consumer representatives who are parents of individuals born prematurely, including one parent of an individual under the age of eighteen;**

**(8) Two members representing insurance providers in the state;**

**(9) One small business advocate; and**

**(10) One member of the small business regulatory fairness board.**

**Members of the task force, other than the legislative members and directors of state agencies, shall be appointed by the governor with the advice and consent of the senate by September 15, 2011.**

**2. A majority of a quorum from among the task force membership shall elect a chair and vice-chair of the task force.**

**3. A majority vote of a quorum of the task force is required for any action.**

**4. The chairperson of the children’s services commission shall convene the initial meeting of the task force by no later than October 15, 2011. The task force shall meet at least quarterly; except that the task force shall meet at least twice prior to the end of 2011. Meetings may be held by telephone or video conference at the discretion of the chair.**

**5. Members shall serve on the commission without compensation, but may, subject to appropriation, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.**

**6. The goal of the task force is to seek evidence-based and cost-effective approaches to reduce Missouri's preterm birth and infant mortality rates.**

**7. The task force shall:**

**(1) Submit findings to the general assembly;**

**(2) Review appropriate and relevant evidence-based research regarding the causes and effects of prematurity and birth defects in Missouri;**

**(3) Examine existing public and private entities currently associated with the prevention and treatment of prematurity and infant mortality in Missouri;**

**(4) Develop cost-effective strategies to reduce prematurity and infant mortality; and**

**(5) Issue findings and propose to the appropriate public and private organizations goals, objectives, strategies, and tactics designed to reduce prematurity and infant mortality in Missouri, including drafting legislation on public policy for consideration during the next appropriate session of the general assembly.**

**8. On or before December 31, 2013, the task force shall submit a report on their findings to the governor and general assembly. The report shall include any dissenting opinions in addition to any majority opinions.**

**9. The task force shall expire on January 1, 2015, or upon submission of a report under subsection 8 of this section, whichever is earlier.”; and**

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

Senator Ridgeway offered **SA 1 to SA 3**, which was read:

**SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 3**

Amend Senate Amendment No. 3 to Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 3, Line 20, by striking the words “drafting legislation” and inserting in lieu thereof the following:

**“recommendations”.**

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

**SA 3**, as amended, was again taken up.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 4**:

**SENATE AMENDMENT NO. 4**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 151,

Section 324.635, Line 5, by inserting after all of said line the following:

“[324.1140. 1. The board of private investigator examiners shall license persons who are qualified to train private investigators.

2. Persons wishing to become licensed trainers shall make application to the board of private investigator examiners on a form prescribed by the board and accompanied by a fee determined by the board. The application shall contain a statement of the plan of operation of the training offered by the applicant and the materials and aids to be used and any other information required by the board.

3. A license shall be granted to a trainer if the board finds that the applicant:

(1) Has sufficient knowledge of private investigator business in order to train private investigators sufficiently;

(2) Has supplied all required information to the board; and

(3) Has paid the required fee.

4. The license issued under this section shall be valid for two years and shall be renewable biennially upon application and payment of the renewal fee established by the board. An application for renewal of license shall be mailed to every person to whom a license was issued or renewed during the current licensing period. The applicant shall complete the application and return it to the board by the renewal date with a renewal fee in an amount to be set by the board and with evidence of continuing education under section 324.1122. Any licensee who practices during the time the license has expired shall be considered engaging in prohibited acts under section 324.1104 and shall be subject to the penalties provided for the violation of the provisions of sections 324.1100 to 324.1148. If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired certificate or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the board, and present evidence in the form prescribed by the board of having completed the continuing education requirements for renewal specified in section 324.1122. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee. If a person has failed to renew the person's license within two years of its expiration, the license shall be void.]”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Green offered **SA 5**, which was read:

#### SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 46, Section 320.094, Line 78, by striking the word “shall” and further amend line 79, by striking “be a person with expertise in fire prevention” and inserting in lieu thereof the following: “**who provides fire safety appliances or equipment**”.

Senator Green moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Wasson, **HCS** for **HB 464**, with **SCS**, as amended (pending), was placed on the Informal Calendar.

### **PRIVILEGED MOTIONS**

Senator Stouffer moved that the conferees on **SS** for **SCS** for **HCS** for **HB 430**, as amended, be allowed to exceed the differences by adding sections 226.540 and 226.541 regarding the regulation of outdoor advertising, which motion prevailed.

Senator Pearce moved that the Senate refuse to concur in **HA 1**, **HA 2**, as amended, and **HA 3** to **SCS** for **SB 81** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Munzlinger moved that the Senate request the House to grant further conference on **HCS** for **SCS** for **SB 356**, as amended, which motion prevailed.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 664** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 664**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SS** for **HB 458**, as amended. Representatives: Loehner, Klippenstein, Entlicher, Aull and Shively.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SS** for **SCS** for **SB 70**, as amended. Representatives: Franz, Houghton, Gosen, Oxford and Carlson.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 48**, as amended. Representatives: Pollock, Smith (150), Schad, Hummel and Webb.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed Representative Schupp to the conference committee on **SS** for **SCS** for **HCS** for **HB 430**, as amended, replacing Representative Ellinger.

### **HOUSE BILLS ON THIRD READING**

Senator Wasson moved that **HCS** for **HB 464**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HCS** for **HB 464**, as amended, was again taken up.

Senator Ridgeway offered **SA 6**:

#### **SENATE AMENDMENT NO. 6**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 98,

Section 536.310, Line 25, by inserting after the word “appropriations,” the following:

**“by a majority vote of the board,”**; and further amend line 27, by striking all of said line and inserting in lieu thereof the following: **“employee with total salaries funded from the department of economic development appropriations up to one hundred fifty thousand dollars adjusted annually for inflation for professional positions to:”**; and

Further amend said bill and section, page 99, line 53 by striking the word “and” as it appears the second time on said line; and further amend line 54 by inserting immediately after the word “costs” the following: **“; and**

**(6) Expenses and equipment for the one and one half full time equivalent employee of the board.**

**5. A majority vote of the board members shall be required for the hiring, retention, and termination of board employees. All duties of board employees shall be dedicated solely to the support of and for the furtherance of the purpose and mission of the board”**; and

Further amend said bill, pages 99-100, section 536.312, lines 1-13, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 7**:

#### SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 6, Section 37.745, Line 3, by inserting after all of said line the following:

**“90.101. 1. Notwithstanding any law to the contrary, the board of commissioners of Tower Grove Park shall have the authority to adjust the size of its membership, provided that any such adjustment shall be approved by a majority vote of the board members.**

**2. Notwithstanding any law to the contrary, in case of any vacancy occurring in the membership of the board of commissioners of Tower Grove Park from death, resignation, or disqualification to act, the vacancy shall be filled by appointment from the remaining members of the board, or a majority of them, for the balance of the term then vacant, and all vacancies caused by the expiration of the term of office shall be filled by appointment from the judges of the supreme court of the state of Missouri, or a majority of them or if said judges are unable or unwilling to so act, which shall be presumed by their failure to act within thirty days following delivery to the court of a slate of appointees, by the majority vote of the remaining board members.”**; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Wasson moved that **SCS** for **HCS** for **HB 464**, as amended, be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **HCS** for **HB 464**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Purgason—1

Absent—Senator Nieves—1

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**PRIVILEGED MOTIONS**

Senator Wasson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SB 284**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 284**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 284, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 284, as amended;
2. The Senate recede from its position on Senate Bill No. 284;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 284 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Jay Wasson

/s/ Michael L. Parson

/s/ Ron Richard

/s/ Victor E. Callahan

/s/ Shalonn “Kiki” Curls

**FOR THE HOUSE:**

/s/ David Sater

/s/ Jason Smith

/s/ Ray Weter

/s/ Tishaura Jones

/s/ Terry Swinger

Senator Wasson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Purgason—1

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Wasson, **CCS** for **HCS** for **SB 284**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 284

An Act to repeal sections 144.030, 338.055, and 338.330, RSMo, and to enact in lieu thereof three new sections relating to pharmacy, with an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping



Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### HOUSE BILLS ON THIRD READING

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 265**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HB 265**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Engler moved that **SS** for **HB 71**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Engler moved that **SS** for **HB 71**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **SS** for **HB 71**, as amended, to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HJR 16**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 506**, with **SCS**, entitled:

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to property tax levy revisions.

Was called from the Informal Calendar and taken up by Senator Lembke.

**SCS** for **HCS** for **HB 506**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 506**

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to property tax levy revisions.

Was taken up.

Senator Lembke moved that **SCS** for **HCS** for **HB 506** be adopted.

Senator Pearce offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 506, Page 12, Section 137.073, Line 380, by inserting immediately after said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

- (1) “Board”, the board of directors of a district;
- (2) “Commission”, the Missouri highways and transportation commission;
- (3) “District”, a transportation development district organized under sections 238.200 to 238.275;

(4) “Local transportation authority”, a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

- (5) “Project” includes any bridge, street, road, highway, access road, interchange, intersection, signing,

signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or other mass transit and any similar or related improvement or infrastructure.

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

(1) “Approval of the required majority” or “direct voter approval”, a simple majority;

(2) “Qualified electors”, “qualified voters” or “voters”:

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under [subsection 1] **subsections 1 or 5** of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) “Registered voters”, persons qualified and registered to vote pursuant to chapter 115.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 506, Page 12, Section 137.073, Line 380, by inserting after all of said line the following:

“137.082. 1. Notwithstanding the provisions of sections 137.075 and 137.080 to the contrary, a building or other structure classified as residential property pursuant to section 137.016 newly constructed and occupied on any parcel of real property shall be assessed and taxed on such assessed valuation as of the first day of the month following the date of occupancy for the proportionate part of the remaining year at the tax rates established for that year, in all taxing jurisdictions located in the county adopting this section as provided in subsection 8 of this section. Newly constructed residential property which has never been occupied shall not be assessed as improved real property until such occupancy or the first day of January of the [second] **fourth** year following the year in which construction of the improvements was completed. **The provisions of this subsection shall apply in those counties including any city not within a county in which the governing body has previously adopted or hereafter adopts the provisions of this subsection.**

2. The assessor may consider a property residentially occupied upon personal verification or when any two of the following conditions have been met:

(1) An occupancy permit has been issued for the property;

(2) A deed transferring ownership from one party to another has been filed with the recorder of deeds’ office subsequent to the date of the first permanent utility service;

(3) A utility company providing service in the county has verified a transfer of service for property from one party to another;

(4) The person or persons occupying the newly constructed property has registered a change of address with any local, state or federal governmental office or agency.

3. In implementing the provisions of this section, the assessor may use occupancy permits, building permits, warranty deeds, utility connection documents, including telephone connections, or other official documents as may be necessary to discover the existence of newly constructed properties. No utility company shall refuse to provide verification monthly to the assessor of a utility connection to a newly occupied single family building or structure.

4. In the event that the assessment under subsections 1 and 2 of this section is not completed until after the deadline for filing appeals in a given tax year, the owner of the newly constructed property who is aggrieved by the assessment of the property may appeal this assessment the following year to the county board of equalization in accordance with chapter 138 and may pay any taxes under protest in accordance with section 139.031; provided however, that such payment under protest shall not be required as a condition of appealing to the county board of equalization. The collector shall impound such protested taxes and shall not disburse such taxes until resolution of the appeal.

5. The increase in assessed valuation resulting from the implementation of the provisions of this section shall be considered new construction and improvements under the provisions of this chapter.

6. In counties which adopt the provisions of subsections 1 to 7 of this section, an amount not to exceed ten percent of all ad valorem property tax collections on newly constructed and occupied residential property allocable to each taxing authority within counties of the first classification having a population of nine hundred thousand or more, one-tenth of one percent of all ad valorem property tax collections allocable to each taxing authority within all other counties of the first classification and one-fifth of one percent of all ad valorem property tax collections allocable to each taxing authority within counties of the second, third and fourth classifications and any county of the first classification having a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants, in addition to the amount prescribed by section 137.720 shall be deposited into the assessment fund of the county for collection costs.

7. For purposes of figuring the tax due on such newly constructed residential property, the assessor or the board of equalization shall place the full amount of the assessed valuation on the tax book upon the first day of the month following occupancy. Such assessed valuation shall be taxed for each month of the year following such date at its new assessed valuation, and for each month of the year preceding such date at its previous valuation. The percentage derived from dividing the number of months at which the property is taxed at its new valuation by twelve shall be applied to the total assessed valuation of the new construction and improvements, and such product shall be included in the next year's base for the purposes of figuring the next year's tax levy rollback. The untaxed percentage shall be considered as new construction and improvements in the following year and shall be exempt from the rollback provisions.

8. Subsections 1 to 7 of this section shall be effective in those counties including any city not within a county in which the governing body of such county elects to adopt a proposal to implement the provisions of subsections 1 to 7 of this section. Such subsections shall become effective in such county on the first day of January of the year following such election.

9. In any county which adopts the provisions of subsections 1 to 7 of this section prior to the first day of June in any year pursuant to subsection 8 of this section, the assessor of such county shall, upon application of the property owner, remove on a pro rata basis from the tax book for the current year any residential real property improvements destroyed by a natural disaster if such property is unoccupied and uninhabitable due to such destruction. On or after the first day of July, the board of equalization shall perform such duties. Any person claiming such destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall have available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall, in addition to any other penalties provided by law, be assessed double the value of any property fraudulently listed. The list shall be filed by the assessor, after he has provided a copy of the list to the county collector and the board of equalization, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep them. If the assessor, subsequent to such destruction, considers such property occupied as provided in subsection 2 of this section, the assessor shall consider such property new construction and improvements and shall assess such property accordingly as provided in subsection 1 of this section. For the purposes of this section, the term “natural disaster” means any disaster due to natural causes such as tornado, fire, flood, or earthquake.

10. Any political subdivision may recover the loss of revenue caused by subsection 9 of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section.”; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Lembke moved that **SCS for HCS for HB 506**, as amended, be adopted, which motion prevailed.

On motion of Senator Lembke, **SCS for HCS for HB 506**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Ridgeway—1

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HBs 600, 337 and 413**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 344**, with **SCS**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the farm-to-table advisory board.

Was taken up by Senator Munzlinger.

**SCS** for **HCS** for **HB 344**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 344

An Act to repeal section 275.360, RSMo, and to enact in lieu thereof two new sections relating to farming.

Was taken up.

Senator Munzlinger moved that **SCS** for **HCS** for **HB 344** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **HCS** for **HB 344** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Ridgeway—1

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

## REFERRALS

President Pro Tem Mayer referred **HCS** for **HJR 16**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

## MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 177**, entitled:

An Act to repeal sections 144.030, 192.300, 630.053, 630.095, and 630.167, RSMo, and to enact in lieu thereof fourteen new sections relating to public health policies, with a penalty provision.

With House Amendment Nos. 1, 2, 3, 4, 5, 7, 8, 9, 10, 12, 13, House Substitute Amendment No. 1 for House Amendment No. 15, House Amendment Nos. 16, 17, 18 and 19.

### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 14, Section 192.300, Line 30, by inserting after all of said section and line, the following:

“197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections 197.010 to [197.120] **197.162**, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

**2. The department shall review and revise its regulations governing hospital licensure and enforcement as to promote hospital and regulatory efficiencies and eliminate duplicative regulation and inspections by or on behalf of state and federal agencies. The hospital licensure regulations adopted under this section shall incorporate standards which shall include, but not be limited to, the following:**

**(1) Each citation or finding of a regulatory deficiency shall refer to the specific written and publicly available standard and associated written interpretative guidance that are the basis of the citation or finding;**

**(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the federal Centers for Medicare and Medicaid Services’ Conditions of Participation for hospitals and associated interpretive guidance;**

**(3) The department shall establish and publish a process and standards for complaint investigation, including but not limited to:**

**(a) A process and standards for determining which complaints warrant an onsite investigation based on a preliminary review of available information from the complainant and the hospital. The process and standards shall, at a minimum, provide for a departmental determination independent of any recommendation for investigation by or in consultation with the federal Centers for Medicare and Medicaid Services (CMS). For purposes of evaluating such process and standards, the number**

and nature of complaints filed and the recommended actions by the department and, as appropriate, CMS shall be disclosed upon request to hospitals, so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;

(b) The scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a threat of immediate jeopardy of safety is observed or identified during such investigation;

(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;

(4) Subject to appropriations, the department shall designate adequate and sufficient resources to the annual inspection of hospitals necessary for licensure, including but not limited to resources for consultation services and collaboration with hospital personnel to facilitate improvements;

(5) Hospitals and hospital personnel shall have the opportunity to participate in:

(a) Training sessions provided to state licensure surveyors, which shall be provided at least annually subject to appropriations. Hospitals and hospital personnel shall assume all costs associated with their participation in training sessions and use of curriculum materials; and

(b) Training of surveyors assigned to inspection of hospitals to the fullest extent possible, including the training of surveyors previously designated as a surveyor specific, which resulted in the exclusion of all hospital personnel from such training sessions;

(6) The regulations shall establish specific time lines for state hospital officials to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations. Such time lines shall be identical to, to the extent practicable, to the time lines established for the federal hospital certification and enforcement system in CMS's State Operations Manual, as amended.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

197.080. The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.



HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 9, Section 144.030, Line 279, by inserting after all of said line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner’s qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the

appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

[7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 630.167, Page 19, Line 110, by inserting after all of said section and line the following:

**"Section 1. The MO HealthNet division shall not require a health insurance issuer, as defined in section 376.450, to exceed the requirements of sections 354.603 and 354.606 related to network adequacy."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 144.030, Page 9, Line 279, by inserting after all of said section and line the following:

"190.839. Sections 190.800 to 190.839 shall expire on September 30, [2011] **2015**."; and

Further amend said Bill, Section 192.300, Page 14, Line 30, by inserting after all of said section and line the following:

"198.439. Sections 198.401 to 198.436 shall expire on September 30, [2011] **2015**."; and

Further amend said Bill, Section 208.247, Page 15, Line 26, by inserting after all of said section and line the following:

"208.437. 1. A Medicaid managed care organization reimbursement allowance period as provided in sections 208.431 to 208.437 shall be from the first day of July to the thirtieth day of June. The department shall notify each Medicaid managed care organization with a balance due on the thirtieth day of June of each year the amount of such balance due. If any managed care organization fails to pay its managed care organization reimbursement allowance within thirty days of such notice, the reimbursement allowance shall be delinquent. The reimbursement allowance may remain unpaid during an appeal.

2. Except as otherwise provided in this section, if any reimbursement allowance imposed under the provisions of sections 208.431 to 208.437 is unpaid and delinquent, the department of social services may compel the payment of such reimbursement allowance in the circuit court having jurisdiction in the county where the main offices of the Medicaid managed care organization are located. In addition, the director of the department of social services or the director's designee may cancel or refuse to issue, extend or reinstate a Medicaid contract agreement to any Medicaid managed care organization which fails to pay such

delinquent reimbursement allowance required by sections 208.431 to 208.437 unless under appeal.

3. Except as otherwise provided in this section, failure to pay a delinquent reimbursement allowance imposed under sections 208.431 to 208.437 shall be grounds for denial, suspension or revocation of a license granted by the department of insurance, financial institutions and professional registration. The director of the department of insurance, financial institutions and professional registration may deny, suspend or revoke the license of a Medicaid managed care organization with a contract under 42 U.S.C. Section 1396b(m) which fails to pay a managed care organization's delinquent reimbursement allowance unless under appeal.

4. Nothing in sections 208.431 to 208.437 shall be deemed to effect or in any way limit the tax-exempt or nonprofit status of any Medicaid managed care organization with a contract under 42 U.S.C. Section 1396b(m) granted by state law.

5. Sections 208.431 to 208.437 shall expire on September 30, [2011] **2015**.

208.480. Notwithstanding the provisions of section 208.471 to the contrary, sections 208.453 to 208.480 shall expire on September 30, [2011] **2015**.

338.550. 1. The pharmacy tax required by sections 338.500 to 338.550 shall expire ninety days after any one or more of the following conditions are met:

(1) The aggregate dispensing fee as appropriated by the general assembly paid to pharmacists per prescription is less than the fiscal year 2003 dispensing fees reimbursement amount; or

(2) The formula used to calculate the reimbursement as appropriated by the general assembly for products dispensed by pharmacies is changed resulting in lower reimbursement to the pharmacist in the aggregate than provided in fiscal year 2003; or

(3) September 30, [2011] **2015**.

The director of the department of social services shall notify the revisor of statutes of the expiration date as provided in this subsection. The provisions of sections 338.500 to 338.550 shall not apply to pharmacies domiciled or headquartered outside this state which are engaged in prescription drug sales that are delivered directly to patients within this state via common carrier, mail or a carrier service.

2. Sections 338.500 to 338.550 shall expire on September 30, [2011] **2015**.”; and

Further amend said Bill, Section 630.630.167, Page 19, Line 110, by inserting after all of said section and line the following:

“633.401. 1. For purposes of this section, the following terms mean:

(1) “Engaging in the business of providing health benefit services”, accepting payment for health benefit services;

(2) “Intermediate care facility for the mentally retarded”, a private or department of mental health facility which admits persons who are mentally retarded or developmentally disabled for residential habilitation and other services pursuant to chapter 630. Such term shall include habilitation centers and private or public intermediate care facilities for the mentally retarded that have been certified to meet the conditions of participation under 42 CFR, Section 483, Subpart 1;

(3) “Net operating revenues from providing services of intermediate care facilities for the mentally

retarded” shall include, without limitation, all moneys received on account of such services pursuant to rates of reimbursement established and paid by the department of social services, but shall not include charitable contributions, grants, donations, bequests and income from nonservice related fund-raising activities and government deficit financing, contractual allowance, discounts or bad debt;

(4) “Services of intermediate care facilities for the mentally retarded” has the same meaning as the term used in Title 42 United States Code, Section 1396b(w)(7)(A)(iv), as amended, and as such qualifies as a class of health care services recognized in federal Public Law 102-234, the Medicaid Voluntary Contribution and Provider Specific Tax Amendment of 1991.

2. Beginning July 1, 2008, each provider of services of intermediate care facilities for the mentally retarded shall, in addition to all other fees and taxes now required or paid, pay assessments on their net operating revenues for the privilege of engaging in the business of providing services of the intermediate care facilities for the mentally retarded or developmentally disabled in this state.

3. Each facility’s assessment shall be based on a formula set forth in rules and regulations promulgated by the department of mental health.

4. For purposes of determining rates of payment under the medical assistance program for providers of services of intermediate care facilities for the mentally retarded, the assessment imposed pursuant to this section on net operating revenues shall be a reimbursable cost to be reflected as timely as practicable in rates of payment applicable within the assessment period, contingent, for payments by governmental agencies, on all federal approvals necessary by federal law and regulation for federal financial participation in payments made for beneficiaries eligible for medical assistance under Title XIX of the federal Social Security Act.

5. Assessments shall be submitted by or on behalf of each provider of services of intermediate care facilities for the mentally retarded on a monthly basis to the director of the department of mental health or his or her designee and shall be made payable to the director of the department of revenue.

6. In the alternative, a provider may direct that the director of the department of social services offset, from the amount of any payment to be made by the state to the provider, the amount of the assessment payment owed for any month.

7. Assessment payments shall be deposited in the state treasury to the credit of the “Intermediate Care Facility Mentally Retarded Reimbursement Allowance Fund”, which is hereby created in the state treasury. All investment earnings of this fund shall be credited to the fund. Notwithstanding the provisions of section 33.080 to the contrary, any unexpended balance in the intermediate care facility mentally retarded reimbursement allowance fund at the end of the biennium shall not revert to the general revenue fund but shall accumulate from year to year. The state treasurer shall maintain records that show the amount of money in the fund at any time and the amount of any investment earnings on that amount.

8. Each provider of services of intermediate care facilities for the mentally retarded shall keep such records as may be necessary to determine the amount of the assessment for which it is liable under this section. On or before the forty-fifth day after the end of each month commencing July 1, 2008, each provider of services of intermediate care facilities for the mentally retarded shall submit to the department of social services a report on a cash basis that reflects such information as is necessary to determine the amount of the assessment payable for that month.

9. Every provider of services of intermediate care facilities for the mentally retarded shall submit a

certified annual report of net operating revenues from the furnishing of services of intermediate care facilities for the mentally retarded. The reports shall be in such form as may be prescribed by rule by the director of the department of mental health. Final payments of the assessment for each year shall be due for all providers of services of intermediate care facilities for the mentally retarded upon the due date for submission of the certified annual report.

10. The director of the department of mental health shall prescribe by rule the form and content of any document required to be filed pursuant to the provisions of this section.

11. Upon receipt of notification from the director of the department of mental health of a provider's delinquency in paying assessments required under this section, the director of the department of social services shall withhold, and shall remit to the director of the department of revenue, an assessment amount estimated by the director of the department of mental health from any payment to be made by the state to the provider.

12. In the event a provider objects to the estimate described in subsection 11 of this section, or any other decision of the department of mental health related to this section, the provider of services may request a hearing. If a hearing is requested, the director of the department of mental health shall provide the provider of services an opportunity to be heard and to present evidence bearing on the amount due for an assessment or other issue related to this section within thirty days after collection of an amount due or receipt of a request for a hearing, whichever is later. The director shall issue a final decision within forty-five days of the completion of the hearing. After reconsideration of the assessment determination and a final decision by the director of the department of mental health, an intermediate care facility for the mentally retarded provider's appeal of the director's final decision shall be to the administrative hearing commission in accordance with sections 208.156 and 621.055.

13. Notwithstanding any other provision of law to the contrary, appeals regarding this assessment shall be to the circuit court of Cole County or the circuit court in the county in which the facility is located. The circuit court shall hear the matter as the court of original jurisdiction.

14. Nothing in this section shall be deemed to affect or in any way limit the tax-exempt or nonprofit status of any intermediate care facility for the mentally retarded granted by state law.

15. The director of the department of mental health shall promulgate rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

16. The provisions of this section shall expire on September 30, [2011] **2015**.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section A, Page 1, Line 4, by inserting the following after all of said Line:

“135.647. 1. As used in this section, the following terms shall mean:

(1) “Local food pantry”, any food pantry that is:

(a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and

(b) Distributing emergency food supplies to Missouri low-income people who would otherwise not have access to food supplies in the area in which the taxpayer claiming the tax credit under this section resides;

(2) “Taxpayer”, an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2007, any taxpayer who donates cash or food, unless such food is donated after the food’s expiration date, to any local food pantry shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of the donations made to the extent such amounts that have been subtracted from federal adjusted gross income or federal taxable income are added back in the determination of Missouri adjusted gross income or Missouri taxable income before the credit can be claimed. Each taxpayer claiming a tax credit under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the tax credit claimed shall not exceed the amount of the taxpayer’s state tax liability for the tax year that the credit is claimed, and shall not exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer’s three subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law.

3. The cumulative amount of tax credits under this section which may be allocated to all taxpayers contributing to a local food pantry in any one fiscal year shall not exceed two million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

4. Any local food pantry may accept or reject any donation of food made under this section for any reason. For purposes of this section, any donations of food accepted by a local food pantry shall be valued at fair market value, or at wholesale value if the taxpayer making the donation of food is a retail grocery store, food broker, wholesaler, or restaurant.

5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. [Under section 23.253 of the Missouri sunset act:]

(1) [The provisions of the new program authorized under this section shall automatically sunset four years after August 28, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,] the program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **expire on August 28, 2015**; and

[(3)] (2) This section shall terminate on September [first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.] **1, 2016.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177 Section 208.247, Page 15, Line 26, by inserting after all of said section and line the following:

"208.798. [1. The provisions of sections 208.550 to 208.568 shall terminate following notice to the revisor of statutes by the Missouri RX plan advisory commission that the Medicare Prescription Drug, Improvement and Modernization Act of 2003 has been fully implemented. 2.] Pursuant to section 23.253 of the Missouri sunset act, the provisions of the new program authorized under sections 208.780 to 208.798 shall automatically sunset August 28, [2011] **2016**, unless reauthorized by an act of the general assembly."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 192.300, Page 14, Line 30, by inserting after all of said section and line the following:

**"208.184. 1. For the renewal of a child's eligibility for MO HealthNet benefits under this chapter or the state children's health insurance program benefits under sections 208.631 to 208.659, the department of social services shall provide a prepopulated form completed by the department based on all information available to the department and notice to the parent or caretaker relative of the child that eligibility of the child will be renewed and continued based on such information unless the department is provided other information from such parent or caretaker relative. Nothing in this subsection shall be construed as preventing the state from verifying, through electronic and other means, the information so provided.**

**2. If there are no changes in information, such as income or family composition, relating to eligibility of the child for the benefits listed in subsection 1 of this section, the parent or caretaker relative of the child shall send back the prepopulated form referenced in subsection 1 of this section with a signature to verify the information on the form is accurate. If the information on the form is not accurate, the parent or caretaker relative shall be required to provide updated information and a signature to verify the new information is accurate."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section

208.247, Page 15, Line 26, by inserting after all of said section and line the following:

“354.618. 1. A health carrier shall be required to offer as an additional health plan, an open referral health plan whenever it markets a gatekeeper group plan as an exclusive or full replacement health plan offering to a group contract holder:

(1) In the case of group health plans offered to employers of fifty or fewer employees, the decision to accept or reject the additional open referral plan offering shall be made by the group contract holder. For health plans marketed to employers of over fifty employees, the decision to accept or reject shall be made by the employee;

(2) Contracts currently in existence shall offer the additional open referral health plan at the next annual renewal after August 28, 1997; however, multiyear group contracts need not comply until the expiration of their current multiyear term unless the group contract holder elects to comply before that time;

(3) If an employer provides more than one health plan to its employees and at least one is an open referral plan, then all health benefit plans offered by such employer shall be exempt from the requirements of this section.

2. For the purposes of this act, the following terms shall mean:

(1) “Open referral plan”, a plan in which the enrollee is allowed to obtain treatment for covered benefits without a referral from a primary care physician from any person licensed to provide such treatment;

(2) “Gatekeeper group plan”, a plan in which the enrollee is required to obtain a referral from a primary care professional in order to access specialty care.

3. Any health benefit plan provided pursuant to the Medicaid program shall be exempt from the requirements of this section.

4. A health carrier shall have a procedure by which a female enrollee may seek the health care services of an obstetrician/gynecologist at least once a year without first obtaining prior approval from the enrollee's primary care provider if the benefits are covered under the enrollee's health benefit plan, and the obstetrician/gynecologist is a member of the health carrier's network. In no event shall a health carrier be required to permit an enrollee to have health care services delivered by a nonparticipating obstetrician/gynecologist. An obstetrician/gynecologist who delivers health care services directly to an enrollee shall report such visit and health care services provided to the enrollee's primary care provider. A health carrier may require an enrollee to obtain a referral from the primary care physician, if such enrollee requires more than one annual visit with an obstetrician/gynecologist.

[5. Except for good cause, a health carrier shall be prohibited either directly, or indirectly through intermediaries, from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among persons duly licensed to provide such services. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336 or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334.]

[6]5. Nothing contained in this section shall be construed as to require a health carrier to pay for health care services not provided for in the terms of a health benefit plan.

[7]6. Any health carrier, which is sponsored by a federally qualified health center and is presently in



existence and which has been in existence for less than three years shall be exempt from this section for a period not to exceed two years from August 28, 1997.

[8]7. A health carrier shall not be required to offer the direct access rider for a group contract holder's health benefit plan if the health benefit plan is being provided pursuant to the terms of a collective bargaining agreement with a labor union, in accordance with federal law and the labor union has declined such option on behalf of its members.

[9]8. Nothing in this act shall be construed to preempt the employer's right to select the health care provider pursuant to section 287.140 in a case where an employee incurs a work-related injury covered by the provisions of chapter 287.

[10]9. Nothing contained in this act shall apply to certified managed care organizations while providing medical treatment to injured employees entitled to receive health benefits under chapter 287 pursuant to contractual arrangements with employers, or their insurers, under section 287.135.

**354.619. 1. Except for good cause, a health carrier shall be prohibited either directly, or indirectly through intermediaries, from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among person duly licensed to provide such services. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336, or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334.**

**2. A health carrier shall not directly or indirectly through intermediaries refuse to select an eye care provider for the network solely on the grounds that:**

**(1) Not all eye care providers in a group practice agree to participate in the health carrier's provider network; or**

**(2) The provider is not a retailer of frames or corrective lenses or both.**

**3. If optometric services are being provided in connection to a treatment plan for corrective surgery, then the health carrier shall not directly or indirectly through intermediaries refuse to select an eye care provider for the network, refuse to refer an enrollee for health services provided within the scope of an eye care provider's license or reimburse for covered services in a discriminatory manner.**

**4. A health carrier may not require a licensed optometrist who provides basic medical eye care to participate solely through an intermediary if that health carrier permits ophthalmologist to contract directly with the health carrier.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 208.247, Page15, Line 26, by inserting after all of said section and lines the following:

**“376.1226. 1. No contract between a health carrier or health benefit plan and a dentist for the provision of dental services under a dental plan shall require that the dentist provide dental services to insureds in the dental plan at a fee established by the health carrier or health benefit plan if such**

**dental services are not covered services under the dental plan.**

**2. For purposes of this section, the following terms shall mean:**

**(1) “Covered services”, services reimbursable by a health carrier or health benefit plan under an applicable dental plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;**

**(2) “Dental plan”, any policy or contract of insurance which provides for coverage of dental services;**

**(3) “Health benefit plan”, the same meaning as such term is defined in section 376.1350;**

**(4) “Health carrier”, the same meaning as such term is defined in section 376.1350.**

**376.1227. 1. No contract between a health carrier or health benefit plan and an optometrist for the provision of optometric services under a vision plan shall require that the optometrist provide optometric services to insureds in the vision plan at a fee established by the health carrier or health benefit plan if such optometric services are not covered services under the vision plan.**

**2. For purposes of this section, the following terms shall mean:**

**(1) “Covered services”, services reimbursable by a health carrier or health benefit plan under an applicable vision plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;**

**(2) “Health benefit plan”, the same meaning as such term is defined in section 376.1350;**

**(3) “Health carrier”, the same meaning as such term is defined in section 376.1350;**

**(4) “Vision plan”, any policy or contract of insurance which provides for coverage of vision care services.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 14, Section 192.300, Line 30, by inserting after all of said section and line the following:

**“197.800. 1. Except as provided in subsection 3 of this section and subject to obtaining an employee’s consent, a hospital licensed under this chapter shall annually administer or make available to be administered immunizations against the influenza virus to employees who have direct contact with a patient of the hospital. The hospital shall administer or make the immunizations available during the period beginning September first and ending March first of the following year.**

**2. A hospital shall conduct the immunization required under this section in accordance with recommendations established by the Advisory Committee on Immunization Practices of the United States Centers for Disease Control and Prevention that are in effect at the time the hospital conducts the immunizations.**

**3. A hospital is not required to provide or make available to the hospital’s employees an annual immunization against the influenza virus if the department of health and senior services determines that the necessary vaccine is not in adequate supply. A hospital shall not require an employee to receive an immunization under this section if:**

**(1) The hospital has written documentation from the employee’s physician or other health care provider indicating the date and place that the individual received an immunization required under this section and determines that no additional immunization is required;**

**(2) The immunization is medically contraindicated for the employee;**

**(3) Receiving the immunization is against the employee’s religious beliefs; or**

**(4) The employee declines in writing the immunization after receiving education on the risks and benefits of an immunization against the influenza.**

**4. The department of health and senior services shall promulgate rules to develop the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 13**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line, the following:

**“376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.**

**2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.**

**3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.**

**4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.**

**5. As used in this section, the terms “health benefit plan” and “health carrier” shall have the same meanings ascribed to such terms in section 376.1350.**

**6. Coverage under this section shall be limited to Federal Drug Administration approved**

**indications and National Comprehensive Cancer Network recommendations.**

**7. Coverage under this section may be administered by a specialty pharmacy network.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR  
HOUSE AMENDMENT NO. 15**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26 by inserting after all of said section and line the following:

“210.101. 1. There is hereby established the “Missouri Children’s Services Commission”, which shall be composed of the following members:

(1) The director or [deputy director of the department of labor and industrial relations and the director or deputy director of each state agency, department, division, or other entity which provides services or programs for children, including, but not limited to, the department of mental health, the department of elementary and secondary education, the department of social services, the department of public safety and the department of health and senior services] **the director’s designee of the following departments: labor and industrial relations, corrections, elementary and secondary education, higher education, health and senior services, mental health, public safety, and social services;**

(2) One judge of a **family or** juvenile court, who shall be appointed by the chief justice of the supreme court;

(3) [One judge of a family court, who shall be appointed by the chief justice of the supreme court;

(4) Four] **Two** members, [two] **one** from each political party, of the house of representatives, who shall be appointed by the speaker of the house of representatives;

[(5) Four] **(4) Two** members, [two] **one** from each political party, of the senate, who shall be appointed by the president pro tempore of the senate;

**(5) Five at-large members who shall be appointed by the governor with the advice and consent of the senate, with one member representing each of the following: pediatricians, family physicians, hospital administrators, children’s advocacy organizations, and parents of minor children.**

All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri children’s services commission under this subsection. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

2. All meetings of the Missouri children’s services commission shall be open to the public and shall, for all purposes, be deemed open public meetings under the provisions of sections 610.010 to 610.030. The Missouri children’s services commission shall meet no less than once every two months[, and shall hold its first meeting no later than sixty days after September 28, 1983]. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.

3. The Missouri children’s services commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.

4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary-reporter, and such other officers as it deems necessary.

5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.

6. The officers of the commission may hire an executive director. Funding for the executive director may be provided from the Missouri children's services commission fund or other sources provided by law.

7. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

210.102. 1. It shall be the duty of the Missouri children's services commission to:

(1) Make recommendations which will encourage greater interagency coordination, cooperation, more effective utilization of existing resources and less duplication of effort in activities of state agencies which affect the legal rights and well-being of children in Missouri;

(2) Develop an integrated state plan for the care provided to children in this state through state programs;

(3) Develop a plan to improve the quality of children's programs statewide. Such plan shall include, but not be limited to:

(a) Methods for promoting geographic availability and financial accessibility for all children and families in need of such services;

(b) Program recommendations for children's services which include child development, education, supervision, health and social services;

**(c) Goals with measurable outcomes for state agencies with respect to children's services;**

**(d) Policy recommendations to the governor and general assembly;**

(4) Design and implement evaluation of the activities of the commission in fulfilling the duties as set out in this section;

(5) Report annually to the governor with five copies each to the house of representatives and senate about its activities including, but not limited to the following:

(a) A general description of the activities pertaining to children of each state agency having a member on the commission;

(b) A general description of the plans and goals, as they affect children, of each state agency having a member on the commission;

(c) Recommendations for statutory and appropriation initiatives to implement the integrated state plan;

(d) A report from the commission regarding the state of children in Missouri.

2. There is hereby established within the children's services commission the "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic, and shall include but not be limited

to the following members:

- (1) A representative from the governor's office;
- (2) A representative from each of the following departments: health and senior services, mental health, social services, and elementary and secondary education;
- (3) A representative of the judiciary;
- (4) A representative of the family and community trust board (FACT);
- (5) A representative from the head start program;
- (6) Nine members appointed by the governor with the advice and consent of the senate who are representatives of the groups, such as business, philanthropy, civic groups, faith-based organizations, parent groups, advocacy organizations, early childhood service providers, and other stakeholders. The coordinating board may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers. The coordinating board shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and such other officers as it deems necessary. Members of the board shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the board.

3. The coordinating board for early childhood shall have the power to:

- (1) Develop a comprehensive statewide long-range strategic plan for a cohesive early childhood system;
- (2) Confer with public and private entities for the purpose of promoting and improving the development of children from birth through age five of this state;
- (3) Identify legislative recommendations to improve services for children from birth through age five;
- (4) Promote coordination of existing services and programs across public and private entities;
- (5) Promote research-based approaches to services and ongoing program evaluation;
- (6) Identify service gaps and advise public and private entities on methods to close such gaps;
- (7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the coordinating board for early childhood fund from any source, public or private, and enter into contracts or other transactions with any federal or state agency, any private organizations, or any other source in furtherance of the purpose of subsections 2 and 3 of this section, and take any and all actions necessary to avail itself of such aid and cooperation;
- (8) Direct disbursements from the coordinating board for early childhood fund as provided in this section;
- (9) Administer the coordinating board for early childhood fund and invest any portion of the moneys not required for immediate disbursement in obligations of the United States or any agency or instrumentality of the United States, in obligations of the state of Missouri and its political subdivisions, in certificates of deposit and time deposits, or other obligations of banks and savings and loan associations, or in such other obligations as may be prescribed by the board;
- (10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal property or any interests therein, wherever situated;

(11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its property or any interest therein, wherever situated;

(12) Employ and fix the compensation of an executive director and such other agents or employees as it considers necessary;

(13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the manner in which its business may be transacted;

(14) Adopt and use an official seal;

(15) Assess or charge fees as the board determines to be reasonable to carry out its purposes;

(16) Make all expenditures which are incident and necessary to carry out its purposes;

(17) Sue and be sued in its official name;

(18) Take such action, enter into such agreements, and exercise all functions necessary or appropriate to carry out the duties and purposes set forth in this section.

4. There is hereby created the “Coordinating Board for Early Childhood Fund” which shall consist of the following:

(1) Any moneys appropriated by the general assembly for use by the board in carrying out the powers set out in subsections 2 and 3 of this section;

(2) Any moneys received from grants or which are given, donated, or contributed to the fund from any source;

(3) Any moneys received as fees authorized under subsections 2 and 3 of this section;

(4) Any moneys received as interest on deposits or as income on approved investments of the fund;

(5) Any moneys obtained from any other available source. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the coordinating board for early childhood fund at the end of the biennium shall not revert to the credit of the general revenue fund.

**210.105. 1. There is hereby created the “Missouri Task Force on Prematurity and Infant Mortality” within the children’s services commission to consist of the following eighteen members:**

**(1) The following six members of the general assembly:**

**(a) Three members of the house of representatives, with two members to be appointed by the speaker of the house and one member to be appointed by the minority leader of the house;**

**(b) Three members of the senate, with two members to be appointed by the president pro tem of the senate and one member to be appointed by the minority leader of the senate;**

**(2) The director of the department of health and senior services, or the director’s designee;**

**(3) The director of the department of social services, or the director’s designee;**

**(4) The director of the department of insurance, financial institutions and professional registration, or the director’s designee;**

**(5) One member representing a not-for-profit organization specializing in prematurity and infant mortality;**

**(6) Two members who shall be either a physician or nurse practitioner specializing in obstetrics and gynecology, family medicine, pediatrics or perinatology;**

**(7) Two consumer representatives who are parents of individuals born prematurely, including one parent of an individual under the age of eighteen;**

**(8) Two members representing insurance providers in the state;**

**(9) One small business advocate; and**

**(10) One member of the small business regulatory fairness board.**

**Members of the task force, other than the legislative members and directors of state agencies, shall be appointed by the governor with the advice and consent of the senate by September 15, 2011.**

**2. A majority of a quorum from among the task force membership shall elect a chair and vice-chair of the task force.**

**3. A majority vote of a quorum of the task force is required for any action.**

**4. The chairperson of the children's services commission shall convene the initial meeting of the task force by no later than October 15, 2011. The task force shall meet at least quarterly; except that the task force shall meet at least twice prior to the end of 2011. Meetings may be held by telephone or video conference at the discretion of the chair.**

**5. Members shall serve on the commission without compensation, but may, subject to appropriation, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.**

**6. The goal of the task force is to seek evidence-based and cost-effective approaches to reduce Missouri's preterm birth and infant mortality rates.**

**7. The task force shall:**

**(1) Submit findings to the general assembly;**

**(2) Review appropriate and relevant evidence-based research regarding the causes and effects of prematurity and birth defects in Missouri;**

**(3) Examine existing public and private entities currently associated with the prevention and treatment of prematurity and infant mortality in Missouri;**

**(4) Develop cost-effective strategies to reduce prematurity and infant mortality; and**

**(5) Issue findings and propose to the appropriate public and private organizations goals, objectives, strategies, and tactics designed to reduce prematurity and infant mortality in Missouri, including drafting legislation on public policy for consideration during the next appropriate session of the general assembly.**

**8. On or before December 31, 2013, the task force shall submit a report on their findings to the governor and general assembly. The report shall include any dissenting opinions in addition to any majority opinions.**

**9. The task force shall expire on January 1, 2015, or upon submission of a report under subsection 8 of this section, whichever is earlier.”; and**



Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26 by inserting after all of said section and line the following:

**“376.1231. Reimbursement amounts and copays paid by health carriers for any particular health care service or procedure rendered by a physical therapist within the scope of practice, as defined in chapter 334, shall be in the same amounts as reimbursements paid by health carriers to any other licensed physical therapist performing the same or similar procedures. Such uniform reimbursement requirement shall apply regardless of the setting or venue in which the applicable health care services or procedures are rendered.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 17

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 14, Section 192.300, Line 30, by inserting after all of said section and line the following:

**“197.705. 1. Except as otherwise provided in subsection 2 of this section, all hospitals [and health care facilities,] and ambulatory surgical centers as defined in sections 197.020 and [197.305] 197.200, shall require all personnel providing services in such facilities to wear identification badges while acting within the scope of their employment. The identification badges of all personnel shall prominently display the licensure status of such personnel and shall include the following:**

**(1) A recent photograph of the employee, the employee’s first name, the employee’s title, and the name of the health care facility or organization;**

**(2) The title of the employee shall be as large as possible in block type and shall occupy a tall strip as close as practicable to the top or bottom edge of the badge;**

**(3) Titles shall be as follows:**

**(a) A medical doctor as defined in section 334.021 shall have the title “Physician”;**

**(b) Any nurse as defined in section 335.016 may have the title “Advanced Practice Registered Nurse”, “Certified Nurse Midwife”, “Certified Nurse Practitioner”, “Certified Registered Nurse Anesthetist”, “Licensed Practical Nurse”, “Registered Nurse”, or “Clinical Nurse Specialist” as applicable for such nurse’s level of nursing, licensure, and certification; and**

**(c) All other titles shall be determined by rule by the department of health and senior services.**

**Nothing in this section shall prohibit a health care provider from placing the provider’s additional specialty or designation after the provider’s name on the badge.**

**2. Personnel shall not be required to wear an identification badge while delivering direct care to a consumer if not clinically feasible.**

**3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**

chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

**4. Nothing in this section shall require the immediate replacement of identification badges worn by personnel currently employed on or before August 28, 2011. Such identification badges shall be replaced within a reasonable time after August 28, 2011, such as at a regularly scheduled interval of reissuance; except that, all identification badges worn by personnel of hospitals and ambulatory surgical centers shall comply with this section within ten years from August 28, 2011.” ; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 18

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 144.030, Page 9, Line 279, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient’s health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient’s condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient’s health care records to the patient, the patient’s authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Copying, in an amount not more than [seventeen] **twenty-one** dollars and [five] **thirty-six** cents plus [forty] **fifty** cents per page for the cost of supplies and labor **plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or**

**(b) If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less;**

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient’s record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient’s record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's Internet website by February first of each year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 19

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 144.030, Page 9, Line 279, by inserting after all of said section and line the following:

“144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729 **or 205.205, or any hospital district imposing a sales tax under the provisions of section 206.165,** may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city [or], county, **or hospital district** sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.”; and

Further amend said Bill, Section 192.300, Page 14, Line 30, by inserting after all of said section and line the following:

**“205.205. 1. The governing body of any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, and operates a hospital established under this chapter may, by resolution, abolish the property tax authorized to fund the county hospital under this chapter and impose a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the county hospital. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**2. No such resolution adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes**

cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the county hospital, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify

each county of each instance of any amount refunded or any check redeemed from receipts due the county.

**206.165. 1.** The governing body of any hospital district established under sections 206.010 to 206.160 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

**2.** No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

**3.** All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

**4.** The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

**5.** Whenever the governing body of any hospital district that has adopted the sales tax authorized

in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.”; and

Further amend said Bill, Page 19, Section 630.167, Line 110, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to adequately fund certain hospital districts in this state, the repeal and reenactment of section 144.032 and the enactment of section 206.165 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 144.032 and the enactment of section 206.165 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HB 142**, as amended, and has taken up and passed **CCS** for **SCS** for **HB 142**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 213**, entitled:

An Act to repeal sections 194.115, 475.060, and 475.061, RSMo, and to enact in lieu thereof twenty-seven new sections relating to guardianship, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

### **PRIVILEGED MOTIONS**

Senator Stouffer moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 254**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 177**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

On motion of Senator Dempsey, the Senate recessed until 7:15 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Ridgeway.

Senator Dempsey announced that photographers from the Jefferson City News Tribune were given permission to take pictures in the Senate Chamber today.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HB 101**, as amended, and has taken up and passed **CCS** for **SCS** for **HB 101**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1**, **HA 1** to **HA 2**, **HA 2**, as amended, and **HA 3** to **SCS** for **SB 81** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **SB 81**, as amended. Representatives: Frederick, Funderburk, Stream, Carter and Aull.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 7**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 11**.

Concurrent Resolution ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 12**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 161** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 161**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 1008** and has taken up and passed **SCS** for **HB 1008**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **HCS** for **SCS** for **SB 356**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 254**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 177**, as amended, and grants the Senate a conference thereon.

#### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 81**, as amended: Senators Pearce, Kehoe, Brown, Callahan and Keaveny.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 356**, as amended: Senators Munzlinger, Parson, Brown, Callahan and Justus.

#### **PRIVILEGED MOTIONS**

Senator Cunningham, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 101**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### **CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 101**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 101, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 101, as



amended;

2. That the House recede from its position on House Bill No. 101;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 101, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Tom Loehner

/s/ Paul Fitzwater

/s/ Delus Johnson

/s/ Paul Quinn

/s/ Mike Talboy

FOR THE SENATE:

/s/ Jane Cunningham

/s/ Luann Ridgeway

/s/ James W. Lembke

/s/ Jolie Justus

/s/ Ryan McKenna

Senator Cunningham moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Green
Justus	Keaveny	Kehoe	Kraus	Lembke	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Wasson	Wright-Jones—24

NAYS—Senators

Crowell	Goodman	Lager	Lamping	Mayer	Purgason	Stouffer—7
---------	---------	-------	---------	-------	----------	------------

Absent—Senators

Curls	Munzlinger—2
-------	--------------

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Cunningham, **CCS** for **SCS** for **HB 101**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 101

An Act to repeal sections 311.297, 311.482, 311.485, and 311.486, RSMo, and to enact in lieu thereof six new sections relating to liquor control.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Engler	Green
Justus	Keaveny	Kehoe	Kraus	Lembke	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Wasson	Wright-Jones—24

NAYS—Senators

Crowell	Goodman	Lager	Lamping	Mayer	Purgason	Stouffer—7
---------	---------	-------	---------	-------	----------	------------

Absent—Senators

Curls            Munzlinger—2

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Lamping moved that **SS** for **SCS** for **SB 351**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SCS** for **SB 351**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 351

An Act to repeal section 453.121, RSMo, and to enact in lieu thereof one new section relating to adoption records.

Was taken up.

Senator Lamping moved that **HCS** for **SS** for **SCS** for **SB 351**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Munzlinger—1

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Lamping, **HCS** for **SS** for **SCS** for **SB 351**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager

Lamping	Lembke	Mayer	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Munzlinger—1

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 254**, as amended: Senators Stouffer, Kehoe, Engler, McKenna and Wright-Jones.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 177**, as amended. Representatives: Frederick, Allen, Wells, Carter and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 254**, as amended. Representatives: Cox, Elmer, Barnes, Colona and Carlson.

### **PRIVILEGED MOTIONS**

Senator Rupp moved that **SS** for **SCS** for **SB 132**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SCS** for **SB 132**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 132

An Act to repeal sections 384.015, 384.017, 384.021, 384.043, 384.051, 384.057, 384.061, 385.200,

385.206, and 385.208, RSMo, and to enact in lieu thereof fourteen new sections relating to certain specialty lines insurance contracts, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Was taken up.

Senator Rupp moved that **HCS** for **SS** for **SCS** for **SB 132**, as amended be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Rupp, **HCS** for **SS** for **SCS** for **SB 132**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 177**, as amended: Senators Brown, Schaaf, Schaefer, Callahan and Green.

### **PRIVILEGED MOTIONS**

Senator Kehoe, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 250**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### **CONFERENCE COMMITTEE REPORT NO. 2 ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 250**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 250, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 250, as amended;
2. The Senate recede from its position on Senate Bill No. 250;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 250 be Third Read and Finally Passed.

#### **FOR THE SENATE:**

/s/ Mike Kehoe  
/s/ Jack A.L. Goodman  
/s/ Kevin Engler  
/s/ Victor E. Callahan  
/s/ Joseph P. Keaveny

#### **FOR THE HOUSE:**

/s/ Rodney Schad  
/s/ Mike Cierpiot  
/s/ Galen Higdon  
/s/ Mike Colona  
/s/ Jay Swearingen

Senator Kehoe moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Kehoe, **CCS No. 2** for **HCS** for **SB 250**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 250

An Act to repeal sections 566.147 and 589.040, RSMo, and to enact in lieu thereof two new sections relating to requirements for persons convicted of sexual assault offenses, with penalty provisions.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Keaveny moved that the conference on **HCS** for **SB 61**, as amended, be dissolved and that the Senate request the House to recede from its position on **HCS** for **SB 61**, as amended, and take up and pass **SB 61**, which motion prevailed.

Senator Engler moved that **SB 97**, with **HCS No. 2**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS No. 2** for **SB 97**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR  
SENATE BILL NO. 97

An Act to authorize the conveyance of real property owned by the state.

Was taken up.

Senator Engler moved that **HCS No. 2** for **SB 97**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Engler, **HCS No. 2** for **SB 97**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Goodman—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Dempsey, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 142**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 142

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 142, as amended, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, and Senate Amendment No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 142, as amended;
2. That the House recede from its position on House Bill No. 142;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 142, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Chuck Gatschenberger  
/s/ John Diehl  
/s/ Jeannie Lauer  
/s/ Paul Quinn  
/s/ Sylvester Taylor, II

FOR THE SENATE:

/s/ Tom Dempsey  
/s/ Robert N. Mayer  
/s/ Michael Parson  
/s/ Ryan McKenna  
/s/ Shalonn K. Curls

Senator Dempsey moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Pearce—1



Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dempsey, **CCS** for **SCS** for **HB 142**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 142

An Act to repeal sections 55.030, 67.1521, 90.101, 475.115, and 479.011, RSMo, and to enact in lieu thereof seven new sections relating to political subdivisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 552**, with **SCS**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof two new sections relating to the standard of care for the treatment of persons with bleeding disorders.

Was taken up by Senator Engler.

**SCS** for **HCS** for **HB 552**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 552

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof two new sections relating to the

standard of care for the treatment of persons with bleeding disorders.

Was taken up.

Senator Engler moved that **SCS** for **HCS** for **HB 552** be adopted.

Senator Engler offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 552, Page 7, Section 208.152, Line 227, by striking the words “**In-home assessments conducted**” and inserting in lieu thereof the following: “**Assessments conducted in the participant’s home**”.

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Engler moved that **SCS** for **HCS** for **HB 552**, as amended, be adopted, which motion prevailed.

On motion of Senator Engler, **SCS** for **HCS** for **HB 552**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HCS** for **HB 473**, entitled:

An Act to repeal sections 160.400, 160.405, 160.410, 160.415, and 160.420, RSMo, and to enact in lieu thereof nine new sections relating to charter schools.

Was taken up by Senator Stouffer.

Senator Stouffer offered **SS** for **HCS** for **HB 473**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 473

An Act to repeal sections 29.205, 160.400, 160.405, 160.410, 160.415, and 160.420, RSMo, and to enact

in lieu thereof eleven new sections relating to charter schools.

Senator Stouffer moved that **SS** for **HCS** for **HB 473** be adopted.

Senator Pearce assumed the Chair.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 473, Page 1, In the Title, Lines 4-5 of said page, by striking the following: “charter schools” and inserting in lieu thereof the following: “elementary and secondary education”; and

Further amend said bill, page 46, section 160.425, line 18 of said page, by inserting after all of said line the following:

“167.131. 1. The board of education of each district in this state that does not maintain an accredited school **for specific grade levels** pursuant to the authority of the state board of education to classify schools as established in section 161.092 shall pay [the] tuition [of] **as calculated by the receiving district under subsection 2 of this section** and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited **public** school in another district of the same or an adjoining county.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term “debt service”, as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

3. The board of education of each district in this state that has been declared unaccredited pursuant to the authority of the state board of education as established in section 161.092 shall pay tuition and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who meets the criteria of this subsection and subsection 5 of this section. A pupil from an unaccredited district may attend a school in another district of the same or an adjoining county if the receiving district is accredited without provision and if the pupil has been enrolled in and attending a public school in the district during the school year when such declaration is made, or has enrolled and attended in the unaccredited district in school years subsequent to the year in which the declaration is made. Pupils who reside in the unaccredited district who become eligible for kindergarten or first grade in a school year after the effective date of this section are also eligible to transfer. The rate of tuition to be charged by the district attended and paid by the sending district shall be the lesser of the nonresident tuition established by each district under subsection 2 of this section or, in the absence of an established nonresident tuition, the lesser of the two districts' average expenditure per pupil for the most recently completed year for which data are available. The residence district shall pay the cost of education in the receiving district, under section 162.705, for

any resident student with an individualized education plan who is accepted in the receiving district.

4. Before a student who currently attends a public school in an unaccredited school district applies for a transfer to attend a public school in an accredited school district in the same or an adjoining county under subsection 3 of this section, the unaccredited district shall determine if a space is available for the student in a school in the unaccredited district that meets adequate yearly progress standards under the federal No Child Left Behind act. If such a space exists, the student shall remain enrolled in the unaccredited district attending such school. The right of first intervention by the unaccredited school district shall remain in effect as long as available spaces are open in qualifying schools.

5. By June 30, 2011, each school district shall establish specific criteria through board policy for the admission of nonresident pupils from districts that have been classified as unaccredited by the state board of education who seek admission into a school district under subsection 3 of this section. The primary criteria shall be the availability of highly qualified teachers in existing classroom space. Each district shall establish criteria for calculating available seats that take into account the district's resident student population growth or decrease, based on demographic projections provided by the office of socioeconomic data analysis, such that the receiving district shall not be required to employ additional teachers or construct new classrooms to accommodate such transfer pupils. No resident pupil shall be displaced from a school to which he or she would otherwise be assigned to accommodate the admission of a nonresident pupil. The assignment of a student to a particular building shall be the decision of the receiving district.

6. Once a student from an unaccredited district has been accepted under subsections 3 and 5 of this section, the student may complete the educational program in the building to which he or she has been assigned even if the student's residence district has regained its accreditation. Upon a student's transition from an educational program in the building to which the student was assigned to an educational program in a different building, if the student's residence district has regained accreditation, the student shall return to the residence district to begin the next educational program.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

At the request of Senator Stouffer, **HCS for HB 473**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

### **PRIVILEGED MOTIONS**

Senator Goodman moved that the Senate request the House to grant further conference on **HCS for SS No. 2** for **SCS for SB 8** and that the conferees be allowed to exceed the differences by removing all language relating to occupational disease, which motion prevailed.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS for SB 59**, as amended, and has taken up and passed **CCS for HCS for SB 59**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has reappointed the conferees on **HCS** for **SCS** for **SB 356**, as amended. Representatives: Loehner, Schad, Wright, Holsman and Harris.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HB 184** and has taken up and passed **SS** for **SCS** for **HB 184**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HBs 470** and **429**, as amended, and has taken up and passed **SS** for **SCS** for **HCS** for **HBs 470** and **429**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS No. 2** for **SCS** for **HCS** for **HB 89**, as amended, and has taken up and passed **SS No. 2** for **SCS** for **HCS** for **HB 89**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 431** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 431**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCS** for **HBs 300, 334** and **387** and has taken up and passed **SCS** for **HCS** for **HBs 300, 334** and **387**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 32**, as amended.

### **HOUSE BILLS ON THIRD READING**

**HB 708**, with **SCS**, introduced by Representative Curtman, et al, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to choice of law.

Was taken up by Senator Nieves.

**SCS** for **HB 708**, entitled:

### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 708**

An Act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

Was taken up.

Senator Nieves moved that **SCS** for **HB 708** be adopted.

At the request of Senator Nieves, **HB 708**, with **SCS** (pending), was placed on the Informal Calendar.

### PRIVILEGED MOTIONS

Senator Crowell moved that the Senate refuse to concur in **HCS** for **SS** for **SB 202**, as amended, and request the House to recede from its position and take up and pass **SS** for **SB 202**, which motion prevailed.

### REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SCS** for **HCS** for **HB 412**, as amended, begs leave to report that it has considered the same and recommends that the bill do pass.

### HOUSE BILLS ON THIRD READING

Senator Wasson moved that **SCS** for **HCS** for **HB 412**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HCS** for **HB 412**, as amended, was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 173**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 173**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants further conference on **HCS** for **SS No. 2** for **SCS** for **SB 8**, as amended, and that the conferees be allowed to exceed the differences by removing all language relating to occupational disease. The Speaker has reappointed the conferees. Representatives: Fisher, Nolte, Richardson, Meadows and McManus.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 506**, as amended, and has taken up and passed **SCS** for **HCS** for **HB 506**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **HCS** for **HB 213** and has taken up and passed **SS** for **HCS** for **HB 213**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 344** and has taken up and passed **SCS** for **HCS** for **HB 344**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 464**, as amended, and has taken up and passed **SCS** for **HCS** for **HB 464**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 265**, as amended, and has taken up and passed **SS** for **SCS** for **HCS** for **HB 265**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 38** and has taken up and passed **SCS** for **HCS** for **HB 38**.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS No. 2** for **SCS** for **SB 8**, as amended: Senators Goodman, Crowell, Pearce, Callahan and Green.

### **RESOLUTIONS**

Senator Schaefer offered Senate Resolution No. 1095, regarding Jana Bledsoe, Hartsburg, which was adopted.

Senator Rupp offered Senate Resolution No. 1096, regarding the One Hundredth Birthday of Ermal Dickerman, Elsberry, which was adopted.

Senator Stouffer offered Senate Resolution No. 1097, regarding William Monroe, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Callahan introduced to the Senate, the Physician of the Day, Dr. Donald Potts, M.D., Independence.

Senator Dixon introduced to the Senate, former State Senator Norma Champion, Sarah Tilley and Lesia Hessee, Springfield.

On motion of Senator Dempsey, the Senate adjourned until 9:00 a.m., Friday, May 13, 2011.

### **SENATE CALENDAR**

—————

SIXTY-NINTH DAY—FRIDAY, MAY 13, 2011

—————

### **FORMAL CALENDAR**

### **VETOED BILLS**

SCS for SB 188-Lager, et al

### **THIRD READING OF SENATE BILLS**

SCS for SB 11-McKenna  
(In Fiscal Oversight)

SB 204-Dempsey, et al  
(In Fiscal Oversight)



SENATE BILLS FOR PERFECTION

- |                                                 |                            |
|-------------------------------------------------|----------------------------|
| 1. SB 260-Wasson, with SCS                      | 11. SB 223-Mayer           |
| 2. SB 425-Goodman, with SCS                     | 12. SB 119-Schaefer        |
| 3. SB 400-Kraus, with SCS                       | 13. SB 150-Munzlinger      |
| 4. SB 392-Rupp, with SCS                        | 14. SB 84-Wright-Jones     |
| 5. SB 403-Nieves                                | 15. SB 45-Wright-Jones     |
| 6. SB 329-Nieves                                | 16. SB 14-Pearce, with SCS |
| 7. SB 353-Engler                                | 17. SB 281-Kraus           |
| 8. SJR 16-Goodman, with SCS                     | 18. SB 399-Kraus           |
| 9. SB 391-Lager                                 | 19. SB 44-Wright-Jones     |
| 10. SB 253-Callahan and Cunningham,<br>with SCS |                            |

HOUSE BILLS ON THIRD READING

- |                                                                 |                                                            |
|-----------------------------------------------------------------|------------------------------------------------------------|
| HB 139-Smith (150), et al<br>(Cunningham) (In Fiscal Oversight) | HCS for HB 840 (Schmitt) (In Fiscal Oversight)             |
| HCS for HB 366 (Richard)<br>(In Fiscal Oversight)               | HCS for HB 555, with SCS (Schmitt)                         |
|                                                                 | HCS for HJR 16, with SCS (Nieves)<br>(In Fiscal Oversight) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

- |                       |                     |
|-----------------------|---------------------|
| SCS for SB 18-Schmitt | SS for SB 231-Lager |
|-----------------------|---------------------|

SENATE BILLS FOR PERFECTION

- |                                                    |                                                  |
|----------------------------------------------------|--------------------------------------------------|
| SBs 1 & 206-Ridgeway, with SCS & SA 1<br>(pending) | SB 28-Brown                                      |
| SBs 7, 5, 74 & 169-Goodman, with SCS               | SB 37-Lembke, with SCS                           |
| SB 10-Rupp                                         | SB 52-Cunningham                                 |
| SB 23-Keaveny, with SCS & SS for SCS<br>(pending)  | SB 72-Kraus, with SS (pending)                   |
| SB 25-Schaaf, with SCS & SS for SCS<br>(pending)   | SBs 88 & 82-Schaaf, with SCS & SA 1<br>(pending) |
|                                                    | SB 120-Stouffer, with SS (pending)               |
|                                                    | SB 130-Rupp, with SCS & SS for SCS (pending)     |

SB 155-Rupp, with SCS  
 SB 175-Munzlinger, et al, with SA 1  
 (pending)  
 SB 176-Munzlinger, et al  
 SBs 189, 217, 246, 252 & 79-Schmitt,  
 with SCS  
 SB 200-Crowell  
 SB 203-Schmitt, et al, with SS (pending)  
 SB 208-Lager  
 SB 209-Lager  
 SB 228-Pearce  
 SB 242-Cunningham, with SCS & SS for SCS  
 (pending)  
 SB 247-Pearce, with SS (pending)

SB 264-Rupp, with SCS  
 SB 278-Munzlinger, et al  
 SB 280-Purgason, et al, with SCS & SS  
 for SCS (pending)  
 SBs 291, 184 & 294-Pearce, with SCS &  
 SA 4 (pending)  
 SB 299-Munzlinger, with SCS (pending)  
 SB 326-Wasson  
 SBs 369 & 370-Cunningham, with SCS  
 SB 390-Schmitt, et al  
 SBs 408 & 80-Crowell, with SCS  
 SB 420-Mayer, with SCS  
 SJR 11-Munzlinger, with SCS  
 SJR 15-Nieves, et al, with SS (pending)

#### HOUSE BILLS ON THIRD READING

HCS for HB 61  
 SS for HB 71-Nasheed, et al (Engler) (In  
 Fiscal Oversight)  
 HCS for HB 111, with SCS & SS for SCS  
 (pending) (Goodman)  
 HCS for HBs 112 & 285, with SCS (Brown)  
 HCS for HB 143 (Goodman)  
 HB 167-Nolte, et al, with SCA 1  
 (pending) (Nieves)  
 HCS for HB 336 (Schmitt)  
 HB 361-Leara (Cunningham)  
 HB 402-Diehl and Korman (Wasson)  
 HB 442-Franz, with SA 2 (pending)  
 (Parson)  
 HB 462-Pollock, with SCS (Lager)  
 HCS for HB 473, with SS & SA 1 (pending)  
 (Stouffer)  
 HCS for HB 523, with SCS (Pearce)  
 HB 525-Molendorp (Rupp)

HCS for HB 545, with SCS & SS for SCS  
 (pending) (Schaaf)  
 HCS for HB 556  
 HCS for HB 562, with SCS & SA 2  
 (pending) (Schmitt)  
 HCS for HBs 600, 337 & 413, with SCS  
 (Goodman)  
 HCS#2 for HB 609, with SCS (pending)  
 (Wasson)  
 SS for SCS for HCS for HB 697 (Dixon)  
 (In Fiscal Oversight)  
 HB 708-Curtman, et al, with SCS (pending)  
 (Nieves)  
 HB 738-Nasheed, et al, with SCS  
 (pending) (Cunningham)  
 HCS for HJR 3 (Brown)  
 HJR 6-Cierpiot, et al (Cunningham)  
 HJR 29-Solon, et al, with SA 1 (pending)  
 (Munzlinger)

#### SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 17-Lembke, with HCS, as  
 amended

SCS for SBs 26 & 106-Wasson, with HA 1,  
 HA 2 & HA 3

SS for SCS for SB 58-Stouffer and  
Lembke, with HCS, as amended  
SB 71-Parson, with HSA 1 for HA 1, as  
amended & HA 2  
SB 77-Stouffer, with HCS  
SCS for SB 162-Munzlinger, with HCS#2,  
as amended

SCS for SB 213-Schaefer, with HCS  
SCS for SB 219-Wasson, with HCS, as  
amended  
SCS for SB 323-Schaefer, with HA 1 & HA 3  
SS for SB 360-Lager, with HCS, as amended

**BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES**

**In Conference**

SS#2 for SCS for SB 8-Goodman, with HCS,  
as amended (Further conference granted)  
SCS for SB 29-Brown, with HCS, as amended  
SB 48-Wright-Jones, with HCS, as amended  
SCS for SB 60-Keaveny, with HCS, as amended  
SS for SCS for SB 70-Schaefer, with HA 1 &  
HA 2  
SCS for SB 81-Pearce, with HA 1, HA 2,  
as amended & HA 3  
SCS for SB 117-Engler, with HCS#2, as  
amended  
SS for SB 135-Schaefer, with HCS, as  
amended (Senate adopted CCR and  
passed CCS)  
SB 145-Dempsey, with HCS, as amended  
SCS for SB 177-Brown, with HCS, as  
amended  
SS for SB 226-Engler, with HCS, as  
amended (Senate adopted CCR and  
passed CCS)  
SB 250-Kehoe, with HCS, as amended  
(Senate adopted CCR#2 and passed CCS#2)

SS for SCS for SB 254-Stouffer, with  
HCS, as amended  
SCS for SB 270-Kraus, with HCS, as  
amended (Senate defeated CCR)  
SB 282-Engler, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SB 284-Wasson, with HCS, as amended  
(Senate adopted CCR and passed CCS)  
SB 322-Schaefer, with HCS, as amended  
SCS for SB 356-Munzlinger, with HCS, as  
amended (Further conference granted)  
HCS for HBs 116 & 316, with SS for SCS,  
as amended (Purgason)  
HCS for HB 430, with SS for SCS, as  
amended (Stouffer)  
HB 458-Loehner, et al, with SS,  
as amended (Brown)  
HB 737-Redmon and Shumake, with SCS  
(Lager)

**Requests to Recede or Grant Conference**

SB 61-Keaveny, with HCS, as amended  
(Senate requests House recede and  
pass the bill)

SS for SB 202-Crowell, with HCS, as  
amended (Senate requests House  
recede and pass the bill)

1980

*Journal of the Senate*

SS for SB 238-Schmitt, with HA 1 & HA 2  
(Senate requests House recede and  
pass the bill)

RESOLUTIONS

Reported from Committee

SR 179-Purgason

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SIXTY-NINTH DAY—FRIDAY, MAY 13, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore nothing should give comfort and joy to those who love you as much as knowing that your will and purposes are accomplished in them.” (Thomas a Kempis)

Gracious God, this is it, our last day to try to get a lot done in a short amount of time. And whether we get that last minute bill before the body or last ditch effort to pass what we consider important legislation, let us be mindful that our comfort and joy comes from our relationship with You and our efforts to follow Your lead and accomplish it in what we have done here, for Your will and honor are more important than anything else. And may we all know Your blessings this day and end the day in praise and thanksgiving. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

President Kinder assumed the Chair.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon, Associated Press, KRCG-TV, Star Journal, Missouri Lawyers Media, Columbia Daily Tribune and ABC 17/KMIZ were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senators Cunningham and Green offered Senate Resolution No. 1098, regarding Dr. Mary Piper, which was adopted.

Senator Crowell offered Senate Resolution No. 1099, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Milton James, Jackson, which was adopted.

Senator Parson offered Senate Resolution No. 1100, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Montgomery, Stockton, which was adopted.

## REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HCS** for **HJR 16**, with **SCS**, and **SS** for **SCS** for **HCS** for **HB 697**, begs leave to report that it has considered the same and recommends that the joint resolution and bill do pass.

## HOUSE BILLS ON THIRD READING

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 697** be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HB 697** was read the 3rd time and passed by the following vote:

### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

### NAYS—Senators—None

### Absent—Senators

Green	Lager	Purgason	Ridgeway—4
-------	-------	----------	------------

### Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **SB 70**, with **HA 1** and **HA 2**, moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 70

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 70;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 70 be Third Read and Finally Passed.

#### FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Dan Brown, DVM  
/s/ Ron Richard  
/s/ Joseph P. Keaveny  
/s/ Timothy P. Green

#### FOR THE HOUSE:

/s/ Ward Franz  
/s/ Jay Houghton  
/s/ Don Gosen  
/s/ Jeanette Mott Oxford  
/s/ Susan Carlson

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Kehoe	Kraus	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

#### NAYS—Senators—None

#### Absent—Senators

Green	Keaveny	Lager	Ridgeway—4
-------	---------	-------	------------

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **SB 70**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 70

An Act to repeal sections 402.199, 402.200, 402.205, 402.210, 402.215, 402.217, 402.220, 473.657, and 475.093, RSMo, and section 402.210 as truly agreed to and finally passed by senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session, and to enact in lieu thereof twelve new sections relating to the Missouri family trust.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Kehoe	Kraus	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Green	Keaveny	Lager	Ridgeway—4
-------	---------	-------	------------

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Wright-Jones, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 48**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 48

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 48, with



House Amendment Nos. 1, 2, 3, 4, 5, & 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 48, as amended;
2. The Senate recede from its position on Senate Bill No. 48;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 48 be Third Read and Finally Passed.

## FOR THE SENATE:

/s/ Robin Wright-Jones

/s/ Timothy P. Green

/s/ Brad Lager

/s/ Kurt Schaefer

/s/ Bob Dixon

## FOR THE HOUSE:

/s/ Darrell Pollock

/s/ Jason Smith

/s/ Rodney Schad

/s/ Jacob Hummel

/s/ Steve Webb

Senator Wright-Jones moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

## NAYS—Senators—None

## Absent—Senators

Green	Lager	Purgason—3
-------	-------	------------

## Absent with leave—Senators—None

## Vacancies—None

On motion of Senator Wright-Jones, **CCS** for **HCS** for **SB 48**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 48

An Act to repeal sections 250.236, 386.420, 386.490, 386.510, 386.515, 386.520, 386.530, 386.540, and 393.015, RSMo, and to enact in lieu thereof eleven new sections relating to utilities, with an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

## NAYS—Senators—None

## Absent—Senators

Green	Lager	Purgason—3
-------	-------	------------

## Absent with leave—Senators—None

## Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

## NAYS—Senators—None

## Absent—Senators

Green	Purgason—2
-------	------------

## Absent with leave—Senators—None

## Vacancies—None

On motion of Senator Wright-Jones, title to the bill was agreed to.

Senator Wright-Jones moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Engler, on behalf of the conference committee appointed to act with a like committee from the House on **HCS No. 2** for **SCS** for **SB 117**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 117

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Committee

Substitute for Senate Bill No. 117, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, & 15, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 117;

3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler

/s/ Jason Crowell

/s/ Eric Schmitt

/s/ Jolie Justus

/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Tom Flanigan

/s/ Shelley Keeney

/s/ Paul Fitzwater

/s/ Jacob Hummel

/s/ Chris Kelly

Senator Engler moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Engler	Goodman
Justus	Keaveny	Kehoe	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Cunningham Kraus—2

Absent—Senators

Dixon Green—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Engler, **CCS** for **HCS No. 2** for **SCS** for **SB 117**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 117

An Act to repeal sections 67.1303, 67.1521, 94.900, 140.410, 140.660, 144.032, RSMo, and to enact in lieu thereof eight new sections relating to certain taxes imposed by political subdivisions, with an

emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Cunningham Kraus—2

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators

Cunningham Kraus—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 356**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 356

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, with House Amendments Nos. 1, 2, 3, & 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 356;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger

/s/ Michael Parson

/s/ Dan Brown, DVM

/s/ Victor E. Callahan

/s/ Jolie Justus

FOR THE HOUSE:

/s/ Tom Loehner

Rodney Schad

/s/ Billy Pat Wright

/s/ Jason Holsman

/s/ Ben Harris

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, **CCS No. 2** for **HCS** for **SCS** for **SB 356**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 356

An Act to repeal sections 21.801, 144.010, 144.020, 144.030, 144.070, 263.190, 263.200, 263.205,

263.220, 263.230, 263.232, 263.240, 263.241, 263.450, 268.121, 275.360, 276.401, 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof eighteen new sections relating to agriculture, with penalty provisions and an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Stouffer moved that **SB 77**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 77**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 77

An Act to repeal sections 226.520 and 227.410, RSMo, and to enact in lieu thereof six new sections relating to roadway signs.

Was taken up.

Senator Stouffer moved that **HCS** for **SB 77** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Stouffer, **HCS** for **SB 77** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Schaefer moved that **SCS** for **SB 213**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 213**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 213

An Act to repeal sections 194.115, 475.060, and 475.061, RSMo, and to enact in lieu thereof twenty-seven new sections relating to guardianship, with a penalty provision.

Was taken up.

Senator Schaefer moved that **HCS** for **SCS** for **SB 213** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, **HCS** for **SCS** for **SB 213** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None



The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 555**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HJR 16**, with **SCS**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing sections 50 and 52(a) of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to initiative and referendum petitions.

Was taken up by Senator Nieves.

**SCS** for **HCS** for **HJR 16**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 16**

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing sections 50 and 52(a) of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to initiative and referendum petitions.

Was taken up.

Senator Nieves moved that **SCS** for **HCS** for **HJR 16** be adopted.

Senator Stouffer assumed the Chair.

Senator Justus offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Committee Substitute for House Joint Resolution No. 16, Page 1, Section 50, Line 2, by striking the opening and closing brackets as they appear on said line; and further amend said line by striking “**five and one-fourth**”; and further amend line 4 by striking the opening and closing brackets as they appear on said line; and further amend said line by striking “**three and one-fourth**”; and further amend line 5 by inserting after “voters.”, the following: “**Petitions shall be deemed invalid if signature gatherers are paid per signature.**”; and

Further amend page 2, section 52(a), line 5 by striking the opening and closing brackets as they appear on said line; and further amend said line by striking “**three and one-fourth**”; and

Further amend said resolution and page, section B, by striking all of said section from the bill.

Senator Justus moved that the above amendment be adopted.

At the request of Senator Nieves, **HCS** for **HJR 16**, with **SCS** and **SA 1** (pending), was placed on the

Informal Calendar.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Conference Committee on **SCS** for **HB 737** has been dissolved and the House has taken up and adopted **SCS** for **HB 737** and has taken up and passed **SCS** for **HB 737**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House requests the Senate to recede from its position on **SCS** for **HCS** for **HB 250** and take up and pass **HCS** for **HB 250**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 430**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 430**.

### PRIVILEGED MOTIONS

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 81**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 81

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 81, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 81, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 81;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 81 be Third Read and Finally Passed.

#### FOR THE SENATE:

/s/ David Pearce

Mike Kehoe

/s/ Dan Brown, DVM

/s/ Victor E. Callahan

/s/ Joseph P. Keaveny

#### FOR THE HOUSE:

/s/ Keith Frederick

/s/ Doug Funderburk

/s/ Rick Stream

Chris Carter

/s/ Joe Aull

Senator Pearce moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Pearce, **CCS** for **SCS** for **SB 81**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 81

An Act to repeal sections 143.183, 163.037, and 165.011, RSMo, and to enact in lieu thereof three new sections relating to education, with an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
-------	----------	-----------------	---------	------------	-------	---------	-------

Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Stouffer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 430**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 430

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, with Senate Amendment Nos. 1, 2, 3, 4, 7, 8, 9, 11, and 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 430;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Eric Burlison

/s/ Shane Schoeller

/s/ Charlie Denison

/s/ Jill Schupp

/s/ Tishaura Jones

FOR THE SENATE:

/s/ Bill Stouffer

/s/ Jay Wasson

/s/ Ron Richard

/s/ Ryan McKenna

/s/ Jolie Justus

Senator Stouffer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—31	

## NAYS—Senators—None

## Absent—Senators

Engler	Purgason	Schmitt—3
--------	----------	-----------

## Absent with leave—Senators—None

## Vacancies—None

On motion of Senator Stouffer, **CCS** for **SS** for **SCS** for **HCS** for **HB 430**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 430

An Act to repeal sections 21.795, 70.441, 226.540, 227.107, 301.010, 301.147, 301.225, 301.559, 301.560, 301.562, 301.3084, 302.302, 302.309, 302.341, 302.700, 304.120, 304.180, 304.200, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, 390.280, and 577.023, RSMo, and to enact in lieu thereof forty-two new sections relating to transportation, with penalty provisions, a contingent effective dates for certain sections, and effective dates for certain sections.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—32

## NAYS—Senators—None

## Absent—Senators

Purgason	Schmitt—2
----------	-----------

## Absent with leave—Senators—None

## Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Goodman, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS No. 2** for **SCS** for **SB 8**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 8

The Conference Committee appointed on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, as amended;
2. The Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack A.L. Goodman  
/s/ Jason G. Crowell  
/s/ David Pearce  
/s/ Victor E. Callahan  
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Barney Fisher  
/s/ Jerry Nolte  
/s/ Todd Richardson  
/s/ Tim Meadows  
/s/ Kevin McManus

Senator Goodman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer—30		

NAYS—Senator Wright-Jones—1

Absent—Senators

Curls            Purgason            Wasson—3

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Goodman, **CCS No. 2** for **HCS** for **SS No. 2** for **SCS** for **SB 8**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 8

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—32

NAYS—Senator Wright-Jones—1

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

On motion of Senator Dempsey, the Senate recessed until 2:15 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

**MESSAGES FROM THE HOUSE**

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **HB 458**, as amended, and has taken up and passed **CCS** for **SS** for **HB 458**.

### PRIVILEGED MOTIONS

Senator Stouffer moved that the Senate recede from its position on **SCS** for **HCS** for **HB 250**, and **HCS** for **HB 250** be taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Stouffer, **HCS** for **HB 250** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HB 458**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

### CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE BILL NO. 458

The Conference Committee appointed on Senate Substitute for House Bill No. 458, with Senate Amendment No. 1 and Senate Amendment No.2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 458, as amended;
2. That the House recede from its position on House Bill No. 458;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 458, be Third Read and Finally Passed.



## FOR THE HOUSE:

/s/ Tom Loehner  
 /s/ Glen Klippenstein  
 /s/ Sue Entlicher  
 /s/ Joe Aull  
 /s/ Tom Shively

## FOR THE SENATE:

/s/ Dan Brown, DVM  
 /s/ Brian Munzlinger  
 /s/ Kurt Schaefer  
 /s/ Victor E. Callahan  
 /s/ Jolie Justus

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaefer	Schmitt	Stouffer	Wright-Jones—32

## NAYS—Senators—None

## Absent—Senators

Schaaf Wasson—2

## Absent with leave—Senators—None

## Vacancies—None

On motion of Senator Brown, **CCS** for **SS** for **HB 458**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
 SENATE SUBSTITUTE FOR  
 HOUSE BILL NO. 458

An Act to repeal sections 144.030, 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, 268.121, 276.401, 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof thirteen new sections relating to agriculture, with penalty provisions.

Was read the 3rd time and passed by the following vote:

## YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

## NAYS—Senators—None

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### **HOUSE BILLS ON THIRD READING**

**HCS** for **HB 555**, with **SCS**, entitled:

An Act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.152, 208.275, 208.955, 209.150, 209.152, 209.200, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 301.143, 402.210, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, 633.309, and 660.405, RSMo, and to enact in lieu thereof ninety new sections relating to the Missouri most vulnerable persons (MVP) act, with existing penalty provisions.

Was called from the Informal Calendar and taken up by Senator Schmitt.

**SCS** for **HCS** for **HB 555**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 555**

An Act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 208.955, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 301.143, 332.021, 334.120, 402.210, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.167, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, and 633.309, RSMo, and to enact in lieu thereof eighty-four new sections relating to health care policies, with existing penalty provisions.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 555** be adopted.

Senator Schmitt offered **SS** for **SCS** for **HCS** for **HB 555**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 555

An Act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 208.955, 210.101, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 301.143, 332.021, 334.120, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.167, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, and 633.309, RSMo, and to enact in lieu thereof eighty-seven new sections relating to health care policies, with existing penalty provisions.

Senator Schmitt moved that **SS** for **SCS** for **HCS** for **HB 555** be adopted.

Senator Ridgeway offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 555, Pages 24-25, Section 208.184, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Schmitt moved that **SS** for **SCS** for **HCS** for **HB 555**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **HCS** for **HB 555**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	McKenna	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Mayer      Munzlinger—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

### PRIVILEGED MOTIONS

Senator Schaefer moved that **SCS** for **SB 323**, with **HA 1** and **HA 3** be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lamping	McKenna
Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

#### NAYS—Senators

Crowell	Lager	Lembke	Purgason—4
---------	-------	--------	------------

#### Absent—Senators

Mayer	Munzlinger—2
-------	--------------

Absent with leave—Senators—None

Vacancies—None

**HA 3** was taken up.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Schaefer, the motion to adopt **HA 3** was withdrawn, which placed the bill back on the calendar.

### HOUSE BILLS ON THIRD READING

Senator Goodman moved that **HCS** for **HB 111**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Goodman, **SS** for **SCS** for **HCS** for **HB 111** was withdrawn.

Senator Goodman offered **SS No. 2** for **SCS** for **HCS** for **HB 111**, entitled:

#### SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 111

An Act to repeal sections 144.032, 302.020, 302.321, 303.025, 311.325, 351.340, 452.340, 475.060,

475.061, 475.115, 477.650, 484.350, 523.040, 544.455, 544.470, 557.011, 566.086, 566.147, 568.040, 570.080, 578.150, and 589.040, RSMo, and to enact in lieu thereof fifty-three new sections relating to the judiciary, with penalty provisions, and an emergency clause for certain sections.

Senator Goodman moved that **SS No. 2** for **SCS** for **HCS** for **HB 111** be adopted.

Senator Goodman offered **SA 1**, which was read:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 28, Section 452.340, Line 22 of said page, by striking the word “shall” and inserting in lieu thereof the word “**may**”.

Senator Goodman moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Goodman, **HCS** for **HB 111**, with **SCS** and **SS No. 2** for **SCS**, as amended (pending), was placed on the Informal Calendar.

Senator Ridgeway assumed the Chair.

#### PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Schaefer moved that the vote by which **HA 1** to **SCS** for **SB 323** was adopted, be reconsidered, which motion prevailed by the following vote:

##### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer

Wasson—33

##### NAYS—Senators—None

Absent—Senator Wright-Jones—1

Absent with leave—Senators—None

Vacancies—None

At the request of Senator Schaefer, the motion to adopt **HA 1** was withdrawn.

Senator Schaefer moved that the Senate refuse to concur in **HA 1** and **HA 3** to **SCS** for **SB 323** and request the House to recede from its position on **HA 1** and **HA 3** and take up and pass **SCS** for **SB 323**, which motion prevailed.

#### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS No. 2** for **SCS** for **SB 62**, entitled:

An Act to repeal sections 190.839, 191.227, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo,

and to enact in lieu thereof seven new sections relating to health care providers.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2 and House Amendment No. 2, as amended.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 62, Section 190.389, Page 1, Line 1, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 198.439, Page 2, Line 1, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said Bill, Section 208.437, Page 3, Line 26, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said Bill, Section 208.480, Page 3, Line 2, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said Bill, Section 338.550, Page 3, Lines 9 and 16, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said Bill, Section 633.401, Page 6, Line 94, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 62, Page 1, Section 376.1190, Line 22, by deleting the words “this section” on said line and adding in lieu thereof the words: “subsections 1 and 2”.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 62, Section 338.550, Page 3, Line 16, by inserting after all of said section and line the following:

**“376.1190. 1. Health carriers shall permit individuals to learn the amount of cost-sharing, including deductibles, copayments, and coinsurance, under the individual’s health benefit plan or coverage that the individual would be responsible for paying with respect to the furnishing of a specific item or service by a participating provider in a timely manner upon the request of the individual. At a minimum, such information shall be made available to such individual through an internet website and such other means for individuals without access to the internet. As used in this section, the terms “health carrier” and “health benefit plans” shall have the same meanings assigned to them in section 376.1350.**

**2. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, hospitalization-surgical care policy, short-term**

major medical policy of six months or less duration, or any other supplemental policy.

**3. Any health care benefit mandate proposed after August 28, 2011, shall be subject to review by the oversight division of the joint committee on legislative research. The oversight division shall perform an actuarial analysis of the cost impact to private and public payers of any new or revised mandated health care benefit proposed by the General Assembly after August 28, 2011 and a recommendation shall be delivered to the Speaker and the President Pro Tem prior to mandate being enacted.**

**4. The provisions of this section shall become effective on January 1, 2014.”; and**

Further amend said Bill, Section 633.401, Page 6, Line 94 by inserting after all of said section and line the following:

**“Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

#### PRIVILEGED MOTIONS

Senator Schaaf moved that **SS No. 2 for SCS for SB 62**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SS No. 2 for SCS for SB 62**, as amended, entitled:

#### HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 62

An Act to repeal sections 190.839, 191.227, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof seven new sections relating to health care providers.

Was taken up.

Senator Schaaf moved that **HCS for SS No. 2 for SCS for SB 62**, as amended, be adopted, which motion prevailed by the following vote:

#### YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

#### NAYS—Senator Justus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaaf, **HCS** for **SS No. 2** for **SCS** for **SB 62**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

### HOUSE BILLS ON THIRD READING

Senator Goodman moved that **HCS** for **HB 111**, with **SCS** and **SS No. 2** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS No. 2** for **SCS** for **HCS** for **HB 111**, as amended, was again taken up.

Senator Lembke offered **SA 2**, which was read:

### SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 26, Section 452.340, Lines 24-25 of said page, by striking said lines and inserting in lieu thereof the following: “**comments for completion of the child support guidelines and a subsequent form developed**”.

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Goodman moved that **SS No. 2** for **SCS** for **HCS** for **HB 111**, as amended, be adopted, which



motion prevailed.

On motion of Senator Goodman, **SS No. 2** for **SCS** for **HCS** for **HB 111**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HB 462**, with **SCS**, introduced by Representative Pollock, entitled:

An Act to repeal section 386.850, RSMo, relating to the Missouri energy task force.

Was called from the Informal Calendar and taken up by Senator Lager.

**SCS** for **HB 462**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 462

An Act to repeal sections 386.370, 386.850, and 393.135, RSMo, and to enact in lieu thereof two new sections relating to the regulation of public utilities.

Was taken up.

Senator Lager moved that **SCS** for **HB 462** be adopted.

Senator Lager offered **SS** for **SCS** for **HB 462**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 462

An Act to repeal sections 386.370, 386.850, 393.135, 393.1020, 393.1025, 393.1030, 393.1045, 393.1050, and 620.010, RSMo, and to enact in lieu thereof seventeen new sections relating to public utilities, with an emergency clause.

Senator Lager moved that **SS** for **SCS** for **HB 462** be adopted.

At the request of Senator Lager, **HB 462**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **HA 1** and **HA 2** to **SS** for **SB 238**, and has again taken up and passed **SS** for **SB 238**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 282**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 282**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 135**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 135**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 226**, as amended, and has

taken up and passed **CCS** for **HCS** for **SS** for **SB 226**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **HCS** for **SB 250**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SB 250**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **HCS** for **SCS** for **SB 356**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SCS** for **SB 356**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 48**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 48**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 284**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 284**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 412**, as amended, and has taken up and passed **SCS** for **HCS** for **HB 412**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **SB 70** with **HA 1** and **HA 2**, and has taken up and passed **CCS** for **SS** for **SCS** for **SB 70**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 552**, as amended, and has taken up and passed **SCS** for **HCS** for **HB 552**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS No. 2** for **SCS** for **SB 117**, as amended, and has taken up and passed **CCS** for **HCS No. 2** for **SCS** for **SB 117**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 48**.

#### HOUSE CONCURRENT RESOLUTION NO. 48

WHEREAS, the United States and the world find themselves dependent upon China for a group of minerals and metals known as “Rare Earth Elements” that are critical to many commercial, environmental, and defense applications; and

WHEREAS, rare earth elements represent the only known bridge to the next level of improved performance in the material properties for many metallurgical alloys, electrical conductivity, radio active shielding, and instrument sensitivity; and

WHEREAS, thorium is a naturally occurring companion element to the rare earth elements which can be extracted as a byproduct of rare earth mining at no additional expense and without creating additional mining waste; and

WHEREAS, thorium can be used as fuel in a nuclear power plant because it is a slightly radioactive metal and is 550 times more abundant than Uranium 235 needed for nuclear power; and

WHEREAS, thorium is generally considered harmless except through extreme long-term exposure or unless it is inhaled as a very fine dust; and

WHEREAS, thorium emits alpha rays which have no penetrating strength and cannot pass through human skin or thin plastic film; and

WHEREAS, thorium emits less radiation than sun light, radon from a gas stove top, potassium in a banana, X-rays, frequent air travel, and TSA full body scans; and

WHEREAS, the United States has two permitted world class rare earth mines - the Pea Ridge Mine in Washington County, Missouri, and the Mountain Pass Mine in California; and

WHEREAS, Missouri’s Pea Ridge Mine has all 17 of the recoverable rare earth elements and is the only permitted heavy rare earth mine outside of China. The Mountain Pass Mine only has 8 of the 17 recoverable rare earth elements and cannot produce rare earths; and

WHEREAS, the United States has no refining facilities to process the rare earths from the Pea Ridge Mine or manage the thorium byproduct; and

WHEREAS, a thorium-fueled nuclear reactor generates hundreds of times the power as a uranium or coal plant, but produces essentially no waste. A thorium plant would produce less than 1% of the waste that a uranium plant produces and produces no carbon or greenhouse gases, unlike coal plants; and

WHEREAS, while the waste of a uranium power plant is toxic for more than 10,000 years, the little waste that is produced by a thorium power plant is benign in less than 200 years; and

WHEREAS, a thorium power plant can be used to burn our current stockpile of nuclear waste. In addition, thorium power plants cannot “melt down”, thorium cannot practically be used to make nuclear weapons, thorium does not require any enrichment for energy use, and there is enough thorium in the United States alone to power the country at its current energy level for more than 10,000 years; and

WHEREAS, a thorium power plant can tap right in at the source of a current coal or uranium power plant without the need for laying a new grid; and

WHEREAS, through the development of a centralized rare earth-thorium facility, all thorium waste products can be managed and

controlled in an environmentally safe manner; and

WHEREAS, China's monopoly on production of rare earth elements is posed to capture emerging technologies and manufacturing facilities from around the world, in exchange for supply contracts; and

WHEREAS, absent any new production, Asia will soon consume 100% of the world's production of rare earth elements; and

WHEREAS, China's National Industrial Policy of Rare Earth Dominance cannot be challenged by private investment. The United States must develop a National Domestic Rare Earth Refinery to survive; and

WHEREAS, unless the United States Congress makes changes, our rare earths will be sent to China for processing and they will not come back for use in the United States; and

WHEREAS, with its Pea Ridge Mine, Missouri can become the exclusive producer of heavy rare earths in the United States and attract new high tech companies from around the world:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby:

(1) Strongly support the development of thorium energy and the Pea Ridge Mine in Washington County, Missouri, in its efforts to extract thorium as a byproduct of rare earth element mining; and

(2) Strongly urge the United States Congress to support the use of thorium as a safe, efficient fuel source by taking the necessary steps to allow the Pea Ridge Mine in Missouri to extract thorium as a byproduct of rare earth elements mining and for the development of the refineries necessary to support thorium power plants; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Congress and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 53**.

HOUSE CONCURRENT RESOLUTION NO. 53

WHEREAS, the average price of gasoline has risen to nearly \$4.00 a gallon and are projected to remain there or go even higher as the summer months approach; and

WHEREAS, numerous components make up the price of gasoline, including the cost of crude oil (45%), federal and state taxes (23%), refining costs (22%), and marketing and distribution costs (10%). These components are affected by many factors; and

WHEREAS, the three main factors that contribute to changes in the price of gasoline are changes in crude oil prices, the transparency of energy markets, and regulations that affect the price of gasoline; and

WHEREAS, there is very little government can do about crude oil prices and transparency. Crude oil prices are affected by world supply and demand, which continues to grow and most rapidly in Asia. Transparency produces highly efficient markets, but it also increases volatility. Any reduction in transparency would offset efficiency; and

WHEREAS, while states have limited authority and options available to attempt to reverse the soaring fuel prices and alleviate the growing financial burden on its citizenry, the federal government is able to ease the pressure on prices and reduce volatility by reducing its own interference in the market - most directly by the way of taxes and regulation; and

WHEREAS, federal regulations have contributed significantly to the high price, high volatility environment facing consumers today. These regulations have led to the proliferation of numerous fuel blends - known as "boutique fuels" - which in turn have increased refining and distribution costs; and

WHEREAS, in addition to addressing the boutique fuel problem, Congress and the Administration should reform other Clean Air Act regulations that have resulted in the halt of construction of new refinery capacity and offshore drilling. More production and refinery capacity is needed to ease the pressure on the production system; and

WHEREAS, federal regulations are also affecting gasoline imports because foreign suppliers are unable to keep up with the increasing complexity of federal gasoline requirements. Volatility in the Middle East also threatens our second largest supplier of oil - OPEC; and

WHEREAS, while changes in federal regulations and policies are needed as a long-term solution, the federal government is able to impact gasoline prices in the short-term as well; and

WHEREAS, in the short-term, the Environmental Protection Agency should temporarily suspend clean-fuel requirements and reduce the number of fuel specifications across the country by offering a limited menu of fuel choices that states and localities can choose from; and

WHEREAS, with crude oil costs being the single largest component in the cost of gasoline, the only real impact on crude oil prices is the threat of competition; and

WHEREAS, the leading supplier of oil to the United States market is Canada, with Mexico as the third leading supplier. There are enough oil and gas resources under the ground of those two reliable neighbors to supply the United States at current consumption levels for the next 100 years; and

WHEREAS, by lowering any remaining cross-border barriers to energy imports and by increasing the capacity of cross-border distribution systems, Congress can lower the cost to both Canada and Mexico of shipping oil to the United States, thereby inducing them to bring more supply on line; and

WHEREAS, in order to reduce our dependence on foreign oil, Congress and the Administration should find ways to facilitate the building of new refineries, and an increase in production by permitting the uncapping of existing wells and the drilling of new wells; and

WHEREAS, Congress and the Administration should strive to maintain a well-functioning gasoline market for the good of the economy, without interfering in the marketplace. Changes in federal regulation, introduction of fuel flexibility, removing impediments to importation of fuel from Canada and Mexico, increasing refinery capacity and pipeline construction, as well as greater domestic oil exploration and opening additional areas of production would begin to ease the rising cost of fuels and reduce our dependence on foreign sources of oil:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress and the Obama Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs to ease the financial burden on its citizens and prevent a second recession; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama; Lisa P. Jackson, Administrator of the Environmental Protection Agency; the Majority and Minority Leaders of the United States Congress; and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **SB 81**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 81**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1** and **HA 3** to **SCS** for **SB 323** and request the Senate to concur in **HA 1** and **HA 3** and take up and pass **SCS** for **SB 323**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS No. 2** for **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271** and **215** as amended, and has taken up and passed **SS No. 2** for **SCS** for **HCS** for **HBs 294, 123, 125, 113, 271** and **215** as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS No. 2** for **SCS** for **SB 100**, entitled:

An Act to repeal sections 32.028, 32.087, 32.115, 105.716, 135.025, 135.030, 135.352, 135.484, 135.630, 135.647, 135.1150, 144.083, 168.071, 196.1109, 196.1115, 215.020, 253.545, 253.550, 253.557, 253.559, 348.251, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, 348.300, 447.708, 620.1878, 620.1881, and 620.1900, RSMo, and to enact in lieu thereof sixty-two new sections relating to economic incentives and taxation policy, with a penalty provision and an emergency clause for certain sections.

With House Amendment No. 1, House Amendment No. 2 to House Amendment No. 2 and House Amendment No. 2, as amended.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 100, Pages 1 - 2, Section 32.028, by striking all of said Section from the bill and inserting in lieu thereof the following:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**, payable to the state as provided by law.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

**32.058. For all years beginning after January 1, 2012, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail.”; and**

Further amend said bill, Pages 10 - 12, Section 32.385, by striking all of said section from the bill and inserting in lieu thereof the following:

**“32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the state will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.**

**2. When used in this section, the following words, terms, and phrases are defined as set forth herein:**

**(1) “Federal official” means a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716;**

**(2) “State agency” means any department, division, board, commission, office, or other agency of the state of Missouri;**

**(3) “Nontax liability due the state” means a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;**

**(4) “Person” means an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;**

**(5) “Refund” means an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;**

**(6) “Vendor payment” means any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person’s salary, wages, or pension;**

**(7) “Offset agreement” is the agreement authorized by this section.**

**3. Under the offset agreement, a federal official may:**

**(1) Certify to the state of Missouri the existence of a person’s delinquent nontax liability owed by the person to the federal government;**

**(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;**

**(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:**

**(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and**

**(b) Provide for the payment of the amount withheld to the state;**

**(4) Retain a portion of the proceeds of any collection offset as provided under the offset agreement.**

**4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:**

**(1) The full name of the person and any other names known to be used by the person;**

**(2) The Social Security number or federal tax identification number;**

**(3) The amount of the nontax liability; and**

**(4) A statement that the debt is past due and legally enforceable in the amount certified.**



**5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:**

**(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;**

**(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;**

**(3) Pay to the federal official the lesser of:**

**(a) The entire refund or vendor payment; or**

**(b) The amount certified; and**

**(4) Pay any refund or vendor payment in excess of the certified amount to the person.**

**6. Under the agreement, the director of revenue shall:**

**(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;**

**(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and**

**(3) Provide for the payment of the amount withheld to the state.**

**7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:**

**(1) The full name and address of the person and any other names known to be used by the person;**

**(2) The Social Security number or tax identification number;**

**(3) The amount of the tax or nontax liability;**

**(4) A statement that the debt is past due and legally enforceable in the amount certified; and**

**(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.**

**8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.”; and**

Further amend said bill, Sections 32.420, 32.430, 32.440, 32.450, 32.460, Pages 12 - 14, by striking all of said sections from the bill and inserting in lieu thereof the following:

**“32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general pursuant to section 27.060 or any other statute.**

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor has no further administrative appeal of the amount of the debt. Methods and procedures for referral must follow internal guidelines prepared by the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure governs the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States regular mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. The department may establish policies and procedures to use the collection remedy afforded under section 143.902 in filing a lien with the county recorder of deeds and the filing of a certificate of lien with the circuit court. The department may also use collection remedies afforded under any chapter for collection of any state debt referred to the department. Debtors shall have all rights afforded under sections 32.410 to 32.470 to notice and to challenge the department's collection. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions pursuant to section 143.902 or 143.910 for a debt referred by a state agency or to prosecute an action pursuant to subsection 10 of section 104.910.

2. Venue for any suit filed in aid of collection of a state debt referred to the department shall be in Cole County. If a judgment or a lien was filed with a circuit clerk prior to the date the debt was referred to the department, the venue shall be the county in which the judgment or lien was filed.

3. The department is authorized to employ department staff and attorneys, and at the department's discretion, the attorney general and prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement;

or

**(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.**

**3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt under the department's internal guidelines. Collection costs collected by the department under this section shall be deposited in the general revenue fund.**

**32.450. The department may compromise state debt referred to the department in accordance with section 32.378.**

**32.460. 1. The department and the referring state agency shall follow all federal and state laws regarding the confidentiality of information and records regarding the debtor including the disclosure of the debtor's Social Security number, which state agencies, including the judiciary, are authorized to provide to the department in assistance of collection of the state debt referred. Each specific state agency's confidentiality laws shall apply to the employees of the state agency and to the department.**

**2. The department and the referring state agency are authorized to exchange such information as is necessary for the successful collection of the state debt referred in accordance with section 610.032. The judiciary is hereby authorized to exchange such information with the department as is necessary for the successful collection of the state debt referred.”; and**

Further amend said bill, Pages 18-19 , Sections 105.716, by deleting all of said section and inserting in lieu thereof the following:

“105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial

exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

**5. Notwithstanding any other provision of law to the contrary, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. Payments of no less than ten thousand dollars from the fund for property damage claims shall not require a no tax due statement from the department. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, any funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.”; and**

Further amend said bill, Pages 40 -41, Section 144.083 by striking all of said sections from the bill and inserting in lieu thereof the following:

“144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under [sections 144.010 to 144.510 or sections 143.191 to 143.261] **section 32.088** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business [where goods are sold at retail]. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the

director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, **and until December 31, 2011**, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.”; and

Further amend said bill, Pages 46 through 49 , Section 168.071, by deleting all of said section and inserting in lieu thereof the following:

“168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; [or]

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract; **or**

**(6) Beginning January 1, 2012, the government entity issuing a valid certificate of license to teach in Missouri under section 168.011 shall at least one time each year provide the name and Social Security number of each certificate holder or applicant for certificate of a license to teach in Missouri to the director of revenue. The director of revenue shall at least one time each year check the status of each certificate holder or applicant for certificate of a license to teach in Missouri against a database developed by the director to determine if all state income tax returns have been filed and all state income taxes owed have been paid. If such certificate holder or applicant for certificate of a license to teach in Missouri is delinquent on any state taxes, or has failed to file state income tax returns in the last three years, the director shall then send notice to the certificate holder or applicant for certificate of a license to teach in Missouri and the department of elementary and secondary education. In the case of such delinquency or failure to file, the certificate holder's license shall be suspended within ninety days after notice of such delinquency or failure to file, and the applicant for**

**certificate's license shall not be issued unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the government entity issuing the certificate of license to teach that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the certificate holder or applicant for certificate that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.**

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: rape; statutory rape in the first degree; statutory rape in the second degree; sexual assault; forcible sodomy; statutory sodomy in the first degree; statutory sodomy in the second degree; child molestation in the first degree; child molestation in the second degree; deviate sexual assault; sexual misconduct involving a child; sexual misconduct in the first degree; sexual abuse; enticement of a child; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest; abandonment of child in the first degree; abandonment of child in the second degree; endangering the welfare of a child in the first degree; abuse of a child; child used in a sexual performance; promoting sexual performance by a child; or trafficking in children; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree; promoting obscenity in the second degree when the penalty is enhanced to a class D felony; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography in the first degree; possession of child pornography in the second degree; furnishing child pornography to a minor; furnishing pornographic materials to minors; or coercing acceptance of obscene material.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.”; and

Further amend said bill, Pages 51 and 52, Section 215.020, by deleting all of said section and inserting in lieu thereof the following:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the “Missouri Housing Development Commission” which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate.

The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

**6. The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate.**

**7. The operating budget of the commission shall be subject to annual appropriations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2 TO HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 100, Page 20, Line 22, by deleting the word, “**evident**”; and inserting the word, “**event**”; and

Further amend said amendment, Page 48, Line 35, by deleting the number, “**eighty-five**” and inserting in lieu thereof the number, “**ninety-five**”; and

Further amend said amendment, Page 49, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the words, “**carried forward under the provisions of section 253.559.**”; and

Further amend said amendment, Page 49, Lines 21-22, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 100, in the Title, Page 1, Lines 6, by deleting all of said line and inserting in lieu thereof the following:



“lieu thereof sixty-two new sections relating to the collection and distribution of state money,”; and

Further amend said bill, Section 32.115, Pages 6-9, Lines 1-118, by striking all of said section from the bill and inserting in lieu thereof the following:

“32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;
- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two

hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter.

The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

**6. Notwithstanding any provision of law to the contrary, no new projects shall be approved under the development tax credit program created pursuant to sections 32.100 to 32.125 after August 28, 2011. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to issue tax credits for any project approved prior to August 28, 2011, or the ability of any taxpayer to redeem any such tax credits.”; and**

Further amend said bill, Section 32.460, Page 14, Line 7, by inserting the following after all of said Line:

**“67.2050. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:**

**(1) “Facility”, a location composed of real estate, buildings, fixtures, machinery, and equipment;**

**(2) “Municipality”, any county, city, incorporated town, or village of the state;**

**(3) “NAICS”, the 2007 edition of the North American Industry Classification System developed under the direction and guidance of the federal Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;**

**(4) “Technology business facility”, a facility purchased, constructed, extended, or improved under**

**this section, provided that such business facility is engaged in:**

- (a) Wired telecommunications carriers (NAICS 517110); or**
  - (b) Data processing, hosting, and related services (NAICS 518210); or**
  - (c) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility;**
- (5) “Technology business facility project” or “project”, the purchase, construction, extension, and improvement of technology business facilities, whether of the facility as a whole or of any one or more of the facility’s components of real estate, buildings, fixtures, machinery, and equipment.**

**2. The governing body of any municipality may:**

- (1) Carry out technology business facility projects for economic development under this section;**
- (2) Accept grants from the federal and state governments for technology business facility project purposes, and may enter into such agreements as are not contrary to the laws of this state and which may be required as a condition of grants by the federal government or its agencies; and**
- (3) Receive gifts and donations from private sources to be used for technology business facility project purposes.**

**3. The governing body of the municipality may enter into loan agreements, sell, lease, or mortgage to private persons, partnerships, or corporations any one or more of the components of a facility received, purchased, constructed, or extended by the municipality for development of a technology business facility project. The loan agreement, installment sale agreement, lease, or other such document shall contain such other terms as are agreed upon between the municipality and the obligor, provided that such terms shall be consistent with this section. When, in the judgment of the governing body of the municipality, the technology business facility project will result in economic benefits to the municipality, the governing body may lawfully enter into an agreement that includes nominal monetary consideration to the municipality in exchange for the use of one or more components of the facility.**

**4. Transactions involving the lease or rental of any components of a project under this section shall be specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745.**

**5. Leasehold interests granted and held under this section shall not be subject to property taxes.**

**6. Any payments in lieu of taxes expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality’s treasurer or other financial officer to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.**

**7. The county assessor shall include the current assessed value of all property within the affected taxing entities in the aggregate valuation of assessed property entered upon the assessor’s book and verified under section 137.245, and such value shall be used for the purpose of the debt limitation on**

local government under section 26(b), article VI, Constitution of Missouri.

8. The governing body of any municipality may sell or otherwise dispose of the property, buildings, or plants acquired under this section to private persons or corporations for technology business facility project purposes upon approval by the governing body. The terms and method of the sale or other disposal shall be established by the governing body so as to reasonably protect the economic well-being of the municipality and to promote the development of technology business facility projects. A private person or corporation that initially transfers property to the municipality for the purposes of a technology business facility project and does not charge a purchase price to the municipality shall retain the right, upon request to the municipality, to have the municipality retransfer the donated property to the person or corporation at no cost.

9. The provisions of this section shall not be construed to allow political subdivisions to provide telecommunications services or telecommunications facilities to the extent that they are prohibited from doing so by section 392.410.”; and

Further amend said bill, Section 67.3000, Pages 14 - 18, by striking all of said section from the bill and inserting in lieu thereof the following:

“67.3000. 1. As used in this section and section 67.3005, the following words shall mean:

(1) “Active Member”, an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) “Applicant” or “applicants”, one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) “Certified sponsor” or “certified sponsors”, a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) “Department”, the Missouri department of economic development;

(5) “Director”, the director of revenue;

(6) “Eligible costs”, shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant’s pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

Eligible costs shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event, and direct payments to a for-profit site selection organization;

(7) “Eligible donation”, donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) “Endorsing municipality” or “endorsing municipalities”, any city, town, incorporated village,

or county that contains a site selected by a site selection organization for one or more sporting events;

(9) “Joinder agreement”, an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) “Joinder undertaking”, an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) “Local organizing committee”, a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant’s behalf to a site selection organization for selection as the site of one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) “Site selection organization”, the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) “Sporting event” or “sporting events”, an amateur sporting event that is competitively bid;

(14) “Support contract” or “support contracts”, an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) “Tax credit” or “tax credits”, a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) “Taxpayer”, any of the following individuals or entities who make an eligible donation to a provider:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed in chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed in chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed in chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars for every admission ticket sold to such event. Tax credits authorized by this section may be claimed against taxes imposed by chapters 143 and 148 and shall be claimed within one year of the close of the taxable year for which the credits were issued. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under subsection 4 of this section exceed three million dollars in any fiscal year.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor will subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2011. Support contracts shall not be certified by the department after August 28, 2017, provided that the support contracts may be certified prior to August 28, 2017, for sporting events that will be held after such date.

9. The department may promulgate rules, statements of policy, procedures, forms, and guidelines as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers

vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

**67.3005. 1.** For all taxable years beginning on or after January 1, 2011, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148 excluding withholding tax imposed by sections 143.191 to 143.265 in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

**2.** To claim the credit authorized in this section, a certified sponsor or local organizing committee may submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the provider has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received by the provider; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

**3.** Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

**4.** The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

**5.** Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2011, unless reauthorized by an act of the general assembly; and



**(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and**

**(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and**

Further amend said bill, Section 67.3005, Page 10, Line 12, by inserting after said line the following:

“99.1205. 1. This section shall be known and may be cited as the “Distressed Areas Land Assemblage Tax Credit Act”.

2. As used in this section, the following terms mean:

(1) “Acquisition costs”, the purchase price for the eligible parcel, costs of environmental assessments, closing costs, real estate brokerage fees, reasonable demolition costs of vacant structures, and reasonable maintenance costs incurred to maintain an acquired eligible parcel for a period of five years after the acquisition of such eligible parcel. Acquisition costs shall not include costs for title insurance and survey, attorney’s fees, relocation costs, fines, or bills from a municipality;

(2) “Applicant”, any person, firm, partnership, trust, limited liability company, or corporation which has:

(a) Incurred, within an eligible project area, acquisition costs for the acquisition of land sufficient to satisfy the requirements under subdivision (8) of this subsection; and

(b) Been appointed or selected, pursuant to a redevelopment agreement by a municipal authority, as a redeveloper or similar designation, under an economic incentive law, to redevelop an urban renewal area or a redevelopment area that includes all of an eligible project area or whose redevelopment plan or redevelopment area, which encompasses all of an eligible project area, has been approved or adopted under an economic incentive law. In addition to being designated the redeveloper, the applicant shall have been designated to receive economic incentives only after the municipal authority has considered the amount of the tax credits in adopting such economic incentives as provided in subsection 8 of this section. The redevelopment agreement shall provide that:

a. The funds generated through the use or sale of the tax credits issued under this section shall be used to redevelop the eligible project area;

b. No more than seventy-five percent of the urban renewal area identified in the urban renewal plan or the redevelopment area identified in the redevelopment plan may be redeveloped by the applicant; and

c. The remainder of the urban renewal area or the redevelopment area shall be redeveloped by co-redevelopers or redevelopers to whom the applicant has assigned its redevelopment rights and obligations under the urban renewal plan or the redevelopment plan;

(3) “Certificate”, a tax credit certificate issued under this section;

(4) “Condemnation proceedings”, any action taken by, or on behalf of, an applicant to initiate an action in a court of competent jurisdiction to use the power of eminent domain to acquire a parcel within the eligible project area. Condemnation proceedings shall include any and all actions taken after the submission of a notice of intended acquisition to an owner of a parcel within the eligible project area by a municipal authority or any other person or entity under section 523.250;

(5) “Department”, the Missouri department of economic development;

(6) “Economic incentive laws”, any provision of Missouri law pursuant to which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land. Economic incentive laws include, but are not limited to, the land clearance for redevelopment authority law under sections 99.300 to 99.660, the real property tax increment allocation redevelopment act under sections 99.800 to 99.865, the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.1060, and the downtown revitalization preservation program under sections 99.1080 to 99.1092;

(7) “Eligible parcel”, a parcel:

(a) Which is located within an eligible project area;

(b) Which is to be redeveloped;

(c) On which the applicant has not commenced construction prior to November 28, 2007;

(d) Which has been acquired without the commencement of any condemnation proceedings with respect to such parcel brought by or on behalf of the applicant. Any parcel acquired by the applicant from a municipal authority shall not constitute an eligible parcel; and

(e) On which all outstanding taxes, fines, and bills levied by municipal governments that were levied by the municipality during the time period that the applicant held title to the eligible parcel have been paid in full;

(8) “Eligible project area”, an area which shall have satisfied the following requirements:

(a) The eligible project area shall consist of at least seventy-five acres and may include parcels within its boundaries that do not constitute an eligible parcel;

(b) At least eighty percent of the eligible project area shall be located within a Missouri qualified census tract area, as designated by the United States Department of Housing and Urban Development under 26 U.S.C. Section 42, or within a distressed community as that term is defined in section 135.530;

(c) The eligible parcels acquired by the applicant within the eligible project area shall total at least fifty acres, which may consist of contiguous and noncontiguous parcels;

(d) The average number of parcels per acre in an eligible project area shall be four or more;

(e) Less than five percent of the acreage within the boundaries of the eligible project area shall consist of owner-occupied residences which the applicant has identified for acquisition under the urban renewal plan or the redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section on the date of the approval or adoption of such plan;

(9) “Interest costs”, interest, loan fees, and closing costs. Interest costs shall not include attorney’s fees;

(10) “Maintenance costs”, costs of boarding up and securing vacant structures, costs of removing trash, and costs of cutting grass and weeds;

(11) “Municipal authority”, any city, town, village, county, public body corporate and politic, political subdivision, or land trust of this state established and authorized to own land within the state;

(12) “Municipality”, any city, town, village, or county;

(13) “Parcel”, a single lot or tract of land, and the improvements thereon, owned by, or recorded as the property of, one or more persons or entities;

(14) “Redeveloped”, the process of undertaking and carrying out a redevelopment plan or urban renewal plan pursuant to which the conditions which provided the basis for an eligible project area to be included in a redevelopment plan or urban renewal plan are to be reduced or eliminated by redevelopment or rehabilitation; and

(15) “Redevelopment agreement”, the redevelopment agreement or similar agreement into which the applicant entered with a municipal authority and which is the agreement for the implementation of the urban renewal plan or redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section; and such appointment or selection shall have been approved by an ordinance of the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, in which the eligible project area is located. The redevelopment agreement shall include a time line for redevelopment of the eligible project area. The redevelopment agreement shall state that the named developer shall be subject to the provisions of chapter 290.

3. Any applicant shall be entitled to a tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, in an amount equal to fifty percent of the acquisition costs, and one hundred percent of the interest costs incurred for a period of five years after the acquisition of an eligible parcel. No tax credits shall be issued under this section until after January 1, 2008.

4. If the amount of such tax credit exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148 for the succeeding six years, or until the full credit is used, whichever occurs first. The applicant shall not be entitled to a tax credit for taxes imposed under sections 143.191 to 143.265. Applicants entitled to receive such tax credits may transfer, sell, or assign the tax credits. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

5. A purchaser, transferee, or assignee of the tax credits authorized under this section may use acquired tax credits to offset up to one hundred percent of the tax liabilities otherwise imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265. A seller, transferor, or assignor shall perfect such transfer by notifying the department in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department to administer and carry out the provisions of this section.

6. To claim tax credits authorized under this section, an applicant shall submit to the department an application for a certificate. An applicant shall identify the boundaries of the eligible project area in the application. The department shall verify that the applicant has submitted a valid application in the form and format required by the department. The department shall verify that the municipal authority held the requisite hearings and gave the requisite notices for such hearings in accordance with the applicable economic incentive act, and municipal ordinances. On an annual basis, an applicant may file for the tax credit for the acquisition costs, and for the tax credit for the interest costs, subject to the limitations of this section. If an applicant applying for the tax credit meets the criteria required under this section, the

department shall issue a certificate in the appropriate amount. If an applicant receives a tax credit for maintenance costs as a part of the applicant's acquisition costs, the department shall post on its Internet website the amount and type of maintenance costs and a description of the redevelopment project for which the applicant received a tax credit within thirty days after the department issues the certificate to the applicant.

7. The total aggregate amount of tax credits authorized under this section shall not exceed [ninety-five] **ninety** million dollars. [At no time shall] **For all years ending on or before December 31, 2011**, the annual amount of the tax credits issued under this section **shall not** exceed twenty million dollars. **For all years beginning on or after January 1, 2012, the annual amount of the tax credits issued under this section shall not exceed fifteen million dollars.** If the tax credits that are to be issued under this section exceed, in any year, the[ twenty million dollar] **applicable annual dollar** limitation, the department shall either:

(1) Issue tax credits to the applicant in the amount of [twenty million dollars,] **the applicable annual dollar limitation**, if there is only one applicant entitled to receive tax credits in that year; or

(2) Issue the tax credits on a pro rata basis to all applicants entitled to receive tax credits in that year. Any amount of tax credits, which an applicant is, or applicants are, entitled to receive on an annual basis and are not issued due to the[ twenty million dollar] **the applicable annual dollar** limitation, shall be carried forward for the benefit of the applicant or applicants to subsequent years. No tax credits provided under this section shall be authorized after August 28, 2013. Any tax credits which have been authorized on or before August 28, 2013, but not issued, may be issued, subject to the limitations provided under this subsection, until all such authorized tax credits have been issued.

8. Upon issuance of any tax credits pursuant to this section, the department shall report to the municipal authority the applicant's name and address, the parcel numbers of the eligible parcels for which the tax credits were issued, the itemized acquisition costs and interest costs for which tax credits were issued, and the total value of the tax credits issued. The municipal authority and the state shall not consider the amount of the tax credits as an applicant's cost, but shall include the tax credits in any sources and uses and cost benefit analysis reviewed or created for the purpose of awarding other economic incentives. The amount of the tax credits shall not be considered an applicant's cost in the evaluation of the amount of any award of any other economic incentives, but shall be considered in measuring the reasonableness of the rate of return to the applicant with respect to such award of other economic incentives. The municipal authority shall provide the report to any relevant commission, board, or entity responsible for the evaluation and recommendation or approval of other economic incentives to assist in the redevelopment of the eligible project area. Tax credits authorized under this section shall constitute redevelopment tax credits, as such term is defined under section 135.800, and shall be subject to all provisions applicable to redevelopment tax credits provided under sections 135.800 to 135.830.

9. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.”; and

Further amend said bill, Section 105.716, Page 19, Line 40, by inserting the following after all of said Line:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) “Claimant”, a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) “Disabled”, the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) [“Gross rent”, amount paid by a claimant to a landlord for the rental, at arm’s length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm’s length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) “Homestead”, the dwelling in Missouri owned [or rented] by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. “Owned” includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner

of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

[(5)] (4) “Income”, Missouri adjusted gross income as defined in section 143.121 less two thousand dollars, or in the case of a homestead owned and occupied, for the entire year, by the claimant, less four thousand dollars as an exemption for the claimant’s spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

[(6)] (5) “Property taxes accrued”, property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant’s homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then “property taxes accrued” is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are “levied” when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, “property taxes accrued” means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision “unit” refers to the parcel of property covered by a single tax statement of which the homestead is a part[;

(7) “Rent constituting property taxes accrued”, twenty percent of the gross rent paid by a claimant and spouse in the calendar year].”; and

Further amend said bill, Sections 135.025, 135.030, 135.352, 135.484, 135.630, and 135.647, Pages 19-26, by striking all of said sections from the bill and inserting in lieu thereof the following:

“135.025. 1. The property taxes accrued [and rent constituting property taxes accrued] on each return shall be totaled. This total, up to [seven hundred fifty dollars in rent constituting property taxes actually paid or] eleven hundred dollars in actual property tax paid, shall be used in determining the property tax credit. The director of revenue shall prescribe regulations providing for allocations where part of a claimant’s

homestead is rented to another or used for nondwelling purposes or where a homestead is owned [or rented] or used as a dwelling for part of a year.

**2. (1) The director of the department of revenue shall calculate the amount of property tax credit that was attributable to renters in fiscal year 2011. Beginning with the budget request for fiscal year 2013, the director shall annually request that amount be transferred from the general revenue fund to the Missouri senior services protection fund. The money in such fund shall be appropriated for the Missouri Rx plan under section 208.782, services for seniors through the area agencies on aging, and other programs for low-income seniors.**

**(2) There is hereby created in the state treasury the “Missouri Senior Services Protection Fund”, which shall consist of all gifts, donations, transfers, moneys appropriated to the fund by the general assembly, and bequests to the fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the purposes provided in this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

135.030. 1. As used in this section:

(1) The term “maximum upper limit” shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of twenty-five thousand dollars. For all calendar years beginning on or after January 1, 2008, the maximum upper limit shall be the sum of twenty-seven thousand five hundred dollars. In the case of a homestead owned and occupied for the entire year by the claimant, the maximum upper limit shall be the sum of thirty thousand dollars;

(2) The term “minimum base” shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of thirteen thousand dollars. For all calendar years beginning on or after January 1, 2008, the minimum base shall be the sum of fourteen thousand three hundred dollars.

2. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:	The percent is:
Not over the minimum base	0 percent with credit not to exceed \$1,100 in actual property tax [or rent equivalent] paid [up to \$750]
Over the minimum base but not over the maximum upper limit	1/16 percent accumulative per \$300 from 0 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term “accumulative” means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

3. Notwithstanding subsection 4 of section 32.057, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of the claimant’s potential eligibility, where the department determines such potential eligibility exists.

135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall[, subject to the limitations provided under the provisions of subsection 3 of this section,] be allowed a state tax credit, [whether or not allowed a federal tax credit,] to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects [placed in service after January 1, 1997, the] **authorized on or after July 1, 2011, one hundred million dollars in** Missouri low-income housing tax [credit available to a project shall be such amount as the commission shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the] **credits shall be awarded during each fiscal year to projects which are awarded** federal low-income housing tax [credit for a qualified Missouri project, for a federal tax period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period] **credits by the commission and such Missouri low-income housing tax credits shall be claimed over a period of time which shall correspond to the time during which the federal low-income housing tax credits awarded for such qualified Missouri projects are claimed. Tax credits authorized after July 1, 2011, for projects financed through tax-exempt bond issuance shall not be subject to the limitations provided under this section. Provisions of the subsection to the contrary, in no event shall more than one hundred million dollars be awarded in tax credits under this subsection.”; and**

3. **For fiscal year 2011, no more than six million dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt bond issuance. Beginning July 1, 2012, until June 30, 2017 no more than twenty million dollars in low-income housing tax credits shall be awarded during each fiscal year for projects financed through tax-exempt bond issuance and such Missouri low-income housing tax credits shall be claimed over a period of time which shall correspond to the time during which the federal low-income housing tax credits awarded for such qualified Missouri projects are claimed.**

4. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer’s taxable year may be carried back to any of the taxpayer’s three prior taxable years or carried forward to any of the taxpayer’s five subsequent taxable years. **For projects authorized on or after July 1, 2011, any amount of credit that exceeds the tax due for a taxpayer’s taxable year may be carried back to any of the taxpayer’s two previous taxable years or carried forward to any of the taxpayer’s five subsequent taxable years.**

5. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350



to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

6. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

7. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

**8. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2021. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2021, or a taxpayer's ability to redeem such tax credits.**

135.484. 1. Beginning January 1, 2000, tax credits shall be allowed pursuant to section 135.481 in an amount not to exceed sixteen million dollars per year. Of this total amount of tax credits in any given year, eight million dollars shall be set aside for projects in areas described in subdivision (6) of section 135.478 and eight million dollars for projects in areas described in subdivision (10) of section 135.478. The maximum tax credit for a project consisting of multiple-unit qualifying residences in a distressed community shall not exceed three million dollars.

2. Any amount of credit which exceeds the tax liability of a taxpayer for the tax year in which the credit is first claimed may be carried back to any of the taxpayer's three prior tax years and carried forward to any of the taxpayer's five subsequent tax years. A certificate of tax credit issued to a taxpayer by the department may be assigned, transferred, sold or otherwise conveyed. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit and the value of the credit.

3. The tax credits allowed pursuant to sections 135.475 to 135.487 may not be claimed in addition to any other state tax credits, with the exception of the historic structures rehabilitation tax credit authorized pursuant to sections 253.545 to 253.559, which insofar as sections 135.475 to 135.487 are concerned may be claimed only in conjunction with the tax credit allowed pursuant to subsection 4 of section 135.481. In order for a taxpayer eligible for the historic structures rehabilitation tax credit to claim the tax credit allowed pursuant to subsection 4 of section 135.481, the taxpayer must comply with the requirements of sections 253.545 to 253.559, and in such cases, the amount of the tax credit pursuant to subsection 4 of section 135.481 shall be limited to the lesser of twenty percent of the taxpayer's eligible costs or forty thousand dollars.

**4. Notwithstanding any provision of law to the contrary, no tax credits provided under sections 135.475 to 135.487 shall be authorized on or after August 28, 2011. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2011, or a taxpayer's ability to redeem such tax credits.**

135.487. 1. To obtain any credit allowed pursuant to sections 135.475 to 135.487, a taxpayer shall submit to the department, for preliminary approval, an application for tax credit. The director shall, upon final approval of an application and presentation of acceptable proof of substantial completion of construction, issue the taxpayer a certificate of tax credit. The director shall issue all credits allowed pursuant to sections 135.475 to 135.487 in the order the applications are received. In the case of a taxpayer other than an owner-occupant, the director shall not delay the issuance of a tax credit pursuant to sections 135.475 to 135.487 until the sale of a residence at market rate for owner-occupancy. A taxpayer[, taxpayer] other than an owner-occupant who receives a certificate of tax credit pursuant to sections 135.475 to 135.487 shall, within thirty days of the date of the sale of a residence, furnish to the director satisfactory proof that such residence was sold at market rate for owner-occupancy. If the director reasonably determines that a residence was not in good faith intended for long-term owner occupancy, the director make revoke any tax credits issued and seek recovery of any tax credits issued pursuant to section 620.017.

2. The department may cooperate with a municipality or a county in which a project is located to help identify the location of the project, the type and eligibility of the project, the estimated cost of the project and the completion date of the project.

3. The department may promulgate such rules or regulations or issue administrative guidelines as are necessary to administer the provisions of sections 135.475 to 135.487. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

4. The department shall conduct annually a comprehensive program evaluation illustrating where the tax credits allowed pursuant to sections 135.475 to 135.487 are being utilized, explaining the economic impact of such program and making recommendations on appropriate program modifications to ensure the program's success.

**5. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2011. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2011, or a taxpayer's ability to redeem such tax credits.**

135.630. 1. As used in this section, the following terms mean:

- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
- (2) "Director", the director of the department of social services;
- (3) "Pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and

(d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost to its clients; and

(f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and

(g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(4) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) “Taxpayer”, a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer’s state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer’s state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer’s contribution or contributions to a pregnancy resource center or centers in such taxpayer’s taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some

point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, The program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset] **Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2016. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2016, or a taxpayer's ability to redeem such tax credits.**

135.647. 1. As used in this section, the following terms shall mean:

(1) "Local food pantry", any food pantry that is:

(a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and

(b) Distributing emergency food supplies to Missouri low-income people who would otherwise not have access to food supplies in the area in which the taxpayer claiming the tax credit under this section resides;

(2) "Taxpayer", an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143,

excluding withholding tax imposed by sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2007, any taxpayer who donates cash or food, unless such food is donated after the food's expiration date, to any local food spantry shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of the donations made to the extent such amounts that have been subtracted from federal adjusted gross income or federal taxable income are added back in the determination of Missouri adjusted gross income or Missouri taxable income before the credit can be claimed. Each taxpayer claiming a tax credit under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year that the credit is claimed, and shall not exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's three subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law.

3. The cumulative amount of tax credits under this section which may be allocated to all taxpayers contributing to a local food pantry in any one fiscal year shall not exceed two million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

4. Any local food pantry may accept or reject any donation of food made under this section for any reason. For purposes of this section, any donations of food accepted by a local food pantry shall be valued at fair market value, or at wholesale value if the taxpayer making the donation of food is a retail grocery store, food broker, wholesaler, or restaurant.

5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. [Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after August 28, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, The program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset] **Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after**

**August 28, 2016. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2016, or a taxpayer's ability to redeem such tax credits.”; and**

Further amend said bill, Sections 135.1500, 135.1503, 135.1505, 135.1507, 135.1509, 135.1511, 135.1513, 135.1515, 135.1517, 135.1519, and 135.1521, Pages 30 - 37, by striking all of said Sections from the bill and inserting in lieu thereof the following:

**“135.1500. 1. Sections 135.1500 to 135.1519, shall be known and may be cited as the “Aerotropolis Trade Incentive and Tax Credit Act”.**

**2. As used in sections 135.1500 to 135.1519, unless the context clearly requires otherwise, the following terms shall mean:**

**(1) “Air export tax credit”, the tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, to be issued by the department to a claiming freight forwarder for the shipment of air cargo on a qualifying outbound flight;**

**(2) “Airport”, an airport which is owned and operated by a city not within a county;**

**(3) “Cargo activity”, all of the inbound cargo activity and outbound cargo activity into and from an eligible facility;**

**(4) “Certificate of compliance”, a certificate submitted with any application for a tax credit or tax incentive specified in section 135.1513, that shall certify that all requisite requirements for the issuance of such tax credits and tax incentives have been satisfied for such eligible facility and shall provide evidence of such satisfaction;**

**(5) “Certificate of occupancy”, the certificate or permit issued by a municipality that permits the commercial use or occupancy of a building or structure;**

**(6) “Chargeable kilo”, the shipment of a kilo of freight, as measured by the greater of:**

**(a) Actual weight; or**

**(b) A dimensional weight, as determined by the conversion factors promulgated by the International Air Transport Association, on a qualifying outbound flight or a qualifying inbound flight;**

**(7) “Claiming freight forwarder”, the freight forwarder designated as the “agent” on the airway bill for the qualifying outbound flight for which such air export tax credit is sought;**

**(8) “Department”, the Missouri department of economic development;**

**(9) “Direct all cargo aircraft flight”, a flight that flies directly to its destination without stopping, except to receive fuel and maintenance;**

**(10) “Economic incentive laws”, any provision of Missouri law under which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land;**

**(11) “Eligible costs”, the following costs associated with the development and construction of an eligible facility:**

**(a) Costs and expenses of construction of the eligible facility, including fixtures and equipment; and**

**(b) Demolition costs of vacant structures.**

Eligible costs shall not include costs of site improvements or costs of environmental remediation;

(12) “Eligible facility”, a qualifying gateway facility, qualifying cold-chain facility, or qualifying assembly and manufacturing facility;

(13) “Eligibility period”, the time period, not to exceed seven fiscal years, during which an owner of an eligible facility may receive benefits under section 135.1513. Such time period shall begin to run twelve months after the date on which the certificate of occupancy is issued for each eligible facility, and shall continue for the next subsequent seven fiscal years;

(14) “Fiscal year”, the twelve consecutive month time period beginning on the date, which is twelve months after the date on which the certificate of occupancy is issued for an eligible facility, and ending on the last day of the twelfth month thereafter, with each subsequent fiscal year beginning on the anniversary of the date, which is twelve months after the date of the issuance of such certificate of occupancy, and ending on the last day of the twelfth month thereafter;

(15) “Freight forwarder”, a person that assumes responsibility in the ordinary course of its business for the transportation of cargo from the place of receipt to the place of destination, including the utilization of a qualifying outbound flight;

(16) “Full-time employee”, an employee who is located at an eligible facility and is scheduled to work an average of at least thirty-five hours per week for a twelve-month period;

(17) “Gateway zone”, an area within this state designated under the provisions of sections 135.1500 to 135.1519, which shall be within:

(a) A site of at least one hundred contiguous acres located within fifty miles of an airport; provided, however, such one hundred acres need not be contiguous if the acreage is located within a larger designated urban renewal area or redevelopment area under economic incentive laws;

(b) An area within the boundaries of an airport; or

(c) Any area owned or managed by the port authority of a county or a city not within a county;

(18) “Inbound cargo activity”, the receipt of materials, components, goods, and products at an eligible facility from another destination through any mode of multimodal commerce. The term “inbound cargo activity” shall not include road transportation from the airport to the eligible facility;

(19) “Level one air cargo activity”, where:

(a) At least twenty percent of the total outbound cargo activity of an eligible facility consists of chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; or

(b) At least twenty percent of the total inbound cargo activity of an eligible facility consists of chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility; or

(c) At least twenty percent of the total cargo activity of an eligible facility consists of:

a. Chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; and

**b. Chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility;**

**(20) “Level two air cargo activity”, where:**

**(a) At least ten percent of the total outbound cargo activity of an eligible facility consists of chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; or**

**(b) At least ten percent of the total inbound cargo activity of an eligible facility consists of chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility; or**

**(c) At least ten percent of the total cargo activity of an eligible facility consists of:**

**a. Chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; and**

**b. Chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility;**

**(21) “Multimodal commerce”, modes of commerce for the shipment of materials, components, goods, or products, including road transportation, railroad transportation, water transportation, or aircraft transportation;**

**(22) “Municipality”, any city, town, village, or county;**

**(23) “New building”, a new structure or building for which a certificate of occupancy was issued on or after July 1, 2011 for commercial activity, including fixtures and equipment;**

**(24) “New job”, a person who was not employed at the eligible facility as a full-time employee on or prior to the date of the issuance of the certificate of occupancy for the eligible facility. No job that was created prior to the date of the issuance of the certificate of occupancy for the eligible facility shall be deemed a new job. An employee that spends less than fifty percent of the employee’s work time at the eligible facility is still considered to be located at an eligible facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, and one hundred percent of the employee’s income from such employment is Missouri income;**

**(25) “Outbound cargo activity”, the shipment of materials, components, goods, and products from an eligible facility to another destination through any mode of multimodal commerce. The term “outbound cargo activity” shall not include road transportation to the airport from the eligible facility;**

**(26) “Perishable freight”, agricultural products, including seeds, garden products, live animals, and processed meat products such as pork and beef;**

**(27) “Qualifying applicant”, an owner of, or tenant in, an eligible facility;**

**(28) “Qualifying assembly and manufacturing facility”, a new building located within a gateway zone that is equipped for manufacturing or assembly and in which the receipt of production materials or components or the shipment of finished goods or products, or both, involves at least two modes of multimodal commerce;**



(29) “Qualifying cargo activity”, meeting or exceeding the requirements for level one air cargo activity or level two air cargo activity;

(30) “Qualifying cold-chain facility”, a new building located within a gateway zone which has within it equipment for maintaining necessary temperatures for the processing, packaging, or distribution of temperature-sensitive products, provided that at least eighty percent of the usable square footage of such facility is refrigerated;

(31) “Qualifying gateway facility”, a new building located within a gateway zone in which qualifying cargo activity occurs, provided that no more than twenty percent of the usable space within the qualifying gateway facility is devoted to office or retail use;

(32) “Qualifying inbound flight”, an all cargo aircraft flight originating from an international destination to the airport;

(33) “Qualifying outbound flight”, a direct all cargo aircraft flight from the airport to an international destination; and

(34) “Tenant in an eligible facility”, a tenant or subtenant who is operating within an eligible facility and is a tenant or subtenant of the owners of an eligible facility, or a licensee who is operating within an eligible facility and is a licensee of such owner, tenant, or subtenant.

135.1503. 1. Any executive officer of a county or the mayor of any city not within a county desiring to designate a gateway zone shall cause the governing body of such county or city not within a county to hold a public hearing for the purpose of obtaining the opinion and suggestions of those persons who will be affected by such designation. The county or the city not within a county shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by such designation at least twenty days prior to the date of the hearing but not more than thirty days prior to such hearing. Such notice shall state the time, location, date, and purpose of the hearing.

2. Following conclusion of the public hearing required by this section, the executive officer of any county or the mayor of any city not within a county shall notify the department in writing of the designation of the gateway zone. Such notification shall include evidence that the requisite public hearing has been conducted, a legal description of the area of the gateway zone, the street location, if available, the acreage of the gateway zone, a survey of the gateway zone, a plan for the utilization and marketing of the gateway zone, and confirmation that zoning has been obtained for the gateway zone or any portion thereof which zoning is consistent with the uses of property as contemplated under sections 135.1500 to 135.1519.

3. The department shall have a period of sixty calendar days to verify that such gateway zone satisfies the requirements under section 135.1500. If the department does not notify the executive officer of the county, or the mayor of any city not within a county, designating the gateway zone, of its verification that the requirements are satisfied, or the department does not notify such executive officer or such mayor of its denial and provide a detailed description of the reason for the denial of such verification within such sixty day time period, then the requirements under section 135.1500 shall be deemed to have been satisfied.

4. If the department provides such executive officer or mayor with a detailed description of a reason for its denial within such sixty day time period, such executive officer or mayor may submit a revised notification. Any such revised notification shall be subject to the provisions of subsection

**3 of this section.**

**135.1505. 1.** There shall be an annual special assessment levied on any eligible facility, which receives benefits under sections 135.1500 to 135.1519, at the rate of twenty cents per rentable square foot of such facility; provided however, any special assessments levied on such eligible facilities located within the boundaries of the airport shall be remitted to the airport. The county collector of revenue of the county in which a gateway zone is located, or the collector of revenue for the city in which a gateway zone is located if the gateway zone is located in a city not within a county, shall annually levy the special assessments in the same manner as real property taxes are collected.

**2.** On or before the first day of February of each year and after deducting the reasonable and actual cost of such collection not to exceed one percent of the total amount collected, the county or city collector of revenue, who has collected the special assessments, shall remit to the entities identified in subsection 3 of this section the percentages of special assessments set forth in such subsection. Such county or city collector of revenue shall collect the special assessments prior to the fifteenth day of January of each year. Upon receipt of such money, the entities, identified in subsection 3 of this section, shall execute a receipt therefor, which the entities shall forward or deliver to the county or city collector of revenue.

**3.** After the payment of any fees related to the collection of the special assessments and the remittance of any special assessments identified for remittance under subsection 1 of this section to the airport, the remaining revenues collected from the special assessments shall be utilized as follows:

(a) Fifty percent of such revenues shall be annually transferred to the airport. The proceeds of the net special assessments shall be placed in a special fund for marketing and promotion of the airport and shall not be comingled with any other funds of the airport;

(b) The remaining fifty percent of such revenues shall be annually transferred to a tax exempt regional or county economic development association or associations, selected by the executive officer of any county, or the mayor of a city not within a county, which contains a gateway zone for the marketing and promotion of the gateway zone. Such county or city shall enter into an agreement or agreements with such tax exempt economic development association or associations for the marketing and promotion of the gateway zone and shall review and approve the annual budget of such association or associations for such marketing and promotion. Such tax exempt regional or county economic development association or associations shall not comingle any of such revenues with any other funds of the association or associations.

**4.** The airport and such tax exempt regional or county economic development association or associations shall be subject to periodic audits by the state auditor to be paid in accordance with section 29.230. The airport shall report, and such executive officer or mayor shall cause the tax exempt regional or county economic development association performing such marketing and promotion to report, to the department the status of the gateway zone and the use of revenues generated through the levying of special assessments under this section.

**135.1507. 1.** For all taxable years beginning on or after January 1, 2011, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of cargo on a qualifying outbound flight in an amount equal to thirty cents per chargeable kilo.

**2.** For all taxable years beginning on or after January 1, 2011, a claiming freight forwarder shall

be entitled to an air export tax credit for the shipment of perishable freight on a qualifying outbound flight in an amount equal to thirty-five cents per chargeable kilo.

3. No claiming freight forwarder shall receive air export tax credits under both subsections 1 and 2 of this section for a single shipment on a qualifying outbound flight.

4. The department shall index the amount of the air export tax credits to adjust each year depending upon fluctuations in the cost of fuel for over-the-road transportation.

135.1509. 1. To receive benefits provided under section 135.1507, a claiming freight forwarder shall file an application with the department within one hundred twenty calendar days of the date that the shipment for which air export tax credits are being sought was transported on the qualifying outbound flight. The documentation to be presented by the claiming freight forwarder in such an application shall consist of the master airway bill for the shipment on the qualifying outbound flight for which the claiming freight forwarder is seeking air export tax credits. All master airway bills shall specify an origin located within the United States of America for the shipments to qualify for air export tax credits. The department shall establish procedures to allow claiming freight forwarders that file applications for air export tax credits to receive such tax credits within ten business days of the date of the filing of the application for air export tax credits relating to the qualifying outbound flight. No application shall be approved for any continuing direct all cargo aircraft flights from the airport to an international destination conducted by a carrier, which conducted such flights on a scheduled basis prior to May 1, 2011, and which continuing flights after May 1, 2011, would otherwise have constituted qualifying outbound flights.

2. If the annual cap on the issuance of air export tax credits provided under section 135.1511, is met in a given year, then the amount of such tax credits which have been authorized, but remain unissued, shall be carried forward and issued in the subsequent year.

3. No tax credits provided under this section shall be authorized after August 28, 2019. Any tax credits authorized on or before August 28, 2019, but not issued prior to such date may be issued until all such authorized tax credits have been issued.

135.1511. The total aggregate amount for air export tax credits authorized under section 135.1507 shall not exceed sixty million dollars. The amount of the air export tax credits issued under section 135.1507 shall not exceed:

(1) Three million six hundred thousand dollars for the taxable year beginning on or after January 1, 2011, but ending on or before December 31, 2011;

(2) Four million eight hundred thousand dollars for the taxable year beginning on or after January 1, 2012, but ending on or before December 31, 2012; and

(3) The greater of one million two hundred thousand dollars per weekly qualifying outbound flight or three million six hundred thousand dollars for all taxable years beginning on or after January 1, 2013.

The department shall annually determine the number of weekly qualifying outbound flights, which shall be the average number of such flights per week during the month of September of the previous year.

135.1513. 1. For all taxable years beginning on or after January 1, 2013, qualifying applicants shall

be entitled to the following benefits:

(1) The owner of any eligible facility with level one air cargo activity shall be entitled, during the eligibility period, to receive tax credits against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, equal to six percent of the eligible costs for such facility for each year that such facility meets or exceeds level one air cargo activity volumes, provided that the owner can demonstrate that at least ten new jobs are projected to be created at the facility by no later than the end of the eligibility period. The total amount of tax credits issued for any such facility shall not exceed thirty percent of such facility's eligible costs. No tax credits provided under this subdivision shall be issued prior to January 1, 2013;

(2) The owner of any qualifying gateway facility with level two air cargo activity, a qualifying assembly and manufacturing facility, or a qualifying cold-chain facility shall be entitled, during the eligibility period, to receive tax credits against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, equal to four percent of the eligible costs for such facility for each year that such facility satisfies the requirements of sections 135.1500 to 135.1519, provided that the owner can demonstrate that at least ten new jobs are projected to be created at the facility by no later than the end of the eligibility period. The total amount of tax credits issued for such facility shall not exceed twenty percent of such facility's eligible costs. No tax credits provided under this subdivision shall be issued prior to January 1, 2013; and

(3) Any tenant of an eligible facility and any individuals employed by such tenants shall be exempt from the earnings tax imposed by a city not within a county pursuant to sections 92.110 to 92.200 for each fiscal year during the eligibility period if such facility satisfies the requirements of sections 135.1500 to 135.1519.

2. If an eligible facility receives a certificate of occupancy prior to the sunset of the program, the owners of an eligible facility may apply for benefits provided under this section for the term of the eligibility period notwithstanding the sunset of the program prior to the end of the term of the eligibility period for such facility.

135.1515. 1. In order for an owner of an eligible facility to receive benefits provided under section 135.1513 for any fiscal year during the eligibility period, the eligible facility shall satisfy all applicable requirements provided under sections 135.1500 to 135.1519 for each such fiscal year by December thirty-first of the calendar year in which an application is filed under subsection 2 of this section.

2. Owners of an eligible facility seeking benefits provided under section 135.1513 shall file applications for such benefits, accompanied by a certificate of compliance, on or before December thirty-first of each year. If such facility, relating to which such owners are applying for such tax credits satisfies the applicable requirements provided under sections 135.1500 to 135.1519, the department shall grant such benefits on or before July fifteenth of the next calendar year following such time period.

3. If the annual cap for any of such tax credits provided under section 135.1517 is met in a year, then the amount of such tax credits authorized, but unissued, shall be carried forward and issued in the subsequent year.

4. No tax credits provided under this section shall be authorized after August 28, 2020. Any tax credits authorized on or before August 28, 2020, but not issued prior to such date may be issued until

all such authorized tax credits have been issued.

5. No owner of an eligible facility shall be entitled to receive benefits provided under section 135.1513 unless a certificate of occupancy has been issued for the eligible facility prior to August 28, 2020. An owner of an eligible facility for which a certificate of occupancy has been issued prior to August 28, 2020, may be granted benefits under this section.

135.1517. The total aggregate amount for all of the tax credits authorized under subdivisions (1) and (2) of subsection 1 of section 135.1513 shall not exceed three hundred million dollars. The annual amount of the tax credits issued under subdivisions (1) and (2) of subsection 1 of section 135.1513 shall not exceed:

(1) Two million dollars for the taxable year beginning on or after January 1, 2013, and ending on or before December 31, 2013;

(2) Fifteen million dollars for the taxable year beginning on or after January 1, 2014, and ending on or before December 31, 2014;

(3) Sixteen million dollars for the taxable year beginning on or after January 1, 2015, and ending on or before December 31, 2015;

(4) Twenty million dollars for all taxable years beginning on or after January 1, 2016, but ending on or before December 31, 2019;

(5) Thirty million dollars for all taxable years beginning on or after January 1, 2020, but ending on or before December 31, 2025; and

(6) Seven million dollars for the taxable year beginning on or after January 1, 2026, and ending on or before December 31, 2026.

135.1519. If the amount of any tax credit authorized under sections 135.1500 to 135.1519 exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148, except sections 143.191 to 143.265, for the succeeding six years, or until the full credit is used, whichever occurs first. Tax credits authorized under the provisions of sections 135.1500 to 135.1519 may be transferred, sold, or otherwise assigned. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or under an executed agreement among the partners, members, or owners documenting an alternate distribution method.

135.1521. 1. The department may promulgate rules to implement the provisions of sections 135.1500 to 135.1519. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and to annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

2. The provisions of the new programs authorized under sections 135.1500 to 135.1519 shall automatically sunset eight years after August 28, 2011, unless reauthorized by an act of the general

assembly. If such program is reauthorized, the program authorized under this section shall automatically sunset six years after the effective date of the reauthorization of this section. This section shall terminate on September first of the calendar year immediately following the calendar year in which the programs authorized under sections 135.1500 to 135.1519 sunset.”; and

Further amend said bill, Section 144.810, Pages 41- 46, by striking all of said Section from the bill and inserting in lieu thereof the following:

**“144.810. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:**

**(1) “Commencement of commercial operations”, shall be deemed to occur during the first calendar year for which the data storage center is first available for use by the operating taxpayer, or first capable of being used by the operating taxpayer, as a data storage center;**

**(2) “Constructing taxpayer”, where more than one taxpayer is responsible for a project, a taxpayer responsible for the construction of the facility, as opposed to a taxpayer responsible for the equipping and ongoing operations of the facility;**

**(3) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;**

**(4) “Data storage center” or “facility”, a facility constructed, extended, improved, or operating under this section, provided that such business facility is engaged primarily in:**

**(a) Data processing, hosting, and related services (NAICS 518210); or**

**(b) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility;**

**(5) “Existing facility”, a data storage center in this state as it existed prior to August 28, 2011, as determined by the department;**

**(6) “Expanding facility” or “expanding data storage center”, an existing facility or replacement facility that expands its operations in this state on or after August 28, 2011, and has net new investment related to the expansion of operations in this state of at least five million dollars during a period of up to twelve consecutive months and results in the creation of at least five new jobs during a period of up to twenty-four consecutive months from the date of conditional approval for an exemption under this section, if the average wage of the new jobs equals or exceeds one hundred and fifty percent of the county average wage. An expanding facility shall continue to be an expanding facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;**

**(7) “Expanding facility project” or “expanding data storage center project”, the construction, extension, improvement, equipping, and operation of an expanding facility;**

**(8) “Investment” shall include the value of real and depreciable personal property, acquired as part of the new or expanding facility project which is used in the operation of the facility following conditional approval of an exemption under this section;**

**(9) “NAICS”, the 2007 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;**

**(10) “New facility” or “new data storage center”, a facility in this state meeting the following requirements:**

**(a) The facility is acquired by, or leased to, an operating taxpayer on or after August 28, 2011. A facility shall be deemed to have been acquired by, or leased to, an operating taxpayer on or after August 28, 2011, if the transfer of title to an operating taxpayer, the transfer of possession under a binding contract to transfer title to an operating taxpayer, or the commencement of the term of the lease to an operating taxpayer occurs on or after August 28, 2011, or, if the facility is constructed, erected, or installed by or on behalf of an operating taxpayer, such construction, erection, or installation is commenced on or after August 28, 2011;**

**(b) If such facility was acquired by an operating or constructing taxpayer from another person or persons on or after August 28, 2011, and such facility was employed prior to August 28, 2011, by any other person or persons in the operation of a data storage center the facility shall not be considered a new facility;**

**(c) Such facility is not an expanding or replacement facility, as defined in this section;**

**(d) The new facility project investment is at least thirty-seven million dollars during a period of up to thirty-six consecutive months from the date of the conditional approval for an exemption under this section. Where more than one taxpayer is responsible for a project, the investment requirement may be met by an operating taxpayer, a constructing taxpayer, or a combination of constructing taxpayers and operating taxpayers;**

**(e) At least thirty new jobs are created at the new facility during a period of up to thirty six consecutive months from the date of conditional approval for an exemption under this section if the average wage of the new jobs equals or exceeds one hundred fifty percent of the county average wage; and**

**(f) A new facility shall continue to be a new facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;**

**(11) “New data storage center project” or “new facility project”, the construction, extension, improvement, equipping, and operation of a new facility;**

**(12) “New job” in the case of a new data center project, the total number of full-time employees located at a new data storage center for a period of up to thirty-six consecutive months from the date of conditional approval for an exemption under this section. In the case of an expanding data storage center project, the total number of full-time employees located at the expanding data storage center that exceeds the greater of the number of full-time employees located at the project facility on the date of the submission of a project plan under this section or for the twelve-month period prior to the date of the submission of a project plan, the average number of full-time employees located at the expanding data storage center facility. In the event the expanding data storage center facility has not been in operation for a full twelve-month period at the time of the submission of a project plan, the average number of full-time employees for the number of months the expanding data storage center**

facility has been in operation prior to the date of the submission of the project plan;

(13) “Operating taxpayer”, where more than one taxpayer is responsible for a project, a taxpayer responsible for the equipping and ongoing operations of the facility, as opposed to a taxpayer responsible for the purchasing or construction of the facility;

(14) “Project taxpayers”, each constructing taxpayer and each operating taxpayer for a data storage center project;

(15) “Replacement facility”, a facility in this state otherwise described in subdivision (7) of this subsection, but which replaces another facility located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating within one year prior to the commencement of commercial operations at the new facility;

(16) “Taxpayer”, the purchaser of tangible personal property or a service that is subject to state or local sales or use tax and from whom state or local sales or use tax is owed. Taxpayer shall not mean the seller charged by law with collecting the sales tax from the purchaser.

2. Beginning August 28, 2011, in addition to the exemptions granted under chapter 144, project taxpayers for a new data storage center project shall be entitled, for a project period not to exceed fifteen years from the date of conditional approval under this section and subject to the requirements of subsection 3 of this section, to an exemption of one hundred percent of the state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235, limited to the net fiscal benefit of the state calculated over a ten year period, on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in a new data storage center;

(2) All machinery, equipment, and computers used in any new data storage center; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing any new data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development using the Regional Economic Modeling, Inc. dataset or comparable data.

3. Any data storage center project seeking a tax exemption under subsection 2 of this section shall submit a project plan to the department of economic development, which shall identify each known constructing taxpayer and known operating taxpayer for the project and include any additional information the department of economic development may require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 2 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for a new facility. The department of economic development shall convey such conditional approval to the department of revenue and the identified project taxpayers. After a conditionally approved new facility has met the requirements in subsection 1 of this section for a new facility and the execution of the agreement specified in subsection 6 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such



proof, the department of economic development shall certify the new facility to the department of revenue as being eligible for the exemption dating retroactively to the first day of the thirty-six month period. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of the thirty-six month period, shall issue a refund of taxes paid but eligible for exemption under subsection 2 of this section to each operating taxpayer and each constructing taxpayer and issue a certificate of exemption to each new project taxpayer for ongoing exemptions under subsection 2 of this section.

**4. Beginning August 28, 2011, in addition to the exemptions granted under chapter 144, upon approval by the department of economic development, project taxpayers for expanding data center projects may, for a period not to exceed ten years, be specifically exempted from state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235 on:**

**(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in an expanding data storage center which, on an annual basis, exceeds the amount of electrical energy, gas, water, and other utilities including telecommunication and internet services used in the existing facility or the replaced facility prior to the expansion, provided that any substantial renovation, as defined in section 8.800, at an expanding facility shall meet applicable provisions of the International Energy Conservation Code 2009 or most recent version thereof. For purposes of this subdivision only, amount shall be measured in kilowatt hours, gallons, cubic feet, or other measures applicable to a utility service as opposed to in dollars, to account for increases in utility rates;**

**(2) All machinery, equipment, and computers used in any expanding data storage center, the cost of which, on an annual basis, exceeds the average of the previous three years' expenditures on machinery, equipment, and computers at the existing facility or the replaced facility prior to the expansion. Existing facilities or replaced facilities in existence for less than three years shall have the average expenditures calculated based upon the applicable time of existence; and**

**(3) All sales at retail of tangible personal property and materials for the purpose of constructing, repairing, or remodeling any expanding data storage center.**

**The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development.**

**5. Any data storage center project seeking a tax exemption under subsection 4 of this section shall submit a project plan to the department of economic development, which shall identify each known constructing taxpayer and each known operating taxpayer for the project and include any additional information the department of economic development may reasonably require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 4 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for an expanding facility project and the execution of the agreement specified in subsection 6 of this section. The department of economic development shall convey such conditional approval to the department of revenue and the identified project taxpayers. After a conditional approved facility has met the requirements in subsection 1 of this section, the project**

taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the project to the department of revenue as being eligible for the exemption dating retroactively to the first day of the thirty-six month period. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of the thirty-six month period, shall issue a refund of taxes paid but eligible for exemption under subsection 4 of this section to any applicable project taxpayer and issue a certificate of exemption to any applicable project taxpayer for ongoing exemptions under subsection 4 of this section.

6. (1) The exemptions in subsections 2 and 4 of this section shall be tied to the new or expanding facility project. A certificate of exemption in the hands of a taxpayer that is no longer an operating or constructing taxpayer of the new or expanding facility project shall be invalid as of the date the taxpayer was no longer an operating or constructing taxpayer of the new or expanding facility project. New certificates of exemption shall be issued to successor constructing taxpayers and operating taxpayers at such new or expanding facility projects. The right to the exemption by successor taxpayers shall exist without regard to subsequent levels of investment in the new or expanding facility by successor taxpayers.

(2) As a condition of receiving an exemption under subsection 2 or 4 of this section, the project taxpayers shall enter into an agreement with the department of economic development providing for repayment penalties in the event the data storage center project fails to comply with any of the requirements of this section.

(3) The department of revenue shall credit any amounts remitted by the project taxpayers under this subsection to the fund to which the sales and use taxes exempted would have otherwise been credited.

7. The department of economic development and the department of revenue shall cooperate in conducting random audits to ensure that the intent of this section is followed.

8. The department of economic development and the department of revenue shall jointly prescribe such rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill, Sections 196.1109 and 196.1115, Pages 49- 51, by striking all of said sections from the bill and inserting in lieu thereof the following:

“196.1109. All moneys that are appropriated by the general assembly from the life sciences research trust fund shall be appropriated to the life sciences research board to increase the capacity for quality of life sciences research at public and private not-for-profit institutions in the state of Missouri and to thereby:

(1) Improve the quantity and quality of life sciences research at public and private not-for-profit institutions, including but not limited to basic research (including the discovery of new knowledge),

translational research (including translating knowledge into a usable form), and clinical research (including the literal application of a therapy or intervention to determine its efficacy), including but not limited to health research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary, and infectious disease, and plant sciences, including but not limited to nutrition and food safety; and

(2) Enhance technology transfer and technology commercialization derived from research at public and private not-for-profit institutions within the centers for excellence. For purposes of sections 196.1100 to 196.1130, “technology transfer and technology commercialization” includes stages of the regular business cycle occurring after research and development of a life science technology, including but not limited to reduction to practice, proof of concept, and achieving federal Food and Drug Administration, United States Department of Agriculture, or other regulatory requirements in addition to the definition in section 348.251. Funds received by the board may be used for purposes authorized in sections 196.1100 to 196.1130 and shall be subject to the restrictions of sections 196.1100 to 196.1130, including but not limited to the costs of personnel, supplies, equipment, and renovation or construction of physical facilities; provided that in any single fiscal year no more than [ten] **thirty** percent of the moneys appropriated shall be used for the construction of physical facilities and further provided that in any fiscal year **up to** eighty percent of the moneys shall be appropriated to build research capacity at public and private not-for-profit institutions and **at least** twenty percent **and no more than fifty percent** of the moneys shall be appropriated for grants to public or private not-for-profit institutions to promote life science technology transfer and technology commercialization. Of the moneys appropriated to build research capacity, twenty percent of the moneys shall be appropriated to promote the development of research of tobacco-related illnesses.

196.1115. 1. The moneys appropriated to the life sciences research board that are not distributed by the board in any fiscal year to a center for excellence or a center for excellence endorsed program pursuant to section 196.1112, if any, shall be held in reserve by the board or shall be awarded on the basis of peer review panel recommendations for capacity building initiatives proposed by public and private not-for-profit academic, research, or health care institutions or organizations, or individuals engaged in competitive research in targeted fields consistent with the provisions of sections 196.1100 to 196.1130.

2. The life sciences research board may, in view of the limitations expressed in section 196.1130:

(1) Award and enter into grants or contracts relating to increasing Missouri’s research capacity at public or private not-for-profit institutions;

(2) Make provision for peer review panels to recommend and review research projects;

(3) Contract for [administrative and] support services;

(4) Lease or acquire facilities and equipment;

(5) Employ administrative staff; and

(6) Receive, retain, hold, invest, disburse or administer any moneys that it receives from appropriations or from any other source.

**3. The Missouri technology corporation, established under section 348.251, shall serve as the administrative agent for the life sciences research board.**

**4. The life sciences research board shall utilize as much of the moneys as reasonably possible for building capacity at public and private not-for-profit institutions to do research rather than for administrative**

expenses. The board shall not in any fiscal year expend more than two percent of the total moneys appropriated to it and of the moneys that it has in reserve or has received from other sources for its own administrative expenses **for appropriations over twenty million dollars; three percent for appropriations less than twenty million dollars but more than fifteen million dollars; four percent for appropriations less than fifteen million dollars but more than ten million dollars; five percent for appropriations less than ten million dollars;** provided, however, that the general assembly by appropriation from the life sciences research trust fund may authorize a limited amount of additional moneys to be expended for administrative costs.”; and

Further amend said bill, Sections 253.545, 253.550, 253.557, 253.559, 348.250, 348.251, 348.256, Pages 52 - 66, by striking all of said sections from the bill and inserting in lieu thereof the following:

“253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) “Certified historic structure”, a property located in Missouri and listed individually on the National Register of Historic Places;

(2) “Deed in lieu of foreclosure or voluntary conveyance”, a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) **“Department”, the department of economic development;**

(4) “Eligible property”, property located in Missouri and offered or used for residential or business purposes;

[(4)] (5) “Leasehold interest”, a lease in an eligible property for a term of not less than thirty years;

[(5)] (6) “Principal”, a managing partner, general partner, or president of a taxpayer;

[(6)] (7) “Structure in a certified historic district”, a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

[(7)] (8) “Taxpayer”, any person, firm, partnership, trust, estate, limited liability company, or corporation;

(9) **“Total basis in the property”, the cost, or fair market value, of the property at the time of acquisition, or as otherwise defined in the Internal Revenue Code of 1986, as amended. Cost includes the cash paid, the fair market value of services rendered, and the fair market value of property traded in exchange for the property. Certain closing costs may also be added to the basis of property. Such closing costs include commissions paid by the purchaser, legal fees, recording fees, and state transfer taxes on real estate;**

(10) **“Total costs and expenses of rehabilitation”, all reasonable costs and expenses related to the rehabilitation of eligible property that is a certified historic structure or a structure in a certified historic district, including but not limited to qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section. Taxpayers may incur qualifying expenses included in the total costs and expenses of rehabilitation at their own risk up to one year before the date of submission of a preliminary application under section 253.559. Such reasonable costs and expenses shall include, but**

not be limited to, rehabilitation work in progress and accrued developer fees if an agreement or other contractual document provides for payment of such accrued developer fees within twelve years of project completion. If a taxpayer defaults on the payments of the developer fees, the applicant will be liable to the state for the portion of tax credits attributable to the amount of the unpaid developer fees over the twelve year period. In determining the total costs and expenses of rehabilitation the department shall accept such costs and expenses as certified by a licensed certified public accountant that is not an affiliate of the applicant, so long as such cost and expense certification is the same as being used to determine qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, or, if not eligible for federal historic preservation tax credits, then same as would be used if the project were eligible and using such certification to determine qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended; provided that the cost and expense certification will be subject to an audit by the department after the issuance of the tax credits. If there is a final disallowance of more than 10%, the applicant will be subject to a civil penalty equal to 110% of the tax credits attributable to the amount of the cost and expenses in excess of the final disallowance.

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district[, may,] **shall**, subject to the provisions of this section and section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred [after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder,] provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2011**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of [subsection 3 of] section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before June 30, 2011**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of

this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

**5. For each fiscal year beginning on or after July 1, 2011, the department shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed eighty-five million dollars, increased by any amount of tax credits for which approval shall be rescinded or carried forward under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits or for projects under subsection 7 (1) provided that no more than ten million dollars shall be authorized in any fiscal year for such projects.**

**6. For all applications for tax credits approved on or after July 1, 2011, no more than two hundred fifty thousand dollars in tax credits may be issued for the total costs and expenses of rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district. For purposes of this subsection, "eligible property" shall not include any property with a purchase price in excess of four hundred thousand dollars.**

**7. For each fiscal year beginning on or after July 1, 2011, in addition to applications for tax credits authorized by the department subject to the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the department shall also approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 for the following projects which, in the aggregate, shall not exceed the difference between one hundred forty million dollars and the maximum amount of tax credits for which applications may be approved under subsection 5 of this section:**

**(1) Any preliminary application for tax credits for a project which is authorized to receive federal low-income housing tax credits;**

**(2) Any preliminary application for tax credits for a project which:**

**(a) On or before July 1, 2011, has received an approved Part I from the Secretary of the United States Department of the Interior or is a certified historic structure; and**

**(b) Has had costs and expenses incurred by a taxpayer for an eligible property on or before July 1, 2011, including but not limited to acquisition costs, exceeding the lesser of fifteen percent of the**

total project costs or three million dollars, and for which such taxpayer's interest, including all rehabilitation work in progress, was acquired by any bank, financial institution, or political subdivision by deed or foreclosure or any subsequent transferee;

(3) Any preliminary application for tax credits for a project which, on or before July 1, 2011, has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. **Notwithstanding the foregoing, for all tax credits authorized under the provisions of sections 253.545 to 253.559 on or after July 1, 2011, if the total amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to the preceding year and carried forward for credit against the taxes imposed under chapters 143 and 148, except for sections 143.191 to 143.265 for the succeeding five years, or until the full credit is used, whichever occurs first.** Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] **to 253.559.** Taxpayers eligible for such tax credits may transfer, sell or assign the credits **to any other taxpayer, including but not limited to a not-for-profit entity.** Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners, **including but not limited to any not-for-profit entity that is a partner, member, or owner,** respectively pro rata or pursuant to an executed agreement among [the] **such** partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department [of economic development]. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked, with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each **preliminary** application shall be reviewed by the department [of economic development] for approval. In order to receive approval, [an] **a preliminary** application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated **or actual** project start date, and the estimated project completion date; **and**

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district[; and

(5) Any other information which the department of economic development may reasonably require to review the project for approval].

Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department [of economic development] shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department [of economic development] deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits.

4. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the applicant identified in such application shall notify the department of such change within ninety days of such change.**

5. In the event that the department [of economic development] grants approval for tax credits equal to the total amount available under [subsection] **subsections 2 to 7** of section 253.550, or sufficient that when



totaled with all other approvals, the amount available under [subsection] **subsections 2 to 7** of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department [of economic development] that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department [of economic development] and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation, **if rehabilitation has not previously begun**, within two years of the date of issuance of the letter from the department [of economic development] granting the approval for tax credits. “[Commencement of] **Commence** rehabilitation” shall mean that [as of the date in which] actual physical work, **as** contemplated by the architectural plans submitted with the application, has begun, **and that** the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. **Taxpayers may commence rehabilitation and incur qualifying expenses at their own risk before the property qualifies as a certified historic structure. Upon final review by the department under this section, including the necessary determination of the total costs and expenses of rehabilitation, the taxpayer shall receive tax credits for all qualifying expenses.** If the department [of economic development] determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the total amount of tax credits, provided under [subsection] **subsections 2 to 7** of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department [of economic development] and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final [approval] **review** and issuance of tax credits from the department [of economic development] which, in consultation with the department of natural resources, shall determine (i) the final amount of [eligible rehabilitation costs and expenses] **the total costs and expenses of rehabilitation based solely on a certification of such total costs and expenses of rehabilitation prepared in a manner prescribed by the department and submitted with the final application submitted under this section** and (ii) whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. For financial institutions credits authorized pursuant to sections 253.550 to 253.561 shall be deemed to be economic development credits for purposes of section 148.064. The [approval] **review** of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department [of economic development]. The department [of economic development] shall inform a taxpayer of final [approval] **determination** by letter and shall issue, to the taxpayer, tax credit certificates. The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed.

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that **total** costs and expenses of rehabilitation [of] **for** the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the [amount of eligible

rehabilitation] **total** costs and expenses **of rehabilitation** incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be **automatically approved**, subject **only to availability of tax credits and** all provisions regarding priority provided under subsection 1 of this section.

9. The department [of economic development] shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

**10. (1) Taxpayers or duly authorized representatives may appeal any official decision, including all preliminary or final approvals and denials of approvals, made by the department or the department of natural resources with regard to an application submitted under sections 253.550 to 253.559 to an independent third-party appeals officer designated by the department. Such appeals under this section shall constitute an administrative review of the decision appealed from and shall not be conducted as an adjudicative proceeding.**

**(2) Appeals shall be submitted to the designated appeals officer in writing within thirty days of receipt by the taxpayer or the taxpayer's duly authorized representative of the decision that is the subject of the appeal, and shall include all information the appellant wishes the appeals officer to consider in deciding the appeal.**

**(3) Upon receipt of an appeal, the appeals officer shall notify the department or the department of natural resources that an appeal is pending, identify the decision being appealed, and forward a copy of the information submitted by the appellant. The department or the department of natural resources may submit a written response to the appeal.**

**(4) The appellant shall be entitled to one meeting with the appeals officer to discuss the appeal, but the appeals officer may schedule additional meetings at the officer's discretion. The department or the department of natural resources may appear at all meetings.**

**(5) The appeals officer shall consider the record of the decision in question, any further written submissions by the appellant and the department or the department of natural resources, and other available information, and shall deliver a written decision to all parties as promptly as circumstances permit.**

**11. Notwithstanding any provision of law to the contrary, no tax credits provided under sections 253.545 to 253.559 shall be authorized on or after August 28, 2021. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to such date, or a taxpayer's ability to redeem such tax credits.**

**348.250. Sections 348.250 to 348.275 shall be known and may be cited as the "Missouri Science and Innovation Reinvestment Act".**

348.251. 1. As used in sections 348.251 to 348.266, the following terms mean:

**(1) "Applicable percentage", six percent for the fiscal year beginning July 1, 2012, and the next fourteen consecutive fiscal years; five percent for the immediately subsequent five fiscal years; and four percent for the immediately subsequent five fiscal years;**

(2) “Applied research”, any activity that seeks to utilize, synthesize, or apply existing knowledge, information, or resources to the resolution of a specific problem, question, or issue of science and innovation, including but not limited to translational research;

(3) “Base year”, fiscal year ending June 30, 2010;

(4) “Base year gross wages”, gross wages paid by science and innovation companies to science and innovation employees during fiscal year ending June 30, 2010;

(5) “Basic research”, any original investigation for the advancement of scientific or technical knowledge of science and innovation;

(6) “Commercialization”, any of the full spectrum of activities required for a new technology, product, or process to be developed from the basic research or conceptual stage through applied research or development to the marketplace, including without limitation, the steps leading up to and including licensing, sales, and service;

(7) “Corporation”, the Missouri technology corporation established under this section;

(8) “Fields of applicable expertise”, any of the following fields: science and innovation research, development, or commercialization, including basic research and applied research; corporate finance, venture capital, and private equity related to science and innovation; the business and management of science and innovation companies; education related to science and innovation; or civic or corporate leadership in areas related to science and innovation;

(9) “Inherent conflict of interest”, a fundamental or systematic conflict of interest that prevents a person from serving as a disinterested director of the corporation and from routinely performing his or her duties as a director of the corporation;

(10) “NAICS industry groups” or “NAICS codes”, the North American Industry Classification System developed under the auspices of the United States Office of Management and Budget and adopted in 1997, as may be amended, revised, or replaced by similar classification systems for similar uses from time to time;

(11) “Science and innovation”, the use of compositions and methods in research, development, and manufacturing processes for such diverse areas as agriculture-biotechnology, animal health, biochemistry, bioinformatics, energy, environment, forestry, homeland security, information technology, medical devices, medical diagnostics, medical instruments, medical therapeutics, microbiology, nanotechnology, pharmaceuticals, plant biology, and veterinary medicine, including future developments in such areas;

(12) “Science and innovation company”, a corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, person, group, or other entity that is:

(a) Engaged in the research, development, commercialization, or business of science and innovation in the state, including, without limitation, research, development, or production directed toward developing or providing science and innovation products, processes, or services for specific commercial or public purposes, including hospitals, nonprofit research institutions, incubators, accelerators, and universities currently located or involved in the research, development, commercialization, or business of science and innovation in the state; or

(b) Identified by the following NAICS industry groups or NAICS codes or any amended or successor code sections covering such areas of research, development, and commercial endeavors: 3251; 3253; 3254; 3391; 51121; 54138; 54171; 62231; 111191; 111421; 111920; 111998; 311119; 311211; 311221; 311222; 311223; 325193; 325199; 325221; 325222; 325611; 325612; 325613; 325311; 325312; 325314; 325320; 325411; 325412; 325414; 333298; 334510; 334516; 334517; 339111; 339112; 339113; 339114; 339115; 339116; 424910; 541710; 621511; and 621512.

Each of the above listed four-digit and five-digit codes shall include all six-digit codes in such four-digit and five-digit industry; however, each six-digit code shall stand alone and not indicate the inclusion of other omitted six-digit codes that also are subsets of the pertinent four-digit or five-digit industry to which the included six-digit code belongs;

(13) “Science and innovation employee”, any employee, officer, or director of a science and innovation company who is a state income taxpayer and any employee of a university who is associated with or supports the research, development, commercialization, or business of science and technology in the state and is obligated to pay state income tax to the state;

(14) “Technology application”, the introduction and adaptation of refined management practices in fields such as scheduling, inventory management, marketing, product development, and training in order to improve the quality, productivity and profitability of an existing firm. Technology application shall be considered a component of business modernization;

[(2) “Technology commercialization”, the process of moving investment-grade technology from a business, university or laboratory into the marketplace for application;

(3)] (15) “Technology development”, strategically focused research directed at developing investment-grade technologies which are important for market competitiveness.

2. The governor may, on behalf of the state and in accordance with chapter 355, RSMo, establish a private not-for-profit corporation named the “Missouri Technology Corporation”, to carry out the provisions of sections 348.251 to 348.266. As used in sections [348.251 to 348.266] **348.250 to 348.275** the word “corporation” means the Missouri technology corporation authorized by this section. Before certification by the governor, the corporation shall conduct a public hearing for the purpose of giving all interested parties an opportunity to review and comment [upon] **on** the articles of incorporation, bylaws and [method] **methods** of operation of the corporation. Notice of the hearing shall be given at least fourteen days prior to the hearing.

348.256. **1.** The articles of incorporation [and], bylaws, **and methods of operation** of the Missouri technology corporation shall [provide that:] **be consistent with the provisions of sections 348.250 to 348.275.**

[(1)] **2.** The purposes of the corporation are to contribute to the strengthening of the economy of the state through the development of science and [technology] **innovation**, to promote the modernization of Missouri businesses by supporting the transfer of science, technology and quality improvement methods to the workplace[, and]; to enhance the productivity and modernization of Missouri businesses by providing leadership in the establishment of methods of technology application, technology commercialization and technology development; **to make Missouri businesses, institutions, and universities more competitive and increase their likelihood of success; to support and enhance local and regional strategies and initiatives that capitalize on the unique science and innovation assets across the state; to make**

**Missouri a highly desirable state in which to conduct, facilitate, support, fund, and perform science and innovation research, development, and commercialization; to facilitate and effect the creation, attraction, retention, growth, and enhancement of both existing and new science and innovation companies in the state; to make Missouri a national and international leader in economic activity based on science and innovation; to enhance workforce development; to create and retain quality jobs; to advance scientific knowledge; and to improve the quality of life for the citizens of the state of Missouri in both urban and rural communities.**

[(2)] **3.** The board of directors of the corporation [is] **shall be** composed of fifteen persons. The governor shall annually appoint one of its members, who must be from the private sector, as [chairman] **chairperson**. The board shall consist of the following members:

[(a)] **(1)** The director of the department of economic development, or the director's designee;

[(b)] **(2)** The president of the University of Missouri system, or the president's designee;

[(c)] **(3)** A member of the state senate, appointed by the president pro tem of the senate;

[(d)] **(4)** A member of the house of representatives, appointed by the speaker of the house;

[(e)] **(5)** Eleven members appointed by the governor, [two of which shall be from the public sector and nine members from the private sector who shall include, but shall not be limited to, individuals who represent technology-based businesses and industrial interests;

[(f)] **with the advice and consent of the senate, who are recognized for outstanding knowledge, leadership, and expertise in one or more of the fields of applicable expertise.**

Each of the directors of the corporation who is appointed by the governor shall serve for a term of four years and until a successor is duly appointed[; except that, of the directors serving on the corporation as of August 28, 1995, three directors shall be designated by the governor to serve a term of four years, three directors shall be designated to serve a term of three years, three directors shall be designated to serve a term of two years, and two directors shall be designated to serve a term of one year. Each director shall continue to serve until a successor is duly appointed by the governor;

(3) The corporation may receive money from any source, may borrow money, may enter into contracts, and may expend money for any activities appropriate to its purpose;

(4) The corporation may appoint staff and do all other things necessary or incidental to carrying out the functions listed in section 348.261;

(5)].

**4.** Any changes in the articles of incorporation or bylaws must be approved by the governor[;].

[(6) The corporation shall submit an annual report to the governor and to the Missouri general assembly. The report shall be due on the first day of November for each year and shall include detailed information on the structure, operation and financial status of the corporation. The corporation shall conduct an annual public hearing to receive comments from interested parties regarding the report, and notice of the hearing shall be given at least fourteen days prior to the hearing; and

[(7)] **5. At the discretion of the state auditor,** the corporation is subject to an [annual] audit [by the state auditor] and [that] the corporation shall bear the full cost of the audit.

6. Each of the directors of the corporation provided for in subdivisions (1) and (2) of subsection 3 of this section shall remain a director until the designating individual specified in such subdivisions designates a replacement by sending a written communication to the governor and the chairperson of the board of the corporation; provided however, that if the director of economic development or the president of the University of Missouri system designates himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the director of economic development or as the president of the University of Missouri system. Each of the directors of the corporation provided for in subdivisions (3) and (4) of subsection 3 of this section shall remain a director until the appointing member of the general assembly specified in such subdivisions appoints a replacement by sending a written communication to the governor and the chairperson of the corporation board; provided however, that if the speaker of the house or the president pro tem of the senate appoints himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the speaker of the house or the president pro tem of the senate.

7. Each of the eleven members of the board appointed by the governor shall:

(1) Hold office for the term of appointment and until the governor duly appoints his or her successor; provided that if a vacancy is created by the death, permanent disability, resignation, or removal of a director, such vacancy shall become immediately effective;

(2) Be eligible for reappointment, but members of the board shall not be eligible to serve more than two consecutive four-year terms and shall not be reappointed to the board until they have not served on the board for a period of at least four interim years;

(3) Not have a known inherent conflict of interest at the time of appointment; and

(4) Not have served in an elected office or a cabinet position in state government for a period of two years prior to appointment, unless otherwise provided in this section.

8. Any member of the board may be removed by affirmative vote of eleven members of the board for malfeasance or misfeasance in office, regularly failing to attend meetings, failure to comply with the corporation's conflicts of interest policy, conviction of a felony, or for any cause that renders the member incapable of or unfit to discharge the duties of a director of the corporation.

9. The board shall meet at least four times per year and at such other times as it deems appropriate, or upon call by the president or the chairperson, or upon written request of a majority of the directors of the board. Unless otherwise restricted by Missouri law, the directors may participate in a meeting of the board by means of telephone conference or other electronic communications equipment whereby all persons participating in the meeting can communicate clearly with each other, and participation in a meeting in such manner will constitute presence in person at such meeting.

10. A majority of the total voting membership of the board shall constitute a quorum for meetings. The board may act by a majority of those at any meeting where a quorum is present, except upon such issues as the board may determine shall require a vote of more members of the board for approval or as required by law. All resolutions and orders of the board shall be recorded and authenticated by the signature of the secretary or any assistant secretary of the board.

11. Members of the board shall serve without compensation. Members of the board attending

meetings of the board, or attending committee or advisory meetings thereof, shall be paid mileage and all other applicable expenses, provided that such expenses are reasonable, consistent with policies established from time to time by the board, and not otherwise inconsistent with law.

12. The board may adopt, repeal, and amend such articles of incorporation, bylaws, and methods of operation that are not contrary to law or inconsistent with sections 348.250 to 348.275, as it deems expedient for its own governance and for the governance and management of the corporation and its committees and advisory boards; provided that any changes in the articles of incorporation or bylaws approved by the board must also be approved by the governor.

13. A president shall direct and supervise the administrative affairs and the general management of the corporation. The president shall be a person of national prominence that has expertise and credibility in one or more of the fields of applicable expertise with a demonstrated track record of success in leading a mission-driven organization. The president's salary and other terms and conditions of employment shall be set by the board. The board may negotiate and enter into an employment agreement with the president of the corporation, which may provide for compensation, allowances, benefits, and expenses. The president of the corporation shall not be eligible to serve as a member of the board until two years after the end of his or her employment with the corporation. The president of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

14. The corporation may employ such employees as it may require and upon such terms and conditions as it may establish that are consistent with state and federal law. The corporation may establish personnel, payroll, benefit, and other such systems as authorized by the board, and provide death and disability benefits. Corporation employees, including the president, shall be considered state employees for the purposes of membership in the Missouri state employees' retirement system and the Missouri consolidated health care plan. Compensation paid by the corporation shall constitute pay from a department for purposes of accruing benefits under the Missouri state employees' retirement system. The corporation may also adopt, in accordance with requirements of the federal Internal Revenue Code of 1986, as amended, a defined contribution plan sponsored by the corporation with respect to employees, including the president, employed by the corporation. Nothing in sections 348.250 to 348.275 shall be construed as placing any officer or employee of the corporation or member of the board in the classified or the unclassified service of the state of Missouri under Missouri laws and regulations governing civil service. No employee of the corporation shall be eligible to serve as a member of the board until two years immediately following the end of his or her employment with the corporation. All employees of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

15. No later than the first day of January each year, the corporation shall submit an annual report to the governor and to the Missouri general assembly which the corporation may contract with a third party to prepare and which shall include:

- (1) A complete and detailed description of the operating and financial conditions of the corporation during the prior fiscal year;
- (2) Complete and detailed information about the distributions from the Missouri science and

innovation reinvestment fund and from any income of the corporation;

(3) Information about the growth of science and innovation research and industry in the state;

(4) Information regarding financial or performance audits performed in such year, including any recommendations with reference to additional legislation or other action that may be necessary to carry out the purposes of the corporation; and

(5) Whether or not the corporation made any distribution during the prior fiscal year to a research project or other project for which a report shall be filed under subsection 4 of section 38(d) of article III of the Constitution of the State of Missouri. If such a distribution was made, the corporation shall disclose in the annual report the amount of the distribution, the recipient of the distribution, and the project description.

16. The corporation shall keep its books and records in accordance with generally accepted accounting procedures. Within four months following the end of each fiscal year, the corporation shall cause a firm of independent certified public accountants of national repute to conduct and deliver to the board an audit of the financial statements of the corporation and an opinion thereon, to be conducted in accordance with generally accepted audit standards, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

17. Within four months following the end of every odd numbered fiscal year, beginning with fiscal year 2016, the corporation shall cause an independent firm of national repute that has expertise in science and innovation research and industry to conduct and deliver to the board an evaluation of the performance of the corporation for the prior two fiscal years, including detailed recommendations for improving the performance of the corporation, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

18. The corporation shall provide the state auditor a copy of the financial and performance evaluations prepared under subsections 16 and 17 of this section.

19. The corporation shall have perpetual existence until an act of law expressly dissolves the corporation; provided that no such law shall take effect so long as the corporation has obligations or bonds outstanding unless adequate provision has been made for the payment or retirement of such debts or obligations. Upon any such dissolution of the corporation, all property, funds, and assets thereof shall be vested in the state.

20. Except as provided under section 348.266, the state hereby pledges to, and agrees with, recipients of corporation funding or beneficiaries of corporation programs under sections 348.250 to 348.275 that the state shall not limit or alter the rights vested in the corporation under sections 348.250 to 348.275 to fulfill the terms of any agreements made or obligations incurred by the corporation with or to such third parties, or in any way impair the rights and remedies of such third parties until the obligations of the corporation and the state are fully met and discharged in accordance with sections 348.250 to 348.275.

21. The corporation shall be exempt from:

(1) Any general ad valorem taxes upon any property of the corporation acquired and used for its



**public purposes;**

**(2) Any taxes or assessments upon any projects or upon any operations of the corporation or the income therefrom;**

**(3) Any taxes or assessments upon any project or any property or local obligation acquired or used by the corporation under the provisions of sections 348.250 to 348.275, or upon income therefrom.**

**Purchases by the corporation to be used for its public purposes shall not be subject to sales or use tax under chapter 144. The exemptions hereby granted shall not extend to persons or entities conducting business on the corporations' property for which payment of state and local taxes would otherwise be required.**

**22. No funds of the corporation shall be distributed to its employees or members of the board; except that, the corporation may make reasonable payments for expenses incurred on its behalf relating to any of its lawful purposes and the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to, or for, its benefit relating to any of its lawful purposes, including to pay its employees reasonable compensation.**

**23. The corporation shall adopt and maintain a conflicts of interest policy to protect the corporation's interests by requiring disclosure by an interested party, appropriate recusal by such person, and appropriate action by the interested party or the board where a conflict of interest may exist or arise between the corporation and a director, officer, employee, or agent of the corporation.”;**  
**and**

**Further amend said bill, 348.265 and 348.269, Pages 72 - 73, by striking all of said Sections from the bill and inserting in lieu thereof the following:**

**“348.265. 1. As soon as practicable after August 28, 2011, the director of the department of economic development, with the assistance of the director of the department of revenue, shall establish the base year gross wages and report the amount of the base year gross wages to the president and board of the corporation, the governor, and the general assembly. Within one hundred eighty days after the end of each fiscal year beginning with the fiscal year ending June 30, 2011, and for each subsequent fiscal year prior to the end of the last funding year, the director of economic development, with the assistance of the director of the department of revenue, shall determine and report to the president and board of the corporation, governor, and general assembly the amount by which aggregate science and innovation employees' gross wages for the fiscal year exceeds the base year gross wages. The director of economic development and the director of the department of revenue may consider any verifiable evidence, including but not limited to the NAICS codes assigned or recorded by the United States Department of Labor for companies with employees in the state, when determining which organizations should be classified as science and innovation companies.**

**2. Notwithstanding section 23.250 to the contrary, for each of the twenty-five funding years, beginning July 1, 2012, subject to appropriation, the director of revenue shall transfer to the Missouri science and innovation reinvestment fund an amount not to exceed an amount equal to the product of the applicable percentage multiplied by an amount equal to the increase in aggregate science and innovation employees' gross wages for the prior fiscal year, over the base year gross wages. The director of revenue may make estimated payments to the Missouri science and innovation reinvestment fund more frequently based on estimates provided by the director of revenue and**

reconciled annually.

**3. Local political subdivisions may contribute to the Missouri science and innovation reinvestment fund through a grant, contract, or loan by dedicating a portion of any sales tax or property tax increase resulting from increases in science and innovation company economic activity occurring after August 28, 2011, or other such taxes or fees as such local political subdivisions may establish.**

**4. Funding generated by the provisions of this section shall be expended by the corporation to further its purposes as specified in section 348.256.**

**5. Upon enactment of this section, the corporation shall prepare a strategic plan for the use of the funding to be generated by the provisions of this section, and may consult with science and innovation partners, including, but not limited to the research alliance of Missouri, as established in section 348.257; the life sciences research board established in section 196.1103; and the innovation centers or centers for advanced technology, as established in section 348.272. The corporation shall make a draft strategic plan available for public comment prior to publication of the final strategic plan.**

**348.269. 1. Nothing contained in sections 348.250 to 348.275 shall be construed as a restriction or limitation upon any powers that the corporation might otherwise have under chapter 355, and the provisions of sections 348.250 to 348.275 are cumulative to such powers.**

**2. Nothing in sections 348.250 to 348.275 shall be construed as allowing the board to sell the corporation or substantially all of the assets of the corporation, or to merge the corporation with another institution, without prior authorization by the general assembly.**

**3. Notwithstanding the provisions of section 23.253 to the contrary, the provisions of sections 348.250 to 348.275 shall not sunset.**

**4. The provisions of sections 348.250 to 348.275 shall not terminate before the satisfaction of all outstanding obligations, notes, and bonds provided for under sections 348.250 to 348.275.**

**5. If any provision of this Act or the application thereof is held invalid, the invalidity shall not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable. Insofar as the provisions of sections 348.250 to 348.275 are inconsistent with the provisions of any other law, general, specific or local, the provisions of sections 348.250 to 348.275 shall be controlling.”; and**

Further amend said bill, Sections 447.708, 620.1878, 620.1881, 620.1900, and 620.2300, Pages 75-98, by striking all of said Sections and inserting in lieu thereof the following:

“447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city,

or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the

time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, **backfill of areas where contaminated soil excavation occurs**, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant

to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 to [6] **5** of section 135.250. The director of the

department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the

assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

(1) The shareholders of the corporation described in section 143.471;

(2) The partners of the partnership. The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

**12. For each fiscal year beginning on or after July 1, 2011, the total amount of tax credits authorized under the provisions of sections 447.700 to 447.718 shall not exceed forty million dollars. No more than a total of ten million dollars in tax credits authorized under the provisions of sections 447.700 to 447.718 shall be authorized in any fiscal year for projects which receive benefits under the provisions of section 99.1205.**

620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

(1) "Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;

(2) "Average wage", the new payroll divided by the number of new jobs;

(3) "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the approval;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) “Department”, the Missouri department of economic development;

(6) “Director”, the director of the department of economic development;

(7) “Employee”, a person employed by a qualified company;

(8) “Full-time employee”, an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) “High-impact project”, a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) “Local incentives”, the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

(11) “NAICS”, the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(12) **“New capital investment”, shall include funds spent by the qualified company at the project facility after the approval of the notice of intent for real or personal property, and may include the present value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after approval of the notice of intent;**

(13) “New direct local revenue”, the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

[(13)] (14) “New investment”, the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;

[(14)] (15) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee’s work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the state average wage;

[(15)] (16) “New payroll”, the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;

[(16)] (17) “Notice of intent”, a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company’s intent to hire new jobs and request



benefits under this program;

[(17)] **(18)** “Percent of local incentives”, the amount of local incentives divided by the amount of new direct local revenue;

[(18)] **(19)** “Program”, the Missouri quality jobs program provided in sections 620.1875 to 620.1890;

[(19)] **(20)** “Project facility”, the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within fifteen miles of each other or within the same county such that their purpose and operations are interrelated;

[(20)] **(21)** “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

[(21)] **(22)** “Project facility base payroll”, the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(22)] **(23)** “Project period”, the time period that the benefits are provided to a qualified company;

[(23)] **(24)** **“Projected net fiscal benefit”, the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;**

**(25)** “Qualified company”, a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.1875 to 620.1890, the term “qualified company” shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Retail trade establishments (NAICS sectors 44 and 45);

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy between January 1, 2009, and December 31, 2009, may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production; or

(k) Biodiesel production. Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

**[(24)] (26)** “Qualified renewable energy sources” shall not be construed to include ethanol distillation or production or biodiesel production; however, it shall include:

(a) Open-looped biomass;

(b) Close-looped biomass;

(c) Solar;

(d) Wind;

(e) Geothermal; and

(f) Hydropower;

**[(25)] (27)** “Related company” means:

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, “control of a corporation” shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, “control of a partnership or association” shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, “control of a trust” shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

**[(26)] (28)** “Related facility”, a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;

[(27)] **(29)** “Related facility base employment”, the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

[(28)] **(30)** “Related facility base payroll”, the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(29)] **(31)** “Rural area”, a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

[(30)] **(32)** “Small and expanding business project”, a qualified company that within two years of the date of the approval creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty new jobs if the project facility is not located in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(31)] **(33)** “Tax credits”, tax credits issued by the department to offset the state income taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

[(32)] **(34)** “Technology business project”, a qualified company that within two years of the date of the approval creates a minimum of ten new jobs involved in the operations of a company:

(a) Which is a technology company, as determined by a regulation promulgated by the department under the provisions of section 620.1884 or classified by NAICS codes;

(b) Which owns or leases a facility which produces electricity derived from qualified renewable energy sources, or produces fuel for the generation of electricity from qualified renewable energy sources, but does not include any company that has received the alcohol mixture credit, alcohol credit, or small ethanol producer credit pursuant to 26 U.S.C. Section 40 of the tax code in the previous tax year;

(c) Which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices; or

(d) Which is a clinical molecular diagnostic laboratory focused on detecting and monitoring infections in immunocompromised patient populations;

[(33)] **(35)** “Withholding tax”, the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as

provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under [subdivision (19) of] section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this [subdivision] **subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision [(33)] (35) of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified

company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made

the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development;

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, 2013;

**(5) (a) Job retention projects: In lieu of the benefits provided under subdivision (4) of this subsection and in exchange for the consideration provided by the tax revenues and other economic stimuli that will be generated by the retention of jobs and the making of new capital investment in this state, a qualified company may be eligible to receive the benefits described in this subdivision if the department determines that there is a significant probability that the qualified company would relocate to another state in the absence of the benefits authorized under this subdivision.**

**(b) A qualified company meeting the requirements of this subdivision may be authorized to retain an amount not to exceed one hundred percent of the withholding tax from full-time jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, for a period of ten years if the average wage of the retained jobs equals or exceeds ninety percent of the county average wage. In order to receive benefits under this subdivision, a qualified company shall enter into written agreement with the department containing detailed performance**

requirements and repayment penalties in event of nonperformance. The amount of benefits awarded to a qualified company under this subdivision and subdivision (6) of this subsection shall not exceed the projected net fiscal benefit and shall not exceed the least amount necessary to obtain the qualified company's commitment to retain the necessary number of jobs and make the required new capital investment.

(c) In order to be eligible to receive benefits under this subdivision, the qualified company shall meet each of the following conditions:

a. The qualified company shall agree to retain, for a period of ten years from the date of approval, at least one hundred and twenty-five retained jobs; and

b. The qualified company shall agree to make a new capital investment at the project facility within three years of the approval in an amount at least three times the amount of the benefits, available under this subdivision, which are offered to the qualified company by the department.

(d) In awarding benefits under this subdivision, the department shall consider the following factors:

a. The significance of the qualified company's need for program benefits;

b. The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

c. The overall size and quality of the proposed project, including the number of new jobs, new capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

d. The financial stability and creditworthiness of the qualified company;

e. The level of economic distress in the area;

f. An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and

g. The percent of local incentives committed;

(e) Upon approval of a notice of intent to request benefits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of retained jobs, payroll, and new capital investment for each year during the project period;

b. Clawback provisions, as may be required by the department; and

c. Any other provisions the department may require.

(f) In no event shall the total amount of benefits available to all qualified companies under this subdivision exceed:

a. Three million dollars for the fiscal year beginning on or after July 1, 2011, and ending on or before June 30, 2012;

b. Four million dollars for the fiscal year beginning on or after July 1, 2012, and ending on or

before June 30, 2013;

c. Five million dollars for the fiscal year beginning on or after July 1, 2013, and ending on or before June 30, 2014; and

d. Six million dollars for all fiscal years beginning on or after July 1, 2014.

(6) (a) The department may award a qualified company meeting the requirements of subdivision (5) of this subsection tax credits in an amount not to exceed eighty percent of the amount the qualified company may otherwise be eligible to retain for a period of five years under subdivision (5) of this subsection.

(b) In addition to satisfying each of the requirements of subdivision (5) of this subsection, a qualified company requesting tax credits under this subdivision shall provide to the department, prior to approval, evidence of commitments for the financing of any applicable new capital investment. The new capital investment shall be made at the project facility within two years of the date of approval.

(c) Upon approval of a notice of intent to request tax credits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of jobs, payroll, and new capital investment for each year during the project period;

b. The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval;

c. Penalties, including the recapture of tax credits awarded under this subdivision, for failure to satisfy the requirements provided under this subdivision and subdivision (5) of this subsection; and

d. Any other provisions the department may require.

(d) No later than October 1, 2011, and the first day of October each year thereafter, the department shall provide to the budget committee of the house of representatives and the appropriations committee of the senate a request for an appropriation for the tax credits authorized under this subdivision. Appropriations made under the provisions of this subdivision shall provide the amount of tax credits which may be authorized during the fiscal year immediately following the fiscal year in which such appropriation is made. Appropriations provided under this subdivision shall only be made in the annual appropriation bill relating to public debt.

(e) No tax credits shall be authorized under the provisions of this subdivision, unless an appropriation is made under the provisions of paragraph (d) of this subdivision. In any fiscal year for which an appropriation is made under the provisions of paragraph (d) of this subdivision, no more than the amount of tax credits so appropriated shall be authorized. There is hereby created in the state treasury the "Missouri Quality Jobs Retention Tax Credit Program Fund", which shall consist of money appropriated under this subsection. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this subdivision. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund for tax credits which have been authorized but not yet redeemed at the end of the fiscal year shall not revert to the credit of the general revenue fund. Any moneys remaining in the fund at the end of the



**fiscal year for any tax credits which remain unauthorized at the end of the fiscal year shall revert to the credit of the general revenue fund. Provisions of section 32.057 to the contrary notwithstanding, the department of revenue shall notify the director of the department upon redemption of each tax credit authorized under the provisions of this subdivision. Upon such notification, an amount equal to the tax credits redeemed shall be transferred from the fund created in this subdivision to the general revenue fund. In the event the department determines that any tax credit authorized under this subsection is precluded from being redeemed due to contractual agreement entered into by the department and the tax credit applicant or is otherwise precluded by law from being redeemed, an amount equal to such tax credit shall be transferred from the fund created in this subdivision to the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the general revenue fund at the end of each fiscal year.**

(7) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such

a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.

**620.2300. 1. As used in this section, the following terms shall mean:**

- (1) "Department", the Missouri department of economic development;**
- (2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**
- (3) "Commission", the Missouri public service commission;**
- (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the**

county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) “Full-time employee”, an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;

(6) “Major source”, the same meaning as is provided under 40 CFR 70.2;

(7) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee’s work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the state average wage;

(8) “Park”, an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:

(a) The area consists of at least fifty contiguous acres;

(b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States Environmental Protection Agency;

(c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;

(d) The development plan for the area includes a biomass facility; and

(e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;

(9) “Project”, a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;

(10) “Project application”, an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) “Project facility”, a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in

operation prior to the date of the project application.

**2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.**

**3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:**

**(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;**

**(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or**

**(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier.”; and**

Further amend said bill, Section 1, Page 98, Line 3, by inserting the following after all of said Line:

“[348.253. 1. The Missouri technology corporation may contract with not-for-profit organizations to carry out the provisions of sections 348.251 to 348.275. By entering into such contracts, the corporation shall attempt to achieve the following objectives:

(1) The establishment of a research alliance which shall advance technology development, as defined in subdivision (3) of section 348.251. The corporation, in this capacity, shall have the authority to contract directly with centers for advanced technology, as established by section 348.272, and other not-for-profit entities. In proceeding with this objective, the corporation and centers for advanced technology shall utilize the results of targeted industry studies commissioned by the department of economic development;

(2) Technology commercialization, as defined in subdivision (2) of section 348.251;

(3) The establishment of a finance corporation to assist in the implementation of section 348.261; and

(4) The enhancement of technology application, as defined in subdivision (1) of section 348.251.

2. Any contract signed between the corporation and any not-for-profit organization, including innovation centers as defined in section 348.271, shall require that the not-for-profit organization must provide at least one-hundred-percent match for any funding received from the corporation through the technology investment fund, as established in section 348.264.]”;

Further amend said bill, Section B, Page 98, Line 9, by inserting the following after all of said line:

“Section C. As provided in section 1.140, the provisions of every section in this act are severable. If any provision of any section in this act is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of the act are valid unless the court finds the valid provisions of the act are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be

presumed the legislature would have enacted the valid provisions without the void one; or unless the court finds that the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS No. 2** for **SCS** for **HCS** for **HB 111**, as amended, and has taken up and passed **SS No. 2** for **SCS** for **HCS** for **HB 111**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 555**, as amended, and has taken up and passed **SS** for **SCS** for **HCS** for **HB 555**, as amended.

### **RESOLUTIONS**

Senator Brown offered Senate Resolution No. 1101, regarding Margie S. Clark, which was adopted.

Senator Brown offered Senate Resolution No. 1102, regarding JoAnn Chapman, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Jerry Kennett, M.D., Columbia.

On motion of Senator Dempsey, the Senate adjourned until 8:00 a.m., Thursday, May 26, 2011.

✓

# Journal of the Senate

FIRST REGULAR SESSION

---

**SEVENTIETH DAY—THURSDAY, MAY 26, 2011**

---

The Senate met pursuant to adjournment.

President Pro Tem Mayer in the Chair.

## **RESOLUTIONS**

On behalf of Senator Engler, Senator Mayer offered Senate Resolution No. 1103, regarding Victoria M. Kearns, which was adopted.

On behalf of Senator Chappelle-Nadal, Senator Mayer offered Senate Resolution No. 1104, regarding Donna Potts, which was adopted.

On behalf of Senator Keaveny, Senator Mayer offered Senate Resolution No. 1105, regarding Nhat Phu, St. Louis, which was adopted.

On behalf of Senator Keaveny, Senator Mayer offered Senate Resolution No. 1106, regarding Liridon “Doni” Shabani, St. Louis, which was adopted.

On behalf of Senator Keaveny, Senator Mayer offered Senate Resolution No. 1107, regarding Aaron L. Walker, Saint Louis, which was adopted.

On behalf of Senator Ridgeway, Senator Mayer offered Senate Resolution No. 1108, regarding Midwest Small Business Finance, which was adopted.

On behalf of Senator Munzlinger, Senator Mayer offered Senate Resolution No. 1109, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. L.V. Jones, Emerson, which was adopted.

On behalf of Senator Munzlinger, Senator Mayer offered Senate Resolution No. 1110, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ellis Glasgow, Mexico, which was adopted.

On behalf of Senator Munzlinger, Senator Mayer offered Senate Resolution No. 1111, regarding Lisa Blickhan, Shelbyville, which was adopted.

On behalf of Senator Wright-Jones, Senator Mayer offered Senate Resolution No. 1112, regarding Majestic Restaurant and Bar, St. Louis, which was adopted.

On behalf of Senator Wright-Jones, Senator Mayer offered Senate Resolution No. 1113, regarding Lindsey Beasley, which was adopted.

On behalf of Senator Rupp, Senator Mayer offered Senate Resolution No. 1114, regarding Charyse SarVina Cody, Dardenne Prairie, which was adopted.

On behalf of Senator Rupp, Senator Mayer offered Senate Resolution No. 1115, regarding Brienna Leshé Manore, O'Fallon, which was adopted.

On behalf of Senator Rupp, Senator Mayer offered Senate Resolution No. 1116, regarding Ellis Xavier Maise, Wentzville, which was adopted.

On behalf of Senator Rupp, Senator Mayer offered Senate Resolution No. 1117, regarding Jade LeAnn McKee, Wentzville, which was adopted.

On behalf of Senator Schaefer, Senator Mayer offered Senate Resolution No. 1118, regarding Marilyn McLeod, Columbia, which was adopted.

On behalf of Senator Green, Senator Mayer offered Senate Resolution No. 1119, regarding Barbara Kuhlman McHugh, which was adopted.

On behalf of Senator Wright-Jones, Senator Mayer offered Senate Resolution No. 1120, regarding Tammeron Hearn, Jefferson City, which was adopted.

On behalf of Senator Wright-Jones, Senator Mayer offered Senate Resolution No. 1121, regarding Rachel Westerfield, Florissant, which was adopted.

On behalf of Senator Goodman, Senator Mayer offered Senate Resolution No. 1122, regarding the One Hundred Forty-fifth Anniversary of the First Baptist Church, Mount Vernon, which was adopted.

On behalf of Senator Kehoe, Senator Mayer offered Senate Resolution No. 1123, regarding Peggy J. Strong, Jefferson City, which was adopted.

On behalf of Senator Kehoe, Senator Mayer offered Senate Resolution No. 1124, regarding Annie Green, Eugene, which was adopted.

On behalf of Senator Kehoe, Senator Mayer offered Senate Resolution No. 1125, regarding the Missouri Child Identification Program of the Masonic Children's Foundation, which was adopted.

On behalf of Senator Engler, Senator Mayer offered Senate Resolution No. 1126, regarding Susan Francis, which was adopted.

On behalf of Senator Engler, Senator Mayer offered Senate Resolution No. 1127, regarding Gib Collins, Desloge, which was adopted.

On behalf of Senator Parson, Senator Mayer offered Senate Resolution No. 1128, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Art Neuenschwander, which was adopted.

On behalf of Senator Parson, Senator Mayer offered Senate Resolution No. 1129, regarding Charles L. Ealy, Bolivar, which was adopted.

On behalf of Senator Crowell, Senator Mayer offered Senate Resolution No. 1130, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Clarence Schlimpert, Jackson, which was adopted.

On behalf of Senator Crowell, Senator Mayer offered Senate Resolution No. 1131, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Bill Ford, Cape Girardeau, which was adopted.



On behalf of Senator Brown, Senator Mayer offered Senate Resolution No. 1132, regarding the Sesquicentennial Anniversary of the city of Rolla, which was adopted.

On behalf of Senator Lembke, Senator Mayer offered Senate Resolution No. 1133, regarding Cameron Paul Rudolph, which was adopted.

On behalf of Senator Parson, Senator Mayer offered Senate Resolution No. 1134, regarding Bill Little, Bolivar, which was adopted.

On behalf of Senator Crowell, Senator Mayer offered Senate Resolution No. 1135, regarding Samantha Amberger, which was adopted.

On behalf of Senator Crowell, Senator Mayer offered Senate Resolution No. 1136, regarding Ashley Hotop, which was adopted.

On behalf of Senator Crowell, Senator Mayer offered Senate Resolution No. 1137, regarding Ethan Siemer, which was adopted.

On behalf of Senator Crowell, Senator Mayer offered Senate Resolution No. 1138, regarding Brett Thomas, which was adopted.

Senator Mayer offered Senate Resolution No. 1139, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Biggs, Kennett, which was adopted.

On behalf of Senator Engler, Senator Mayer offered Senate Resolution No. 1140, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. William Anthony Visnovske, French Village, which was adopted.

On behalf of Senator Schaefer, Senator Mayer offered Senate Resolution No. 1141, regarding Michael D. Wells, Columbia, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

On behalf of Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Mayer submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **HCS No. 2 for SB 3; SB 36; SB 38; CCS for HCS for SB 48; SCS for SB 54; SS for SB 55; HCS for SCS for SB 57; CCS for HCS for SB 59; HCS for SS No. 2 for SCS for SB 62; SS for SCS for SB 65; SCS for SB 68; CCS for SS for SCS for SB 70; HCS for SB 77; CCS for SCS for SB 81; SB 83; HCS No. 2 for SB 96; HCS No. 2 for SB 97; SB 101; CCS for HCS No. 2 for SCS for SB 117; HCS for SS for SB 118; HCS for SS for SCS for SB 132; CCS for HCS for SS for SB 135; HCS for SCS for SB 163; SB 165; CCS for HCS for SB 173; SB 180; HCS for SCS for SB 213; HCS for SB 220; CCS for HCS for SS for SB 226; SB 237; SS for SB 238; CCS No. 2 for HCS for SB 250; CCS for HCS for SB 282; CCS for HCS for SB 284; SS for SB 306; SS No. 2 for SCS for SB 320; HCS for SB 325; HCS for SS for SCS for SB 351; CCS No. 2 for HCS for SCS for SB 356; HCS for SCS for SB 366; and HCS No. 2 for SJR 2**, begs leave to report that it has examined the same and finds that the bills and joint resolution have been duly enrolled and that the printed copies furnished the Senators are correct.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HCS No. 2 for SB 3; SB 36; SB 38; CCS for HCS for SB 48; SCS for SB 54; SS for SB 55; HCS for SCS for SB 57; CCS for**

**HCS for SB 59; HCS for SS No. 2 for SCS for SB 62; SS for SCS for SB 65; SCS for SB 68; CCS for SS for SCS for SB 70; HCS for SB 77; CCS for SCS for SB 81; SB 83; HCS No. 2 for SB 96; HCS No. 2 for SB 97; SB 101; CCS for HCS No. 2 for SCS for SB 117; HCS for SS for SB 118; HCS for SS for SCS for SB 132; CCS for HCS for SS for SB 135; HCS for SCS for SB 163; SB 165; CCS for HCS for SB 173; SB 180; HCS for SCS for SB 213; HCS for SB 220; CCS for HCS for SS for SB 226; SB 237; SS for SB 238; CCS No. 2 for HCS for SB 250; CCS for HCS for SB 282; CCS for HCS for SB 284; SS for SB 306; SS No. 2 for SCS for SB 320; HCS for SB 325; HCS for SS for SCS for SB 351; CCS No. 2 for HCS for SCS for SB 356; HCS for SCS for SB 366; and HCS No. 2 for SJR 2, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills and joint resolution would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills and joint resolution were so read by the Secretary and signed by the President Pro Tem.**

### **SIGNING OF CONCURRENT RESOLUTIONS**

The President Pro Tem announced that all other business would be suspended and **SCR 11**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, be signed to the end that it shall have the full force and effect of law. No objections being made, the concurrent resolution was read by the Secretary and signed by the President Pro Tem.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **CCS for SCS for HCS for HB 2; CCS for SCS for HCS for HB 3; CCS for SCS for HCS for HB 4; CCS for SCS for HCS for HB 5; CCS for SCS for HCS for HB 6; CCS for SCS for HCS for HB 7; CCS for SCS for HCS for HB 8; CCS for SCS for HCS for HB 9; CCS for SCS for HCS for HB 10; CCS for SCS for HCS for HB 11; CCS for SCS for HCS for HB 12; CCS for SCS for HCS for HB 13; SCS for HCS for HB 17; SCS for HCS for HB 18; SCS for HCS for HB 21; SCS for HCS for HB 22; SCS for HCS for HB 38; SS for SCS for HCS for HB 45; HB 68; HCS for HB 70; SS for SCS for HCS for HBs 73 and 47; HCS for HB 83; SS No. 2 for SCS for HCS for HB 89; CCS for SCS for HB 101; HB 109; SS No. 2 for SCS for HCS for HB 111; HCS for HB 136; SS for SCS for HB 137; CCS for SCS for HB 142; SCS for HB 149; HB 151; SS for SCS for HCS for HB 161; HB 183; SS for SCS for HB 184; SCS for HB 186; HB 190; HCS for HB 197; HB 199; HB 204; SS for HCS for HB 213; SCS for HCS for HB 214; HB 217; HCS for HB 220; HCS for HBs 223 and 231; HB 229; HCS for HB 250; SCS for HB 256; HB 260; SS for SCS for HCS for HB 265; SCS for HB 270; SS for SCS for HB 282; SS No. 2 for SCS for HCS for HBs 294, 123, 125, 113, 271 and 215; SCS for HCS for HBs 300, 334 and 387; SCS for HB 307 and HB 812; HCS for HB 315; SS for HCS for HB 338; SS for HB 339; HB 340; SCS for HCS for HB 344; SCS for HB 388; HCS for HB 407; SCS for HCS for HB 412; HB 423; CCS for SS for SCS for HCS for HB 430; SS for SCS for HCS for HB 431; CCS for SS for HB 458; SCS for HCS for HB 464; HCS for HB 465; SS for SCS for HCS for HBs 470 and 429; HB 484; HB 499; SCS for HCS for HB 506; HB 550; SCS for HCS for HB 552; SS for SCS for HCS for HB 555; SCS for HCS for HB 578; SCS for HB 591; SS for SCS for HCS for HB 604; SCS for HCS for HB 631; SCS for HCS for HB 641; SS No. 2 for HB 648; SCS for HB 661; SS for SCS for HCS for HB 664; HB 667; HB 675; SCS for HB 737; SCS for HB 798, HB 141, HB 153, HCS for HB 363, HB 415 and HB 813; SCS for HB 1008; and HJR 2, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills and joint resolution would be signed by the President Pro Tem to the end that they may become**

law. No objections being made, the bills and joint resolution were so read by the Secretary and signed by the President Pro Tem.

### **SIGNING OF CONCURRENT RESOLUTIONS**

The President Pro Tem announced that all other business would be suspended and **HCR 37**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, be signed to the end that it shall have the full force and effect of law. No objections being made, the concurrent resolution was read by the Secretary and signed by the President Pro Tem.

### **JOINT RESOLUTIONS DELIVERED TO THE SECRETARY OF STATE**

**HCS No. 2** for **SJR 2**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Secretary of State by the Secretary of the Senate.

### **BILLS DELIVERED TO THE GOVERNOR**

**HCS No. 2** for **SB 3**; **SB 36**; **SB 38**; **CCS** for **HCS** for **SB 48**; **SCS** for **SB 54**; **SS** for **SB 55**; **HCS** for **SCS** for **SB 57**; **CCS** for **HCS** for **SB 59**; **HCS** for **SS No. 2** for **SCS** for **SB 62**; **SS** for **SCS** for **SB 65**; **SCS** for **SB 68**; **CCS** for **SS** for **SCS** for **SB 70**; **HCS** for **SB 77**; **CCS** for **SCS** for **SB 81**; **SB 83**; **HCS No. 2** for **SB 96**; **HCS No. 2** for **SB 97**; **SB 101**; **CCS** for **HCS No. 2** for **SCS** for **SB 117**; **HCS** for **SS** for **SB 118**; **HCS** for **SS** for **SCS** for **SB 132**; **CCS** for **HCS** for **SS** for **SB 135**; **HCS** for **SCS** for **SB 163**; **SB 165**; **CCS** for **HCS** for **SB 173**; **SB 180**; **HCS** for **SCS** for **SB 213**; **HCS** for **SB 220**; **CCS** for **HCS** for **SS** for **SB 226**; **SB 237**; **SS** for **SB 238**; **CCS No. 2** for **HCS** for **SB 250**; **CCS** for **HCS** for **SB 282**; **CCS** for **HCS** for **SB 284**; **SS** for **SB 306**; **SS No. 2** for **SCS** for **SB 320**; **HCS** for **SB 325**; **HCS** for **SS** for **SCS** for **SB 351**; **CCS No. 2** for **HCS** for **SCS** for **SB 356**; and **HCS** for **SCS** for **SB 366**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

### **CONCURRENT RESOLUTIONS DELIVERED TO THE GOVERNOR**

**SCR 11**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

### **MESSAGES FROM THE HOUSE**

The following message, reflecting action taken prior to the 6:00 p.m. adjournment, Friday, May 13, 2011, was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 661** and has taken up and passed **SCS** for **HB 661**.

On motion of Senator Mayer, the Senate adjourned pursuant to the Constitution.

PETER KINDER  
Lieutenant Governor

TERRY L. SPIELER  
Secretary of the Senate

✓

**JOURNAL OF THE SENATE**  
**NINETY-SIXTH GENERAL ASSEMBLY**  
**OF THE**  
**STATE OF MISSOURI**  
**FIRST EXTRA SESSION**  
**OF THE**  
**FIRST REGULAR SESSION**

---

**FIRST DAY—TUESDAY, SEPTEMBER 6, 2011**

---

The Senate was called to order in Extra Session by Lieutenant Governor Peter Kinder.

Reverend Carl Gauck offered the following prayer:

Gracious God, it is good to be together with colleagues to deal with serious needs in Missouri. We are mindful of those who suffer from want and anxiety from lack of work and pray we might find ways to encourage and help job development throughout the state. Guide our collective efforts so our work yields good use of industry and commerce, responsive to Your will. All this we ask in Your Holy Name. Amen.

The Pledge of Allegiance to the Flag was recited.

**COMMUNICATIONS FROM THE  
GOVERNOR**

The President laid before the Senate the following proclamation from the Governor, reading of which was waived:

**PROCLAMATION**

WHEREAS, prudently designed economic development programs accelerate Missouri's economic growth through the creation of a vibrant business climate that attracts new employers to Missouri and encourages existing businesses to expand; and

WHEREAS, the Missouri Science and Innovation Reinvestment Act, Compete Missouri Initiative, data storage centers, recruitment of significant amateur sporting events and the creation of an international export hub to facilitate the expansion of Missouri exports are critical programs that capture Missouri's bold vision and competitive spirit and will spur economic expansion in all corners of this state; and

WHEREAS, economic development programs must include transparency, accountability and return on investment and be implemented in a fiscally prudent manner; and

WHEREAS, economic incentives and tax credit programs must be regularly reviewed to ensure those programs are effective in addressing their purpose and provide appropriate return on investment; and

WHEREAS, implementation of tax credit reform will inject accountability, transparency and result in taxpayer funds being spent in a fiscally effective manner; and

WHEREAS, legislation to modernize Department of Revenue collection measures and a period of tax amnesty will benefit citizens of the State of Missouri and have a positive impact on general revenue; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, passed during the First Regular

Session of the Ninety-Sixth General Assembly, would have moved Missouri's Presidential Primary to March, 2012; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 was vetoed due to the inclusion of objectionable provisions unrelated to the moving of the date for the Presidential Primary; and

WHEREAS, a March, 2012 Presidential Primary will allow Missouri to remain a crucial state during the presidential nomination process; and

WHEREAS, the First Regular Session of the Ninety-Sixth General Assembly considered but failed to pass legislation that would have transferred supervision and control over the St. Louis Metropolitan Police Department to the City of St. Louis; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, the need for economic development legislation, tax credit reform, tax amnesty legislation, enhancement of Department of Revenue collection measures, moving the date of the 2012 Presidential Primary and transitioning the St. Louis Metropolitan Police Department to local control are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW THEREFORE, on the extraordinary occasions that exist in the state of Missouri:

I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m., Central Daylight Time, on September 6, 2011; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

- To enact legislation implementing comprehensive reforms to existing tax credit programs that produces substantial savings to the state treasury through the elimination of programs, imposition or lowering of caps, establishment of program sunsets and other reforms that create efficiencies and safeguard the taxpayers' money. This matter is restricted and nothing in this Proclamation should be construed to authorize the enactment of legislation amending the five year limitation on interest costs eligible for issuance of tax credits under section 99.1205.3, RSMo.
- To enact legislation that incentivizes the development of an international air cargo hub at Lambert-St. Louis International Airport through creation of an air export tax credit for freight forwarders not to exceed a total of sixty million dollars over eight years and a real estate development tax credit not to exceed a total of three hundred million dollars over sixteen years for eligible facilities located in "gateway zones," the qualification for which will be confirmed and verified by the Department of Economic Development, and additional accountability, oversight and participation protections.
- To enact the Missouri Science and Innovation Reinvestment Act authorizing the Missouri Technology Corporation to provide grants, loans and investments in science and innovation businesses through use of funding generated by capturing a portion of any new growth in income tax revenue generated by employees working at such new and existing science and innovation businesses in Missouri.
- To enact the Compete Missouri Initiative which streamlines and updates Missouri's training programs to reflect business and workforce needs; consolidates Missouri's business development incentives into a single program with consistent definitions and processes; provides performance-based benefits with broader accessibility for small businesses and businesses in rural areas; provides additional benefits for targeted industries identified by business leaders in Missouri's Strategic Initiative for Economic Growth; provides business retention incentives for companies retaining more than 125 jobs annually; and authorizes establishment of a closing fund for competitive recruitment and retention projects.
- To enact legislation creating incentives for the construction and development of high-tech data centers that allows a high-tech data center making a minimum capital investment of thirty-seven million dollars and creating at least thirty new jobs to be exempt from certain state and local sales taxes on utilities, machinery and equipment used in the operation of the data center and on personal property and materials used in the construction of the data center, with the overall amount of the exemption limited to the positive fiscal impact to taxpayers resulting from the project.
- To enact legislation authorizing tax credits available for sports commissions, convention and visitors bureaus, certain nonprofit organizations, counties, and municipalities to offset expenses incurred in attracting amateur sporting events to the state in an amount not to exceed three million dollars annually; and to authorize a revenue-neutral contribution tax credit for donations to local sports organizations for the purposes of attracting amateur sporting events to the state in an amount not to exceed ten million dollars

annually.

- To enact legislation creating administrative efficiencies and improving the Department of Revenue's ability to collect moneys owed to the State by authorizing the Department of Revenue to: 1) collect, upon referral, debts owed to other state agencies; 2) reduce its expenses associated with providing required notices; 3) recover its collection and administrative costs by retaining one percent of the amount of any local sales or use tax collected by the Department; 4) enter into a reciprocal collection and offset of indebtedness agreement with the federal government; 5) issue orders directly to debtors' employers or other sources of income to facilitate the execution of administrative judgments; and 6) issue statements indicating that no taxes or fees, for which the Department is responsible for collecting, are due, as a prerequisite for payment of certain claims or judgments from the state legal expense fund.
- To enact legislation authorizing the Department of Revenue to grant amnesty to taxpayers from the assessment or payment of penalties, additions to tax, and interest with respect to unpaid income tax and sales tax due and owing that the taxpayer voluntarily reports and pays in full between August 1, 2012 and September 30, 2012.
- To enact legislation authorizing an orderly transition in the governance of the St. Louis Metropolitan Police Department from a board of police commissioners to the City of St. Louis through a process that provides for equitable employment treatment for commissioned and civilian personnel.
- To enact legislation moving Missouri's Presidential Primary to the first Tuesday after the first Monday in March of each presidential election year.
- To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require advice and consent of the Senate.

Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 22<sup>nd</sup> day of August, 2011.

/s/ Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

/s/ Robin Carnahan  
Secretary of State

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

The Lieutenant Governor was present.

Senator Dempsey announced that photographers from the Associated Press, KSDK-TV, KOMU-TV, KRCG-TV and KTVI-TV were given permission to take pictures in the Senate Chamber today.

**RESOLUTIONS**

Senator Dempsey offered the following resolution, which was read and adopted:

**SENATE RESOLUTION NO. 1**

BE IT RESOLVED by the Senate of the Ninety-sixth General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

Senator Dempsey offered the following resolution, which was read and adopted:

**SENATE RESOLUTION NO. 2**

BE IT RESOLVED by the Senate of the Ninety-sixth General Assembly, that the rules of the Senate, as adopted by the Ninety-sixth General Assembly, First Regular Session, be declared the rules of the First Extra Session of the First Regular Session.

Senator Crowell offered Senate Resolution No. 3, regarding the Forty-fifth Wedding Anniversary of Mr. and Mrs. Allen Wachter, Jackson, which was adopted.

**MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
September 6, 2011

TO THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE NINETY-SIXTH GENERAL ASSEMBLY OF  
THE STATE OF MISSOURI:

I am enclosing a Special Message to all members of the General Assembly. Please read the enclosed message during the Special Session.

Sincerely,  
Jeremiah W. (Jay) Nixon  
Governor

**SPECIAL MESSAGE**

WHEREAS, by my Proclamation dated August 22, 2011, I convened the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

WHEREAS, Senate Committee Substitute for Senate Bill No. 54, relating to protecting children from sexual offenders, was passed during the First Regular Session of the Ninety-Sixth General Assembly; and

WHEREAS, significant confusion and concern has been raised regarding provisions contained in Senate Committee Substitute for Senate Bill No. 54 that limit electronic communications between teachers and students; and

WHEREAS, it is important that teachers and school district staff have the ability to appropriately communicate with their students without fear and uncertainty as to the application of the legal restrictions contained in Senate Committee Substitute for Senate Bill No. 54; and

WHEREAS, the State of Missouri has been affected by numerous natural disasters during 2011; and

WHEREAS, these natural disasters have destroyed numerous businesses in Joplin and elsewhere across this state; and

WHEREAS, counties are currently authorized to provide property tax relief for residential property destroyed by a natural disaster; and

WHEREAS, counties are not authorized under current law to provide similar property tax relief to commercial property destroyed by a natural disaster, thereby imposing a significant financial hardship to businesses attempting to rebuild and recover in the aftermath of a disaster; and

WHEREAS, affording counties the authority to extend property tax relief to commercial property destroyed by a natural disaster will provide much needed assistance to those business owners affected by disasters; and

WHEREAS, the need to repeal certain provisions contained in Senate Committee Substitute for Senate Bill No. 54 passed during the First Regular Session of the Ninety-Sixth General Assembly relating to electronic communications between teachers and students and to enact property tax relief for commercial property destroyed by a natural disaster are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do hereby amend the matters specifically designated and limited for consideration by the General Assembly in my August 22, 2011 Proclamation to add to those matters the following additional specifically designated and limited matters. The additional specifically designated and limited matters on which the action of the General Assembly is deemed necessary are as follows:

- To enact legislation repealing subsections 162.069.1 through 162.069.4, RSMo. This matter is limited to the repeal of subsections 162.069.1 through 162.069.4, RSMo, and should not be construed to allow or permit amendments to those subsections or to otherwise enact revised or new language in place thereof.
- To enact legislation establishing a mechanism for commercial property to be removed on a pro rata basis from the tax book if such commercial property is destroyed by a natural disaster and is unusable for commercial activity due to such destruction.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 6<sup>th</sup> day of September, 2011.

/s/ Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

/s/ Robin Carnahan  
Secretary of State

## **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 1**—By Cunningham.

An Act to repeal section 162.069, RSMo, and to enact in lieu thereof one new section relating to communications between school district employees and students.

**SB 2**—By Purgason.

An Act to repeal sections 32.115, 99.1205, 100.286, 100.297, 100.850, 135.010, 135.025, 135.030, 135.090, 135.155, 135.313, 135.326, 135.327, 135.350, 135.352, 135.460, 135.484, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.815, 135.825, 135.950, 135.973, 135.1150, 143.119, 144.054, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 196.1109, 196.1115, 208.770, 253.545, 253.550, 253.557, 253.559, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, 348.300, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, 620.1878, 620.1881, and 660.055, RSMo, and to enact in lieu thereof eighty new sections relating to taxation, with penalty provisions and an emergency clause.



**SB 3—By Purgason.**

An Act to repeal sections 32.115, 99.975, 100.286, 100.297, 135.030, 135.090, 135.313, 135.326, 135.327, 135.350, 135.352, 135.460, 135.484, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.802, 135.815, 135.825, 135.1150, 143.119, 144.054, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 196.1109, 196.1115, 208.770, 215.020, 215.030, 215.033, 215.034, 253.545, 253.550, 253.557, 253.559, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, 348.275, 348.300, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof seventy-eight new sections relating to taxation, with penalty provisions and an emergency clause.

**SB 4—By Kraus.**

An Act to repeal sections 620.1878 and 620.1881, RSMo, and to enact in lieu thereof two new sections relating to the Missouri quality jobs act.

On motion of Senator Dempsey, the Senate recessed until 5:30 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

**MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 13, 2011, while the Senate was not in session.

James T. Blair IV, Republican, 49 Manderleigh Estates Court, Frontenac, Saint Louis County, Missouri 63131, as a member of the Conservation Commission, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, William F. McGeehan, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 10, 2011, while the Senate was not in session.

Katherine Suzanne Bradley, Republican, 2 Country Club Road, Saint Joseph, Andrew County, Missouri 64505, as a member of the

Missouri Gaming Commission, for a term ending April 29, 2014, and until her successor is duly appointed and qualified; vice, Noel Shull, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2011, while the Senate was not in session.

Erin Burlison-Huss, 1221 Cypress Point Drive, O'Fallon, Saint Charles County, Missouri 63366, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2012, and until her successor is duly appointed and qualified; vice, Carla Owens Braziel, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 10, 2011, while the Senate was not in session.

Curtis Chick, Democrat, 1902 Sun Meadow, Jefferson City, Cole County, Missouri 65109, as a member of the Labor and Industrial Relations Commission, for a term ending July 27, 2014, and until his successor is duly appointed and qualified; vice, John Hickey, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July

11, 2011, while the Senate was not in session.

Timothy R. Cisar, 370 Palmer Drive, Lake Ozark, Camden County, Missouri 65049, as a member of the Crime Laboratory Review Commission, for a term ending April 1, 2013, and until his successor is duly appointed and qualified; vice, RSMo 650.059.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 11, 2011, while the Senate was not in session.

Thelma Crawford, Democrat, 4701 North Holly Court, Kansas City, Clay County, Missouri 64116, as a member of the Clay County Board of Election Commissioners, for a term ending June 15, 2015, and until her successor is duly appointed and qualified; vice, Susan Jones, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2011, while the Senate was not in session.

Francis Dorrel, Republican, 215 West Edwards, Maryville, Nodaway County, Missouri 64468, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Rachelle R. Brown, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June

1, 2011, while the Senate was not in session.

Linda Duffy, Republican, 1811 Woodrail Avenue, Columbia, Boone County, Missouri 65203, as a member of the Missouri Community Service Commission, for a term ending December 15, 2013, and until her successor is duly appointed and qualified; vice, Linda Duffy, reappointed.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2011, while the Senate was not in session.

Constance Gully, 803 Bermuda Drive, Normandy, Saint Louis County, Missouri 63121, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2013, and until her successor is duly appointed and qualified; vice, Richard LaBore, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 11, 2011, while the Senate was not in session.

Jennifer Gundy, 21371 Infantry Road, Walker, Vernon County, Missouri 64790, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2014, and until her successor is duly appointed and qualified; vice, Richard L. Blakley, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 19, 2011, while the Senate was not in session.

Pamela Q. Henrickson, Republican, 416 Schellridge Road, Jefferson City, Cole County, Missouri 65109, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2017, and until her successor is duly appointed and qualified; vice, John Douglas Russell, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2011, while the Senate was not in session.

David Herman, 233 Braeshire Drive, Ballwin, St. Louis County, Missouri 63021, as a member of the State Advisory Council on Emergency Medical Services, for a term ending January 5, 2013, and until his successor is duly appointed and qualified; vice, Steven Rothert, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 11, 2011, while the Senate was not in session.

Le Greta Hudson, Democrat, 106 McKee Hitt Street, Columbia, Boone County, Missouri 65211, as a member of the State Committee of Dietitians, for a term ending June 11, 2013, and until her successor is duly appointed and qualified; vice, Dixie L. Greer, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 29, 2011, while the Senate was not in session.

Joseph Hunt, Democrat, 7500 Bull Run Drive, Saint Louis, Saint Louis County, Missouri 63123, as a member of the State Highways and

Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, David Gach, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 10, 2011, while the Senate was not in session.

Christopher Maglio, 24169 State Highway F, Kirksville, Adair County, Missouri 63501, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until his successor is duly appointed and qualified; vice, Ryan N. Espenschied, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 11, 2011, while the Senate was not in session.

Shirley Patterson, 4202 Brentwood Drive, Columbia, Boone County, Missouri 65203, as a member of the Coordinating Board for Early Childhood, for a term ending at the pleasure of the Governor and until her successor is duly appointed and qualified; vice, RSMo 210.102.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 29, 2011, while the Senate was not in session.

Stephen Roling, 11920 Summit, Kansas City, Jackson County, Missouri 64145, as a member of the Mental Health Commission, for a term ending June 28, 2013, and until his successor is duly appointed and qualified; vice, Ron Dittmore, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 29, 2011, while the Senate was not in session.

Kelly Schultz, 10455 East Mexico Gravel, Columbia, Boone County, Missouri 65202, as The Missouri Child Advocate in the Office of Child Advocate for Children's Protection and Services, for a term ending December 7, 2016, and until her successor is duly appointed and qualified; vice, Stephen Morrow, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2011, while the Senate was not in session.

Debra Stenger, 1328 Village View Court, Saint Paul, Saint Charles County, Missouri 63366, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2015, and until her successor is duly appointed and qualified; vice, James Asahl, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 5, 2011, while the Senate was not in session.

Charles Surface, Republican, 2401 West 29th, Joplin, Jasper County, Missouri 64804, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2016, and until his successor is duly appointed and qualified; vice, Charles McGinty, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2011, while the Senate was not in session.

Craig Van Matre, Democrat, 450 Covered Bridge Road, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2013, and until his successor is duly appointed and qualified; vice, Buford Fraser, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 29, 2011, while the Senate was not in session.

Wallis Warren, Democrat, 2671 Jefferiesburg Road, Beaufort, Franklin County, Missouri 63013, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2014, and until her successor is duly appointed and qualified; vice, Frank Shorney, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 29, 2011, while the Senate was not in session.

Dennis Wood, Republican, 284 Lillian Lane, Kimberling City, Stone County, Missouri 65686, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2014, and until his successor is duly appointed and qualified; vice, Ronald Hardecke, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

## **INTRODUCTION OF BILLS**

The following Bills were read the 1st time and ordered printed:

**SB 5**—By Schaaf.

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to data



storage centers.

**SB 6**—By Schaaf.

An Act to repeal sections 196.1109, 196.1115, 348.251, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation.

**SB 7**—By Mayer.

An Act to repeal sections 196.1109, 196.1115, 348.251, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation.

**SB 8**—By Mayer.

An Act to repeal sections 32.115, 100.286, 100.297, 135.010, 135.025, 135.030, 135.090, 135.313, 135.326, 135.327, 135.350, 135.352, 135.460, 135.484, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.815, 135.825, 135.950, 135.973, 135.1150, 143.119, 144.054, 144.062, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 196.1109, 196.1115, 208.770, 253.545, 253.550, 253.557, 253.559, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, 348.300, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof eighty-two new sections relating to taxation, with penalty provisions and an emergency clause.

On motion of Senator Dempsey, the Senate adjourned under the rules.

## SENATE CALENDAR

---

SECOND DAY—WEDNESDAY, SEPTEMBER 7, 2011

---

## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 1—Cunningham

SB 2—Purgason

SB 3—Purgason

SB 4—Kraus

SB 5—Schaaf

SB 6—Schaaf

SB 7—Mayer

SB 8—Mayer

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**SECOND DAY—WEDNESDAY, SEPTEMBER 7, 2011**

---

The Senate met pursuant to adjournment.

Senator Rupp in the Chair.

Reverend Carl Gauck offered the following prayer:

Lord, the challenges keep coming and we pray we are up to the needs that present themselves this day. Help us be mindful of the effort that we need to put forward so we address all that is before us. Let Your Holy Spirit move our hearts and minds that barriers that cause division might give way to unity of effort and the best results for all Your children who stand in need of Your help and grace. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

## RESOLUTIONS

Senator Richard offered Senate Resolution No. 4, regarding the One Hundred Second Birthday of

Mamie Creighton, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 5, regarding the Sixtieth Birthday of Susan Ramsour, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 6, regarding Freeman Health System and the Ozark Center, Joplin, which was adopted.

## **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 1**—Education.

**SB 2**—Jobs, Economic Development and Local Government.

**SB 3**—Jobs, Economic Development and Local Government.

**SB 4**—Jobs, Economic Development and Local Government.

**SB 5**—Jobs, Economic Development and Local Government.

**SB 6**—Jobs, Economic Development and Local Government.

**SB 7**—Jobs, Economic Development and Local Government.

**SB 8**—Jobs, Economic Development and Local Government.

## **INTRODUCTION OF BILLS**

The following Bill was read the 1st time and ordered printed:

**SB 9**—By Justus.

An Act to repeal sections 196.1109, 196.1115, 348.251, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation.

## **MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

September 6, 2011

### **To the Senate of the 96<sup>th</sup> General Assembly of the State of Missouri**

I hereby withdraw from you consideration the following appointments to office submitted to you on September 6, 2011 for your advice and consent:

James T. Blair IV, Republican, 49 Manderleigh Estates Court, Frontenac, Saint Louis County, Missouri 63131, as a member of the Conservation Commission, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, William F. McGeehan, term expired.

Katherine Suzanne Bradley, Republican, 2 Country Club Road, Saint Joseph, Andrew County, Missouri 64505, as a member of the Missouri Gaming Commission, for a term ending April 29, 2014, and until her successor is duly appointed and qualified; vice, Noel Shull, term expired.

Erin Burlison-Huss, 1221 Cypress Point Drive, O'Fallon, Saint Charles County, Missouri 63366, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2012, and until her successor is duly appointed and qualified; vice, Carla Owens Braziel, resigned.

Curtis Chick, Democrat, 1902 Sun Meadow, Jefferson City, Cole County, Missouri 65109, as a member of the Labor and Industrial Relations Commission, for a term ending July 27, 2014, and until his successor is duly appointed and qualified; vice, John Hickey, term expired.

Timothy R. Cisar, 370 Palmer Drive, Lake Ozark, Camden County, Missouri 65049, as a member of the Crime Laboratory Review Commission, for a term ending April 1, 2013, and until his successor is duly appointed and qualified; vice, RSMo 650.059.

Thelma Crawford, Democrat, 4701 North Holly Court, Kansas City, Clay County, Missouri 64116, as a member of the Clay County Board of Election Commissioners, for a term ending June 15, 2015, and until her successor is duly appointed and qualified; vice, Susan Jones, term expired.

Francis Dorrel, Republican, 215 West Edwards, Maryville, Nodaway County, Missouri 64468, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Rachelle R. Brown, term expired.

Linda Duffy, Republican, 1811 Woodrail Avenue, Columbia, Boone County, Missouri 65203, as a member of the Missouri Community Service Commission, for a term ending December 15, 2013, and until her successor is duly appointed and qualified; vice, Linda Duffy, reappointed.

Constance Gully, 803 Bermuda Drive, Normandy, Saint Louis County, Missouri 63121, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2013, and until her successor is duly appointed and qualified; vice, Richard LaBore, term expired.

Jennifer Gundy, 21371 Infantry Road, Walker, Vernon County, Missouri 64790, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2014, and until her successor is duly appointed and qualified; vice, Richard L. Blakley, term expired.

Pamela Q. Henrickson, Republican, 416 Schellridge Road, Jefferson City, Cole County, Missouri 65109, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2017, and until her successor is duly appointed and qualified; vice, John Douglas Russell, term expired.

David Herman, 233 Braeshire Drive, Ballwin, St. Louis County, Missouri 63021, as a member of the State Advisory Council on Emergency Medical Services, for a term ending January 5, 2013, and until his successor is duly appointed and qualified; vice, Steven Rothert, withdrawn.

Le Greta Hudson, Democrat, 106 McKee Hitt Street, Columbia, Boone County, Missouri 65211, as a member of the State Committee of Dietitians, for a term ending June 11, 2013, and until her successor is duly appointed and qualified; vice, Dixie L. Greer, term expired.

Joseph Hunt, Democrat, 7500 Bull Run Drive, Saint Louis, Saint Louis County, Missouri 63123, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, David Gach, term expired.

Christopher Maglio, 24169 State Highway F, Kirksville, Adair County, Missouri 63501, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until his successor is duly appointed and qualified; vice, Ryan N. Espenschied, term expired.

Shirley Patterson, 4202 Brentwood Drive, Columbia, Boone County, Missouri 65203, as a member of the Coordinating Board for Early Childhood, for a term ending at the pleasure of the Governor and until her successor is duly appointed and qualified; vice, RSMo 210.102.

Stephen Roling, 11920 Summit, Kansas City, Jackson County, Missouri 64145, as a member of the Mental Health Commission, for a term ending June 28, 2013, and until his successor is duly appointed and qualified; vice, Ron Dittmore, withdrawn.

Kelly Schultz, 10455 East Mexico Gravel, Columbia, Boone County, Missouri 65202, as The Missouri Child Advocate in the Office of Child Advocate for Children's Protection and Services, for a term ending December 7, 2016, and until her successor is duly appointed and qualified; vice, Stephen Morrow, term expired.

Debra Stenger, 1328 Village View Court, Saint Paul, Saint Charles County, Missouri 63366, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2015, and until her successor is duly appointed and qualified; vice, James Asahl, term expired.

Charles Surface, Republican, 2401 West 29th, Joplin, Jasper County, Missouri 64804, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2016, and until his successor is duly appointed and qualified; vice, Charles McGinty, term expired.

Craig Van Matre, Democrat, 450 Covered Bridge Road, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2013, and until his successor is duly appointed and qualified; vice, Buford Fraser, resigned.

Wallis Warren, Democrat, 2671 Jefferiesburg Road, Beaufort, Franklin County, Missouri 63013, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2014, and until her successor is duly appointed and qualified; vice, Frank Shorney, term expired.

Dennis Wood, Republican, 284 Lillian Lane, Kimberling City, Stone County, Missouri 65686, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2014, and until his successor is duly appointed and qualified; vice, Ronald Hardecke, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer moved that the above appointments be returned to the Governor per his request, which motion prevailed.

On motion of Senator Dempsey, the Senate recessed until 9:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

### **RESOLUTIONS**

Senator Crowell offered Senate Resolution No. 7, regarding Jeffrey L. Colyer, Cape Girardeau, which was adopted.

Senator Brown offered Senate Resolution No. 8, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Don Sidwell, Rolla, which was adopted.

Senator Lager offered Senate Resolution No. 9, regarding Michael L. Kemna, Chillicothe, which was adopted.

### **REPORTS OF STANDING COMMITTEES**

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 8**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 7**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

A quorum was established by the following vote:

Present—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Mayer	McKenna	Parson
Richard	Schmitt	Wright-Jones—19					

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Green	Kraus	Lamping	Lembke	Munzlinger	Nieves	Pearce
Purgason	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson—15	

Vacancies—None

**INTRODUCTIONS OF GUESTS**

Senator Engler introduced to the Senate, members of the Model T Ford Club.

On motion of Senator Dempsey, the Senate adjourned until 9:00 a.m., Thursday, September 8, 2011.

SENATE CALENDAR

---

THIRD DAY—THURSDAY, SEPTEMBER 8, 2011

---

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 9-Justus

SENATE BILLS FOR PERFECTION

SB 8-Mayer, with SCS

SB 7-Mayer, with SCS

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**THIRD DAY—THURSDAY, SEPTEMBER 8, 2011**

---

The Senate met pursuant to adjournment.

Senator Stouffer in the Chair.

Reverend Carl Gauck offered the following prayer:

Lord Almighty, You are our strength and hope. We join Your people of the United States, who this weekend turn to You once again in prayer, remembering 9/11 a decade ago. We petition You at this time trusting Your mercy and love in asking for Your guidance to face squarely the threats to peace and security of this land and to grant us the commitment and devotion to serve You and our people throughout this land. Help us to meet the challenges and responsibilities of this new day seeking to do Your will as we remember all those who have fallen and died in You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon, KRCG-TV and KTVI-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

**RESOLUTIONS**

Senator Kehoe offered Senate Resolution No. 10, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jerome Winthorst, Jefferson City, which was adopted.

Senator Lamping offered Senate Resolution No. 11, regarding Scott Barthelmass, Overland, which was adopted.

**INTRODUCTION OF BILLS**

The following Bill was read the 1st time and ordered printed:

**SB 10**—By Schaaf.

An Act to repeal sections 144.062 and 197.315, RSMo, and to enact in lieu thereof seven new sections relating to economic competitiveness, with an emergency clause.

President Pro Tem Mayer assumed the Chair.

**REPORTS OF STANDING COMMITTEES**

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 1**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer assumed the Chair.

**SECOND READING OF SENATE BILLS**

The following Bill was read the 2nd time and referred to the Committee indicated:

**SB 9**—Jobs, Economic Development and Local Government.

**INTRODUCTION OF BILLS**

The following Bill was read the 1st time and ordered printed:

**SB 11**—By Chappelle-Nadal.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to minority and women's business enterprises, with an expiration date.

On motion of Senator Dempsey, the Senate adjourned until 3:00 p.m., Friday, September 9, 2011.

**SENATE CALENDAR**  
—

FOURTH DAY—FRIDAY, SEPTEMBER 9, 2011  
—

**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

SB 10-Schaaf

SB 11-Chappelle-Nadal



SENATE BILLS FOR PERFECTION

SB 8-Mayer, with SCS  
SB 7-Mayer, with SCS

SB 1-Cunningham, with SCS

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**FOURTH DAY—FRIDAY, SEPTEMBER 9, 2011**

---

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

## **RESOLUTIONS**

On behalf of Senator Purgason, Senator Kehoe offered Senate Resolution No. 12, regarding the One Hundredth Birthday of Ola Mae Goodwine, Mountain Grove, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 13, regarding the Twentieth Anniversary of Sign Designs, Joplin, which was adopted.

On behalf of Senator Wasson, Senator Kehoe offered Senate Resolution No. 14, regarding Douglas A. Andrews, Marshfield, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 15, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Paul Bexten, Rich Fountain, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 16, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Sensintaffar, Salem, which was adopted.

Senator Kehoe offered Senate Resolution No. 17, regarding Joseph G. Spears, Jefferson City, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 18, regarding Francis W. Knaebel, Jefferson City, which was adopted.

## **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1**, entitled:

An Act to repeal sections 84.010, 84.220, 86.200, 86.213, and 105.483, RSMo, and to enact in lieu thereof twelve new sections relating to the St. Louis police force, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2**, entitled:

An Act to repeal sections 32.028, 32.087, 99.805, 99.810, 99.835, 99.845, 99.865, 105.716, and 144.083, RSMo, and to enact in lieu thereof twenty new sections relating to collection of state money, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 3**, entitled:

An Act to repeal sections 115.123, 115.755, and 115.761, RSMo, and to enact in lieu thereof two new sections relating to presidential election regulation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 5**, entitled:

An Act to repeal sections 99.805, 99.810, 99.835, 99.845, and 99.865, RSMo, and to enact in lieu thereof six new sections relating to tax changes for areas affected by natural disasters, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 6**, entitled:

An Act to appropriate money for the purpose of matching Federal Emergency Management Agency expenditures due to natural disasters in the state of Missouri in 2011 for the period ending June 30, 2012.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 7**, entitled:

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to a joint committee on disaster funding.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, September, 12, 2011.

#### SENATE CALENDAR

---

FIFTH DAY—MONDAY, SEPTEMBER 12, 2011

---

#### FORMAL CALENDAR

#### SECOND READING OF SENATE BILLS

SB 10-Schaaf

SB 11-Chappelle-Nadal

#### HOUSE BILLS ON SECOND READING

HB 1-Nasheed and Tilley

HB 2-Flanigan, et al

HCS for HB 3

HCS for HB 5

HB 6-Silvey

HB 7-Silvey

#### SENATE BILLS FOR PERFECTION

SB 8-Mayer, with SCS

SB 7-Mayer, with SCS

SB 1-Cunningham, with SCS

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**FIFTH DAY—MONDAY, SEPTEMBER 12, 2011**

---

The Senate met pursuant to adjournment.

Senator Rupp in the Chair.

Reverend Carl Gauck offered the following prayer:

“This is the day the Lord has made; let us rejoice and be glad in it.” (Psalm 118:24)

Gracious God, we are truly glad and see ourselves blessed that these days are so wonderful after summer’s awful heat and devastating storms. We rejoice that the beauty of each day doesn’t escape our notice and we embrace this time of year for the work we can accomplish and yet be refreshed in it. As we spend time in this chamber, let us still be aware of Your creation and do all we can so others less fortunate may also have reason to rejoice. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, September 8, 2011 and Friday, September 9, 2011 were read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

## RESOLUTIONS

Senator Kraus offered Senate Resolution No. 19, regarding Kristen Merrell, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 20, regarding Danny and Dottie Hughes, Oak Grove, which was adopted.

Senator Kraus offered Senate Resolution No. 21, regarding Steve Mokosak, which was adopted.

Senator Kraus offered Senate Resolution No. 22, regarding Dr. Emmanuel Ngomsi, which was adopted.

Senator Kraus offered Senate Resolution No. 23, regarding F. Mark Hissong, which was adopted.

Senator Crowell offered Senate Resolution No. 24, regarding Peggy Gross, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 25, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Wilmer Lueders, Frohna, which was adopted.

Senator Schaefer offered the following resolution:

### SENATE RESOLUTION NO. 26

WHEREAS, on September 8, 2011, President Obama addressed Congress to propose a 447 billion dollar plan to address unemployment, known as the American Jobs Act; and

WHEREAS, in this speech President Obama proposed providing billions of dollars in stimulus funding to state governments without specifying how he intends to pay for the new spending in his proposal; and

WHEREAS, this stimulus funding may be tied to federal mandates and commit the states to spending taxpayer money on policies that the citizens of Missouri oppose; and

WHEREAS, previous federal spending plans intended to stimulate the economy included provisions that committed the states to spending funds after the federal funds ceased; and

WHEREAS, the states need the flexibility to make their own budget decisions, without being penalized by the federal government and without being forced to pay back funds that the states did not choose to take:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Extraordinary Session, believe that the states should have flexibility in making their own budget decisions, and urge the United States Congress, if it adopts the American Jobs Act, to include a provision allowing the states to opt out of the stimulus provisions of the American Jobs Act without being penalized and without being forced to pay back funds that the states did not choose to take; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of Missouri's congressional delegation.

## HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

**HB 1**—Financial and Governmental Organizations and Elections.

**HB 2**—Ways and Means and Fiscal Oversight.

**HCS for HB 3**—Financial and Governmental Organizations and Elections.

**HCS for HB 5**—Ways and Means and Fiscal Oversight.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

**SENATE BILLS FOR PERFECTION**

**SB 8**, with **SCS**, was placed on the Informal Calendar.

**SB 7**, with **SCS**, was placed on the Informal Calendar.

Senator Cunningham moved that **SB 1**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 1**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 1**

An Act to repeal section 162.069, RSMo, and to enact in lieu thereof one new section relating to communications between school district employees and students.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 1** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **SB 1** was declared perfected and ordered printed.

**INTRODUCTIONS OF GUESTS**

Senator Cunningham introduced to the Senate, Jessica Wallace, Eureka.

On motion of Senator Dempsey, the Senate adjourned under the rules.

**SENATE CALENDAR**

---

**SIXTH DAY—TUESDAY, SEPTEMBER 13, 2011**

---

**FORMAL CALENDAR**

**SECOND READING OF SENATE BILLS**

**SB 10-Schaaf**

**SB 11-Chappelle-Nadal**

**HOUSE BILLS ON SECOND READING**

**HB 6-Silvey**

**HB 7-Silvey**

**INFORMAL CALENDAR**

**SENATE BILLS FOR PERFECTION**

**SB 7-Mayer, with SCS**

**SB 8-Mayer, with SCS**

RESOLUTIONS

To be Referred

SR 26-Schaefer

✓



# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**SIXTH DAY—TUESDAY, SEPTEMBER 13, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“By the reading of Scripture I am so renewed that all nature seems renewed around me and with me.” (Thomas Merton)

Dear God, Your Word is a gift in itself and in reading it and meditating on it our whole self is refreshed making us capable of accomplishing what is before us. And even though we may differ from one another help us find ways to do what is right and needful so others may benefit from our work. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Wright-Jones offered Senate Resolution No. 27, regarding Dr. John A. Pieper, which was adopted.

Senator Kraus offered the following resolution:

### SENATE RESOLUTION NO. 28

WHEREAS, Missouri has a proud history of supporting our military and strengthening our nation; and

WHEREAS, Missouri has provided strategic air support to the nation's military since World War II; and

WHEREAS, Missouri is the home of the Air Force Global Strike Command and our military men and women are at the forefront of United States national air defense; and

WHEREAS, our military personnel and their families deserve the peace of mind that they have an unparalleled multi-role fighter to keep them safe, protect our nation, and secure peace around the world; and

WHEREAS, the F-35 is critical to the modernization of our military because it will replace aging and obsolete aircraft and secure United States air superiority for the next generation; and

WHEREAS, thousands of hard working, highly educated Missourians contribute to the success of Whiteman Air Force Base and the Marine Corp Mobilization Command; and

WHEREAS, these Missourians depend on the economic impact of our military bases to support their jobs and thriving communities; and

WHEREAS, the F-35 generates more than five hundred high technology, high paying jobs for Missouri; and

WHEREAS, the global F-35 Joint Strike Fighter program already provides sustained economic impact to Missouri and its citizens of over thirty-five million dollars annually; and

WHEREAS, the United States Congress is currently reviewing its commitment to the F-35 program and its full funding; and

WHEREAS, the United States and its global partners have invested in the development of the F-35 for more than a decade; and

WHEREAS, our military is currently testing the aircraft and we are on the verge of realizing the return on this long-term investment; and

WHEREAS, to slow production would increase the marginal cost of each aircraft and curb the strategic security and economic benefits of the program:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-sixth General Assembly, First Extraordinary Session, hereby urge the United States Congress to recognize the importance of the F-35 to the State of Missouri, our military, and our national security, and support high production and full funding of the F-35 Joint Strike Fighter program; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

## REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 1**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

President Pro Tem Mayer assumed the Chair.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1**, begs leave to report that it has considered the same and recommends that the bill do

pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 3**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce assumed the Chair.

### **REFERRALS**

President Pro Tem Mayer referred **HB 1** to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer referred **SR 26** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

Senator Dempsey announced that photographers from KRCG-TV and Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

On motion of Senator Dempsey, the Senate recessed until 2:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by President Kinder.

Senator Dempsey announced that photographers from KOMU-TV, KMOV-TV and KTVI-TV were given permission to take pictures in the Senate Chamber today.

### **RESOLUTIONS**

Senator Lembke offered Senate Resolution No. 29, regarding David Carr, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 30, regarding the One Hundredth Anniversary of Saint Roch Parish, Saint Louis, which was adopted.

Senator Purgason offered Senate Resolution No. 31, regarding Travis Joseph Kapp, Camdenton, which was adopted.

Senators Justus and Curls offered Senate Resolution No. 32, regarding Kansas City Police Chief James D. Corwin, which was adopted.

Senator Kraus offered Senate Resolution No. 33, regarding David Scott Hedger, which was adopted.

Senator Parson offered Senate Resolution No. 34, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Henry C. Saddler, Sedalia, which was adopted.

Senator Parson offered Senate Resolution No. 35, regarding the Seventy-first Wedding Anniversary of Mr. and Mrs. Marvin W. Speiser, Pittsburg, which was adopted.

### **SENATE BILLS FOR PERFECTION**

Senator Mayer moved that **SB 8**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 8**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 8**

An Act to repeal sections 32.115, 100.286, 100.297, 135.030, 135.090, 135.313, 135.326, 135.327, 135.350, 135.352, 135.460, 135.484, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.815, 135.825, 135.950, 135.973, 135.1150, 143.119, 144.054, 144.062, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 196.1109, 196.1115, 208.770, 253.545, 253.550, 253.557, 253.559, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, 348.300, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof eighty new sections relating to taxation, with penalty provisions and an emergency clause.

Was taken up.

Senator Mayer moved that **SCS** for **SB 8** be adopted.

Senator Mayer offered **SS** for **SCS** for **SB 8**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 8**

An Act to repeal sections 32.115, 100.286, 100.297, 135.010, 135.025, 135.030, 135.090, 135.313, 135.326, 135.327, 135.350, 135.352, 135.460, 135.484, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.815, 135.825, 135.1150, 143.119, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof fifty-six new sections relating to taxation, with an emergency clause.

Senator Mayer moved that **SS** for **SCS** for **SB 8** be adopted.

Senator Lembke raised the point of order that **SS** for **SCS** for **SB 8** is out of order under the provisions of Senate Rule 57 as it contains more than one subject matter.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Goodman requested unanimous consent of the Senate for the Missouri Working Group on Sentencing and Corrections to meet while the Senate is in session, which request was granted.

Senator Stouffer assumed the Chair.

Senator Schaaf offered **SA 1**, which was read:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Pages 27-32, Section 135.010, by striking all of said section from the bill; and

Further amend said bill, page 32, section 135.025, by striking all of said section from the bill; and

Further amend said bill, pages 32-34, section 135.030, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Chappelle-Nadal requested a roll call vote be taken on the adoption of **SA 1** and was joined in her request by Senators Curls, Green, Justus and Schaaf.

**SA 1** was adopted by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Curls	Dempsey	Goodman	Green	Justus	Keaveny
Lamping	Lembke	McKenna	Nieves	Rupp	Schaaf	Schaefer	Schmitt

Wright-Jones—17

NAYS—Senators

Brown	Crowell	Cunningham	Dixon	Engler	Kehoe	Kraus	Lager
Mayer	Munzlinger	Parson	Pearce	Richard	Ridgeway	Stouffer	Wasson—16

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

Senator Schaaf offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 96, Section 135.1500, Lines 1-2, by striking all of said lines from the bill and inserting in lieu thereof the following:

**“(2) “Airport”, any airport located within this state;”.**

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Green offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Pages 11-17, Section 67.3000, by striking all of said section from the bill; and

Further amend said bill, Pages 17 to 20, Section 67.3005, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion failed.

Senator Richard offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 54, Section 135.460, Line 8 of said page, by inserting immediately after said line the following:

“135.478. As used in sections 135.481 to 135.487, the following terms mean:

- (1) “Department”, the department of economic development;
- (2) “Director”, the director of the department of economic development;
- (3) “Distressed community”, as defined in section 135.530;

(4) “Eligible costs for a new residence”, expenses incurred for property acquisition, development, site preparation other than demolition, surveys, architectural and engineering services and construction and all other necessary and incidental expenses incurred for constructing a new market rate residence, which is or will be owner-occupied, which is not replacing a national register listed or local historic structure; except that, costs paid for by the taxpayer with grants or forgivable loans, other than tax credits, provided pursuant to state or federal governmental programs are ineligible;

(5) “Eligible costs for rehabilitation”, expenses incurred for the renovation or rehabilitation of an existing residence including site preparation, surveys, architectural and engineering services, construction, modification, expansion, remodeling, structural alteration, replacements and alterations; except that, costs paid for by the taxpayer with grants or forgivable loans other than tax credits provided pursuant to state or federal governmental programs are ineligible;

(6) “Eligible residence”, a single-family residence forty years of age or older, located in this state and not within a distressed community as defined by section 135.530, which is occupied or intended to be or occupied long-term by the owner or offered for sale at market rate for owner-occupancy and which is either located within a United States census block group which, if in a metropolitan statistical area, has a median household income of less than ninety percent, but greater than or equal to seventy percent of the median household income for the metropolitan statistical area in which the census block group is located, or which, if located within a United States census block group in a nonmetropolitan area, has a median household income of less than ninety percent, but greater than or equal to seventy percent of the median household income for the nonmetropolitan areas in the state, **or which is located within a census block group in which more than fifty percent of the residential structures inside the census block group were destroyed or sustained major damage as the result of a federally declared disaster**;

(7) “Flood plain”, any land or area susceptible to being inundated by water from any source or located in a one hundred-year flood plain area determined by Federal Emergency Management Agency mapping as subject to flooding;

(8) “New residence”, a residence constructed on land which if located within a distressed community has either been vacant for at least two years or is or was occupied by a structure which has been condemned by the local entity in which the structure is located or which, if located outside of a distressed community but within a census block group as described in subdivision (6) or (10) of this section, either replaces a residence forty years of age or older demolished for purposes of constructing a replacement residence, or which is constructed on vacant property which has been classified for not less than forty continuous years as residential or utility, commercial, railroad or other real property pursuant to article X, section 4(b) of the Missouri Constitution, as defined in section 137.016, **or which is constructed within a census block group in which more than fifty percent of the residential structures inside the census block group were destroyed or sustained major damage as the result of a federally declared disaster**; except that, no new residence shall be constructed in a flood plain or on property used for agricultural purposes. In a distressed community, the term “new residence” shall include condominiums, owner-occupied units or other units intended to be owner-occupied in multiple unit structures;

(9) “Project”, new construction, rehabilitation or substantial rehabilitation of a residence that qualifies for a tax credit pursuant to sections 135.475 to 135.487;

(10) “Qualifying residence”, a single-family residence, forty years of age or older, located in this state which is occupied or intended to be occupied long-term by the owner or offered for sale at market rate for owner-occupancy and which is located in a metropolitan statistical area or nonmetropolitan statistical area within a United States census block group which has a median household income of less than seventy percent of the median household income for the metropolitan statistical area or nonmetropolitan area, respectively, or which is located within a distressed community. A qualifying residence shall include a condominium or residence within a multiple residential structure or a structure containing multiple single-family residences which is located within a distressed community;

(11) “Substantial rehabilitation”, rehabilitation the costs of which exceed fifty percent of either the purchase price or the cost basis of the structure immediately prior to rehabilitation; provided that, the structure is at least fifty years old notwithstanding any provision of sections 135.475 to 135.487 to the contrary;

(12) “Tax liability”, the tax due pursuant to chapter 143, 147 or 148, other than taxes withheld pursuant to sections 143.191 to 143.265;

(13) “Taxpayer”, any person, partnership, corporation, trust, limited liability company, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.”; and

Further amend said bill, Page 54, Section 135.484, Line 11 of said page, by inserting an opening bracket “[” immediately before the word “Of”; and further amend Line 15 of said page, by inserting a closing bracket “]” immediately after “135.478.”; and

Further amend said bill and section, Page 55, Line 17, by inserting immediately after the word “contrary,” the following: “**except as otherwise provided under subsection 5 of this section,**”; and further amend line 23 of said page, by inserting after all of said line the following:

**“5. (1) By no later than thirty calendar days following the effective date of this act, and the first day of October each year thereafter, the director of the department may provide to the budget committee of the house of representatives and the appropriations committee of the senate a request for an appropriation for tax credits provided under sections 135.475 to 135.487. Appropriations made pursuant to the provisions of this subsection shall provide the amount of tax credits which may be authorized during the fiscal year immediately following the fiscal year in which such appropriation is made. Appropriations provided under this subsection shall only be made in the annual appropriation bill relating to public debt.**

**(2) There is hereby created in the state treasury the “Neighborhood Preservation Tax Credits for Disaster Relief Fund”, which shall consist of money appropriated under this subsection. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this subsection. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund for tax credits which have been authorized but not yet redeemed at the end of the fiscal year shall not revert to the credit of the general revenue fund. Any moneys remaining in the fund at the end of the fiscal year for any tax credits which remain unauthorized at the end of the fiscal year shall revert to the credit of the general revenue fund. Provisions of section**

**32.057 to the contrary notwithstanding, the department of revenue shall notify the department upon redemption of each tax credit authorized under the provisions of this subdivision. Upon such notification, an amount equal to the tax credits redeemed shall be transferred from the fund created in this subdivision to the general revenue fund. In the event the department determines that any tax credit authorized under this subsection is precluded from being redeemed due to contractual agreement entered into by the department and the tax credit applicant or is otherwise precluded by law from being redeemed, an amount equal to such tax credit shall be transferred from the fund created in this subdivision to the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the general revenue fund at the end of each fiscal year.**

**(3) Tax credits provided under sections 135.475 to 135.487 may, subject to appropriation to the neighborhood preservation tax credits for disaster relief fund, be authorized for projects located within any county declared a disaster area pursuant to federal law at any time during the thirty-six months following the declaration.”; and**

Further amend the title and enacting clause accordingly.

Senator Richard moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway assumed the Chair.

Senator Rupp offered **SA 5**:

#### SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 84, Section 135.679, Line 10 of said page by inserting immediately after all of said line the following:

“135.680. 1. As used in this section, the following terms shall mean:

(1) “Adjusted purchase price”, the product of:

(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and

(b) The following fraction:

a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and

b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;

c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment’s issuance;



(2) “Applicable percentage”, zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;

(3) “Credit allowance date”, with respect to any qualified equity investment:

(a) The date on which such investment is initially made; and

(b) Each of the six anniversary dates of such date thereafter;

(4) **“Disaster relief area”, an area adversely affected by a tornado, severe thunderstorm, or flooding of the Missouri or Mississippi rivers during the calendar year beginning on or after January 1, 2011, but ending on or before December 31, 2011;**

(5) “Long-term debt security”, any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity’s investment portfolio. The foregoing shall in no way limit the holder’s ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;

[(5)] (6) “Qualified active low-income community business”, the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;

[(6)] (7) “Qualified community development entity”, the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;

[(7)] (8) “Qualified equity investment”, any equity investment in, or long-term debt security issued by, a qualified community development entity that:

(a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;

(b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and

(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;

[(8)] (9) “Qualified low-income community investment”, any capital or equity investment in, or loan to, any qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of paragraph (b) of subdivision (1) of this subsection shall

be ten million dollars whether issued to one or several qualified community development entities;

[(9)] **(10)** “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;

[(10)] **(11)** “Taxpayer”, any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.

2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer’s state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer’s five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.

4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:

(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.

5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the allocation of tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. **The department of economic development shall promulgate an emergency rule defining the geographic boundaries of any disaster relief areas immediately following the enactment of this act.**

**In lieu of an emergency rule the department may issue a private letter ruling pursuant to section 135.682 when applicable.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.

6. For fiscal years following fiscal year 2010, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year 2010, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date **or from reallocating such investment to a qualified active low-income community business located in a disaster relief area.**

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Mayer moved that **SS** for **SCS** for **SB 8**, as amended, be adopted, which motion prevailed.

On motion of Senator Mayer, **SS** for **SCS** for **SB 8**, as amended, was declared perfected and ordered printed.

Senator Mayer moved that **SB 7**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 7**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 7

An Act to repeal sections 196.1109, 196.1115, 348.251, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation.

Was taken up.

Senator Mayer moved that **SCS** for **SB 7** be adopted.

Senator Mayer offered **SS** for **SCS** for **SB 7**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 7

An Act to repeal sections 196.1109, 196.1115, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation, with a contingent effective date.

Senator Mayer moved that **SS** for **SCS** for **SB 7** be adopted.

Senator Richard offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 7, Page 4, Section 196.1115, Lines 13-18, by striking all of said lines and inserting in lieu thereof the following: “**expenses for appropriations equal to or greater than twenty million dollars; three percent for appropriations less than twenty million dollars but equal to or greater than fifteen million dollars; four percent for appropriations less than fifteen million dollars but equal to or greater than ten million dollars; five percent for appropriations less than ten million dollars; provided, however, that the general assembly**”.

Senator Richard moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 7, Page 34, Section 348.271, Line 19, by inserting immediately after all of said line the following:

“348.275. 1. **Public funds utilized under the provisions of sections 348.250 to 348.275 shall not be expended, paid, or granted to or on behalf of an existing or proposed research project that involves abortion services, human cloning, or prohibited human research as defined in section 196.1127.**

2. The department of economic development may draft and promulgate rules and regulations consistent with the provisions of sections 348.251 to 348.272 as are necessary or useful to carry out the provisions of those sections.

[2.] 3. No rule or portion of a rule promulgated under the authority of sections 348.251 to 348.272 shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided in

this section.

[3.] **4.** Upon filing any proposed rule with the secretary of state, the department shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

[4.] **5.** A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the department may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

[5.] **6.** The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

[6.] **7.** If the committee disapproves any rule or portion thereof, the department shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

[7.] **8.** If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

[8.] **9.** Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted.

Senator Dixon offered **SSA 1** for **SA 2**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 7, Page 26, Section 348.261, Line 19, by inserting after all of said line the following:

**“7. At least ten days prior to releasing funds to a recipient of financial assistance pursuant to the powers established in this section, the corporation shall submit to the president pro tem of the senate and the speaker of the house of representatives the name of the recipient of such assistance, and post such information on the corporation’s website.”.**

Senator Dixon moved that the above substitute amendment be adopted, which motion prevailed.

Senator Mayer moved that **SS** for **SCS** for **SB 7**, as amended, be adopted, which motion prevailed.

On motion of Senator Mayer, **SS** for **SCS** for **SB 7**, as amended, was declared perfected and ordered printed.

On motion of Senator Dempsey, the Senate recessed until 10:30 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

### **REPORTS OF STANDING COMMITTEES**

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 8** and **SS** for **SCS** for **SB 7**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Mayer referred **SS** for **SCS** for **SB 8** to the Committee on Ways and Means and Fiscal Oversight.

### **INTRODUCTIONS OF GUESTS**

Senator Kehoe introduced to the Senate, Debbie Livingston, Administrator Michael Rapp, parents and ninth grade students from Lighthouse Preparatory Academy, Jefferson City.

Senator Rupp introduced to the Senate, Shawn “The Meter Man” Gipperich, O’Fallon.

Senator Rupp introduced to the Senate, his wife, Carissa, St. Charles.

On motion of Senator Dempsey, the Senate adjourned under the rules.

### **SENATE CALENDAR**

---

SEVENTH DAY—WEDNESDAY, SEPTEMBER 14, 2011

---

### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 10-Schaaf

SB 11-Chappelle-Nadal

HOUSE BILLS ON SECOND READING

HB 6-Silvey

HB 7-Silvey

THIRD READING OF SENATE BILLS

SCS for SB 1-Cunningham

SS for SCS for SB 7-Mayer

SS for SCS for SB 8-Mayer (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

HB 1-Nasheed and Tilley (Keaveny)  
(In Fiscal Oversight)

HCS for HB 3 (Engler)

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SR 28-Kraus

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**SEVENTH DAY—WEDNESDAY, SEPTEMBER 14, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God’s work must truly be our own.” (John F. Kennedy)

Almighty God, You have chosen each of us to serve in this capacity and to lead our people in ways that benefit our laborers and thinkers, teachers and farmers. As we do our best here, with Your guidance, help us to provide bills that touch the needs before us and move them into laws that assist Missourians to move forward and prosper. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Wright-Jones offered Senate Resolution No. 36, regarding Dr. Henry Givens, which was



adopted.

Senator Richard offered Senate Resolution No. 37, regarding the Sixtieth Birthday of Kit Denise Brothers, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 38, regarding Steven H. “Steve” Holt, Carthage, which was adopted.

Senator Parson offered Senate Resolution No. 39, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Clifford Dwyer, Warsaw, which was adopted.

Senator Brown offered Senate Resolution No. 40, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Max Tucker, Montgomery City, which was adopted.

Senator Brown offered Senate Resolution No. 41, regarding the Thirtieth Anniversary of Rehagen Heating and Cooling, Westphalia, which was adopted.

Senator Dempsey announced that photographers from KOMU-TV, Missouri News Horizon and KRCG-TV had been given permission to take pictures in the Senate Chamber today.

President Pro Tem Mayer assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HB 2**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 8**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce assumed the Chair.

### **THIRD READING OF SENATE BILLS**

**SCS** for **SB 1**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1**

An Act to repeal section 162.069, RSMo, and to enact in lieu thereof one new section relating to communications between school district employees and students.

Was taken up by Senator Cunningham.

On motion of Senator Cunningham, **SCS** for **SB 1** was read the 3rd time and passed by the following vote:

#### **YEAS—Senators**

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason

Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SS** for **SCS** for **SB 8**, introduced by Senator Mayer, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 8

An Act to repeal sections 32.115, 100.286, 100.297, 135.090, 135.313, 135.326, 135.327, 135.350, 135.352, 135.460, 135.478, 135.484, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.680, 135.700, 135.815, 135.825, 135.1150, 143.119, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof fifty-five new sections relating to taxation, with an emergency clause.

Was taken up.

Senator Schmitt assumed the Chair.

President Kinder assumed the Chair.

On motion of Senator Mayer, **SS** for **SCS** for **SB 8** was read the 3rd time and passed by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schmitt	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Brown	Cunningham	Lager	Lembke	Nieves	Purgason	Schaaf	Schaefer—8
-------	------------	-------	--------	--------	----------	--------	------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Callahan	Crowell	Curls	Dempsey	Dixon	Engler	Goodman	Green
Justus	Keaveny	Kehoe	Kraus	Lamping	Mayer	McKenna	Munzlinger
Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schmitt	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Brown	Chappelle-Nadal	Cunningham	Lager	Lembke	Nieves	Schaaf	Schaefer—8
-------	-----------------	------------	-------	--------	--------	--------	------------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

On motion of Senator Dempsey, the Senate recessed until 2:00 p.m.

## RECESS

The time of recess having expired, the Senate was called to order by Senator Schmitt.

## RESOLUTIONS

Senator Curls offered Senate Resolution No. 42, regarding the Eightieth Birthday of Johnnie Ruth Irving, which was adopted.

Senator Munzlinger offered the following resolution:

### SENATE RESOLUTION NO. 43

WHEREAS, over the course of the spring and summer of 2011, unprecedented releases of water upstream by the U.S. Army Corps of Engineers have caused extensive pressure on the river levees in the state of Missouri that protect many communities, businesses, and prime agricultural lands; and

WHEREAS, in the face of this tremendous pressure some of Missouri's levees have been intentionally and unintentionally breached, resulting in widespread flooding, which has proved devastating to many Missouri homes, farms, families, and livelihoods; and

WHEREAS, Missouri families have suffered unprecedented losses as a result of this situation and many Missouri farmers have experienced a complete and total loss of agricultural production, resulting in a decimated farm incomes and ravaged local economies; and

WHEREAS, the flood waters have not yet receded in some parts of Missouri and continue to disrupt the lives of hard-working

Missourians; and

WHEREAS, even after the flood waters recede, much work will need to be done to restore the productivity of the damaged agricultural land and repair the ruined homes and businesses; and

WHEREAS, the U.S. Army Corps of Engineers is charged with management of the nation's rivers and flood control is one of the primary purposes for which the rivers are to be managed:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Extraordinary Session, hereby strongly urge the U.S. Army Corps of Engineers to manage the rivers in such a way as to avoid the devastating flooding disasters that have occurred this year and also strongly urge the U.S. Army Corps of Engineers to rebuild the damaged levees to their previous heights as expediently as possible; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate encourage communities, families and other stakeholders to work together to restore the prime agricultural lands that have been damaged by the recent flooding so that the productive value of these lands is not irrevocably lost; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate strongly encourage the members of the Missouri Congressional delegation to actively support policies for the management of the Missouri River that mimic natural river level rises and falls and that minimize devastating flood events such as those that have been experienced by so many Missourians this summer; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Secretary of the U.S. Army and the members of the Missouri Congressional delegation.

Senators Cunningham, Kraus, Dixon, Ridgeway, Lembke, Purgason, Schaaf, Crowell, Rupp, Mayer, Schmitt, Parson, Engler, Stouffer, Richard, Munzlinger, Nieves, Dempsey, Kehoe, Wasson, Brown, Lamping and Callahan offered the following resolution:

#### SENATE RESOLUTION NO. 44

WHEREAS, an employee of the Department of Elementary and Secondary Education is seeking to apply for a federal grant from the Early Learning Challenge Fund to implement a quality rating system for early childhood in Missouri; and

WHEREAS, the General Assembly has previously considered legislation during several legislative sessions to adopt a quality rating system similar to the Early Learning Challenge Fund's tiered quality rating system and has repeatedly refused to enact legislation creating such a system; and

WHEREAS, strong opposition to a quality rating system continues to exist in the General Assembly; and

WHEREAS, an employee of the Department of Elementary and Secondary Education is knowingly circumventing the legislative process and the will of the General Assembly by attempting to implement a quality rating system and applying for an approximately \$60 million federal grant that requires the implementation of such a system; and

WHEREAS, the receipt of a grant from the Early Learning Challenge Fund would demonstrate a complete disregard for the legislative process and require the establishment of a system that the General Assembly has refused to adopt and has strongly opposed:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Extraordinary Session, hereby demand that the Commissioner of Education, State Board of Education, and Governor cease and desist from taking any further action on the application and not apply for a grant from the Early Learning Challenge Fund or any other source that requires an early childhood quality rating system; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commissioner of Education, each member of the State Board of Education, and the Governor.

#### REFERRALS

President Pro Tem Mayer referred **SR 28** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Mayer referred **HB 2**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

**THIRD READING OF SENATE BILLS**

**SS** for **SCS** for **SB 7**, introduced by Senator Mayer, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 7

An Act to repeal sections 196.1109, 196.1115, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation, with a contingent effective date.

Was taken up.

On motion of Senator Mayer, **SS** for **SCS** for **SB 7** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Cunningham	Lembke	Nieves	Rupp—4
------------	--------	--------	--------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 3**, entitled:

An Act to repeal sections 115.123, 115.755, and 115.761, RSMo, and to enact in lieu thereof two new sections relating to presidential election regulation.

Was taken up by Senator Engler.

At the request of Senator Engler, **HCS** for **HB 3** was placed on the Informal Calendar.

**INTRODUCTIONS OF GUESTS**

Senator Brown introduced to the Senate, Dylan Rehagen, Westphalia.

Senator Lembke introduced to the Senate, Roland and Jane VonderHaar and their son, Adam, Oakville;

and Adam was made an honorary page.

Senator Kehoe introduced to the Senate, Coaches Brandon Talbot and Ryan Suttentfield, parents and members of the Class 2 State Champion New Bloomfield R-III High School baseball team, Brendon Bailey, Cameron Baker, Aaron Bedsworth, Greg Bedsworth, Daniel Berry, Alec Britton, Trent Crawford, Alex Cuneio, Cam Edwards, Lee Gardner, Tim Long, Skyler Lucas, Ethan Massman, Taylor Mattern, Kolby O'Dowd, Brandon Peiter, Austin Pittman, Zach Rehagan, Justice Richards, Jacob Rieken, Justus Zumbahl and Justin Tighe.

On motion of Senator Dempsey, the Senate adjourned until 2:00 p.m., Wednesday, September 21, 2011.

SENATE CALENDAR

---

EIGHTH DAY—WEDNESDAY, SEPTEMBER 21, 2011

---

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 10-Schaaf

SB 11-Chappelle-Nadal

HOUSE BILLS ON SECOND READING

HB 6-Silvey

HB 7-Silvey

HOUSE BILLS ON THIRD READING

HB 1-Nasheed and Tilley (Keaveny)  
(In Fiscal Oversight)

HB 2-Flanigan, with SCS (Schaefer)  
(In Fiscal Oversight)

INFORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HCS for HB 3 (Engler)

RESOLUTIONS

To be Referred

SR 43-Munzlinger

SR 44-Cunningham, et al

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**EIGHTH DAY—WEDNESDAY, SEPTEMBER 21, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Always seek peace between your heart and God, but in this world, always be careful to remain ever-restless, never satisfied, and always abounding in the work of the Lord.” (Jim Elliot)

Almighty God, we return to continue to deal with a tough reality of unemployment, a difficult economy and resulting needs that present themselves in a variety of ways in hope that we might address them. Give us discerning hearts and minds that will guide us to make the best decisions that produce the most helpful outcomes. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Wednesday, September 14, 2011 was read and approved.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kehoe	Kraus	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

Absent—Senators—None

Absent with leave—Senators

Cunningham	Justus	Lager	Parson	Wright-Jones—5
------------	--------	-------	--------	----------------

Vacancies—None

## RESOLUTIONS

On behalf of Senator Wright-Jones, Senator Callahan offered Senate Resolution No. 45, regarding the One Hundredth Birthday of Mary Katherine Billingsly Wall, St. Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 46, regarding Dr. Jim Elias, Lake Winnebago, which was adopted.

Senator Crowell offered Senate Resolution No. 47, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Mitch Shelby, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 48, regarding the Twenty-fifth Wedding Anniversary of Reverends Grant and Nancy Gillard, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 49, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Hal Majors, Cape Girardeau, which was adopted.

Senator Brown offered Senate Resolution No. 50, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Carl Meyers, Montgomery City, which was adopted.

Senator Mayer offered Senate Resolution No. 51, regarding Addie Rasche, Dexter, which was adopted.

Senator Schaaf offered Senate Resolution No. 52, regarding Kathleen S. Tremayne, St. Joseph, which was adopted.

On behalf of Senator Cunningham and himself, Senator Engler offered Senate Resolution No. 53, regarding Dr. Donald D. Palmer, Jr., Ballwin, which was adopted.

Senator Schaefer offered Senate Resolution No. 54, regarding Brenda L. Wages, Clifton Hill, which was adopted.

Senator Kehoe offered Senate Resolution No. 55, regarding Faye Tull Carter, Jefferson City, which was adopted.

Senator Crowell offered Senate Resolution No. 56, regarding the One Hundred Sixtieth Anniversary of Eisleben Lutheran Church, Scott City, which was adopted.

Senator Kehoe offered Senate Resolution No. 57, regarding the Ninety-second Birthday of Elizabeth S. “Betty” Kramer, Jefferson City, which was adopted.

Senator Wasson offered Senate Resolution No. 58, regarding Sheriff Joey Kyle, Christian County, which was adopted.

Senator Munzlinger offered Senate Resolution No. 59, regarding the One Hundred Seventy-fifth Anniversary of Audrain County and the City of Mexico, which was adopted.

Senators Lembke, Crowell, Schaaf and Ridgeway offered the following resolution:

### SENATE RESOLUTION NO. 60

WHEREAS, Governor Nixon designated John Huff, the Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration and a member of the Missouri Health Insurance Pool, to serve as the project director of Missouri’s Health Insurance Exchange Establishment Grant to provide executive leadership to the development of the exchange infrastructure and to oversee grant administration; and

WHEREAS, Governor Nixon, upon the advice of Director Huff and the Health Insurance Exchange Coordinating Committee, designated the Missouri Health Insurance Pool to receive an Establishment Grant from the federal government on behalf of the State of Missouri to plan



and implement a health insurance exchange under the direction of Director Huff; and

WHEREAS, on August 12, 2011, the Department of Health and Human Services announced the award of approximately \$21 million in the form of a Level One Exchange Establishment Grant to the Missouri Health Insurance Pool to help establish a state health insurance exchange; and

WHEREAS, on September 15, 2011, the board of directors of the Missouri Health Insurance Pool considered adopting a resolution establishing the “MHIP/Show-Me HIX” as a distinct organizational unit within the Missouri Health Insurance Pool and undertaking responsibility for implementing the tasks described in the Missouri Establishment Grant; and

WHEREAS, the board of directors of the Missouri Health Insurance Pool also considered accepting a \$21 million federal grant to help build the technological infrastructure for a health insurance exchange; and

WHEREAS, after consulting with some key senators from the Senate Interim Committee on Health Insurance Exchanges, the board of directors of the Missouri Health Insurance Pool postponed action on the resolution to establish an exchange and accept the federal grant; and

WHEREAS, counsel retained by the Missouri Health Insurance Pool has stated that the Missouri Health Insurance Pool has the statutory authority to accept the federal monies and take the preliminary steps to establish a health insurance exchange; and

WHEREAS, several members of the Senate Interim Committee on Health Insurance Exchanges have asked the director of the Missouri Department of Insurance, Financial Institutions and Professional Registration to state the legal authority that allows the Missouri Health Insurance Pool to accept Exchange Establishment Grants and to undertake precursory steps to establish a state-based health insurance exchange; and

WHEREAS, as to date, the legal basis for the Missouri Health Insurance Pool to engage in the preliminary steps of establishing a health insurance exchange has not been provided to the members of the Senate Interim Committee on Health Insurance Exchanges; and

WHEREAS, the statutes establishing the Missouri Health Insurance Pool do not authorize its board to accept federal grants or undertake activities relating to the establishment of a health insurance exchange; and

WHEREAS, the Patient Protection and Affordable Care Act requires states to establish their own health insurance exchanges or otherwise cede this authority to the federal government; and

WHEREAS, the decision to establish a state-based health insurance exchange or to allow the federal government to operate an exchange within Missouri is a policy decision left to the General Assembly and not the Missouri Health Insurance Pool or any other member of the executive branch; and

WHEREAS, the Missouri General Assembly would need to pass legislation before any state-controlled exchange were to be implemented in Missouri, giving the citizens of Missouri a right to be heard on this matter through their constitutionally elected representatives; and

WHEREAS, Article II of the Missouri Constitution mandates that the powers of government shall be divided into three distinct departments with each department exercising its own powers; and

WHEREAS, it is the power of Governor, as the head of the executive department, to faithfully execute the laws and not to make laws or choose to ignore the laws that do not suit his political agenda; and

WHEREAS, accepting federal monies to preliminarily establish a state-based health insurance exchange invades the province of the General Assembly in that the decision to establish or not establish a health insurance exchange is a policy decision - a power entrusted to the General Assembly by the Missouri Constitution, and

WHEREAS, the legislative authority of Missouri is vested in the General Assembly and in the absence of a statute or constitutional provision that authorizes the Governor to establish a state-based health insurance exchange, the Governor cannot create obligations, responsibilities, conditions or processes having the force and effect of law by the issuance of an executive order or other actions; and

WHEREAS, the potential decision of the Missouri Health Insurance Pool to establish a health insurance exchange within the Missouri Health Insurance Pool is without legal foundation and usurps the power of the General Assembly; and

WHEREAS, the potential decision of the Missouri Health Insurance Pool to establish a health insurance exchange within the Missouri Health Insurance Pool runs afoul of the wishes of the Missouri voters in that one of the core functions of a federally-approved exchange is to establish a process to determine whether an individual is exempt from the individual mandate penalty:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Extraordinary Session, hereby urge the Governor of Missouri, the director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, and the board of directors of the Missouri Health Insurance Pool to return all Exchange Establishment Grant monies to Health and Human Services Secretary, Kathleen Sebelius; refrain from applying for any other federal grants relating to the establishment of a health

insurance exchange as envisioned under the Patient Protection and Affordable Care Act; and refrain from adopting any policies relating to the establishment of a health insurance exchange which by their very nature blatantly disregard the time-honored separation of powers between the legislative and executive branches; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send a copy of this resolution to the Governor of Missouri, the director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, and each member of the board of directors of the Missouri Health Insurance Pool.

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HB 6**—Appropriations.

**HB 7**—Appropriations.

### **REFERRALS**

President Pro Tem Mayer referred **SR 43** and **SR 44** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **SECOND READING OF SENATE BILLS**

The following Bills were read the 2nd time and referred to the Committees indicated:

**SB 10**—Health, Mental Health, Seniors and Families.

**SB 11**—Jobs, Economic Development and Local Government.

On motion of Senator Dempsey, the Senate recessed until 7:00 p.m.

### **RECESS**

The time of recess having expired, the Senate was called to order by Senator Pearce.

Senator Goodman announced that photographers from KTVI-TV were given permission to take pictures in the Senate Chamber today.

On motion of Senator Goodman, the Senate adjourned until 2:00 p.m., Friday, September 23, 2011.

### **SENATE CALENDAR**

—————

**NINTH DAY—FRIDAY, SEPTEMBER 23, 2011**

—————

### **FORMAL CALENDAR**

### **HOUSE BILLS ON THIRD READING**

**HB 1**—Nasheed and Tilley (Keaveny)  
(In Fiscal Oversight)

**HB 2**—Flanigan, with SCS (Schaefer)  
(In Fiscal Oversight)

INFORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HCS for HB 3 (Engler)

RESOLUTIONS

To be Referred

SR 60-Lembke, et al

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**NINTH DAY—FRIDAY, SEPTEMBER 23, 2011**

---

The Senate met pursuant to adjournment.

President Pro Tem Mayer in the Chair.

Senator Dempsey announced that photographers from KSDK-TV, KTVI/KPLR, Missouri News Horizon, News Tribune, and KRCG-TV were given permission to take pictures in the Senate Chamber today.

## **RESOLUTIONS**

On behalf of Senator Rupp, Senator Dempsey offered Senate Resolution No. 61, regarding Andrew Gordon Reader, Weldon Spring, which was adopted.

On behalf of Senator Brown, Senator Dempsey offered Senate Resolution No. 62, regarding the Fiftieth Anniversary of Central Hog Market, Rich Fountain, which was adopted.

On behalf of Senator Brown, Senator Dempsey offered Senate Resolution No. 63, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Martin Rohlfing, Hermann, which was adopted.

On behalf of Senator Brown, Senator Dempsey offered Senate Resolution No. 64, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ralph Kloeppe, Dixon, which was adopted.

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 65, regarding Zachary Scott Myers, Pacific, which was adopted.

On behalf of Senator Kehoe, Senator Dempsey offered Senate Resolution No. 66, regarding Claudia Goodin, Jefferson City, which was adopted.

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 67, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Carl Leuckel, Perryville, which was adopted.

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 68, regarding the Fiftieth Wedding Anniversary of Dr. and Mrs. Harold Hager, Cape Girardeau, which was adopted.

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 69, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Wes Steffen, Cape Girardeau, which was adopted.

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 70, regarding the One Hundredth Anniversary of Mathaushek Council #1576 of the Knights of Columbus, Union, which was adopted.

On behalf of Senator Rupp, Senator Dempsey offered Senate Resolution No. 71, regarding the Sixty-fifth Wedding Anniversary of Dr. and Mrs. Richard L. Dalton, Old Monroe, which was adopted.

On behalf of Senator Rupp, Senator Dempsey offered Senate Resolution No. 72, regarding Noah Gresham Krull, O'Fallon, which was adopted.

On behalf of Senator Schaefer, Senator Dempsey offered Senate Resolution No. 73, regarding Jack D. Bragg, D.O., Columbia, which was adopted.

On behalf of Senator Ridgeway, Senator Dempsey offered Senate Resolution No. 74, regarding the Fortieth Anniversary of the Clay County Investigative Squad, Liberty, which was adopted.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 1**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 7**.

Bill ordered enrolled.

### REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 1** and **SS** for **SCS** for **SB 7**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

### SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **SB 1**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

### OBJECTIONS

Senator Lembke submitted the following:

#### CONSTITUTIONAL OBJECTION IN THE FIRST EXTRAORDINARY SESSION OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI

Comes now, Senator Jim Lembke, duly elected member of the Missouri Senate from the First Senatorial District, to present the following Point

of Order with respect to Senate Substitute for Senate Committee Substitute for Senate Bill Seven.

I believe this bill is constitutionally infirm for the following reasons:

1. SS/SCS for Senate Bill No. 7 further violates Article I, Section 2 of the Missouri Constitution by providing a competitive advantage to some citizens through state supplied subsidies for the development of new enterprises at the expense of citizens who have already made investments in competing projects. The result is state sponsored diminution of their property and the state's failure to "give security" to the "gains of their own industry".
2. SS/SCS for Senate Bill No. 7 further violates Article I, Section 2 of the Missouri Constitution by providing preferential and unequal treatment to some citizens, who would receive state supplied subsidies for the development of new enterprises, over other citizens who might otherwise seek development of new enterprises in competition with them in an open and free marketplace.
3. SS/SCS for Senate Bill No. 7 violates Article III, Section 36 of the Missouri Constitution, because it has the effect of "divert[ing]" money from the treasury independent of the appropriation process.
4. SS/SCS for Senate Bill No. 7 violates Article III, Section 38(a) of the Missouri Constitution, which states that "The general assembly shall have no power to grant public money or property, or lend or authorize the lending of public credit, to any private person, association or corporation..."
5. The potential for public benefit does not remediate the fatal flaws in this bill, for as the Missouri Supreme Court pointed out in 1987, "Accordingly, in our application of Article III, Section 38(a) of the Missouri Constitution, we have held grants with a primarily private effect to be unconstitutional, despite the possible beneficial impact upon the economy of the locality and of the state." *Curchin v. Missouri Indus. Development Bd.*, 722 SW 2d 930 (Mo: Supreme Court 1987)
6. SS/SCS for Senate Bill No. 7 violates Missouri Constitution's Article III, Section 40 prohibition of "special laws" in several ways, notably those in Section 40(30) which forbids the General Assembly from passing a local or special law where a general law can be made applicable.

Article I, Section 2 of the Missouri Constitution provides guidance for all that the state would task itself with – it defines the role of Missouri government, what it calls its "principal office". That section was brought forward from our 1875 constitution and it was explained eloquently when introduced to the body of delegates during the 1875 Constitutional Convention:

"It [in the Bill of Rights] is then declared that the main office of government is the security of life, liberty and property - the protection of those things - not protection in the sense in which capital is employed in thousands of industries in order to render bloated one or two in some favored locality - not protection in that sense, but equal protection to all, so that every man may sit secure under the shadow of his own vine and fig tree, and have none to make him afraid." Debates of the Missouri Constitutional Convention, 1875 – Volume I, P. 430 at 24 (emph. added)

As a duly elected senator of the great state of Missouri, I have taken an oath to support and defend the Constitution from which these principles emanate. While I have a responsibility to consider guidance from the Courts, I also have a personal responsibility to understand our Constitution and apply *my* understanding in the execution of *my* duties. In the present instance, both the preponderance of guidance from the courts and my understanding are in agreement.

Accordingly, I conclude that Senate Substitute for Senate Committee Substitute for Senate Bill Seven is unconstitutional for the above-stated reasons and should not be agreed to or passed by this body and in the event it is finally passed by both houses of the legislature, should not be signed by the governor.

Respectfully submitted,  
/s/ James W. Lembke  
Senator James W. Lembke

## **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SS for SCS for SB 7**, having passed both branches of the General Assembly, would be read at length by the Secretary, and, the objection notwithstanding, the bill would be signed by the President Pro Tem to the end that it may become law. The bill was so read by the Secretary and signed by the President Pro Tem.

Senator Pearce assumed the Chair.

On motion of Senator Dempsey, the Senate adjourned until 10:30 a.m., Monday, September 26, 2011.

SENATE CALENDAR

---

TENTH DAY—MONDAY, SEPTEMBER 26, 2011

---

FORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HB 1-Nasheed and Tilley (Keaveny)  
(In Fiscal Oversight)

HB 2-Flanigan, with SCS (Schaefer)  
(In Fiscal Oversight)

INFORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HCS for HB 3 (Engler)

RESOLUTIONS

To be Referred

SR 60-Lembke, et al

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**TENTH DAY—MONDAY, SEPTEMBER 26, 2011**

---

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

On motion of Senator Dempsey, the Senate adjourned until 10:00 a.m., Monday, October 3, 2011.

SENATE CALENDAR

---

ELEVENTH DAY—MONDAY, OCTOBER 3, 2011

---

FORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HB 1-Nasheed and Tilley (Keaveny)  
(In Fiscal Oversight)

HB 2-Flanigan, with SCS (Schaefer)  
(In Fiscal Oversight)

INFORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HCS for HB 3 (Engler)

RESOLUTIONS

To be Referred

SR 60-Lembke, et al

✓



# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**ELEVENTH DAY—MONDAY, OCTOBER 3, 2011**

---

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

## **RESOLUTIONS**

On behalf of Senator Goodman, Senator Kehoe offered Senate Resolution No. 75, regarding Dylan Coy Wolfe, Billings, which was adopted.

On behalf of Senator Curls, Senator Kehoe offered Senate Resolution No. 76, regarding the death of Wayne Jamar White, Kansas City, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 77, regarding Steven Arthur Rew, Lee's Summit, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 78, regarding Brady Joe Martin, Lee's Summit, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 79, regarding David Lance Schmitt, Lee's Summit, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 80, regarding Robert Bradley Williams, Lee's Summit, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 81, regarding Collin Eugene Williams, Lee's Summit, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 82, regarding Andrew Michael Williams, Lee's Summit, which was adopted.

On behalf of Senators Brown and Schaefer, Senator Kehoe offered Senate Resolution No. 83, regarding Dr. Bob Youngquist, Columbia, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 84, regarding the One Hundred Fiftieth Anniversary of Immaculate Conception Parish, Montgomery City, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 85, regarding Gene Sally, Rancho Mirage, California, which was adopted.

On behalf of Senator Parson, Senator Kehoe offered Senate Resolution No. 86, regarding Dr. C. Pat Taylor, Bolivar, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 87, regarding Betsy Banks, Chapel Hill, North Carolina, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 88, regarding Larry Hickey, Joplin, which was adopted.

On behalf of Senator Rupp, Senator Kehoe offered Senate Resolution No. 89, regarding Zachary J. Kleist, St. Charles, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 90, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Leroy “Sonny” Phillips, St. Joseph, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 91, regarding the One Hundred Eightieth Anniversary of the First Presbyterian Church, Palmyra, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 92, regarding the Fortieth Birthday of Brian Hauswirth, Moberly, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 93, regarding the Sixtieth Anniversary of the Mexico High School Dixie Gray Band, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 94, regarding Dixie Meredith, Webb City, which was adopted.

On behalf of Senator Lager, Senator Kehoe offered Senate Resolution No. 95, regarding the Sixty-fifth Anniversary of the Fairfax Kiwanis Club, which was adopted.

On behalf of Senator Crowell, Senator Kehoe offered Senate Resolution No. 96, regarding the One Hundredth Birthday of Effie Elizabeth Riehn, Jackson, which was adopted.

On behalf of Senator Dempsey, Senator Kehoe offered Senate Resolution No. 97, regarding Karen Mercurio, Saint Peters, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 98, regarding Contempri Homes and the community of Pinckneyville, Illinois, which was adopted.

On behalf of Senator Rupp, Senator Kehoe offered Senate Resolution No. 99, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Cliff Garrett, Troy, which was adopted.

### **COMMUNICATIONS**

On behalf of President Pro Tem Mayer, Senator Kehoe submitted the following:

September 26, 2011

Senator Jim Lembke  
Chairman, Governmental Accountability Committee  
Room 419, State Capitol  
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your committee investigate recent events involving Mamtek in Moberly, Missouri, including

state and local involvement.

Senator Kurt Schaefer will work with the committee on this issue as the City of Moberly is part of his senatorial district.

Please let me know if you have additional questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
State Senator, District 25

Also,

September 27, 2011

Senator Jim Lembke  
Chairman, Governmental Accountability Committee  
Room 419, State Capitol  
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your committee investigate recent events involving Mamtek in Moberly, Missouri, including state and local involvement.

Senator Joseph Keaveny will assist the committee with their work on this issue.

Please let me know if you have additional questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
State Senator, District 25

On motion of Senator Kehoe, the Senate adjourned until 10:00 a.m., Thursday, October 6, 2011.

## SENATE CALENDAR

---

TWELFTH DAY—THURSDAY, OCTOBER 6, 2011

---

### FORMAL CALENDAR

#### HOUSE BILLS ON THIRD READING

HB 1-Nasheed and Tilley (Keaveny)  
(In Fiscal Oversight)

HB 2-Flanigan, with SCS (Schaefer)  
(In Fiscal Oversight)

### INFORMAL CALENDAR

#### HOUSE BILLS ON THIRD READING

HCS for HB 3 (Engler)

## RESOLUTIONS

To be Referred

SR 60-Lembke, et al

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**TWELFTH DAY—THURSDAY, OCTOBER 6, 2011**

---

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

## RESOLUTIONS

On behalf of Senator Keaveny, Senator Kehoe offered Senate Resolution No. 100, regarding the death of Amos McClure, Saint Louis, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 101, regarding the One Hundredth Anniversary of the city of Rosebud, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 102, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Roy Yager, Montgomery City, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 103, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. C. Dale Murphy, Bourbon, which was adopted.

On behalf of Senator Crowell, Senator Kehoe offered Senate Resolution No. 104, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Wilbur Keith Seabaugh, Jackson, which was adopted.

On behalf of Senator Crowell, Senator Kehoe offered Senate Resolution No. 105, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. James L. Maevers, Cape Girardeau, which was adopted.

On behalf of Senator Rupp, Senator Kehoe offered Senate Resolution No. 106, regarding Ryan Quay Baggett, St. Charles, which was adopted.

On behalf of Senator Engler, Senator Kehoe offered Senate Resolution No. 107, regarding Gregory Kenneth “Greg” Ferrell, De Soto, which was adopted.

On behalf of Senator Dixon, Senator Kehoe offered Senate Resolution No. 108, regarding Bharat Shah, M.D., F.A.C.S., Springfield, which was adopted.

On behalf of Senator Dixon, Senator Kehoe offered Senate Resolution No. 109, regarding Brooke O’Reilly, Springfield, which was adopted.

On behalf of Senator Dixon, Senator Kehoe offered Senate Resolution No. 110, regarding the Twenty-fifth Anniversary of Southwest Center for Independent Living, Springfield, which was adopted.

On behalf of Senator Dixon, Senator Kehoe offered Senate Resolution No. 111, regarding Ruth Grant, M.D., Springfield, which was adopted.

On behalf of Senator Dixon, Senator Kehoe offered Senate Resolution No. 112, regarding Gary L. Hoos, M.D., Springfield, which was adopted.

On behalf of Senator Dixon, Senator Kehoe offered Senate Resolution No. 113, regarding Doug Pitt, Springfield, which was adopted.

On behalf of Senator Dixon, Senator Kehoe offered Senate Resolution No. 114, regarding Dr. John Buckner, III, Springfield, which was adopted.

On behalf of Senator Dixon, Senator Kehoe offered Senate Resolution No. 115, regarding Ginger Robinson, Colorado, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 116, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Leroy Hanneken, Wellsville, which was adopted.

On behalf of Senator Schaefer, Senator Kehoe offered Senate Resolution No. 117, regarding Cindy Mustard, Columbia, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 118, regarding the Twenty-fifth Anniversary of the Armed Services YMCA of Missouri, which was adopted.

On behalf of Senator Goodman, Senator Kehoe offered Senate Resolution No. 119, regarding Loyd's Electric Supply, Incorporated, Branson, which was adopted.

On behalf of Senator Lembke, Senator Kehoe offered Senate Resolution No. 120, regarding Lisa Dunn, St. Louis, which was adopted.

On behalf of Senator Lembke, Senator Kehoe offered Senate Resolution No. 121, regarding Hancock High School Varsity H Club, which was adopted.

On behalf of Senator Lembke, Senator Kehoe offered Senate Resolution No. 122, regarding Justin N. Hennessey, St. Louis, which was adopted.

On behalf of Senator Chappelle-Nadal, Senator Kehoe offered Senate Resolution No. 123, regarding Double Tenth National Day, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 124, regarding Jay R. Curless, III, which was adopted.

On behalf of Senator Goodman, Senator Kehoe offered Senate Resolution No. 125, regarding the Ninetieth Birthday of Della Mieswinkel, Mount Vernon, which was adopted.

On behalf of Senator Parson, Senator Kehoe offered Senate Resolution No. 126, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Howard Bass, Lamar, which was adopted.

On behalf of Senator Rupp, Senator Kehoe offered Senate Resolution No. 127, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Joseph Robert Kallash, Troy, which was adopted.

#### **BILLS DELIVERED TO THE GOVERNOR**

**SCS** for **SB 1** and **SS** for **SCS** for **SB 7**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Tuesday, October 11, 2011.

SENATE CALENDAR

---

THIRTEENTH DAY—TUESDAY, OCTOBER 11, 2011

---

FORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HB 1-Nasheed and Tilley (Keaveny)  
(In Fiscal Oversight)

HB 2-Flanigan, with SCS (Schaefer)  
(In Fiscal Oversight)

INFORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HCS for HB 3 (Engler)

RESOLUTIONS

SR 60-Lembke, et al

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**THIRTEENTH DAY—TUESDAY, OCTOBER 11, 2011**

---

The Senate met pursuant to adjournment.

President Pro Tem Mayer in the Chair.

Senator Dempsey announced that photographers from KOMU-TV were given permission to take pictures in the Senate Chamber today.

## **RESOLUTIONS**

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 128, regarding Virginia I. Wolking, which was adopted.

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 129, regarding Delmar W. Jones, which was adopted.

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 130, regarding Douglas W. Baecker, which was adopted.

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 131, regarding Melinda S. Helling, which was adopted.

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 132, regarding Michael Corley, Eureka, which was adopted.

On behalf of Senator Rupp, Senator Dempsey offered Senate Resolution No. 133, regarding Carol Alexander, Weldon Springs, which was adopted.

On behalf of Senator Munzlinger, Senator Dempsey offered Senate Resolution No. 134, regarding Dawn Food Products, Incorporated, Mexico, which was adopted.

On behalf of Senator Munzlinger, Senator Dempsey offered Senate Resolution No. 135, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bob Meyer, Canton, which was adopted.

On behalf of Senator Munzlinger, Senator Dempsey offered Senate Resolution No. 136, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bennie DeVerger, Maywood, which was adopted.

On behalf of Senator Munzlinger, Senator Dempsey offered Senate Resolution No. 137, regarding the



Fiftieth Wedding Anniversary of Mr. and Mrs. Jim Brumback, Palmyra, which was adopted.

### MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 8**, entitled:

An Act to repeal sections 32.115, 99.1205, 135.090, 135.313, 135.326, 135.327, 135.350, 135.352, 135.484, 135.535, 135.562, 135.575, 135.630, 135.647, 135.700, 135.825, 135.1150, 143.119, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 215.020, 215.030, 215.033, 215.034, 253.545, 253.550, 253.557, 253.559, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.1878, and 620.1881, RSMo, and to enact in lieu thereof forty-two new sections relating to taxation, with an emergency clause.

With House Amendment Nos. 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8, as amended, House Amendment No. 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10, as amended, and House Substitute Amendment No. 1 for House Amendment No. 12.

### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 25, Section 135.352, Line 48, by inserting the following after all of said Line:

**“10. Notwithstanding provisions of law to the contrary, during the calendar year beginning January 1, 2016, and every fourth calendar year thereafter, the general assembly may, by concurrent resolution adopted during regular session, prohibit the approval of qualified Missouri projects for tax credits provided under sections 253.545 to 253.559. Such resolution shall not take effect prior to the first day of the fiscal year following the fiscal year in which such resolution was adopted. The prohibition contained in such resolution shall not in any way impair the department of economic development’s ability to issue tax credits for projects approved prior to the effective date of such resolution, or a taxpayer’s ability to redeem such tax credits.”; and**

Further amend said bill, Page 64, Section 253.559, Line 135, by inserting the following after all of said Line:

**“11. Notwithstanding provisions of law to the contrary, during the calendar year beginning January 1, 2016, and every fourth calendar year thereafter, the general assembly may, by concurrent resolution adopted during regular session, prohibit the approval of qualified Missouri projects for tax credits provided under sections 135.350 to 135.363. Such resolution shall not take effect prior to the first day of the fiscal year following the fiscal year in which such resolution was adopted. The prohibition contained in such resolution shall not in any way impair the commission’s ability to issue tax credits for projects approved prior to the effective date of such resolution, or a taxpayer’s ability to redeem such tax credits.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 38, Section 135.1180, Line 43, by inserting at the end of said line the following:

**“The cumulative amount of tax credits under this section which may be allocated to all taxpayers making eligible donations in any one fiscal year shall not exceed five million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 98, Section 620.1878, Line 409, by inserting after all of said section the following:

**“Section 1. The amount of tax imposed on the taxable income of a corporation in section 143.071 shall be reduced to five and one half percent of Missouri taxable income beginning January 1, 2012.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1521, Line 9, by inserting the following after all of said Line:

**“137.081. 1. As used in this section, the following terms mean:**

**(1) "Certificate of occupancy", the certificate, permit, or equivalent document issued by the county that permits the commercial use or occupancy of a building or structure used for commercial purposes;**

**(2) "Commercial real property", any real property assessed as utility, industrial, commercial, railroad and other real property by the assessor for property tax purposes under section 137.016;**

**(3) "Commercial real property improvement", any buildings, structures, fixtures, and similar edifice as described in subdivision (3) of section 137.010 which are on and a part of commercial real property;**

**(4) "Natural disaster", any disaster due to natural causes such as tornado, fire, flood, or earthquake;**

**(5) "County", any county or city not within a county.**

**2. If a property owner makes an application under this section, any commercial real property improvement destroyed by a natural disaster shall be removed on a pro rata basis from the tax book for the current year if such property improvement is unusable due to such destruction. If such application is made before the first day of July, the county assessor shall carry out the duties of**

subsections 2 and 3 of this section. If such application is made on or after July first, the county board of equalization shall carry out the duties of subsections 2 and 3 of this section. In counties that are not of the first classification, if the destruction occurs after the adjournment of the county board of equalization, the county commission shall perform such duties.

3. Upon issuance of a certificate of occupancy for the improvement to a property removed from the tax book under subsection 2 of this section by the county, the property shall be assessed and taxed on such assessed valuation as of the first day of the month for the proportionate part of the remaining year at the tax rates established for that year in all taxing jurisdictions located in the county adopting this section. If the property is located within a county that does not issue a certificate of occupancy, upon the determination of the assessor that the improvement is suitable for use or occupancy for commercial purposes, the property shall be assessed and taxed on such assessed valuation as of the first day of the month for the proportionate part of the remaining year at the tax rates established for that year in all taxing jurisdictions located in the county adopting this section.

4. Any person claiming destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall make available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall be assessed double the value of any property fraudulently listed, in addition to any other penalties provided by law. The list shall be filed by the assessor, after the assessor has provided a copy of the list to the county collector and the board of equalization or county commission, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep it.

5. Any political subdivision may recover all loss of revenue resulting from the provisions of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section.

6. For any tax year, including 2011, this section shall become effective immediately upon the adoption of this section by the governing body of such county and shall apply to such tax year and shall remain effective until the end of the tax year in which the governing body of such county votes to repeal the provisions of this section. Any improvement that was removed from the tax book under the provisions of this section prior to the time of repeal by the governing body of such county shall be assessed and taxed at such time as the requirements of subsection 3 of this section have been satisfied.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 3, by inserting after all of said line the following;

“Further amend said bill, Page 32, Section 135.630, Lines 91 through 93, by deleting all of said lines”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 34, Section 135.647, Lines 56 through 58 by removing said lines from the bill; and  
Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 8-12, by deleting all of said lines; and  
Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 12, Section 99.1205, Line 6 by deleting the words “**or any portion thereof, engineering costs, attorney's fees, architectural and planning costs,**”; and

Further amend said bill Page 12, Section 99.1205, Line 9 by removing the brackets around the words “attorney fees”; and

Further amend said bill, Page 12, Section 99.1205, Line 38 by inserting an opening bracket “[” before the following: “(4) “Condemnation proceedings””; and

Further amend said bill, Page 13, Section 99.1205, Line 43 by inserting a closing bracket “]” after the following: “section 523.250””; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 6, by deleting the number, “**twenty**” and inserting in lieu thereof the number, “**ten**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 87, Section 620.1878, Line 165 by deleting the word “twenty” and inserting in lieu thereof the words “[twenty] **ten**”; and

Further amend said bill, Page 87, Section 620.1878, Line 166 by deleting the word “forty” and inserting in lieu thereof the words “[forty] **twenty**”; and

Further amend said bill, Page 87, Section 620.1878, Line 167 by inserting after the word “area” the words “**, two new jobs in an enhanced enterprise zone**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8 Page 5, Section 67.2050 Line 5, of said page by inserting after the word “**state**,” the following: “**or any utilities board thereof;**” and

Further amend said section and page, Line 17, of said page by inserting after the word “**purchase**,” the following: “**lease , sale**,”; and

Further amend said section and page, Line 30, of said page by inserting after the word “**may**” the following: “ **notwithstanding any limiting, restricting or inconsistent ordinance or charter provision of the Municipality**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO  
HOUSE AMENDMENT NO. 10

Amend House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 2, by deleting “252.545” and inserting in lieu thereof “253.545”; and

Further amend said amendment, Page 2, Lines 25-26, by deleting “**June 30, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said amendment, Page 3, Lines 14, 23, and 25, by deleting “**July 1, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said amendment, Page 4, Lines 5, 7, and 21, by deleting “**July 1, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

## HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Sections 252.545 through 253.559, Pages 56 - 64, by striking all of said sections from the bill and inserting in lieu thereof the following:

“253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) “Certified historic structure”, a property located in Missouri and listed individually on the National Register of Historic Places;

(2) “Deed in lieu of foreclosure or voluntary conveyance”, a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) “Eligible property”, property located in Missouri and offered or used for residential or business purposes;

(4) “Leasehold interest”, a lease in an eligible property for a term of not less than thirty years;

(5) “Principal”, a managing partner, general partner, or president of a taxpayer;

(6) “Structure in a certified historic district”, a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

(7) “Taxpayer”, any person, firm, partnership, trust, estate, limited liability company, or corporation;

(8) **“Total costs and expenses of rehabilitation”, all costs and expenses related to the rehabilitation of eligible property that is a certified historic structure or a structure in a certified historic district including, but not limited to, qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section. Such costs and expenses shall include, but not be limited to, rehabilitation work in progress and accrued developer fees. Provided however, that accrued developer fees shall only be considered “total costs and expenses of rehabilitation” if an agreement or other contractual document provides for the payment of such fees within no more than six years of completion of the rehabilitation.**

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, may, subject to the provisions of this section and section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2011**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before June 30, 2011**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of

this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

**5. For each fiscal year beginning on or after July 1, 2011, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed eighty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.**

**6. For all applications for tax credits approved on or after July 1, 2011, no more than one hundred and twenty-five thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.**

**7. In lieu of the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall apply to:**

**(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2011; or**

**(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2011:**

**(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed the lesser of fifteen percent of the total project costs or three million dollars; or**

**(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.**

**8. For each fiscal year beginning on or after July 1, 2011, the department of economic development shall not approve applications for projects to receive less than two hundred seventy-five thousand dollars in tax credits which, in the aggregate, exceed ten million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations on tax credit authorization provided under the provisions of this subsection, shall not apply to:**

**(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2011; or**

**(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2011:**

**(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed five percent of the total project costs; or**

**(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.**

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. **For all tax credits authorized under the provisions of sections 253.545 to 253.559 on or after July 1, 2011, if the total amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to the preceding year and carried forward for credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265 for the succeeding five years, or until the full credit is used, whichever occurs first.** Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] to 253.559. **Any taxpayer that receives state tax credits under the provisions of sections 135.350 to 135.363 for a project that is not financed through tax exempt bonds issuance shall be ineligible for the state tax credits authorized under sections 253.545 to 253.559 for the same project.** Taxpayers eligible for such tax credits may transfer, sell or assign the credits **to any other taxpayer including, but not limited to, a not-for-profit entity.** Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners **including, but not limited to, any not-for-profit entity that is a partner, member, or owner,** respectively pro rata or pursuant to an executed agreement among [the] **such** partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer



by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department of economic development. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked, with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each application shall be reviewed by the department of economic development for approval. In order to receive approval, an application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated project start date, and the estimated project completion date;

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district; and

(5) Any other information which the department of economic development may reasonably require to review the project for approval. Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department of economic development shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department of economic development deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits.

4. Following approval of an application, the identity of the taxpayer contained in such application shall

not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the taxpayer contained in such application shall notify the department of such change.**

5. In the event that the department of economic development grants approval for tax credits equal to the **applicable** total amount available under subsection 2, **5, or 8** of section 253.550, or sufficient that when totaled with all other approvals, the **applicable** amount available under subsection 2, **5, or 8** of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department of economic development that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department of economic development and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation within two years of the date of issuance of the letter from the department of economic development granting the approval for tax credits. "Commencement of rehabilitation" shall mean that as of the date in which actual physical work, contemplated by the architectural plans submitted with the application, has begun, the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. If the department of economic development determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the **applicable** total amount of tax credits, provided under subsection 2, **5, or 8** of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department of economic development and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final approval and issuance of tax credits from the department of economic development [which,]. **Such application for final approval and issuance of tax credits shall include a cost and expense certification, prepared by a licensed certified public accountant that is not an affiliate of the applicant, certifying the total costs and expenses of rehabilitation and the total amount of tax credits for which such taxpayer is eligible under sections 253.550 to 253.559. Cost and expense certifications required under this section shall separately state any accrued developer fees. No later than forty-five calendar days following receipt of a taxpayer's application for final approval and issuance of tax credits, the department of economic development shall determine, in consultation with the department of natural resources, [shall determine the final amount of eligible rehabilitation costs and expenses and] whether the**

completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. **If the completed rehabilitation meets such standards, the department of economic development shall, within forty-five calendar days following the receipt of the taxpayer's application for final approval and tax credit issuance, inform such taxpayer of its initial determination by letter and issue such taxpayer an initial tax credit issuance. A taxpayer receiving an initial tax credit issuance shall receive tax credit certificates in an amount equal the lesser of seventy-five percent of the total amount of tax credits for which the taxpayer is eligible under sections 253.550 to 253.559, as certified in the cost and expense certification, or the amount of tax credits approved for such project under subsection 3 of this section. Within one hundred and fifty calendar days following receipt of a taxpayer's application for final approval and tax credit issuance, the department shall determine the final amount of eligible rehabilitation costs and expenses. For a taxpayer receiving an initial tax credit issuance, no later than one hundred and fifty calendar days following receipt of such taxpayer's application for final approval and tax credit issuance, the department shall notify such taxpayer of its final determination by letter and issue such taxpayer tax credit certificates in an amount equal to the lesser of the remaining amount of tax credits for which such taxpayer is eligible to receive under sections 253.550 to 253.559, as determined by the department, or the remaining amount of tax credits for which such taxpayer was approved under subsection 3 of this section, but not issued under the initial tax credit issuance. If the department of economic development determines that the amount of tax credits issued to a taxpayer in the initial tax credit issuance is in excess of the total amount of tax credits such taxpayer is eligible to receive under sections 253.550 to 253.559, the department shall notify such taxpayer and such taxpayer shall repay the state an amount equal to such excess.** For financial institutions credits authorized pursuant to sections 253.550 to [253.561] **253.559** shall be deemed to be economic development credits for purposes of section 148.064. The approval of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. [The department of economic development shall inform a taxpayer of final approval by letter and shall issue, to the taxpayer, tax credit certificates.] The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed. **Taxpayers which receive tax credit certificates under sections 253.550 to 253.559, attributable to accrued developer fees shall, within six years of completion of rehabilitation, submit an additional cost and expense certification verifying the total amount of developer fees actually accrued and paid. To the extent the amount of developer fees contained in a taxpayer's cost and expense certification included with such taxpayers application for final approval and tax credit issuance exceeds the amount of developer fees actually accrued and paid, as evidenced by the additional cost and expense certification, such taxpayer shall repay to the state an amount equal to twenty-five percent of such excess.**

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that costs and expenses of rehabilitation of the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the amount of eligible rehabilitation costs and expenses incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be subject to all provisions regarding priority provided under subsection 1 of this section.

9. The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

**10. (1) Taxpayers or duly authorized representatives may appeal any official decision, including all preliminary or final approvals and denials of approvals, made by the department or the department of natural resources with regard to an application submitted under sections 253.550 to 253.559 to an independent third-party appeals officer designated by the department. Such appeals under this section shall constitute an administrative review of the decision appealed from and shall not be conducted as an adjudicative proceeding.**

**(2) Appeals shall be submitted to the designated appeals officer in writing within thirty days of receipt by the taxpayer or the taxpayer's duly authorized representative of the decision that is the subject of the appeal, and shall include all information the appellant wishes the appeals officer to consider in deciding the appeal.**

**(3) Upon receipt of an appeal, the appeals officer shall notify the department or the department of natural resources that an appeal is pending, identify the decision being appealed, and forward a copy of the information submitted by the appellant. The department or the department of natural resources may submit a written response to the appeal.**

**(4) The appellant shall be entitled to one meeting with the appeals officer to discuss the appeal, but the appeals officer may schedule additional meetings at the officer's discretion. The department or the department of natural resources may appear at all meetings.**

**(5) The appeals officer shall consider the record of the decision in question, any further written submissions by the appellant and the department or the department of natural resources, and other available information, and shall deliver a written decision to all parties as promptly as circumstances permit.**

**11. By no later than January 1, 2012, the department shall propose rules to implement the provisions of sections 253.550 to 253.559. Prior to proposing such rules, the department shall conduct a stakeholder process designed to solicit input from interested parties. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated herein shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR  
HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1321, Line 9, by inserting after all of said section and line the following:

**“144.059. 1. As used in this section, the term “‘Made in USA’ product” means any new product**

that supports a claim to be made in the United States under the policy on “Made in USA” claims enforced by the Federal Trade Commission, and that is not already exempt from state sales taxes under any provision of state law.

2. In each year beginning on or after January 1, 2012, but ending on or before December 31, 2013, there is hereby specifically exempted from state sales tax law all retail sales of any “Made in USA” product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a “Made in USA” product.

3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.

4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision's local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.

5. This section shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

## COMMUNICATIONS

On behalf of Senator Callahan, President Pro Tem Mayer submitted the following:

The Honorable Rob Mayer  
President Pro-Tem of Missouri Senate  
State Capitol Room 326  
Jefferson City, Mo. 65101

October 6, 2011

Dear Senator Mayer,

I would respectfully ask that the Senator Maria Chappelle-Nadal be appointed to the Joint Interim Committee on State Employee Wages. Further, I would respectfully request that Senator Kiki Curls be appointed to the Task Force on the Prevention of Sexual Abuse of Children. Finally, I would respectfully request that Senator Robin Wright-Jones be appointed to the Missouri Task Force on Premature and Infant Mortality.

Please give me a call if you have any questions or need additional information.

Sincerely yours,

/s/ Victor Callahan

Victor E. Callahan

State Senator — 11th District

Also,

President Pro Tem Mayer submitted the following:

October 11, 2011

Terry Spieler

Secretary of the Missouri Senate

State Capitol, Room 325

Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Bob Dixon to the following committee:

Joint Taskforce on the Prevention of Sexual Abuse of Children (Erin's Law)

Please feel free to contact me should you have any questions.

Sincerely,

/s/ Robert N. Mayer

Robert N. Mayer

President Pro Tem

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, October 17, 2011.

## SENATE CALENDAR

---

FOURTEENTH DAY—MONDAY, OCTOBER 17, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON THIRD READING

HB 1-Nasheed and Tilley (Keaveny)  
(In Fiscal Oversight)

HB 2-Flanigan, with SCS (Schaefer)  
(In Fiscal Oversight)

## INFORMAL CALENDAR

### HOUSE BILLS ON THIRD READING

HCS for HB 3 (Engler)

### SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 8-Mayer, with HCS, as amended

RESOLUTIONS

To be Referred

SR 60-Lembke, et al

✓

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**FOURTEENTH DAY—MONDAY, OCTOBER 17, 2011**

---

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

Gracious God, we give You thanks for bringing us safely together to do the work You have called us to do. During this session interrupted we have been challenged and called to think outside of the box and that has not always been comfortable. These days are filled with frustration and concerns about our future as a state and country. So we ask that You guide us and direct our thoughts and actions this afternoon so that we might do what is most helpful for the people of this state and bring to a close this special session. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Friday, September 23, 2011; Monday, September 26, 2011; Monday, October 3, 2011; Thursday, October 6, 2011; and Tuesday, October 11, 2011, were read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—None

## RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 138, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Harlan Herbster, St. Joseph, which was adopted.



Senator Schaaf offered Senate Resolution No. 139, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. William W. “Bill” Carpenter, Jr., St. Joseph, which was adopted.

On behalf of Senator Cunningham, Senator Dempsey offered Senate Resolution No. 140, regarding Edward Wagner, St. Charles, which was adopted.

Senator Curls offered Senate Resolution No. 141, regarding Mothers of Incarcerated Sons and Daughters, which was adopted.

Senator Schmitt offered Senate Resolution No. 142, regarding the Ninetieth Anniversary of Gross & Janes Company, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 143, regarding the death of Robert James “Bob” Cassilly, Jr., St. Louis, which was adopted.

Senator Lager offered Senate Resolution No. 144, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. C.R. “Dick” Dunn, Maitland, which was adopted.

Senator Lager offered Senate Resolution No. 145, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Russ Baldwin, Hopkins, which was adopted.

Senator Lager offered Senate Resolution No. 146, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Donald Meek, Chula, which was adopted.

Senator Lager offered Senate Resolution No. 147, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ivan Taylor, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 148, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Rolland Hersh, Ravenwood, which was adopted.

Senator Lager offered Senate Resolution No. 149, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Marvin Florea, Maryville, which was adopted.

Senator Lager offered Senate Resolution No. 150, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Carmack, Green City, which was adopted.

Senator Lager offered Senate Resolution No. 151, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Treese, Maryville, which was adopted.

Senator Lager offered Senate Resolution No. 152, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Paul Persell, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 153, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Spalding, Hopkins, which was adopted.

Senator Lager offered Senate Resolution No. 154, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Virgil Miles, Mound City, which was adopted.

On behalf of Senator Cunningham, Senator Dempsey offered Senate Resolution No. 155, regarding Charles H. Wunderlich, Ballwin, which was adopted.

Senator Dempsey offered Senate Resolution No. 156, regarding James A. Woody, Saint Charles, which was adopted.

Senator Lager offered Senate Resolution No. 157, regarding the Fiftieth Wedding Anniversary of Mr.

and Mrs. Raymond “Tillie” Porterfield, Maryville, which was adopted.

Senator Lager offered Senate Resolution No. 158, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Frank Travis, which was adopted.

Senator Lager offered Senate Resolution No. 159, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Arnold Hughes, Rosendale, which was adopted.

Senator Lager offered Senate Resolution No. 160, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Kenneth Strauch, Skidmore, which was adopted.

Senator Lager offered Senate Resolution No. 161, regarding the One Hundredth Birthday of Pauline Reardon, Plattsburg, which was adopted.

Senator Schmitt offered Senate Resolution No. 162, regarding Mary Binggeli, St. Louis, which was adopted.

Senator Goodman offered Senate Resolution No. 163, regarding Lane Smith, Taneyville, which was adopted.

Senator Richard offered Senate Resolution No. 164, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bernard Means, Lockwood, which was adopted.

Senator Richard offered Senate Resolution No. 165, regarding Ted Krygiel, which was adopted.

Senator Richard offered Senate Resolution No. 166, regarding Mark Lindquist, Joplin, which was adopted.

Senator Mayer offered Senate Resolution No. 167, regarding J.D. Wagster, Malden, which was adopted.

Senator Mayer offered Senate Resolution No. 168, regarding Cleo Crofford, Poplar Bluff, which was adopted.

Senator Mayer offered Senate Resolution No. 169, regarding Inez Abner, Bell City, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 170, regarding the death of Anna May Slay, St. Louis, which was adopted.

Senator Dixon offered Senate Resolution No. 171, regarding Joshua David Arthur Wendt, which was adopted.

Senator Dixon offered Senate Resolution No. 172, regarding Matthew Aaron Klika, which was adopted.

Senator Dixon offered Senate Resolution No. 173, regarding Josh Clark, which was adopted.

Senator Dixon offered Senate Resolution No. 174, regarding Jesse Adam Wilson, which was adopted.

Senator Wasson offered Senate Resolution No. 175, regarding the 27th Annual Salute to Construction, which was adopted.

Senator Keaveny offered Senate Resolution No. 176, regarding Mark Stansberry, St. Louis, which was adopted.

Senators Schmitt, Schaefer, Green, Lager, Richard, Lamping, Wasson, Purgason, Rupp, McKenna, Mayer, Munzlinger, Goodman, Parson, Brown, Kehoe, Dempsey, Lembke, Ridgeway, Schaaf, Kraus, Stouffer, Engler, Callahan, Chappelle-Nadal and Justus offered the following resolution, which was read:

## SENATE RESOLUTION NO. 177

WHEREAS, Missouri has an extensive history of supporting our military and strengthening our nation; and

WHEREAS, our military personnel and their families receive peace of mind from the fact that they have the F/A-18E/F, which is the most capable, next-generation, multi-role strike fighter flying in combat today, ensuring their safety, protecting our nation, and securing peace around the world; and

WHEREAS, the F/A-18E/F is the most capable, multi-role strike fighter in production today and will continue to provide air superiority to the United States and its allies for the next generation; and

WHEREAS, over twenty-four thousand retirees and over fifteen thousand hard working employees in Missouri contribute to the success of programs like the F/A-18E/F; and

WHEREAS, in 2010 nine hundred sixty-nine Missouri suppliers had purchases of approximately seven hundred sixty-four million dollars worth of supplies for programs such as the F/A-18E/F, further contributing to the sustainability of Missouri jobs and making a substantial economic impact on Missouri; and

WHEREAS, the United States invested in a multi-year procurement of F/A-18E/F aircraft in 2010 continuing through 2014 which will save the taxpayer over eight hundred eighteen million dollars; and

WHEREAS, every F/A-18E/F aircraft has been delivered to our military on time and at cost, providing the only capable and affordable multi-strike fighter today; and

WHEREAS, limiting the production of the F/A-18E/F program would cause an adverse economic impact to Missouri:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-sixth General Assembly, First Extraordinary Session, hereby urge the United States Congress to recognize the importance of the F/A-18E/F to the State of Missouri, our military, and our national security, and support the continued production and full funding of the F/A-18E/F program; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Senator Dempsey announced that photographers from KMIZ and Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

**REFERRALS**

President Pro Tem Mayer referred **SR 60** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**PRIVILEGED MOTIONS**

Senator Mayer moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 8**, as amended, and request the House to recede from its position and take up and pass **SS** for **SCS** for **SB 8**, which motion prevailed.

**HOUSE BILLS ON THIRD READING**

Senator Engler moved that **HCS** for **HB 3** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Engler offered **SS** for **HCS** for **HB 3**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 3

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof two new sections relating to the presidential preference primary.

Senator Engler moved that **SS** for **HCS** for **HB 3** be adopted.

Senator Engler offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 3, Page 2, Section 115.755, Line 27 of said page, by inserting after all of said line the following:

“Section B. Because of the need for the Secretary of State to have adequate time to comply with the provisions of this act, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 3, Page 1, Section 115.123, Line 13 of said page, by inserting after “2.” the following: “**For the 2012 presidential year, an election for a presidential primary held pursuant to sections 115.758 to 115.785 shall be held on the first Tuesday after the first Monday in March.**”; and

Further amend said bill and section, Page 2, Line 2 of said page, by striking the following: “This subsection”; and further amend lines 3 and 4 of said page, by striking said lines; and

Further amend said bill, Page 2, Section 115.755, Line 25 of said page, by striking the following: “This section and”; and further amend lines 26 and 27 of said page, by striking all of said lines.

Senator Schmitt moved that the above amendment be adopted.

Senator Lager offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for House Committee Substitute for House Bill No. 3, Page 1, Line 5, by striking the word “March”, and inserting in lieu thereof, the following: “**February**”.

Senator Lager moved that the above amendment be adopted.

Senator Rupp raised the point of order that **SA 1** to **SA 2** is out of order as it is dilatory.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Lager offered **SA 2** to **SA 2**, which was read:

SENATE AMENDMENT NO. 2 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for House Committee Substitute for House Bill No. 3, Page 1, Line 5, by striking the word “March”, and inserting in lieu thereof, the following: “**January**”.

Senator Lager moved that the above amendment be adopted.

Senator Ridgeway assumed the Chair.

Senator Green requested a roll call vote be taken on the adoption of **SA 2** to **SA 2** and was joined in his request by Senators Engler, Justus, Lager and Lamping.

**SA 2** to **SA 2** failed of adoption by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Green	Keaveny	Lager	Lamping	McKenna	Purgason
Ridgeway	Schaefer—10						

NAYS—Senators

Callahan	Curls	Dempsey	Dixon	Engler	Goodman	Justus	Kehoe
Kraus	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Richard
Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—22		

Absent—Senators—None

Absent with leave—Senators

Crowell	Cunningham—2
---------	--------------

Vacancies—None

**SA 2** was again taken up.

Senator Schaefer offered **SA 3** to **SA 2**, which was read:

SENATE AMENDMENT NO. 3 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for House Committee Substitute for House Bill No. 3, Page 1, Line 12, by inserting immediately after the word, “lines”, the following: “and inserting in lieu thereof, the following:

**“Section 1. No presidential candidate shall appear on a ballot for the office of the president of the United States for an established political party in a presidential election unless such candidate has appeared on a presidential preference primary for that presidential election.”; and**

Further amend the title and enacting clause accordingly.”

Senator Schaefer moved that the above amendment be adopted, which motion failed.

**SA 2** was again taken up.

Senator Schmitt moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Green, Justus, Keaveny and Schaaf.

**SA 2** failed of adoption by the following vote:

YEAS—Senators

Brown	Callahan	Curls	Goodman	Justus	Keaveny	Lager	McKenna
Ridgeway	Schaaf	Schmitt	Wright-Jones—12				

NAYS—Senators

Chappelle-Nadal	Dempsey	Dixon	Engler	Green	Kehoe	Kraus	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Rupp	Schaefer	Stouffer	Wasson—20				

Absent—Senators—None

Absent with leave—Senators

Crowell                      Cunningham—2

Vacancies—None

Senator Engler moved that **SS** for **HCS** for **HB 3** be adopted.

Senator Green requested a roll call vote be taken and was joined in his request by Senators Callahan, Dixon, Engler and Justus.

**SS** for **HCS** for **HB 3** failed of adoption by the following vote:

YEAS—Senators

Dempsey	Dixon	Engler	Kehoe	Kraus	Lembke	Mayer	Munzlinger
Nieves	Parson	Pearce	Richard	Rupp	Schaaf	Stouffer	Wasson—16

NAYS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Goodman	Green	Justus	Keaveny
Lager	Lamping	McKenna	Purgason	Ridgeway	Schaefer	Schmitt	Wright-Jones—16

Absent—Senators—None

Absent with leave—Senators

Crowell                      Cunningham—2

Vacancies—None

At the request of Senator Engler, **HCS** for **HB 3** was placed on the Informal Calendar.

## COMMUNICATIONS

President Pro Tem Mayer submitted the following:

October 12, 2011

Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Rob Schaaf to the following committee:

Missouri Task Force on Prematurity and Infant Mortality

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

October 13, 2011

Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Will Kraus to the following committee:

Missouri Task Force on Prematurity and Infant Mortality

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

October 13, 2011

Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Will Kraus to the following committee:

Missouri Workforce Investment Board

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

Also,

October 17, 2011

Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Mr. Brett Dorton, 231 South Park Lane, Dexter, MO 63841, as the public member of the following committee:

Joint Interim Committee on State Employee Wages

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

### **INTRODUCTIONS OF GUESTS**

Senator Schaaf introduced to the Senate, Mary and Ben Pecora, St. Joseph.

On motion of Senator Dempsey, the Senate adjourned until 12:00 p.m., Tuesday, October 25, 2011.

### **SENATE CALENDAR**

---

**FIFTEENTH DAY—TUESDAY, OCTOBER 25, 2011**

---

### **FORMAL CALENDAR**

#### **HOUSE BILLS ON THIRD READING**

HB 1-Nasheed and Tilley (Keaveny)  
(In Fiscal Oversight)

HB 2-Flanigan, with SCS (Schaefer)  
(In Fiscal Oversight)

### **INFORMAL CALENDAR**

#### **HOUSE BILLS ON THIRD READING**

HCS for HB 3 (Engler)

#### **BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES**

Requests to Recede or Grant Conference

SS for SCS for SB 8-Mayer, with HCS, as amended  
(Senate requests House recede and pass the bill)

### **RESOLUTIONS**

To be Referred

SR 177-Schmitt, et al

✓



# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

---

**FIFTEENTH DAY—TUESDAY, OCTOBER 25, 2011**

---

The Senate met pursuant to adjournment.

President Pro Tem Mayer in the Chair.

Photographers from KRCG-TV, ABC-17 and KOMU were given permission to take pictures in the Senate Chamber today.

## **RESOLUTIONS**

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 178, regarding Inez Rohrer, Washington, which was adopted.

On behalf of Senator Richard, Senator Dempsey offered Senate Resolution No. 179, regarding Daria Claiborne, Joplin, which was adopted.

On behalf of Senator Richard, Senator Dempsey offered Senate Resolution No. 180, regarding the Fiftieth Anniversary of Webb City High School Class of '61, which was adopted.

On behalf of Senator Wright-Jones, Senator Dempsey offered Senate Resolution No. 181, regarding Carla Moore, Stoddard County, which was adopted.

On behalf of Senator Wright-Jones, Senator Dempsey offered Senate Resolution No. 182, regarding Raymond Howard, which was adopted.

On behalf of Senator Wright-Jones, Senator Dempsey offered Senate Resolution No. 183, regarding James R. Neely, Jr., which was adopted.

On behalf of Senator Richard, Senator Dempsey offered Senate Resolution No. 184, regarding the Seventy-fifth Anniversary of the Newton County Courthouse, Neosho, which was adopted.

On behalf of Senator Richard, Senator Dempsey offered Senate Resolution No. 185, regarding Edwin W. Parker, which was adopted.

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 186, regarding the

Seventieth Wedding Anniversary of Mr. and Mrs. Henry Davis, Jackson, which was adopted.

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 187, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Doug Wessell, Jackson, which was adopted.

On behalf of Senator Kehoe, Senator Dempsey offered Senate Resolution No. 188, regarding Judy Glover, Jefferson City, which was adopted.

On behalf of Senator Kehoe, Senator Dempsey offered Senate Resolution No. 189, regarding The Salvation Army Jefferson City Corps, which was adopted.

On behalf of Senator Engler, Senator Dempsey offered Senate Resolution No. 190, regarding the One Hundred Third Birthday of Irene Peek, Pilot Knob, which was adopted.

On behalf of Senator Rupp, Senator Dempsey offered Senate Resolution No. 191, regarding Etta Sherman, Troy, which was adopted.

On behalf of Senator Dixon, Senator Dempsey offered Senate Resolution No. 192, regarding Gary Whitaker, which was adopted.

On behalf of Senator Dixon, Senator Dempsey offered Senate Resolution No. 193, regarding Helen Brumitt, Springfield, which was adopted.

On behalf of Senator Curls, Senator Dempsey offered Senate Resolution No. 194, regarding Wiley College Debate Team and Wiley College Forensics Director Christopher Medina, which was adopted.

On behalf of Senator Goodman, Senator Dempsey offered Senate Resolution No. 195, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jack R. Daugherty, Mount Vernon, which was adopted.

On behalf of Senator Lembke, Senator Dempsey offered Senate Resolution No. 196, regarding the death of Linda Kunz, which was adopted.

On behalf of Senator Lembke, Senator Dempsey offered Senate Resolution No. 197, regarding Scott Andrew “Scotty” Salzman, St. Louis, which was adopted.

On behalf of Senator Richard, Senator Dempsey offered Senate Resolution No. 198, regarding Elks Lodge #2251 and its Ladies Auxiliary, Tempe, Arizona, which was adopted.

On behalf of Senator Brown, Senator Dempsey offered Senate Resolution No. 199, regarding Susan Hand, Rolla, which was adopted.

On behalf of Senator Brown, Senator Dempsey offered Senate Resolution No. 200, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Huffman, Vienna, which was adopted.

On behalf of Senator Brown, Senator Dempsey offered Senate Resolution No. 201, regarding the One Hundredth Anniversary of Belle United Methodist Church, which was adopted.

On behalf of Senator Lamping, Senator Dempsey offered Senate Resolution No. 202, regarding Paul Lam, which was adopted.

On behalf of Senator Lamping, Senator Dempsey offered Senate Resolution No. 203, regarding Alex Motley, St. Louis, which was adopted.

On behalf of Senator Richard, Senator Dempsey offered Senate Resolution No. 204, regarding the Missouri National Guard Camp Crowder Training Site, Neosho, which was adopted.

On behalf of Senator Stouffer, Senator Dempsey offered Senate Resolution No. 205, regarding Ruby Daniel, Richmond, which was adopted.

On behalf of Senator Stouffer, Senator Dempsey offered Senate Resolution No. 206, regarding the One Hundred Fiftieth Anniversary of Salem Lutheran Church, Salisbury, which was adopted.

On behalf of Senator Parson, Senator Dempsey offered Senate Resolution No. 207, regarding Josiah Jensen, which was adopted.

On behalf of Senator Parson, Senator Dempsey offered Senate Resolution No. 208, regarding Tytus Breshears, which was adopted.

On behalf of Senators Goodman and Kraus, Senator Dempsey offered Senate Resolution No. 209, regarding the One Hundredth Birthday of Esther Nobe Barber, Lee's Summit, which was adopted.

On behalf of Senators Goodman and Engler, Senator Dempsey offered Senate Resolution No. 210, regarding the One Hundredth Birthday of Meta Nobe Knaust, Centerville, which was adopted.

On behalf of Senator Lager, Senator Dempsey offered Senate Resolution No. 211, regarding Lana Smith, Stanberry, which was adopted.

### **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor, reading of which was waived:

October 21, 2011

TO THE SECRETARY OF THE SENATE  
96<sup>TH</sup> GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 1 entitled:

#### **AN ACT**

To repeal section 162.069, RSMo, and to enact in lieu thereof one new section relating to communications between school district employees and students.

On October 21, 2011, I approved said Senate Committee Substitute for Senate Bill No. 1.

My approval of Senate Committee Substitute for Senate Bill No. 1 is provided after considerable deliberation. Although it eliminates particularly egregious provisions that were contained in Senate Committee Substitute for Senate Bill No. 54, passed during the First Regular Session of the Ninety-Sixth General Assembly, Senate Committee Substitute for Senate Bill No. 1 is not without flaws.

First, Senate Committee Substitute for Senate Bill No. 1 requires each school district to promulgate a policy directed at the use of electronic communication between staff members and students rather than its substance and the policy must be drafted in a manner that will "prevent" improper communications. School districts may find it challenging to promulgate a policy that erects adequate restrictions around the use of electronic media sufficient to "prevent" improper communications without also preventing otherwise appropriate communications.

Second, under Senate Committee Substitute for Senate Bill No. 1, a school district will need to determine whether its policy applies to "employees," as that term is used in 162.069.1, RSMo, or "staff members," as that term is used in 162.069.1(2), RSMo, to the extent such terms have different meanings.

These challenges could have been avoided with a more deliberative approach, which is why my Special Message was narrowly drafted to effectuate immediate relief for educators by simply repealing the offending provisions of Senate Committee Substitute for Senate Bill No. 54.

Nonetheless, Senate Committee Substitute for Senate Bill No. 1 is an improvement – primarily through subtraction – over Senate Committee Substitute for Senate Bill No. 54. Senate Committee Substitute for Senate Bill No. 1 eliminates three of the problematic provisions of Senate Committee Substitute for Senate Bill No. 54, and Senate Committee Substitute for Senate Bill No. 1 will give school districts an additional two months, until March 1, 2012, to promulgate policies. Senate Committee Substitute for Senate Bill No. 1 is not perfect, but the alternative of educators having to conform to the unreasonable restrictions of Senate Committee Substitute for Senate Bill No. 54 is a far worse result.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

October 21, 2011

TO THE SECRETARY OF THE SENATE  
96<sup>TH</sup> GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 7 entitled:

**AN ACT**

To repeal sections 196.1109, 196.1115, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation, with a contingent effective date.

On October 21, 2011, I approved said Senate Substitute for Senate Committee Substitute for Senate Bill No. 7.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

**COMMUNICATIONS**

President Pro Tem Mayer submitted the following:

October 19, 2011

Terry Spieler  
Secretary of the Missouri Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Jane Cunningham to the following committee:

Task Force on the Prevention of Sexual  
Abuse of Children (Erin's Law)

Please feel free to contact me should you have any questions.

Sincerely,  
/s/ Robert N. Mayer  
Robert N. Mayer  
President Pro Tem

On behalf of Senators Callahan and Chappelle-Nadal, President Pro Tem Mayer submitted the following:

October 24, 2011

Senator Victor Callahan  
Minority Floor Leader  
Missouri State Senate  
State Capitol Building  
Jefferson City, MO 65101

Dear Senator Callahan:

This letter is to inform you that I am unable to serve on the Joint Interim Committee on State Employee Wages at this time. Please remove me from the committee.

Thank you for your consideration.

Sincerely,  
/s/ Maria Chappelle-Nadal  
MARIA CHAPPELLE-NADAL  
State Senator, District 14

On motion of Senator Dempsey, the Senate of the First Extraordinary Session of the First Regular Session of the 96th General Assembly adjourned sine die, pursuant to the Constitution.

PETER D. KINDER  
Lieutenant Governor

TERRY L. SPIELER  
Secretary of Senate

✓

# Journal of the Senate

## NINETY-SIXTH GENERAL ASSEMBLY

### OF THE

### STATE OF MISSOURI

### FIRST REGULAR SESSION

### VETO SESSION

---

**WEDNESDAY, SEPTEMBER 14, 2011**

---

The Senate was called to order in Veto Session by Lieutenant Governor Peter Kinder.

Reverend Carl Gauck offered the following prayer:

“Prayer is faith passing into action.” (Richard Cecil)

Constitutionally, this day requires us to move into action, to make decisions and vote as is appropriate; and so we do so with prayer first and considerations to follow. So bless us and guide us this day, we pray to You, O Lord, and may our actions be completed as You desire them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

### RESOLUTIONS

Senator Dempsey offered the following resolution, which was read and adopted:

## SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Senator Dempsey offered the following resolution, which was read and adopted:

## SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the Ninety-sixth General Assembly, First Regular Session, be declared to be the rules of the Veto Session of the Ninety-sixth General Assembly.

**COMMUNICATIONS FROM THE GOVERNOR**

The following communications, regarding vetoed Senate bills, were received by the Secretary of State, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

June 17, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute No. 2 for Senate Bill No. 3 entitled:

## AN ACT

To repeal section 115.427, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

I disapprove of House Committee Substitute No. 2 for Senate Bill No. 3. My reasons for disapproval are as follows:

Pending approval of a constitutional amendment, House Committee Substitute No. 2 for Senate Bill No. 3 would require a government-issued photo identification to vote. This new mandate would disproportionately impact senior citizens and persons with disabilities, among others, who are qualified to vote and have been lawfully voting since becoming eligible to do so, but are less likely to have a driver's license or government-issued photo ID. Disenfranchising certain classes of persons is not acceptable.

House Committee Substitute No. 2 for Senate Bill No. 3 imposes unnecessary burdens on senior citizens and persons with disabilities, for example, who do not have a government-issued photo ID, with no guarantee that, in the end, their vote will count. House Committee Substitute No. 2 for Senate Bill No. 3 first requires them to execute a legally-binding affidavit explaining why they lack a government-issued photo ID. After executing the affidavit, the senior citizen, person with a disability and anyone else who lacks a government-issued photo ID for the reason identified in the affidavit is not permitted to cast a regular ballot and is instead given a provisional ballot. Even after meeting these requirements mandated by House Committee Substitute No. 2 for Senate Bill No. 3, their vote will not be counted unless the election authority compares their signature on the affidavit with their signature on file – a signature that may bear little resemblance to their current signature because it was written decades before – and determines that the two signatures match. Placing a cloud of uncertainty over ballots cast by qualified voters is inconsistent with an individual's right to vote and have that vote counted. In addition, for those citizens wanting to avoid the uncertainty of a provisional ballot, House Committee Substitute No. 2 for Senate Bill No. 3 would require them to navigate a costly and time-consuming process to obtain a government-issued photo ID. House Committee Substitute No. 2 for Senate Bill No. 3 does not meet with my approval, because it is unacceptable to impede or discourage citizens from voting who have lawfully cast ballots their entire adult lives.

In accordance with the reasons for disapproval stated above, I am returning House Committee Substitute No. 2 for Senate Bill No. 3 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

*Wednesday, September 14, 2011*

3

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 6, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Bill No. 118, entitled:

AN ACT

To repeal sections 198.006 and 198.074, RSMo, and to enact in lieu thereof two new sections relating to sprinkler system requirements in long-term care facilities.

I disapprove of House Committee Substitute for Senate Substitute for Senate Bill No. 118. My reasons for disapproval are as follows:

Legislation passed in 2007 required sprinkler systems for certain long-term care facilities. The critical need for this legislation was made clear when eleven individuals died in a fire at the Anderson Guest House in Anderson, Missouri, a group home for individuals with disabilities. The fire tore through the roof and engulfed an entire section of the building before firefighters arrived. Ten residents died of smoke inhalation, and one employee died while heroically attempting to save their lives.

House Committee Substitute for Senate Substitute for Senate Bill No. 118 would delay the date for installation of sprinkler systems by two years, until December 31, 2014. These institutions already have had four years to comply with this vital safety requirement, yet almost 100 facilities subject to the statute, with the capacity to care for over 4,000 of our citizens, remain without approved sprinkler systems today. That is unacceptable.

Under current law, these facilities still have nearly eighteen months to come into compliance. This bill would delay the date by which sprinklers must be installed by three and one-half years from today, and over eight years since the Anderson Guest House fire. Delaying the date by which these sprinkler systems must be installed for another two years places Missouri's seniors and individuals with disabilities at an unacceptable risk. As we saw with the tragedy in Anderson, this is a matter of life and death.

In accordance with the above stated reasons for disapproval, I am returning House Committee Substitute for Senate Substitute for Senate Bill No. 118 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 7, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163 entitled:

AN ACT

To repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education governing boards, with an existing penalty provision.

I disapprove of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163. My reasons for disapproval are as follows:

House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163 was truly agreed to and finally passed on May 5, 2011. Three days earlier, on May 2, 2011, I approved House Committee Substitute for House Bill No. 174, which is identical to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163. As the identical provisions of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163 will become law through my previous approval of House Committee Substitute for House Bill No. 174, it is unnecessary to approve this duplicative legislation.



In accordance with the above stated reasons for disapproval, I am returning House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY

65102

July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 220 entitled:

AN ACT

To repeal sections 429.015 and 516.098, RSMo, and to enact in lieu thereof three new sections relating to liens for architects, professional engineers, land surveyors, and landscape architects.

I disapprove of House Committee Substitute for Senate Bill No. 220. My reasons for disapproval are as follows:

House Committee Substitute for Senate Bill No. 220 provides immunity to architects, landscape architects, land surveyors and professional engineers through a nebulous process that is ripe for manipulation, lacks transparency and potentiates conflicts of interest. Approval of this bill would reduce public safety and diminish the accountability of design professionals while substantially denying access to the courts by individuals injured through the negligent acts of these professionals.

House Committee Substitute for Senate Bill No. 220 does not establish a robust peer review process. The bill does not impose specific qualifications on the reviewers – other than being licensed under chapter 327, RSMo – and does not prohibit participation by professionals with an interest in the project being reviewed. Moreover, the bill is silent on procedural requirements, as well as the extent to which a record, if any, is to be kept of its proceedings and whether written findings or recommendations are required to be created. House Committee Substitute for Senate Bill No. 220 also cloaks the entire process in secrecy by strictly prohibiting the disclosure of “any information acquired in connection with or in the course of [the] proceeding, or to disclose any opinion, recommendation, or evaluation of the peer reviewer or any member of a peer review committee.”

Despite the insufficient process established in the bill, House Committee Substitute for Senate Bill No. 220 nevertheless rewards participants in the review process with broad immunity from civil liability. Most concerning is that this includes immunity for the design professional whose project is being reviewed. Under House Committee Substitute for Senate Bill No. 220, a design professional can submit a proposed project for review and enjoy immunity from civil liability simply by acting upon the recommendations of his peers “so long as the acts are performed in good faith, without malice, and are reasonably related to the scope of inquiry of the peer review process.” The fact that House Committee Substitute for Senate Bill No. 220 allows for partners, co-workers or others with an interest in the project to serve as reviewers – in secret – and then blanket the project with immunity underscores the fundamental flaws in this legislation and the bad public policy it promotes.

House Committee Substitute for Senate Bill No. 220 provides extraordinary protections to design professionals through an unacceptable process with minimal structure, a lack of transparency, a disregard for conflict of interest concerns, and the granting of broad immunity to not only the peer participants but also the design professionals whose project is being reviewed.

In accordance with the above stated reasons for disapproval, I am returning House Committee Substitute for Senate Bill No. 220 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

Wednesday, September 14, 2011

5

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, entitled:

AN ACT

To repeal sections 28.190, 29.280, 30.060, 30.070, 30.080, 52.010, 54.033, 54.330, 78.090, 105.030, 105.040, 105.050, 115.015, 115.123, 115.124, 115.127, 115.241, 115.293, 115.342, 115.601, 115.637, 115.755, and 115.761, RSMo, and to enact in lieu thereof twenty-three new sections relating to elections, with penalty provisions.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 contains several provisions relating to elections. Those provisions include the moving of the Missouri presidential primary to the first Tuesday after the first Monday in March. I support that change and its inclusion in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 was not a factor in my decision to disapprove this legislation. However, the bill contains other provisions that I view as unacceptable and necessitating today's action.

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 cancels elections in more than 900 municipalities with a population below 35,000 when the number of candidates is equal to the number of positions to be filled. Approval of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 would preclude citizens from electing a candidate through the write-in process when the number of declared candidates is equal to the number of available positions. This is especially important should voters learn something negative about the declared candidate after the deadline for filing but before the election. In short, the write-in ballot procedure is a valuable component of the electoral process that must not be sacrificed for theoretical efficiency.

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 would also require the Governor to call a special election to complete the current term of a vacancy occurring in the offices of U.S. Senator and several statewide elected offices. This provision would require a special election to be called, regardless of the time remaining before the next regularly scheduled election for that office, at an estimated cost to Missouri taxpayers of \$7 million.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 without my approval.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Senator Dempsey moved that the Senate proceed to the order of business, Vetoed Bills, and that the calendar be called, which motion prevailed.

**HCS No. 2 for SB 3** was called thereafter and no motion was taken thereon.

**HCS for SS for SB 118** was called thereafter and no motion was taken thereon.

**HCS for SCS for SB 163** was called thereafter and no motion was taken thereon.

**HCS for SB 220** was called thereafter and no motion was taken thereon.

**CCS for HCS for SB 282** was called thereafter and no motion was taken thereon.

**RESOLUTIONS**

Senator Dempsey offered the following resolution, which was read and adopted:

## SENATE RESOLUTION NO. 3

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of House Committee Substitute No. 2 for Senate Bill No. 3; House Committee Substitute for Senate Substitute for Senate Bill No. 118; House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163; House Committee Substitute for Senate Bill No. 220 and Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 when the bills were so called by the President.

Senator Stouffer assumed the Chair.

On motion of Senator Dempsey, the Senate recessed until 1:45 p.m.

**RECESS**

The time of recess having expired, the Senate was called to order by Senator Schmitt.

**MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

## HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2011 Constitutional Veto Session and ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

## HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS** for **SCS** for **HCS** for **HB 10**, **SS** for **SCS** for **HB 184**, **SS** for **SCS** for **HB 209**, **SCS** for **HB 256**, **CCS** for **SS** for **SCS** for **HCS** for **HB 430**, **HCS** for **HB 465**, **HB 484** and **SCS** for **HB 1008** when the bills were called by the Speaker.

On motion of Senator Dempsey, the Senate of the Veto Session of the First Regular Session of the 96th General Assembly adjourned sine die, pursuant to the Constitution.

PETER D. KINDER  
Lieutenant Governor

TERRY L. SPIELER  
Secretary of Senate

✓

## 2011 House Journals

### House Journal (Beg. & End. Pages)

First Day, Wednesday, January 05, 2011 (0001-0042)  
Third Day, Monday, January 10, 2011 (0089-0098)  
Fifth Day, Wednesday, January 12, 2011 (0140-0146)  
Seventh Day, Tuesday, January 18, 2011 (0162-0168)  
Ninth Day, Thursday, January 20, 2011 (0196-0206)  
Eleventh Day, Tuesday, January 25, 2011 (0215-0231)  
Thirteenth Day, Thursday, January 27, 2011 (0243-0256)  
Fifteenth Day, Tuesday, February 01, 2011 (0272-0283)  
Seventeenth Day, Thursday, February 03, 2011 (0289-0295)  
Nineteenth Day, Tuesday, February 08, 2011 (0306-0320)  
Twenty-First Day, Thursday, February 10, 2011 (0339-0354)  
Twenty-Third Day, Tuesday, February 15, 2011 (0365-0376)  
Twenty-Fifth Day, Thursday, February 17, 2011 (0386-0400)  
Twenty-Seventh Day, Tuesday, February 22, 2011 (0414-0425)  
Twenty-Ninth Day, Thursday, February 24, 2011 (0443-0463)  
Thirty-First Day, Tuesday, March 01, 2011 (0482-0494)  
Thirty-Third Day, Thursday, March 03, 2011 (0510-0530)  
Thirty-Fifth Day, Tuesday, March 08, 2011 (0545-0563)  
Thirty-Seventh Day, Thursday, March 10, 2011 (0580-0600)  
Thirty-Ninth Day, Tuesday, March 15, 2011 (0614-0645)  
Forty-First Day, Thursday, March 17, 2011 (0678-0706)  
Forty-Third Day, Monday, March 28, 2011 (0711-0734)  
Forty-Fifth Day, Wednesday, March 30, 2011 (0763-0788)  
Forty-Seventh Day, Friday, April 01, 2011 (0823-0830)  
Forty-Ninth Day, Tuesday, April 05, 2011 (0846-0912)  
Fifty-First Day, Thursday, April 07, 2011 (1154-1182)  
Fifty-Third Day, Tuesday, April 12, 2011 (1213-1242)  
Fifty-Fifth Day, Thursday, April 14, 2011 (1273-1303)  
Fifty-Seventh Day, Tuesday, April 19, 2011 (1311-1380)  
Fifty-Ninth Day, Thursday, April 21, 2011 (1427-1437)  
Sixty-First Day, Tuesday, April 26, 2011 (1601-1624)  
Sixty-Third Day, Thursday, April 28, 2011 (1664-1692)  
Sixty-Fifth Day, Tuesday, May 03, 2011 (1748-1803)  
Sixty-Seventh Day, Thursday, May 05, 2011 (1876-2056)  
Sixty-Ninth Day, Tuesday, May 10, 2011 (2177-2254)  
Seventy-First Day, Thursday, May 12, 2011 (2442-2595)  
Seventy-Third Day, Thursday, May 26, 2011 (2710-2713)

### House Journal (Beg. & End. Pages)

Second Day, Thursday, January 06, 2011 (0043-0088)  
Fourth Day, Tuesday, January 11, 2011 (0099-0139)  
Sixth Day, Thursday, January 13, 2011 (0147-0161)  
Eighth Day, Wednesday, January 19, 2011 (0169-0195)  
Tenth Day, Monday, January 24, 2011 (0207-0214)  
Twelfth Day, Wednesday, January 26, 2011 (0232-0242)  
Fourteenth Day, Monday, January 31, 2011 (0257-0271)  
Sixteenth Day, Wednesday, February 02, 2011 (0284-0288)  
Eighteenth Day, Monday, February 07, 2011 (0296-0305)  
Twentieth Day, Wednesday, February 09, 2011 (0321-0338)  
Twenty-Second Day, Monday, February 14, 2011 (0355-0364)  
Twenty-Fourth Day, Wednesday, February 16, 2011 (0377-0385)  
Twenty-Sixth Day, Monday, February 21, 2011 (0401-0413)  
Twenty-Eighth Day, Wednesday, February 23, 2011 (0426-0442)  
Thirtieth Day, Monday, February 28, 2011 (0464-0481)  
Thirty-Second Day, Wednesday, March 02, 2011 (0495-0509)  
Thirty-Fourth Day, Monday, March 07, 2011 (0531-0544)  
Thirty-Sixth Day, Wednesday, March 09, 2011 (0564-0580)  
Thirty-Eighth Day, Monday, March 14, 2011 (0601-0613)  
Fortieth Day, Wednesday, March 16, 2011 (0646-0677)  
Forty-Second Day, Friday, March 18, 2011 (0707-0710)  
Forty-Fourth Day, Tuesday, March 29, 2011 (0735-0762)  
Forty-Sixth Day, Thursday, March 31, 2011 (0789-0822)  
Forty-Eighth Day, Monday, April 04, 2011 (0831-0845)  
Fiftieth Day, Wednesday, April 06, 2011 (0913-1153)  
Fifty-Second Day, Monday, April 11, 2011 (1183-1212)  
Fifty-Fourth Day, Wednesday, April 13, 2011 (1243-1272)  
Fifty-Sixth Day, Monday, April 18, 2011 (1304-1310)  
Fifty-Eighth Day, Wednesday, April 20, 2011 (1381-1426)  
Sixtieth Day, Friday, April 22, 2011 (1438-1600)  
Sixty-Second Day, Wednesday, April 27, 2011 (1625-1663)  
Sixty-Fourth Day, Monday, May 02, 2011 (1693-1747)  
Sixty-Sixth Day, Wednesday, May 04, 2011 (1804-1875)  
Sixty-Eighth Day, Monday, May 09, 2011 (2057-2176)  
Seventieth Day, Wednesday, May 11, 2011 (2255-2441)  
Seventy-Second Day, Friday, May 13, 2011 (2596-2709)

## **Special Session**

First Day, Tuesday, September 06, 2011 (0001-0006)  
Third Day, Thursday, September 08, 2011 (0012-0016)  
Fifth Day, Tuesday, September 13, 2011 (0055-0056)  
Seventh Day, Thursday, September 15, 2011 (0060-0061)  
Ninth Day, Tuesday, September 20, 2011 (0064-0065)  
Eleventh Day, Thursday, September 22, 2011 (0068-0070)  
Thirteenth Day, Thursday, September 29, 2011 (0078-0079)  
Fifteenth Day, Tuesday, October 04, 2011 (0082-0083)  
Seventeenth Day, Thursday, October 06, 2011 (0088-0114)  
Nineteenth Day, Wednesday, October 12, 2011 (0117-0118)  
Twenty-First Day, Thursday, October 20, 2011 (0122-0128)

Second Day, Wednesday, September 07, 2011 (0007-0011)  
Fourth Day, Friday, September 09, 2011 (0017-0054)  
Sixth Day, Wednesday, September 14, 2011 (0057-0059)  
Eighth Day, Monday, September 19, 2011 (0062-0063)  
Tenth Day, Wednesday, September 21, 2011 (0066-0067)  
Twelfth Day, Friday, September 23, 2011 (0071-0077)  
Fourteenth Day, Monday, October 03, 2011 (0080-0081)  
Sixteenth Day, Wednesday, October 05, 2011 (0084-0087)  
Eighteenth Day, Friday, October 07, 2011 (0115-0116)  
Twentieth Day, Wednesday, October 19, 2011 (0119-0121)  
Twenty-Second Day, Thursday, October 27, 2011 (0129-0130)

## **Veto Session**

First Veto Day, Wednesday, September 14, 2011 (0001-0009)

# Journal of the House

NINETY-SIXTH GENERAL ASSEMBLY  
of the  
STATE OF MISSOURI  
FIRST REGULAR SESSION

---

FIRST DAY, WEDNESDAY, JANUARY 5, 2011

The House was called to order at twelve o'clock noon by the Honorable Robin Carnahan, Secretary of State.

Prayer by Dr. William Miller, Pastor of the First Baptist Church, Farmington, Missouri.

Our Father, thank You for the symbols which surround us in this place. They are reminders of the sacrifice of those who have gone before us; they remind us of the privilege of living in a free state; and they also remind us of the challenges which lie before us.

Assembled in this place is a group of public servants who have before them a huge responsibility and challenge.

I pray for these men and women in this House who will represent the people of Missouri. I pray for each of them to have wisdom, grace and guidance from You.

Each of these representatives now holds a sacred trust given to them by the vote of the people. It is also a sacred trust that comes from on high because we believe that government for the good of the people is ordained of God.

As each of these representatives assume this sacred trust, the decisions they make will often be difficult. May each find in You, and help from another, the guidance they need to serve the best interests of the people of Missouri.

Father, many of these representatives will travel weekly, some long distances. I pray, for each of them, safe travel. Each week they will be separated from family. I pray Your care for their families at home.

I pray for the spirit of cooperation that will enable great progress in this session. God, as they do this difficult work, may the words of the writer of Proverbs aid them when he says, "Trust in the Lord with all your heart and do not lean on your own understanding. In all your ways acknowledge Him and He will make your paths straight."

I offer this as my prayer for these dedicated public servants and the Legislative Session ahead, through Jesus Christ our Lord. Amen.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors.

The Pledge of Allegiance to the flag was recited.

## **ADDRESS BY SECRETARY OF STATE ROBIN CARNAHAN**

Good Afternoon. I'm Secretary of State Robin Carnahan, and I'd like to welcome you to the 96th Regular Session of the Missouri General Assembly. Thanks to those of you returning to continue your service to our state. And a very special welcome and congratulations to those who are here for the first time... and that includes nearly ½ of the members of the Missouri House.

For some of you who might be confused about why the Secretary of State is presiding over your first day on the job in the legislature, let me explain. I wield the gavel today for two reasons...law and tradition...two concepts you will hear a lot about in the months ahead.

By law, the Secretary of State presides over the opening of each legislative session until a duly elected Speaker is chosen. And by tradition, as the presiding officer I'm expected to speak...but only briefly. It's also a tradition that everyone who makes it to the dais (and even some who don't) also give a speech. So I'll keep it short.

Today marks a momentous occasion - the opening of the 96th Missouri General Assembly.

Think about that. For the past 190 years...since Missouri joined the Union in 1821...citizen legislators, just like you, have gathered in this same way to set the direction for our state.

Like them, you also come from different parties and different regions, with different ideas, different constituencies, and different life experiences. Despite all those differences, you are united by your commitment to serve, and you share a common purpose - ensuring a bright future for Missouri families.

Doing this job, while always remembering that common purpose, is the great challenge before you.

It's no secret that our state faces financial challenges. And the choices you'll be making in the months ahead are both serious and likely to stir up heated debate. And they should. Because the decisions you make in the comfort of this beautiful Chamber will have serious implications for all those Missouri families who don't enjoy these comforts but who nevertheless have entrusted you to work for them.

Millions of Missourians are counting on you not only to maintain but to continue building on the strong foundation that makes our state a great place to raise a family, start a business, and find a good job, affordable healthcare, and a world-class education for their kids.

So, as you struggle in the months ahead with difficult choices, just as your predecessors did, I hope you'll remember two things: First, never forget that those everyday Missourians - the people you work for - are counting on you to get it right. And second, never forget that throughout our long history, Missouri's leaders have guided our state in even tougher times - times of war, depression, and disaster - and yet, they stayed committed to the common purpose of ensuring a brighter future for Missouri families.

As you prepare to take on the high honor and great responsibility bestowed upon you this day, I'd like to leave you with one final thought.

For 125 years, the Statue of Liberty has stood as the most famous symbol of freedom in the world. It has endured storms and blizzards, rain and snow, extreme heat and bitter cold. And yet, still, she stands proud with her flame held high as a beacon of hope and determination to the rest of the world.

I was reminded recently about the unique construction of the Statue. Its outer surface, the part that we see, is actually made of a very thin layer of copper just 1/10 of an inch thick. The only reason the Statue has withstood all the ravages of time is not because of what we see on the outside, it's because of what's inside. You see, the Statue literally has an iron core. And that's what gives it the strength to withstand the heat and storms and whatever else comes along. Maintaining the strength and integrity of that iron core is what holds up that beautiful structure that gives hope to all Americans who cherish freedom.

Just like Lady Liberty has endured because of her iron core, I am confident that our state will do the same. Because like that Statue, our strength is in our core – our people, our businesses that provide good jobs, our hospitals that heal the sick, and our schools that educate our children. Those people and institutions are the iron core that gives our state the strength to endure whatever challenges come along.

My prayer today is that in the weeks and months ahead each of you remembers that it's your job to maintain our core by protecting those things that give us the strength and hope for the future. That will be your lasting legacy.

May God bless you as you go about this important work.

## **COMMUNICATION FROM THE SECRETARY OF STATE**

To the Honorable House of Representatives of the 96th General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 96<sup>th</sup> General Assembly (First Regular Session) of the State of Missouri, elected at the General Election held on November 2, 2010.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 4th day of January, 2011.

/s/ Robin Carnahan  
Secretary of State

### **MISSOURI HOUSE OF REPRESENTATIVES 96<sup>th</sup> General Assembly, First Regular Session**

District	Name
1st	Craig Redmon
2nd	Zachary Wyatt
3rd	Casey Guernsey
4th	Mike Thomson
5th	Glen Klippenstein
6th	Lindell F. Shumake
7th	Mike Lair
8th	Tom Shively
9th	Paul Quinn
10th	Jay D. Houghton
11th	Ed Schieffer
12th	Doug Funderburk
13th	Chuck Gatschenberger
14th	Kathie Conway
15th	Sally A. Faith
16th	Mark A. Parkinson
17th	Vicki Schneider
18th	Anne Zerr
19th	Kurt Bahr
20th	Jeanie Riddle
21st	John W. Cauthorn
22nd	Randy Asbury
23rd	Stephen Webber
24th	Chris Kelly
25th	Mary Wynne Still
26th	Joe Aull



27th	Pat Conway
28th	Delus Johnson
29th	Galen Wayne Higdon, Jr.
30th	Nick Marshall
31st	Jay Swearingen
32nd	Ron Schieber
33rd	Jerry Nolte
34th	Myron Neth
35th	T.J. Berry
36th	Bob Nance
37th	Mike Talboy
38th	Ryan Silvey
39th	Jean Peters-Baker
40th	John Joseph Rizzo
41st	Shalonn (Kiki) Curls
42nd	Leonard (Jonas) Hughes
43rd	Gail McCann Beatty
44th	Jason Kander
45th	Jason R. Holsman
46th	Kevin McManus
47th	Jeff Grisamore
48th	Gary Cross
49th	Tom McDonald
50th	Michael Ricardo Brown
51st	Ira Anders
52nd	Noel Torpey
53rd	Brent Lasater
54th	Jeanie Lauer
55th	Sheila Solon
56th	Mike Cierpiot
57th	Karla May
58th	Penny V. Hubbard
59th	Jeanette Mott Oxford
60th	Jamilah Nasheed
61st	Chris Carter
62nd	Donald E. (Don) Phillips
63rd	Tishaura O. Jones
64th	Susan Carlson
65th	Michele Kratky
66th	Genise Montecillo
67th	Mike Colona
68th	David Sater
69th	Tommie Pierson
70th	Sharon L. Pace
71st	Clem Smith
72nd	Rory Ellinger
73rd	Stacey Newman
74th	Steve Webb
75th	Bert Atkins
76th	C.M. Spreng
77th	Eileen Grant McGeoghegan
78th	Margo McNeil
79th	Mary Nichols
80th	Sylvester Taylor, II
81st	Rochelle Walton Gray
82nd	Jill Schupp

83rd	Jake Zimmerman
84th	Don Gosen
85th	Cloria Brown
86th	Cole McNary
87th	John J. Diehl, Jr.
88th	Andrew Koenig
89th	Timothy W. Jones
90th	John C. McCaherty
91st	Jeanne Kirkton
92nd	Sue Allen
93rd	Dwight Scharnhorst
94th	Rick Stream
95th	Mike Leara
96th	Scott Sifton
97th	Gary Fuhr
98th	Dave Hinson
99th	Bart Korman
100th	Marsha Haefner
101st	Timothy G. (Tim) Meadows
102nd	Paul Wieland
103rd	Ron Casey
104th	Joseph Fallert, Jr.
105th	Paul Curtman
106th	Steven Tilley
107th	Linda Black
108th	Jacob W. Hummel
109th	Scott D. Dieckhaus
110th	Ben Harris
111th	Dave Schatz
112th	Tom Loehner
113th	Mike Bernskoetter
114th	Jason (Jay) Barnes
115th	Rodney Schad
116th	Wanda Brown
117th	Caleb Jones
118th	Stanley Cox
119th	Sandy Crawford
120th	Scott N. Largent
121st	Denny L. Hoskins
122nd	Mike McGhee
123rd	Chris Molendorp
124th	Rick Brattin
125th	Barney Fisher
126th	Mike Kelley
127th	Tom Flanigan
128th	Charlie Davis
129th	William (Bill) White
130th	Bill Reiboldt
131st	Bill Lant
132nd	Don Ruzicka
133rd	Sue Entlicher
134th	Thomas Long
135th	Charles W. (Charlie) Denison
136th	Eric Burlison
137th	Melissa Leach
138th	Sara Lampe

139th	Shane Schoeller
140th	Lincoln Hough
141st	Kevin Elmer
142nd	Raymond (Ray) Weter
143rd	Lyle Rowland
144th	Tony Dugger
145th	Lyndall Fraker
146th	Darrell Pollock
147th	Don Wells
148th	David Day
149th	Keith Frederick
150th	Jason T. Smith
151st	Ward Franz
152nd	Paul Fitzwater
153rd	Steve Cookson
154th	Todd Richardson
155th	Diane Franklin
156th	Shelley (White) Keeney
157th	Donna Lichtenegger
158th	Wayne Wallingford
159th	Billy Pat Wright
160th	Ellen Brandom
161st	Steve Hodges
162nd	Terry Swinger
163rd	Kent Hampton

The following roll call indicated a majority of the Representatives-elect present:

AYES: 160

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey

Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Tilley	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman

NOES: 000

PRESENT: 001

Entlicher

ABSENT WITH LEAVE: 002

Hughes Kelly 24

The following Representatives-elect advanced to the bar and subscribed to the oath of office, which was administered by the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of Missouri.

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Tilley	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Wyatt	Zerr
Zimmerman				

### **NOMINATIONS FOR TEMPORARY SPEAKER**

Representative Guernsey nominated Representative Shelley Keeney as temporary Speaker of the House.

Representative Faith seconded the nomination.

Representative Hodges nominated Representative Terry Swinger as temporary Speaker of the House.

Representative Swinger withdrew his nomination.

Representative Jones (89) moved that nominations cease and that Representative Keeney be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Keeney to the dais: Representatives Hoskins, Brandom, Fitzwater, Lichtenegger, Wright, Black, Swinger and Hodges.

Temporary Speaker Keeney assumed the Chair.

Temporary Speaker Keeney addressed the House.

### **NOMINATIONS FOR SPEAKER**

Representative Diehl nominated Representative Steven Tilley as Speaker of the House.

Representative Nolte seconded the nomination.

Representative Curls nominated Representative Mike Talboy as Speaker of the House.

Representative Talboy withdrew his nomination.

Representative Jones (89) moved that nominations cease and that Representative Tilley be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Tilley to the dais: Representatives Diehl, Nolte, Smith (150), Brandom, Zerr, Jones (117), Richardson, Nasheed, Swinger, Brown (50) and Holsman.

Representative Tilley subscribed to the oath of office which was administered by the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of the State of Missouri.

Speaker Tilley assumed the Chair.

## **ADDRESS BY SPEAKER STEVEN TILLEY**

Thank you, and welcome....I am addressing you today as the Speaker of the Missouri House because your confidence, trust, and support made it possible and for that I will always be grateful.

However the reason I stand here is because of the love and sacrifice of some very special people, and I would like to take this opportunity to introduce them.

Although I may be the Leader of this House, there is one undisputed Speaker in my own house, and that is my wife, Kellie Tilley.

I am sure serving as Speaker will undoubtedly be one of the most significant achievements of my life, but the greatest honor and achievement I will ever have is being the father of my two beautiful daughters, Kourtney and Korrin.

My parents taught me at a young age the importance of hard work, integrity, kindness, and compassion. They have always been my biggest fans and believed in me when I found it hardest to believe in myself. Please welcome my parents Everett and Bonnie Tilley and Linda and Dave Wooff.

And last, but certainly not least, my role model, my best friend, and my older brother, Jason, and his wife Maureen.

I would like to start by sharing a story with you that only my family members know. As an 18-year-old college freshman I was pretty immature...perhaps some of you can relate. I was more focused on "extracurricular activities" than I was academics, and my grades reflected this. My Mom once pointed out, "to say my academic achievement was less than stellar would be a historic understatement."

However, as time passed, and with the help of my wife, I matured and realized that if I wanted to amount to anything and fulfill my potential, I had to get serious about school. So I did, and in my last three years I excelled academically. In October of 1993 I applied to optometry school. It was very competitive to get into a professional school because only 1 spot is granted for about every 10 applicants.

Although I had done quite well in my classes the last three years, my lack of focus early on brought my grade point average to less than impressive, but I always believed in my heart that if I could just get an interview, if I could explain how much I matured, how hard I could work, and how much I learned they would give a chance and allow me to become an asset to the profession.

However, November and December passed and no interview. January and February passed; still no interview. As March approached as the last month for interviews, I sat down with my father, and he suggested I go visit a respected optometrist just south of us. This doctor was a person who has been recognized as a leader in the profession of optometry for a generation.

I called this distinguished optometrist and he agreed to meet with me, so I drove to Caruthersville to ask for his help. After hearing my story he agreed to make a call on my behalf, and, to make a long story short, I got an interview. The University of Missouri St. Louis accepted me, and the rest is history. Without having been accepted to optometry school, I probably wouldn't have become a doctor. I probably wouldn't have found my way into the Missouri House of Representatives, and certainly wouldn't be standing before you as Speaker.

That man was Doctor Terry Swinger. We all know him as one of our colleagues here in the House, Representative Swinger.

As I reflect on my past, with the exception of my family members, Representative Swinger is the individual who has had the most profound positive impact on my life, and I want to stand here today and from the bottom of my heart thank him.

The reason I wanted to share that story with you is because we can all learn a valuable lesson from Representative Swinger. When I was a young man that needed help, a young man that needed someone to believe in me, he didn't look at me as a Republican or a Democrat, especially not the future Speaker; he looked at me as a person.

As we embark on this legislative session, let's not look at one another as Republicans or Democrats, but rather as normal dedicated citizens working to make this state a better place to live, work, and raise a family.

We're not always going to agree - even with our own parties, but we must agree to not let partisanship get in the way of good ideas.

Within this story there is also a challenge, and it is a challenge I am placing before all of you. Dr. Swinger took a chance on a young man because maybe he was a local kid, or maybe because he believed I could become an asset to the profession, but he definitely set an example as a role model that I have not forgotten.

And in return, I hope as a young man I was able to set an example as well...that it is alright to believe in people, that we can still have faith in one another...and always hope for the best.

So, my challenge is this: that we all, in our entrusted positions, lead by example.

As Republicans, we now control the largest majorities in the nearly 200-year history of our state. Because of that, it is my belief we now have the greatest responsibility in leading by example.

From the book of Luke: "When someone has been given much, much will be required in return; and when someone has been entrusted with much, even more will be required."

Missourians have entrusted us with the power of state government. And Missourians have been clear; they want...need...and deserve a change in the culture of how we operate.

Missourians want legislative leaders who live by the same rules they do.

So as your Speaker, I have a great deal of responsibility and therefore the largest role in leading by example.

However, we don't always have to lead by legislating. As elected officials our goal shouldn't always be to create more laws, but institute better principles, a change of attitude, and a willingness to challenge the status quo.

As your Speaker-elect, I believe you have seen firsthand my willingness to challenge the status quo. To accept the way things have always been done as the way they should always be done is unacceptable. My first change, for the first time ever, as an incoming Speaker was naming our intended Chairman more than a month in advance. We followed that by assigning committees to all members, both Republican and Democrat, before session started. The reason was so that, before this gavel fell, each of you could be focused on your issues and getting down to business for the people of Missouri.

Second, I took a historic step in naming three Democrats as chairmen to substantive committees. I believe in the fundamental principle that a chairman should not be chosen because of the party under which they run, but rather by the quality which they possess.

Missouri families face difficult times. Unemployment hovers over 9%, and many of these families have been forced to tighten their belts. We will also have to make more cuts this year, and so we in the Missouri Legislature must lead by example.

Together, with Minority Leader Talbot, our combined leadership teams have identified savings of more than 10% and in my own office 15%. I applaud our Republicans as well as the Democrats in working together for that step in the right direction. This year we will prove to the citizens of our state that government can and will tighten their belts to do more with less

Another example of challenging the status quo will come very soon. We will be approving the House Rules under which we operate. Within this set of Rules you will see several distinct changes, one of which removes partisan control of committees and reinstitutes the power of the minority leader to appoint his chosen members to committee. The expansion of special committees was done under Republican control. It limited the minority's power and we are going to fix it.

In addition, working with Budget Chairman Silvey and the Appropriations Chairs, we will move to require cost-containment plans from every state government department. Departments must realize we want to work together on improving efficiency, not simply hear requests for more dollars. Further, I am ready to grant subpoena power to the budget committee to root out more waste, fraud, and abuse.

These are just some small changes, but they show Missourians we are willing to lead by example and committed to getting beyond the business-as-usual mentality and challenge the status quo.

However, it will take more than this to get our state on the right track.

As a citizen, I am convinced government should NOT be the SOLUTION to every problem....but as legislators we should try everything in our power to make sure government is NOT the PROBLEM either.

Today, I would like to lay out a plan called the Show Me Solutions Initiative.

The principles of this plan are built on the principles by which Missourians expect us to govern - Limited Government, Fiscal Prudence, Individual Freedom, and Personal Responsibility, but it is also grounded in common sense. These are also ideas that are not entirely new, but with a change in focus are completely achievable because, when many of us talk with everyday Missourians, their call has often been "Show me solutions."

There are five key component areas I see as vital to our progress.

The first is a pledge to the voters that we heard them loud and clear. We will force government to live within its means, balance the state budget, and hold the line on taxes, period.

Second, our top priority must be job creation. But first let me be clear. Government does not create jobs. Entrepreneurs, small business owners, and large employers do. Government's role is not to run the economy, but to facilitate a business climate where the entrepreneurial spirit can thrive.

To create a better economic environment for all job creators, businesses must have a peace of mind that they will not be hampered with new regulations, fees, taxes, or frivolous lawsuits. If we achieve that, THEY can create new jobs. Therefore, our plan calls for a moratorium on any new regulations, fees, or new taxes for small businesses. However, we also want to take a significant step in reducing and limiting unfair lawsuits that threaten the viability of good honest businesses - and that includes Missouri's family farms.

Third, bring more accountability to government. For instance, if someone wants a Missouri driver's license, I think they should pass it in our official language - and that is English. And, as law enforcement personnel conduct a citizenship verification, why don't we cross-reference those individuals with the sexual predator list. Finally, we have to acknowledge that human trafficking occurs in our state and that in the worst cases it involves the sexual trafficking of children. Let's send a clear message to these worst of the worst that Missouri will not tolerate it and that no punishment is too severe.

In Missouri, I believe we can also reach for greater accountability from the federal government. So, we will work on a federal repeal resolution to band with other states and reject out-of-touch, out-of-control, and policies outside their authority.

Fourth, I believe in the fundamental principle that every child deserves a world class education. And it shouldn't matter if you are a Caucasian student in Perryville, MO, or an African American child in St. Louis or a Hispanic child in Kansas City. I have asked my education chairman to not focus on what's best for administrators, to not focus on what's best for teachers unions, but to focus on what is best for our children's education. Therefore, we need to pass



teacher tenure reform that will reward good teachers and provide greater local control to school districts. We also need to strongly consider adopting policies to address social promotion. We are doing our children an injustice by merely passing them along if they can't meet the minimum standards.

Fifth, use responsibility and free market concepts to expand and increase quality healthcare. Missourians are compassionate people and willing to give a hand-up, but that is different than a handout. Missourians are interested in helping someone out of a bad situation, but Missourians have no interest in funding a bad habit.

That is why we need to pass drug testing on welfare recipients.

In Congress they believe the first 100 days are essential to establishing progress. However, in the Show Me State I believe our standards should be higher, and so my last challenge as well as yours is that we shoot for success in our first 50 days, so that in the first 50 days of this session, the House will have passed 75% of its priorities.

Finally, in closing I want you to take this into consideration. There are roughly 6 million people in Missouri, and only 163 get the honor and privilege to serve in the House of Representatives. We all have a unique but fleeting opportunity to make a difference in the lives of our citizens.

A few months back my Dad told me not to waste this opportunity. He told me I had a choice. As Speaker I could hop in the boat, float downstream, not make any waves, and let the river of history take me through the path of least resistance, then, at the end of the ride, just look back and be glad I was Speaker.

Or, I could hop out of the boat, make a few waves, and charter a new course. I'm choosing to chart a new course and challenge each of you to chart that new course with me.

May God bless all of you, may God bless your families, and may God bless the great state of Missouri

### **NOMINATIONS FOR SPEAKER PRO TEM**

Representative Thomson nominated Representative Shane Schoeller for Speaker Pro Tem of the House.

Representative Brandom seconded the nomination.

Representative Newman nominated Representative Tishaura Jones for Speaker Pro Tem of the House.

Representative Jones (63) withdrew her nomination.

Representative Jones (89) moved that nominations cease and that Representative Schoeller be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Schoeller to the dais: Representatives Thomson, Brandom, Richardson, Wells, Haefner, Pollock, Holsman, Jones (63), Webb and McNeil.

Representative Schoeller subscribed to the oath of office which was administered by the Honorable Dan Imhof, Greene County Circuit Court, Associate Division 21.

Speaker Pro Tem Schoeller assumed the Chair.

### **ADDRESS BY SPEAKER PRO TEM SCHOELLER**

Secretary Carnahan, Fellow Members of the General Assembly, and our distinguished guests, it is an honor to be here before you today. Please allow me to pause for a moment and give tribute to my Lord and Savior Jesus Christ who, without a doubt, has granted me the opportunity to stand here now. To Him I say thank you.

I am also tremendously blessed by my wife Mendie and our three children Emma, Dorthy and Johnny as well as my parents, sister, family and special friends whose support allowed me to make this journey over the past four years.

To my fellow colleagues, I look forward to serving together with you for Missouri. As we do, may we keep in mind the words of our State Constitution in Article I, Section 1. "That all political power is vested in and derived from the people; that all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole." Perhaps our own U.S. Constitution summed it up best with three simple words, "We The People." We would do well to remember and recognize that our strength lies in the heart and spirit of every citizen, whom we are privileged to serve.

In that spirit, it is our duty to be purposeful in every legislative action we consider making. May the budget and legislation we pass promote those we serve to become more self-reliant and empower them to embrace the freedom of responsible independence.

In this past election Missouri's voters made it very clear that it is no longer acceptable to expect them to tighten their belts while government continues to grow due to the lack of solid fiscal standards. The voters have told us that they want a state government that is structured to be small and efficient, and now we must make that our duty.

As politicians, it is time for us to admit that we cannot solve every problem. We must be careful to question well-intentioned programs or laws that fail to create solutions and often create more problems. Let me paraphrase an old proverb to make my point: "Give a man a fish and you feed him for a day. Get the government out of the way so he can catch his own fish, and he will feed himself for a lifetime."

In the spirit of self-reliance we must be active in affecting our state business climate for the better. By diligently working to simplify our tax code, decreasing regulations and giving business owners, regardless of their size, the breathing room they deserve so that we will promote growth.

Any increase in taxes or regulations, whether state or federal, could be the final straw that breaks the camel's back, forcing them to decrease their workforce or worse, close their doors. In resisting the urge to over-regulate, we help ensure the very backbone of our economy, Missouri businesses, have the opportunity to thrive, which in turn helps sustain and create the vital jobs Missourians are looking for.

In the spirit of equal opportunity we must embrace the goal of a second to none public education system. I encourage all of us to keep in mind that our children will be better served when parents and local school boards have the freedom to determine how to best reach academic success without the concern of bureaucratic red tape and one-size-fits-all policies.

Our children deserve the best, and that is why I ask for a renewed spirit of cooperation that allows us to debate the issues without being swept up in the gridlock of self-interest. I was encouraged recently by a meeting with local superintendents and legislators where we had an open and frank conversation that I am eager to continue as we work together to improve our partnership with our local schools.

I understand you did not come to hear a fellow most of you don't know that well pontificate and so I will close my remarks shortly, but I would be remiss if I did not also affirm our sacred duty as a state to protect the vulnerable and indefensible.

I will never apologize for the duty we have as a state to protect those who cannot protect themselves, whether born or unborn. For too long, abused children have taken a back seat to politics and bureaucratic rules. We cannot continue to ignore our failing system while many little ones have lost their lives or have endured life-altering injuries.

It is time we commit ourselves to their protection and make no apologies for doing so. I call on Governor Nixon to work with us over the next two years to ensure we help the least of these, since their very life depends on it.

As we work to strengthen laws that protect life in the halls of this capitol I challenge this body, each community and each faith-based organization to be even more vigilant in upholding the sacredness of life and the individual beauty given to us all by our Creator. In doing so we will foster the culture of life necessary to truly protect the unborn.

It is not in the letter of the law that we will ever see abortions cease to occur, but rather in the spirit of our culture. We must choose to help mothers in unexpected pregnancies so that they are given every opportunity to bring their little one to full term. Changes in the law will be meaningless until life is held to be so sacred that willfully choosing to end it becomes unthinkable.

As I close, I want to thank our men and women that make the ultimate sacrifice each day, putting their own lives on the line: members of the Missouri National Guard, our nation's armed services, our law enforcement and emergency response teams that work to protect our communities and the freedoms we enjoy. It is freedom fought for since our nation's founders declared, "We the People," and it is in that spirit I say, "May God bless you and yours, our great state and this great nation we call home!"

Speaker Tilley resumed the Chair.

Pursuant to Section 9.141, RSMo, the Bill of Rights was read by Steve Adams, Reading Clerk.

## **THE BILL OF RIGHTS**

### **Amendment I**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

### **Amendment II**

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

### **Amendment III**

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

### **Amendment IV**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### **Amendment V**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War

or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**Amendment VI**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

**Amendment VII**

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

**Amendment VIII**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Amendment IX**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**Amendment X**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Lauren Riley Smith.

**HOUSE RESOLUTIONS**

Representative Jones (89) offered **House Resolution No. 1**, which was read.

**HOUSE RESOLUTION NO. 1**

BE IT RESOLVED, that the Rules of the House of Representatives of the Ninety-fifth General Assembly, and all amendments thereto, be the temporary Rules of the House of Representatives, Ninety-sixth General Assembly, until or unless otherwise ordered.

On motion of Representative Jones (89), **House Resolution No. 1** was adopted.

Representative Jones (89) offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that the following be elected permanent officers of the House of Representatives of the Ninety-sixth General Assembly.

Chief Clerk. . . . . D. Adam Crumbliss  
 Doorkeeper. . . . . Don Knollmeyer  
 Sergeant-at-Arms. . . . . Ralph Robinett  
 Chaplain. . . . . Reverend Monsignor Robert Kurwicki

On motion of Representative Jones (89), **House Resolution No. 2** was adopted.

The following officers subscribed to the oath of office which was administered by the Honorable Steven Tilley, Speaker of the House.

Chief Clerk. . . . . D. Adam Crumbliss  
 Doorkeeper. . . . . Don Knollmeyer  
 Sergeant-at-Arms. . . . . Ralph Robinett  
 Chaplain. . . . . Reverend Monsignor Robert Kurwicki

Representative Jones (89) offered **House Resolution No. 3**, which was read.

HOUSE RESOLUTION NO. 3

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers to wit:

Speaker. . . . . Steven Tilley  
 Speaker Pro Tem. . . . . Shane Schoeller  
 Chief Clerk. . . . . D. Adam Crumbliss  
 Doorkeeper. . . . . Don Knollmeyer  
 Sergeant-at-Arms. . . . . Ralph Robinett  
 Chaplain. . . . . Reverend Monsignor Robert Kurwicki

On motion of Representative Jones (89), **House Resolution No. 3** was adopted.

Representative Jones (89) offered **House Resolution No. 4**, which was read.

HOUSE RESOLUTION NO. 4

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Resolution No. 4** was adopted.

Representative Jones (89) offered **House Resolution No. 5.**

HOUSE RESOLUTION NO. 5

WHEREAS, the members of the Missouri House of Representatives take great pride in recognizing those outstanding public servants who have consistently performed their official duties with the highest degree of dedication, competence, and integrity; and

WHEREAS, the Honorable Robin Carnahan is to be praised and commended for the conscientious and effective manner in which she has performed her duty of presiding over the deliberations of the House of Representatives prior to its temporary organization, one of the numerous responsibilities of the Secretary of State under the Constitution of the Great State of Missouri; and

WHEREAS, since taking the oath of office in January 2005, the Honorable Robin Carnahan has distinguished herself through tireless commitment to each and every one of her responsibilities as Secretary of State; and

WHEREAS, prior to becoming Missouri's 38th Secretary of State, Robin Carnahan worked in central and eastern Europe to help rebuild the region's democracies and economics by drafting voting laws, training new political leaders, and monitoring elections, and has worked in six countries to promote democracy and free elections; and

WHEREAS, during her current tenure in office, Robin Carnahan has worked to enact the bipartisan Senior Investor Protection Act which is recognized as one of the toughest investor protection laws in the nation; launched the Missouri Investor Protection Center; established the Missouri Digital Heritage website which digitally links historical information and resources from the Missouri State Archives, the State Library, and local organizations; and designed the Safe at Home address confidentiality program which to date has protected more than 700 Missourians from domestic violence, sexual assault, and stalking; and

WHEREAS, as Missouri's chief election official, Robin Carnahan has made it her top priority to ensure fairness in the election systems of Missouri so our citizens have confidence that their votes are counted:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, join unanimously in expressing sincere appreciation and deep gratitude to the Honorable Robin Carnahan for the proud and faithful manner in which she has served this legislative body and in wishing her only the best in her continuing endeavors to meet the needs of Missouri's citizens by providing them with the finest quality of service and information available through the Office of the Secretary of State; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Robin Carnahan as a mark of our esteem for her.

On motion of Representative Jones (89), **House Resolution No. 5** was adopted.

Representative Jones (89) offered **House Resolution No. 6.**

HOUSE RESOLUTION NO. 6

WHEREAS, as the Ninety-sixth General Assembly of the State of Missouri convenes on Wednesday, January 5, 2011, the members of the Missouri House of Representatives proudly acknowledge services rendered to the General Assembly by distinguished public servants of this fair state; and

WHEREAS, the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of Missouri, deserves countless words of praise and commendation for the selfless manner in which he has given his valuable time to administer the oath of office to members of this legislative body in accordance with Missouri law; and

WHEREAS, during the inaugural session of the House of Representatives, Chief Justice Price displayed the highest degree of dedication in continuing the long-established tradition of rendering a sense of both dignity and solemnity in the prestigious ceremony which marks the official beginning of each legislator's two-year term in office as an elected representative of the people of Missouri; and

WHEREAS, it is entirely fitting and proper that this legislative body should take pause to applaud the numerous and laudable achievements of the Honorable William Ray Price, Jr. during his exemplary legal career:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, join unanimously in expressing our most sincere thanks and deepest appreciation to the Honorable William Ray Price, Jr. for the devoted and faithful manner in which he has served this body and further extend our very best wishes for continued great success and even more outstanding accomplishments in executing his numerous varied duties and responsibilities as a Chief Justice of our State's Highest Court; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable William Ray Price, Jr. as a mark of our esteem for him.

On motion of Representative Jones (89), **House Resolution No. 6** was adopted.

## HOUSE CONCURRENT RESOLUTIONS

Representative Jones (89) offered **House Concurrent Resolution No. 1**, which was read.

### HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Wednesday, January 19, 2011, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Concurrent Resolution No. 1** was adopted.

Representative Jones (89) offered **House Concurrent Resolution No. 2**, which was read.

### HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, February 2, 2011, to receive a message from the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive

any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Concurrent Resolution No. 2** was adopted.

## **HOUSE RESOLUTIONS**

Representative Jones (89) offered House Resolution No. 11 and House Resolution No. 12.  
Representative Kirkton offered House Resolution No. 16.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 7 through House Resolution No. 10  
House Resolution No. 13 through House Resolution No. 15

## **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 3**, introduced by Representatives Scharnhorst, Parkinson, Lichtenegger, Schad, Barnes and Ruzicka, relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

## **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 1**, introduced by Representatives Allen, Flanigan, Lasater, McCaherty, Zerr, Bahr, Keeney, Lant, Shumake and Wyatt, relating to the general assembly.

**HJR 2**, introduced by Representatives McGhee, Wallingford, Lant, Reiboldt, Schieber, Lasater, White, Cierpiot, Keeney, Loehner, Wells, Schad, Davis, Bahr, Gatschenberger, Wyatt, Klippenstein, Fitzwater, Jones (89), Thomson, Lichtenegger, Hough, Rowland, Sater, Solon, Long, Shumake, Crawford, Hinson, Ruzicka, Schneider, Hampton, Frederick, Phillips, Korman, Elmer, Allen, Bernskoetter, Higdon, Brown (116), Asbury, Schatz, Curtman and Koenig, relating to the right to pray.

**HJR 3**, introduced by Representatives Loehner, Reiboldt, Schieffer, Rowland, Hinson, Fisher, Phillips, Nance, Neth, Fitzwater, Smith (150), Dugger and Schad, relating to the right to raise animals.



## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 26**, introduced by Representatives Jones (63), Curls, Beatty, Carter, Walton Gray, Nasheed, Smith (71), May and Talboy, relating to city earnings.

**HB 27**, introduced by Representative Sater, relating to tax credits for donations to senior citizen services centers.

**HB 28**, introduced by Representative Sater, relating to the right of pharmacies regarding abortifacients.

**HB 29**, introduced by Representative Sater, relating to the volunteer health services act.

**HB 30**, introduced by Representative Sater, relating to pawnshops.

**HB 31**, introduced by Representative Sater, relating to the senior services growth and development program.

**HB 32**, introduced by Representative Sater, relating to heritage birth certificates and heritage marriage certificates.

**HB 33**, introduced by Representative Sater, relating to bicycle riders.

**HB 34**, introduced by Representative Sater, relating to eligibility for temporary assistance for needy families benefits.

**HB 35**, introduced by Representative Sater, relating to landlord-tenant law.

**HB 36**, introduced by Representative Sater, relating to sales tax exemptions for farm equipment.

**HB 37**, introduced by Representative Pace, relating to use of credit scores by prospective employers.

**HB 38**, introduced by Representative Pace, relating to jailors.

**HB 39**, introduced by Representative Lampe, relating to elected officials.

**HB 40**, introduced by Representative Lampe, relating to identification, assessment, education, and services for handicapped and severely handicapped students in public school districts.

**HB 41**, introduced by Representative Lampe, relating to the Amber alert and Silver alert system.

**HB 42**, introduced by Representative Loehner, relating to a nuclear power surcharge.

**HB 43**, introduced by Representatives Conway (27) and Lasater, relating to abatement of nuisances.

**HB 44**, introduced by Representative Lampe, relating to the paper reduction act.

**HB 45**, introduced by Representatives Hoskins, Allen, Nance, Molendorp, Zerr, Nolte, Pollock and Scharnhorst, relating to small businesses.

**HB 46**, introduced by Representatives Diehl, Jones (89), Barnes, Richardson, Lant, White, Franz, Gosen, Frederick, Long, Elmer, Fraker, Houghton, Redmon, Nance, Funderburk, Schneider, Koenig, Brattin and Scharnhorst, relating to fire sprinkler system installation.

**HB 47**, introduced by Representative Cookson, relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

**HB 48**, introduced by Representative Cookson, relating to motor fuel tax exemptions.

**HB 49**, introduced by Representative Meadows, relating to the designation of the new Mississippi River bridge.

**HB 50**, introduced by Representatives Taylor, Reiboldt, Lant and Davis, relating to taxation of lump sum distributions from certain annuities or other retirement plans.

**HB 51**, introduced by Representatives Taylor, Higdon, Hinson and Spreng, relating to a surcharge to fund law enforcement and fire safety training.

**HB 52**, introduced by Representatives Ellinger and Nichols, relating to the implementation of the streamlined sales and use tax agreement.

**HB 53**, introduced by Representative Meadows, relating to portable radar speed display signs.

**HB 54**, introduced by Representative Dugger, relating to political party emblems on ballots.

**HB 55**, introduced by Representative Sater, relating to sales tax exemptions.

**HB 56**, introduced by Representative Brown (50), relating to a tax credit for employers who hire high school students for summer jobs.

**HB 57**, introduced by Representative Brown (50), relating to obesity.

**HB 58**, introduced by Representative Brown (50), relating to the Missouri and Midwest High-Speed Rail Commission.

**HB 59**, introduced by Representative Brown (50), relating to the coordination of school health programs.

**HB 60**, introduced by Representatives Nolte, Scharnhorst, Schad and Schneider, relating to property assessments.

**HB 61**, introduced by Representatives Nolte, Scharnhorst, Schad, Allen and Schneider, relating to the minimum wage.

**HB 62**, introduced by Representatives Nolte, Scharnhorst, Schad, Allen and Schneider, relating to possible deportation of aliens who are listed in the state sexual offender registry.

**HB 63**, introduced by Representative Curls, relating to sale of cigarettes.

**HB 64**, introduced by Representative Curls, relating to lost and unclaimed property.

**HB 65**, introduced by Representative Curls, relating to the shock time for felony probationers program.

**HB 66**, introduced by Representative Curls, relating to sentences under dual jurisdiction.

**HB 67**, introduced by Representative Scharnhorst, relating to the licensing of tanning facilities.

**HB 68**, introduced by Representative Scharnhorst, relating to misuse of emergency telephone service.

**HB 69**, introduced by Representatives Jones (89), Wallingford, Lasater, Nasheed, Higdon, Fuhr and Meadows, relating to special license plates for police chaplains.

**HB 70**, introduced by Representatives Phillips, Rowland and Elmer, relating to county highway commissions.

**HB 71**, introduced by Representatives Nasheed, Tilley, Jones (63), Talboy, Carter and Diehl, relating to the St. Louis police force.

**HB 72**, introduced by Representative Torpey, relating to conflicts of interest for legislators.

**HB 73**, introduced by Representatives Brandom, Leach, Tilley, Lichtenegger, McCaherty, Houghton, Molendorp, Guernsey, Fitzwater, Cross, Brown (85), Day, Wright, Wallingford, Cox, Ruzicka, Lant, Burlison, Cookson, Entlicher, Klippenstein, Redmon, Allen, Parkinson, Lauer, Crawford, Flanigan, Denison, Wells, Dugger, Hoskins, Faith, Korman, Higdon, Franz, Schneider, Jones (117), Richardson, Shumake, Brown (116), Sater, Bahr, Hinson, Loehner, Schad, Gatschenberger, McGhee, Hough, Fraker, Conway (14), Nance, Schoeller, Solon, Fisher, Long, Koenig, Riddle, Jones (89), Pollock, Smith (150), Brattin, Kelley (126), Berry, Neth, Cierpiot, Torpey, Wieland, Dieckhaus, Schatz, Funderburk, Nolte, Diehl, Hampton, Reiboldt, White, Davis, Phillips, Rowland, Haefner, Wyatt, Lair, Asbury, Keeney, Thomson and Zerr, relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

**HB 74**, introduced by Representatives Curls, Carter and Nasheed, relating to eligibility for food stamps.

**HB 75**, introduced by Representatives Curls and Nasheed, relating to petitions to expunge certain criminal records.

**HB 76**, introduced by Representatives Nolte, Fisher, Koenig, Zerr and Allen, relating to the corporate franchise tax.

**HB 77**, introduced by Representatives Nolte, Fisher, Koenig, Zerr and Allen, relating to the phase-out of the corporate franchise tax.

**HB 78**, introduced by Representatives Nolte, Fisher, Zerr and Allen, relating to an exemption of business income from income tax.

**HB 79**, introduced by Representatives Nolte, Fisher, Neth, Kelly (24), Zerr, Day and Allen, relating to military medallions, medals, and certificates.

**HB 80**, introduced by Representatives Nolte and Schad, relating to tax statements.

**HB 81**, introduced by Representatives Nolte, Fisher, Neth, Schad, Zerr and Allen, relating to sales and use tax exemptions.

**HB 82**, introduced by Representatives Nolte, Fisher, Korman, Koenig, Schad, Kelly (24), Zerr and Allen, relating to the renewable energy standard.

**HB 83**, introduced by Representatives Nolte, Zerr and Allen, relating to international transactions.

**HB 84**, introduced by Representative McGhee, relating to the Missouri state park board.

**HB 85**, introduced by Representative McGhee, relating to a tax credit for processed biomass engineered fiber fuel.

**HB 86**, introduced by Representative McGhee, relating to certain parties being allowed to prosecute their claims and defenses without the assistance of an attorney.

**HB 87**, introduced by Representative McGhee, relating to pay increases for noncustody employees of certain divisions of the department of corrections.

**HB 88**, introduced by Representative Gatschenberger, relating to public administrators.

**HB 89**, introduced by Representatives Pollock, Denison and Wells, relating to the Missouri clean water law.

**HB 90**, introduced by Representative Scharnhorst, relating to political subdivisions.

**HB 91**, introduced by Representative Nolte, relating to workers' compensation.

**HB 92**, introduced by Representative Molendorp, relating to the procurement of construction by the design-build method by school districts.

**HB 93**, introduced by Representative Shively, relating to text messaging while operating a motor vehicle.

**HB 94**, introduced by Representatives Dugger, Wells, Fisher, Faith, Fraker, Franz, Pollock, Lichtenenegger, Reiboldt, Entlicher, Crawford, Cookson and Gatschenberger, relating to dog breeders.

**HB 95**, introduced by Representative Dugger, relating to nonpartisan elections.

**HB 96**, introduced by Representative Flanigan, relating to recycling companies that convert animal parts into petroleum.

**HB 97**, introduced by Representative Ruzicka, relating to the extension of water fees.

**HB 98**, introduced by Representative Ruzicka, relating to environmental control.

**HB 99**, introduced by Representatives Loehner, Reiboldt, Schieffer, Rowland, Hinson, Fisher, Phillips, Nance, Fitzwater, Dugger and Schad, relating to the puppy mill cruelty prevention act.

**HB 100**, introduced by Representatives Loehner, Reiboldt, Schieffer, Rowland, Hinson, Fisher, Phillips, Nance, Fitzwater, Smith (150), Dugger and Schad, relating to the right to raise domesticated animals.

**HB 101**, introduced by Representative Loehner, relating to the tasting of liquor.

**HB 102**, introduced by Representatives Nance, Sifton, Gatschenberger, Nolte, Nasheed, Day, Rowland, Schad, Zerr, Neth and Kirkton, relating to the Missouri homestead preservation act.

**HB 103**, introduced by Representatives Nance and Nolte, relating to forestry management.

**HB 104**, introduced by Representatives Nance and Gatschenberger, relating to red light traffic violations.

**HB 105**, introduced by Representatives Nance, Gatschenberger, Nolte and Rowland, relating to fines and court costs for traffic violations.

**HB 106**, introduced by Representative Sater, relating to sheltered workshop boards.

**HB 107**, introduced by Representatives Smith (150), Brandom, Fitzwater, Dugger and Hinson, relating to vacancies in certain statewide offices.

**HB 108**, introduced by Representative Smith (150), relating to campaign finance.

**HB 109**, introduced by Representatives Wells, Pollock, Sater, Faith, Denison, Flanigan, Schneider, Franz, Fraker, Molendorp, Brandom, Hough, Hoskins, Smith (150), Brattin, Nance, Kelley (126), Higdon, Loehner, Dugger, Guernsey, Lair, McGhee, Ruzicka, Gatschenberger, Schad, Black, Tilley, Neth, Still, Rowland, Cookson, Zerr, Crawford, Entlicher, Scharnhorst, Franklin and Taylor relating to linked deposits.

## **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 2**.

### **SENATE RESOLUTION NO. 2**

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-sixth General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem.....	Robert N. Mayer
Secretary of Senate.....	Terry L. Spieler
Sergeant-at-Arms.....	Bill Smith
Doorkeeper.....	Ken Holman

## **COMMITTEE ASSIGNMENTS**

### **ADMINISTRATION AND ACCOUNTS**

#### **Mike McGhee, Chair**

Cole McNary, Vice Chair

Ron Casey

Joe Fallert

Tim Jones

Paul Quinn

Shane Schoeller

Jason Smith

Steve Tilley

Anne Zerr

### **AGRI-BUSINESS**

#### **Casey Guernsey, Chair**

Kent Hampton, Vice Chair

Mike Bernskoetter

Linda Black

John Cauthorn

Sandy Crawford

Barney Fisher

Steve Hodges

Jay Houghton

Chris Kelly

Don Ruzicka

Ed Schieffer

Lindell Shumake  
Sylvester Taylor  
Zachary Wyatt

## **AGRICULTURE POLICY**

### **Tom Loehner, Chair**

Bill Reiboldt, Vice Chair  
Joe Aull  
Tony Dugger  
Sue Entlicher  
Paul Fitzwater  
Delus Johnson  
Glen Klippenstein  
Bob Nance  
Paul Quinn  
Ed Schieffer  
Tom Shively  
Terry Swinger  
Billy Pat Wright

## **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

### **John Cauthorn, Chair**

Lincoln Hough, Vice Chair  
Randy Asbury  
Casey Guernsey  
Ben Harris  
Bart Korman  
Tom Loehner  
Paul Quinn  
Craig Redmon  
Bill Reiboldt  
Tom Shively  
Rochelle Walton Gray

## **APPROPRIATIONS - EDUCATION**

### **Mike Lair, Chair**

Lyle Rowland, Vice Chair  
Scott Dieckhaus  
Diane Franklin  
Steve Hodges  
Mike Kelley  
Melissa Leach  
Genise Montecillo  
Tommie Pierson

Craig Redmon  
Mary Still  
Mike Thomson

**APPROPRIATIONS - GENERAL ADMINISTRATION**

**Mark Parkinson, Chair**

Jay Barnes, Vice Chair  
Cloria Brown  
Pat Conway  
Chuck Gatschenberger  
Kent Hampton  
Leonard Hughes  
Jacob Hummel  
Nick Marshall  
Dave Schatz  
Steve Webb  
Billy Pat Wright

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

**Tom Flanigan, Chair**

Donna Lichtenegger, Vice Chair  
Sue Allen  
Bert Atkins  
Shalonn “Kiki” Curls  
Paul Curtman  
Rory Ellinger  
Diane Franklin  
Jeff Grisamore  
Jeanne Kirkton  
Bill White  
Anne Zerr

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

**Chris Kelly, Chair**

Gary Fuhr, Vice Chair  
Michael Brown  
Wanda Brown  
Paul Fitzwater  
Galen Higdon  
Penny Hubbard  
Brent Lasater  
Mary Nichols



Sheila Solon  
Noel Torpey  
Wayne Wallingford

## **APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

### **Denny Hoskins, Chair**

Thomas Long, Vice Chair  
Kurt Bahr  
Sandy Crawford  
Kevin Elmer  
Dave Hinson  
Delus Johnson  
Jason Kander  
Bart Korman  
Michele Kratky  
Bill Lant  
Sharon Pace  
Ed Schieffer  
Jill Schupp  
Bill White

## **BUDGET**

### **Ryan Silvey, Chair**

Rick Stream, Vice Chair  
Sue Allen  
Randy Asbury  
Eric Burlison  
Chris Carter  
John Cauthorn  
Shalonn “Kiki” Curls  
Sally Faith  
Tom Flanigan  
Jeff Grisamore  
Casey Guernsey  
Marsha Haefner  
Denny Hoskins  
Leonard Hughes  
Jason Kander  
Shelley Keeney  
Chris Kelly  
Jeanne Kirkton  
Mike Lair  
Sara Lampe  
Jamilah Nasheed  
Mark Parkinson

John Rizzo  
David Sater  
Dwight Scharnhorst  
Dave Schatz  
Tom Shively  
Mike Thomson

## **CHILDREN AND FAMILIES**

### **Scott Largent, Chair**

Kurt Bahr, Vice Chair  
Jay Barnes  
Rick Brattin  
Cloria Brown  
Rory Ellinger  
Andrew Koenig  
Melissa Leach  
Mike McGhee  
Stacey Newman  
Jeanette Oxford  
Churie Spreng

## **CORRECTIONS**

### **Linda Black, Chair**

Paul Fitzwater, Vice Chair  
Ellen Brandom  
Rick Brattin  
Ron Casey  
Kathie Conway  
Penny Hubbard  
Shelley Keeney  
Melissa Leach  
Mike McGhee  
Paul Quinn

## **CRIME PREVENTION AND PUBLIC SAFETY**

### **Rodney Schad, Chair**

Nick Marshall, Vice Chair  
Mike Cierpiot  
Mike Colona  
Kathie Conway  
Gary Fuhr  
Galen Higdon  
Dave Hinson  
Brent Lasater

Eileen McGeoghegan  
Sharon Pace  
Jean Peters-Baker  
Don Phillips  
Bill Reiboldt  
Rochelle Walton Gray

## **DOWNSIZING STATE GOVERNMENT**

**Cole McNary, Chair**  
Paul Curtman, Vice Chair  
Bert Atkins  
T.J. Berry  
Shalonn “Kiki” Curls  
Rory Ellinger  
Kevin Elmer  
Chuck Gatschenberger  
Marsha Haefner  
Jason Kander  
Sara Lampe  
Nick Marshall  
John McCaherty  
Jean Peters-Baker  
Sheila Solon  
Noel Torpey  
Bill White

## **ECONOMIC DEVELOPMENT**

**Anne Zerr, Chair**  
Caleb Jones, Vice Chair  
T.J. Berry  
Ellen Brandom  
Michael Brown  
Wanda Brown  
Chris Carter  
Paul Curtman  
John Diehl  
Lyndall Fraker  
Lincoln Hough  
Michele Kratky  
Jeanie Lauer  
Mike Leara  
Thomas Long  
Eileen McGeoghegan  
Mike McGhee  
Jamilah Nasheed

Craig Redmon  
John Rizzo  
Dwight Scharnhorst  
Ron Schieber  
Vicki Schneider  
Clem Smith  
Jay Swearingen  
Wayne Wallingford  
Stephen Webber

## **ELECTIONS**

**Tony Dugger, Chair**  
Sue Entlicher, Vice Chair  
Mike Cierpiot  
Pat Conway  
Stanley Cox  
Joe Fallert  
Don Gosen  
Myron Neth  
Stacey Newman  
Don Wells

## **ELEMENTARY AND SECONDARY EDUCATION**

**Scott Dieckhaus, Chair**  
Steve Cookson, Vice Chair  
Joe Aull  
Eric Burlison  
Paul Fitzwater  
Keith Frederick  
Tishaura Jones  
Sara Lampe  
Cole McNary  
Margo McNeil  
Myron Neth  
Rodney Schad  
Tom Shively  
Lindell Shumake  
Rick Stream  
Terry Swinger  
Mike Thomson

## **EMERGING ISSUES IN ANIMAL AGRICULTURE**

### **Billy Pat Wright, Chair**

Randy Asbury, Vice Chair

Joe Aull

Linda Black

Pat Conway

Barney Fisher

Ben Harris

Tom Loehner

Myron Neth

Craig Redmon

Lyle Rowland

Don Ruzicka

## **ETHICS**

### **Tim Jones, Chair**

Jason Smith, Vice Chair

Pat Conway

Rory Ellinger

Gail McCann Beatty

Stacey Newman

Jeanette Oxford

Jeanie Riddle

Shane Schoeller

Steve Tilley

## **FINANCIAL INSTITUTIONS**

### **Don Wells, Chair**

Scott Largent, Vice Chair

Ellen Brandom

Wanda Brown

Sandy Crawford

Scott Dieckhaus

Shelley Keeney

Gail McCann Beatty

Jamilah Nasheed

Myron Neth

Mary Nichols

Jeanette Oxford

David Sater

Ron Schieber

Vicki Schneider

Jay Swearingen

Sylvester Taylor

## **FISCAL REVIEW**

### **Rick Stream, Chair**

Tom Flanigan, Vice Chair

Joe Fallert

Andrew Koenig

Tom McDonald

Mark Parkinson

Darrell Pollock

John Rizzo

Dave Schatz

Clem Smith

Noel Torpey

Don Wells

## **GENERAL LAWS**

### **Ward Franz, Chair**

Todd Richardson, Vice Chair

Mike Colona

Gary Cross

David Day

Doug Funderburk

Jay Houghton

John McCaherty

Tom McDonald

Kevin McManus

Mark Parkinson

Darrell Pollock

Dwight Scharnhorst

Jill Schupp

Scott Sifton

## **HEALTH CARE POLICY**

### **David Sater, Chair**

Keith Frederick, Vice Chair

Diane Franklin

Marsha Haefner

Steve Hodges

Jay Houghton

Margo McNeil

Bob Nance

Sharon Pace

Terry Swinger

Wayne Wallingford

Ray Weter

## **HEALTH INSURANCE**

### **Chris Molendorp, Chair**

Eric Burlison, Vice Chair

Keith Frederick

Tishaura Jones

Donna Lichtenegger

Jean Peters-Baker

Don Phillips

David Sater

Ronald Schieber

Mary Still

## **HIGHER EDUCATION**

### **Mike Thomson, Chair**

Wayne Wallingford, Vice Chair

Steve Cookson

Scott Dieckhaus

Denny Hoskins

Leonard Hughes

Donna Lichtenegger

Chris Molendorp

Tommie Pierson

Todd Richardson

Jill Schupp

Mary Still

## **INSURANCE POLICY**

### **Bob Nance, Chair**

Don Gosen, Vice Chair

Jay Barnes

John Cauthorn

Mike Colona

Kathie Conway

Ward Franz

Penny Hubbard

Chris Molendorp

Steve Webb

Paul Wieland

Jake Zimmerman

## **INTERNATIONAL TRADE AND JOB CREATION**

### **Jerry Nolte, Chair**

John McCaherty, Vice Chair

T.J. Berry

Rick Brattin

Jeff Grisamore

Jason Holsman

Lincoln Hough

Shelley Keeney

Karla May

Kevin McManus

Genise Montecillo

Mark Parkinson

Scott Sifton

Sheila Solon

Zachary Wyatt

## **JUDICIARY**

### **Stanley Cox, Chair**

Kevin Elmer, Vice Chair

Jay Barnes

Susan Carlson

Mike Colona

Gary Fuhr

Galen Higdon

Jason Kander

Chris Kelly

Mike Leara

Nick Marshall

Todd Richardson

## **LOCAL GOVERNMENT**

### **Chuck Gatschenberger, Chair**

Vicki Schneider, Vice Chair

Randy Asbury

Charlie Denison

Sue Entlicher

Dave Hinson

Jacob Hummel

Jeanie Lauer

Eileen McGeoghegan

Kevin McManus

Chris Molendorp

Jerry Nolte



Paul Quinn  
John Rizzo  
Sheila Solon  
Sylvester Taylor  
Ray Weter  
Paul Wieland

## **PROFESSIONAL REGISTRATION AND LICENSING**

### **Ellen Brandom, Chair**

Eric Burlison, Vice Chair  
Sue Allen  
Chris Carter  
David Day  
Kevin Elmer  
Ward Franz  
Keith Frederick  
Caleb Jones  
Bart Korman  
Michele Kratky  
Bill Lant  
Donna Lichtenegger  
Gail McCann Beatty  
Mary Nichols  
Vicki Schneider  
Scott Sifton  
Jason Smith  
Jay Swearingen  
Steve Webb  
Don Wells

## **RETIREMENT**

### **Mike Leara, Chair**

Cloria Brown, Vice Chair  
Ira Anders  
Bert Atkins  
Mike Lair  
Genise Montecillo  
Bob Nance  
Jerry Nolte  
Tommie Pierson  
Lyle Rowland  
Ray Weter  
Paul Wieland

## **RULES**

### **John Diehl, Chair**

Doug Funderburk, Vice Chair

Susan Carlson

Stanley Cox

David Day

Casey Guernsey

Mike Lair

Scott Largent

Jean Peters-Baker

Rodney Schad

Stephen Webber

Jake Zimmerman

## **RURAL COMMUNITY DEVELOPMENT**

### **Ray Weter, Chair**

Zachary Wyatt, Vice Chair

Joe Aull

Tony Dugger

Sue Entlicher

Lyndall Fraker

Kent Hampton

Ben Harris

Steve Hodges

Caleb Jones

Darrell Pollock

Terry Swinger

## **SMALL BUSINESS**

### **Dwight Scharnhorst, Chair**

Noel Torpey, Vice Chair

Ira Anders

Kurt Bahr

Mike Bernskoetter

T.J. Berry

Rick Brattin

Kathie Conway

Gary Cross

Shalonn “Kiki” Curls

Charlie Davis

Diane Franklin

Ben Harris

Leonard Hughes

Delus Johnson

Jeanie Lauer  
Stacey Newman  
Jill Schupp  
Lindell Shumake  
Churie Spreng  
Paul Wieland

#### **SPECIAL COMMITTEE ON REDISTRICTING**

##### **John Diehl, Chair**

Stanley Cox, Vice Chair  
Michael Brown  
Ron Casey  
Sally Faith  
Tom Flanigan  
Penny Hubbard  
Glen Klippenstein  
Tom Loehner  
Jamilah Nasheed  
Todd Richardson  
Jason Smith

#### **TAX REFORM**

##### **Doug Funderburk, Chair**

Gary Cross, Vice Chair  
Charlie Davis  
Andrew Koenig  
Jeanie Lauer  
John McCaherty  
Gail McCann Beatty  
Margo McNeil  
Jeanette Oxford  
Tommie Pierson  
Lindell Shumake  
Bill White

#### **TOURISM AND NATURAL RESOURCES**

##### **Don Ruzicka, Chair**

Don Phillips, Vice Chair  
Ira Anders  
Linda Black  
Michael Brown  
Steve Cookson  
Charlie Denison  
Joe Fallert

Jay Houghton  
Delus Johnson  
Michele Kratky  
Brent Lasater  
Tim Meadows  
Jerry Nolte  
Lyle Rowland  
Ronald Schieber  
Anne Zerr

## **TRANSPORTATION**

### **Charlie Denison, Chair**

Sally Faith, Vice Chair  
Steve Cookson  
Joe Fallert  
Dave Hinson  
Lincoln Hough  
Thomas Long  
Tom McDonald  
Tim Meadows  
Don Phillips  
Ed Schieffer  
Rick Stream

## **TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

### **Sally Faith, Chair**

Mike Cierpiot, Vice Chair  
Susan Carlson  
Gary Cross  
Rory Ellinger  
Lyndall Fraker  
Bill Lant  
Brent Lasater  
Thomas Long  
Tom McDonald  
Genise Montecillo

## **URBAN ISSUES**

### **Jamilah Nasheed, Chair**

Don Gosen, Vice Chair  
Mike Bernskoetter  
Michael Brown  
John Diehl  
Gary Fuhr

Marsha Haefner  
Mike Leara  
Karla May

## **UTILITIES**

### **Darrell Pollock, Chair**

Dave Schatz, Vice Chair  
Ira Anders  
Mike Bernskoetter  
Mike Cierpiot  
Sandy Crawford  
Charlie Davis  
Charlie Denison  
Tony Dugger  
Ward Franz  
Don Gosen  
Jason Holsman  
Jacob Hummel  
Caleb Jones  
Glen Klippenstein  
Bart Korman  
Sara Lampe  
Jeanie Riddle  
Don Ruzicka  
Rodney Schad  
Clem Smith  
Churie Spreng  
Steve Webb  
Jake Zimmerman

## **VETERANS**

### **David Day, Chair**

Charlie Davis, Vice Chair  
Bert Atkins  
Kurt Bahr  
Cloria Brown  
Ron Casey  
Pat Conway  
Barney Fisher  
Denny Hoskins  
Scott Largent  
Terry Swinger  
Rochelle Walton Gray  
Billy Pat Wright  
Zachary Wyatt

## **WAYS AND MEANS**

**Andrew Koenig, Chair**  
Galen Higdon, Vice Chair  
Paul Curtman  
Chuck Gatschenberger  
Jeff Grisamore  
Mike Kelley  
Jeanne Kirkton  
Gail McCann Beatty  
Cole McNary  
Margo McNeil  
Bill Reiboldt  
Mary Still

## **WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

**Barney Fisher, Chair**  
Wanda Brown, Vice Chair  
Lyndall Fraker  
Doug Funderburk  
Kent Hampton  
Mike Kelley  
Glen Klippenstein  
Bill Lant  
Melissa Leach  
Karla May  
Kevin McManus  
Tim Meadows  
Sylvester Taylor  
Stephen Webber

Aaron Holsapple, First Baptist Church, Jefferson City, Missouri, sang "The National Anthem."

The benediction was given by Msgr. Robert Kurwicki, St. Joseph Cathedral, Jefferson City, Missouri.

O Loving God, You remind us in the Sacred Scriptures that where two or three are gathered in Your Name, You are there in the midst of them.

We have felt Your powerful presence today in this House Chamber with the swearing in of a new Speaker and new members. Bless them, their staffs, their families and all the people of our state as we together begin the journey that will be this Session of the General Assembly.

Protect all who will visit and take part in the House of Representatives this year, and may our thoughts and words always be directed by the desire to serve the good of the people. Bless us as we go forth this day and give us Your peace. Amen.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 6, 2011.

## **COMMITTEE MEETING**

### **JOINT COMMITTEE ON EDUCATION**

Wednesday, January 26, 2011, 8:00 AM.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

## **HOUSE CALENDAR**

SECOND DAY, THURSDAY, JANUARY 6, 2011

### **HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 3

### **HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 1 through HJR 3

### **HOUSE BILLS FOR SECOND READING**

HB 26 through HB 109

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SECOND DAY, THURSDAY, JANUARY 6, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicksi.

*God is our refuge and strength, a very present help in trouble. Therefore will we not fear. (Psalm 46:1)*

O God, our Almighty Father, You are the refuge and strength of Your people in every age and our refuge and our strength in this present hour in this Chamber. We pause in Your presence to offer unto You once again the devotion of our hearts.

Amid all the changes and distractions of this life, help us to rest our spirits upon those eternal foundations of truth and love which You have laid for us. Save us from unnecessary restlessness, from lasting confusion, and from perpetual movement. Draw us unto Yourself that for this moment we may be still and know that You are God.

With the assurance of Your Holy Spirit may we accept the responsibilities of this day and fulfill all our obligations with fidelity and honor. Into Your loving arms we completely commit ourselves and our State of Missouri - praying that together we may be one in You: through Jesus Christ our Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Janice Pickering.

The Journal of the first day was approved as corrected by the following vote:

AYES: 155

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair



Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 001

Talboy

PRESENT: 002

Atkins                      Oxford

ABSENT WITH LEAVE: 005

Carter                      Diehl                      Funderburk                      Hughes                      Kelly 24

## HOUSE RESOLUTIONS

Representative Fuhr offered House Resolution No. 30 and House Resolution No. 31.  
Representative Jones (89) offered House Resolution No. 38.

HOUSE RESOLUTION NO. 38

### RULES OF THE HOUSE OF REPRESENTATIVES 96<sup>TH</sup> GENERAL ASSEMBLY

#### TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

#### CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term "constitutional majority", as used herein, shall mean eighty-two members of the House.

#### ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:
  - (i) Reading and approval of the Journal of the previous day's session.

- (ii) Introduction and first reading of House Joint Resolutions.
- (iii) Introduction and first reading of House Bills.
- (iv) Second reading of House Bills and Joint Resolutions.
- (v) Reports of regular standing committees.
- (vi) Reports of special standing committees.
- (vii) Bills, reports and other business on the table.
- (viii) House Joint Resolutions to be perfected and printed.
- (ix) House Bills to be perfected and printed.
- (x) Third reading of House Joint Resolutions.
- (xi) Third reading of House Bills.
- (xii) Messages from the Senate.
- (xiii) First reading of Senate Joint Resolutions and Senate Bills.
- (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
- (xv) Third reading of Senate Joint Resolutions.
- (xvi) Third reading of Senate Bills.
- (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
- (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
- (xix) Such other orders of business as deemed necessary pursuant to law.

#### **HEADINGS ON HOUSE CALENDAR**

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (i) House Joint Resolutions to be perfected and printed - laid over informally.
- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon the Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.

- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

#### **FIRST AND SECOND READING OF BILLS**

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the members present.

#### **ORDERS OF THE DAY**

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

#### **ELECTION OF OFFICERS**

##### **GENERALLY**

##### **Election; Oath; Compensation**

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly: its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean himself or herself in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

**SPEAKER**

**Speaker to Call Members to Order**

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

**Parliamentary Rulings;  
Referral to Parliamentary Committee**

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place. It shall be at the Speaker's discretion whether members may speak on points of order.

**Speaker May Speak on Points of Order**

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

**Appeal from a Ruling of the Chair**

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

**Speaker Has General Supervision of Hall**

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

**Supervision of House Employees**

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

**Speaker May Substitute Member to Perform Duties**

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

**Speaker Shall Sign Bills**

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

### **Speaker May Clear Hall**

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not, however, have the power to remove members from the floor of the House, except by a majority vote of those present.

### **Manner of Putting Questions**

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device. The Speaker may require a recorded vote on any motion.

## **OTHER OFFICERS**

### **Speaker Pro Tem**

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

### **Chief Clerk**

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

### **Sergeant-at-Arms; Doorkeeper and Chaplain**

Rule 20. (a) SERGEANT-AT-ARMS. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) DOORKEEPER. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties and shall obey such other orders as may be made by the House.

(c) CHAPLAIN. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

### **Employees**

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

## **COMMITTEES**

### **By Whom Appointed; Composition of Membership**

Rule 22. All regular standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and

designate the total number of members to serve on each committee, except the minority members of each regular standing committee shall be appointed by the Minority Floor Leader, subject to the final approval of the Speaker. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and discussion but shall have no vote unless they are duly appointed members of said committee. The membership of all regular standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special standing committees as he/she deems necessary. Any special standing committee shall have the authority and duties of a regular standing committee if so designated by the Speaker. The Minority Floor Leader may make recommendations to the Speaker regarding minority membership of special standing committees. The Speaker may dissolve and/or discharge the members of any conference, interim, or special standing committee at any time and reappoint the members thereof.

### **Time of Sitting**

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

### **The Regular Standing Committees Enumerated**

Rule 24. The regular standing committees of the House shall be as follows:

1. Administration and Accounts.
2. Agriculture Policy.
3. Agri-Business
4. Appropriations - Agriculture and Natural Resources.
5. Appropriations - Education.
6. Appropriations - General Administration.
7. Appropriations - Health, Mental Health and Social Services.
8. Appropriations - Public Safety and Corrections.
9. Appropriations - Transportation and Economic Development.
10. Budget.
11. Conservation and Natural Resources.
12. Corrections and Public Institutions.
13. Crime Prevention.
14. Elections.
15. Elementary and Secondary Education.
16. Energy and Environment.
17. Ethics.
18. Financial Institutions.
19. Fiscal Review.
20. Health Care Policy.
21. Healthcare Transformation.
22. Higher Education.
23. Homeland Security.
24. International Trade and Immigration.
25. Insurance Policy.
26. Job Creation and Economic Development.
27. Judiciary.
28. Local Government.
29. Public Safety.

- 30. Real ID and Personal Privacy.
- 31. Retirement.
- 32. Rules.
- 33. Rural Community Development.
- 34. Senior Citizen Advocacy.
- 35. Small Business.
- 36. State Parks and Waterways.
- 37. Tax Reform.
- 38. Tourism.
- 39. Transportation.
- 40. Utilities.
- 41. Veterans.
- 42. Ways and Means.

### **Duties of the Regular Standing Committees**

**Rule 25. (1) *Administration and Accounts.***

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members. The committee may make assignments to the party caucuses for those caucuses to assign to their respective members. The House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members, shall have priority with respect to such assignments within their respective caucuses.

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture Policy may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture in this state.

(3) *Committee on Agri-Business.* The Committee on Agri-Business may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agri-business in the state.

(4) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(5) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(6) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt,

Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, the Judiciary and the Public Defender.

(7) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(8) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

(9) *The Committee on Appropriations - Transportation and Economic Development.* The Committee on Appropriations - Transportation and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, the Department of Insurance and the Department of Labor and Industrial Relations.

(10) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it which, in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Facilities Management, Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

(11) *The Committee on Conservation and Natural Resources.* The Committee on Conservation and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Conservation, state parks, fish and game, forestry, natural resources, environment and mining.

(12) *The Committee on Corrections and Public Institutions.* The Committee on Corrections and Public Institutions may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, the state penitentiary, state hospitals, charitable institutions, and other state properties.

(13) *The Committee on Crime Prevention.* The Committee on Crime Prevention may consider and report upon bills and matters referred to it relating to criminal laws and law enforcement matters.

(14) *The Committee on Elections.* The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

(15) *The Committee on Elementary and Secondary Education.* The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

(16) *The Committee on Energy and Environment.* The Committee on Energy and Environment may consider and report upon bills and matters referred to it relating to the development, use and conservation of energy and other energy related concerns; environmental impact and pollution, including natural resources such as air, water, solid waste; recovery of natural resources of all types and by all means, including environmental impact and public health and safety as it relates to these issues.

(17) *Ethics.* The Committee on Ethics may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or



other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(18) *The Committee on Financial Institutions.* The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions, and other financial institutions.

(19) *The Committee on Fiscal Review.* The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular or special standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion adopted by the members, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House sponsor or floor handler, amend an effective date onto any bill referred to the Committee.

(20) *The Committee on Health Care Policy.* The Committee on Health Care Policy may consider and report upon bills and matters referred to it relating to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it relating to Medicaid and related matters.

(21) *The Committee on Healthcare Transformation.* The Committee on Healthcare Transformation may consider and report upon bills and matters referred to it relating to the operation and regulation of hospitals, health clinics, health centers, and other facilities related to the field of health.

(22) *The Committee on Higher Education.* The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters relating to financing, facilities, staff, curriculum and related matters.

(23) *The Committee on Homeland Security.* The Committee on Homeland Security may consider and report upon bills and matters referred to it relating to the disaster and emergency preparation and implementation of safety and security measures for state and local governments and measures relating to cooperation between other states and the federal government.

(24) *The Committee on International Trade and Immigration.* The Committee on International Trade and Immigration may consider and report upon bills and matters referred to it relating to immigration policy of the state and the impact of non-citizen and migrant workers on the state economy and services provided by the state and local governments.

(25) *The Committee on Insurance Policy.* The Committee on Insurance Policy may consider and report upon bills and matters referred to it relating to insurance, insurance companies and the Department of Insurance.

(26) *The Committee on Job Creation and Economic Development.* The Committee on Job Creation and Economic Development may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion, and development and the creation and retention of jobs.

(27) *The Committee on Judiciary.* The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

(28) *The Committee on Local Government.* The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

(29) *The Committee on Public Safety.* The Committee on Public Safety may consider and report upon bills and matters referred to it relating to public safety and law enforcement.

(30) *The Committee on Real ID and Personal Privacy.* The Committee on Real ID and Personal Privacy may consider and report upon bills and matters referred to it relating to the protection of personal privacy and security concerns.

(31) *The Committee on Retirement.* The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees.

(32) *The Committee on Rules* (a) *Duties generally.* The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds (2/3) of the regular or special standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third reading calendar.* Upon petition of two-thirds (2/3) of the regular or special standing committee chairmen, the Committee on Rules shall have the authority to consider and remove any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) *Review of Bills Reported from Regular Standing or Special Standing Committees.*

1. Whenever a committee reports a bill with a recommendation that it "Do Pass" or "Without Recommendation", the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

- a. Report the bill "Do Pass" to the House without a limitation on time of debate on the bill or amendments.
- b. Report the bill "Do Pass" to the House with a limitation on the time of debate.
- c. Send the bill back to the originating committee.

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill "Do Pass".

2. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Consent", the Rules Committee shall review the bill for the purpose of determining whether or not it should have "consent" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Consent" calendar. When the Committee on Rules declines to place the bill on the appropriate "Consent" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "consent" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Consent".

3. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Federal Mandate", the Committee on Rules shall review the bill for the purpose of determining whether or not it should have "federal mandate" status. The Committee on Rules may decide, by a majority of those present, whether or not to

place the bill on the appropriate "Federal Mandate" calendar. When the Committee on Rules declines to place the bill on the appropriate "Federal Mandate" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "federal mandate" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Federal Mandate".

4. When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

5. In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions. The committee shall not amend any bill that was not initially referred to the Committee on Rules.

(g) When a committee has reported a bill "Do Pass" with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(h) If the Committee on Rules is the original committee to which a bill is referred, when the Committee reports such bill "Do Pass" or "Without Recommendation", such bill shall not be subject to the automatic referral referenced in Rule 25(32)(f) 1. above. However, in reporting such bill, the Committee on Rules may take any action on such bill as though the bill were referred to it after a "Do Pass" or "Without Recommendation" report from another committee.

(33) *The Committee on Rural Community Development.* The Committee on Rural Community Development may consider and report upon bills and matters referred to it relating to policies to improve communities and the quality of life of citizens located outside of metropolitan areas and larger cities of the state.

(34) *The Committee on Senior Citizen Advocacy.* The Committee on Senior Citizen Advocacy may consider and report upon bills and matters referred to it relating to the security a health of the senior citizens of the State, including matters relating to their care and housing, and the providers of those services.

(35) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention, and operations of small businesses in the State.

(36) *The Committee on State Parks and Waterways.* The Committee on State Parks and Waterways may consider and report upon bills and matters referred to it relating to state park facilities and grounds and rivers, lakes, and other waterways located in the state.

(37) *The Committee on Tax Reform.* The Committee on Tax Reform may consider and report upon bills and matters referred to it relating to reforming and equalizing the state tax code and it's burden on taxpayers of this state.

(38) *The Committee on Tourism.* The Committee on Tourism may consider and report upon bills and matters referred to it relating to the development and promotion of travel, tourism, recreation, the arts, and cultural affairs.

(39) *The Committee on Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

(40) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy-related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

(41) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

(42) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

**Duties of Committee Chair;  
Committee Organization**

Rule 26. (a) *Duty to preside.* It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee shall preside, and in his/her absence, a member appointed by the chair.

(b) *Duty to maintain minute book.* The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each session of the general assembly and shall submit the same to the Secretary of State prior to the next regular session.

(c) *Duty to preserve order.* The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents.* The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails.* Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chair shall report said bill back to the House "Do Not Pass" unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (i) the chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider.

**Committee Hearings**

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

**Quorum**

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

**Meetings - How Announced**

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker's office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

**Committee Substitutes**

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

**Other Duties**

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

**Attendance**

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be recorded by the chair or secretary of a committee at each meeting.

**Minority Views**

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

**Committee Relieved of Bill - When**

Rule 34. No bill shall be taken away from any regular standing committee or special standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

**Election Contest**

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the regular standing Committee on Elections or a special standing committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

**Ethics Committee  
Complaints of Ethical Misconduct**

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the

State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call. When a motion to proceed to conduct an investigation fails on a recorded vote, the complaint shall be immediately dismissed.

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to regular or special standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

## **BILLS**

### **Introduced - Manner of Setting Forth New and Old Material**

Rule 37. (a) *When*. Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing*. Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) *Numbering of Bills*. The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

### **Number of Copies Printed**

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

### **Timing for Placement on Calendar**

#### **Federal Mandate Calendar**

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it "Do Pass" or "Without Recommendation", it shall go upon the calendar of the House.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline by which the State must comply with the federal mandate and what will happen if the State fails

to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted "Do Pass" on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported "Do Pass" by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

#### **Motion To Place On Calendar**

Rule 40. If any bill is reported from committee with the recommendation that it "Do Not Pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

#### **Timing of Placement on Calendar**

Rule 41. No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

#### **Bills Laid Over Informally**

Rule 42. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

#### **To Appear In Order**

Rule 43. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

#### **Ten Day Rule**

Rule 44. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

#### **Consent Calendar**

Rule 45. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or contains penalty provisions, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on

the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for Placing Senate Consent Bills on the Calendar.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

## AMENDMENTS AND SUBSTITUTES

Rule 46. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been placed on the members' desks in paper form, except for the desk of any member who has waived receipt of amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment shall be read in its entirety by the clerk unless it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration. Any amendment to the amendment or substitute amendment that exceeds two 8 ½" x 11" pages in length shall be distributed prior to the time it is offered.

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. It shall not be in order to offer a substitute amendment to an amendment to an amendment. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill may be withdrawn by the sponsor before amendment or decision thereon. Any amendment may be withdrawn by the sponsor before decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

(f) *Appropriations Bills.* 1. No amendment to the appropriations bills of the state budget shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the House appropriations



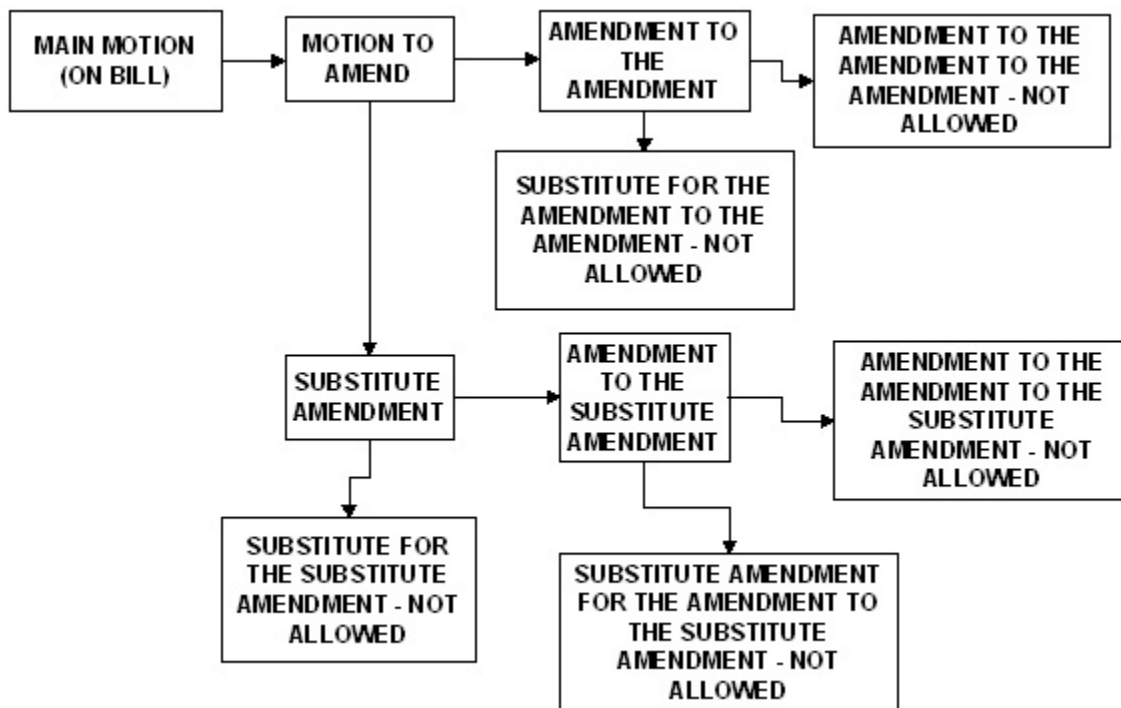
bills as reported from the Committee on Budget. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the House appropriations bills shall be required to contain an equal reduction in general revenue or general revenue equivalent appropriated in the same bill or shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in any other of the bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the House appropriations bills of the state budget only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Bill or House Committee Substitute of the state budget shall be adopted until all properly offered amendments to the first 12 House appropriations bills or substitutes have been disposed of.



#### **Committee Substitute Printed**

Rule 47. When a committee recommends a substitute for a bill, the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

### **Order of Amendments**

Rule 48. When amendments to any bill, motion or proposition are pending, they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(6) If there is no House Committee Substitute, or if the House Committee Substitute is not adopted, the original House Bill is next voted upon, after opportunity for amendment.

### **Amendments Incorporated In Bill**

Rule 49. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

## **BILLS AND JOINT RESOLUTIONS**

### **Ayes and Noes Taken**

Rule 50. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

### **Repassage**

Rule 51. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

### **Majority to Perfect**

Rule 52. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

### **Amending After Perfection; Perfecting Amendments**

Rule 53. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

### **Motion for Passage**

Rule 54. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

### **Course After Passage**

Rule 55. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

### **Perfecting Amendments on Bills Returned From the Senate**

Rule 56. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

### **Conference Reports**

Rule 57. (a) Signatures on a Conference Report. All conference committees shall be composed of five conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) Review for Correctness. Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) Notice Requirements. No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) Exceeding the Differences. Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

## **RESOLUTIONS**

### **Joint and Concurrent Resolutions**

Rule 58. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

### **Joint and Concurrent Resolutions of Congress**

Rule 59. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

**Reference of Resolutions, etc.  
Stand Referred**

Rule 60. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full.

**SENATE BILLS**

**Referral**

Rule 61. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

**Go Upon The Calendar**

Rule 62. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it "Do Pass", or "Without Recommendation", it shall stand automatically referred to the Committee on Rules. When a Senate Bill is reported from the Committee on Rules with the recommendation that it "Do Pass", or "Without Recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

**Senate Bills Reported "Do Not Pass"**

Rule 63. If a Senate Bill is reported from the committee to which referred with the recommendation that it "Do Not Pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

**Amendments**

Rule 64. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

**BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL**

Rule 65. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

**MOTIONS**

**Must Be Read or Stated Before Debate**

Rule 66. When a motion is made, it shall be stated by the Chair before being debated.

**When In Possession of the House**

Rule 67. When a motion is stated by the Speaker it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

**To Be Reduced to Writing**

Rule 68. Every motion shall be reduced to writing if the Speaker or any member demands it.

**Must Be Germane**

Rule 69. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

**Privileged**

Rule 70. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

**Dilatory**

Rule 71. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

**Privileged Motions In Order - When**

Rule 72. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 70 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

**Previous Question**

Rule 73. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

**Not Debatable**

Rule 74. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

**Division of Questions**

Rule 75. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill. No House Bill for Third Reading shall be subject to a request for a division of the question.

**Indefinite Postponement**

Rule 76. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

**Question Laid on the Table - How Taken Up**

Rule 77. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds (2/3) of the members present.

**Motion to Recommit to Committee**

Rule 78. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee, which shall be sustained if a majority of the members present vote in the affirmative.

**Motion to Reconsider -  
Must Be Made Within Three Days**

Rule 79. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

**Procedure for Motion to Reconsider**

Rule 80. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

**DECORUM AND DEBATE**

**On Speaking**

Rule 81. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker". The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality and derogatory personal comments. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

**Appeals**

Rule 82. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order, he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

**Member to Rise or Seek Recognition**

Rule 83. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

**Member May Speak - How Often**

Rule 84. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the

question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the bill and the ranking committee member from the party not the same as the bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25(32).

#### **No Member Shall Name Another Member in Debate**

Rule 85. No member shall name another member in debate, but shall refer to the member by district number or county.

#### **Members Not to Use Profanity**

Rule 86. No member may use profanity either while speaking on the floor or in committee.

#### **Members Not to Walk Across House - When**

Rule 87. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

#### **Order of Questions**

Rule 88. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 70.

#### **Voting**

Rule 89. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member's vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded. In addition to any other penalty provided by rule or law, the filing of a false affidavit shall subject that member to censure by the House.

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

#### **Verification of the Roll**

#### **Members Not to Interrupt Calling of Ayes and Noes; Changing Vote**

Rule 90. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

#### **Demand for Verification**

Rule 91. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

**Bell to Signal Recorded Vote**

Rule 92. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

**Roll Call Votes**

Rule 93. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by calling the name of each member and recording the respective aye, no or present votes. Any member not responding when his/her name is called shall be recorded as absent.

**Dress Code**

Rule 94. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

**Eating, Smoking, Distracting Activities**

Rule 95. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries, except that members may smoke in the East Gallery.

**Electronic Devices**

Rule 96. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

**Ascending the Dais**

Rule 97. No person shall ascend to the Dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

**INTERIM PROCEDURE**

**Bills - End of First Regular Session**

Rule 98. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds (2/3) of the elected members of the House.



**Bills - Pre-Filing**

Rule 99. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

**Interim Committees**

Rule 100. All regular or special standing committees named during the first regular session of a General Assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the regular or special standing committee, to act in place of the regular or special standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

**CALL OF THE HOUSE****Names of Absentees to Be Called**

Rule 101. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

**Absent Members May Be Sent For**

Rule 102. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

**Prohibited While Voting In Progress**

Rule 103. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

**Majority Not Under Arrest May Censure And Fine  
Delinquent Members**

Rule 104. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

**Release from Custody**

Rule 105. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

**COMMITTEE OF WHOLE HOUSE**

**When Permitted**

Rule 106. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

**Chair Appointed by Speaker**

Rule 107. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

**Procedure upon Bills**

Rule 108. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

**Amendment to Motion Must Be  
Incorporated in Original Motion**

Rule 109. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

**Amendments Shall Be Noted**

Rule 110. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

**Rules of Proceedings**

Rule 111. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

**Quorum**

Rule 112. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

**ADMISSION TO HALL**

**Definitions**

Rule 113. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.

**Admission to House Floor**

Rule 114. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

**Admission to Lower Gallery**

Rule 115. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

**Admission to Upper Gallery**

Rule 116. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the press having valid credentials issued by the Speaker. All other upper galleries shall be open to the public.

**RULES****May Be Rescinded or Amended - How**

Rule 117. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

**May Be Dispensed With**

Rule 118. Rules 70, 79 and 80 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds (2/3) of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concurs therein and motions for that purpose shall be limited to the question or proposition under consideration.

**JEFFERSON'S MANUAL**

Rule 119. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies

of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to shall be taken as authority in deciding questions not otherwise provided for in these rules.

Representative Franz, et al., offered House Resolution No. 39.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 17 through House Resolution No. 29  
House Resolution No. 32 through House Resolution No. 37  
House Resolution No. 40 and House Resolution No. 41

### **HOUSE CONCURRENT RESOLUTION**

Representative Allen offered House Concurrent Resolution No. 6.

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3** was read the second time.

### **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 1** through **HJR 3** were read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 26** through **HB 109** were read the second time.

## HOUSE ELECTION CONTEST

### HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI

In the Matter of the	)	
40th Legislative District:	)	
	)	
	)	
Sean O'Toole	)	
and	)	
Will Royster,	)	
Contestants/Petitioners	)	No. _____
	)	
v.	)	
	)	
John J. Rizzo,	)	
Contestee/Respondent	)	

### NOTICE UNDER SECTION 115.567 RSMo

Petitioners Sean O'Toole and Will Royster, pursuant to Section 115.567 RSMo., state as follows:

I. Notice: The Petition styled Petition to Contest Election and Seating of John J. Rizzo ("Petition") was filed with the House of Representatives, State of Missouri, at \_\_\_\_\_ a.m./p.m. on December 29, 2010, with the Speaker of the House of Representatives.

II. Grounds for Petition: The grounds for contesting the general election conducted for the 40th Legislative District, State of Missouri, are more specifically set forth in the Petition and incorporated herein as if more fully set forth. The grounds include the following:

A. *Additional evidence* (sometimes hereafter referred to as "newly discovered evidence" or "new evidence") discovered after the appeal of an election contest (Royster v. Rizzo) was submitted to the Court of Appeals constituted irregularities that is material and of such magnitude that the trial court would have been required to order a new election had that evidence been available. The additional or new evidence is detailed in the Report of Voter Fraud (2010 40th District State Representative Race; Evidence of Voter Fraud and Voter Fraud Intent), which has been filed with the House of Representatives, is incorporated herein, and includes the following:

1. At least two and possibly as many three voters who are related by family to Rizzo and who *were not residents of the 40th Legislative District or even Jackson County*, Missouri, voted in the primary for the 40th Legislative District. These voters were residents of Clay County, Missouri. One of these voters acknowledged his Clay County residence before a television camera crew.

2. At least one voter who contributed to Rizzo's campaign, but who was not a resident of the 40th Legislative District, voted in the primary and in the general election conducted for the 40th Legislative District. This third voter resides in Lee's Summit, Missouri, which is well outside (by many miles) the geographical boundaries of the 40th Legislative District.

3. Two other voters who were listed on the Election Board's voter list voted claiming an address in the 40th Legislative District, but that same residence is listed as owned by the Jackson County Land Trust and it appears to have been abandoned, closed and boarded up at least by the date of Royster filed his Motion for the Appointment of a Special Master with the Court of Appeals.

4. Another voter used 123 Oakley, Kansas City, Jackson County, Missouri as his residence for purposes of voting in the primary, even though that residence had been vacant for three years preceding the August 3, 2010, primary and was the subject to a demolition order as of the date of the primary.

5. Another voter who was registered in the 41st Legislative District both before and after the August 3, 2010, primary voted in the primary race for the 40th Legislative District.

6. Another voter tried to, but could not, vote because she could not find her polling place which was later discovered to have been combined with a precinct that was not joined with or contiguous to the geographical boundaries of that voter's precinct. This Precinct was one of those the trial court in *Royster v. Rizzo* found was not improperly joined.

7. During the general election, the same problems with unlawful assistance (in violation of Section 115.445 RSMo.) occurred multiple times in the same precinct located in the 40th Legislative District that was involved in the *Royster v. Rizzo* contest. The details regarding this report are in the Report of Voter Fraud. On information and belief, officials of the Kansas City Board of Election Commissioners were again called out to this precinct to ascertain and correct voter activities that were occurring.

8. The illegal ballots represented by the nine or more voters above-mentioned exceed Rizzo's one vote margin of victory in the primary. This evidence would have satisfied the requirements of both Sections 115.539 and 115.549 RSMo., which means that the primary election for the 40th Legislative District did not produce a lawfully selected and qualified candidate for the November 2010 general election.

B. All evidence adduced and points made in the case styled *Royster v. Rizzo*, Case No. 1016-CV25576; WD 72947, and the legal authorities cited therein (information has been filed with the House of Representatives).

C. On the basis of the foregoing, Petitioners/Contestants state that Contestee John J. Rizzo was not a qualified candidate to run in the November 2010 general election and he is not qualified to be seated in the House of Representatives.

III. Witnesses to be examined:

1. John J. Rizzo
2. Lindee Hopkins
3. Wendy Jane Jones
4. Shawn L. Keiffer
5. Elaine Oberg
6. Billie D. Robleado
7. Adam Schieber
8. Brock Rule
9. John Moretina
10. Clara Moretina
11. Sheila Stewart
12. Chris Moreno
13. Joseph D. Cervello
14. David Raymond
15. All individuals designated by the Secretary of State, State of Missouri, to conduct the Section 115.601 RSMo. recount of votes cast in the August 3, 2010 Democrat primary for the 40th Legislative District.
16. All depositions and the trial transcript in the election contest styled *Royster v. Rizzo*, Case No. 1016-CV25576, Circuit Court of Jackson County, Missouri, have been, or will be, offered and produced as evidence.

IV. Depositions: Depositions shall commence on or before January 20, 2011, beginning at 9:00 a.m., unless otherwise agreed or changed or rescheduled by the House of Representatives. Depositions shall conform to Sections 115.569 and 115.571 RSMo., and shall be at 9800 NW Polo Drive Suite 100, Kansas City, Missouri.

Respectfully submitted,

/s/ Sean O'Toole

/s/ Will Royster

HOUSE OF REPRESENTATIVES OF THE  
STATE OF MISSOURI

In the Matter of the	)	
40th Legislative District:	)	
	)	
Sean O'Toole	)	
and	)	
Will Royster,	)	
Contestants/Petitioners	)	No. _____
v.	)	
	)	
John J. Rizzo,	)	
Contestee/Respondent.	)	

PETITION TO CONTEST ELECTION AND SEATING OF JOHN J. RIZZO

1. Contestee/ Respondent John J. Rizzo ("Rizzo") won the Democrat primary election for the 40th Legislative District conducted by the Kansas City Board of Election Commissioners on August 3, 2010 (sometimes hereafter "primary election").

2. Petitioner/Contestant Sean O'Toole is a duly qualified and registered voter of the State of Missouri, Jackson County, 40th Legislative District, and he was the successful candidate for the Libertarian Party in the August 3, 2010, primary for the 40th Legislative District (Jackson County, Missouri) (sometimes hereafter "election"), and candidate for the Libertarian Party for the 40th Legislative District in the November 2010 general election. Petitioner/Contestant Royster is a duly qualified and registered voter of the State of Missouri, Jackson County, 40th Legislative District, and he was a candidate in the Democrat August 3, 2010, primary for the 40th Legislative District.

3. The initial certification of the August 3, 2010, Democrat primary election was returned with a *three vote margin of victory* - 667 votes for Rizzo and 664 votes for Contestant/Petitioner, Will Royster ("Royster").

4. After receiving reports of irregularities concerning voting, electioneering and assistance given to voters, Royster filed an election contest in the Circuit Court of Jackson County, Missouri, in which he requested a recount under Section 115.539 RSMo. and a new election under Section 115.549 RSMo. (*Royster v. Rizzo*, Case No. 1016-CV25576, Circuit Court of Jackson County, sometime hereafter "election contest").

5. Because Rizzo's margin of victory was less than 1%, Royster also was automatically entitled to a mechanical recount of ballots. (Section 115.601 RSMo.) The recount was conducted by the Missouri Secretary of State pursuant to Royster's written letter request. This 601 recount is limited to a recounting of ballots; it is separate from and does not include the extensive review of evidence available in a recount under Section 115.539 RSMo., such as, for example, whether voters were qualified to vote, circumstances surrounding why voters failed to certify their qualifications under oath in order to vote, proper identification procedures, misconduct by election judges or voters, or other irregularities that might have affected the election.

6. The "601" ballot recount resulted in a new certification, this time with a *one vote margin of victory* – Rizzo having received 664 votes and Royster 663 votes. The 601 recounts and recertification were reported to the trial court, and it is noted in the trial court's judgment.

7. The trial court conducted the first of two hearings pursuant to Royster's election contest on September 7, 2010.

8. Upon conclusion of the second hearing held on September 14, 2010, the trial court declined to authorize either a full recount with examination of evidence as provided under Section 115.539 RSMo., or a new election under Section 115.549 RSMo.. The Court thereafter entered its amended (final) judgment. Royster immediately appealed the trial court decision to the Missouri Court of Appeals, Western District (*Royster v. Rizzo*, WD 72947).

9. On October 6, 2010, after completion of the briefing schedule, the Court of Appeals heard oral arguments, following which the case was submitted to the Court of Appeals for a decision. After the submission of the case but before the Court of Appeals rendered an opinion, Royster discovered additional (news) evidence indicating election irregularities and fraud. This new evidence, which has never been reviewed by any court, was based, in very large measure, on the Election Board's list of voters who actually voted in the primary. Royster and his campaign volunteers had requested this voters' list from the Kansas City Election Board several times beginning within days of the August 3 primary election, but the Election Board (claiming that the list was not immediately available) delivered it well after the trial and too late (as it turned out) for use at the Court of Appeals level.

10. Following receipt of the Election Board's voters list, Royster and his campaign began an investigation which included, among other efforts, comparing the names of voters on the Election Board list to the list of Rizzo's campaign contributors, securing other information from public sources, reviewing a report by a local television station which shows an interview of an individual who voted in the 40th Legislative District (Jackson County) primary but who admitted to being a resident of Clay County, Missouri, and making personal visits to locations in the 40th Legislative District allegedly designated as the home and legal residence of voters whose names were taken from the Election Board's voter list. Upon confirming the irregularities, Royster filed a Motion for the Appointment of a Special Master with the Court of Appeals in order to request the Court to appoint a special master to examine the new evidence discovered during the investigation.

11. The Court of Appeals declined to appoint a special master to hear the new evidence (because of the short time remaining before the general election) and ruled against Royster on the merits of the appeal. Included as part of the packet of evidence and information that accompanies this Petition are copies of Royster's First Amended Petition (election contest) filed at the trial level, the amended judgment of the trial court, the motion for the appointment of a special master, and the opinion of the Missouri Court of Appeals.

12. On information and belief, after Royster filed the motion for the appointment of a special master to examine the new evidence, the Kansas City Election Board conducted its own investigation into Royster's additional allegations of voter fraud. To the best knowledge and belief of Petitioners, the Election Board's investigation consisted of sending a letter of inquiry to at least one of the voters identified by Royster as a nonresident in the motion for the appointment of a special master. To date, the Kansas City Election Board has refused to respond to Royster's requests for information related to the Board's investigation.

13. The *additional evidence* (sometimes hereafter referred to as "newly discovered evidence" or "new evidence") that was discovered after the appeal was submitted to the Court of Appeals has not been adjudicated, and it constitutes irregularities that are material and are of such magnitude that, had that evidence been available, the trial court would have been required to order either a recount under Section 115.539 RSMo., and a new election. The additional or new (non-adjudicated) evidence is detailed in the Report of Voter Fraud (2010 40<sup>th</sup> District State Representative Race; Evidence of Voter Fraud and Voter Fraud Intent), which has been filed with the House of Representatives, is incorporated herein, and includes the following:

a. At least two and possibly as many three voters who are related by family to Rizzo and who *were not residents of the 40<sup>th</sup> Legislative District or even Jackson County*, Missouri, voted in the primary for the 40<sup>th</sup> Legislative District. These voters were residents of Clay County, Missouri. One of these voters acknowledged his Clay County residence before a television camera crew.

b. At least one voter who contributed to Rizzo's campaign, but who was not a resident of the 40<sup>th</sup> Legislative District, voted in the primary and in the general election conducted for the 40<sup>th</sup> Legislative District. This third voter resides in Lee's Summit, Missouri, which is well outside (by many miles) the geographical boundaries of the 40<sup>th</sup> Legislative District.

c. Two other voters who were listed on the Election Board's voter list voted claiming an address in the 40<sup>th</sup> Legislative District, but that same residence is listed as owned by the Jackson County Land Trust and it appears to have been abandoned, closed and boarded up at least by the date of Royster filed his Motion for the Appointment of a Special Master with the Court of Appeals.



d. Another voter used 123 Oakley, Kansas City, Jackson County, Missouri as his residence for purposes of voting in the primary, even though that residence had been vacant for three years preceding the August 3, 2010, primary and was the subject to a demolition order as of the date of the primary.

e. Another voter who was registered in the 41<sup>st</sup> Legislative District both before and after the August 3, 2010, primary voted in the primary race for the 40<sup>th</sup> Legislative District.

f. Another voter tried to, but could not, vote because she could not find her polling place which was later discovered to have been combined with a precinct that was not joined with or contiguous to the geographical boundaries of that voter's precinct. This Precinct was one of those the trial court in *Royster v. Rizzo* found was not improperly joined.

g. During the general election, the same problems with unlawful assistance (in violation of Section 115.445 RSMo.) occurred multiple times in the same precinct located in the 40<sup>th</sup> Legislative District that was involved in the *Royster v. Rizzo* contest. The details regarding this report are in the Report of Voter Fraud. On information and belief, officials of the Kansas City Board of Election Commissioners were again called out to this precinct to ascertain and correct voter activities that were occurring.

h. The illegal ballots represented by the nine or more voters above-mentioned exceed Rizzo's one vote margin of victory in the primary. This evidence would have satisfied the requirements of both Sections 115.539 and 115.549 RSMo., which means that the primary election for the 40<sup>th</sup> Legislative District did not produce a lawfully selected and qualified candidate for the November 2010 general election.

i. The 601 Recount that was administered did not follow Ballot Tabulation procedures according to Missouri Code of State Regulations, Division 30 - Secretary of State Chapter 10 - Voting Machines (Electronic) for the proper counting of ballots.

14. The reasons why the additional evidence of voter fraud was not discovered earlier in the proceedings are set forth in the motion of the appointment of Special Master and the written response of Royster's counsel when the Court of Appeals inquired into why the evidence was brought to light after submission of the appeal.

15. A summary of the facts developed at the trial court level (which do not include the newly discovered evidence set forth above) are set forth in Exhibit A attached hereto and incorporated herein as additional support for this Petition and for consideration by the House of Representatives when determining Rizzo's qualifications and the result and validity of his election, both at the primary and general elections. Already on file with the House of Representatives, or to be filed concurrently with the submission of this Petition, are copies of the trial transcript and briefs of all parties filed with the Court of Appeals.

16. On information and belief, (a) the Secretary of State, State of Missouri, *delegated the responsibility to conduct the 601 recount requested by Royster to one or more officials of the Kansas City Election Board of Commissioners*; (b) Royster and his designees who attended the recount were specifically and repeatedly denied the ability to challenge any ballots; (c) within two days prior to the filing this Petition and acting on reports in the news media, officials with the office of Secretary of State, State of Missouri, contacted members of Royster's campaign claiming now that Royster should have been allowed to challenge formally all ballots during the 601 primary recount; and, (d) that recount was hurriedly conducted, and Royster and his designees were repeatedly admonished that they could not challenge ballots.

#### LEGAL GROUNDS

17. The Missouri Constitution provides as follows:

§ 18. Appointment of officers of houses--jurisdiction to determine membership--power to make rules, punish for contempt and disorderly conduct and expel members

Each house shall appoint its own officers; shall be sole judge of the qualifications, election and returns of its own members; may determine the rules of its own proceedings, except as herein provided; may arrest and

punish by fine not exceeding three hundred dollars, or imprisonment in a county jail not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions; may punish its members for disorderly conduct; and, with the concurrence of two-thirds of all members elect, may expel a member; but no member shall be expelled a second time for the same cause.

(Missouri Constitution, 1945; Article III, Section 18.)

18. The House of Representatives shall be the sole judge of the qualifications, election and returns of its own members, and the court will not intervene. *State v. Banks* (Mo.1970), 454 S.W.2d 498; The Legislative body of which he is a member has exclusive right to determine elected representative's qualifications to hold or assume office and courts are without jurisdiction to determine issue of removal of residence from district. *State v. Hickey* (Mo.), 475 S.W.2d 617. (1971)

19. Contested general elections involving a member of the House of Representatives shall be determined by the House of Representatives exclusively. Section 115.563 RSMo.

20. Neither the Contestants nor the voters were afforded a fair election, either during the primary or the general election. Practically and realistically, the primary election remains the single most important, if not the only, component to, and reason for, Rizzo's election to the House of Representative in the general election conducted in November, 2010.

#### Allegations regarding the New Evidence Discovered

21. The election laws violated by the voters who voted out-of-district in the August 3, 2010, primary election were mandatory statutes. Ballots cast in violation of mandatory election statutes are illegal and may not be counted. If the number of ballots declared to be illegal exceeds the margin of victory, the result of the election, and possibly the validity of the election itself, is in doubt. See Section 115.539, 115.449, and 115.593 RSMo.; *Barks v. Turnbeau*, 573 S.W. 2d 677 at 681 (Mo. App. ED 1978); *Ledbetter v. Hall*, 62 Mo. 422 (Mo. 1876); *Elliott v. Hogan*, 315 S.W.2d 840 (Mo.App. 1958).

22. Included among the mandatory statutes called into question by the *newly discovered evidence* in this matter are: (1) Sections 115.013 (21) and 115.113 RSMo. - precincts are the geographical area into which each election authority of this State must divide its jurisdiction for purposes of conducting elections, (2) Section 115.115.1 RSMo.- for each election within its jurisdiction, the election authority (the Kansas City Board of Elections) "shall designate a polling place for each precinct within which any voter is entitled to vote at the election....@", (3) Section 115.163.3 RSMo. - the election authority "shall" send to each registered voter, a voter identification card containing the name and address of the voter, and the voters correct precinct and polling location at which the voter may vote, (4) Section 115.135 RSMo. - "Any person who is qualified to vote, ... shall be entitled to register *in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than...*" (5) Section 115.139 RSMo.- with limited exceptions pertaining to ownership of real property and absentee voters (which are not applicable here), *Any person shall be permitted to vote in any election unless the person is duly registered in accordance with this chapter.*" (6) Section 115.155 RSMo. - *voter must register using statutorily prescribed registration card on which voter states under oath the voter's correct address, township and precinct;* (7) Section 115. 430.2(3) RSMo. - *voters shall have the duty to appear and vote at the correct polling place.@"; and, (8) Section 115.430.2(1) RSMo.- if a voter refuses to go to the correct polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place, but such ballot shall not be counted if the voter was not eligible to vote at that polling place.*

23. The classification of the above statutes as mandatory and their importance to the conduct of lawful is underscored by two at least other statutes: (a) Section 115.191 RSMo. authorizes election authorities to "investigate the residence or other qualifications of any voter at any time it deems necessary"; and (b) Section 115.175 RSMo. declares that "Any person who knowingly or willfully gives any false information for the purpose of establishing his eligibility to register to vote or who conspires with another person for the purpose of encouraging his false registration or illegal vote, .... or who otherwise willfully and fraudulently furnishes false information to a registration official for the purpose of causing a false or fictitious registration, ....shall be guilty of a class one election offense." See also Section 115.631 (1) and (18) RSMo. – class one election offense, Class C felony for false statements to an election authority or for

misleading an election authority in performance of duties and registering to vote not that a person is not legally entitled to register.

24. Individually, and in combination, the statutes that govern this matter (including also those involved in the election contest) constitute a mandate: To be lawful and counted, votes must be cast by qualified, eligible and registered voters, and in the legally correct legislative district and precinct of residence; only lawful votes cast in a lawfully conducted election may be counted.

25. Missouri appellate decisions make it clear that ballots cast by non-resident voters or voters who are not otherwise qualified to vote shall not be counted:

(a) Election invalidated because unqualified voters {because of residence in the case of nine voters, and improper registration in the case of one voter who was classified as “not a legal voter” by the court} were allowed to vote in a city election (*Marre v. Reed*, 775 S.W. 2d 951 at 956-957 (Mo. 1989)).

(b) Election invalidated because the election authority inadvertently or mistakenly allowed nonresidents to vote, and denied actual residents the right to vote, in a public water supply election (*Landwersiek v. Dunivan*, 147 S.W. 3d 141 (Mo. App. S.D. 2004)).

(c) Election invalidated because illegal and improperly cast absentee ballots were counted. *Elliot v. Hogan*, 315 S.W.2d 840 (Mo.App. 1958).

#### Prior Judicial Proceedings – Violations of Mandatory Election Statutes

26. In addition to the newly discovered (post-appeal, non-adjudicated) evidence described specifically by paragraph above, Royster states that the House of Representatives must consider, as part of its duty to review and pass upon Rizzo’s qualification and right to be seated, the facts and evidence developed in the election contest filed by Royster (*Royster v. Rizzo*), including the trial transcript, all exhibits, pleadings, briefs of the parties filed with the trial court and the Court of Appeals, and the opinion of the Missouri Court of Appeals, all of which are incorporated herein by this reference

27. If, after such review, the House of Representatives finds independently that the evidence actually produced at the judicial trial established multiple violations of mandatory statutes (including Section 115.445 RSMo.), and that those violations resulted in the casting of unlawful ballots that exceed Rizzo’s margin of victory in the August 3 primary, or that those statutory violations otherwise disqualify Rizzo from being seated by this body, then this House of Representatives must also consider those violations, and the illegal votes cast by reason thereof, when determining the right, eligibility, qualifications of Rizzo to be seated as a member of the House of Representatives representing the 40<sup>th</sup> Legislative District. Failure to Meet Qualifications to be Seated; Primary and General Elections.

28. The violations of election statutes set forth herein, including the statutes incorporated herein from pleadings in the primary election contest, applicable statutes relating to election offenses, as well as those specifically cited herein, and the evidence in support thereof establish that there were irregularities of sufficient magnitude to cast doubt on the validity and the result of the initial (general election) and the primary election conducted by the Kansas City Board of Election Commissioners for the 40<sup>th</sup> Legislative District. Sections 115.539, 115.549 and 115.593 RSMo.

29. If the evidence of new and additional irregularities, the identity of the voters who voted in the August 3 primary and their true places of residence, and the other wrongful conduct herein set forth had been discovered in time, the August 3 primary that Rizzo won by one vote would have been declared invalid under Missouri law, a new primary election for the 40<sup>th</sup> Legislative District would have been required, and a lawfully qualified Democrat candidate for the general election would have been selected. Section 115.549 RSMo. Having secured a majority of votes by one in the original August 3 primary by and through an invalid election and violations of Missouri law, Rizzo was not, and could not be, a lawfully selected candidate qualified to run for office in the November 2010 general election. No lawfully qualified candidate won the November 2010 election for the 40<sup>th</sup> Legislative District. Rizzo, therefore, is not qualified to be seated as a duly elected member of the House of Representatives.

30. Each member of the House of Representatives, and the House as a whole, has a duty to ensure that the election laws of the State of Missouri are properly implemented and that all members of the House are lawfully elected and qualified to be seated. WHEREFORE, Petitioners/Contestants respectfully request the House of Representatives, State of Missouri, to:

- a. Conduct a full evidentiary investigation into the Democrat primary election for the 40<sup>th</sup> Legislative District conducted on August 3, 2010, including the voters who voted out-of-precinct and out-of district;
- b. Subpoena, retain, protect and preserve all records of the Kansas City Board of Election Commissioners relating to voters registered with that election authority and all records relating specifically to the August 3, 2010 primary election and the November 2010 general election, including, but not limited to, all voter registration materials, applications and affidavits that the Kansas City Election Board is required by statute to retain, and all election materials, ballots, precinct registers, tally books, ballots (whether or not cast or used), notes, internal reports, reports of investigations, reports of irregularities, voter and candidate complaints, and statements made by all voters respecting their residence and qualifications to vote;
- c. Conduct such hearings and allow such evidence as shall be deemed necessary or proper, and to accept as evidence the information supplied by Petitioners herewith, the trial transcript and deposition transcripts in *Royster v. Rizzo*, Case No. 1016-CV25576, and the briefs and motions and all other pleadings filed, and exhibits and evidence introduced, by all parties in that election contest trial and the resulting appeal to the Missouri Court of Appeals, Western District, No. WD72947, and the decisions of the trial and Court of Appeals in that case;
- d. To re-examine the evidence, exhibits and pleadings in *Royster v. Rizzo*, Case No. 1016-CV25576 for the purpose of determining the qualifications of John J. Rizzo to be seated in the House of Representatives;
- e. Find and determine that the Democrat primary election for the 40<sup>th</sup> Legislative District conducted on August 3, 2010, was invalid, void and unlawful, and that it failed to result in the election of any lawfully selected candidate qualified to run in the November 2010 general election.
- f. Refuse and decline to seat John J. Rizzo as the representative of the 40<sup>th</sup> Legislative District;
- g. Find that John J. Rizzo has not met the qualifications to serve as representative of the 40<sup>th</sup> Legislative District;
- h. Find that the irregularities set forth herein are of sufficient magnitude to cast doubt on the result and the validity of the initial (general election) conducted in November 2010, and the primary election conducted on August 3, 2010, and to take such measures as are necessary to require a new election.
- i. Give notice of this Petition to, and serve the same upon, John J. Rizzo and others as directed by statute;
- j. Allow Contestant his costs and attorney=s fees and for such other relief as the House deems just and equitable.

Respectfully submitted,  
/s/ Sean O'Toole  
/s/ Will Royster

VERIFICATION

STATE OF MISSOURI    )  
                                          ) ss.  
COUNTY OF CASS        )

Will Royster, being first duly sworn upon his oath, deposes and states that he is the Contestant/Challenger/Petitioner named in the foregoing Verified Petition, and that the facts stated therein are true to the best of his knowledge and belief.

/s/ Will Royster

Subscribed and sworn to before me, a Notary Public, in and for the County and State aforesaid, this 29th day of December, 2010.

/s/ Denise R. Bowlen  
Notary Public

My Commission Expires:  
June 29, 2011

VERIFICATION

STATE OF MISSOURI    )  
                                          ) ss.  
COUNTY OF CASS        )

Sean O'Toole, being first duly sworn upon his oath, deposes and states that he is the Contestant/Challenger/Petitioner named in the foregoing Verified Petition, and that the facts stated therein are true to the best of his knowledge and belief.

/s/ Sean O'Toole

Subscribed and sworn to before me, a Notary Public, in and for the County and State aforesaid, this 29th day of December, 2010.

/s/ Denise R. Bowlen  
Notary Public

My Commission Expires:  
June 29, 2011

Exhibit A to  
Petition to Contest Election and Seating of John J. Rizzo

SUMMARY OF FACTS FROM FIRST HEARING – September 7, 2010

Interpreters/ Escorts – unlawful assistance to voters – Section 115.445 RSMo.

1. The first witness to testify was Lindy Hobkins at the first hearing was an election judge at the Kansas City Museum. She testified that several groups of Somali voters came to the precinct, one of which consisted of three or four Somali women accompanied by a male escort (Tr. 8, lines 1-25; 9, lines 23-25; Tr. 10, lines 1-13).<sup>1</sup> With respect to this particular group, Hobkins stated:

<sup>1</sup>The abbreviation "Tr." followed by a page number refers to the transcript of the trial and page number on which the referenced testimony may be found.

a. Unlike other ESL voters (English second language), the group of female Somali voters who were accompanied by the Somali escort “could not communicate on any level at all,” (Tr. 11, lines 11-13) and “stood out to me because they had absolutely not even the most basic rudimentary skills in being able to communicate in English at all....” so much so that she questioned if they were citizens (Tr. 18, Lines 1-25); that when these Somali voters could not even determine who they wanted to vote for by examining sample ballots (Tr. 11, lines 16-25), she finally ask them directly, and several times, “do you know who you want to vote for on any of the ballots.” (Tr. 12, lines 1-3).

b. At that point, the Somali interpreter, who was standing nearby, left the polling place and returned with a Rizzo campaign sign to the polling place where the judges and voters were located. (Tr. 12, lines 4-25) (Exh. 24). The interpreter then “stood in front of me and held it (Rizzo sign) up and pointed to it and said this one, this one, this one.” (Tr. 12, lines 10-25). After pointing to the Rizzo sign, the interpreter took the sign and the voters to the tables with the voting booths, where he stood and the Somali women took a seat to mark their ballots. (Tr. 13, lines 13-20).

c. Because the Rizzo sign was too unwieldy, the interpreter took the sign back to the election judges’ table, and returned to a place behind the voting tables where the Somali women were sitting (Tr. 13, lines 21-25), and “he began to point toward the (Rizzo) sign” that he had placed at the judges’ table” (Tr. 14; lines 1-4; 16-25) while he “was actually leaning into the women’s personal space,” (Tr. 14; lines 16-25; Tr. 15, Lines 1-2), and “he would go in between from pointing to Mr. Rizzo’s sign and pointing on to the ballot” for each of the Somali voters. (Tr. 15, lines 1-9). None of the Somali voters requested an affidavit (oath assistance card) to verify the need for assistance. (Tr. 15, line 10-25). When cross-examined, Hobkins said that she “tried” to determine the name of this interpreter, and whether or not he was related to the Somali voters, but could not “because he spoke no English.” (Tr. 20, lines 1-25).

2. Sean Warren, the Democrat supervisory judge at the Museum, testified that the escort “was over in each individual box (referring to booth) pointing to them and speaking their language, ... but he was directly pointing to them, instructing them basically is what it looked like.” (Tr. 25, lines 1-7).

3. Wendy Jones, who was an election judge at Garfield Elementary School on Election Day, testified that,

a. She saw two Somali men and two women escorting and leading Somali voters “inside the polling place,” where she “witnessed myself - I witnessed myself seeing them fill out the ballots. Actually fill out the ballots and actually tell the people - tell the people where to fill out at, what to sign..”, and when she confronted the escorts (interpreter), they claimed to be related to the voters, or that the voters were deaf, or blind or could not read or write ... (Tr. 53, lines 3-16), and that “These were the excuses all day long that we had for these particular four individuals (referring to the escorts) to vote with them and for them. (Tr. 53, lines 17-19).

b. Jones determined from her discussions with the interpreter/escort that not every escorted, Somali voter was related to the escort, and that some of the escorts were not related and were just from the same “tribe or village....” as the Somalis who voted. (Tr. 57, lines 1-11).

c. Some of the escorts signed the voter precinct register for the voters they escorted (Tr. 60, lines 14-25), and some of the escorts actually filled out a ballot for “maybe about eight.” (Tr. 61, lines 17-25).

d. When she decided to peak to the Democrat supervisory judge about the problems with the Somali voters and interpreters, she was told “... well look, you know, we’re just trying to get through the day, you’re making --- you know, we all want to just make a little money here and just get out, you know, just make the best of it and just --- let’s go home.” (Tr. 58, lines 12-21). That supervisory judge tried to stop the escorts, “maybe towards the end of the day, yes.” (Tr. 58, lines 21-25).

4. Elaine Oberg, the Democrat supervisory judge for Ward 11, Precinct 8, the precinct to which Jones was assigned, observed a Somali interpreter who accompanied Somali voters, “help them get registered, find their name,... help them ... pick up a ballot that they should vote on, and then he would take them back to the voting booth and they both would be in the voting booth at the same time” (Tr. 78, lines 1-9), and “He would point usually at the ballot they should take.” (Tr. 78, lines 13-17).

5. Elmer Wyatt was the Democrat supervisory election judge at the Garfield polling tables where the Somali voters appeared (Tr.148, line 9-14). He saw a Somali interpreter stand behind “about five” (5) Somali voters (Tr. 179, lines 12-21; Tr.180, lines1-7) assisting the voters. The same man returned a second time and “did the same thing” (Tr. 180, Lines 17-25), after which Wyatt became suspicious and warned the man not to return to the “poll anymore.” (Tr. 181, Line 1-7). The same man returned a third time, and Wyatt “stopped him at the door ... I didn’t let him come back into the building anymore.” (Tr. 181, lines 8-25). Wyatt also testified that the initials of two judges were placed on the ballot to validate it, that before the register is signed the voter must show identification, after which the vote is eligible to receive a ballot. (Tr. 182; 183). Wyatt also stated he made no mistakes when checking in voters, “I catch them things pretty quickly.” (Tr. 183, lines 18-25; Tr. 184).

6. Mr. Keifer, the Republican Election Board director, acknowledged that the Election Board headquarters received two calls regarding the Somali escorts (sometimes “interpreters”) on Election Day (Tr. 108, line 3-25). He personally visited Garfield after the second call and interviewed the election judges, where he learned about the interpreters from the election judges, “explained the law” to them (referring to judges) about when assistance is permitted, but did not think to remind the judges about the requirement to complete oath assistance cards. (Tr. 109, lines 8-25; Tr. 110-112). Kiefer stated that “it is the voters’ responsibility ...” to complete the oath assistance cards. (Tr.128, lines 11-25; tr. 129, lines 1-11).

---

Failure of voters to certify residence, sign and initial register; failure of election judges to initial ballots

7. A voter, Billie Robelado, found upon her arrival that the table for her precinct at Garfield was attended by one judge (Dora Spight), and that the ballots were unmonitored and located on the table “as far away from that judge as they could have been.” (Tr. 41; Tr. 42, lines 16; Tr. 42, lines 16-25).

8. The Republican Director of the Election Board identified at the first hearing, (a) 10 ballots without the initials of one or both election judges, six of which came from Ward 11, precincts 3 and 4 (Garfield), the precinct to which Dora Spight was assigned (Exhibits 21 A- G, and 22 and 23; Tr. 89-92; Tr. 11, lines 21-25; Tr. 101, lines1- 25 ), (b) a precinct map which shows the consolidated precincts that are one of the points on this appeal (Exh.10; Tr. 95); (c) the oath assistance card referred to in the election manuals and is distributed to each polling place for completion by voters needing assistance (Exh. 18; Tr. 102), and none of which were completed or used on Election Day at Garfield or the Kansas City Museum precincts where the Somali escort and interpreters appeared (Tr. 104); and, (d) the Election Board’s instruction manuals which are given to the election judges during training sessions (Exh. 7, 9, 13;Tr. 92-94), and which instruct the judges (1) that the voter must complete the Oath Assistance Card before assistance in voting can be given, (2) that “one person may not assist multiple voters, and (3) on three separate pages, that only family members, one person of the voter’s choice (subject to the one voter per election rule) and election judges may give assistance (pages 20, 22and 25). (Exh. 7, pages 20-24; Exh. 9, pages 20-25). The power point presentation (Exh13) contains a full page on the procedures, rules and restrictions that apply to assistance given to voters. Keifer agreed that election laws require “a lot of oaths..., and that they go the very heart of the election. (Tr. 108-109, line 1).

9. The Republican Director also reviewed the tally sheets for Precincts 11/4,11/ 5 and 11/6, and from that review, concluded that the failures to initial ballots were caused by judges’ mistakes. (Tr. 120-121). This review was not conducted under the supervision of the court, the parties or the attorneys. He did not interview or speak to any of the election judges when he made this conclusion.

10. One of the ballots that lacked the initials of both judges was an absentee ballot, but Mr. Keifer could not identify which judge made the mistake. (Tr. 121). All ballots cast in the primary election were commingled, and it would be impossible to identify ballots cast with assistance by the Somali interpreter. (Tr. 125, line 8-22).

---

Precinct consolidation

11. The Board consolidated several precincts, Ward 2, precinct 16 with Ward 2, precinct 02, and Ward 2, precincts 12 and 13 with Ward 2, Precinct 10. (Tr. 101-104).

SUMMARY OF FACTS SECOND HEARING –  
Additional evidence September 14, 2010

12. At the second hearing, Mr. Keifer testified that (a) voters must sign the precinct (poll) register (Exh. 28, 29) to receive a ballot, and that the voter's "signature signified that they are --- that they are actually a registered voter at that location (precinct) which matches our books (Exh. 28,29; Tr. 161-162); (b) that the voter must initial the register to identify the correct address , and identification is required (Tr. 162, lines 4-23); (c) that election judges initial the voter's signature to verify the identity of the voter (Tr. 162, lines 24-25; Tr. 163); and (d) that the stickers placed on the register to indicate that "the two judges agree that that person who – is who they claim to be , and at that time they issue the ballot. (Tr. 165, lines 1-12).

13. There were multiple problems with the voter register of the precinct where the Somali voters were assisted. The Republican Director identified five (5) instances in which voters did not sign the register, six (6) instances in which voters did not initial the register, nine (9) instances in which the judges failed to initial the register, nine (9) instances in which no sticker was affixed to the register, and five (5) instances (one two times) in which the voters initials do not match the signatures of voters who signed for the ballots.(Tr. 164-173).

14. Keifer testified that he thought the mistakes with respect to the ballots and initials were judges' mistakes. (Tr. 174). On redirect examination, he acknowledged that he had not spoken to the precinct election judges since the election to determine why, or how it was that voters did not sign their names and place their initials on the precinct register. He said he did not know what happened. (Tr. 175).

15. The Election Board consolidated Ward 2, Precinct 16 with Ward 2, Precinct 2, and Precincts 12 and 13 in Ward 2 with Ward 2, precinct 10. (Exh.10). . *In one of these consolidated precincts, no voter voted, in any race.* (Exh. ; Precinct 2-16 in Exh.10). None of the consolidated precincts questioned by Appellant share common boundaries with the polling place (precinct) to which they were assigned. In order to vote, voters were required to travel past and through other precincts that do not adjoin the precincts of their residence. The trial court determined that the precincts were not improperly consolidated.

1. On the 6<sup>th</sup> day of October, 2010, the above-captioned matter was submitted to the Court upon oral argument by Appellant and Respondents.

2. That on September 28<sup>th</sup> , 2010, the Contestee Kansas City Board of Election Commissioners released its list of voters who voted in the August 3, 2010 primary election, which release was subsequent to Appellant submitting his Brief (September 17<sup>th</sup>), and subsequent to or near the time of said oral argument.

3. That prior to the release of the list of voters who voted in the election, the names on the voter registry was designated as confidential, together with all information on the poll registry, and was not released by the election board, and therefore there was not sufficient time to investigate and brief the Court on the findings of the review until the present.

4. That based upon a review of the recently released list of registered voters who cast votes in the August 3, 2010 Democratic primary for the 40<sup>th</sup> Legislative District, relevant and material information has become known concerning potentially irregular votes cast in the contest.

5. According to a comparison of the released voting list provided by the Kansas City Board of Elections and other public documents, including the campaign finance disclosure statements of Contestee Rizzo, certain irregularities are evident, including but not limited to the following:

a. A voter who is identified as a contributor of Contestee Rizzo's campaign with an address outside the 40<sup>th</sup> Legislative District voted in the August 3<sup>rd</sup> primary using a different address from his residence. Jackson County records demonstrate the voter as residing where the voter is designated on the Rizzo campaign records, which is not in the 40<sup>th</sup> Legislative District.



b. Two voters who were listed on the voter list voted claiming an address in the 40<sup>th</sup> Legislative District, but said residence is listed as owned by Jackson County Land Trust and appears to have been abandoned and boarded up as of the date of this Motion.

c. Three voters used the same address which does not exist, but on information and belief, one voter admitted to a local news outlet he resided out of the county.

6. That pursuant to Rule 68.03, "Each Appellate Court in which any action is pending may appoint a master therein."

7. That in the election contest, presently pending in this Court, this Court sits "in equity" and can fashion a remedy which ensures a fair election for the residents of the 40<sup>th</sup> Legislative District.

8. To assist the Court in fashioning a remedy, Appellant asks the Court to appoint a master to receive and report to the Court evidence of the actions on the part of individuals the master may find, which may further call into question the validity of the election.

9. That pursuant to Rule 68.03(d), Appellant requests the Court to exercise its powers as the Court directs in the most expeditious of matters, and report his or her findings to the Appellate Court, concerning the above allegations.

## **COMMITTEE APPOINTMENT**

January 6, 2011

Mr. D. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Election Contests:

Representative Tim Jones, Chairman  
Representative Tony Dugger, Vice-Chairman  
Representative Jay Barnes  
Representative Mike Colona  
Representative Pat Conway  
Representative John Diehl  
Representative Sue Entlicher  
Representative Tishaura Jones  
Representative Stacey Newman

The Special Standing Committee on Election Contests may consider and report on all notices of election contests referred to it by the Speaker of the House.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

### **REFERRAL OF HOUSE ELECTION CONTEST**

The following House Election Contest was referred to the Committee indicated:

**HEC 1** - Special Standing Committee on Election Contests

### **REFERRAL OF HOUSE RESOLUTIONS**

The following House Resolutions were referred to the Committee indicated:

**HR 38** - Rules

**HR 39** - Rules

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 45** - Small Business

**HB 47** - General Laws

**HB 73** - General Laws

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the first time and copies ordered printed:

**HCR 4**, introduced by Representative Flanigan, relating to the creation of the Missouri state capitol building centennial commission.

**HCR 5**, introduced by Representative Smith (150), relating to the Electric Utility Renewable Energy Standard Requirements.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 4**, introduced by Representatives Barnes, Riddle, Bernskoetter and Richardson, relating to the citizens' commission on compensation for elected officials.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 110**, introduced by Representative Zerr, relating to accreditation of vascular laboratories.

**HB 111**, introduced by Representative Cox, relating to the judiciary.

**HB 112**, introduced by Representatives Day, Dugger, Schad, Wright, Atkins, Gatschenberger, Funderburk, Keeney, Wells, Fitzwater, Fisher, Hoskins, Scharnhorst, Jones (89), Largent, Smith (150), Rowland, McCaherty, Riddle, Schatz, Tilley, Nolte and Pollock, relating to classification of certain real property.

**HB 113**, introduced by Representatives Day, Wright, Atkins, Wells, Fitzwater, Wallingford, Lair, Fisher, Leara, Hoskins, Gatschenberger, Scharnhorst, Funderburk, Jones (89), Keeney, Largent, Allen, Smith (150), Rowland, Schad, McCaherty, Riddle, Dieckhaus, Houghton, Curtman, Guernsey, Schatz, Tilley, Nolte and Pollock, relating to the age limit for concealed carry endorsements.

**HB 114**, introduced by Representatives Day, Rowland, Smith (150), Fisher, Schad, McCaherty, Largent, Higdon, Tilley and Nolte, relating to protective headgear for operation of motorcycles and motortricycles.

**HB 115**, introduced by Representatives Schad, Guernsey, Wells, Dugger, Nolte, Denison, Smith (150), Weter, Day, Fisher, Cox and Neth, relating to restrictions on reintroducing wild elk.

**HB 116**, introduced by Representatives Flanigan, Allen and Zerr, relating to amnesty for certain taxes.

**HB 117**, introduced by Representatives Ellinger, Newman, Still, Hummel and Colona, relating to environmentally sustainable construction for state-funded buildings.

**HB 118**, introduced by Representative Peters-Baker, relating to orders of protection.

**HB 119**, introduced by Representatives Schoeller and Pollock, relating to utilities.

**HB 120**, introduced by Representatives Schoeller and Pollock, relating to infrastructure replacement surcharges.

**HB 121**, introduced by Representatives Dugger and Entlicher, relating to elections.

**HB 122**, introduced by Representatives Webber and Kander, relating to the licensing of home inspectors.

**HB 123**, introduced by Representatives Riddle, Wyatt, Day, Lant, Richardson, Davis, White, Lichtenegger, Cookson, Jones (117), Barnes, Koenig, Korman, Schad, Dieckhaus, Phillips, Frederick, Keeney, Lair, Schatz, McCaherty, Long, Hampton, Higdon, Curtman, Gatschenberger, Brown (116), Parkinson, Elmer, Pollock, Faith, Johnson, Smith (150), Houghton, Fuhr, Fisher, Redmon, Wells, Franz and Gosen, relating to sales taxes on firearms and ammunition.

**HB 124**, introduced by Representatives Riddle, Pollock, Gosen, Day, Lant, Richardson, Davis, White, Lichtenegger, Cookson, Barnes, Korman, Schad, Schatz, Scharnhorst, Koenig, Higdon, Houghton, Gatschenberger, Long, Dugger, Entlicher, Parkinson, Franz, Crawford, Denison, Redmon, Bernskoetter, Webber and Holsman, relating to site development for energy generation facilities.

**HB 125**, introduced by Representatives Riddle, Wyatt, Day, Lant, Richardson, Davis, Lichtenegger, Jones (117), White, Cookson, Barnes, Koenig, Korman, Schad, Dieckhaus, Phillips, Keeney, Frederick, Lair, Scharnhorst, Schatz, McCaherty, Houghton, Higdon, Guernsey, Hampton, Redmon, Entlicher, Brown (116), Cross, Lauer, Long, Gatschenberger, Parkinson, Elmer, Sater, Pollock, Faith, Johnson, Smith (150), Fuhr, Fisher, Wells and Gosen, relating to the purchase of firearms.

**HB 126**, introduced by Representatives Barnes, Riddle, Bernskoetter and Jones (117), relating to mass layoffs of state employees.

**HB 127**, introduced by Representative Barnes, relating to the sheriffs' retirement system.

**HB 128**, introduced by Representative Barnes, relating to recovery of deposits in certain cases.

The following member's presence was noted: Diehl.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, January 10, 2011.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, First Day, Wednesday, January 5, 2011, Page 35, Line 10, by deleting the name "Shelley Keeney" and inserting in lieu thereof the name "Mike Kelley".

Page 38, Line 8, by deleting all of said line and inserting in lieu thereof the following, "**SPECIAL STANDING COMMITTEE ON REDISTRICTING**".

### **COMMITTEE MEETINGS**

#### **JOINT COMMITTEE ON EDUCATION**

Wednesday, January 26, 2011, 8:00:00 AM.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

#### **RULES**

Monday, January 10, 2011, Hearing Room 6 Upon Afternoon Adjournment.

Public Hearing to be held on: HR 39

Executive session may be held.

**HOUSE CALENDAR**

THIRD DAY, MONDAY, JANUARY 10, 2011

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 4 and HCR 5

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 4

**HOUSE BILLS FOR SECOND READING**

HB 110 through HB 128

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRD DAY, MONDAY, JANUARY 10, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen, Grace Evangelical Church, Jefferson City, Missouri.

*The Heavens will praise Your wonders, O LORD; Your faithfulness also in the assembly of the holy ones. For who in the skies is comparable to the LORD? Who among the sons of the mighty is like the LORD, A God greatly feared in the council of the holy ones, and awesome above all those who are around Him? O LORD God of hosts, who is like You, O mighty LORD? (Psalm 89:5-8a)*

We give You much thanks, Father, for another day in which to be of service to You; another day to bring glory to Your Holy Name.

I pray this morning on behalf of these men and women before me asking You to grant them the wisdom they need to lead and serve the people of this great state.

Your servant, King Solomon, needed to know how to lead the kingdom You had given to him. And things have not changed in the past 3000 years. All who are in positions of leadership and authority, Father, still need wisdom from You - wisdom to govern, lead and serve so great a people.

I pray today then that You will give freely that which is needed.

Let them all know what is right, according to the Scripture You have given us.

Let them have the fortitude to do that which is right and to do it with a spirit of humility and grace.

May we all set aside own personal agendas and honor for the good of those we have been called to serve.

May we all learn to fear You and You alone.

We call upon You in this prayer. Please answer and glorify Yourself.

To the glory of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the second day was approved as printed by the following vote:

AYES: 147

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison

Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 002

Atkins                      Oxford

ABSENT WITH LEAVE: 014

Carter	Curls	Funderburk	Grisamore	Holsman
Hughes	Kander	Kelly 24	May	McCann Beatty
Nasheed	Schneider	Silvey	Zimmerman	

## OATH OF OFFICE

Representative-elect Chris Kelly advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Steven Tilley, Speaker of the House of Representatives.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 42 through House Resolution No. 59

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 4** and **HCR 5** were read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 4** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 110** through **HB 128** were read the second time.

## COMMITTEE REPORT

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 39**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### HOUSE RESOLUTION NO. 39

WHEREAS, attorneys general from 13 states sued the federal government on March 23, 2010, claiming the landmark health care reform bill is unconstitutional. The amended complaint currently features 20 state plaintiffs, with the National Federation of Independent Business (NFIB) joining as a co-plaintiff on behalf of its members nationwide; and

WHEREAS, the lawsuit filed and joined by a total of 20 attorneys general includes and asserts:

- (1) A Commerce Clause claim;
- (2) A Tenth Amendment sovereignty violation for forcing states, among other things, to expand Medicaid coverage;
- (3) A direct tax violation for the one-size-fits all penalty if a person fails to purchase health insurance; and
- (4) A violation of Article 4, Section 4 of the United States Constitution because "the Act deprives [the States] of ... their right to a republican form of government"; and

WHEREAS, the lawsuit asks the bill be declared unconstitutional because "the Constitution nowhere authorizes the United States to mandate, either directly or under threat of penalty, that all citizens and legal residents have qualifying health care coverage"; and

WHEREAS, the lawsuit also claims the health care legislation violates the Tenth Amendment of the United States Constitution, which says the federal government has no authority beyond the powers granted to it under the Constitution, by forcing the states to carry out its provisions but not reimbursing them for the costs; and

WHEREAS, the lawsuit also asserts that the states cannot afford the new law because the health care legislation will add millions of people to state Medicaid rolls, costing some states more than one billion dollars over the next ten years in increased Medicaid expenditures; and

WHEREAS, according to an attorney representing the 20 attorneys general joining in the lawsuit, those state attorneys general "are convinced that the federal health care legislation is fundamentally flawed as a matter of constitutional law, that it exceeds the scope of proper constitutional authority of the federal government and tramples upon the rights and prerogatives of states and their citizens"; and

WHEREAS, on July 7, 2010, Missouri Lieutenant Governor Peter Kinder sued members of the Obama Administration responsible for enforcing the provisions of the federal health care reform law. The lawsuit challenges



those provisions of the federal health care reform law which actually reduce Missourians access to affordable health care and which violate the Missouri Constitution and the United States Constitution; and

WHEREAS, under the federal legislation, beginning in 2014, most Americans will be required to carry health insurance, either through an employer or government program or by purchasing it themselves. Those Americans who refuse to carry such health insurance will face penalties from the Internal Revenue Service; and

WHEREAS, an overwhelming majority of 71% of Missourians supported the passage of Proposition C in the 2010 General Election in Missouri that protects Missourians from being penalized for refusing to purchase private health insurance or infringe upon the right to offer or accept direct payment for lawful health care; and

WHEREAS, according to the National Conference of State Legislatures, at least 36 states are attempting to limit, alter, or oppose some of the federal legislation's provisions through state constitutional amendments or laws, with many of the proposals seeking to keep health insurance coverage optional for individuals and exempt employers from penalties if they don't offer coverage for workers:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby call on Missouri Attorney General Chris Koster to file an independent lawsuit or join the 20 other state attorneys general from across the nation in challenging the constitutionality and validity of the Patient Protection and Affordable Care Act, the federal health care legislation, and to aggressively defend the validity of Proposition C as voted on by the people of Missouri in the 2010 Missouri General Election; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Attorney General Chris Koster.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 129**, introduced by Representative Barnes, relating to juvenile court jurisdiction.

**HB 130**, introduced by Representative Barnes, relating to the uniform adult guardianship and protective proceedings jurisdiction act.

**HB 131**, introduced by Representatives Cox, Gatschenberger, Brown (116), Cauthorn, Wells, Franz, Fisher, Houghton, Schad, Jones (117), Faith, Schieffer and Shumake, relating to the dog breeders cruelty prevention act.

**HB 132**, introduced by Representatives Still, Webb, McNeil, Pace, McDonald, Walton Gray, Newman, Kirkton, Spreng, Peters-Baker, Carlson, Nichols, Taylor, Ellinger, Pierson, Swearingen, Anders, McGeoghegan, McCann Beatty, Conway (27), Oxford, Black, Harris, Atkins, Shively, Schupp, Quinn, Fallert, Kratky, Lampe, Webber, Kander, Hummel, Schieffer, Aull, Sifton, Smith (71), Brown (50), Meadows, Jones (63) and Carter, relating to payday loans.

**HB 133**, introduced by Representatives Brandom, Jones (89), Pollock, Wells, Wallingford and Nolte, relating to workers' compensation.

**HB 134**, introduced by Representative Nasheed, relating to the practice of hair braiding.

**HB 135**, introduced by Representative Nolte, relating to the board of unemployment fund financing.

**HB 136**, introduced by Representative Day, relating to unemployment benefits.

**HB 137**, introduced by Representatives Thomson, Lair, Ruzicka, Klippenstein, Hoskins, Wallingford, Cookson, Stream, Davis, White and Lichtenegger, relating to the transfer of property by certain state universities.

**HB 138**, introduced by Representatives Thomson, Lair, Ruzicka, Klippenstein, Fisher, Pollock, Wells, Dugger, Hoskins, Wyatt, Smith (150), Schad, Franz, Guernsey, Fitzwater, Redmon, Cookson, Houghton, Stream, Burlison, Shumake, Flanigan, Davis, White, Lant, Brown (116), Rowland, Richardson, Hampton, Lichtenegger, Dieckhaus, Kelley (126) and Schoeller, relating to wages for work done of behalf of a school.

**HB 139**, introduced by Representatives Smith (150), Leach, Rieboldt, Hampton, Cookson, Flanigan, Tilley, McNary, Koenig, Redmon, Long, Houghton, Schatz, Allen, Jones (89), Brandom and Schoeller, relating to the Missouri accountability portal.

**HB 140**, introduced by Representatives Black, Hodges, Fallert and Casey, relating to children as passengers on certain heavy equipment.

**HB 141**, introduced by Representatives Black, Walton Gray, Hodges, Meadows, Fallert and Casey, relating to the heroes way interchange designation program.

**HB 142**, introduced by Representative Gatschenberger, relating to political subdivisions.

**HB 143**, introduced by Representatives Schoeller, Burlison, Leach, Hinson, Long, Lampe, Denison and Smith (150), relating to child abuse and neglect.

**HB 144**, introduced by Representatives Schoeller, Burlison, Hinson, Leach, Long and Denison, relating to a tax deduction for loan payments to repair a premises damaged by flooding.

**HB 145**, introduced by Representatives Schoeller, Allen, Richardson, Jones (117), Bahr, Nance, White, Davis, Kelley (126), Hampton, Wright and Torpey, relating to entities receiving state funds.

**HB 146**, introduced by Representatives Schoeller, Richardson, Jones (117), Bahr, Nance, Lauer, Kelley (126), Hampton, Wright and Berry, relating to chiropractic services.

## COMMITTEE APPOINTMENTS

January 10, 2011

Mr. D. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Don Gosen as Vice Chairman of the Committee on Urban Issues and appoint Representative Michael Brown.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

-----  
January 10, 2011

Mr. D. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Jason Smith as Vice Chairman of the Ethics Committee and appoint Representative Jeanette Mott Oxford.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

January 10, 2011

Mr. D. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Capital Improvements and Leases Oversight:

Representative Rick Stream  
Representative Mark Parkinson

Continuing to serve on this Joint Committee are:

Representative Ryan Silvey  
Representative Shalonn Curls  
Representative Chris Kelly

If you have any questions, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the House of Representatives

-----  
January 10, 2011

Mr. D. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following member to serve on the Special Standing Committee on Election Contests:

Representative Chris Kelly

The Special Standing Committee on Election Contests may consider and report on all notices of election contests referred to it by the Speaker of the House.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the House of Representatives

## **COMMUNICATION**

January 5, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Mike Lair  
Representative  
District 7

The following members' presence was noted: Carter, Curls, Grisamore, Kander, May, McCann Beatty, Nasheed, Schneider and Silvey.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:30 a.m., Tuesday, January 11, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - EDUCATION**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 1.  
Organization Meeting, Public Testimony.

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.  
Public Testimony (continued).

### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, January 11, 2011, 3:30 PM House Hearing Room 3.  
Organizational Meeting.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 4.  
Organizational Meeting.

DOWNSIZING STATE GOVERNMENT

Thursday, January 13, 2011, 8:00 AM House Hearing Room 4.  
Organizational Meeting.

ECONOMIC DEVELOPMENT

Tuesday, January 11, 2011, 5:00 PM House Hearing Room 7.  
Organizational Meeting.

GENERAL LAWS

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 4.  
Public hearing to be held: HB 47, HB 73  
Executive Session May Follow.

HEALTH CARE POLICY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 6.  
Organizational Meeting Only.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00 AM  
Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

JUDICIARY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 1.  
Organizational Meeting.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 12, 2011, 1:00 PM House Hearing Room 5.  
Organizational Hearing.

RULES

Tuesday, January 11, 2011, 3:00 PM House Hearing Room 6.  
Public hearing to be held: HR 38  
Executive session may follow.

RURAL COMMUNITY DEVELOPMENT

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 1.  
Organizational Meeting.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, January 13, 2011, 8:30 AM House Hearing Room 1.  
Organizational Meeting - no public testimony will be taken.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 13, 2011, 8:00 AM House Hearing Room 7.

Organizational Meeting.

**HOUSE CALENDAR**

FOURTH DAY, TUESDAY, JANUARY 11, 2011

**HOUSE BILLS FOR SECOND READING**

HB 129 through HB 146

**HOUSE RESOLUTIONS**

HR 39, (1-10-2011) - Franz

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FOURTH DAY, TUESDAY, JANUARY 11, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

"Frost and chill bless the Lord; praise and exalt Him above all forever. Ice and snow, bless the Lord; praise and exalt Him above all forever". (*Daniel 3:67-70*)

On this cold morning our thoughts and voices echo the words of the great prophet Daniel, "Frost and chill, bless the Lord; ice and snow, bless the Lord, praise and exalt Him above all forever!" We praise God for the beauty of the snow and the wonderful gift of the change of seasons that our beautiful state experiences each year.

We continue to lift up in prayer all public servants who are in danger. We recall those who have died and/or were wounded in Arizona. Give eternal rest to the dead, rapid healing for the wounded, wisdom to all medical professionals, and gratitude to all who acted rapidly to prevent more violence. Protect and watch over this House and its members, staff, and loved ones. Keep them from harm.

Finally, we recall our Missouri history on this day when in 1822 the Great Seal of the State of Missouri was adopted, and in 1865 when slavery was abolished.

We ask this as all things in God's Holy Name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the third day was approved as printed.

## HOUSE RESOLUTION

Representative Smith (71) offered House Resolution No. 66.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 60 through House Resolution No. 65

House Resolution No. 67 through House Resolution No. 73



## HOUSE CONCURRENT RESOLUTIONS

Representative Walton Gray, et al., offered House Concurrent Resolution No. 7.

Representative Allen offered House Concurrent Resolution No. 8.

Representative Nolte, et al., offered House Concurrent Resolution No. 10.

Representative Nolte, et al., offered House Concurrent Resolution No. 11.

## SECOND READING OF HOUSE BILLS

**HB 129** through **HB 146** were read the second time.

## HOUSE RESOLUTION

**House Resolution No. 39**, relating to a federal health care lawsuit, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Resolution No. 39, Page 2, Line 40, by deleting the word "General" and inserting in lieu thereof the word "Primary"; and

Further amend said resolution, Page 2, Line 53, by deleting the word "General" and inserting in lieu thereof the word "Primary"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Frederick offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Resolution No. 39, Page 2, Line 53, by inserting after all of said line the following:

“BE IT FURTHER RESOLVED that the members of the House of Representatives call upon Governor Jay Nixon to urge Attorney General Chris Koster to join the suit filed and joined by 20 state attorneys general claiming the Patient Protection and Affordable Care Act is unconstitutional; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 2** was adopted by the following vote:

AYES: 108

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis

Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk	Holsman	Hughes	Neth
------------	---------	--------	------

### Representative Curtman offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Resolution No. 39, Page 2, Lines 54 to 56, by deleting all of said lines and inserting in lieu thereof the following:

“BE IT FURTHER RESOLVED that the members of the House of Representatives hereby call on the members of the United States Congress to move forward with legislative efforts to repeal and defund the Patient Protection and Affordable Care Act that places an overwhelming burden on the economy and increasing unemployment, and in its place, pass a health care reform law that will make health care more affordable and accessible to Americans; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and each member of the Missouri Congressional Delegation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Curtman, **House Amendment No. 3** was adopted by the following vote:

AYES: 114

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 046

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Conway 27	Curls	Ellinger
Fallert	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 003

Funderburk	Holsman	Hughes
------------	---------	--------

Representative Kelly (24) offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Resolution No. 39, Page 1, Line 29, by deleting the following:

"Missouri Lieutenant Governor", and inserting in lieu thereof the words "private citizen".

Representative Schoeller offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1  
to  
House Amendment No. 4*

AMEND House Amendment No. 4 to House Resolution No. 39, Page 1, Line 5, by inserting the words “**Missouri Lieutenant Governor, as a**” before the word “**private**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Kelly (24), **House Amendment No. 4, as amended**, was adopted.

On motion of Representative Franz, **House Resolution No. 39, as amended**, was adopted by the following vote:

AYES: 115

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 046

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Curls	Ellinger	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schupp

Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 002

Funderburk                      Hughes

## COMMITTEE REPORT

### Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 38**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

#### HOUSE COMMITTEE SUBSTITUTE FOR HOUSE RESOLUTION NO. 38

#### RULES OF THE HOUSE OF REPRESENTATIVES [95<sup>TH</sup>] **96th** GENERAL ASSEMBLY

#### TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

#### CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term "constitutional majority", as used herein, shall mean eighty-two members of the House.

#### ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:
  - (i) Reading and approval of the Journal of the previous day's session.
  - (ii) Introduction and first reading of House Joint Resolutions.
  - (iii) Introduction and first reading of House Bills.
  - (iv) Second reading of House Bills and Joint Resolutions.
  - (v) Reports of regular standing committees.
  - (vi) Reports of special standing committees.
  - (vii) Bills, reports and other business on the table.
  - (viii) House Joint Resolutions to be perfected and printed.
  - (ix) House Bills to be perfected and printed.
  - (x) Third reading of House Joint Resolutions.
  - (xi) Third reading of House Bills.
  - (xii) Messages from the Senate.
  - (xiii) First reading of Senate Joint Resolutions and Senate Bills.
  - (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
  - (xv) Third reading of Senate Joint Resolutions.
  - (xvi) Third reading of Senate Bills.

- (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
- (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
- (xix) Such other orders of business as deemed necessary pursuant to law.

#### HEADINGS ON HOUSE CALENDAR

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (i) House Joint Resolutions to be perfected and printed - laid over informally.
- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon the Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.

- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

#### FIRST AND SECOND READING OF BILLS

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the members present.

#### ORDERS OF THE DAY

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

#### ELECTION OF OFFICERS GENERALLY

##### Election; Oath; Compensation

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly: its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean himself or herself in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

#### SPEAKER

##### Speaker to Call Members to Order

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

##### Parliamentary Rulings; Referral to Parliamentary Committee

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place. It shall be at the Speaker's discretion whether members may speak on points of order.

Speaker May Speak on Points of Order

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

Appeal from a Ruling of the Chair

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

Supervision of House Employees

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

Speaker May Clear Hall

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not, however, have the power to remove members from the floor of the House, except by a majority vote of those present.

Manner of Putting Questions

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device. The Speaker may require a recorded vote on any motion.

OTHER OFFICERS

Speaker Pro Tem

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

Chief Clerk

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and



seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

#### Sergeant-at-Arms; Doorkeeper and Chaplain

Rule 20. (a) SERGEANT-AT-ARMS. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) DOORKEEPER. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties and shall obey such other orders as may be made by the House.

(c) CHAPLAIN. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

#### Employees

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

### COMMITTEES

#### By Whom Appointed; Composition of Membership

Rule 22. All regular standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each regular standing committee shall be appointed by the Minority Floor Leader [, subject to the final approval of the Speaker]. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and [discussion] **inquiry** but shall have no vote unless they are duly appointed members of said committee. The membership of all regular standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special standing committees as he/she deems necessary. Any special standing committee shall have the authority and duties of a regular standing committee if so designated by the Speaker. The Minority Floor Leader may make recommendations to the Speaker regarding minority membership of special standing committees. The Speaker may dissolve and/or discharge the members of any conference, interim, or special standing committee at any time and reappoint the members thereof.

#### Time of Sitting

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

The Regular Standing Committees Enumerated

Rule 24. The regular standing committees of the House shall be as follows:

- [1. Administration and Accounts.
2. Agriculture Policy.
3. Agri-Business
4. Appropriations - Agriculture and Natural Resources.
5. Appropriations - Education.
6. Appropriations - General Administration.
7. Appropriations - Health, Mental Health and Social Services.
8. Appropriations - Public Safety and Corrections.
9. Appropriations - Transportation and Economic Development.
10. Budget.
11. Conservation and Natural Resources.
12. Corrections and Public Institutions.
13. Crime Prevention.
14. Elections.
15. Elementary and Secondary Education.
16. Energy and Environment.
17. Ethics.
18. Financial Institutions.
19. Fiscal Review.
20. Health Care Policy.
21. Healthcare Transformation.
22. Higher Education.
23. Homeland Security.
24. International Trade and Immigration.
25. Insurance Policy.
26. Job Creation and Economic Development.
27. Judiciary.
28. Local Government.
29. Public Safety.
30. Real ID and Personal Privacy.
31. Retirement.
32. Rules.
33. Rural Community Development.
34. Senior Citizen Advocacy.
35. Small Business.
36. State Parks and Waterways.
37. Tax Reform.
38. Tourism.
39. Transportation.
40. Utilities.
41. Veterans.
42. Ways and Means.]

- 1. Administration and Accounts.**
- 2. Agriculture Policy.**
- 3. Agri-Business**
- 4. Appropriations - Agriculture and Natural Resources.**
- 5. Appropriations - Education.**
- 6. Appropriations - General Administration.**
- 7. Appropriations - Health, Mental Health and Social Services.**
- 8. Appropriations - Public Safety and Corrections.**
- 9. Appropriations - Transportation and Economic Development.**
- 10. Budget.**

- 11. Children and Families**
- 12. Corrections.**
- 13. Crime Prevention and Public Safety.**
- 14. Downsizing State Government.**
- 15. Economic Development.**
- 16. Elections.**
- 17. Elementary and Secondary Education.**
- 18. Emerging Issues in Animal Agriculture.**
- 19. Ethics.**
- 20. Financial Institutions.**
- 21. Fiscal Review.**
- 22. General Laws.**
- 23. Health Care Policy.**
- 24. Health Insurance.**
- 25. Higher Education.**
- 26. Insurance Policy.**
- 27. International Trade and Job Creation.**
- 28. Judiciary.**
- 29. Local Government.**
- 30. Professional Registration and Licensing.**
- 31. Retirement.**
- 32. Rules.**
- 33. Rural Community Development.**
- 34. Small Business.**
- 35. Tax Reform.**
- 36. Tourism and Natural Resources.**
- 37. Transportation.**
- 38. Transportation Funding and Public Institutions.**
- 39. Urban Issues**
- 40. Utilities.**
- 41. Veterans.**
- 42. Ways and Means**
- 43. Workforce Development and Workplace Safety.**

#### Duties of the Regular Standing Committees

Rule 25. (1) *Administration and Accounts.*

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members. The committee may make assignments to the party caucuses for those caucuses to assign to their respective members. The House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members, shall have priority with respect to such assignments within their respective caucuses.

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture Policy may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture in this state.

(3) *Committee on Agri-Business.* The Committee on Agri-Business may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agri-business in the state.

(4) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(5) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(6) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, the Judiciary and the Public Defender.

(7) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(8) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

(9) *The Committee on Appropriations - Transportation and Economic Development.* The Committee on Appropriations - Transportation and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, the Department of Insurance and the Department of Labor and Industrial Relations.

(10) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it which, in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Facilities Management, Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

[(11) *The Committee on Conservation and Natural Resources*. The Committee on Conservation and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Conservation, state parks, fish and game, forestry, natural resources, environment and mining.]

**(11) *The Committee on Children and Families*. The Committee on Children and Families may consider and report upon bills and matters referred to it relating to the Department of Social Services, the Department of Health and Senior Services, and other matters relating to the fostering and promotion of children and families in this state.**

(12) *The Committee on Corrections*[ and *Public Institutions*]. The Committee on Corrections [and Public Institutions] may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, **and** the state penitentiary[, state hospitals, charitable institutions, and other state properties].

(13) *The Committee on Crime Prevention and Public Safety*. The Committee on Crime Prevention **and Public Safety** may consider and report upon bills and matters referred to it relating to criminal laws [and] , law enforcement **and public safety** matters.

**(14) *The Committee on Downsizing State Government*. The Committee on Downsizing State Government may consider matters referred to it relating to reducing the size of state government and its programs.**

**(15) *The Committee on Economic Development*. The Committee on Economic Development may consider matters referred to it relating to commerce, industrial growth, expansion, and development.**

[(14)] (16) *The Committee on Elections*. The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

[(15)] (17) *The Committee on Elementary and Secondary Education*. The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

[(16) *The Committee on Energy and Environment*. The Committee on Energy and Environment may consider and report upon bills and matters referred to it relating to the development, use and conservation of energy and other energy related concerns; environmental impact and pollution, including natural resources such as air, water, solid waste; recovery of natural resources of all types and by all means, including environmental impact and public health and safety as it relates to these issues.]

**(18) *The Committee on Emerging Issues in Animal Agriculture*. The Committee on Emerging Issues in Animal Agriculture may consider matters referred to it relating to the production, processing, selling, marketing, and distribution of animals, livestock, and poultry in the agricultural industry.**

[(17)] (19) *The Committee on Ethics*. The Committee on Ethics may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

[(18)] (20) *The Committee on Financial Institutions*. The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions, and other financial institutions.

[(19)] (21) *The Committee on Fiscal Review*. The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular or special standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion adopted by the members, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes

of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House sponsor or floor handler, amend an effective date onto any bill referred to the Committee.

**(22) *The Committee on General Laws.* The Committee on General Laws may consider matters referred to it relating to general or miscellaneous issues as determined by the Speaker of the House.**

[(20)] **(23) *The Committee on Health Care Policy.*** The Committee on Health Care Policy may consider and report upon bills and matters referred to it relating to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it relating to Medicaid and related matters.

[(21)] ***The Committee on Healthcare Transformation.*** The Committee on Healthcare Transformation may consider and report upon bills and matters referred to it relating to the operation and regulation of hospitals, health clinics, health centers, and other facilities related to the field of health.

**(22)] (24) *The Committee on Health Insurance.* The Committee on Health Insurance may consider and report upon bills and matters referred to it relating to insurance coverage for health and medical issues.**

**(25) *The Committee on Higher Education.*** The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters relating to financing, facilities, staff, curriculum and related matters.

[(23)] ***The Committee on Homeland Security.*** The Committee on Homeland Security may consider and report upon bills and matters referred to it relating to the disaster and emergency preparation and implementation of safety and security measures for state and local governments and measures relating to cooperation between other states and the federal government.

**(24) *The Committee on International Trade and Immigration.*** The Committee on International Trade and Immigration may consider and report upon bills and matters referred to it relating to immigration policy of the state and the impact of non-citizen and migrant workers on the state economy and services provided by the state and local governments.]

**(26) *The Committee on Insurance Policy.*** The Committee on Insurance Policy may consider and report upon bills and matters referred to it relating to insurance, insurance companies and the Department of Insurance.

[(26)] ***The Committee on Job Creation and Economic Development.*** The Committee on Job Creation and Economic Development may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion, and development and the creation and retention of jobs.]

**(27) *The Committee on International Trade and Job Creation.* The Committee on International Trade and Job Creation may consider and report upon bills and matters referred to it relating to international commerce and development and the creation and retention of jobs.**

**(28) *The Committee on Judiciary.*** The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

**(29) *The Committee on Local Government.*** The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

[(29)] ***The Committee on Public Safety.*** The Committee on Public Safety may consider and report upon bills and matters referred to it relating to public safety and law enforcement.

**(30) *The Committee on Real ID and Personal Privacy.*** The Committee on Real ID and Personal Privacy may consider and report upon bills and matters referred to it relating to the protection of personal privacy and security concerns.]

**(30) *The Committee on Professional Registration and Licensing.* The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating to the licensing of professionals in this state and consumer protection issues.**

**(31) *The Committee on Retirement.*** The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees **and senior citizen issues generally.**

**(32) *The Committee on Rules* (a) *Duties generally.*** The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds (2/3) of the regular [or special] standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third reading calendar.* Upon petition of two-thirds (2/3) of the regular [or special] standing committee chairmen, the Committee on Rules shall have the authority to consider and remove any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) *Review of Bills Reported from Regular Standing or Special Standing Committees.*

1. Whenever a committee reports a bill with a recommendation that it "Do Pass" or "Without Recommendation", the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

- a. Report the bill "Do Pass" to the House without a limitation on time of debate on the bill or amendments.
- b. Report the bill "Do Pass" to the House with a limitation on the time of debate.

c. Send the bill back to the originating committee **in the form as originally referred by the Speaker.**

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill "Do Pass".

2. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Consent", the Rules Committee shall review the bill for the purpose of determining whether or not it should have "consent" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Consent" calendar. When the Committee on Rules declines to place the bill on the appropriate "Consent" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "consent" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Consent".

3. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Federal Mandate", the Committee on Rules shall review the bill for the purpose of determining whether or not it should have "federal mandate" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Federal Mandate" calendar. When the Committee on Rules declines to place the bill on the appropriate "Federal Mandate" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "federal mandate" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Federal Mandate".

4. When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

5. In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions. The committee shall not amend any bill that was not initially referred to the Committee on Rules.

(g) When a committee has reported a bill "Do Pass" with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(h) If the Committee on Rules is the original committee to which a bill is referred, when the Committee reports such bill "Do Pass" or "Without Recommendation", such bill shall not be subject to the automatic referral referenced in Rule 25(32)(f) 1. above. However, in reporting such bill, the Committee on Rules may take any action on such bill as though the bill were referred to it after a "Do Pass" or "Without Recommendation" report from another committee.

(33) *The Committee on Rural Community Development.* The Committee on Rural Community Development may consider and report upon bills and matters referred to it relating to policies to improve communities and the quality of life of citizens located outside of metropolitan areas and larger cities of the state.

[(34)] *The Committee on Senior Citizen Advocacy.* The Committee on Senior Citizen Advocacy may consider and report upon bills and matters referred to it relating to the security a health of the senior citizens of the State, including matters relating to their care and housing, and the providers of those services.

(35)] (34) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention, and operations of small businesses in the State.

[(36)] *The Committee on State Parks and Waterways.* The Committee on State Parks and Waterways may consider and report upon bills and matters referred to it relating to state park facilities and grounds and rivers, lakes, and other waterways located in the state.

(37)] (35) *The Committee on Tax Reform.* The Committee on Tax Reform may consider and report upon bills and matters referred to it relating to reforming and equalizing the state tax code and it's burden on taxpayers of this state.

[(38)] (36) *The Committee on Tourism and Natural Resources.* The Committee on Tourism and Natural Resources may consider and report upon bills and matters referred to it relating to the **Department of Natural Resources, the Department of Conservation, fish and game laws of this state, preservation and protection the natural resources of this state**, development and promotion of travel, tourism, recreation, the arts, and cultural affairs.

[(39)] (37) *The Committee on Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

(38) *The Committee on Transportation Funding and Public Institutions.* **The Committee on Transportation Funding and Public Institutions may consider and report upon bills and matters referred to it relating to the funding of public and private transportation infrastructure and resources of this state and issues related to state hospitals, charitable institutions, and other state properties.**

(39) *The Committee on Urban Issues.* **The Committee on Urban Issues may consider and report upon bills and matters referred to it relating to urban and metropolitan areas of this state.**

(40) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy-related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

(41) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

(42) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.



**(43) *The Committee on Workforce Development and Workplace Safety.* The Committee on Workforce Development and Workforce Safety may consider and report upon bills and matters referred to it relating to employment, labor, and workplace safety.**

Duties of Committee Chair;  
Committee Organization

Rule 26. (a) *Duty to preside.* It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee shall preside, and in his/her absence, a member appointed by the chair.

(b) *Duty to maintain minute book.* The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each session of the general assembly and shall submit the same to the Secretary of State prior to the next regular session.

(c) *Duty to preserve order.* The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents.* The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails.* Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chair shall report said bill back to the House "Do Not Pass" unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (I) the chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider. **The motion to reconsider shall be a recorded vote.**

Committee Hearings

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

Quorum

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings - How Announced

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all

members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker's office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

#### Committee Substitutes

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

#### Other Duties

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

#### Attendance

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be recorded by the chair or secretary of a committee at each meeting.

#### Minority Views

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

#### Committee Relieved of Bill - When

Rule 34. No bill shall be taken away from any regular standing committee or special standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

#### Election Contest

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the regular standing Committee on Elections or a special standing committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee  
Complaints of Ethical Misconduct

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call. When a motion to proceed to conduct an investigation fails on a recorded vote, the complaint shall be immediately dismissed.

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to regular or special standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

BILLS

Introduced - Manner of Setting Forth  
New and Old Material

Rule 37. (a) *When*. Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing*. Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) *Numbering of Bills*. The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

Number of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

Timing for Placement on Calendar

Federal Mandate Calendar

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it "Do Pass" or "Without Recommendation", it shall go upon the calendar of the House.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline by which the State must comply with the federal mandate and what will happen if the State fails to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted "Do Pass" on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported "Do Pass" by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it "Do Not Pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Timing of Placement on Calendar

Rule 41. No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

Bills Laid Over Informally

Rule 42. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

To Appear In Order

Rule 43. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

## Ten Day Rule

Rule 44. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

## Consent Calendar

Rule 45. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or [contains penalty provisions] **creates or expands a penalty provision**, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for Placing Senate Consent Bills on the Calendar.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

## AMENDMENTS AND SUBSTITUTES

Rule 46. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been **either transmitted electronically and made available on each member's chamber laptop computer or** placed on the members' desks in paper form, except for the desk of any member who has waived receipt of amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment shall be read in its entirety by the clerk unless it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration. Any amendment to the

amendment or substitute amendment that exceeds two 8 ½" x 11" pages in length shall be distributed prior to the time it is offered.

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. It shall not be in order to offer a substitute amendment to an amendment to an amendment. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill may be withdrawn by the sponsor before amendment or decision thereon. Any amendment may be withdrawn by the sponsor before decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

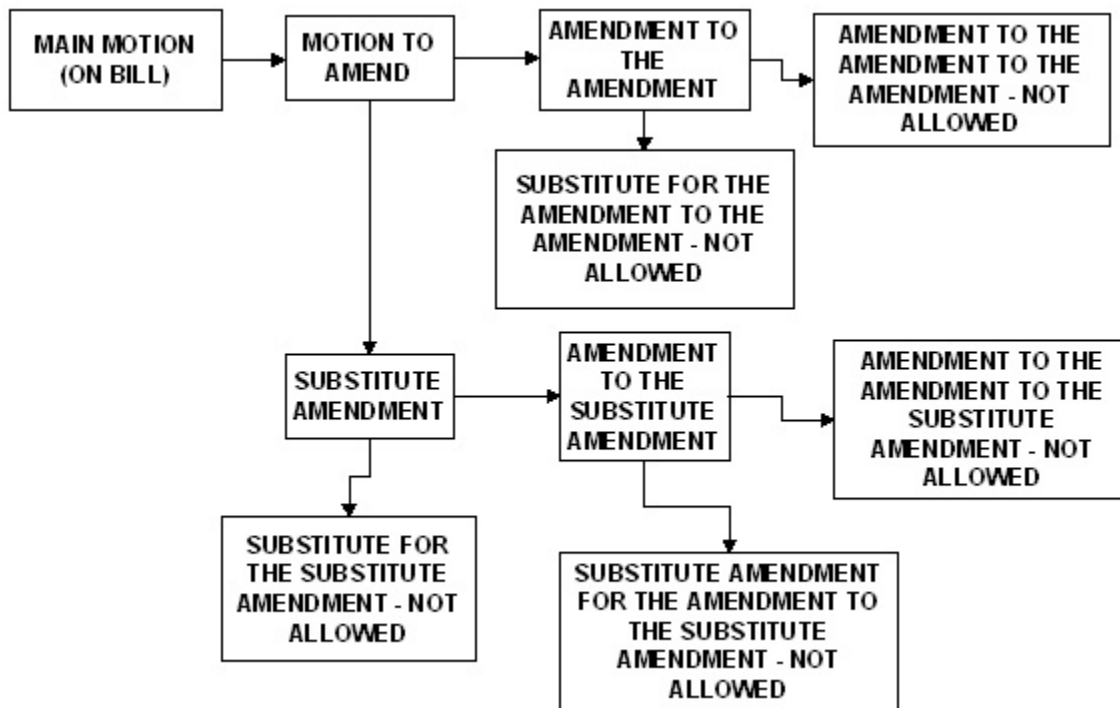
(f) *Appropriations Bills.* 1. No amendment to the appropriations bills of the state budget shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the House appropriations bills [as reported from the Committee on Budget]. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the House appropriations bills [shall be required to contain an equal reduction in general revenue or general revenue equivalent appropriated in the same bill or] shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in **the same bill or** any other of the bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the House appropriations bills of the state budget only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Bill or House Committee Substitute of the state budget shall be adopted until all properly offered amendments to the first 12 House appropriations bills or substitutes have been disposed of.



## Committee Substitute Printed

Rule 47. When a committee recommends a substitute for a bill, the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

## Order of Amendments

Rule 48. When amendments to any bill, motion or proposition are pending, they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(6) If there is no House Committee Substitute, or if the House Committee Substitute is not adopted, the original House Bill is next voted upon, after opportunity for amendment.

#### Amendments Incorporated In Bill

Rule 49. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

#### BILLS AND JOINT RESOLUTIONS

##### Ayes and Noes Taken

Rule 50. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

##### Repassage

Rule 51. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

##### Majority to Perfect

Rule 52. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

##### Amending After Perfection; Perfecting Amendments

Rule 53. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

##### Motion for Passage

Rule 54. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

##### Course After Passage

Rule 55. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

##### Perfecting Amendments on Bills Returned From the Senate

Rule 56. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be



directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

#### Conference Reports

Rule 57. (a) Signatures on a Conference Report. All conference committees shall be composed of five conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) Review for Correctness. Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) Notice Requirements. No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) Exceeding the Differences. Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

### RESOLUTIONS

#### Joint and Concurrent Resolutions

Rule 58. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

#### Joint and Concurrent Resolutions of Congress

Rule 59. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

#### Reference of Resolutions, etc.

##### Stand Referred

Rule 60. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full. **Joint courtesy resolutions shall be allowed if established by the rules of the Senate.**

SENATE BILLS

Referral

Rule 61. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon The Calendar

Rule 62. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it "Do Pass", or "Without Recommendation", it shall stand automatically referred to the Committee on Rules. When a Senate Bill is reported from the Committee on Rules with the recommendation that it "Do Pass", or "Without Recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

Senate Bills Reported "Do Not Pass"

Rule 63. If a Senate Bill is reported from the committee to which referred with the recommendation that it "Do Not Pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Amendments

Rule 64. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL

Rule 65. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

MOTIONS

Must Be Read or Stated Before Debate

Rule 66. When a motion is made, it shall be stated by the Chair before being debated.

When In Possession of the House

Rule 67. When a motion is stated by the Speaker it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

To Be Reduced to Writing

Rule 68. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane

Rule 69. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

#### Privileged

Rule 70. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

#### Dilatory

Rule 71. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

#### Privileged Motions In Order - When

Rule 72. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 70 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

#### Previous Question

Rule 73. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

#### Not Debatable

Rule 74. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

#### Division of Questions

Rule 75. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill. [No House Bill for Third Reading shall be subject to a request for a division of the question.] **No House Bill shall be subject to a division of the question after its perfection.**

#### Indefinite Postponement

Rule 76. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

#### Question Laid on the Table - How Taken Up

Rule 77. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds (2/3) of the members present.

#### Motion to Recommit to Committee

Rule 78. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee, which shall be sustained if a majority of the members present vote in the affirmative.

Motion to Reconsider -  
Must Be Made Within Three Days

Rule 79. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider

Rule 80. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking

Rule 81. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker". The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality and derogatory personal comments. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

Appeals

Rule 82. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order, he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise or Seek Recognition

Rule 83. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak - How Often

Rule 84. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the bill and the ranking committee member from the party not the same as the bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25(32).

No Member Shall Name Another Member in Debate

Rule 85. No member shall name another member in debate, but shall refer to the member by district number or county.

Members Not to Use Profanity

Rule 86. No member may use profanity either while speaking on the floor or in committee.

Members Not to Walk Across House - When

Rule 87. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

Order of Questions

Rule 88. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 70.

Voting

Rule 89. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member's vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded. In addition to any other penalty provided by rule or law, the filing of a false affidavit shall subject that member to censure by the House.

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

Verification of the Roll

Members Not to Interrupt Calling of Ayes and Noes;  
Changing Vote

Rule 90. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

Demand for Verification

Rule 91. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

Bell to Signal Recorded Vote

Rule 92. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

Roll Call Votes

Rule 93. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by calling the name of each member and recording the respective aye, no or present votes. Any member not responding when his/her name is called shall be recorded as absent.

Dress Code

Rule 94. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

Eating, Smoking, Distracting Activities

Rule 95. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries[, except that members may smoke in the East Gallery].

Electronic Devices

Rule 96. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker **and notice has been given to the body**. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

Ascending the Dais

Rule 97. No person shall ascend to the Dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

INTERIM PROCEDURE

Bills - End of First Regular Session

Rule 98. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds (2/3) of the elected members of the House.

## Bills - Pre-Filing

Rule 99. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

## Interim Committees

Rule 100. All regular or special standing committees named during the first regular session of a General Assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the regular or special standing committee, to act in place of the regular or special standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

## CALL OF THE HOUSE

## Names of Absentees to Be Called

Rule 101. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

## Absent Members May Be Sent For

Rule 102. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

## Prohibited While Voting In Progress

Rule 103. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

Majority Not Under Arrest May Censure And Fine  
Delinquent Members

Rule 104. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody

Rule 105. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted

Rule 106. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chair Appointed by Speaker

Rule 107. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

Procedure upon Bills

Rule 108. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must Be  
Incorporated in Original Motion

Rule 109. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendments Shall Be Noted

Rule 110. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings

Rule 111. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum

Rule 112. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions

Rule 113. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.



## Admission to House Floor

Rule 114. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

## Admission to Lower Gallery

Rule 115. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

## Admission to Upper Gallery

Rule 116. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the **Missouri Capitol News Association** [press having] **holding** valid credentials issued by the Speaker **and any other member of the press issued credentials by the Speaker**. All other upper galleries shall be open to the public.

## RULES

## May Be Rescinded or Amended - How

Rule 117. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

## May Be Dispensed With

Rule 118. Rules 70, 79 and 80 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds (2/3) of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concurs therein and motions for that purpose shall be limited to the question or proposition under consideration.

## JEFFERSON'S MANUAL

Rule 119. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they

are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to shall be taken as authority in deciding questions not otherwise provided for in these rules.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 9**, introduced by Representatives Barnes, Jones (89), Richardson, Brown (85), Cross, McCaherty, Bernskoetter, Brown (116), Smith (150), Frederick, Lant, Fitzwater, Wyatt, Nance, Berry, Reiboldt, Diehl, Riddle, Elmer, Jones (117) and Cookson, relating to the calling of an amendment convention.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 147**, introduced by Representatives Cauthorn, Kelly (24) and Houghton, relating to state purchasing.

**HB 148**, introduced by Representatives Nance, Molendorp, Meadows, Atkins, Gosen, Conway (14), Webb, Colona, Aull, Hubbard, Cauthorn, Franz, Sater, Hodges, Nolte and Barnes, relating to residential contractors.

**HB 149**, introduced by Representatives Day, Smith (150), Fisher, Schad, McCaherty, Largent, Cookson, Hoskins, Hinson, Swinger, Wyatt, Brown (85), White, Fuhr, Kelley (126), Molendorp, Walton Gray, Klippenstein, Houghton, Tilley, Casey, Black, Meadows, Hodges, Kelly (24), Jones (89), Silvey, Diehl, Frederick, Davis, Brattin and Lair, relating to the Missouri military family relief fund.

**HB 150**, introduced by Representatives Webber and Kander, relating to military leave for public employees.

**HB 151**, introduced by Representatives Kelly (24) and Molendorp, relating to donations to the organ donor program fund.

**HB 152**, introduced by Representative Kelly (24), relating to taxation.

**HB 153**, introduced by Representatives Black, Hodges, Fallert and Casey, relating to the designation of a highway.

**HB 154**, introduced by Representatives Black, Kander, Fallert and Pace, relating to sexual misconduct in the second degree.

**HB 155**, introduced by Representatives Black, Kander, Fallert, Casey and Pace, relating to coroner duties.

**HB 156**, introduced by Representatives Black, Fallert, Casey and Pace, relating to unlicensed child care providers.

**HB 157**, introduced by Representative Faith, relating to municipal employment contracts.

**HB 158**, introduced by Representative Barnes, relating to the statute of limitations for injurious falsehood.

**HB 159**, introduced by Representatives Brandom, Day, Rowland, Wright and Walton Gray, relating to house arrest for certain offenders.

**HB 160**, introduced by Representatives Brandom, Diehl, McNary and Jones (89), relating to workers' compensation.

**HB 161**, introduced by Representative Cox, relating to county transient guest taxes for tourism purposes.

**HB 162**, introduced by Representatives Fisher, Stream, Nolte, Lair, Lant, Molendorp, Brown (116), Day, Tilley, McNary, Wright and Nance, relating to workers' compensation.

**HB 163**, introduced by Representatives Fisher, Still, Stream, Nolte, Lair, Lant, Molendorp, Brown (116), Tilley, Lampe, Kelly (24), Kander, Wright and Nance, relating to unemployment compensation.

**HB 164**, introduced by Representative Franz, relating to juvenile court jurisdiction.

**HB 165**, introduced by Representative Franz, relating to standards for representation of children by guardians ad litem.

**HB 166**, introduced by Representative Brandom, relating to the designation of Native American Day in Missouri.

**HB 167**, introduced by Representatives Nolte, Guernsey, Day, Hampton, Fuhr, Fisher, Smith (150), Lauer, Wyatt, Solon, Ruzicka, Curtman, Kelley (126), Schad, Gatschenberger, Cox, Faith and Brown (85), relating to drivers' examinations.

**HB 168**, introduced by Representatives Nolte, Wyatt, Kelley (126), Gatschenberger and Cox, relating to driver's licenses of noncitizens.

**HB 169**, introduced by Representatives Nolte, Neth, Gatschenberger and Anders, relating to ballroom dance curriculum in public schools.

**HB 170**, introduced by Representatives Nolte and Hampton, relating to workers' compensation.

**HB 171**, introduced by Representatives Ruzicka, Sater and Franz, relating to primary elections.

**HB 172**, introduced by Representative Ruzicka, relating to payment of funeral services, facilities, or merchandise for public assistance recipients.

**HB 173**, introduced by Representatives Koenig, Molendorp, Rowland, Dugger, Hoskins, Funderburk, Burlison, Bahr, Curtman, Davis, Brattin, McNary, Cross, Reiboldt, Barnes, Lichtenegger, Long, Scharnhorst, Conway (14), Schneider, Pollock, Stream, Schad, Bernskoetter and Denison, relating to the Missouri higher education savings program.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

### **COMMUNICATIONS**

January 11, 2011

Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband, Dr. Jon Hagler, is the Director of the Missouri Department of Agriculture; and some of the legislation or amendments that I will be voting on may have an impact on our household.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this disclosure in the Journal of the House.

Sincerely,

/s/ Linda Black  
State Representative  
107<sup>th</sup> District

-----  
January 11, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. My husband and I are retired members of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Jeanie Riddle  
Representative  
District 20

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 12, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - EDUCATION**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 1.  
Executive Session May Follow.  
Organization Meeting, Public Testimony.

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.  
Public Testimony (continued).

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 5.

Organizational meeting - No public testimony will be taken.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 3.

Presentation by the Department of Corrections.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 6.

Presentation by Department of Public Safety.

**CORRECTIONS**

Wednesday, January 12, 2011, 5:00 PM House Hearing Room 1.

Organizational Meeting.

**CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 4

Organizational Meeting.

**CANCELLED**

**DOWNSIZING STATE GOVERNMENT**

Thursday, January 13, 2011, 8:00 AM House Hearing Room 4.

Organizational Meeting.

**GENERAL LAWS**

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 4.

Executive Session May Follow.

Public hearing to be held: HB 47, HB 73

**HEALTH CARE POLICY**

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 6.

Executive Session May Follow.

Organizational Meeting Only.

**INSURANCE POLICY**

Thursday, January 13, 2011, 9:00 AM House Hearing Room 6.

Organizational Meeting.

**JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT**

Thursday, January 13, 2011, 9:00 AM House Hearing Room 5.

Approval of Annual Report.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 8:00 AM

Executive Session May Follow.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

JUDICIARY

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 1.

Organizational Meeting.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 12, 2011, 1:00 PM House Hearing Room 5.

Organizational Hearing.

RURAL COMMUNITY DEVELOPMENT

Wednesday, January 12, 2011, 2:00 PM House Hearing Room 1.

Organizational Meeting.

SMALL BUSINESS

Wednesday, January 12, 2011, 12:00 PM House Hearing Room 7.

Executive Session May Follow.

Public hearing to be held: HB 45

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, January 13, 2011, 8:30 AM House Hearing Room 1.

Organizational Meeting - no public testimony will be taken.

TRANSPORTATION

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 7.

Organizational Meeting.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 13, 2011, 8:00 AM House Hearing Room 7.

Organizational Meeting.

**HOUSE CALENDAR**

FIFTH DAY, WEDNESDAY, JANUARY 12, 2011

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 9

**HOUSE BILLS FOR SECOND READING**

HB 147 through HB 173

**HOUSE RESOLUTIONS**

HCS HR 38, (1-11-11) - Jones (89)



# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTH DAY, WEDNESDAY, JANUARY 12, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Let your light so shine before men, that they may see your good works, and glorify your Father who is in heaven. (Matthew 5:16)*

O God our Father, Who is the source of light and life, Whose glory is in all the world, without Whom no one is strong, no one is good - make us one with You as we begin this day. May our faith in You make us strong, hold us steady and keep us serene as we face the responsibilities and the tasks which confront us.

May we always know that You are with us. May we always believe that You are leading us. Amid all our differences may we be one in spirit, one in purpose, and one in good will as we give ourselves in deep devotion to the welfare of our beloved State of Missouri and for the good of all citizens. May the light of Your Spirit shine forever in our hearts.

In God's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as printed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary

McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Diehl	Hodges	Holsman	Hughes
Newman	Schneider	Zerr		

## HOUSE RESOLUTION

Representative Loehner offered House Resolution No. 81.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 74 through House Resolution No. 80

House Resolution No. 82 and House Resolution No. 83

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 9** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 147** through **HB 173** were read the second time.

## COMMITTEE REPORTS

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 73** and **HB 47**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Small Business**, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 45**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 5**, introduced by Representatives Pollock, Schoeller, Wells, Denison, Thomson, Smith (150), Korman, Houghton, Burlison, Black, Entlicher, Dugger, Cookson, Klippenstein, Schatz, Davis, McCaherty, Fitzwater, Hinson, Kelley (126), Harris, Franklin, Brattin, Wyatt, White, Brown (116), Richardson, Hough, Riddle, Wright, Lichtenegger, Loehner, Weter, Keeney, Tilley, Allen, Nasheed, McGhee, Dieckhaus, Schad, Ruzicka, Lair, Fisher, Phillips, Higdon, Jones (117), Jones (89), Redmon, Crawford, Elmer, Lant, Reiboldt, Cox, Guernsey, Hoskins, Cierpiot, Schieffer, Shumake, Curls and Zerr, relating to the personal right to hunt and fish.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 174**, introduced by Representatives Thomson, Wallingford, Cookson, Molendorp, Ruzicka, Lichtenegger, Richardson and Hoskins, relating to higher education governing boards.

**HB 175**, introduced by Representatives McNeil, Nance, Atkins, Schieffer, Nichols, Taylor, Sifton, Pace, McGhee, Curls, Carter, May, Ellinger, Oxford and Schupp, relating to senior citizens property tax relief.

**HB 176**, introduced by Representatives McNeil, Still, Schupp, Carlson, Ellinger, Pace, Kander, Webber, Webb, Atkins, Schieffer, Meadows and Oxford, relating to caller identification spoofing.

**HB 177**, introduced by Representatives McNeil, Ellinger, Pace, Carter, Webb, Schupp and Atkins, relating to automated speed enforcement systems.

**HB 178**, introduced by Representatives Nasheed, Carter, Colona and Curls, relating to expungement of certain criminal records.

**HB 179**, introduced by Representatives Nasheed, Curls, Walton Gray, Pace, Wyatt, Carter and Gatschenberger, relating to compulsory attendance for school age children.

**HB 180**, introduced by Representatives Nasheed, Curls, Walton Gray, Pace, Newman, Montecillo, Wyatt, Colona and Schupp, relating to voter registration information.

**HB 181**, introduced by Representatives Nasheed, Curls, Lichtenegger, Still, Newman, Colona, Schupp and Gatschenberger, relating to cigarette taxes.

**HB 182**, introduced by Representatives Walton Gray, Meadows, Pace, McCann Beatty, Hubbard, Ellinger, Oxford and Wright, relating to the designation of dress in blue for colon cancer awareness day.

**HB 183**, introduced by Representative Silvey, relating to police and civilian employees' retirement systems.

**HB 184**, introduced by Representative Dugger, relating to the compensation of road district commissioners.

**HB 185**, introduced by Representative Loehner, relating to the joint committee on urban agriculture.

**HB 186**, introduced by Representatives Entlicher, Dugger and Conway (27), relating to qualifications of clerks of county commissions.

**HB 187**, introduced by Representative Conway (27), relating to political party emblems on ballots.

**HB 188**, introduced by Representative Molendorp, relating to abatement of nuisances in certain counties.

**HB 189**, introduced by Representative Ruzicka, relating to possession and use of certain alcohol containers and devices on certain rivers.

**HB 190**, introduced by Representative Ruzicka, relating to cash transactions by the department of natural resources.

**HB 191**, introduced by Representative Ruzicka, relating to the state park earnings fund.

**HB 192**, introduced by Representative Jones (89), relating to environmental protection.

## COMMUNICATION

January 12, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306-C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband is a member of the Missouri State Highway Patrol (MSHP); and some of the legislation and amendments that I will be voting on could have a direct impact on our family, in the same manner in which other similarly situated members of the MSHP are affected.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this report in the Journal of the House.

Sincerely,

/s/ Shelley Keeney  
State Representative  
District 156

The following members' presence was noted: Diehl, Hodges, Holsman, Newman, Schneider and Zerr.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 13, 2011.

### **COMMITTEE MEETINGS**

#### **ADMINISTRATION AND ACCOUNTS**

Thursday, January 13, 2011, 8:30 AM House Hearing Room 3.  
Organizational Meeting.

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 4.  
Organizational Meeting.  
Public Testimony.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 1.  
Executive Session may be held.  
Organization Meeting, Public Testimony.

#### **APPROPRIATIONS - EDUCATION**

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.  
Public Testimony (continued).

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 19, 2011, 1:00 PM House Hearing Room 3.  
Organizational Meeting.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 5.  
Department of Mental Health overview.  
May reconvene upon afternoon adjournment.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 3.

Presentation by the Department of Corrections.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 6.

Presentation by Department of Public Safety.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 6.

Executive Session may be held.

This meeting will serve as an organizational meeting to meet members and staff.

**BUDGET**

Wednesday, January 19, 2011, 8:00 AM House Hearing Room 3.

Organizational Meeting.

**DOWNSIZING STATE GOVERNMENT**

Thursday, January 13, 2011, 8:00 AM House Hearing Room 4.

Organizational Meeting.

**ECONOMIC DEVELOPMENT**

Tuesday, January 18, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Department of Economic Development.

**INSURANCE POLICY**

Thursday, January 13, 2011, 9:00 AM House Hearing Room 6.

Organizational Meeting.

**JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT**

Thursday, January 13, 2011, 9:00 AM House Hearing Room 5.

Approval of Annual Report.

**JOINT COMMITTEE ON EDUCATION**

Wednesday, January 26, 2011, 8:00 AM

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Thursday, January 13, 2011, 3:15 PM House Hearing Room 1.

Executive Session may be held.

Public hearing to be held: HCS HB 45

**CANCELLED**

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Thursday, January 13, 2011, 4:00 PM House Hearing Room 1.  
Executive Session will be held: HCS HB 45, HCS HB 73 & 47

**SPECIAL STANDING COMMITTEE ON REDISTRICTING**

Thursday, January 13, 2011, 8:30 AM House Hearing Room 1.  
Organizational Meeting - no public testimony will be taken.

**TRANSPORTATION**

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 7.  
Organizational Meeting.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, January 13, 2011, 8:00 AM House Hearing Room 7.  
Organizational Meeting.

**HOUSE CALENDAR**

SIXTH DAY, THURSDAY, JANUARY 13, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 5

**HOUSE BILLS FOR SECOND READING**

HB 174 through HB 192

**HOUSE RESOLUTIONS**

HCS HR 38, (1-11-11, Pages 104-133) - Jones (89)

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTH DAY, THURSDAY, JANUARY 13, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Lindell Shumake.

Dear Heavenly Father, we come this morning to say thank You for all You are and all You do for us. We ask Your special blessing upon all of us in the Capitol this day, our families, friends, and loved ones.

Please grant us grace and wisdom to serve You in such a manner that will bring glory to Your Name.

We further ask for Your Divine inspiration to address the issues of the day.

We intercede for the varying needs of each of the 163 districts in our state. Do grant us spiritual prosperity and economic security throughout our Great State of Missouri.

Do give traveling mercies to us today and the joy of the Lord which is our strength.

We thank You for all these things in Jesus' Name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as printed by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan



McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Hughes	Lair	Taylor	Zimmerman
--------	------	--------	-----------

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 84 through House Resolution No. 89

## HOUSE CONCURRENT RESOLUTIONS

Representative Rowland, et al., offered House Concurrent Resolution No. 12.  
Representative Wyatt, et al., offered House Concurrent Resolution No. 13.  
Representative Jones (89), et al., offered House Concurrent Resolution No. 14.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 5** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 174** through **HB 192** were read the second time.

## HOUSE RESOLUTION

**HCS HR 38**, relating to the Rules of the House of Representatives, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Resolution No. 38, Page 10, Rule 25, Line 21, by deleting the number “(26)” and inserting in lieu thereof the following: “[ (25)] **26**”; and

Further amend said resolution, Page 10, Rule 25, Line 29, by deleting the number “(28)” and inserting in lieu thereof the following: “[ (27)] **28**”; and

Further amend said resolution, Page 10, Rule 25, Line 33, by deleting the number “(29)” and inserting in lieu thereof the following: “[ (28)] **29**”; and

Further amend said resolution, Page 10, Rule 25, Line 47, by removing the underscoring under the number “(32)”;

Further amend said resolution, Page 12, Rule 25, Line 29, by inserting after the word “**protection**”; the word “**of**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Resolution No. 38, Page 17, Rule 46.(a), Line 42, by inserting after the words, “**each member’s chamber laptop computer**” the words, “**and a copy in paper form placed on the desk of the majority floor leader and minority floor leader**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Silvey offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Resolution No. 38, Page 6, Rule 24, Line 49, by removing all of said line and inserting in lieu thereof the following:

“**11. Children and Families.**”; and

Further amend said resolution, Page 7, Rule 24, Line 21, by removing all of said line and inserting in lieu thereof the following:

“**39. Urban Issues.**”; and

Further amend said page and rule, Line 24, by removing all of said line and inserting in lieu thereof the following:

“**42. Ways and Means.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 3** was adopted.

Representative Kelly (24) offered **House Amendment No. 4**.

**House Amendment No. 4** was withdrawn.

Representative Oxford offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Resolution No. 38, Page 26, Rule 95, Line 17, by inserting after the word "Gallery]" the following:

**"or any area of the Capitol under the control of the House of Representatives, including House member's offices.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Schieffer
Schupp	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Walton Gray	Webb	Webber

NOES: 113

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller

Shively	Shumake	Silvey	Smith 150	Solon
Spreng	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 005

Hughes	Lair	Pollock	Taylor	Zimmerman
--------	------	---------	--------	-----------

Representative Aull offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for House Resolution No. 38, Page 3, Rule 6, Line 8, by inserting at the end of said line the following:

**“At the end of each morning, afternoon, and evening session, the Majority Floor Leader shall announce all bills and resolutions that will be brought up for perfection or third reading or any other consideration during the next session, in chronological order of consideration. If any bill or resolution is brought up or advanced in any other order than was previously announced, any House member may offer amendments to such bill or resolution after brought up until such time the bill or resolution is voted on.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Carlson offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for House Resolution No. 38, Page 18, Rule 46, Line 1, by deleting the words “length.shall” and inserting in lieu thereof the words “[length.shall] **length shall**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Carlson, **House Amendment No. 7** was adopted.

Representative Jones (63) offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Resolution No. 38, Page 5, Rule 22, Line 21, by inserting after the word “committee” the following **“and each special standing committee”**; and

Further amend said rule and page, Lines 34 and 35, by placing opening “[“ and closing “]” brackets around the sentence “The Minority Floor Leader may make recommendations to the Speaker regarding minority membership of the special standing committees.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (63) moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb	Webber	

NOES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 006

Hughes	Lair	Pollock	Schneider	Taylor
Zimmerman				

Representative Schupp offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for House Resolution No. 38, Page 13, Rule 27, Line 28, by inserting after said line the following:

**“A bill or resolution may not be voted upon which was heard by the same committee on the same legislative day unless by unanimous consent of the members of the committee that are present.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schupp moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Peters-Baker offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for House Resolution No. 38, Page 12, Rule 25, Line 25, by deleting the word “it’s” and inserting in lieu thereof the following: “[it’s] its”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Peters-Baker, **House Amendment No. 10** was adopted.

On motion of Representative Jones (89), **HCS HR 38, as amended**, was adopted by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland

Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Hughes	Lair	Loehner	Pollock	Taylor
Zimmerman				

## REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 5** - General Laws

**HCR 9** - General Laws

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 61** - International Trade and Job Creation

**HB 62** - International Trade and Job Creation

**HB 71** - Urban Issues

**HB 76** - Tax Reform

**HB 91** - Workforce Development and Workplace Safety

**HB 133** - Workforce Development and Workplace Safety

**HB 139** - Downsizing State Government

**HB 154** - Corrections

**HB 156** - Crime Prevention and Public Safety

**HB 160** - Workforce Development and Workplace Safety

**HB 162** - Workforce Development and Workplace Safety

**HB 167** - Transportation

**HB 170** - Workforce Development and Workplace Safety

## **COMMITTEE REPORTS**

**Committee on Rules**, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 73 & 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 6**, introduced by Representatives Cierpiot, Conway (14), Cox, Pollock, Hoskins, Dieckhaus, Rowland, Cross, Bahr, Redmon and Bernskoetter, relating to guaranteeing the right to vote by secret ballot.

**HJR 7**, introduced by Representatives Hoskins and Largent, relating to the general assembly.

**HJR 8**, introduced by Representatives Koenig, Burlison, Funderburk, Davis, Brattin, Dieckhaus, McNary, Cross, Bahr, Barnes, Lichtenegger, Long, Parkinson, Pollock, Schoeller, Schneider, Schad, Jones (89), Diehl, Redmon, Fisher, White, McCaherty and Kelley (126), relating to the revenue-neutral replacement of all taxes on income with an amended sales and use tax.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 193**, introduced by Representatives Diehl, Cox, Richardson, Loehner, Flanigan, Tilley, Allen, Nasheed, Hubbard, Klippenstein, Brown (50) and Casey, relating to the composition of congressional districts.

**HB 194**, introduced by Representative Molendorp, relating to county municipal courts.

**HB 195**, introduced by Representatives Koenig, Funderburk, Bahr, Davis, Reiboldt, Long, Scharnhorst, Schoeller, Conway (14), Gatschenberger, Pollock, Stream, Schad and Sater, relating to teacher academic freedom to teach scientific evidence regarding evolution.

**HB 196**, introduced by Representatives Jones (63), Tilley, Still, Shively, Atkins, Talboy, Peters-Baker, Schupp, Colona, Rizzo, Fallert, Ellinger, McCann Beatty, Montecillo, Taylor, Meadows, Pierson, Lampe, Newman, Oxford, McDonald, Smith (71), Schieffer, Quinn, Kirkton, Anders, McGeoghegan, McNeil, Nichols, Pace, Walton Gray, McManus, Conway (27), Webber, Kander, Hubbard, Holsman, Zimmerman, Brown (50), Casey, Kratky, Swearingen, Aull, Hummel, Sater, Carlson, Sifton, Faith, Flanigan, Weter, Cookson, Nolte, Molendorp, Carter and Zerr, relating to the Missouri Rx program.



**HB 197**, introduced by Representatives Jones (63), Newman, Ellinger, Curls, Still, Carter, Peters-Baker, Kirkton, Nichols, Taylor, Pierson, Wyatt, Franklin, Faith, Keeney, McCann Beatty, Pace, Oxford, Atkins, Black, McNeil, Schupp, Talboy, May, Smith (71), Brown (50), Walton Gray and Lampe, relating to cord blood banking.

**HB 198**, introduced by Representatives Denison, Hough, Dugger, Cox, Kelly (24), Wallingford, Korman, Bandom, Gatschenberger, Pollock, Ruzicka, Franz, Schneider, Stream, Leara, Nolte, Diehl, Shumake, Rowland, Funderburk, Hinson, Nance, Riddle, Schad, Cierpiot, Molendorp, Jones (63), Aull, McNeil, Brown (50), Swinger, Webb, Conway (27), Hodges, Quinn, Black, Kratky, McDonald, Meadows, Fallert, Casey, Schieffer, Wells, Fisher, Sater, Allen, Cauthorn, Lichtenegger, Silvey, Brown (116), Thomson, Lauer, Crawford, Elmer, White, Davis, Brattin, Wieland, Schatz, Houghton, Phillips, Grisamore, Schoeller and Day, relating to designation of Christmas Day in Missouri.

**HB 199**, introduced by Representatives Kelley (126), Redmon, Gatschenberger, Davis, Lant, White, Conway (14), Long, Bahr, Berry, Franklin and Frederick, relating to community service requirements for intoxication-related traffic offenses.

**HB 200**, introduced by Representatives Kelley (126), Redmon, Lant, Davis, White, Conway (14), Long, Bahr, Berry, Franklin and Frederick, relating to certain actions for damages against correctional facilities.

**HB 201**, introduced by Representative Sater, relating to MO HealthNet dental benefits.

**HB 202**, introduced by Representatives Hoskins, Largent, Nance, Lampe and Torpey, relating to the daily expense allowance for senators and representatives.

**HB 203**, introduced by Representatives Hoskins, Largent, Nance and Torpey, relating to professional therapy dogs.

**HB 204**, introduced by Representatives Hoskins, Largent, Wyatt, Schad, Lampe, Torpey and Jones (117), relating to driver's license renewal for military personnel.

**HB 205**, introduced by Representatives Elmer, Diehl, Jones (117), Richardson, Redmon, Schoeller, Barnes, Long, Nance, Rowland, Cox, Phillips, Burlison, Dieckhaus, Weter, Dugger, Smith (150), Hoskins, Riddle, Jones (89), Guernsey, Funderburk, Molendorp, McGhee, Denison, Fisher, Crawford and Keeney, relating to unlawful discriminatory practices in employment.

**HB 206**, introduced by Representatives Meadows, Nance, Curtman, Walton Gray, Harris, Smith (71), Atkins and Fallert, relating to illegal immigrants.

**HB 207**, introduced by Representatives Meadows, Nance, Curtman, Walton Gray and Harris, relating to the use of automated photo red light enforcement systems.

**HB 208**, introduced by Representatives Meadows, Oxford, Walton Gray, Harris and Atkins, relating to the regional taxicab commission.

**HB 209**, introduced by Representatives Guernsey, Klippenstein, Wyatt, Fisher, Lant, Houghton, Dugger, Riddle, Reiboldt, Berry, Schatz, Curtman, Cox, Entlicher, Lichtenegger, Ruzicka, Nolte, Hampton, Cross, Brown (85), Zerr, Hough, Sater, Schad, Barnes, Brandom, Cauthorn, Thomson, Neth, Wright, Smith (150), Largent, Conway (14), Jones (89), Flanigan, Day, Redmon, Diehl, Scharnhorst, Elmer, Parkinson, Brattin, Davis, Shumake, Rowland, Crawford, Gatschenberger, Long, Brown (116), Fraker, Cookson, Fitzwater, Keeney, Korman, Hoskins, Molendorp, Kelley (126), Gosen, Franz, Bernskoetter and Frederick, relating to private nuisances.

**HB 210**, introduced by Representative Moldendorp, relating to water supply districts.

**HB 211**, introduced by Representatives Koenig, Bahr, Curtman, Reiboldt, Lichtenegger, Long, Dugger, Smith (150), Scharnhorst, Parkinson, Nolte, Pollock, Schoeller, McNary, Conway (14), Schneider, Diehl, Stream, Schad, Sater, Denison, Fisher, Funderburk, White and Kelley (126), relating to lead abatement.

**HB 212**, introduced by Representatives Thomson, Hoskins and Wallingford, relating to proprietary schools.

**HB 213**, introduced by Representatives Jones (89), Day, Dieckhaus, Long, Barnes, Lichtenegger, Faith, Smith (150), Loehner, Bahr, Hampton, Schad, Frederick, Meadows, Allen, Lauer, Wyatt, McCaherty, Curtman, Cross, Hinson, Riddle, Korman, Nance, Pollock, Franz, Asbury, Franklin, Stream, Thomson, Koenig, Jones (117), Crawford, White, Dugger, Shumake, Davis, Burlison, Leara, Brown (85), Haefner, Kelley (126), Diehl, Bernskoetter, Molendorp, Scharnhorst, Nolte, Schneider, Ruzicka, Lant, Johnson, Fisher, Lasater, Wieland, Keeney, Schoeller, Conway (14), Gatschenberger, Silvey, Wright, Parkinson, Cox, Brandom, Cierpiot, Gosen, Wells, Largent, Funderburk, McGhee, Brattin, Reiboldt, Neth, Elmer, Richardson, Wallingford, Fitzwater, Leach, Zerr, Phillips, Fraker and Klippenstein, relating to abortion.

**HB 214**, introduced by Representatives Zerr, Allen, Lichtenegger, Guernsey, Entlicher, Klippenstein, Flanigan, Funderburk, Grisamore, Schieffer, Conway (14), Bahr, Jones (89), Nolte, Silvey, Day, Oxford, Black, Kratky, Kirkton, Molendorp, Kander, Leara, Dieckhaus, Parkinson, McNary, Lampe, Still, Colona, Fisher and Brown (85), relating to human trafficking.

**HB 215**, introduced by Representatives Gatschenberger, Fisher, Fitzwater, Bahr, Nance, Riddle, Cauthorn, Lauer, Cross, Parkinson, Schieffer, Diehl, Colona, Schad, Jones (89), Burlison, Flanigan, Denison, Nasheed, Carter, Funderburk, Meadows, Day, Smith (150), Davis, Jones (117), Richardson, Kelley (126) and Schoeller, relating to firearms.

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following pursuant to **HCR 1**.

Senators: Mayer, Dempsey, Rupp, Purgason, Stouffer, Callahan, Chappelle-Nadal, Justus, Green and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following pursuant to **HCR 2**.

Senators: Mayer, Schmitt, Ridgeway, Goodman, Schaefer, McKenna, Wright-Jones, Justus, Keaveny and Chappelle-Nadal.

## COMMITTEE APPOINTMENTS

January 13, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Marsha Haefner as a member of the Committee on Appropriations for Public Safety and Corrections.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

-----  
January 13, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Education:

Representative Scott Dieckhaus  
Representative Mike Thomson  
Representative Ira Anders

Continuing to serve on this Joint Committee are:

Representative Mike Lair  
Representative Rodney Schad  
Representative Joe Aull  
Representative Jason Holsman

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Tuesday, January 18, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 6.  
Organizational Meeting.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 4.  
Organizational Meeting.  
Public Testimony.

### **APPROPRIATIONS - EDUCATION**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 1.  
Executive Session may be held.  
Organization Meeting, Public Testimony.

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.  
Public Testimony (continued).

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 19, 2011, 1:00 PM House Hearing Room 3.  
Organizational Meeting.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 5.  
Department of Mental Health overview.  
May reconvene upon afternoon adjournment.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 5.  
Department of Social Services overview.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Thursday, January 20, 2011, 8:00 AM House Hearing Room 3.

Department of Health and Senior Services overview.

May reconvene after morning adjournment.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 3.

Presentation by the Department of Corrections.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 6.

Presentation by Department of Public Safety.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, January 18, 2011, 2:00 PM House Hearing Room 6.

This meeting will serve as an organizational meeting to meet members and staff.

**CORRECTED**

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 7.

Executive Session may be held.

The committee will be hearing public testimony.

**BUDGET**

Wednesday, January 19, 2011, 8:00 AM House Hearing Room 3.

Organizational Meeting.

**ECONOMIC DEVELOPMENT**

Tuesday, January 18, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Department of Economic Development.

**EMERGING ISSUES IN ANIMAL AGRICULTURE**

Tuesday, January 18, 2011, House Hearing Room 1, 5:00 PM or upon afternoon adjournment.

Informational/Organizational Meeting.

**FINANCIAL INSTITUTIONS**

Wednesday, January 19, 2011, 5:00 PM House Hearing Room 6.

Organizational Meeting.

**GENERAL LAWS**

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 4.

Executive Session may be held.

Public hearing to be held on: HCR 5, HCR 9

**JOINT COMMITTEE ON EDUCATION**

Wednesday, January 26, 2011, 8:00 AM

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, January 19, 2011, 12:00 PM

The Missouri Division of Professional Registration Main Conference Room -  
3605 Missouri Boulevard, Jefferson City, MO 65102-1335

**TRANSPORTATION**

Tuesday, January 18, 2011, 12:00 PM House Hearing Room 7.

Organizational Meeting.

**HOUSE CALENDAR**

SEVENTH DAY, TUESDAY, JANUARY 18, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 6 through HJR 8

**HOUSE BILLS FOR SECOND READING**

HB 193 through HB 215

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 45 - Hoskins
- 2 HCS HBs 73 & 47 - Brandom

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 18, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Enter into His gates with thanksgiving and into His courts with praise: be thankful to Him and bless His name. For the Lord is good; His mercy is everlasting; and His truth endures to all generations. (Psalm 100:4,5)*

Almighty God, Ruler of the Universe, Sustainer of Life, and Creator of People, unto You do we lift our hearts in prayer and in praise. We thank You for the gift of life ever fresh from Your hand, for the blessings of home, for work to do and the strength to do it, for friendships which warm our hearts, for a nation that is free and for our faith in You which keeps us strong, holds us steady and carries us through every experience with honor.

May Your wisdom make us wise, may Your patience help us to be more patient: may Your love strengthen us to love others and may Your forgiveness help us to forgive one another.

Sustained by Your presence may we walk the paths of truth and love this day, harboring no ill will, but filled with good will growing evermore like You who have revealed Yourself. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixth day was approved as printed by the following vote:

AYES: 154

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary

McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 002

Atkins Oxford

ABSENT WITH LEAVE: 007

Brown 50	Hodges	Hughes	Leara	Parkinson
Still	Webber			

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 90 through House Resolution No. 118

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 6** through **HJR 8** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 193** through **HB 215** were read the second time.

## INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 9**, introduced by Representative Kelly (24), relating to the fifth state building fund.

**HJR 10**, introduced by Representatives Barnes, Dieckhaus and Jones (89), relating to educational freedom.



## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 216**, introduced by Representative Barnes, relating to service rates of electrical corporations.

**HB 217**, introduced by Representatives Dugger and Entlicher, relating to electronic voter identification verification systems.

**HB 218**, introduced by Representative Cox, relating to compensation of senior judges and commissioners.

**HB 219**, introduced by Representatives Kelly (24) and Dieckhaus, relating to protecting children from sexual offenders.

**HB 220**, introduced by Representatives Smith (150), Schneider, Korman and Brown (116), relating to real estate licensees.

**HB 221**, introduced by Representatives McNary, Lair, Fisher, Dieckhaus, Diehl, Dugger, Scharnhorst, Brandom, Denison, Pollock, Wallingford, Leara, Thomson, Nance, Cross, Wieland, Allen, Nolte, Wyatt, Koenig, Jones (89), Houghton, Fuhr, Kelley (126), Flanigan, McGhee, Gatschenberger, White, Largent, Ruzicka, Johnson, Cox, Schoeller and Day, relating to workers' compensation.

**HB 222**, introduced by Representative Schneider, relating to assessment of newly constructed residential property.

**HB 223**, introduced by Representatives Wallingford, Schupp, May, Thomson, Hoskins, Brandom, Richardson, Smith (150), Lichtenegger and Frederick, relating to the caring for Missourians program.

**HB 224**, introduced by Representatives Allen and Brandom, relating to MO HealthNet reimbursement for services.

**HB 225**, introduced by Representative Brandom, relating to tobacco products.

**HB 226**, introduced by Representatives Richardson, Diehl, Hough, Long, Elmer, Jones (117), Barnes, Hinson, Nolte, Hampton, Fisher, Cookson, Schoeller, Smith (150) and Wallingford, relating to unemployment compensation.

**HB 227**, introduced by Representatives Wyatt, Franklin, Allen, Conway (14), Shumake, Redmon and Largent, relating to child support.

## COMMUNICATIONS

January 18, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Mike Leara as a member of the Committee on Urban Issues and appoint Representative Eric Burlison as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

-----  
January 18, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative John Rizzo as a member of the Committee on Appropriations for Public Safety and Corrections.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

The following members' presence was noted: Brown (50), Hodges, Parkinson, Still and Webber.

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 19, 2011.

## COMMITTEE MEETINGS

### APPROPRIATIONS - EDUCATION

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 1.

Public Testimony (continued).

CANCELLED

### APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 19, 2011, 1:00 PM House Hearing Room 3.

Organizational Meeting.

### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 5.

Department of Social Services overview.

### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 20, 2011, 8:00 AM House Hearing Room 3.

Department of Health and Senior Services overview.

May reconvene after morning adjournment.

### APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 6.

Presentation by Department of Public Safety.

### APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 19, 2011, 2:00 PM House Hearing Room 7.

Executive Session may be held.

The committee will be hearing public testimony.

### BUDGET

Wednesday, January 19, 2011, 8:00 AM House Hearing Room 3.

Organizational Meeting.

### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, January 19, 2011, 12:00 PM House Hearing Room 4.

Organizational Meeting.

911 Presentation by Lisa M. Schlottach, President, Missouri 911 Directors Association.

### DOWNSIZING STATE GOVERNMENT

Thursday, January 20, 2011, 8:00 AM House Hearing Room 4.

Executive Session may be held.

Public hearing to be held on: HB 139

### FINANCIAL INSTITUTIONS

Wednesday, January 19, 2011, 5:00 PM House Hearing Room 6.

Organizational Meeting.

**FISCAL REVIEW**

Thursday, January 20, 2011, 8:30 AM South Gallery.

Executive Session may be held.

Any bills referred to the committee.

**HEALTH INSURANCE**

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 5.

Organizational Meeting.

**HIGHER EDUCATION**

Thursday, January 20, 2011, 9:00 AM House Hearing Room 6.

Organizational Meeting.

**JOINT COMMITTEE ON EDUCATION**

Wednesday, January 26, 2011, 8:00 AM

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, January 19, 2011, 12:00 PM

The Missouri Division of Professional Registration Main Conference Room -  
3605 Missouri Boulevard, Jefferson City, MO 65102-1335.

**TOURISM AND NATURAL RESOURCES**

Thursday, January 20, 2011, 8:30 AM House Hearing Room 7.

Organizational meeting plus brief presentation by Division of Tourism.

**URBAN ISSUES**

Wednesday, January 19, 2011, House Hearing Room 7, 12:00 PM or upon morning adjournment.

Executive Session may be held.

Public hearing to be held on: HB 71

**URBAN ISSUES**

Monday, January 24, 2011, House Hearing Room 5, 5:00 PM or upon afternoon adjournment.

Executive Session may be held.

Public hearing to be held on: HB 71

**CANCELLED**

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Thursday, January 20, 2011, 8:00 AM House Hearing Room 1.

Executive Session may be held.

Public hearing to be held on: HB 91, HB 162

**CORRECTED**

**HOUSE CALENDAR**

EIGHTH DAY, WEDNESDAY, JANUARY 19, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 9 and HJR 10

**HOUSE BILLS FOR SECOND READING**

HB 216 through HB 227

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 45 - Hoskins
- 2 HCS HBs 73 & 47 - Brandom

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

EIGHTH DAY, WEDNESDAY, JANUARY 19, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*In solemn truth I can see that God is no respecter of persons, but that in every nation the man who reverences Him and does what is right is acceptable to Him. (Acts 10:34)*

O God, Creator of the World, Sustainer of Life and the Ruler of all Nations, in quietness and reverence we lift our hearts anew to You, praying that Your grace may cleanse us, Your power may strengthen us, and Your love develop in us greater good will. Forgive our selfishness, our narrowness, our prejudices, and our pride. Set us free from the unneeded bonds which separate us and draw us together in You as one people in spirit and in truth.

Bless our Honorable Governor who will be present in this Chamber in a few hours to deliver his State of the State address. Give him illumination to express with clarity both strength and weakness of these times in which we live. May our ears and minds be attentive and reflective to His message. We ask this in Your most Holy Name for You live and reign forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventh day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 119 through House Resolution No. 171

## HOUSE CONCURRENT RESOLUTION

Representative Brown (50), et al., offered House Concurrent Resolution No. 15.

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 9** and **HJR 10** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 216** through **HB 227** were read the second time.

## PERFECTION OF HOUSE BILL

**HCS HB 45**, relating to small business tax relief, was taken up by Representative Hoskins.

Representative Hoskins offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 45, Section 143.173, Page 2, Line 7, by deleting the word, “**chapter**.”, and inserting in lieu thereof the following:

”**chapter**;

(4) “**Full-time job**”, a position in which the employee is considered full-time by the taxpayer and is required to work at least an average of thirty-six hours per week for a thirteen week period;

(5) “**Average annual county wage**”, the average wage in each county each year as determined by the Missouri Economic Research and Information Center (MERIC) or its successor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox offered **House Amendment No. 1 to House Amendment No. 1**.

### *House Amendment No. 1*

*to*

### *House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 45, Page 1, Line 5, by deleting the number, “**thirteen**” and inserting in lieu thereof the number, “**sixteen**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Hoskins, **House Amendment No. 1, as amended**, was adopted.

Representative McNeil offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 45, Section 1.310, Page 1, Lines 1-2, by deleting said lines and inserting in lieu thereof the following:

“1.310. 1. This section shall be known and may be cited as the [“Big Government Get Off My Back Act”] “**Small Business Act**”.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 45, Section 1.310, Page 1, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

“1.310. 1. [This section shall be known and may be cited as the “Big Government Get Off My Back Act”].”; and

Further amend said bill, section, page, Line 3, by inserting brackets around the number, “2.”; and

Further amend said bill, section, page, Line 5, by deleting the number, “3” and inserting the number, “2”; and

Further amend said bill, section, page, Line 13, by deleting the brackets around the number, “3.” and deleting the number, “4.”; and

Further amend said bill, section, Page 2, Line 22, by deleting the brackets around the number, “4.” and deleting the number, “5.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated.

Representative McNeil moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Speaker Pro Tem Schoeller assumed the Chair.

Representative Peters-Baker offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 45, Section 1.130, Page 1, Lines 3-5, by deleting the words, “**Any federal mandate implemented by the state shall be subject to statutory authorization of the general assembly. 3.**”; and

Further amend said bill, section, page, Line 13, by deleting the brackets around the number, “3.” and deleting the number, “4.”; and

Further amend said bill, section, Page 2, Line 22, by deleting the brackets around the number, “4.” and deleting the number, “5.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Peters-Baker moved that **House Amendment No. 3** be adopted.

Which motion was defeated.



Representative Kirkton requested a division of the question on **HCS HB 45, as amended**.

On motion of Representative Hoskins, **Part I of HCS HB 45, as amended**, was adopted.

On motion of Representative Hoskins, **Part II of HCS HB 45** was adopted by the following vote:

AYES: 134

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Spreng	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 024

Anders	Atkins	Ellinger	Hummel	Kander
Kelly 24	May	McCann Beatty	McDonald	Montecillo
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Diehl	Hughes	Lampe	Leara	Wright
-------	--------	-------	-------	--------

On motion of Representative Hoskins, **HCS HB 45, as amended**, was ordered perfected and printed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Peters-Baker	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 017

Atkins	Carlson	Ellinger	Kander	Kirkton
May	McDonald	McNeil	Oxford	Pace
Pierson	Schupp	Smith 71	Still	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 004

Hughes	Lampe	Leara	Wright
--------	-------	-------	--------

**MOTION**

Representative Jones (89) moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Curls	Diehl	Franz	Hughes	Jones 117
Lampe	Leara	Nance	Schad	Webb
Wright				

On motion of Representative Jones (89), the House recessed until 6:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

## ESCORT COMMITTEE

The Speaker appointed the following Committee to act with a like Committee from the Senate pursuant to **HCR 1**: Representatives Funderburk, Torpey, Dieckhaus, Korman, Scharnhorst, Parkinson, Meadows, Jones (63), Schieffer, Harris, Casey and Peters-Baker.

## JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors, and the Pledge of Allegiance to the flag was recited.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 30

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey
Dixon	Goodman	Green	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Cunningham	Engler	Purgason
------------	--------	----------

VACANCIES: 001

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126

Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Hodges	Holsman	Hughes	Lampe
Leara	McNary	Meadows	Scharnhorst	Wright

The Doorkeeper announced the approach of the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

**STATE OF THE STATE  
ADDRESS BY  
GOVERNOR JEREMIAH W. (JAY) NIXON**

Thank you, Legislative Leaders; Judges of the Missouri Supreme Court; Lieutenant Governor Kinder; state officials; members of the General Assembly; members of my cabinet; and my fellow Missourians.

I'd like to thank my wife Georganne, and our sons, Jeremiah and Will, for their strength and support every day.

Because every day, we are reminded that the world we live in can be a dangerous place.

From Afghanistan to Arizona, there is no shortage of violence and conflict.

Fortunately, there is no shortage of heroes ready to step up to defend others, and the freedoms we hold so dear.

One of them is here with us tonight.

Perry Coy is a member of the Greatest Generation.

His acts of bravery during the Second World War earned him three Purple Hearts, the Bronze Star and the Silver Star and, just last month, I was proud to present him with the French government's highest decoration for valor: the Legion of Honor.

Fresh out of Bolivar High School, Perry Coy joined the Army. The Allies had just landed in Normandy, and from the moment he set foot on French soil, he was in the thick of it. He fought through the Ardennes Forest in France and into the heart of the Third Reich.

Along the way, Staff Sergeant Coy braved enemy fire to pull back a wounded medic and he took out a nest of Nazi gunners raining hellfire on the GIs serving beside him.

Certain, special people take an oath to serve. They may wear the uniform of our armed forces or our police, our firefighters or our state troopers. But they are alike in one fundamental way.

Like Staff Sergeant Coy, they have a spirit that compels them to run toward trouble - not away from it.

They put themselves in harm's way so that we might stay safe.

Out where the ice is thin and the storm rages... where the bombs burst and the bullets fly... that's where you'll find them.

On behalf of every man and woman who has ever worn a uniform of service, will Staff Sergeant Perry Coy please stand and accept the humble thanks of our state.

Perry Coy grew up in the Great Depression, fought the Nazis at the young age of 19, and came through it all an optimist.

With faith in God, faith in the future, and faith in himself, he married his sweetheart, Mary Lou, raised a family and started his own business, right here in Jefferson City.

He personifies the values that have made this nation great in war and in peace.

Courage.

Tenacity.

Sacrifice.

Hard work.

And last, but surely not least, optimism.

The faith, that no matter how difficult things are today, our best days lie ahead.

Times are tough.

Too many folks can't make ends meet, can't find the jobs they want, or worry they'll lose the jobs they have.

But even in these tough times, I'm optimistic.

I'm optimistic because I know that by working together ... focusing on shared values ... and putting progress above politics ... brighter days are ahead for the Show-Me State.

Together, we're fighting every day, for every job.

We're fighting for every worker who needs a new skill to compete.

We're fighting for every veteran looking for work.

We're fighting for every student who dreams of college and a career.

We're fighting every day for every small business on Main Street.

We're fighting every day for every established business that wants to expand.

And we're fighting every day for every new business that wants to set up shop in the Show-Me State.

My focus is crystal clear.

By fighting every day for every job, we are turning this economy around.

The recession that began three years ago cast a long shadow across our nation.

Millions of Americans are still unemployed.

And while there are signs that our economy is beginning to turn the corner, I won't be satisfied until all Missourians can provide for their families.

How will we do it?

By fighting hard every day for every job.

By making government smarter and more efficient.

By investing in strong communities to attract and keep good jobs, and by balancing our budget without raising taxes.

There are already signs that our hard work and fiscal discipline are paying off.

The number of Missourians filing new unemployment claims is down 17 percent, year over year.

Personal income grew last year, and is expected to keep on growing this year.

November and December revenues were up, indicating that people are cautiously beginning to spend.

That's good news for our economy in the short term, and it bodes well for the long term.

Make no mistake: The national recession hit Missouri hard.

But after losing jobs back in 2008 and 2009, we turned the corner in 2010, and are poised for job growth this year.

We will continue to be aggressive and relentless, fighting every day for every job. And we'll continue to be aggressive and relentless in making government smarter and more efficient.

We've kept our fiscal house in order with prudent financial controls, rigorous cost reductions, and smarter, more efficient government.

That's earned Missouri a AAA credit rating - the best you can get - from all three rating agencies. We're one of the few states in the nation that can make that claim.

It's a big vote of confidence in our state, and saves taxpayers millions of dollars a year in interest.

Compare that to what's going on in other states:

- Texas has a \$15 billion deficit;
- Kansas hiked its sales tax last year;

- New Jersey's got a \$54 billion pension deficit; and
- Illinois just raised personal and corporate income taxes.

Now look at our state.

Fiscal responsibility is a value we share here in the Show-Me State.

With the cuts included in my budget tonight, I will have reduced government spending by more than \$1.8 billion since I took office.

I'll have cut state payroll by over 3,300 positions.

All across state government, a leaner workforce is doing more with less.

These decisions are never easy, but they are necessary.

And because we've been frugal, we have money to invest in the things that matter most to Missourians: jobs, education, health care, and law enforcement.

We've also got to grow our economy, creating a climate where the entrepreneurial spirit can thrive.

That spirit is alive and well in Missouri's small businesses that are mighty engines of job growth.

To help them move forward, we eliminated the franchise tax on 16,000 small businesses in 2009.

We created a small business loan fund to spur investment and job growth.

With us tonight are three outstanding Missouri entrepreneurs who are growing their own success.

With a \$25,000 small business loan, Kelly Burke bought new equipment at his sawmill in Marionville and hired three more workers. Burke Timber is now a diversified business, producing lumber, hardwood floors, pallets and railroad ties.

Marina Remmers used her small business loan to buy commercial printing equipment. She moved her fledgling design company out of her basement and into a storefront in Bethany - and quadrupled her sales.

Chris Heston in Columbia used his state loans to expand his woodworking business and hire another worker. His wooden toys won a Parents Choice Award in 2010.

America was built on the dreams of solitary self-starters like these, with the moxie to invest in themselves.

Please give these home-grown entrepreneurs a big hand.

Cynics say that such small wins don't add up to much.

Cynics don't build things.

Optimists do.

Every job we add matters.

It matters to the person who gets the job.

It matters to their families and communities.

And it matters to Missouri.



Fighting every day for every job, we are turning this economy around.

To compete for 21<sup>st</sup> Century jobs, we need a highly skilled and well-trained workforce. Our Training for Tomorrow and Caring for Missourians initiatives are preparing thousands more workers for the careers of tomorrow.

We've invested millions in training workers to meet the growing demand in fields like computer technology, clean energy, automotive technology and health care.

Much of that training is taking place at our excellent community colleges, where the link between education and employment has always been strong.

Moberly is training LPNs to become RNs - boosting their earning capacity.

St. Louis is training workers to repair hybrid cars.

Crowder has doubled the number of grads from its EMT program.

We've also invested \$40 million in training more than 1,000 doctors, dentists, nurses and other professionals through our Caring for Missourians initiative. With the booming demand for health care, they'll be ready to step into careers the minute they graduate.

That's why this year I am expanding Caring for Missourians to provide more opportunities for nursing students at our four-year schools.

I ask the Legislature to join me in making this critical investment in our health and the health of our economy.

Last year, I said that we needed to bring broadband to every corner of our state. We all know that technology drives today's job market. We live in a high-speed, digital world, where the most tech-savvy, early adapters will succeed.

Soon, 88 Missouri counties will be better connected, at faster speeds, to each other and to the world.

High-speed broadband will have a dramatic impact on our economy and on our quality of life.

It will connect tens of thousands of homes in rural Missouri to a network of vital community services like fire and police, schools and hospitals, libraries and government.

For a family doc in Lancaster, it means real-time access to specialists in St. Louis.

For students in DeKalb County, it will widen the gateway to infinite online resources for research and class work, both at home and at school.

For cattlemen in Texas County, it will bring faster access to new markets in Brazil and Japan.

The competition for federal funds was steep, but our MoBroadbandNow partnership was a stunning success.

More than \$260 million will be coming to Missouri, which in turn will generate tens of millions of dollars in new investment, and create thousands of new jobs.

We're fighting every day for jobs for our veterans.

Last summer, I visited our troops in Iraq, Kuwait and Afghanistan.

And everywhere I went, I heard the same question: "Will there be a job for me when I come home?"

Tonight, I'm pleased to report that our efforts helped hundreds of veterans find jobs last year.

One year ago, I announced the “Show-Me Heroes” job initiative to help our veterans quickly regain their footing in civilian life. More than 1,000 Missouri employers stepped up to take the Show-Me Heroes pledge to give veterans first crack at a job interview.

I’d like to thank each and every employer who took the Show-Me Heroes pledge and hired a veteran, and I urge every employer in our state to do the same.

One of these employers is here tonight.

Tacony Manufacturing, which makes vacuum cleaners in St. James, took the Show-Me pledge and hired three veterans. The company also took advantage of our Work Ready Missouri program, which retrain unemployed workers to compete in today’s economy.

Please give a hand to the Show-Me Heroes employers at Tacony: Nancy Montgomery and John Kaido.

Even during these challenging times, we’re making steady progress in driving job growth in the short term and laying the foundation for economic strength in the long term.

Because of our hard work of the past two years, major companies have announced plans to bring thousands of jobs to our state, including:

300 jobs at Unisys in St. Louis;  
400 jobs at Sabreliner in Perryville;  
500 jobs at Expedia in Springfield;  
500 jobs at Jet Midwest in Kansas City;  
and 800 jobs at IBM in Columbia.

And there’s more.

Nordic Windpower USA is relocating from California to Kansas City. It plans to invest \$16 million and create 200 jobs, making wind turbines that produce clean, renewable energy.

Express Scripts is investing \$73 million to expand in St. Louis. That will preserve more than 1,000 jobs, and create 150 more.

Pioneer Hi-Bred has broken ground on a \$55 million soybean research plant in New Madrid County, creating 50 new jobs and helping thousands of Missouri farmers grow better beans.

Going forward, we will fight every day to help established Missouri businesses grow, and help new ones take root.

We’re going to make things in Missouri, and keep the “P” for products in GDP.

Products like:

Boots at Redwing in Potosi;  
Batteries at Energizer in Maryville;  
Windows at Quaker Windows in Freeburg;  
Aluminum at Noranda in Marston;  
Engine parts at Bodine in Troy;  
Bullets and brakes, aircraft and appliances.

And Missouri will keep on building things, and that includes automobiles.

For a hundred years, Missouri has been an automotive state.

The industry pumps billions of dollars into our economy, and supports nearly 26,000 Missouri jobs.

But as I stood here one year ago, those jobs were in peril.

There was real concern that Ford's Claycomo plant might be the latest casualty of the 20-year decline of the U.S. auto industry.

So last summer, I called the General Assembly into special session to strengthen Missouri's automotive industry.

We fought for every man and woman whose job was on the line.

And I'm proud to announce that working together, we won that fight.

Yesterday, I inked a deal with the Ford Motor Company that guarantees thousands of jobs, \$400 million of new capital investment, and a bright future for the Ford plant in Claycomo.

With us tonight to celebrate this partnership is Ford's director of strategic planning, Steve Lewis.

Steve, please stand up and say hello.

It sure feels nice to be at the wheel when the U.S. auto industry turns a corner.

Ford's commitment will help keep thousands of hard-working Missourians on the job at Claycomo and at automotive suppliers in Hannibal, Nixa, Perryville, Joplin, Mexico - and every corner of our state.

And it's proof positive of what we already know: that the best darn workers in America are right here in the Show-Me State.

We've got some here with us tonight. Let's give them all a round of applause.

Missouri's workforce is one of our greatest assets.

And it's one of the reasons companies like Ford want to come to the Show-Me State, and stay in the Show-Me State.

But to be competitive, we constantly need to raise the level of our game.

As I listen to Missouri leaders in business, labor and education, I hear the same thing again and again: "We must make it easier for business to do business in Missouri."

They tell me that while we've made good use of our economic development tools to create jobs in the past, some of our incentives are outdated and need to be replaced.

Even the best tools need sharpening from time to time.

The feedback from our business experts is the foundation of my Compete Missouri jobs initiative. Compete Missouri is focused on providing smarter business incentives to drive job growth and sharpening our competitive edge.

First, we will consolidate our six current business incentives, and roll them into one. To qualify for these incentives, companies will have to provide good-paying jobs, and give their employees access to health care. For the first time, we'll give an extra bump to established Missouri companies, and offer added incentives to small business owners.

Second, we will roll our three worker-training programs into one, and align it with our Compete Missouri incentives. Worker-training assistance will be available to businesses as small as Ardent Outdoors, which employs 15 people in Macon, and as large as Boeing, which employs thousands.

Third, my budget for 2012 provides an additional \$5 million for job training. That will give employers more resources to maintain a highly skilled workforce and sharpen their competitive edge.

That's good for business, good for our workers and great for our economy.

Every business in Missouri needs reliable, affordable energy to grow and prosper.

And every Missouri family needs reliable, affordable energy to heat and cool their homes.

In November, I announced a historic agreement that will transform the economy of our state - creating thousands of jobs and benefitting millions of Missouri consumers of electric power.

That agreement put the wheels in motion for the construction of a second, state-of-the-art nuclear power plant in Callaway County.

Missouri has some of the lowest electric rates in the nation. That's attractive to businesses and families. But as our energy needs grow, we need to be looking now for new sources of clean, abundant and affordable power.

Building a second nuclear plant will create thousands of good-paying jobs for all our construction trades: iron and sheet metal workers; carpenters and cement masons; boilermakers and bricklayers; plumbers and pipefitters; teamsters and laborers; electrical workers and operating engineers.

They built Callaway One. And they will build Callaway Two.

As we move ahead on Callaway Two, we must make sure that we protect the interests of Missouri ratepayers - and their pocketbooks. That is why my budget includes more funding for a strong office of public counsel.

Building the next generation of nuclear power plants. Advancing the frontiers of biotechnology. The 21<sup>st</sup> Century economy is knowledge-based, and the best jobs will belong to those with the best education.

Education is a lifelong journey that begins at birth.

That's why my budget for 2012 provides funding for programs to get our youngsters off to a good start, like First Steps, Head Start, and Early Childhood Special Education.

And we must continue to invest in young minds from the day our children enter their first classrooms to the day they accept their diplomas.

So, even in a difficult year, we will protect our investment in K-12 classrooms.

As you know, states received additional federal funds, to be allocated to school districts this year.

But, in spite of receiving this money, some states are making cuts to their K-12 classrooms.

Not in Missouri.

In Missouri, we're partnering with our school districts to allow this money to be used to keep stable funding for our K-12 classrooms - not only for fiscal year 2011, but also for fiscal year 2012.

In the next ten years, Missouri student achievement must rank in the nation's top ten if we expect to compete for the best jobs in the global economy.

How will we accomplish that?

Hard work, high standards and higher expectations.

It's an ambitious goal.

But as any parent or teacher will tell you, children will rise to meet our expectations.

And we must do more to help students make the leap from high school to college.

For too long, too many excellent Missouri high school students have been unable to get A+ scholarships - through no fault of their own - simply because their schools weren't designated as A+ schools.

That's just not fair.

Every good student in Missouri deserves the opportunity to go to college - whether they live in the urban core in St. Louis or Kansas City, or down a country road in the Bootheel.

I'm talking about students like Alicen Brown and Willie Love.

Alicen is a junior at Southwest High School in Kansas City.

She's the president of the student body, a member of the district's scholars committee and a peer mediator.

She gets good grades and has already taken courses that will count toward her college degree.

But Alicen can't get an A+ scholarship because Southwest High has not been designated an A+ school.

That's just not fair.

Willie Love is a senior at Carnahan High School in St. Louis.

He's a scholar-athlete with honors in baseball, football and basketball.

He's vice-president of a community service club at school, and works with youngsters at the Demetrius Johnson football camp.

Willie's just the kind of young achiever that A+ scholarships are intended to help.

But because his school isn't designated as an A+ school, he can't even apply.

That's just not fair.

Good students like Alicen and Willie deserve an equal opportunity to succeed - no matter what high school they attend.

I call on every member of the legislature to extend our A+ program so that outstanding students all across our state are guaranteed access to A+ college scholarships.

In recognition of their outstanding achievements, please welcome Alicen Brown and Willie Love.

My budget for 2012 also includes millions of dollars for Missouri's most successful college scholarship programs, including:

Bright Flight, to help keep our top students at our excellent Missouri institutions;  
Access Missouri, which serves students with the greatest financial need;  
and A+, which has helped more than 50,000 students afford and attend college.

And to improve our students' preparation for careers in science and technology, we'll give a \$500 bonus to A+ and Access Missouri recipients who score well on Advanced Placement exams in math and science.

Because job prospects and lifetime earnings are tied directly to education, we've got to lift our aspirations for higher education as well.

Today, just 35 percent of Missouri adults hold college degrees.

We need to kick that number up to 60 percent if we want to compete for the best jobs in the new economy.

How?

By bringing the dream of a college education within reach for more Missouri families.

College affordability has been a top priority of mine since Day One.

So, while tuition soared by double digits around the nation, Missouri schools kept tuition and fees flat for two years running. Even if some schools impose modest tuition increases next year, we'll have protected Missouri families from the sharp tuition spikes seen in other states.

And the response has been overwhelming. College enrollment jumped by 10,000 students last year, hitting record highs at more than half of Missouri's universities, and boosting applications at all of them.

That's progress.

Creating jobs.

Balancing the budget without raising taxes.

Investing in our future.

Now let me tell you about what we're doing to make government smarter and more efficient.

By merging the Highway Patrol and Water Patrol, we've kept the same number of troopers on our roads and waterways with less bureaucracy. Savings to taxpayers: \$3 million.

- We've sold government cars, cut mileage reimbursements and used technology to drastically reduce state travel. Savings to taxpayers: close to \$7 million in the next two years.
- We've gotten rid of unused office space, consolidated the state health and agriculture labs and renegotiated building leases. Savings to taxpayers: more than \$5 million.
- We've cut state energy bills by two percent, on top of last year's 5.6 percent. Savings to taxpayers: \$3 million.
- And we've reformed and modernized the state pension system, which will keep it solvent now and for years to come.

But we must do more this year.

A bipartisan tax credit commission spent four months reviewing Missouri's 61 tax credit programs. They looked at which credits are giving taxpayers a good return on their investment - and which are not.

I ask the members of the Legislature to allow this commission to present its recommendations at open hearings in the House and Senate.

We should give the commission's report serious and full consideration.

Because Missourians work hard for their money.

We owe it to taxpayers to make sure they get the best bang for their buck.

Creating jobs.

Balancing the budget without raising taxes.

Investing in the future.

Making government smarter and more efficient.

All of these things are essential to the well-being of our state.

But there are special moments when, touched by the better angels of our nature, our work rises to meet a higher standard. At those moments, what we do here transforms lives.

January 1, 2011, was a landmark day for thousands of families across Missouri.

That was the day insurance companies had to start providing meaningful coverage for the diagnosis and treatment of children with autism.

Some day, when we look back at our shared history, at the battles won and lost in these chambers, this piece of legislation will be one of our landmarks, as well.

Last October, we took another bold step to help families caring for loved ones with other types of developmental disabilities, like Down syndrome and cerebral palsy.

The Partnership for Hope is designed to keep families together, and improve their quality of life by providing support for their loved ones at home.

I'd like to introduce you to a young man sitting in the back gallery.

His name is Nick Ayers. He's 31 and lives in Lincoln County with his parents, Russell and Janet.

Nick has cerebral palsy. He can do a lot on his own, but he needs a hand preparing meals, managing personal business, and staying safe.

Janet and Russell want their son to live a full and happy life as an independent member of their community. But as they get older, they worry that keeping up with Nick will become a real challenge.

Like too many Missouri families, the Ayerses had been on a waiting list for support services for years ... and years...and years. Today, we're providing those services for them, and hundreds more families - at home, at a fraction of the cost of institutional care.

Please join me in welcoming Nick, Janet and Russell Ayers, as representatives of Missouri's life-changing Partnership for Hope.

Last year, we passed historic DWI legislation with strong bipartisan support.

That new law is making our highways safer for everyone.

With us tonight are the superintendent of the Highway Patrol, Colonel Ron Replogle, and Sergeant Blaine Adams from Troop E in Poplar Bluff.

Sergeant Adams has made an amazing 1,060 DWI arrests - more than any other current member of the patrol.

1,060 DWI arrests.

Can you imagine how many lives this one trooper has saved?

For its exceptional record of educating the public, and protecting Missourians from drunk drivers, the Patrol received the national 2010 Outstanding Law Enforcement Agency Award from Mothers Against Drunk Driving.

Colonel Replogle and Sergeant Adams, on behalf of all the men and women of the Highway Patrol, please stand and accept the gratitude of your state.

But we must do more to protect the health of our citizens.

This year, my budget will provide good nutrition for thousands of house-bound seniors who rely on home-delivered meals.

Our seniors also need help paying for their medicine.

We have a program to help low-income seniors and people with disabilities keep up with the skyrocketing costs of prescription drugs.

The Missouri Rx program is a lifeline for more than 200,000 Missourians every year.

But Missouri Rx is set to expire this summer.

We cannot let that happen.

My budget includes funds for the Missouri Rx program, but the Legislature must extend it.

Nobody should be forced to choose between paying for medicine and putting food on the table.

Nobody.

I urge the members of the General Assembly to reauthorize this vital program and send it to my desk.

There's another piece of the people's business that requires our attention: ethics reform.

The people of Missouri need to know that their elected representatives are working in the public interest - and not for personal gain.

Right now, anyone can write a check for any amount of money, and tip the balance of an election.

That is corrosive to our democracy.

We need to set strict limits on campaign contributions that are undermining the sovereignty of the people and subverting the fundamental principle of free and fair elections.

We need meaningful ethics reform this year.

In the past year, I've visited businesses and schools, farms and factories, hospitals and veterans homes from Bethany to Bernie, and seen a lot of countryside in between.

One of the many things that make Missouri such a special place to live is our wonderful system of state parks. There's a quiet beauty to Missouri that weaves its own kind of magic.

That may explain why I've never lived anywhere else.

Never wanted to.



Like thousands of Missourians, I grew up hunting and fishing, hiking and canoeing with my Mom and Dad. Georganne and I have continued that outdoor tradition with our family.

While visiting our state parks last year, Georganne and I saw Missouri's first State Parks Youth Corps in action.

At a time when it's been especially tough for young people to find jobs, the State Parks Youth Corps put money in the pockets of more than 1,000 young workers - at no cost to the state.

The National Association of State Park Directors gave our State Parks Youth Corps its top award for innovation in 2010. And I'm pleased to report that the Youth Corps will put hundreds more kids to work in our parks this summer.

Believe me, those young folks worked hard.

We saw them rebuilding stone walls at Roaring River, painting cabins at Montauk, and blazing trails at Cuivre River and Rock Bridge.

And while they were at it, they learned valuable life and work skills:  
Show up on time;  
do your best;  
and get the job done.

Working outside all summer long, they also gained a new respect and appreciation for nature.

If you look up in the balcony, you'll see them in their green T-shirts.

Please welcome the members of Missouri's first State Parks Youth Corps.

This is a critical time for Missouri.

The shadows of the recession are lifting.

The bright rays of recovery are gathered on the horizon.

Now, more than ever, Missouri needs its leaders to focus on what is most important:  
Creating jobs;  
making government smarter and more efficient;  
investing in strong communities; and  
balancing the budget without raising taxes.

The people of Missouri want problem-solvers, not politicians.

The people of Missouri want results, not rhetoric.

Because, as we've seen in Washington, when politicians cling to ideology, and kick common sense to the curb, when they focus on the party line and not the bottom line... nothing gets done. Missouri is blessed with a long and strong tradition of bipartisanship.

And in Missouri, we get things done.

Why?

Because, here in the heartland, we share common values and common goals.

We want the opportunity to work hard at work worth doing, whether it's building the next generation of fuel-efficient trucks, or growing better soybeans to feed a hungry world.

We want our children to get a first-rate education that prepares them to compete for the best jobs in the global economy.

We want safe, strong communities where neighbors help neighbors.

We want a vibrant and prosperous economy, where “Made in America” is still the gold standard - whether it’s stamped on an F-150 or an F-15.

And we make them both, right here in the Show-Me State.

For as long as I’ve been a public servant - as a state senator, as attorney general and now, as your governor - my approach has been pretty simple.

Bring folks together.

Hash things out.

Find solutions.

Now, we all know the folks in this room have differences of opinion.

And we all know we’ll have some disagreements.

But it’s worth remembering that we all serve the people of Missouri.

All of your constituents are my constituents... and the common good is our common goal.

I’d like to close tonight with the words of a native son.

He’s been a strong and steadfast servant of the people, and a champion for Missouri commerce, education and agriculture for more than 40 years: Senator Christopher S. Bond.

Here’s what Kit had to say last month in his farewell address on the Senate floor:

“In a world today, where enemies are real ... it is important to remember there is a lot of real estate between a political opponent and a true enemy.”

“There will be issues where people of good conscience cannot come together.”

“But never let what cannot be done interfere with what can be done.”

In the days and weeks ahead, let us take those words to heart, and act on them in good faith.

Let us do what can be done... what must be done ... for the people of Missouri.

God bless Missouri.

God bless America.

Thank you, and good evening.

The Joint Session was dissolved by Senator Dempsey.

Speaker Tilley resumed the Chair.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HCS HB 45** - Fiscal Review (Fiscal Note)

**HB 163** - Workforce Development and Workplace Safety

## COMMITTEE REPORT

**Committee on Urban Issues**, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 71**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 228**, introduced by Representative Schoeller, relating to billboards.

**HB 229**, introduced by Representatives Curls and Leara, relating to school retirement systems.

**HB 230**, introduced by Representatives Davis, Jones (89), Diehl, Lant, Kelley (126), Lichtenegger and White, relating to the Missouri uniform trust code.

**HB 231**, introduced by Representatives Thomson, Still, Schupp, Wallingford and Hoskins, relating to an advanced placement incentive grant.

**HB 232**, introduced by Representatives Thomson, Schupp, Still, Wallingford and Denison, relating to the A+ schools program.

**HB 233**, introduced by Representatives Lant, Fitzwater, Taylor, Reiboldt, Davis, Flanigan, Brown (85), Fuhr, Hoskins, Denison, Guernsey, Leach, Gatschenberger, Smith (150), Schieffer, McGhee, Colona, Kelly (24), Wyatt, Faith, Cierpiot, Kelley (126) and Hinson, relating to unlawful picketing of a funeral.

**HB 234**, introduced by Representatives Kander, Colona, Lant, Lasater, McNeil, McManus, Reiboldt, Hummel, Phillips, Webber, Kirkton, Peters-Baker, Lampe, Still, Higdon, Tilley, Walton Gray, Anders, Pace, Oxford, Atkins, Conway (27), McCann Beatty, McGeoghegan, Rizzo, Montecillo, Sifton, Fallert, Casey, Carter, Fisher and Schupp, relating to requiring entry into MULES of certain child custody and visitation information contained in orders of protection.

**HB 235**, introduced by Representatives Kelly (24), Rowland, Pace, Nasheed, Guernsey, McNary, Carlson, Walton Gray, Still, Smith (71), Oxford, Schieffer, Fuhr and Gatschenberger, relating to the sale or disclosure of driver record information.

**HB 236**, introduced by Representatives Kelly (24), Silvey, Tilley, Stream, Lair, Flanigan, Jones (89), Cauthorn, Talboy, Jones (63), Swinger, Schupp and Parkinson, relating to federal reimbursement allowances.

**HB 237**, introduced by Representatives Zimmerman, Taylor, Webb, Oxford, Anders, McDonald, Black, Atkins, Pace, Conway (27), Still, Fallert, Kander, Hummel, Brown (50), Aull, Nichols, Newman, Lampe, Walton Gray, Montecillo, Carlson, Harris, Spreng, Ellinger, Sifton, Kelly (24), McNeil, Peters-Baker, McCann Beatty, Pierson, Colona, Schupp, Kirkton, McManus, McGeoghegan, Meadows, Talboy and Carter, relating to ethics.

**HB 238**, introduced by Representatives Kander, Fisher, Lampe, Still, Aull, Fallert, Talboy, Kratky, Holsman, Colona, Peters-Baker, Walton Gray and Webber, relating to unemployment benefits.

**HB 239**, introduced by Representatives Kander, Fisher, Lampe, Still, Aull, Fallert, Talboy, Holsman, Colona, Walton Gray and Webber, relating to the veteran workforce act.

**HB 240**, introduced by Representatives Fallert, Zimmerman, Conway (27), Meadows, Black, Hummel and Casey, relating to elections.

**HB 241**, introduced by Representative Fallert, relating to the public education employee retirement system.

**HB 242**, introduced by Representatives Fallert, Meadows, Schieffer, Black, Hummel and Denison, relating to safety precautions for trailer and semitrailer operators.

**HB 243**, introduced by Representatives Still, Webber, Quinn, Kelly (24) and Ellinger, relating to the University of Missouri board of curators.

**HB 244**, introduced by Representatives Still, Webber, McNeil, Quinn, Lichtenegger, Kelly (24), Molendorp and Schupp, relating to the University of Missouri board of curators.

**HB 245**, introduced by Representatives Newman, Talboy, Shively, Lampe, Aull, Jones (63), McCann Beatty, Hummel, Walton Gray, Brown (50), Pace, Oxford, Nichols, Hubbard, Kratky, Smith (71), Peters-Baker, Carlson, Colona, Sifton, Kelly (24), Conway (27), Pierson, McDonald, Carter, Kirkton, Spreng, Anders, Kander, Still, Curls, Schupp, Nasheed, Black, Taylor, Webb, Zimmerman, Hodges, McManus, Harris, Atkins, Montecillo, McGeoghegan, Rizzo, Schieffer, Swearingen, Quinn, Holsman, Meadows, Ellinger, Casey, Swinger and Webber, relating to elections.

**HB 246**, introduced by Representatives Shively, Quinn, Black, Denison, Rowland, Cookson, Schad, Phillips, Smith (150) and Franz, relating to school funding.

**HB 247**, introduced by Representatives Kelley (126), Redmon, Gatschenberger, Lant, Davis, White, Conway (14), Long, Bahr, Berry, Franklin, Wyatt, Schoeller and Brattin, relating to false identification to a law enforcement officer.

**HB 248**, introduced by Representatives McNeil, Sifton, Kelly (24), Still, Webber, Hummel and Smith (71), relating to an income tax deduction for certain tuition costs.

**HB 249**, introduced by Representatives Fitzwater, Gatschenberger, Barnes, Wyatt, Day, Largent, Lichtenegger, Richardson, Hampton, McGhee, Nasheed, Hinson, Elmer, Lant, Webb, Smith (71), Jones (117), Torpey, Johnson, Klippenstein, Brown (85), Kelley (126), Fraker, Leach, Keeney, Cookson, Schad, Montecillo and Walton Gray, relating to the designation of Vietnam veterans day.

**HB 250**, introduced by Representatives Cox, Lant, Wright, Lichtenegger, Ruzicka, Brown (116), Gatschenberger and Schoeller, relating to well water.

**HB 251**, introduced by Representatives Cox, Gatschenberger and Bahr, relating to tax credits for qualified film production projects.

**HB 252**, introduced by Representatives Cox, Lant, Ruzicka, Fisher, Bahr, Kelley (126), Hampton, Koenig, Fuhr, Nance, Burlison, Brown (116) and Gatschenberger, relating to business premises safety.

**HB 253**, introduced by Representatives Cox, Kelley (126), Colona, Fuhr, Nance, Gatschenberger and Kelly (24), relating to criminal justice.

**HB 254**, introduced by Representative Cox, relating to restitution and the costs for collecting it.

**HB 255**, introduced by Representatives Cox, Nance and Gatschenberger, relating to the private attorney retention act.

**HB 256**, introduced by Representatives Cox, Colona, Richardson, Barnes, Kelly (24), Kander, Nance and Gatschenberger, relating to the basic civil legal services fund.

**HB 257**, introduced by Representatives Cox, Lant, Koenig, Fuhr and Ruzicka, relating to abolishing the sentencing advisory commission.

**HB 258**, introduced by Representatives Cox and Burlison, relating to beer wholesalers.

**HB 259**, introduced by Representative Cox, relating to disclosure of certain foster care licensure information.

**HB 260**, introduced by Representatives Cox, Colona, Richardson, Kelly (24), Kander and Barnes, relating to the uniform interstate family support act.

**HB 261**, introduced by Representative Barnes, relating to teacher layoffs.

**HB 262**, introduced by Representatives Smith (150), Ruzicka, Lant, Koenig, Brattin, Keeney, Cross, Richardson, Fitzwater, Hampton, Weter, Solon, Johnson, Hinson, Hough, Burlison, Long, Fuhr and Gatschenberger, relating to the purchase of health insurance.

The following member's presence was noted: Lampe.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 20, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture, Department of Natural Resources, Department of Conservation.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture, Department of Natural Resources, Department of Conservation.

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 1.

Executive Session may be held.

Budget presentation by the Department of Elementary and Secondary Education.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 3.

Executive Session may be held.

Public Testimony. Those wishing to testify before the committee please notify the committee chair's office before the meeting date. Contact Emily at 751-2949.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Thursday, January 20, 2011, 8:00 AM House Hearing Room 3.

Department of Health and Senior Services overview.

May reconvene after morning adjournment.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 5.

Public testimony to be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

**DOWNSIZING STATE GOVERNMENT**

Thursday, January 20, 2011, 8:00 AM House Hearing Room 4.

Executive Session may be held.

Public hearing to be held on: HB 139

CANCELLED

**FISCAL REVIEW**

Thursday, January 20, 2011, 8:30 AM South Gallery.

Executive Session may be held.

Any bills referred to the committee.

**HEALTH INSURANCE**

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 5.

Organizational Meeting.

**HIGHER EDUCATION**

Thursday, January 20, 2011, 9:00 AM House Hearing Room 6.

Organizational Meeting.

**JOINT COMMITTEE ON EDUCATION**

Wednesday, January 26, 2011, 8:00 AM

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

**TOURISM AND NATURAL RESOURCES**

Thursday, January 20, 2011, 8:30 AM House Hearing Room 7.

Organizational meeting plus brief presentation by Division of Tourism.

**URBAN ISSUES**

Monday, January 24, 2011, House Hearing Room 5, 5:00 PM or upon afternoon adjournment.

Executive Session may be held.

Public hearing to be held on: HB 71

CANCELLED

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Thursday, January 20, 2011, 8:00 AM House Hearing Room 1.

Executive Session may be held.

Public hearing to be held on: HB 91, HB 162

CORRECTED

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, January 24, 2011, 12:00 PM House Hearing Room 6.

Executive Session may be held.

Public hearing to be held on: HB 163

**HOUSE CALENDAR**

NINTH DAY, THURSDAY, JANUARY 20, 2011

**HOUSE BILLS FOR SECOND READING**

HB 228 through HB 262

**HOUSE BILLS FOR PERFECTION**

HCS HBs 73 & 47 - Brandom

**HOUSE BILLS FOR THIRD READING**

HCS HB 45, (Fiscal Review 1-19-11) - Hoskins



# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

NINTH DAY, THURSDAY, JANUARY 20, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The Lord God is a sun and shield: The Lord will give grace and glory: no good thing will He withhold from them that walk uprightly. (Psalm 84:11)*

"Spirit of God, descend upon my heart;  
Wean it from earth; through all its pulses move;  
Stoop to my weakness, mighty as You are;  
And make me love You as I ought to love."

Spirit of God descend upon our hearts - this is our prayer this snowy morning. Make us daily aware of Your presence and in Your spirit may we find the attitudes we need for this day. Slow us down, Lord, slow us down; we work too hard, we eat too fast, we hurry too much. Help us to take time to think clearly, time to pray sincerely, and above all time to cultivate the sense of Your presence in our hearts and in our homes. Then give us the faith and the fortitude to walk uprightly in Your way, for the good of the State of Missouri and for the glory of Your Holy Name.

We recall today our Missouri history when in 1872 Governor Brown became the first occupant of the current Executive mansion. Bless all who have resided there, past, present and future. Strengthen the dedication of all who strive to protect and preserve this residence. We beg this favor in the name of Him, Who is the Ancient of Days. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighth day was approved as printed.

## **SPECIAL RECOGNITION**

Dr. Paul G. Dolan, Dr. Jon I. Haynes, Dr. Marshall S. Manne and Dr. Jacob J. Lippert were recognized by Speaker Pro Tem Schoeller for their 50 years of service to the dental profession.

Dr. Ervin W. Harder was introduced by Representative Shumake and presented a resolution for his 50 years of service to the dental profession.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 172 through House Resolution No. 206

## HOUSE CONCURRENT RESOLUTIONS

Representative Nolte offered House Concurrent Resolution No. 16.

Representative Schieffer, et al., offered House Concurrent Resolution No. 17.

## SECOND READING OF HOUSE BILLS

**HB 228** through **HB 262** were read the second time.

## COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 45** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF HOUSE BILL

**HCS HB 45**, relating to small business tax relief, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HCS HB 45** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McGhee	McManus	McNary	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Stream	Swinger
Talboy	Thomson	Torpey	Wallingford	Wells

Weter  
Mr Speaker

White

Wieland

Wyatt

Zerr

NOES: 021

Atkins

Ellinger

Hummel

Kander

Kirkton

Lampe

May

McDonald

McGeoghegan

McNeil

Oxford

Pace

Pierson

Schupp

Smith 71

Still

Swearingen

Taylor

Walton Gray

Webb

Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Carlson

Hughes

Leara

Meadows

Wright

Zimmerman

Speaker Pro Tem Schoeller declared the bill passed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 3** - Budget

**HCR 6** - Tourism and Natural Resources

**HCR 11** - Tourism and Natural Resources

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 2** - Children and Families

**HJR 3** - Agri-Business

**HJR 6** - Workforce Development and Workplace Safety

**HJR 8** - Tax Reform

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 28** - Children and Families

**HB 29** - Health Care Policy

**HB 30** - Small Business

**HB 35** - Judiciary

**HB 42** - Utilities

**HB 44** - Downsizing State Government

**HB 46** - General Laws

**HB 48** - Elementary and Secondary Education

**HB 54** - Elections

**HB 55** - Ways and Means  
**HB 56** - Economic Development  
**HB 58** - Transportation  
**HB 60** - Local Government  
**HB 77** - International Trade and Job Creation  
**HB 78** - Tax Reform  
**HB 79** - Veterans  
**HB 80** - Local Government  
**HB 81** - Tax Reform  
**HB 83** - Financial Institutions  
**HB 86** - Small Business  
**HB 88** - Judiciary  
**HB 90** - General Laws  
**HB 92** - General Laws  
**HB 94** - Agriculture Policy  
**HB 95** - Elections  
**HB 99** - Agriculture Policy  
**HB 100** - Agriculture Policy  
**HB 101** - Local Government  
**HB 102** - Ways and Means  
**HB 105** - Crime Prevention and Public Safety  
**HB 107** - Elections  
**HB 108** - General Laws  
**HB 109** - Financial Institutions  
**HB 111** - Judiciary  
**HB 112** - Rural Community Development  
**HB 113** - General Laws  
**HB 114** - Transportation  
**HB 116** - Ways and Means  
**HB 124** - Utilities  
**HB 126** - Transportation Funding and Public Institutions  
**HB 127** - Retirement  
**HB 129** - Judiciary  
**HB 131** - Agriculture Policy  
**HB 136** - Veterans  
**HB 137** - Transportation Funding and Public Institutions  
**HB 138** - Elementary and Secondary Education  
**HB 142** - Local Government  
**HB 148** - Insurance Policy  
**HB 149** - Veterans  
**HB 151** - Ways and Means  
**HB 157** - Local Government  
**HB 161** - Local Government  
**HB 168** - International Trade and Job Creation  
**HB 169** - Elementary and Secondary Education  
**HB 171** - Elections  
**HB 173** - Financial Institutions

**HB 174** - Higher Education  
**HB 183** - Retirement  
**HB 186** - Elections  
**HB 189** - Tourism and Natural Resources  
**HB 190** - Tourism and Natural Resources  
**HB 191** - Tourism and Natural Resources  
**HB 192** - Tourism and Natural Resources  
**HB 193** - Special Standing Committee on Redistricting  
**HB 196** - Health Care Policy  
**HB 203** - Crime Prevention and Public Safety  
**HB 204** - Veterans  
**HB 205** - Workforce Development and Workplace Safety  
**HB 209** - Agri-Business  
**HB 211** - Small Business  
**HB 213** - Health Care Policy  
**HB 214** - Crime Prevention and Public Safety  
**HB 215** - General Laws  
**HB 217** - Elections  
**HB 218** - Judiciary  
**HB 219** - Elementary and Secondary Education  
**HB 220** - Professional Registration and Licensing  
**HB 224** - Professional Registration and Licensing  
**HB 225** - Crime Prevention and Public Safety  
**HB 226** - Workforce Development and Workplace Safety  
**HB 235** - Downsizing State Government  
**HB 262** - Health Insurance

## **COMMITTEE REPORT**

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **HOUSE CONCURRENT RESOLUTION NO. 5**

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the Public Service Commission filed a proposed amendment for 4 CSR 240-20.100 on January 8, 2010, and filed the order of rulemaking with the Joint Committee on Administrative Rules on June 2, 2010, and filed an amendment order or rulemaking with the Joint Committee on Administrative Rules on July 1, 2010; and

WHEREAS, the Joint Committee on Administrative Rules held hearings on June 24, June 30, and July 1, 2010, and has found 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 lacking in compliance with the provisions of Chapter 536, RSMo:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby finds that the Public Service Commission has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of section 536.014, RSMo; and

BE IT FURTHER RESOLVED that the General Assembly, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, Electric Utility Renewable Energy Standard Requirements; and

BE IT FURTHER RESOLVED that a copy of this resolution be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-sixth General Assembly, First Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

## INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HR 18**, introduced by Representatives Parkinson and Tilley, relating to disapproving the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials.

## INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 11**, introduced by Representatives Burlison, McNary, Koenig, Elmer, Long, Parkinson, Hampton, Schoeller, Smith (150), Allen, Wyatt, Jones (89), Neth, Schad, Kelly (24) and Gatschenberger, relating to the commonsense obligation to provide accountability and spending stabilization act.

**HJR 12**, introduced by Representatives Burlison, Long, Smith (150), Allen, Neth, McNary and Cox, relating to the general assembly.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 263**, introduced by Representative Weter, relating to the Missouri local government employees' retirement system.

**HB 264**, introduced by Representatives Nolte and Weter, relating to the manufacturing jobs act.

**HB 265**, introduced by Representatives Smith (150), Wells, Pollock and Dugger, relating to nurses.

**HB 266**, introduced by Representatives Smith (150), Rowland, Ruzicka, Wright and Neth, relating to weight limitations for vehicles hauling livestock.

**HB 267**, introduced by Representatives McNeil, Schoeller, Holsman, Kelly (24), Molendorp, Still, Faith and Oxford, relating to environmentally sustainable construction for state-funded buildings.

**HB 268**, introduced by Representatives Lasater, Kelly (24), Solon, Torpey and Lichtenegger, relating to mining safety.

**HB 269**, introduced by Representatives Molendorp and Nance, relating to tort liability and immunity.

**HB 270**, introduced by Representatives Burlison and Swinger, relating to state health insurance benefits.

**HB 271**, introduced by Representatives Burlison, Guernsey, Brattin, Smith (150), Flanigan, Koenig, Brandom, Loehner, Houghton, Elmer, Long, Fraker, Hough, Parkinson, Leach, Hampton, Schoeller, Allen, Wyatt, Riddle, Jones (89), Korman, Hinson, Schad, Bahr and Ruzicka, relating to concealed carry endorsements.

**HB 272**, introduced by Representatives Kirkton, Oxford, Still, Jones (63), McNeil, Walton Gray, Schupp, Pace, Loehner, Lampe, Curls, Sater, Schad, Jones (117), Richardson, Pollock, Fraker, Franz, Weter and Dugger, relating to the MO HealthNet oversight committee.

**HB 273**, introduced by Representatives Allen, Flanigan, Richardson, Jones (117), Zerr, Dieckhaus and Weter, relating to school safety.

**HB 274**, introduced by Representatives Bahr and Kelley (126), relating to funeral protests.

**HB 275**, introduced by Representatives Franz and Denison, relating to employee rights.

**HB 276**, introduced by Representatives Franz, Fisher, Reiboldt, Lant, Day, Denison, Hinson, Solon, Gatschenberger, Lichtenegger, Bahr, Cross and Kelley (126), relating to funeral protests.

**HB 277**, introduced by Representatives Franz, Riddle and Barnes, relating to voter registration for hunting and fishing permit applicants.

**HB 278**, introduced by Representatives McNeil, Swearingen, Kirkton, McDonald, Newman, Peters-Baker, Pace, Walton Gray, Oxford, Schupp, Jones (63), Kelly (24), Still and Carter, relating to the implementation of the streamlined sales and use tax agreement.

**HB 279**, introduced by Representatives Solon, Tilley, Smith (150), Schoeller, Riddle, Dieckhaus, Diehl, Hampton, Allen, McGhee, Kelly (24), Weter, Lant, Wright, Day, Franz, Cross, Hough, Nance, Gatschenberger, Lasater and Fitzwater, relating to the senior citizens protection act.

**HB 280**, introduced by Representatives Frederick, Haefner, Allen, Wallingford, Neth, Berry, Franklin, Denison, McCaherty, Phillips, Guernsey, Kelley (126) and Koenig, relating to diagnostic imaging services.

**HB 281**, introduced by Representatives Kelley (126), Crawford, Redmon, Houghton, Brattin, Lant, Reiboldt, Wyatt, Fitzwater, Frederick, Davis, Entlicher, Parkinson, Richardson, Dugger, Smith (150), Wallingford, Loehner, Shively, Aull, Schieffer, Long, Schoeller, Cross, Brown (116), Denison, Fisher and Franz, relating to commercial dog breeders.

**HB 282**, introduced by Representative Franz, relating to the state employee deferred contribution program.

**HB 283**, introduced by Representatives Rowland, Kelley (126), Cox, Loehner, Elmer, Hinson, Phillips, Koenig, Riddle, Shumake, Wells, Pollock, Schoeller, Smith (150), Franklin, Fisher and Leach, relating to declarations of candidacy.

**HB 284**, introduced by Representatives McNary, Cierpiot, Redmon, Houghton, Nolte, Berry, Guernsey, Haefner, Brattin and Brown (85), relating to possession and use of certain alcohol containers and devices on certain rivers.

## COMMUNICATION

January 20, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Jeanette Mott Oxford as a member of the Committee on Tax Reform and appoint Representative Rory Ellinger as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37



## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, January 24, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 1.

Executive Session may be held.

Budget presentation by the Department of Elementary and Secondary Education.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 3.

Executive Session may be held.

Public Testimony.

Those wishing to testify before the committee please notify the committee chair's office before the meeting date. Contact Emily at 751-2949.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 5.

Public testimony to be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

### **ELECTIONS**

Tuesday, January 25, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 107, HB 171, HB 186, HB 217, HB 95

Executive Session may be held.

GENERAL LAWS

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 113, HB 215

Executive Session may be held.

AMENDED

HEALTH INSURANCE

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 5.

Organizational Meeting.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 9:00 AM Senate Committee Room 1.

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

CORRECTED

SMALL BUSINESS

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 7.

Executive Session may be held.

Brad Jones (NFIB) will be bringing individuals from Missouri small business community and hearing will be held for informational purposes.

URBAN ISSUES

Monday, January 24, 2011, House Hearing Room 5, 5:00 PM or upon afternoon adjournment.

Public hearing to be held on: HB 71

Executive Session may be held.

CANCELLED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, January 24, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 163

Executive Session may be held.

**HOUSE CALENDAR**

TENTH DAY, MONDAY, JANUARY 24, 2011

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 18

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 11 and HJR 12

**HOUSE BILLS FOR SECOND READING**

HB 263 through HB 284

**HOUSE BILLS FOR PERFECTION**

HCS HBs 73 & 47 - Brandom

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TENTH DAY, MONDAY, JANUARY 24, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

The songwriter wrote, "*O LORD, our Lord, How majestic is Your name in all the earth, Who have displayed Your splendor above the heavens! When I consider Your heavens, the work of Your fingers, The moon and the stars, which You have ordained; What is man that You take thought of him, And the son of man that You care for him? Yet You have made him a little lower than God, And You crown Him with glory and majesty...O LORD, our Lord, How majestic is Your name in all the earth! (Psalm 8:1, 3-5,9)*

Father, You have given us another day to be at Your service – for this we give thanks.

I pray this afternoon on behalf of these, Your servants, for discernment as they serve the people of Missouri. May they know what is best and right for those whom they represent.

Surround them, O Lord, with people who will give wise counsel. May they see the difference between the good and the bad and I pray that they will choose that which is good.

May they remember the Proverb that "*Loyalty and truth preserve the king, And he upholds his throne by righteousness*" (Proverbs 20:28).

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as corrected by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick

Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Brattin	Diehl	Funderburk	Hughes
Keeney	McCann Beatty	Meadows	Nolte	Parkinson
Silvey	Mr Speaker			

## HOUSE RESOLUTION

Representative Allen offered House Resolution No. 207.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 208 through House Resolution No. 240

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 18** was read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 11** and **HJR 12** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 263** through **HB 284** were read the second time.

## COMMITTEE REPORT

**Committee on Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 163**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 285**, introduced by Representative Fitzwater, relating to classification of certain real property.

**HB 286**, introduced by Representative Barnes, relating to designation of tax refunds to the American Red Cross.

**HB 287**, introduced by Representative Brandom, relating to health care professional identification badges.

**HB 288**, introduced by Representatives Lair, Shively, Lant, Gatschenberger and Fisher, relating to employment of an attorney by a sheriff.

**HB 289**, introduced by Representatives Lair, Shively, Lant, Gatschenberger, Kelley (126) and Fisher, relating to the election or appointment of a sheriff.

**HB 290**, introduced by Representatives Gatschenberger and Talboy, relating to the acquisition of insurance coverage by certain political subdivision syndicates without the need for soliciting competitive bids.

**HB 291**, introduced by Representatives Denison, Phillips, Long, Meadows, Fallert, Schieffer, Stream, Gatschenberger, Wells, Weter, McGhee, Sater, Ruzicka, Day, Thomson, Entlicher, Dugger, Koenig, Schoeller, Smith (150), Elmer, Nance, Silvey, Cauthorn, Funderburk, Shumake, Rowland, Cierpiot, Cox, Bernskoetter, Hinson, Zerr, Richardson, Jones (117), Jones (89), Scharnhorst, Conway (14), Franklin, Brown (85), Harris, Guernsey, Lant, Leach, Brown (50), Fraker, Nasheed, Talboy, Jones (63), Kelly (24), Holsman, Torpey, Webb, Kratky, Hodges, McManus, Black, Oxford, Atkins, Conway (27), McCann Beatty, Curls, Rizzo, Taylor, McGeoghegan, Pace, Walton Gray, Hubbard, Anders, Quinn, Shively, Aull, Loehner, Pollock, Carter, Allen, Lair, Grisamore, Houghton, Crawford, Brown (116), Riddle, White, Wieland, Davis, Brattin, McCaherty, Frederick and Fitzwater, relating to motor vehicle windshield stickers.

**HB 292**, introduced by Representative Schneider, relating to real estate appraisers.

**HB 293**, introduced by Representative Schneider, relating to merchandising practices at health spas.

**HB 294**, introduced by Representatives Riddle and Franz, relating to the age limit for concealed carry endorsements.

**HB 295**, introduced by Representatives Hinson, Colona, Nance, Fuhr, Lampe, Wright, Kander, Johnson, Jones (117), Hough and Richardson, relating to diseases presumed incurred in the line of duty by firefighters.

**HB 296**, introduced by Representatives Curls and McCann Beatty, relating to contracts for deeds.

**HB 297**, introduced by Representatives Riddle, Franz, Jones (89), Jones (63), Wyatt, Largent and Oxford, relating to child abuse.

**HB 298**, introduced by Representative Fitzwater, relating to the imposition of a hospital district sales tax in lieu of a property tax to fund a hospital district.

The following members' presence was noted: Funderburk, McCann Beatty, Meadows, Parkinson and Silvey.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, January 25, 2011.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Ninth Day, Thursday, January 20, 2011, Page 201, Line 24, by deleting the word "**HR**" and inserting in lieu thereof the word "**HCR**".

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 99, HB 94, HB 131

Executive Session may be held.

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

**APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

**APPROPRIATIONS - EDUCATION**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 1.

Executive Session may be held.

Budget presentation by the Department of Elementary and Secondary Education.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 3.

Executive Session may be held.

Public Testimony.

Those wishing to testify before the committee please notify the committee chair's office before the meeting date. Contact Emily at 751-2949.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 3.

Budget Presentations for: Public Debt, Office of Administration Debt

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Tuesday, January 25, 2011, 2:00 PM House Hearing Room 5.

Public testimony to be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 5.

Public testimony will be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

**AMENDED**

**CHILDREN AND FAMILIES**

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HJR 2, HB 28

Executive Session may be held.

**CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 105

Executive Session may be held.



#### DOWNSIZING STATE GOVERNMENT

Thursday, January 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 44, HB 139, HB 235

Executive Session may be held.

#### ELECTIONS

Tuesday, January 25, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 107, HB 171, HB 186, HB 217, HB 95

Executive Session may be held.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 138, HB 219

#### ETHICS

Tuesday, January 25, 2011, 1:00 PM House Hearing Room 1.

Executive Session may be held.

Ethics Committee Rules of Procedure Pursuant to Rule 36(c)

#### GENERAL LAWS

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 113, HB 215

Executive Session may be held.

AMENDED

#### HEALTH CARE POLICY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 29, HB 196

Executive Session may be held.

AMENDED

#### HEALTH INSURANCE

Tuesday, January 25, 2011, 12:00 PM House Hearing Room 5.

Organizational Meeting.

#### INSURANCE POLICY

Monday, January 31, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 148

Executive Session may be held.

#### INTERNATIONAL TRADE AND JOB CREATION

Tuesday, January 25, 2011, 4:00 PM House Hearing Room 1.

Organizational Meeting.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, January 26, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 61

Executive Session may be held.

JOINT COMMITTEE ON EDUCATION

Wednesday, January 26, 2011, 9:00 AM Senate Committee Room 1.

Executive Session may be held.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

CORRECTED

JUDICIARY

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 35, HB 88, HB 129, HB 111, HB 218

Executive Session may be held.

LOCAL GOVERNMENT

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 7.

Organizational Meeting.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 220, HB 224

If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 220, HB 224

If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

RETIREMENT

Thursday, January 27, 2011, 9:00 AM House Hearing Room 1.

Organizational Meeting.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, January 25, 2011, 3:00 PM House Hearing Room 6.

Executive Session will be held: HB 71

SMALL BUSINESS

Wednesday, January 26, 2011, 12:00 PM HR 7.

Executive Session may be held.

Brad Jones (NFIB) will be bringing individuals from Missouri small business community and hearing will be held for informational purposes.

**TAX REFORM**

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 76

Executive Session may be held.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, January 27, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 137, HB 126

**UTILITIES**

Tuesday, January 25, 2011, 1:00 PM House Hearing Room 5.

Organizational Meeting Only.

**VETERANS**

Tuesday, January 25, 2011, 8:00 AM House Hearing Room 1.

Executive Session will be held: HB 149

Public hearing to be held on: HB 136, HB 79, HB 204, HB 149

Executive Session may be held.

**HOUSE CALENDAR**

ELEVENTH DAY, TUESDAY, JANUARY 25, 2011

**HOUSE BILLS FOR SECOND READING**

HB 285 through HB 298

**HOUSE BILLS FOR PERFECTION**

HCS HBs 73 & 47 - Brandom

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

ELEVENTH DAY, TUESDAY, JANUARY 25, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicky, Chaplain.

*God who made the world and all things therein seeing that He is Lord of heaven and earth, dwelleth not in temples made with hands; neither is worshipped with men's hands, as though He needed anything, seeing He giveth to all life, and breath, and all things. (Acts 17:24,25)*

Eternal God, from Whom comes all things good, true, and patient, in the quiet of this morning we open our hearts to You. You are everywhere, You are everywhere present, and now in the silence of this moment we would find You and would be found by You. Breathe on us, breath of God, fill us with life anew, that we may love what You love, and do what You would do.

Strengthen our Faith, renew our courage, make us great in goodness and good in greatness that we may triumph over wrong and conquer every evil intention. Put beneath us, the representatives of our beloved state, Your strong foundation and send us forth our vision clear, our faith confirmed, and our spirits strengthened to be Your loyal and loving children, so we would open our hearts to Your transforming presence.

We ask this in Your Holy Name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the tenth day was approved as printed by the following vote:

AYES: 154

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer

Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	

NOES: 000

PRESENT: 002

Atkins                      Oxford

ABSENT WITH LEAVE: 007

Brown 50	Diehl	Grisamore	Hughes	Keeney
Schneider	Mr Speaker			

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 241 through House Resolution No. 273

House Resolution No. 275 through House Resolution No. 277

## SECOND READING OF HOUSE BILLS

**HB 285** through **HB 298** were read the second time.

## REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 18** - Rules

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 236** - Budget

**HB 285** - Rural Community Development

## COMMITTEE REPORTS

**Committee on Ethics**, Chairman Jones (89) reporting:

Mr. Speaker: Your Committee on Ethics, begs leave to report that pursuant to Rule 36 of the House Rules, it has adopted the Rules of Procedure and hereby submits said Rules of Procedure in the form of a House Resolution and has examined the same and recommends that **House Resolution No. 274 be adopted.**

### HOUSE RESOLUTION NO. 274 ETHICS COMMITTEE RULES OF PROCEDURE

#### RULE 1. Scope and Authority

These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 36.

#### RULE 2. Definitions

As used in these Rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

(1) Censure - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report and requires the presence of the respondent in the chamber during consideration and vote by the entire House on such resolution.

(2) Letter of Reproval - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the committee's report.

(3) Reprimand - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.

#### RULE 3. Quorum

A quorum exists when a majority of the members of the Committee are present.

#### RULE 4. Form of Complaints

A. All complaints filed with the Speaker against a member of the House shall be made by a member. The complaints shall be confidential and shall be referred to the Committee on Ethics within ten (10) days and shall be in writing and under oath, setting forth in simple, concise and direct statements:

(1) The name and legal address of the member or members acting as complainant;

(2) The name of the member of the House alleged to have engaged in the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct" means:

(a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;

- (b) Any conduct constituting a conflict of interest under Chapter 105, RSMo;
  - (c) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.
  - (3) The nature of the alleged crime, misconduct, neglect, corruption or other unethical act, including when applicable, the specific law, rule, regulation or ethical standard violated;
  - (4) The facts alleged to have given rise to the violation; and
  - (5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.
- B. All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. Initial Examination of the Complaint by the Committee

A. Within thirty (30) days of the assignment of the complaint by the Speaker, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee, and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent shall not act as a member of the Committee for purposes of his complaint.

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a general statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these Rules, a majority of the Committee appointed shall vote by roll call to either:

- (1) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding;
- (2) Proceed to a preliminary hearing;
- (3) Dismiss the complaint. When a motion to proceed to a preliminary hearing fails on a recorded vote, the complaint shall be immediately dismissed.

D. In determining whether or not to proceed the Committee shall consider the following:

- (1) The credible evidence contained in the complaint or appended thereto of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards;
- (2) Other administrative or disciplinary action by other interested bodies;
- (3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and
- (4) Other relevant circumstances that would justify expediting, declining or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule 6 of these Rules. The complainant shall also be notified, in writing, of the action of the Committee. Examination of the complaint and the determination of Rule 5.C. shall be conducted in a closed meeting.

**RULE 6. Answers and Motions**

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

(1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may desire to submit. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each allegation;

(2) An objection to the jurisdiction of the Committee to investigate the complaint; or

(3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day period shall not be considered by the Committee.

C. The Chairman of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the Chairman, such extension would facilitate a fair and complete inquiry and may be shortened when the Chairman determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

**RULE 7. Preliminary Hearings**

A. A preliminary hearing may be held to hear arguments based on the pleadings submitted in the case. The preliminary hearing shall be an open meeting. The committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the pleadings. A complainant or respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

B. The committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by him to administer oaths. Members of the committee shall be given an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements.

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to either:

(1) Dismiss the complaint, or

(2) Proceed by



- (a) undertaking an investigative hearing; or
- (b) deciding the case based upon the preliminary hearing.

A decision based upon a preliminary hearing shall require the consent of the respondent.

D. If the committee decides to make a summary decision of the case and the respondent accepts this disposition the Committee may, by a majority vote, recommend one of the following sanctions:

- (1) Letter of reproval;
- (2) Reprimand; or
- (3) Censure.

#### RULE 8. Investigative Hearings

A. An investigative hearing may be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House. The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as it deems necessary. The Committee may obtain a court-issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the investigative hearing shall be as follows:

(1) The Chairman shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.

(2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes each.

(3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:

- (a) Witnesses and other evidence offered by the complainant;
- (b) Witnesses and other evidence offered by the respondent;
- (c) Witnesses and other evidence offered by the Committee staff; and
- (d) Rebuttal witnesses.

(4) The Chairman or his designee shall examine each witness. The Committee members may then question the witness. The respondent or his counsel may then cross-examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross-examined by the complainant or his counsel, if he has one, and then may be cross-examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion.

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth,

the whole truth, and nothing but the truth (so help you God)?” The oath shall be administered by the Chairman or Committee member designated by him to administer oaths.

**RULE 9. Admissibility of Evidence**

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The Chairman or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The Chairman or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At an investigative hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

**RULE 10. Witnesses**

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the Chairman, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at investigative hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.

D. The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

E. The respondent is entitled to present witnesses in his behalf. However, the Chairman may limit such testimony when, in his discretion, he finds the testimony is repetitious or cumulative.

F. Each witness subpoenaed by the Committee shall be reimbursed for those reasonable expenses approved by the Committee.

G. Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to the Committee.

**RULE 11. Findings, Conclusions and Recommendations**

A. At the completion of the preliminary hearing or investigative hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The

report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reproval if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House:

- (1) Expel the member as provided in Article III, Section 18 of the Missouri Constitution;
- (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or
- (3) Take no further action, stating the reasons therefor.

#### RULE 12. Matters Not Covered in These Rules of Procedure

The Rules of Procedure of the United States House of Representatives Committee on Ethics of the 112<sup>th</sup> Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

#### **Committee on Rules, Chairman Diehl reporting:**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 19**, introduced by Representatives Gatschenberger, Franz, Long, Koenig, Diehl, Barnes, Scharnhorst, Molendorp, Kelley (126), Fitzwater, Jones (89), Nance, Nolte, Brown (50), Pace, Jones (117), Richardson, Parkinson, Denison, Hinson, Zerr, Schoeller, Schatz, Reiboldt, Schieffer, Largent, Allen, Guernsey, Riddle, Lant, Leach, Brown (85), Lichtenegger, Grisamore, Dugger, Schad, Cox, Loehner, Bahr, Cookson, Fraker, Burlison and Wieland, relating to the calling of a convention proposing amendments to the United States Constitution.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 13**, introduced by Representatives Black and Kander, relating to the general assembly.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 299**, introduced by Representatives Lichtenegger, Lasater, Entlicher, Kelly (24), Allen, Wright, Pollock, Zerr, Guernsey, Hampton, Wallingford, Hodges, Wyatt, Faith, Davis, White, Still, Cookson, Gatschenberger, Grisamore, Franz and Redmon, relating to the land reclamation act.

**HB 300**, introduced by Representative Gatschenberger, relating to student athlete head injuries.

**HB 301**, introduced by Representatives Talboy and Silvey, relating to midwifery.

**HB 302**, introduced by Representatives Black, Fitzwater, Quinn and McGhee, relating to a mental health assessment pilot program.

**HB 303**, introduced by Representatives Day, Lampe, Fisher, Fuhr, Davis, Wyatt, Nolte, Walton Gray, Atkins, Hoskins, Largent, Wright, Lant, Neth, Smith (150), Higdon, Jones (89) and Casey, relating to the issuance of temporary courtesy licenses to nonresident military spouses.

**HB 304**, introduced by Representatives Black and Fallert, relating to a tax credit for certain reserve public safety officers.

**HB 305**, introduced by Representatives Gatschenberger and Jones (117), relating to the Missouri state employees' retirement incentive.

**HB 306**, introduced by Representatives Gatschenberger and Kelley (126), relating to the use of wireless communications devices in construction and work zones.

**HB 307**, introduced by Representatives Gatschenberger, Molendorp, Long, Fisher, Bahr, Davis, Jones (117) and Richardson, relating to a special license plate.

**HB 308**, introduced by Representatives Black and Pace, relating to an offender making a false report against an employee of the department of corrections.

**HB 309**, introduced by Representatives Black and Fallert, relating to the law enforcement safety fund.

**HB 310**, introduced by Representatives Gatschenberger, Davis, Jones (117) and Richardson, relating to the State Authority and Federal Tax Fund Act.

**HB 311**, introduced by Representatives Gatschenberger, Long, Jones (117) and Richardson, relating to the powers and duties of the Missouri electrical industry licensing board.

**HB 312**, introduced by Representative Gatschenberger, relating to a debt setoff for unpaid healthcare expenses.

**HB 313**, introduced by Representative Gatschenberger, relating to the Missouri life and health insurance guaranty association act.

**HB 314**, introduced by Representatives Wells, Frederick, Smith (150), Sater, Funderburk, McGhee, Brown (50), Faith, Pollock, Denison, Gatschenberger, Oxford, Entlicher, Stream, Allen and Lichtenegger, relating to tobacco use on public school property.

**HB 315**, introduced by Representatives McNary, Kander, Redmon, Houghton, Kelley (126), Jones (117), Haefner, Brown (85), Nance, Hough, Long, Gosen, Jones (89), Koenig, Fuhr, Bahr, Gatschenberger, Dieckhaus, Cookson, Franklin, Schad, Curtman, Neth, Phillips, Burlison, Schoeller, Silvey, Zerr, Sater, Schieffer, Brown (50), Torpey, Fitzwater, Jones (63), Fallert, Lampe, Kelly (24), Webber, Talboy, Meadows, Cross, Elmer, Denison, Pollock, Loehner, Spreng, Wieland, Hampton, Leach and Guernsey, for the sole purpose of repealing statutes with multiple versions.

**HB 316**, introduced by Representative Kelly (24), relating to collection of state money.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 1**, entitled:

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

#### SENATE CONCURRENT RESOLUTION NO. 1

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

WHEREAS, the Public Service Commission filed a proposed amendment for 4 CSR 240-20.100 on January 8, 2010, and filed the order of rulemaking with the Joint Committee on Administrative Rules on June 2, 2010 and filed an amended order of rulemaking with the Joint Committee on Administrative Rules on July 1, 2010; and

WHEREAS, the Joint Committee on Administrative Rules held hearings on June 24, June 30, and July 1, 2010, and has found 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, lacking in compliance with the provisions of Chapter 536, RSMo:

NOW THEREFORE BE IT RESOLVED that the General Assembly finds that the Public Service Commission has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of section 536.014, RSMo; and

BE IT FURTHER RESOLVED that the Ninety-sixth General Assembly, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, Electric Utility Renewable Energy Standard Requirements; and

BE IT FURTHER RESOLVED that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-sixth

General Assembly, First Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor in accordance with Article IV, Section 8 of the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

## COMMITTEE APPOINTMENTS

January 25, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member to serve on the Joint Committee on Tax Policy:

Representative John Diehl

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

-----  
January 25, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Disability Services:

Representative Jeff Grisamore, Chairman  
Representative Jay Houghton, Vice-Chairman  
Representative Keith Frederick  
Representative Tom Flanigan  
Representative Rick Stream  
Representative Paul Curtman  
Representative Jeannie Lauer  
Representative Genise Montecillo  
Representative Jeanette Mott Oxford  
Representative Eileen McGeoghegan

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

-----  
January 25, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Renewable Energy:

Representative Jason Holsman, Chairman  
Representative Rodney Schad, Vice-Chairman  
Representative Jerry Nolte  
Representative Eric Burlison  
Representative Casey Guernsey  
Representative Zachary Wyatt  
Representative Tom Loehner  
Representative Kent Hampton  
Representative Denny Hoskins  
Representative Rochelle Walton Gray  
Representative Mike Colona  
Representative Margo McNeil

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

**COMMUNICATIONS**

January 13, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Margo McNeil  
Representative  
District 78

-----  
January 25, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Lyle Rowland  
District 143

The following members' presence was noted: Grisamore, Keeney, Schneider and Tilley.



## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 26, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 4.

Appropriation Bills to be heard in following order:

Department of Agriculture

Department of Natural Resources

Department of Conservation

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 1.

Executive Session may be held on any matter referred to the Committee.

Budget presentation by the Department of Elementary and Secondary Education.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 3.

Budget Presentations for: Public Debt and Office of Administration Debt

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, January 26, 2011, 2:00 PM House Hearing Room 5.

Public testimony will be taken.

Contact Chairman Flanigan's office at (573) 751-5458 to schedule testimony.

AMENDED

### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, January 31, 2011, 7:30 PM House Hearing Room 4.

Department of Corrections Budget.

### **BUDGET**

Thursday, January 27, 2011, 8:00 AM House Hearing Room 3.

Supplementals.

### **CHILDREN AND FAMILIES**

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HJR 2, HB 28

Executive Session may be held on any matter referred to the Committee.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 105

Executive Session may be held on any matter referred to the Committee.

**DOWNSIZING STATE GOVERNMENT**

Thursday, January 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 44, HB 139, HB 235

Executive Session may be held on any matter referred to the Committee.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 138, HB 219

**HEALTH CARE POLICY**

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 29, HB 196

Executive Session may be held on any matter referred to the Committee.

**AMENDED**

**INSURANCE POLICY**

Monday, January 31, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 148

Executive Session may be held on any matter referred to the Committee.

**INTERNATIONAL TRADE AND JOB CREATION**

Wednesday, January 26, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 61

Executive Session may be held on any matter referred to the Committee.

**JOINT COMMITTEE ON EDUCATION**

Wednesday, January 26, 2011, 9:00 AM Senate Committee Room 1.

Executive Session may be held on any matter referred to the Committee.

Staff from Midwest Higher Education Compact will deliver their annual report to the Joint Committee on Education, Senate Education Committee, and House Higher Education Committee.

**CORRECTED**

**JUDICIARY**

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 35, HB 88, HB 129, HB 111, HB 218

Executive Session may be held on any matter referred to the Committee.

**LOCAL GOVERNMENT**

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 7.

Organizational Meeting.

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 220, HB 224

If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 220, HB 224

If session does not end before 12:00 pm, the committee meeting will begin upon morning adjournment.

#### RETIREMENT

Thursday, January 27, 2011, 9:00 AM House Hearing Room 1.

Organizational Meeting.

#### RULES

Wednesday, January 26, 2011, 3:00 PM House Hearing Room 3.

Public hearing to be held on: HCR 18

Executive Session may be held on any matter referred to the Committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, January 26, 2011, 3:15 PM House Hearing Room 3.

Executive Session will be held: HCR 5, HB 163

#### SMALL BUSINESS

Wednesday, January 26, 2011, 12:00 PM House Hearing Room 7.

Executive Session may be held on any matter referred to the Committee.

Brad Jones (NFIB) will be bringing individuals from Missouri's small business community, and the hearing will be held for informational purposes.

#### TAX REFORM

Wednesday, January 26, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 76

Executive Session may be held on any matter referred to the Committee.

#### TOURISM AND NATURAL RESOURCES

Thursday, January 27, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 192, HB 189, HB 190, HB 191

#### TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, January 27, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 137, HB 126

#### WAYS AND MEANS

Thursday, January 27, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 151, HB 116, HB 55

#### WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, January 27, 2011, 8:00 AM South Gallery.

EXECUTIVE SESSION ONLY.

**HOUSE CALENDAR**

TWELFTH DAY, WEDNESDAY, JANUARY 26, 2011

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 19

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 13

**HOUSE BILLS FOR SECOND READING**

HB 299 through HB 316

**HOUSE BILLS FOR PERFECTION**

HCS HBs 73 & 47 - Brandom

**SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

SCR 1

**HOUSE RESOLUTIONS**

HR 274, (1-25-11) - Jones (89)

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWELFTH DAY, WEDNESDAY, JANUARY 26, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*God is not far from each one of us, for in Him we live and move and have our being. (Acts 17:28)*

O You in Whom we live and move and have our being, without Whom no one is strong, no one is good, we pause in Your presence this morning once again to lift our hearts to You in prayer. We need You, our God, we need You as we confront the problems of this day, as we endeavor to meet the challenges of this hour and as we seek to make wise use of the living of these days that we fail not our citizens nor You. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Olivia Hairston.

The Journal of the eleventh day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 278 through House Resolution No. 306

## HOUSE CONCURRENT RESOLUTIONS

Representative Walton Gray, et al., offered House Concurrent Resolution No. 20.

Representative Walton Gray, et al., offered House Concurrent Resolution No. 21.

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 19** was read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 13** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 299** through **HB 316** were read the second time.

## SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 1** was read the second time.

## PERFECTION OF HOUSE BILL

**HCS HBs 73 & 47**, relating to temporary assistance benefits, was taken up by Representative Brandom.

Representative Richardson offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Section 208.027, Line 4, by deleting the word “**cause**” and inserting in lieu thereof the word “**suspicion**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 1**.

### *House Amendment No. 1*

*to*

### *House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Line 2, by inserting after all of said line the following:

‘Further amend said page and section, Line 5, by inserting after the word “**substances.**”, the following:

“**In implementing the provisions of this section the department shall not discriminate against any work-eligible applicant or work-eligible recipient on the basis of race or ethnicity.**”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Richardson, **House Amendment No. 1, as amended**, was adopted.

Representative Kirkton offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 73 & 47, Page 2, Section 208.037, Line 26, by inserting after all of said line the following:

**"3. The provisions of this section shall not take effect in any given fiscal year until such time as appropriations by the general assembly for substance abuse treatment programs offered by the division of alcohol and drug abuse within the department of mental health increase capacity by the number of currently sanctioned temporary assistance for needy families participants, plus the number currently on a waiting list for treatment and notice of such appropriations has been given to the revisor of statutes.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kirkton moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Schupp offered **House Amendment No. 3**.

Representative Smith (150) raised a point of order that **House Amendment No. 3** is out of order pursuant to Rule 46(d).

Representative Kelly (24) raised an additional point of order that the first point of order is untimely.

The Chair ruled the first point of order well taken.

Representative Silvey offered **House Amendment No. 4**.

Representative Riddle raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Still offered **House Amendment No. 5**.

Representative Cox raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Oxford offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Section 208.027, Lines 9 through 10, by deleting all of said lines and inserting in lieu thereof the following:

**“536 and for a period of one year from the date of the administrative hearing decision, have any temporary assistance for needy families moneys held by a third party for the payment of the recipient's eligible expenses during such one-year period. The department shall”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber	Zimmerman	

NOES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

PRESENT: 000



ABSENT WITH LEAVE: 004

Brown 50                      Hughes                      Largent                      McGhee

On motion of Representative Brandom, **HCS HBs 73 & 47, as amended**, was adopted.

On motion of Representative Brandom, **HCS HBs 73 & 47, amended**, was ordered perfected and printed by the following vote:

AYES: 121

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McManus	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 037

Anders	Atkins	Carlson	Carter	Colona
Curls	Ellinger	Elmer	Holsman	Hubbard
Hummel	Jones 63	Kirkton	May	McCann Beatty
McDonald	McGeoghegan	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50                      Hughes                      Largent                      McGhee                      Silvey

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HCS HBs 73 & 47** - Fiscal Review (Fiscal Note)

### **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 1** - Rules

### **COMMITTEE REPORT**

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 163**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 14**, introduced by Representatives Cox, Gatschenberger, Fisher and Dugger, relating to voter identification.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 317**, introduced by Representatives Colona, Hummel, Peters-Baker, McGeoghegan, Pace, Walton Gray, Carter and Spreng, relating to text messaging while operating a motor vehicle.

**HB 318**, introduced by Representative Brandom, relating to insurance reimbursement for physical therapist services.

**HB 319**, introduced by Representative Fisher, relating to public contracts.

**HB 320**, introduced by Representative Fisher, relating to public construction.

**HB 321**, introduced by Representatives Walton Gray, Meadows, Pace, Still, Ellinger, May, Oxford, Carter, Jones (63), Newman, Funderburk and Brown (50), relating to the designation of organ donor recognition day.

**HB 322**, introduced by Representatives Walton Gray, Meadows, Fallert and Brown (50), relating to liquor control.

**HB 323**, introduced by Representatives Walton Gray, Meadows, Pace, Nasheed, Ellinger and Brown (50), relating to mortgages.

**HB 324**, introduced by Representatives Walton Gray, Meadows, Pace, Ellinger, Schupp and Atkins, relating to vacation leave for state employees.

**HB 325**, introduced by Representatives Cauthorn, Houghton, Lant, Jones (117), Richardson, Brown (116), Redmon, Reiboldt, Quinn, Schad, Kelly (24), Lair, Loehner, Shively and Conway (27), relating to hand fishing.

**HB 326**, introduced by Representative Burlison, relating to professional counselors.

**HB 327**, introduced by Representatives Wallingford, Wright, Lichtenegger, Brandom and Hodges, relating to the circuit court of Cape Girardeau County.

**HB 328**, introduced by Representatives Koenig, Funderburk, Curtman, McCaherty, Davis, Smith (150), Long, Stream, Guernsey, Phillips, Faith, Keeney, Reiboldt, Bahr, Allen, Rowland, Dugger, Schoeller, Parkinson, Gosen, Fisher, Kelley (126) and Cross, relating to the abortion-inducing drugs safety act.

**HB 329**, introduced by Representatives Diehl, Cox, Gatschenberger, Fisher and Dugger, relating to elections.

**HB 330**, introduced by Representative Franz, relating to license plates for property-carrying commercial motor vehicles.

**HB 331**, introduced by Representative Franz, relating to waiver of background check for purchasing firearms.

**HB 332**, introduced by Representatives Franz, Lant, Fitzwater and Schad, relating to the puppy mill cruelty prevention act.

**HB 333**, introduced by Representatives Shumake, Burlison, Redmon, Funderburk, Koenig, Largent, Kelley (126), Rowland, Denison and Wallingford, relating to the use of religious books in public schools.

**HB 334**, introduced by Representatives Barnes and Fitzwater, relating to the prevention and treatment of head injuries among student athletes.

**HB 335**, introduced by Representatives Burlison, Schoeller, Jones (89) and Kelly (24), relating to political subdivision taxes.

**HB 336**, introduced by Representatives Burlison, Tilley, Jones (89), Diehl, Talboy, Jones (117), McNary, Dieckhaus, Carter, Hummel, Webber, Curls and Hubbard, relating to tax incentives to attract sporting events to Missouri.

**HB 337**, introduced by Representatives Wells, Schad, Dugger, Wright, Denison, Stream, Pollock, Funderburk, Neth, Scharnhorst, Nance and Fitzwater, relating to text messaging while operating motor vehicles.

**HB 338**, introduced by Representatives Pollock, Tilley, Schoeller, Scharnhorst, Webb, Jones (89) and Diehl, relating to telecommunications.

**HB 339**, introduced by Representatives Pollock, Tilley, Schoeller, Scharnhorst, Webb, Jones (89), Diehl, Neth, Riddle and Dugger, relating to telecommunications.

## COMMUNICATIONS

January 26, 2011

Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am filing a written report of a possible personal interest in legislation on which the House of Representatives may vote on. My wife, Mary Conway is a court reporter and her salary is contained in the State Courts Administrator Budget.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you.

Sincerely,

/s/ Pat Conway  
District 27

-----  
January 19, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306-C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

As an agent for Farmers Insurance, sole owner of Chris Molendorp Insurance Agency Inc., I sell and service multiple lines of the insurance. My wife, Julie Molendorp owns Molendorp Appraisals, Inc., a company which provides residential and commercial appraising services for contract vendors. Responsibilities of this company require us to work in the property valuation/real estate industry.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Best regards,

/s/ Chris Molendorp  
District 123

-----  
January 25, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461 of the Revised Statutes of Missouri, this letter is to advise I am hereby filing a written report with your office of a possible personal interest on which the House of Representatives may vote on during the legislative session. I have a son who is employed with the Missouri Department of Corrections; and some of the issues, bills and amendments that I will be voting on could have a direct impact on my family.

I request that you please publish this letter in the Journal of the House. Thanking you in advance, I remain.

Sincerely yours,

/s/ Paul Quinn  
State Representative  
District 9

The following members' presence was noted: Brown (50), Largent and McGhee.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 27, 2011.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Thursday, January 27, 2011, House Hearing Room 3 upon morning adjournment.

Public hearing to be held on: HB 131, HB 94, HB 99

Executive session may be held on any matter referred to the committee.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, January 31, 2011, 7:30 PM House Hearing Room 4.

Department of Corrections Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 3.

Department of Corrections Budget.

Convene at 2:00 pm, short recess for dinner, reconvene meeting after recess.

BUDGET

Thursday, January 27, 2011, 8:00 AM House Hearing Room 3.

Supplementals.

DOWNSIZING STATE GOVERNMENT

Thursday, January 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 44, HB 139, HB 235

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, January 27, 2011, 1:15 PM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

CORRECTED

HEALTH INSURANCE

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 5.

Informational Meeting.

INSURANCE POLICY

Monday, January 31, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 148

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, January 27, 2011, 9:00 AM House Hearing Room 1.

Organizational Meeting.

RULES

Thursday, January 27, 2011

House Hearing Room 7, upon morning adjournment or 12:30 PM, whichever is later.

Public hearing to be held on: SCR 1

Executive session may be held on any matter referred to the committee.

Rules Pursuant will follow: HCR 18, SCR 1

**TOURISM AND NATURAL RESOURCES**

Thursday, January 27, 2011, 8:00 AM House Hearing Room 7.  
Public hearing to be held on: HB 192, HB 189, HB 190, HB 191

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, January 27, 2011, 8:00 AM House Hearing Room 6.  
Public hearing to be held on: HB 137, HB 126

**WAYS AND MEANS**

Thursday, January 27, 2011, 8:00 AM House Hearing Room 5.  
Public hearing to be held on: HB 151, HB 116, HB 55

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Thursday, January 27, 2011, 8:00 AM South Gallery.  
Executive session only.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, January 31, 2011, 12:00 PM House Hearing Room 6.  
Public hearing to be held on: HB 205, HB 226  
Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTEENTH DAY, THURSDAY, JANUARY 27, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 14

**HOUSE BILLS FOR SECOND READING**

HB 317 through HB 339

**HOUSE BILLS FOR PERFECTION**

HCS HB 163 - Fisher

**HOUSE BILLS FOR THIRD READING**

HCS HBs 73 & 47, (Fiscal Review 1-26-11) - Brandom

**HOUSE RESOLUTIONS**

HR 274, (1-25-11, Pages 217-222) - Jones (89)

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTEENTH DAY, THURSDAY, JANUARY 27, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*I am the vine, you are the branches. He that abideth in Me, and I in him, the same bringeth forth much fruit.  
(John 15:5)*

We thank You, our Father, for Your spirit which follows us all our days, for Your love which will not let us go, and for the strength of Your presence which never lets us down. Help us to open wide the door of our hearts that we may receive Your spirit, welcome Your love, claim the strength of Your presence and be made ready for the experiences and responsibilities of this day in this Chamber.

By Your grace may we put goodness before evil, truth before falsehood, high principles before low prejudices, the rights of the weak before the wrongs of the strong, and may we put You above all else in our hearts, minds and souls. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twelfth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 307 through House Resolution No. 323

## HOUSE CONCURRENT RESOLUTION

Representative Fallert, et al., offered House Concurrent Resolution No. 22.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 14** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 317** through **HB 339** were read the second time.



**HOUSE RESOLUTION**

**HR 274**, relating to Ethics Rules of Procedure, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HR 274** was adopted by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 50	Hughes	Peters-Baker	Zimmerman
----------	--------	--------------	-----------

## **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 4** - Transportation Funding and Public Institutions
- HCR 12** - Downsizing State Government
- HCR 13** - Higher Education
- HCR 15** - Tourism and Natural Resources
- HCR 19** - General Laws

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 5** - Rural Community Development
- HJR 10** - Elementary and Secondary Education

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 33** - Transportation
- HB 36** - Tax Reform
- HB 38** - Corrections
- HB 41** - Crime Prevention and Public Safety
- HB 64** - Financial Institutions
- HB 68** - Small Business
- HB 75** - Judiciary
- HB 82** - Special Standing Committee on Renewable Energy
- HB 85** - Economic Development
- HB 89** - Tourism and Natural Resources
- HB 96** - Agri-Business
- HB 97** - Tourism and Natural Resources
- HB 104** - Transportation Funding and Public Institutions
- HB 115** - Crime Prevention and Public Safety
- HB 128** - Judiciary
- HB 130** - Judiciary
- HB 135** - Workforce Development and Workplace Safety
- HB 140** - Crime Prevention and Public Safety
- HB 141** - Transportation
- HB 143** - Children and Families
- HB 152** - Tax Reform
- HB 153** - Transportation
- HB 155** - Crime Prevention and Public Safety
- HB 187** - Elections
- HB 198** - Tourism and Natural Resources
- HB 201** - Health Care Policy

**HB 221** - Workforce Development and Workplace Safety  
**HB 222** - Ways and Means  
**HB 227** - Judiciary  
**HB 233** - General Laws  
**HB 240** - Elections  
**HB 241** - Elementary and Secondary Education  
**HB 263** - Retirement  
**HB 265** - Professional Registration and Licensing  
**HB 266** - Agri-Business  
**HB 273** - Elementary and Secondary Education  
**HB 274** - General Laws  
**HB 276** - General Laws  
**HB 277** - General Laws  
**HB 280** - Health Insurance  
**HB 282** - Retirement  
**HB 292** - Ways and Means  
**HB 303** - Veterans  
**HB 315** - Downsizing State Government  
**HB 316** - Ways and Means

### **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 73 & 47** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 91**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 15**, introduced by Representatives Ruzicka, Fisher, Lant, Houghton and Phillips, relating to bird, fish, game, wildlife, or forestry resources.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 340**, introduced by Representatives Klippenstein, Guernsey, Redmon, Fitzwater, Berry, Barnes and Lair, relating to the erection and maintenance of jails.

**HB 341**, introduced by Representatives Riddle, Franz, Funderburk and Cox, relating to petitions to remove firearms disqualification.

**HB 342**, introduced by Representatives Still, Carlson, Pierson, Ellinger, Pace, Oxford, Atkins, McNeil, Schupp, McCann Beatty and Meadows, relating to cigarette taxes.

**HB 343**, introduced by Representatives Still, Carlson, Pierson, Ellinger, Pace, Walton Gray, Kelly (24), Oxford, Atkins, McNeil, Schupp, Kirkton, McCann Beatty and Meadows, relating to cigarette taxes.

**HB 344**, introduced by Representative Guernsey, relating to the farm-to-table advisory board.

**HB 345**, introduced by Representatives Guernsey and Klippenstein, relating to the agricultural business development loan program.

**HB 346**, introduced by Representatives Guernsey, Loehner, Wells, Cauthorn, Schad, Hough, Ruzicka, Houghton, Rowland, Fraker, Crawford, Korman, Shively, Quinn and Hodges, relating to sales tax exemptions for captive wildlife.

**HB 347**, introduced by Representatives Kirkton, Tilley, Zimmerman, Ellinger, Schupp, Still, Weter, Atkins and Frederick, relating to the prompt credentialing act.

**HB 348**, introduced by Representatives Newman, Lampe, Schupp, Peters-Baker, Carlson, Webb, Kander, Talboy, Oxford, Nichols, Carter, Colona, Jones (63), McGeoghegan, Montecillo, Pace, Walton Gray, Webber, Kirkton, Spreng and Sifton, relating to the duty of a pharmacy to fill prescriptions.

**HB 349**, introduced by Representatives Newman, Colona, Carlson, McDonald, Pace, Kirkton, Nichols, Smith (71), Peters-Baker, McNeil, Lampe, Schupp, Webb, Talboy, Oxford, Carter, Anders, Jones (63), McGeoghegan, Montecillo, Walton Gray, Spreng and Sifton, relating to equal employment practices.

**HB 350**, introduced by Representatives Newman, Colona, Carlson, McDonald, Pace, Kirkton, Nichols, Smith (71), Peters-Baker, McNeil, Carter, Lampe, Still, Schupp, Webb, Talboy, Oxford, Atkins, Nichols, Kander, Jones (63), McGeoghegan, Montecillo, Walton Gray, Webber, Spreng and Sifton, relating to increasing preventative health services in the state through the prevention first act.

**HB 351**, introduced by Representatives McNeil, Newman, Oxford, Conway (27) and Schupp, relating to election judges.

**HB 352**, introduced by Representatives Wallingford, Fitzwater, Cookson, Thomson, Lichtenegger, Neth, Wright, Hampton, Parkinson, Reiboldt, McNary, Cauthorn, Long, Hodges, Taylor, Berry, Brandom, Shumake, Rowland, Montecillo and Aull, relating to science, technology, engineering, and mathematics education.

**HB 353**, introduced by Representatives Wyatt, Redmon, Leach, Conway (14), Kelly (24), Zerr, Fitzwater, Koenig and Bahr, relating to insurance producer licenses.

**HB 354**, introduced by Representatives Faith, Zerr, Parkinson, Funderburk, Schneider, Gatschenberger and Dieckhaus, relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

**HB 355**, introduced by Representative Faith, relating to motorcycle operator's licenses.

**HB 356**, introduced by Representatives Phillips, Ruzicka, Lair, Flanigan, Lant, Rowland, Houghton, Reiboldt, Schad, Wright and McCaherty, relating to making a false declaration.

**HB 357**, introduced by Representative Leara, relating to enhanced enterprise zones.

**HB 358**, introduced by Representatives Leara and Colona, relating to police retirement.

**HB 359**, introduced by Representative Leara, relating to payday loans.

**HB 360**, introduced by Representative Leara, relating to the Missouri local government employees' retirement system.

**HB 361**, introduced by Representative Leara, relating to the Missouri firearms freedom act.

**HB 362**, introduced by Representatives Scharnhorst, Dieckhaus, Jones (89), Stream, Lair, McNary, Schoeller, Tilley and Brandom, relating to the Missouri special needs scholarship tax credit program known as Bryce's Law.

**HB 363**, introduced by Representatives Colona, Jones (89), Hummel, Jones (63), Kratky, Montecillo, Carter, Pace, Hubbard, May, Oxford, Pierson, Sifton, Newman, Carlson, Black, Swearingen, Nasheed, Franz and Diehl, relating to the designation of a memorial highway.

**HB 364**, introduced by Representatives Parkinson, Kelley (126), Wieland, McNary, Schoeller, Conway (14), Asbury, Berry and Nolte, relating to tort actions for damages.

**HB 365**, introduced by Representatives Funderburk, Tilley, Meadows, Franz, Zerr, Jones (89), Scharnhorst, Brandom, Diehl, Nolte, Cookson, Schoeller, Johnson, Cross, Fisher, Burlison, Flanigan, Klippenstein, Wright, Gatschenberger, Dieckhaus, Grisamore, Lasater, Wieland, Lant, Rizzo, Schieffer and Walton Gray, relating to funeral protests.

**HB 366**, introduced by Representatives Silvey, Talboy, Zerr, Fisher, Neth, Kelly (24), Sifton and Webber, relating to tax incentives for data storage and server farm facilities.

**HB 367**, introduced by Representatives Meadows and Walton Gray, relating to amateur mixed martial arts.

**HB 368**, introduced by Representatives Meadows, Kratky, McGeoghegan and Walton Gray, relating to creation of an identification card for veterans.

**HB 369**, introduced by Representative Gatschenberger, relating to the imposition of fees for the repair of water service lines in certain municipalities.

**HB 370**, introduced by Representatives Carter, Hummel, Webb, Nasheed, Pace, Walton Gray, McCann Beatty, Atkins, Brown (50), Colona, Hubbard, Hodges, Oxford, May, Jones (63) and Smith (71), relating to the prostate cancer pilot program.

**HB 371**, introduced by Representatives Fitzwater, Black, Lasater, Harris, Leach, Conway (14) and McGhee, relating to minimum pay for certain corrections employees.

## COMMITTEE APPOINTMENTS

January 27, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Jonas Hughes as a member of the Committee on Appropriations-General Administration and appoint Representative Stacey Newman as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

-----

January 27, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Jonas Hughes as a member of the Committee on Budget and appoint Representative Genise Montecillo as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

---

January 27, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Jonas Hughes as a member of the Committee on Higher Education and appoint Representative Jean Peters-Baker as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

---

January 27, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Jonas Hughes as a member of the Committee on Small Business and appoint Representative Chris Carter as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

## COMMUNICATIONS

January 27, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306-C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session. My wife is a public school teacher in Missouri.

This letter is to notify the general public of my interest in the above mentioned subject. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Sincerely,

/s/ Scott Largent  
District 120

-----  
January 27, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
201 W. Capitol Ave., Room 306C  
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

I am retired and drawing retirement pay from MPERS. In addition, my wife is a retired teacher and receives retirement pay from PSRS.



Thank you for your attention to this matter.

Sincerely,

/s/ Don Phillips  
State Representative  
District 62

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, January 31, 2011.

## **COMMITTEE MEETINGS**

### **AGRI-BUSINESS**

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 4.  
Public hearing to be held on: HJR 3, HB 209

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 4.  
Budget presentation continued by the Department of Natural Resources.  
Budget presentation by the Department of Conservation.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 4.  
Budget presentation continued by the Department of Natural Resources.  
Budget presentation by the Department of Conservation.

### **APPROPRIATIONS - EDUCATION**

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.  
Budget presentation continued by the Department of Elementary and Secondary Education.  
Budget presentation by the Department of Higher Education.

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Presentation by Higher Education Institution Presidents.

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.  
Presentation continued by Higher Education Institution Presidents.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 31, 2011, 12:00 PM House Hearing Room 3.  
Office of Administration Operations, Fringe Benefits, and Attached Programs.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 31, 2011, 5:00 PM House Hearing Room 3.  
Continue Budget Presentations on Office of Administration Operations, Fringe Benefits, and Attached Programs.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 5.  
Department of Health and Senior Services FY 2012 budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, January 31, 2011, 7:30 PM House Hearing Room 4.  
Department of Corrections Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 3.  
Department of Corrections Budget.  
Convene at 2:00 PM, short recess for dinner, reconvene meeting after recess.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.  
Executive session may be held on any matter referred to the committee.  
Public Testimony-Corrections.  
Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Public Safety Budget .  
Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00 PM.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
Public Safety Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.  
Executive session may be held on any matter referred to the committee.  
Public Safety Budget.  
Public Testimony-Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Testimony will be submitted by Missouri Department of Transportation (MoDOT).

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Department of Labor and Industrial Relations (DOLIR).

**ECONOMIC DEVELOPMENT**

Tuesday, February 1, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Division of Workforce Development.

**ELECTIONS**

Tuesday, February 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 107, HB 186, HB 171, HB 217, HB 187, HB 54

Executive session may be held on any matter referred to the committee.

**GENERAL LAWS**

Monday, January 31, 2011, House Hearing Room 4, upon adjournment.

Public hearing to be held on: HCR 19, HB 108

Executive session may be held on any matter referred to the committee.

**GENERAL LAWS**

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 46, HB 90

Executive session may be held on any matter referred to the committee.

**HEALTH INSURANCE**

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 5.

Informational Meeting.

**HIGHER EDUCATION**

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 13, HB 174

Executive session may be held on any matter referred to the committee.

**INSURANCE POLICY**

Monday, January 31, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 148

Executive session may be held on any matter referred to the committee.

**LOCAL GOVERNMENT**

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Monday, January 31, 2011, 3:30 PM House Hearing Room 1.

Executive Session will be held: HB 162, HB 91

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES**

Wednesday, February 2, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

**URBAN ISSUES**

Monday, January 31, 2011, 5:00 PM House Hearing Room 5.

Presentations on Urban Crime.

**VETERANS**

Tuesday, February 1, 2011, 8:30 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

**VETERANS**

Tuesday, February 1, 2011, 5:00 PM Senate Lounge.

This will be a joint committee meeting between the House of Representatives Veterans Committee and the Senate Veterans Committee.

This committee meeting will be for informational purposes only.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, January 31, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 205, HB 226

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FOURTEENTH DAY, MONDAY, JANUARY 31, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 15

**HOUSE BILLS FOR SECOND READING**

HB 340 through HB 371

**HOUSE BILLS FOR PERFECTION**

HCS HB 163 - Fisher

**HOUSE BILLS FOR THIRD READING**

HCS HBs 73 & 47 - Brandom

**SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

SCR 1, (1-25-11, Page 224-225) - Smith (150)

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FOURTEENTH DAY, MONDAY, JANUARY 31, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

Through the prophet, Isaiah, the LORD stated, *"For I am God, and there is no other; I am God, and there is no one like Me, declaring the end from the beginning, and from ancient times things which have not been done, Saying, 'My purpose will be established, And I will accomplish all My good pleasure'...Truly I have spoken; truly I will bring it to pass. I have planned it, surely I will do it."* (Isaiah 46:9-10)

Father, I pray this afternoon for Your mercies as the winter storm approaches. May we all see those around us who are in need and may we personally extend a hand of compassion in helping them.

I also pray, O Lord, for these You have ordained to lead the state of Missouri. May they govern in a way which glorifies You. May they seek that which is righteous and may they defend it with honor. In their discourses may they speak with respect for all.

I pray too, O Lord, for my fellow citizens of this great state. I pray that we will learn what it means to respect and honor those You have appointed to lead. Too many times, we have prayed for these leaders out of one side of our mouth and then spoken words of scorn, hatred and dishonor from the other. Instead, Lord, even if we disagree on issues, may we always show the honor due to these servants of Yours – honor which You have commanded in Your Scripture.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirteenth day was approved as printed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan

Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McDonald	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hoskins	Hughes	Klippenstein	Largent
May	McCann Beatty	McGeoghegan	McGhee	Nasheed
Pierson	Sater	Shumake	Sifton	Walton Gray
Webb				

## HOUSE RESOLUTIONS

Representative Barnes offered House Resolution No. 324 and House Resolution No. 325.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 326 through House Resolution No. 354

## HOUSE CONCURRENT RESOLUTION

Representative Faith, et al., offered House Concurrent Resolution No. 23.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 15** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 340** through **HB 371** were read the second time.

### THIRD READING OF HOUSE BILL

**HCS HBs 73 & 47**, relating to temporary assistance benefits, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HBs 73 & 47** was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McManus	McNary
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 027

Atkins	Brown 50	Carlson	Carter	Colona
Elmer	Hubbard	Hummel	Jones 63	Kirkton
McDonald	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Rizzo	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hoskins	Hughes	Klippenstein	Largent
May	McCann Beatty	McGeoghegan	McGhee	Nasheed
Pierson	Sater	Sifton	Walton Gray	Webb

Speaker Pro Tem Schoeller declared the bill passed.



## PERFECTION OF HOUSE BILL

**HCS HB 163**, relating to unemployment compensation benefits, was taken up by Representative Fisher.

Representative Richardson offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 163, Page 7, Section 288.062, Line 208, by inserting after all of said line the following:

“288.330. 1. Benefits shall be deemed to be due and payable only to the extent that moneys are available to the credit of the unemployment compensation fund and neither the state nor the division shall be liable for any amount in excess of such sums. The governor is authorized to apply for an advance to the state unemployment fund and to accept the responsibility for the repayment of such advance in order to secure to this state and its citizens the advantages available under the provisions of federal law.

2. (1) The purpose of this subsection is to provide a method of providing funds for the payment of unemployment benefits or maintaining an adequate fund balance in the unemployment compensation fund, and as an alternative to borrowing or obtaining advances from the federal unemployment trust fund or for refinancing those loans or advances.

(2) For the purposes of this subsection, "credit instrument" means any type of borrowing obligation issued under this section, including any bonds, commercial line of credit note, tax anticipation note or similar instrument.

(3) (a) There is hereby created for the purposes of implementing the provisions of this subsection a body corporate and politic to be known as the "Board of Unemployment Fund Financing". The powers of the board shall be vested in five board members who shall be the governor, lieutenant governor, attorney general, director of the department of labor, and the commissioner of administration. The board shall have all powers necessary to effectuate its purposes including, without limitation, the power to provide a seal, keep records of its proceedings, and provide for professional services. The governor shall serve as chair, the lieutenant governor shall serve as vice chair, and the commissioner of administration shall serve as secretary. Staff support for the board shall be provided by the commissioner of administration.

(b) Notwithstanding the provisions of any other law to the contrary:

a. No officer or employee of this state shall be deemed to have forfeited or shall forfeit his or her office or employment by reason of his or her acceptance of an appointment as a board member or for his or her service to the board;

b. Board members shall receive no compensation for the performance of their duties under this subsection, but each commissioner shall be reimbursed from the funds of the commission for his or her actual and necessary expenses incurred in carrying out his or her official duties under this subsection.

(c) In the event that any of the board members or officers of the board whose signatures or facsimile signatures appear on any credit instrument shall cease to be board members or officers before the delivery of such credit instrument, their signatures or facsimile signatures shall be valid and sufficient for all purposes as if such board members or officers had remained in office until delivery of such credit instrument.

(d) Neither the board members executing the credit instruments of the board nor any other board members shall be subject to any personal liability or accountability by reason of the issuance of the credit instruments.

(4) The board is authorized, by offering for public negotiated sale, to issue, sell, and deliver credit instruments, bearing interest at a fixed or variable rate as shall be determined by the board[, which shall mature no later than ten years after issuance.] in the name of the board in an amount determined by the board. Such credit instruments may be issued, sold, and delivered for the purposes set forth in subdivision (1) of this subsection. Such credit instrument may only be issued upon the approval of a resolution authorizing such issuance by a simple majority of the members of the board, with no other proceedings required.

(5) The board shall provide for the payment of the principal of the credit instruments, any redemption premiums, the interest on the credit instruments, and the costs attributable to the credit instruments being issued or outstanding as provided in this chapter. Unless the board directs otherwise, the credit instrument shall be repaid in the same time frame and in the same amounts as would be required for loans issued pursuant to 42 U.S.C. Section 1321[; however, in no case shall credit instruments be outstanding for more than ten years].

(6) The board may irrevocably pledge money received from the credit instrument and financing agreement repayment surcharge under subsection 3 of section 288.128, and other money legally available to it, which is deposited in an account authorized for credit instrument repayment in the special employment security fund, provided that the general assembly has first appropriated moneys received from such surcharge and other moneys deposited in such account for the payment of credit instruments.

(7) Credit instruments issued under this section shall not constitute debts of this state or of the board or any agency, political corporation, or political subdivision of this state and are not a pledge of the faith and credit of this state, the board or of any of those governmental entities and shall not constitute an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The credit instruments are payable only from revenue provided for under this chapter. The credit instruments shall contain a statement to the effect that:

(a) Neither the state nor the board nor any agency, political corporation, or political subdivision of the state shall be obligated to pay the principal or interest on the credit instruments except as provided by this section; and

(b) Neither the full faith and credit nor the taxing power of the state nor the board nor any agency, political corporation, or political subdivision of the state is pledged to the payment of the principal, premium, if any, or interest on the credit instruments.

(8) The board pledges and agrees with the owners of any credit instruments issued under this section that the state will not limit or alter the rights vested in the board to fulfill the terms of any agreements made with the owners or in any way impair the rights and remedies of the owners until the credit instruments are fully discharged.

(9) The board may prescribe the form, details, and incidents of the credit instruments and make such covenants that in its judgment are advisable or necessary to properly secure the payment thereof. If such credit instruments shall be authenticated by the bank or trust company acting as registrar for such by the manual signature of a duly authorized officer or employee thereof, the duly authorized officers of the board executing and attesting such credit instruments may all do so by facsimile signature provided such signatures have been duly filed as provided in the uniform facsimile signature of public officials law, sections 105.273 to 105.278, when duly authorized by resolution of the board, and the provisions of section 108.175 shall not apply to such credit instruments. The board may provide for the flow of funds and the establishment and maintenance of separate accounts within the special employment security fund, including the interest and sinking account, the reserve account, and other necessary accounts, and may make additional covenants with respect to the credit instruments in the documents authorizing the issuance of credit instruments including refunding credit instruments. The resolutions authorizing the issuance of credit instruments may also prohibit the further issuance of credit instruments or other obligations payable from appropriated moneys or may reserve the right to issue additional credit instruments to be payable from appropriated moneys on a parity with or subordinate to the lien and pledge in support of the credit instruments being issued and may contain other provisions and covenants as determined by the board, provided that any terms, provisions or covenants provided in any resolution of the board shall not be inconsistent with the provisions of this section.

(10) The board may issue credit instruments to refund all or any part of the outstanding credit instruments issued under this section including matured but unpaid interest. As with other credit instruments issued under this section, such refunding credit instruments may bear interest at a fixed or variable rate as determined by the board.

(11) The credit instruments issued by the board, any transaction relating to the credit instruments, and profits made from the sale of the credit instruments are free from taxation by the state or by any municipality, court, special district, or other political subdivision of the state.

(12) As determined necessary by the board the proceeds of the credit instruments less the cost of issuance shall be placed in the state's unemployment compensation fund and may be used for the purposes for which that fund may otherwise be used. If those net proceeds are not placed immediately in the unemployment compensation fund they shall be held in the special employment security fund in an account designated for that purpose until they are transferred to the unemployment compensation fund provided that the proceeds of refunding credit instruments may be placed in an escrow account or such other account or instrument as determined necessary by the board.

(13) The board may enter into any contract or agreement deemed necessary or desirable to effectuate cost-effective financing hereunder. Such agreements may include credit enhancement, credit support, or interest rate agreements including, but not limited to, arrangements such as municipal bond insurance; surety bonds; tax anticipation notes; liquidity facilities; forward agreements; tender agreements; remarketing agreements; option agreements; interest rate swap, exchange, cap, lock or floor agreements; letters of credit; and purchase agreements. Any fees or costs associated with such agreements shall be deemed administrative expenses for the purposes of calculating the credit instrument and financing agreement repayment surcharge under subsection 3 of section 288.128. The board, with consideration of all other costs being equal, shall give preference to Missouri-headquartered financial institutions, or those out-of-state-based financial institutions with at least one hundred Missouri employees.

(14) To the extent this section conflicts with other laws the provisions of this section prevail. This section shall not be subject to the provisions of sections 23.250 to 23.298.

(15) If the United States Secretary of Labor holds that a provision of this subsection or of any provision related to the levy or use of the credit instrument and financial agreement repayment surcharge does not conform with a federal statute or would result in the loss to the state of any federal funds otherwise available to it the board, in cooperation with the department of labor and industrial relations, may administer this subsection, and other provisions related to the credit instrument and financial agreement repayment surcharge, to conform with the federal statute until the general assembly meets in its next regular session and has an opportunity to amend this subsection or other sections, as applicable.

(16) Nothing in this chapter shall be construed to prohibit the officials of the state from borrowing from the government of the United States in order to pay unemployment benefits under subsection 1 of this section or otherwise.

(17) (a) As used in this subdivision the term "lender" means any state or national bank.

(b) The board is authorized to enter financial agreements with any lender for the purposes set forth in subdivision (1) of this subsection, or to refinance other financial agreements in whole or in part, upon the approval of the simple majority of the members of the board of a resolution authorizing such financial agreements, with no other proceedings required. [In no instance shall the outstanding obligation under any financial agreement continue for more than ten years.] Repayment of obligations to lenders shall be made from the special employment security fund, section 288.310, subject to appropriation by the general assembly.

(c) Financial agreements entered into under this subdivision shall not constitute debts of this state or of the board or any agency, political corporation, or political subdivision of this state and are not a pledge of the faith and credit of this state, the board or of any of those governmental entities and shall not constitute an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The financial agreements are payable only from revenue provided for under this chapter. The financial agreements shall contain a statement to the effect that:

a. Neither the state nor the board nor any agency, political corporation, or political subdivision of the state shall be obligated to pay the principal or interest on the financial agreements except as provided by this section; and

b. Neither the full faith and credit nor the taxing power of the state nor the board nor any agency, political corporation, or political subdivision of the state is pledged to the payment of the principal, premium, if any, or interest on the financial agreements.

(d) Neither the board members executing the financial agreements nor any other board members shall be subject to any personal liability or accountability by reason of the execution of such financial agreements.

(e) The board may prescribe the form, details and incidents of the financing agreements and make such covenants that in its judgment are advisable or necessary to properly secure the payment thereof provided that any terms, provisions or covenants provided in any such financing agreement shall not be inconsistent with the provisions of this section. If such financing agreements shall be authenticated by the bank or trust company acting as registrar for such by the manual signature of a duly authorized officer or employee thereof, the duly authorized officers of the board executing and attesting such financing agreements may all do so by facsimile signature provided such signatures have been duly filed as provided in the uniform facsimile signature of public officials law, sections 105.273 to 105.278, when duly authorized by resolution of the board and the provisions of section 108.175 shall not apply to such financing agreements.

(18) The commission may issue credit instruments to refund all or any part of the outstanding borrowing issued under this section including matured but unpaid interest.

(19) The credit instruments issued by the commission, any transaction relating to the credit instruments, and profits made from the issuance of credit are free from taxation by the state or by any municipality, court, special district, or other political subdivision of the state.

3. In event of the suspension of this law, any unobligated funds in the unemployment compensation fund, and returned by the United States Treasurer because such Federal Social Security Act is inoperative, shall be held in custody by the treasurer and under supervision of the division until the legislature shall provide for the disposition thereof. In event no disposition is made by the legislature at the next regular meeting subsequent to suspension of said law, then all unobligated funds shall be returned ratably to those who contributed thereto.

4. For purposes of this section, as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, the revisor of statutes shall renumber subdivision (16) of subsection 2 of such section as subdivision (17) of such subsection and renumber subdivision (17) of subsection 2 of such section as subdivision (16) of such subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted by the following vote:

AYES: 124

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kratky	Lair	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
McCaherty	McDonald	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Scharnhorst	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 017

Bahr	Carlson	Dugger	Franz	Guernsey
Kelly 24	Kirkton	Koenig	Korman	Marshall
Neth	Pollock	Schad	Schatz	Schieber
Schupp	Wells			

PRESENT: 000

ABSENT WITH LEAVE: 022

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hoskins	Hughes	Klippenstein	Lampe
Largent	Loehner	May	McCann Beatty	McGeoghegan
McGhee	Nasheed	Pierson	Sater	Sifton
Walton Gray	Webb			

On motion of Representative Fisher, **HCS HB 163, as amended**, was adopted.

On motion of Representative Fisher, **HCS HB 163, as amended**, was ordered perfected and printed.

## COMMITTEE REPORTS

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 91**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 16**, introduced by Representatives Dugger and Wells, relating to initiative and referendum petitions.

## INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

**HB 14**, introduced by Representative Silvey, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

**HB 15**, introduced by Representative Silvey, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 372**, introduced by Representative Smith (150), relating to Title I services for students.

**HB 373**, introduced by Representatives Faith and Zerr, relating to election authorities.

**HB 374**, introduced by Representatives Barnes, Kelly (24), Richardson, Jones (117) and Diehl, relating to the Missouri false claims act.

**HB 375**, introduced by Representatives Zimmerman, Carlson, Spreng, Fallert, Weter, Colona, Oxford, Atkins, Schieffer, Kirkton, Hummel, Casey, Ellinger and Lampe, relating to absentee voting.

**HB 376**, introduced by Representatives Zimmerman, Carlson, Fallert, McManus, Weter, Colona, Oxford, Atkins, Schieffer, Kirkton, Hummel, Casey, Rizzo, Ellinger and Lampe, relating to telemarketing.

**HB 377**, introduced by Representatives Zimmerman, Carlson, McManus, Weter, Colona, Oxford, Atkins, Kirkton, Hummel, Casey, Rizzo, Ellinger and Lampe, relating to lobbying.

**HB 378**, introduced by Representatives Zimmerman, Carlson, Fallert, Weter, Oxford, Atkins, Schieffer, Kirkton, Taylor, Hummel, Casey, Ellinger and Lampe, relating to the Missouri sunshine law.

**HB 379**, introduced by Representatives Zimmerman, Carlson, Fallert, McManus, Colona, Oxford, Atkins, Schieffer, Kirkton, Hummel, Casey, Ellinger and Lampe, relating to ballots.

**HB 380**, introduced by Representatives Zimmerman, Schupp, Carlson, Spreng, Fallert, McManus, Weter, Colona, Oxford, Atkins, Schieffer, Kirkton, Taylor, Casey, Rizzo, Ellinger and McGeoghegan, relating to senior citizen homestead deferral of taxes.

**HB 381**, introduced by Representatives Zimmerman, Carlson, Colona, Oxford, Atkins, Kirkton, Casey and Ellinger, relating to ranked-choice voting.

**HB 382**, introduced by Representatives Zimmerman, Carlson, Fallert, McManus, Colona, Oxford, Atkins, Schieffer, Kirkton, Spreng, Hummel, Casey, Ellinger, McGeoghegan and Lampe, relating to absentee voting.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 68**, entitled:

An act to repeal section 21.400, RSMo, and to enact in lieu thereof one new section relating to subpoenas issued by the general assembly, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Curls.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 1, 2011.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Eleventh Day, Tuesday, January 25, 2011, Page 227, Line 35, by inserting after the word "noted:" the name "Diehl".

## **COMMITTEE MEETINGS**

### **AGRI-BUSINESS**

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 4.  
Public hearing to be held on: HJR 3, HB 209

### **AGRICULTURE POLICY**

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 6.  
Public hearing to be held on: HB 100  
Executive session may be held on any matter referred to the committee.  
Possible work session.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 4.  
Budget presentation continued by the Department of Natural Resources.  
Budget presentation by the Department of Conservation.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 4.  
Budget presentation continued by the Department of Natural Resources.  
Budget presentation by the Department of Conservation.

### **APPROPRIATIONS - EDUCATION**

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.  
Budget presentation continued by the Department of Elementary and Secondary Education.  
Budget presentation by the Department of Higher Education.

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Presentation by Higher Education Institution Presidents.

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.  
Presentation continued by Higher Education Institution Presidents.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 1, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentation: Office of Administration Leasing.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 2, 2011, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Budget Presentation: Public Defender.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 budget presentation.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 1, 2011, 2:00 PM House Hearing Room 3.

Department of Corrections Budget.

Convene at 2:00 PM; short recess for dinner; reconvene meeting after recess.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Testimony - Corrections.

Request to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing.

Contact Donna Scheulen at 573-751-4189 if questions.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM; short recess for dinner at 5:00 PM; reconvene at 6:00 PM.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.



**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Testimony will be submitted by Missouri Department of Transportation (MoDOT).

**CANCELLED**

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Department of Labor and Industrial Relations (DOLIR).

**BUDGET**

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 3.

Public hearing to be held on: HCR 3, HB 236

Executive session may be held on any matter referred to the committee.

**CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 41, HB 155

Executive session may be held on any matter referred to the committee.

**DOWNSIZING STATE GOVERNMENT**

Thursday, February 3, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 315, HB 235, HCR 12

Executive session may be held on any matter referred to the committee.

**ECONOMIC DEVELOPMENT**

Tuesday, February 1, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Division of Workforce Development.

**CANCELLED**

**ELECTIONS**

Tuesday, February 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 187, HB 54

Executive session to be held on: HB 107, HB 186, HB 171, HB 217

Executive session may be held on any matter referred to the committee.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 48

Executive session to be held on: HB 138, HB 219

Executive session may be held on any matter referred to the committee.

**FINANCIAL INSTITUTIONS**

Wednesday, February 2, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 83, HB 109, HB 173

Executive session may be held on any matter referred to the committee.

#### GENERAL LAWS

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 4.  
Public hearing to be held on: HB 46, HB 90  
Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 5.  
Informational Meeting.

#### HIGHER EDUCATION

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 6.  
Public hearing to be held on: HCR 13, HB 174  
Executive session may be held on any matter referred to the committee.  
CANCELLED

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 2, 2011, 4:00 PM House Hearing Room 6.  
Executive Session will be held: HB 61  
Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 7.  
Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161  
Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 2, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.  
Public hearing to be held on: HB 265  
Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 3, 2011, 8:00 AM House Hearing Room 1.  
Presentations from: MOSERS, MPERS, LAGERS & PSRS.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, February 1, 2011, 8:00 AM House Hearing Room 7.  
Public hearing to be held on: HB 112, HB 285, HJR 5  
Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center to speak on the drinking water and waste water revolving fund.  
CANCELLED

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.  
Public hearing to be held on: HB 112, HB 285, HJR 5  
Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center to speak on the drinking water and waste water revolving fund.

**SMALL BUSINESS**

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 68, HB 86

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES**

Wednesday, February 2, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

**TRANSPORTATION**

Tuesday, February 1, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 58, HB 33, HB 167, HB 141

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, February 3, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 4, HB 104

**VETERANS**

Tuesday, February 1, 2011, 8:30 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

**CANCELLED**

**VETERANS**

Tuesday, February 1, 2011, 5:00 PM Senate Lounge.

This will be a joint committee meeting between the House of Representatives Veterans Committee and the Senate Veterans Committee.

This committee meeting will be for informational purposes only.

**CANCELLED**

**VETERANS**

Tuesday, February 08, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

This will be on HB 303, the previous hearing on this bill was cancelled due to weather.

Members should already have a copy.

**HOUSE CALENDAR**

FIFTEENTH DAY, TUESDAY, FEBRUARY 1, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 16

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

HB 14 and HB 15

**HOUSE BILLS FOR SECOND READING**

HB 372 through HB 382

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 91 - Nolte
- 2 HB 162 - Fisher

**HOUSE BILLS FOR THIRD READING**

HCS HB 163, E.C. - Fisher

**SENATE BILLS FOR SECOND READING**

SCS SB 68

**SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

SCR 1, (1-25-11, Pages 224-225) - Smith (150)

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTEENTH DAY, TUESDAY, FEBRUARY 1, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*God is love: and he that dwelleth in love dwelleth in God and God in him. (1 John 4:16)*

O God, You are the Father of all weather. We thank You for every expression of Your love to us, and for the experience of love we enjoy in the home, in our circle of friends, and here in the halls of the State House.

Strengthen the ties that bind us together. Give us courtesy and consideration in our attitude toward one another. May we not allow our disagreements to make us disagreeable, or our differences to make a difference in our relationships, but now and always may the spirit of goodwill abide in our hearts. Keep us ever mindful of Your presence, eager to do Your will and loyal to the dignity within ourselves.

We pray for rapid healing of Representative Wanda Brown, may the Divine physician grant her the recuperation necessary to resume her duties.

Protect our State and its citizens during this period of snow emergency. Protect all who must travel, work and serve today and tomorrow. Restrain this wintery blast according to Your will.

Finally, as we begin the month dedicated to recalling the contributions of all Africans and African-Americans to the history of our nation and state may our eyes truly see the dignity of all peoples. We beg this in the name of the One in Heaven. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 133

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24

Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McDonald	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Newman
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 002

Atkins                      Oxford

ABSENT WITH LEAVE: 028

Brattin	Brown 116	Curls	Diehl	Ellinger
Funderburk	Holsman	Hughes	Kander	Klippenstein
Leach	May	McCann Beatty	McGeoghegan	Meadows
Nasheed	Neth	Pierson	Riddle	Sater
Schad	Sifton	Taylor	Walton Gray	Webb
Webber	Wells	Zimmerman		

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 16** was read the second time.

## SECOND READING OF HOUSE BILLS - APPROPRIATIONS

**HB 14** and **HB 15** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 372** through **HB 382** were read the second time.

## SECOND READING OF SENATE BILL

**SCS SB 68** was read the second time.

### THIRD READING OF HOUSE BILL

**HCS HB 163**, relating to unemployment compensation benefits, was taken up by Representative Fisher.

On motion of Representative Fisher, **HCS HB 163** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Elmer	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kirkton	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Long	McCaherty	McDonald
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Newman	Nichols	Nolte
Oxford	Pace	Peters-Baker	Phillips	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Scharnhorst	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 014

Bahr	Day	Dugger	Entlicher	Guernsey
Kelly 24	Koenig	Loehner	Marshall	Parkinson
Pollock	Schatz	Schieber	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 026

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hughes	Kander	Klippenstein	Leach
May	McCann Beatty	McGeoghegan	Meadows	Nasheed
Neth	Pierson	Riddle	Sater	Schad
Sifton	Smith 71	Walton Gray	Webb	Webber
Zimmerman				

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 008

Dugger	Guernsey	Koenig	Marshall	Parkinson
Pollock	Schieber	Wells		

PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hughes	Kander	Klippenstein	Leach
May	McCann Beatty	McGeoghegan	Nasheed	Neth
Pierson	Riddle	Sater	Schad	Sifton
Walton Gray	Webb	Webber	Zimmerman	



### THIRD READING OF SENATE CONCURRENT RESOLUTION

**SCR 1**, relating to electric renewable standard requirements, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **SCR 1** was truly agreed to and finally passed by the following vote:

AYES: 122

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Burlison	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Nichols	Nolte	Pace	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 016

Anders	Atkins	Carlson	Kelly 24	Kirkton
McDonald	McNeil	Newman	Peters-Baker	Redmon
Schupp	Smith 71	Spreng	Still	Swearingen
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 025

Brattin	Brown 116	Curls	Ellinger	Funderburk
Holsman	Hughes	Kander	Klippenstein	Leach
May	McCann Beatty	McGeoghegan	Nasheed	Neth
Oxford	Pierson	Riddle	Sater	Schad
Sifton	Walton Gray	Webb	Webber	Zimmerman

Speaker Tilley declared the bill passed.

## COMMITTEE REPORTS

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### HOUSE CONCURRENT RESOLUTION NO. 9

Relating to the calling of an amendment convention.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Article V of the Constitution of the United States provides that "on application of the legislatures of two-thirds of the several states" the calling of a convention for the purpose of proposing amendments to such Constitution is authorized; and

WHEREAS, any amendment proposed by the convention "shall be valid to all intents and purposes as part" of the Constitution of the United States "when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress"; and

WHEREAS, in the interests of preserving principles of federalism and state sovereignty, such an amendment convention should be restricted to considering the following amendment only:

"Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of two-thirds of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed."; and

WHEREAS, this resolution is submitted as an official application by the State of Missouri, which when joined by two-thirds of the several states, shall authorize the calling of an amendment convention for the purpose stated in this resolution:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby apply and make application to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution for the limited purpose of a constitutional amendment that permits the repeal of any federal law or regulation by a vote of two-thirds of the state legislatures, and the Missouri Delegation to such convention, when called, shall propose the following amendment:

"Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of two-thirds of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed."; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives prepare copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, and each presiding officer of each state legislative chamber in the United States.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 46**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 383**, introduced by Representatives Pace, Nasheed, Walton Gray, Carter, Hummel, Smith (71), Jones (63), Ellinger, Denison, Colona, McGhee, Kelly (24), Zimmerman, Black, Oxford, Schieffer, Atkins, Curls, Nance, Meadows and Hubbard, relating to the crimes of assault and tampering with a judicial officer.

**HB 384**, introduced by Representatives Black, Dieckhaus, Fitzwater, Zerr, Schupp, Fallert, McManus and Kratky, relating to incarcerated sexual offenders.

**HB 385**, introduced by Representatives Faith, Schoeller, Jones (89), Sater, Black, Denison, Nolte, Allen, Weter, Brandom, Cauthorn, Brown (85), Lair, Day, Largent, Dieckhaus, Schneider, McGhee, Hodges, Schieffer, Casey, Meadows, Kratky, Gatschenberger, Molendorp, Guernsey, Riddle, Cierpiot, Koenig, Leara, Cox, Schad, Fisher, Funderburk, Burlison, Higdon, Hummel, Harris, Leach, Zerr, McCaherty, Cookson, Hoskins, Franklin, Berry, Wyatt, Gosen, Diehl, Barnes, Shively, Quinn, Fallert, Schieber, Fitzwater, Wallingford, Korman, Cross, Grisamore, Frederick, Bahr, Asbury, Fuhr, Lasater, Swinger, Stream, Thomson, Wieland, Reiboldt, Long, Hough, Nance, Kelley (126), Johnson, Houghton, Redmon, Fraker, Flanigan, Scharnhorst, Franz, Ruzicka, Wells, Pollock, Davis, Lichtenegger, Shumake, Brown (50), Elmer, Keeney, Parkinson, McNary, Conway (27), Loehner and Dugger, relating to a tax credit for contributions to pregnancy resource centers.

**HB 386**, introduced by Representatives Nance, Kirkton, Schneider, Pace and Nolte, relating to small claims actions.

**HB 387**, introduced by Representatives Wyatt, Franklin, Lichtenegger, Fitzwater and Jones (63), relating to youth athlete brain injuries.

**HB 388**, introduced by Representative Burlison, relating to patient information provided in advance of certain surgical procedures.

**HB 389**, introduced by Representatives Holsman and Oxford, relating to the preschool plus program.

**HB 390**, introduced by Representatives Holsman and Oxford, relating to the KidCare Co-op program.

**HB 391**, introduced by Representatives Holsman and Oxford, relating to medical assistance benefits.

## COMMUNICATIONS

January 31, 2011

Mr. D. Adam Crumbliss  
Chief Clerk, Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to section 105.461, RSMo, I am hereby filing a written report of personal interest in Legislation, on which the House of Representatives may vote during the Legislative Session. I am a retired member of the Lagers and Cerf Retirement systems.

In compliance with section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Galen W. Higdon, Jr.  
State Representative  
District 29

-----  
February 1, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
201 W. Capitol Avenue, Room 306C  
Jefferson City, MO 65101

Dear Adam:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session.

In compliance with section 105.461, RSMo, please publish this letter in the Journal of the House.

I am a retired teacher drawing retirement from PSRS.

Thank you.

Sincerely,

/s/ Ira Anders  
State Representative  
District 51

The following members' presence was noted: Ellinger, Holsman, Kander, Leach and Schad.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 2, 2011.

## **COMMITTEE MEETINGS**

### **AGRI-BUSINESS**

Wednesday, February 2, 2011, 12:30 PM House Hearing Room 6.

Executive Session will be held: HJR 3, HB 209

Executive session may be held on any matter referred to the committee.

### **AGRI-BUSINESS**

Thursday, February 3, 2011, South Gallery upon morning adjournment.

Executive Session will be held: HJR 3, HB 209

Executive session may be held on any matter referred to the committee.

**CANCELLED**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 4.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Presentation by Higher Education Institution Presidents.

**CANCELLED**

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Presentation continued by Higher Education Institution Presidents.

**CANCELLED**

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 2, 2011, 1:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Budget Presentation: Public Defender.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 budget presentation.

**CANCELLED**

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Testimony - Corrections.

Request to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing.

Contact Donna Scheulen at 573-751-4189 if questions.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00 PM.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Department of Labor and Industrial Relations (DOLIR).

**CANCELLED**

**BUDGET**

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 3.

Public hearing to be held on: HCR 3, HB 236

Executive session may be held on any matter referred to the committee.

**CANCELLED**

**CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 41, HB 155

Executive session may be held on any matter referred to the committee.

**CANCELLED**

**DOWNSIZING STATE GOVERNMENT**

Thursday, February 3, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 315, HB 235, HCR 12

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 138, HB 219, HB 48

Executive session may be held on any matter referred to the committee.

CANCELLED

FINANCIAL INSTITUTIONS

Wednesday, February 2, 2011, 2:00 PM House Hearing Room 7.

Public hearing to be held on: HB 83, HB 109, HB 173

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 2, 2011, 4:00 PM House Hearing Room 6.

Executive Session will be held: HB 61

Executive session may be held on any matter referred to the committee.

CANCELLED

JUDICIARY

Wednesday, February 2, 2011, House Hearing Room 1 upon morning adjournment.

Public hearing to be held on: HB 128, HB 130, HB 227

Executive session may be held on any matter referred to the committee.

Executive session will be held: HB 35, HB 88

CANCELLED

LOCAL GOVERNMENT

Wednesday, February 2, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 2, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 265

Executive session may be held on any matter referred to the committee.

CANCELLED

RETIREMENT

Thursday, February 3, 2011, 8:00 AM House Hearing Room 1.

Presentations from: MOSERS, MPERS, LAGERS & PSRS.

RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 112, HB 285, HJR 5

Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center regarding the drinking water and waste water revolving fund.

**SMALL BUSINESS**

Wednesday, February 2, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 68, HB 86

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES**

Wednesday, February 2, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

**CANCELLED**

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, February 3, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 4, HB 104

**CANCELLED**

**VETERANS**

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

This will be on HB 303, the previous hearing on this bill was cancelled due to weather.

Members should already have a copy.

**WAYS AND MEANS**

Thursday, February 3, 2011, 8:30 AM House Hearing Room 5.

Public hearing to be held on: HB 222, HB 151, HB 55

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 2, 2011

**HOUSE BILLS FOR SECOND READING**

HB 383 through HB 391

**HOUSE BILLS FOR PERFECTION**

1 HCS HB 91 - Nolte

2 HB 162 - Fisher



# **JOURNAL OF THE HOUSE**

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 2, 2011

The House met pursuant to adjournment.

Representative Brown (85) in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## **SECOND READING OF HOUSE BILLS**

**HB 383** through **HB 391** were read the second time.

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 11** - Downsizing State Government

**HJR 14** - Elections

## **REFERRAL OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were referred to the Committee indicated:

**HB 14** - Budget

**HB 15** - Budget

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 103** - Tourism and Natural Resources

**HB 110** - Health Care Policy

**HB 123** - General Laws

**HB 125** - General Laws

**HB 147** - Transportation Funding and Public Institutions

**HB 184** - Local Government

**HB 199** - Crime Prevention and Public Safety

**HB 212** - Higher Education  
**HB 229** - Retirement  
**HB 231** - Higher Education  
**HB 232** - Higher Education  
**HB 242** - Transportation  
**HB 247** - Crime Prevention and Public Safety  
**HB 248** - Ways and Means  
**HB 250** - Tourism and Natural Resources  
**HB 252** - General Laws  
**HB 253** - Judiciary  
**HB 254** - Judiciary  
**HB 255** - Judiciary  
**HB 256** - Judiciary  
**HB 257** - Judiciary  
**HB 258** - General Laws  
**HB 259** - Children and Families  
**HB 260** - Judiciary  
**HB 271** - General Laws  
**HB 279** - Financial Institutions  
**HB 281** - Agriculture Policy  
**HB 284** - Tourism and Natural Resources  
**HB 287** - Professional Registration and Licensing  
**HB 294** - General Laws  
**HB 301** - Professional Registration and Licensing  
**HB 302** - Corrections  
**HB 304** - Ways and Means  
**HB 319** - Workforce Development and Workplace Safety  
**HB 320** - Workforce Development and Workplace Safety  
**HB 326** - Professional Registration and Licensing  
**HB 329** - Elections  
**HB 330** - Transportation Funding and Public Institutions  
**HB 331** - General Laws  
**HB 332** - Agriculture Policy  
**HB 338** - Utilities  
**HB 339** - Utilities  
**HB 366** - Economic Development

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 17**, introduced by Representatives Smith (150), Fitzwater, Lant, Wright, Rowland, Crawford, Schoeller, Hinson, Hough, Pollock and Loehner, relating to freedom in agriculture.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 392**, introduced by Representatives White, Sater, Davis, Lant, Flanigan, Kelley (126), Entlicher, Rizzo, Franklin and Frederick, relating to the adult health care consent act.

**HB 393**, introduced by Representatives Jones (89), Dieckhaus, McNary, Barnes, Richardson, Koenig, Schoeller and Cross, relating to the parent empowerment and choice act.

**HB 394**, introduced by Representatives Cookson, Fitzwater, Guernsey, Rowland, Phillips and Wright, relating to license plates for property-carrying commercial motor vehicles.

**HB 395**, introduced by Representatives Cookson, Fitzwater, Wells, Rowland, Phillips, Wright, Bahr, Franz and Denison, relating to operating a motorized vessel with excessive blood alcohol content.

**HB 396**, introduced by Representative Diehl, relating to the Missouri prosecuting attorneys and circuit attorneys retirement system fund.

**HB 397**, introduced by Representative Diehl, relating to sales commissions.

**HB 398**, introduced by Representative Diehl, relating to fiduciaries.

**HB 399**, introduced by Representative Diehl, relating to fiduciaries.

**HB 400**, introduced by Representative Diehl, relating to transient guest taxes for promoting tourism.

**HB 401**, introduced by Representative Diehl, relating to unclaimed property.

**HB 402**, introduced by Representatives Diehl and Korman, relating to liens for architects, professional engineers, land surveyors, and landscape architects.

The following members' presence was noted: Allen, Anders, Asbury, Atkins, Aull, Bahr, Bernskoetter, Berry, Black, Brandom, Burlison, Carlson, Carter, Casey, Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Davis, Day, Denison, Dieckhaus, Diehl, Dugger, Elmer, Entlicher, Faith, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franklin, Franz, Frederick, Fuhr, Gatschenberger, Gosen, Guernsey, Haefner, Hampton, Harris, Higdon, Hinson, Hodges, Hough, Houghton, Hubbard, Johnson, Jones (63), Jones (89), Jones (117), Keeney, Kelley (126), Kelly (24), Koenig, Korman, Kratky, Lair, Lampe, Lant, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, Marshall, McDonald, McNary, McNeil, Meadows, Molendorp, Montecillo, Newman, Nichols, Nolte, Oxford, Pace, Parkinson, Peters-Baker, Phillips, Pollock, Quinn, Redmon, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Scharnhorst, Schatz, Schieber, Schieffer, Schoeller, Schupp, Shively, Shumake, Silvey, Smith (71), Smith (150), Solon, Spreng, Swearingen, Swinger, Talboy, Taylor, Thomson, Tilley, Torpey, Wallingford, Wells, Weter, White, Wieland, Wright, Wyatt and Zerr.

## **ADJOURNMENT**

On motion of Representative Brown (85), the House adjourned until 10:00 a.m., Thursday, February 3, 2011.

## **COMMITTEE MEETINGS**

### **AGRI-BUSINESS**

Thursday, February 3, 2011, South Gallery upon morning adjournment.

Executive Session will be held: HJR 3, HB 209

Executive session may be held on any matter referred to the committee.

**CANCELLED**

### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Testimony - Corrections.

Request to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing.

Contact Donna Scheulen at 573-751-4189 if questions.

### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00 PM.

### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

### **DOWNSIZING STATE GOVERNMENT**

Thursday, February 3, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 315, HB 235, HCR 12

Executive session may be held on any matter referred to the committee.

**CANCELLED**

**RETIREMENT**

Thursday, February 3, 2011, 8:00 AM House Hearing Room 1.

Presentations from: MOSERS, MPERS, LAGERS & PSRS

CANCELLED

**RURAL COMMUNITY DEVELOPMENT**

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 112, HB 285, HJR 5

Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center regarding the drinking water and waste water revolving fund.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, February 3, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 4, HB 104

CANCELLED

**VETERANS**

Tuesday, February 08, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

This will be on HB 303; the previous hearing on this bill was cancelled due to weather.

Members should already have a copy.

**WAYS AND MEANS**

Thursday, February 03, 2011, 8:30 AM House Hearing Room 5.

Public hearing to be held on: HB 222, HB 151, HB 55

Executive session may be held on any matter referred to the committee.

CANCELLED

**HOUSE CALENDAR**

SEVENTEENTH DAY, THURSDAY, FEBRUARY 3, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 17

**HOUSE BILLS FOR SECOND READING**

HB 392 through HB 402

**HOUSE BILLS FOR PERFECTION**

1 HCS HB 91 - Nolte

2 HB 162 - Fisher

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SEVENTEENTH DAY, THURSDAY, FEBRUARY 3, 2011

The House met pursuant to adjournment.

Representative Gosen in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 355 through House Resolution No. 411

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 17** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 392** through **HB 402** were read the second time.

## COMMITTEE REPORT

**Committee on Agri-Business**, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 209**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 403**, introduced by Representative Brandom, relating to landlord/tenant actions in small claims court.

**HB 404**, introduced by Representatives Weter, Nance, Wright, Dieckhaus, Koenig, McDonald, Kirkton, Wyatt, Curtman, Lichtenegger, Lampe, Still, Newman, Lant, Webb, Pollock, Quinn, Schupp, Fraker, Aull, Reiboldt, Holsman, Grisamore, Stream, Ellinger, Walton Gray, Hodges, Carter, Fallert and Zerr, relating to security deposits.

**HB 405**, introduced by Representatives Crawford, Kelley (126), Houghton, Entlicher, Fitzwater, Schoeller and Jones (117), relating to commercial dog breeders.

**HB 406**, introduced by Representatives Wieland, Koenig, Meadows, Harris, Curtman, Schieffer, Redmon and McCaherty, relating to the use of automated photo red light enforcement systems by local governments.

**HB 407**, introduced by Representatives Wieland, Nance and Gosen, relating to certificates of insurance for property and casualty insurance coverage.

**HB 408**, introduced by Representatives Koenig, Davis, Lant, Curtman, White, Burlison, McNary, Schoeller and Higdon, relating to taxation.

**HB 409**, introduced by Representatives Koenig, McNary, Stream, Bahr, Gosen and McGhee, relating to the defined contribution plan for teachers.

**HB 410**, introduced by Representative Loehner, relating to school expulsion or suspension.

## COMMUNICATION

February 2, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306-C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

As sole owner of Wieland Insurance Group, LLC, I sell and service multiple lines of insurance.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Best Regards,

/s/ Paul Wieland  
District 102

The following members' presence was noted: Allen, Anders, Atkins, Bahr, Barnes, Bernskoetter, Berry, Black, Brandom, Brown (85), Carlson, Carter, Conway (14), Conway (27), Cookson, Crawford, Cross, Curtman, Davis, Day, Denison, Diehl, Entlicher, Fallert, Fisher, Fitzwater, Flanigan, Frederick, Fuhr, Gatschenberger, Guernsey, Haefner, Hampton, Harris, Higdon, Hinson, Hodges, Holsman, Houghton, Hubbard, Hummel, Johnson, Jones (117), Kelley (126), Kelly (24), Koenig, Korman, Kratky, Lant, Lauer, Leach, Lichtenegger, Loehner, Long, Marshall, McDonald, Meadows, Molendorp, Montecillo, Pace, Phillips, Pollock, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Schieber, Schieffer, Schoeller, Shumake, Silvey, Smith (71), Solon, Spreng, Still, Swinger, Talboy, Taylor, Thomson, Torpey, Wallingford, Wells, Weter, Wieland, Wright, Wyatt and Zerr.

### **ADJOURNMENT**

On motion of Representative Gosen, the House adjourned until 4:00 p.m., Monday, February 7, 2011.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 100

Executive session may be held on any matter referred to the committee.

Possible work session.

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 4.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 4.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Budget presentation continued by the Department of Elementary and Secondary Education.

Budget presentation by the Department of Education.

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Monday, February 7, 2011, 12:00 PM House Hearing Room 5.

Budget Presentations: Elected Officials - Governor, Auditor, Treasurer, and Attorney General Offices Judiciary Public Defender.

**CORRECTED**



**APPROPRIATIONS - GENERAL ADMINISTRATION**

Monday, February 7, 2011, 5:00 PM House Hearing Room 3.

Budget Presentations: Elected Officials - Governor, Auditor, Treasurer, and Attorney General Offices Judiciary Public Defender.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 Budget overview.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 Budget overview, continued.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 7, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Testimony - Corrections.

Request to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing.

Contact Donna Scheulen at 573-751-4189 if questions.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 9, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

**BUDGET**

Monday, February 7, 2011, 1:00 PM House Hearing Room 3.

Public hearing to be held on: HCR 3, HB 236

Executive session may be held on any matter referred to the committee.

#### DOWNSIZING STATE GOVERNMENT

Monday, February 7, 2011, 1:00 PM House Hearing Room 1.  
Public hearing to be held on: HB 315, HB 235, HCR 12, HB 139

#### ECONOMIC DEVELOPMENT

Tuesday, February 8, 2011, 5:00 PM House Hearing Room 7.  
Presentation from the Division of Workforce Development.

#### ELECTIONS

Tuesday, February 8, 2011, 8:15 AM House Hearing Room 5.  
Public hearing to be held on: HJR 14, HB 329, HB 187, HB 54  
Executive session may be held on any matter referred to the committee.

#### FINANCIAL INSTITUTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 6.  
Public hearing to be held on: HB 83, HB 109, HB 173

#### GENERAL LAWS

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 4.  
Public hearing to be held on: HB 233, HB 274, HB 276  
Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 6.  
Public hearing to be held on: HB 213, HB 29  
Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 5.  
Public hearing to be held on: HB 280  
Executive session may be held on any matter referred to the committee.  
Informational Meeting (from 2-1-2011) will be continued after HB 280.

#### HIGHER EDUCATION

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 6.  
Public hearing to be held on: HCR 13, HB 174, HB 232  
Executive session may be held on any matter referred to the committee.

#### JUDICIARY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 1.  
Public hearing to be held on: HB 35, HB 88, HB 128, HB 130, HB 227, HB 253  
Executive session may be held on any matter referred to the committee.  
Note: Copies of HB35, HB88, HB128, HB130, and HB227 have been previously distributed with the meeting notice scheduled for 02/02/11 that was cancelled due to inclement weather.

#### LOCAL GOVERNMENT

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 265, HB 287

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, February 7, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive Session will be held: HB 46, HCR 9

Executive Session on any additional bills which may be referred to Rules pursuant to Rule 25(32)(f).

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 112, HB 285, HJR 5

Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center regarding the drinking water and waste water revolving fund.

#### SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, February 9, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, February 7, 2011, House Hearing Room 2 upon afternoon adjournment.

Organizational Meeting.

#### URBAN ISSUES

Monday, February 7, 2011, 5:00 PM House Hearing Room 5.

Presentations on Urban Crime.

#### VETERANS

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 303

Executive session may be held on any matter referred to the committee.

This will be on HB 303, the previous hearing on this bill was cancelled due to weather.

Members should already have a copy.

**HOUSE CALENDAR**

EIGHTEENTH DAY, MONDAY, FEBRUARY 7, 2011

**HOUSE BILLS FOR SECOND READING**

HB 403 through HB 410

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 91 - Nolte
- 2 HB 162 - Fisher

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

EIGHTEENTH DAY, MONDAY, FEBRUARY 7, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Beth Duckworth, First Methodist Churches of Mokane, Steedman, and Tebbetts.

Dear Holy and Righteous God. We pause at this time and humble ourselves before Your greatness. Your majesty is so vast the heavens cannot contain You. As leaders, we realize it is a sacred privilege to have been elected and appointed to serve in these offices by the people of the State of Missouri. With this in mind, I ask that You sharpen our minds and make sensitive our hearts so we might discern Your preferences. Our primary goal today is to please You, accomplishing Your will and not our own. It takes many to perform these tasks, so please surround these dignitaries with men and women who would be sensitive to Your voice and are willing to give virtuous counsel.

We take the time to remember the citizens of this state. Please lend them Your favor. Unite them and instill in them a renewed vision, the same optimistic vision You foreordained for those men and women who founded this territory. In the era of today our needs are varied, from economic rejuvenation - to guidance in how to preserve the precious natural resources - to providing outstanding education for our young people. Forgive us for the times when we may have missed the mark. Let each one in this room today see themselves as the marshals of justice, the hands for those who have no access, and the voices for those who have no voice. I ask that the presence of the Holy Spirit grace us now, lending wisdom, imparting guidance, and bestowing blessings on all in this room. In the name of the Father and the Son and the Holy Spirit. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifteenth day was approved as printed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky

Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 116	Dieckhaus	Faith	Funderburk	Hughes
McCann Beatty	Rizzo	Schneider	Spreng	Talboy
Webber	Mr Speaker			

The Journal of the sixteenth day was approved as printed.

The Journal of the seventeenth day was approved as printed.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 412 through House Resolution No. 497

## **HOUSE CONCURRENT RESOLUTIONS**

Representative Walton Gray, et al., offered House Concurrent Resolution No. 25.

Representative Walton Gray, et al., offered House Concurrent Resolution No. 26.

Representative Walton Gray offered House Concurrent Resolution No. 27.

## **SECOND READING OF HOUSE BILLS**

**HB 403** through **HB 410** were read the second time.

## HOUSE CONCURRENT RESOLUTION

Representative Jones (89) offered **HCR 24**, which was read.

### HOUSE CONCURRENT RESOLUTION NO. 24

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 2:00 p.m., Wednesday, February 9, 2011, to receive a message from the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **HCR 24** was adopted.

Speaker Tilley assumed the Chair.

## SIGNING OF SENATE CONCURRENT RESOLUTION

All other business of the House was suspended while **SCR 1** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller resumed the Chair.

## COMMITTEE REPORTS

**Committee on Downsizing State Government**, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 139**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 107**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 411**, introduced by Representative Wyatt, relating to developmental disabilities facilities.

**HB 412**, introduced by Representative Smith (150), relating to wholesale drug distributors.

**HB 413**, introduced by Representative Keeney, relating to making a false declaration.

**HB 414**, introduced by Representatives Richardson and McManus, relating to title agencies and agents.

**HB 415**, introduced by Representatives Richardson, Cookson, Fitzwater and Hampton, relating to the designation of a memorial highway.

**HB 416**, introduced by Representatives Richardson, Hampton and Cookson, relating to public library district sales taxes.

**HB 417**, introduced by Representatives Richardson, Cox, Jones (117), Barnes, Elmer, Smith (150) and Long, relating to rights of persons with parental relationships.

**HB 418**, introduced by Representatives Walton Gray, Meadows, Pace, McCann Beatty, Ellinger, May, Oxford, Jones (63), Schupp, Newman, Webb and Smith (71), relating to a sickle cell disease task force.

The following members' presence was noted: Funderburk and Talboy.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 8, 2011.



## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 100

Executive session may be held on any matter referred to the committee.

Possible work session.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 4.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 9, 2011, House Hearing Room 4 upon afternoon adjournment.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

**CORRECTED**

### **APPROPRIATIONS - EDUCATION**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 1.

Budget presentation continued by the Department of Elementary and Secondary Education.

Budget presentation by the Department of Higher Education.

**CORRECTED**

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 9, 2011, House Hearing Room 1 upon afternoon adjournment.

Analyst Markup Sheets.

**CORRECTED**

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 8, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentations: Elected Officials - Lieutenant Governor, Secretary of State Offices, and General Assembly

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 9, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentations: Tax Commission, Lottery Commission, and Department of Revenue.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 5.

Department of Health and Senior Services FY 2012 Budget overview.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, February 9, 2011, House Hearing Room 5 upon afternoon adjournment.

Department of Health and Senior Services FY 2012 Budget overview, continued.

**CORRECTED**

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Convene at 2:00 PM, short recess for dinner at 5:00 PM, reconvene at 6:00 PM.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 9, 2011, House Hearing Room 6 upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

**CORRECTED**

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Thursday, February 10, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Corrections Budget.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 8, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Presentation from Department of Insurance, Financial Institutions and Professional Registration.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hearing in Hearing Room 3 may recess until 2:00 PM in Hearing Room 7.

Breakfast will be provided for members.

Presentation from the Department of Economic Development.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Thursday, February 10, 2011, House Hearing Room 7 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by MoDOT.

**BUDGET**

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 3.

Public hearing to be held on: HB 14, HB 15

Executive session may be held on any matter referred to the committee.

**CHILDREN AND FAMILIES**

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 259, HB 143

Executive session may be held on any matter referred to the committee.

**CORRECTIONS**

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 38, HB 154, HB 302

Executive session may be held on any matter referred to the committee.

**CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 214

Executive session may be held on any matter referred to the committee.

**ECONOMIC DEVELOPMENT**

Tuesday, February 8, 2011, 5:00 PM House Hearing Room 7.

Presentation from the Division of Workforce Development

**ELECTIONS**

Tuesday, February 8, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HJR 14, HB 329, HB 187, HB 54

Executive session may be held on any matter referred to the committee.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 48, HB 138, HB 219

Executive session may be held on any matter referred to the committee.

**FINANCIAL INSTITUTIONS**

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 6.

Public hearing to be held on: HB 83, HB 109, HB 173

**FISCAL REVIEW**

Thursday, February 10, 2011, 8:30 AM South Gallery.

Any bills referred to the committee.

#### GENERAL LAWS

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 233, HB 274, HB 276

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 213, HB 29

Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 280

Executive session may be held on any matter referred to the committee.

Informational Meeting (from 2-1-2011) will be continued after HB 280.

#### HIGHER EDUCATION

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HCR 13, HB 174, HB 232

Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 9, 2011, 5:30 PM House Hearing Room 7.

Executive session will be held: HB 61

Executive session may be held on any matter referred to the committee.

#### JUDICIARY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 128, HB 130, HB 227, HB 253

Executive session will be held: HB 35, HB 88

Executive session may be held on any matter referred to the committee.

Note: Copies of HB128, HB130, and HB227 have been previously distributed with the meeting notice scheduled for 2-02-2011 that was cancelled due to inclement weather.

#### LOCAL GOVERNMENT

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 265, HB 287

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 1.  
Presentations from: MOSERS, MPERS, LAGERS and PSRS.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, February 8, 2011, 8:00 AM House Hearing Room 7.  
Public hearing to be held on: HB 112, HB 285, HJR 5  
Guest Speaker: Joe Boland, Department of Natural Resources' Director of the Financial Assistance Center regarding the drinking water and waste water revolving fund.

#### SMALL BUSINESS

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 7.  
Public hearing to be held on: HB 211, HB 68, HB 86  
Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, February 9, 2011, 9:00 AM House Hearing Room 4.  
Organizational Meeting.

#### TAX REFORM

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 5.  
Public hearing to be held on: HJR 8  
Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 7.  
Public hearing to be held on: HB 33, HB 153, HB 141, HB 242  
Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 10, 2011, 8:00 AM House Hearing Room 6.  
Public hearing to be held on: HB 104, HB 147, HB 330  
AMENDED

#### UTILITIES

Tuesday, February 8, 2011, 12:00 PM House Hearing Room 1.  
Public hearing to be held on: HB 338, HB 339  
Executive session may be held on any matter referred to the committee.

#### VETERANS

Tuesday, February 8, 2011, 8:30 AM House Hearing Room 1.  
Public hearing to be held on: HB 303  
Executive session may be held on any matter referred to the committee.  
This will be on HB 303, the previous hearing on this bill was cancelled due to weather.  
Members should already have a copy.

CORRECTED

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Tuesday, February 8, 2011, 2:00 PM South Gallery.

Executive session will be held: HB 205

Executive session may be held on any matter referred to the committee.

HB 205 Executive Session only

**CANCELLED**

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, February 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HJR 6, HB 319, HB 320

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

NINETEENTH DAY, TUESDAY, FEBRUARY 8, 2011

**HOUSE BILLS FOR SECOND READING**

HB 411 through HB 418

**HOUSE BILLS FOR PERFECTION**

- 1     HCS HB 91 - Nolte
- 2     HB 162 - Fisher
- 3     HCS HB 46 - Diehl
- 4     HB 71 - Nasheed

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 9, (2-1-11, Page 277) - Barnes

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

NINETEENTH DAY, TUESDAY, FEBRUARY 8, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not weary; and they shall walk and not faint. (Isaiah 40:31)*

Quietly and sincerely, Our Father, do we wait upon You. Without the strength which You alone can give we faint, falter and walk not in faith and love. With the strength You do cause to arise within us, we are made ready for every responsibility, equal to any experience and adequate for all of life. Make us ready for responsibilities of this day, equal to the experiences of this hour and adequate for the actions we take this session of the Missouri House.

Strengthen our Speaker as he leads and presides over us; and all Members of the House as they take action on behalf of our citizens. In Your strength may we be made strong indeed, in the name Almighty we beg and pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as printed.

## HOUSE RESOLUTION

Representative Leara offered House Resolution No. 527.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 498 through House Resolution No. 526

House Resolution No. 528 through House Resolution No. 531

## HOUSE CONCURRENT RESOLUTION

Representative Nolte, et al., offered House Concurrent Resolution No. 28.

## SECOND READING OF HOUSE BILLS

**HB 411** through **HB 418** were read the second time.

## PERFECTION OF HOUSE BILL

**HB 162**, relating to workers' compensation, was taken up by Representative Fisher.

Representative Nolte offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 162, Page 1, Section 287.120, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“and in the course of the employee's employment[,] . **The employer, or employee of such employer, shall not be liable for any injury or death for which compensation is recoverable under this chapter** and shall be released from all other liability”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Hummel offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Bill No. 162, Page 1, Section 287.120, Line 3, by inserting after the word “**disease**” the following:

“**other than mesothelioma**”; and

Further amend said bill, Page 1, Section 287.120, Line 11, by inserting after the word “**disease**” the following:

“**other than mesothelioma**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 059

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Gosen	Harris
Higdon	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Pace	Peters-Baker
Pierson	Quinn	Schieffer	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	Weter	Zimmerman	



NOES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Guernsey	Haefner	Hampton	Hinson	Hoskins
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Stream	Thomson
Torpey	Wallingford	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Dieckhaus	Faith	Grisamore	Hough
Hughes	Meadows	Oxford	Riddle	Rizzo
Wells				

On motion of Representative Fisher, **HB 162, as amended**, was ordered perfected and printed.

### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 17** - Rural Community Development

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 37** - Workforce Development and Workplace Safety

**HB 50** - Financial Institutions

**HB 134** - Professional Registration and Licensing

**HB 179** - Elementary and Secondary Education

**HB 180** - Elections

**HB 182** - Tourism and Natural Resources

**HB 290** - Local Government

**HB 364** - General Laws

**HB 369** - Local Government

**HB 383** - Crime Prevention and Public Safety

## COMMITTEE REPORTS

**Committee on Budget**, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### HOUSE CONCURRENT RESOLUTION NO. 3

Relating to submission of a proposed federal balanced budget amendment to the United States Constitution

WHEREAS, under Article V of the Constitution of the United States:

"The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress"; and

WHEREAS, the following Amendment to the United States Constitution is proposed:

"Section 1. The annual expenditures of the Congress shall not exceed the annual revenue for any year, save for the use of monetary reserves, except as provided for in Sections 2 and 3.

Section 2. The Congress shall not borrow from any source, including its own funds and trusts, for any expense, except for the extraordinary costs of a declared war or armed conflict, or for a fiscal emergency declared by Congress and signed by the President of the United States.

Section 3. The Congress may issue special bonds for specific capital projects, which shall, in turn, be extinguished within twenty years of issuance. The cumulative total of all bonds issued in this manner shall never exceed twenty percent of the total private sector earned income.

Section 4. This amendment shall take effect beginning the third fiscal year after its ratification.

Section 5. This resolution shall not be construed as an application for a constitutional convention to the United States Constitution pursuant to Article V thereof.":

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby submit this resolution for a federal balanced budget Amendment to the United States Constitution and, pursuant to Article V of the United States Constitution, respectfully urge the United States Congress to submit the proposed Amendment to the United States Constitution to the States for ratification and inclusion in the United States Constitution; and

BE IT RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 236**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 18**, introduced by Representatives Cox, Gatschenberger, Schad, Koenig, Scharnhorst, Burlison and Day, relating to nonpartisan judicial commissions.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 419**, introduced by Representatives Stream, Dieckhaus, Lauer, Houghton, Carlson, Kirkton and Spreng, relating to foster care students.

**HB 420**, introduced by Representatives Stream, Lauer, Kratky, Carlson, Kirkton, Spreng and Brown (85), relating to eating disorders.

**HB 421**, introduced by Representatives Stream, Redmon, Lauer, Houghton, Spreng and Barnes, relating to developmental disabilities facilities.

**HB 422**, introduced by Representative Scharnhorst, relating to leave for members of the civil air patrol.

**HB 423**, introduced by Representatives Burlison, Jones (89), Schoeller, Tilley, Diehl, Molendorp, Houghton, Silvey, Asbury, Koenig, Smith (150), Allen, Leach, Wyatt, Frederick, Ruzicka, Hampton, Lichtenegger, Davis, Curtman, White, Riddle, Kelley (126), Reiboldt, Lant, Zerr, Long, Wells, Crawford, Dugger, Entlicher, Lair, Stream, Thomson, Fisher, Schad, Fitzwater, McGhee, Gatschenberger, Haefner, Cauthorn, Wieland, Richardson, Klippenstein, Berry, Brattin, Neth, Wallingford, Barnes, McNary, Elmer and Flanigan, relating to the health care compact.

**HB 424**, introduced by Representatives Funderburk, Koenig, Lasater, Wieland, Burlison, Lant, Schieffer and Walton Gray, relating to an official designation of the Christmas season.

**HB 425**, introduced by Representatives Funderburk, Dieckhaus, Grisamore, Koenig, Lasater and Wieland, relating to Missouri dependency exemptions.

**HB 426**, introduced by Representative Sifton, relating to maternity health insurance coverage.

**HB 427**, introduced by Representative Barnes, relating to adoption records.

**HB 428**, introduced by Representative Cauthorn, relating to environmental permits.

**HB 429**, introduced by Representatives McGhee, McNeil, Guernsey, Kratky, Carter, Zerr, Faith, Still, Ellinger, Carlson, Conway (27) and Schupp, relating to nonresident entertainer income taxes.

**HB 430**, introduced by Representatives Burlison, Nolte, Leach, Schoeller, McNary, Long, Funderburk, Koenig, Houghton, Fisher, Scharnhorst, Cauthorn and Parkinson, relating to motor carrier transportation regulated by the state highways and transportation commission.

**HB 431**, introduced by Representatives Franz, Schoeller, Long and McDonald, relating to foster care and adoption promotion.

**HB 432**, introduced by Representatives Kander, Shively, Lampe, Still, Quinn, Aull, Harris, Anders, Carlson, Smith (71), Hummel, Black, Taylor, Pace, Kirkton, Schieffer, Schupp and Webber, relating to ethics.

**HB 433**, introduced by Representatives Kander, Zimmerman, Shively, Lampe, Still, Quinn, Aull, Anders, Harris, Carlson, Smith (71), Hummel, Black, Taylor, Pace, Kirkton, Schupp and Webber, relating to human trafficking.

**HB 434**, introduced by Representative Nolte, relating to workers' compensation.

**HB 435**, introduced by Representative Wyatt, relating to county purchases of road rock.

**HB 436**, introduced by Representatives Fitzwater, Nance and Redmon, relating to sheriff elections.

**HB 437**, introduced by Representatives McNary, Kelley (126), Redmon, Houghton, Nolte, Berry, Guernsey, Haefner, Brattin, Bahr, Brown (85) and Kander, relating to legislative employees.

**HB 438**, introduced by Representatives Schupp, Oxford, Walton Gray, Lichtenegger, Carlson, Hummel, Lampe, Newman, Ellinger, McNeil, Black, McDonald, Taylor, Harris, Smith (71), Pierson, Swearingen, May, Pace, Carter, McCann Beatty, Quinn, Kirkton, Curls, Stream, Still and McNeil, relating to the Missouri indoor clean air act.

**HB 439**, introduced by Representatives Nolte, Nance and Allen, relating to outside the hospital do-not-resuscitate orders.

**HB 440**, introduced by Representatives Nolte, Nance, Smith (71) and Allen, relating to personal flotation devices.

**HB 441**, introduced by Representative Nolte, relating to the Missouri clean water law.

**HB 442**, introduced by Representative Franz, relating to preferences for state contracts.

**HB 443**, introduced by Representatives McNeil, Smith (71), Newman, Oxford, Carlson and Montecillo, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

**HB 444**, introduced by Representatives McNeil, Smith (71), Newman, Oxford, Peters-Baker and Montecillo, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 24**.

### COMMITTEE APPOINTMENTS

February 8, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Administrative Rules:

Representative Todd Richardson  
Representative Jay Barnes  
Representative Chris Carter

Continuing to serve on this Joint Committee are:

Representative Jason Smith  
Representative Mike Talboy

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

-----  
February 8, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member to serve on the Joint Committee on Corrections:

Representative Linda Black

Continuing to serve on this Joint Committee are:

Representative Michael Brown  
Representative Scott Largent  
Representative Mike McGhee  
Representative Jamilah Nasheed  
Representative Dwight Scharnhorst

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

-----  
February 8, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member(s) to serve on the Joint Committee on Government Accountability:

Representative John Rizzo  
Representative Ron Casey  
Representative Paul Quinn

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy  
House Minority Leader

-----  
February 8, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member(s) to serve on the Joint Committee on Public Employee Retirement:

Representative Tommie Pierson  
Representative Ira Anders  
Representative Bert Atkins

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy  
House Minority Leader

-----  
February 8, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member(s) to serve on the Joint Committee on Tax Policy:

Representative Mike Talboy  
Representative Clem Smith

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy  
House Minority Leader

-----  
February 8, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member(s) to serve on the Joint Committee on Terrorism, Bioterrorism and Homeland Security:

Representative Jay Swearingen  
Representative Stephen Webber  
Representative Mary Nichols

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy  
House Minority Leader

## COMMUNICATION

February 8, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol - Room 306C  
Jefferson City, MO 65101

Dear Chief Clerk Crumbliss,

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

I am currently a 50% -owner of First Steps Pediatrics, LLC, a pediatric home health agency, which provides services to children through the Missouri First Steps program and through the Missouri HealthNet program.

In addition, my husband, R. Michael Allen, is Chief Financial Officer of several companies and a member of several LLC companies which redevelop historic properties in the State. These companies frequently utilize State incentives for such redevelopment including the State Historic Preservation Tax Credit and Brownfield Credits.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the Missouri House of Representatives.

Respectfully,

/s/ Sue Allen  
State Representative  
District 92

The following members' presence was noted: Grisamore, Oxford and Riddle.

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 9, 2011.

## COMMITTEE MEETINGS

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 9, 2011, House Hearing Room 4 upon afternoon adjournment.

Budget presentation continued by the Department of Natural Resources.

Budget presentation by the Department of Conservation.

CORRECTED

### APPROPRIATIONS - EDUCATION

Wednesday, February 9, 2011, House Hearing Room 1 upon afternoon adjournment.

Analyst Markup Sheets.

CORRECTED



APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 9, 2011, House Hearing Room 3 upon morning adjournment.

Budget Presentations: Tax Commission, Lottery Commission, and Department of Revenue.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 9, 2011, House Hearing Room 5 upon afternoon adjournment.

Department of Health and Senior Services FY 2012 Budget overview, continued.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 10, 2011, 8:00 AM House Hearing Room 3.

Continuation of Department of Health and Senior Services budget overview, if necessary.

Department of Mental Health budget overview.

Committee may reconvene after morning adjournment.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 9, 2011, House Hearing Room 6 upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 10, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Corrections Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 9, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

Presentation from the Department of Economic Development.

CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Economic Development.

At 10:00 AM, hearing will recess and reconvene upon adjournment.

At that time, the hearing will move to House Hearing Room 7 for presentation by MoDOT.

CORRECTED

BUDGET

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 3.

Public hearing to be held on: HB 14, HB 15

Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 259, HB 143

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 38, HB 154, HB 302

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 214

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, February 10, 2011, House Hearing Room 4 upon morning adjournment.

Public hearing to be held on: HB 41, HB 155

Executive session may be held on any matter referred to the committee.

Both bills were previously distributed with February 2nd meeting notice.

February 2nd meeting cancelled because of blizzard.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 48

Executive session to be held on: HB 138, HB 219

Executive session may be held on any matter referred to the committee.

CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, February 9, 2011, 5:00 PM House Hearing Room 6.

Public hearing to be held on: HB 83, HB 109, HB 173

#### FISCAL REVIEW

Thursday, February 10, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

#### HEALTH CARE POLICY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 213, HB 29

Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 9, 2011, 5:30 PM House Hearing Room 7.

Executive Session will be held: HB 61

Executive session may be held on any matter referred to the committee.

#### JUDICIARY

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 128, HB 130, HB 227, HB 253

Executive session to be held on: HB 35, HB 88

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 60, HB 80, HB 101, HB 142, HB 157, HB 161

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 265, HB 287

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 1.

Presentations from: MOSERS, MPERS, LAGERS & PSRS

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, February 9, 2011, House Lounge upon afternoon adjournment.

Executive Session will be held: HB 139, HB 209, HB 107

Executive session may be held on any matter referred to the committee.

Public testimony will be taken on House Bill 209 (Guernsey).

#### SMALL BUSINESS

Wednesday, February 9, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 211, HB 68, HB 86

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES**

Wednesday, February 9, 2011, 9:00 AM House Hearing Room 4.

Organizational Meeting.

**TAX REFORM**

Wednesday, February 9, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HJR 8

Executive session may be held on any matter referred to the committee.

**TOURISM AND NATURAL RESOURCES**

Thursday, February 10, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 89, HB 250

Executive session to be held on: HB 89, HB 189, HB 190

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, February 10, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 104, HB 147, HB 330

AMENDED

**WAYS AND MEANS**

Thursday, February 10, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 222, HB 316

Executive session to be held on: HB 151, HB 55

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, February 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HJR 6, HB 319, HB 320

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

TWENTIETH DAY, WEDNESDAY, FEBRUARY 9, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 18

**HOUSE BILLS FOR SECOND READING**

HB 419 through HB 444

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 91 - Nolte
- 2 HCS HB 46 - Diehl
- 3 HB 71 - Nasheed

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 9, (2-1-11, Page 277) - Barnes

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTIETH DAY, WEDNESDAY, FEBRUARY 9, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*This is life eternal, to know Thee the only true God, and the One, whom Thou hast sent. (John 17:3)*

Eternal Father of our souls, once more we humbly and reverently bow our heads in Your presence, offering unto You the morning devotion of our hearts. You are the source of light and life. You are the fountain of flowing love. You are in everything that lifts and liberates the human soul. Lift us, we pray You, and liberate our spirits that we may be led from the seen to the unseen, from the unreal to the real, from things as they appear to be to the things as they truly are.

Bless all those who have dedicated their lives to the eradication of all diseases of the human heart. We lift them up in a special way during this month. Guide their efforts and grant every success to their cures.

Give wisdom to our Chief Justice who will be present in this Chamber in a few hours. May his words inspire us in all things to be just and to fear not. May each one of us draw the things as we see it, for the God of things as they are: in Your dear Name, for the good of Missouri, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the nineteenth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 532 through House Resolution No. 541

## HOUSE CONCURRENT RESOLUTION

Representative Conway (27), et al., offered House Concurrent Resolution No. 29.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 18** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 419** through **HB 444** were read the second time.

## PERFECTION OF HOUSE BILL

**HCS HB 46**, relating to fire sprinkler system installations, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 46, Page 1, Section 67.281, Lines 1 to 6, by deleting all of said lines and inserting in lieu thereof the following:

"67.281. **1.** A builder of [single-family] **one- or two-family** dwellings or [residences or multi-unit dwellings of four or fewer units] **townhouses** shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling[, residence,] or [unit] **townhouse**. Notwithstanding any other provision of law to the contrary, no purchaser of such a [single-family] **one- or two-family** dwelling[, residence,] or [multi-unit dwelling] **townhouse** shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or [residence] **townhouse** being purchased"; and

Further amend said bill, Page 1, Section 67.281, Lines 11 to 12, by deleting all of said lines and inserting in lieu thereof the following:

"in connection with the purchase of any [single family] **one- or two-family** dwelling[, residence,] or [multi-unit dwelling of four or fewer units] **townhouse**. The provisions of this section shall expire on December 31, [2011] **2019**"; and

Further amend said bill, Page 1, Section 67.281, Line 12, by inserting after all of said line the following:

"**2. Any governing body of any political subdivision that adopts the 2009 International Residential Code for One- and Two-Family Dwellings or a subsequent edition of such code without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the language in section R317 for two-family dwellings (R317.1) and townhouses (R317.2).**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

On motion of Representative Diehl, **HCS HB 46, as amended**, was adopted.

On motion of Representative Diehl, **HCS HB 46, as amended**, was ordered perfected and printed by the following vote:

AYES: 149

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey

Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 009

Anders	Carlson	Ellinger	Kirkton	Newman
Oxford	Pierson	Schupp	Still	

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116	Hughes	Meadows	Rizzo	Taylor
-----------	--------	---------	-------	--------

## MOTION

Representative Jones (89) moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent



Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 116	Denison	Dugger	Hughes	Meadows
Nasheed	Pollock	Rizzo		

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

Representative-elect Leonard (Jonas) Hughes, IV, subscribed to the oath of office, which was administered at 11:20 a.m. by the Honorable Steven Tilley, Speaker of the House of Representatives.

The hour of recess having expired, the House was called to order by Speaker Tilley.

### ESCORT COMMITTEE

The Speaker appointed the following Committee to act with a like Committee from the Senate pursuant to **HCR 24**: Jones (117), Barnes, Elmer, Marshall, Richardson, Sifton, Carlson, Ellinger, Peters-Baker and McManus.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House pursuant to **HCR 24**: Senators Schmitt, Ridgeway, Chappelle-Nadal, Goodman, Schaefer, McKenna, Wright-Jones, Justus and Keaveny.

## JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and President Pro Tem Robert Mayer, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 030

Brown	Callahan	Chappelle-Nadal	Cunningham	Dempsey
Dixon	Engler	Goodman	Green	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Ridgeway	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Crowell	Purgason	Rupp
---------	----------	------

VACANCIES: 001

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Oxford	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71

Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Brown 116	Carter	Cross	Curls
Diehl	Franz	Funderburk	Harris	Hodges
Holsman	Korman	McNary	Newman	Nolte
Pace	Parkinson	Rizzo	Scharnhorst	Webb
Zimmerman				

The Doorkeeper announced the approach of the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of Missouri. Chief Justice Price was duly escorted to the House Chamber and to the Speaker's dais where he delivered the following message to the assembly in Joint Session.

### STATE OF THE JUDICIARY ADDRESS

by

Chief Justice William Ray Price, Jr.

Mr. Speaker, Mr. President, Mr. President Pro Tem, members of the General Assembly: It is my honor to deliver this 38th State of the Judiciary Address.

I never have seen a more challenging time for our state. Regardless of political philosophy, one thing is clear. Significant cuts have been made and will be made to Missouri's budget. To the extent necessary and possible, the courts have shared and will continue to share in spending reductions without complaint.

The Missouri court system, the third separate but equal constitutional branch of government, operates on less than 2% of the state budget. Yet in 2010 we heard more than 171,000 contract cases, 42,000 landlord-tenant cases, 17,000 juvenile cases, 12,000 probate cases, 110,000 family and domestic cases, 41,000 felony cases, and 115,000 misdemeanor cases. Despite the state's economic condition, whether dipping or hopefully recovering, our workload does not diminish. The court system is a core function of government that must perform, and perform well, for our state to function and thrive.

Don't overlook the obvious. Even in this time of economic challenge, we are still the greatest civilization in the history of humankind, supported by a free market economy that can exist only within the certainty of law. Goods and services can be bought and sold, money can be exchanged, people can plan for the future, but only because they can trust in a fair and impartial judiciary to protect their property and their rights.

There are two specific concerns I want to talk with you about. I spoke about them last year, and they are still the two most important issues that we face together for the future of Missouri. One calls for action; one does not.

First, we continue to over-incarcerate nonviolent offenders, while we have failed to expand drug courts and other diversionary and reentry programs to capacity. The result is a state that is not as safe as we want it to be and a waste of taxpayer dollars.

From the 1980s, in Missouri and across the nation, we attempted to incarcerate our way out of crime and illegal drug use. We thought just putting people in prison would make them better or scare them straight. We spent billions of dollars and it did not work. We were tough on crime, but we were not smart on crime. Consider these numbers.

In 1982, 612,000 people were behind bars in state prisons across the country. By 2008, that number had risen almost fourfold to 2.3 million people. In 2010, the United States incarcerated a higher share of its population than any other country in the world. The cost has been staggering. State correctional spending across our country increased from \$11.7 billion, in 1988, to \$47.3 billion in 2008. (*One in 31: The Long Reach of American Corrections*, The Pew Center on the States, [www.pewcenteronthestates.org](http://www.pewcenteronthestates.org); *The High Budgetary Cost of Incarceration*, Center for Economic and Policy Research, June 2010, [www.cepr.net](http://www.cepr.net))

In an article published just this January, Stanford law professor Joan Petersilia noted:

What we are seeing today is a growing recognition that our approach to dealing with convicted criminals is simply too costly. Not only is the price too high, but the benefits are too low. The states now spend an estimated \$50 billion on corrections annually, and the growth of these outlays over the past 20 years has outpaced budget increases of nearly all other essential government services .... (*Beyond the Prison Bubble*, *The Wilson Quarterly*, Winter 2011, p.52)

Missouri had 5,953 individuals in state prison in 1982; by 2009, the number had grown fivefold to 30,432. In that same time period, from 1982 until 2009, our Department of Corrections budget rose from \$55 million to \$665 million.

It costs more than \$16,400 per year to incarcerate an individual, without counting the cost of the prison itself. The cost of building a prison is about \$100 million. For violent criminals, who endanger innocent men, women and children, there may be little choice. But for many of the 14,700 nonviolent offenders, this prison-based strategy is not working and it is costing us an arm and a leg.

The key measurement of the failure of this strategy is the recidivism rate. That's the number of people who are returned to prison after they have been released. In Missouri, 44.6% of nonviolent offenders are reincarcerated within two years of release; 52% of nonviolent offenders are reincarcerated within three years of release; and 58.5% of nonviolent offenders are reincarcerated within five years of release. More than one half of the people released from our penitentiaries are returned within five years.

A real life example of recidivism was the 35-year-old St. Joseph man who was arrested for drunken driving on June 16, 2010, just three hours after he was released from prison. (*The Kansas City Star*, July 17, 2010)

Punishment is a necessary part of our criminal justice system, but our real goal for nonviolent offenders is to teach them their lesson so they can become productive, law-abiding members of our society. The goal is not to lock them into a life of crime, to make them permanent wards of the state on an installment program of incarceration after incarceration, at \$16,400 per year. Newt Gingrich wrote this:

The key to public safety and fiscal sanity is not just getting dangerous people off the streets but also making sure that men and women who eventually leave prison have changed and can stay crime-free on the outside. (*Atlanta Journal Constitution*, March 23, 2010)

Governor Rick Perry of Texas said it this way:

I believe we can take an approach that is both tough and smart ... [T]here are thousands of non-violent offenders in the system whose future we cannot ignore. Let's focus more resources on rehabilitating those offenders so we can ultimately spend less money locking them up again. ([www.rightoncrime.com](http://www.rightoncrime.com))

It should be absolutely clear that when half of the nonviolent offenders are returned to prison after release, we have not taught them the right lesson, and, the danger of crime – the millions of dollars of cost to the Missouri taxpayer – goes on and on and on.

Over-incarceration of nonviolent offenders has been a big-government, throw-money-at-the-problem strategy that simply did not and does not work. Despite our tough-on-crime rhetoric, it is time that we face reality. Prison is the most expensive and least effective strategy for a significant number of nonviolent offenders. All it does is house them in expensive buildings, guard them with state workers, feed and give them health care paid for with precious state dollars and force them to associate with criminals more dangerous than they are. By spending all of our money on prison, there is not enough left to spend on the alcohol and drug treatment and the education and job training necessary to break their cycle of crime. Proof is in the numbers: 44.6% are back in two years; 58.5% are back in five years.

A group called Right on Crime, whose members include Grover Norquist, Edwin Meese and William Bennett, said this:

... the corrections system must align incentives with our goals of public safety, victim restitution and satisfaction, and cost-effectiveness, thereby moving from a system that grows when it fails to one that rewards results. ([www.rightoncrime.com](http://www.rightoncrime.com))

Professor Petersilia said it this way:

It should not come as a surprise to learn that we have a corrections system that does not correct .... Former prisoners account for an estimated 15 to 20 percent of all arrests among adults. That means thousands of Americans are being victimized every year by criminals who have already done time without experiencing "correction." (*Beyond the Prison Bubble*, The Wilson Quarterly, Winter 2011, p.53)

There is a better way. All across the country, states are turning to cheaper, more effective, alternative sanctions than prison for nonviolent offenders.

Drug courts are one of the best examples of tough, effective, local alternatives to prisons. Depending on the study, between 60% and 80% of people in prison are there for drug-related crimes or have drug or alcohol issues. Study after study, nationally and in Missouri, show that drug courts are the most effective way to deal with drug- and alcohol-addicted people at a fraction of the cost of prison. Missouri has more than 9,700 drug court graduates with a minimal recidivism rate.

There are other evidence-based criminal sanction strategies, each matched to the particular risks and characteristics of the offender that also work that are far less expensive and far more effective than prison. We need to move from anger-based, prison-focused sentencing that ignores cost and effectiveness to evidence-based alternative sanctions that change troubled lives and focus on results.

With your help, we have expanded drug courts and DWI courts across Missouri. Unfortunately, they are still underfunded by half. We barely have scratched the surface with family drug courts and reentry courts, but I especially want to tell you about two pilot programs. First, in Jackson, Greene and St. Louis counties and in St. Louis city, we tested a program to divert juveniles from detention facilities. The program reduced detention admissions by approximately 50% with better results from the juveniles. The savings from this program will be substantial. We are expanding this program into five additional circuits.

The other pilot program is veterans court. Veterans court focuses on returning veterans whose psychological scars from service lead them to drugs and trouble and sometimes violence when they get home. In St. Louis city, Drug Court Commissioner Jim Sullivan has established a veterans court with twelve participants. Drug Court Commissioner Phil Britt is in the process of establishing a rural veterans court in Butler, Carter, Dunklin, Ripley, Stoddard and Wayne counties with a target population of twenty to twenty-five veterans. We owe our veterans this kind of help when they need it, but our resources are already stretched thin.

From a moral, a fiscal and a law-and-order perspective, drug courts, DWI courts, juvenile diversion programs, veterans courts, reentry courts and community supervision strategies are better investments of taxpayer money, for their target populations, than prisons.

I want to be absolutely clear. I am not advocating that we reduce prison populations just to save money. Nonviolent offenders are still law breakers, and they will break laws until they learn their lesson. What I am saying is that we need to do a better job teaching nonviolent offenders the right lessons. That takes more than prison; it takes more than slap-on-the-wrist probation. Drug and alcohol addiction must be broken; discipline and job skills must be learned. When that can be done better, outside of expensive prison walls, that is what we should do. Results matter, public safety matters, taxpayer dollars matter, saving lives and restoring families matter.

I also want to make clear that this is not a management problem at the Department of Corrections. Director Lombardi, his staff, and the probation and parole officers of this state, are excellent and dedicated public servants. Because of their leadership and because of the nearly 3,000 drug court diversions each year, we have avoided building at least two new prisons. That is, at least, \$200 million of avoided costs, just for the buildings, let alone the tens of millions of dollars of operational costs. Missouri has started in the right direction, but we need to go farther and to do better.

The people of America are ready for a change. A poll taken last September showed that 86% of Americans agreed that “We have too many low risk, nonviolent offenders in prison. We need alternatives to incarceration that cost less and save our expensive prison space for violent and career criminals.” Eighty-nine percent of Americans agreed that “Ninety-five percent of people in prison will be released. If we are serious about public safety, we must increase access to treatment and job training programs so they can become productive citizens once they are back in the community.” And 84% of Americans agreed that “Prisons are a government program, and just like any other government program they need to be put to the cost-benefit test to make sure taxpayers are getting the best bang for their buck.” (*Public Attitudes on Crime and Punishment*, The Pew Center on the States, [www.pewcenteronthestates.org](http://www.pewcenteronthestates.org))

We need to expand our existing diversionary treatment court programs. We need to require, as a condition for early release from prison, education or job training and drug treatment, if needed. We need to establish a more robust program for reentry supervision for those who are released. The reduction in the number of nonviolent offenders in our prisons will more than fund these efforts. We need to be tough and smart on crime.

Transitioning from where we are to where we need to be is the hard part. It will take detailed study and cooperation among the state, the counties, the courts, the prosecutors, the defenders and our law enforcement agencies. I am thankful to your leaders, Speaker Tilley and President Pro Tem Mayer, who have joined with Governor Nixon and me in signing a letter seeking a federal Justice Reinvestment Initiative grant to study how this should be done. They have shown political courage and the type of bipartisan leadership necessary to make Missouri a safer and better place. Please recognize Speaker Tilley and President Pro Tem Mayer for their far-sighted leadership.

The second major issue that I want to talk with you about is a fair and impartial judiciary. Solomon is the example of the greatest judge. When he first became King of Israel, the Revised Standard Version of the Bible says he asked the Lord for “an understanding mind to govern thy people, that I may discern between good and evil.” The New Jerusalem Bible and most other translations have Solomon asking for an understanding “heart,” instead.

I never have worried about this difference in translation, because both are true. A good judge needs an understanding mind and an understanding heart to find justice.

It is not easy finding justice. Justice is not a physical thing that you can touch or hold or measure. Often it is shaped by the eye of the beholder and, often, relative to the beholder’s particular point of view. What seems just to one may seem unjust to another.

A good judge must have the courage to accept that not all people will see justice as he or she does. Sometimes, a good judge must have the courage to risk the anger of the majority, to protect the rights of the individual – rights that we prize and that are guaranteed by our national and state constitutions. That is why Alexander Hamilton said the “independence of the judges is ... requisite to guard the Constitution and the rights of individuals.” (*The Federalist* #78)

Our job is different than yours. You serve the majority. You make broad policy decisions that apply to everyone. You make campaign promises and are expected to uphold them. If something does not work, if it is worded incorrectly, or if the will of the majority changes, you can change your laws year by year.

Our job is more limited. We rule individual case by individual case. Whether it is a case for a business fighting for its economic life, a crippled plaintiff who no longer can support himself or his family, parents fighting for the custody of a loved child, or a person accused of a crime with his liberty or life at stake, we rule individual case by individual case, with each individual having only that one chance for justice. In every case, someone loses. Fairness, impartiality and a level playing field, not subject to outside influence or manipulation, not dependent on a preexisting promise, are the absolute necessity.

With this in mind, we need to talk about the Missouri Plan for selecting judges. The plan was adopted by the people of Missouri by initiative petition in 1940. It was in response to the Pendergast political machine's attempt to control the Supreme Court of Missouri. It was a plan established by the people to protect their courts from political manipulation and control.

For those of you who are new to the legislature, let me explain how the Missouri Plan works. For vacancies on the Supreme Court and the Court of Appeals, there is a seven-member commission. The commission is made up of three lawyers elected by lawyers from the eastern, western and southern districts of the state. The lawyers' role is to safeguard the professional quality of the candidates. The lawyers serve staggered six-year terms. The commission also has three members who cannot be lawyers, appointed by the governor, again for staggered six-year terms. They evaluate the candidates from the point of view of regular citizens of Missouri. To the extent these commissioners are appointed by the governor, they reflect the political mood of the state. Finally the chief justice of the Supreme Court serves on the commission. In my experience, the chief justice functions neither as a lawyer nor as a lay person, but as a representative of the judiciary as a whole. Each nominating commission for trial judges, in Jackson, Clay, Platte, Greene and St. Louis counties and St. Louis city, has one lawyer and non-lawyer, and the presiding judge of the local court of appeals replaces the chief justice.

The commission evaluates the applicants. It screens out those who from a legal or any other point of view might not be the best choice to serve as a judge and selects the three candidates the commission believes would be best. The governor may appoint any of the three individuals submitted to him, for any reason. The governor's appointee begins to serve immediately but is subject to a retention vote of the people at the next general election after a year of service, and again, every twelve years thereafter. Missouri Plan judges are accountable directly to the people.

The brilliance of the Missouri Plan is that it balances the need for legal ability, everyday common sense and responsibility to the people, in a way that preserves the integrity and the fairness and the impartiality of the judge. It also checks the power of all concerned, the lawyers, the citizens, the chief justice, the governor, and most importantly, it allows a very real check and balance to the people by the retention vote.

But, in some ways, the quality of a judge is like the quality of justice. It is perceived in the eye of the beholder, colored by the beholder's interests and desires. What one person sees as a great appointment may be criticized by another; perhaps not relative to ability or integrity or fairness, but by a desire for a particular ideological viewpoint and the expectation of a particular type of ruling. The Missouri Plan was created to seek judges of ability, integrity and fairness; not to lock in any particular viewpoint.

There are two alternatives that have been suggested by critics of the Missouri Plan. I am certain that those who suggest these alternatives are sincere in their concerns, but I do not believe that they understand the dangers inherent in their suggested alternatives.

The worst alternative is direct elections of judges. The reason is simple: money. The amount of money involved in conducting statewide races will destroy the public's perception, and perhaps the actual integrity, of our judicial system.

As special interest politics have increased, the amount of money directed to judicial elections has skyrocketed. For the 10-year period from 1990 to 1999, \$83.3 million was spent on judicial elections. For the 10-year period from 2000 to 2009, that amount more than doubled to \$206.9 million. (*The New Politics of Judicial Elections: 2000-2009*, The Brennan Center for Justice, [www.brennancenter.org](http://www.brennancenter.org))

It is even more shocking that most of this money comes from a small group of big spenders. A study of 29 elections in the nation's 10 most costly states from 2000 to 2009 showed that the top five contributors in each race

invested an average of \$473,000 each, while the remaining 116,000 contributors averaged just \$850 each. (*The New Politics of Judicial Elections: 2000-2009*, The Brennan Center for Justice, [www.brennancenter.org](http://www.brennancenter.org))

There can be no way that this much money from so few people can be good. In fact, a Harris poll released this past September revealed that 70% of Americans, both democrats and republicans, believed that campaign contributions have had a significant impact on courtroom decisions. (*The Birmingham News*, September 11, 2010)

Remember the *Avery* case from Illinois in which an Illinois Supreme Court justice cast the deciding vote in a \$450 million lawsuit in favor of a company after receiving more than \$1 million in campaign contributions from those connected to the company. Remember the *Massey* case from West Virginia in which a new West Virginia Supreme Court justice cast the deciding vote in a \$50 million lawsuit after the CEO of that company spent approximately \$3 million of independent expenditures to defeat the new judge's opponent.

Big money in judicial elections is a scandal.

I am not naive. There are political and ideological issues that divide our nation and that divide our state. It is our strength as a democracy to allow the full debate and resolution of those issues by and before the people, but that is a process for you to conduct here in the legislative chambers of government. It is not a process to be confused with the fair and just resolution of individual disputes, each case according to its evidence, each case according to the law, each case with fairness and impartiality. Most importantly, each case as the only opportunity for justice for the Missouri citizens involved.

Whether rich, poor, black, white, plaintiff, defendant, individual, corporation, prosecutor, accused, republican, democrat or independent, the people of Missouri deserve justice when they come to court. They deserve a level playing field and a fair chance. They deserve judges who make decisions on evidence and law, not judges who have been influenced by big money contributions from special interests.

Judges who have been bought and paid for have not been the Missouri way since 1940, and they should not be the Missouri way of the future.

Another suggestion is to adopt a plan modeled after the federal system. That, too, is problematic. Federal judges have life tenure; they are not subject to retention votes. The federal plan has no commission of lawyers or lay people to filter the candidates regarding legal ability, reputation or simple common sense. It would be a purely political system where only the governor and senators are included. I am sure you can imagine the bargaining that might take place, perhaps involving issues wholly unrelated to the nominee. You don't have to imagine the gridlock that takes place when the senate is controlled by one party and the governor is of the other party. In a 2002 speech, then Attorney General John Ashcroft declared that the federal system "has broken down" because the United States Senate would not act on President Bush's nominees for judges. That may well happen again with President Obama's nominees. What would happen here for nominees between May and January: delay or special session after special session. Modifications to the federal system might attempt to solve these problems, but they would only increase the uncertainty and risk about how a federal plan might work in Missouri, with untested modifications.

Other, more measured, changes also might be proposed to the Missouri Plan; changes that preserve the structure of the plan, but focus on the political balance of the commissioners, the timing of the commissioners' terms, or the number of nominees on the panel submitted to the governor. Such changes might be less dangerous, but they are still fraught with the risk of unintended consequences. The greater the change, the greater the number of changes, the greater the risk.

In the past two years, the Court has taken great strides to increase the transparency of the Missouri Plan to make it more open to the people. Last year, we amended the rules to release the names of the applicants. This year, we amended the rules to open the interview process to the public, to release the final vote for the panel of nominees and to encourage nominations directly from the public. These changes will allow the people of Missouri to see for themselves how the Missouri Plan works and to see the choices it makes when presenting a panel of nominees to the governor. These are significant and good changes. Both Kansas and Iowa have followed our lead and opened their interviews to the public.



A detailed study published in May 2008 titled, *Is The 'Missouri Plan' Good for Missouri? The Economics of Judicial Selection*, authored by professors Joshua Hall and Russell Sobel, noted:

“A growing literature in economics has found that judicial independence and quality matter for economic growth across countries and states.

Most significantly, they concluded:

“Based on our analysis Missouri’s current system is far superior to several of the alternatives such as partisan elections, nonpartisan elections, and gubernatorial appointment with the approval only of some type of executive council.” (Policy Study No. 15, *Show-Me Institute*, May 21, 2008)

Justice is sacred but fragile. It belongs to the people, not to either political party, not to any special interest. A system of justice is necessary to support our economy and to preserve our individual rights and freedoms. A system of justice can exist only so long as the people have trust and confidence that it is fair and impartial. Any proposed change to the Missouri Plan should be considered only with the greatest care and caution. I am afraid that it is more likely that any change will bring more harm than good.

Each of you has been chosen by your fellow citizens to come here and represent them in our government. It is a great honor that they have bestowed upon you. It is an honor that comes with great responsibility. Do not take for granted your importance. What you do will make a difference, not in theory, not in political sound bites, but in the real lives of real Missourians now and for years to come.

Having served here for nearly eighteen years, I understand your sacrifices. I understand some of your pressures. I understand your best intentions. I respect you all for your willingness to serve.

I know that each of you want to do your best. I know that each of you want to do what is right and good. It is not my place to advise you on most matters, but preserving a system of justice in Missouri that our people can have faith and confidence in, that cannot be bought, is something that’s right and good; reforming our criminal sentencing practices to save millions and millions of dollars, to break the cycle of addiction and crime, and to make Missouri a safer place is something right and good. It is what should be done. It is something you and your families and all of the people of Missouri can be proud of.

Thank you.

The Joint Session was dissolved by Senator Dempsey.

Speaker Tilley resumed the Chair.

## COMMITTEE REPORTS

**Committee on Agriculture Policy**, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 100**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Budget**, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 14**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Tax Reform**, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 76**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 107**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 139**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 209**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 19**, introduced by Representatives Kirkton, Oxford, Jones (63), McNeil, Carlson and Schupp, relating to congressional and legislative redistricting.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 445**, introduced by Representative Molendorp, relating to use of tobacco products in state correctional facilities.

**HB 446**, introduced by Representatives Thomson, Tilley, Lair, Silvey, Stream and Dieckhaus, relating to state funding for elementary and secondary education.

**HB 447**, introduced by Representatives Funderburk, Zerr, Gatschenberger, Parkinson, Schneider, Stream, Bahr, Conway (14), Fallert, Allen, Colona, Walton Gray, Pace, Taylor and Carter, relating to tax increment financing.

**HB 448**, introduced by Representative Lair, relating to employer contributions under the Missouri local government employees' retirement system.

**HB 449**, introduced by Representative Sater, relating to radon awareness during real estate transactions.

**HB 450**, introduced by Representatives Allen, Brandom, Lauer, Crawford, Entlicher, Lichtenegger, Leach, Riddle and Zerr, relating to the breast cancer awareness license plate.

**HB 451**, introduced by Representatives Kirkton and Ellinger, relating to the taxation of property.

**HB 452**, introduced by Representatives Hodges, McGeoghegan, Schieffer, Newman, McDonald, Kratky, Fallert and Meadows, relating to insurance coverage for treatment of infertility.

**HB 453**, introduced by Representative Hodges, relating to county officers.

**HB 454**, introduced by Representatives Hodges and Schieffer, relating to liability for gratuitous services.

**HB 455**, introduced by Representatives Hodges and Schieffer, relating to sensory processing disorder.

**HB 456**, introduced by Representatives Hodges and Schieffer, relating to fresh pursuit powers for fourth class city police officers.

**HB 457**, introduced by Representatives Hodges and Schieffer, relating to distribution of controlled substances.

**HB 458**, introduced by Representatives Loehner, Guernsey, Weter, Wright, Johnson, Lichtenegger and Schad, relating to the Missouri farmland trust.

**HB 459**, introduced by Representatives Denison, Tilley, Burlison, Pollock, Day, Wright, Phillips, Schoeller, Stream, Fisher, Houghton, Davis, Brattin, White, Wieland, Elmer, Gatschenberger, Schieber, Hampton, Jones (89), Fallert, Webb, Nasheed, May, Walton Gray and Meadows relating to the designation of the new Mississippi River bridge.

**HB 460**, introduced by Representatives Lampe, Nichols, Ellinger, McNeil, Aull, Zimmerman, Newman, Pace, Curls, Webber, Walton Gray, Carter, Casey, Nasheed, Peters-Baker, Spreng, Hummel, Kirkton, McCann Beatty, Oxford, Brown (50), McDonald, Schupp, Webb, Colona, Kratky, Kander, Talboy, Montecillo, Fallert, McManus, Swearingen, Rizzo, Anders, Atkins, Still, McGhee, Jones (63), Carlson, Meadows, May, Hodges, Sifton, Holsman, Hubbard, Pierson, Harris, Smith (71), Kelly (24), McGeoghegan, Zerr and Hughes, relating to school safety.

**HB 461**, introduced by Representative Pollock, relating to use of credit scores by prospective employers.

**HB 462**, introduced by Representative Pollock, relating to the Missouri energy task force.

**HB 463**, introduced by Representatives McNary, Funderburk, Koenig, Dieckhaus, Schad, Burlison, Curtman, Neth, Jones (89), Stream, Houghton, Scharnhorst, Gosen, Hinson, Allen, Diehl, Redmon, Schoeller, Franz and Nasheed, relating to virtual schools.

**HB 464**, introduced by Representatives McNary, Funderburk, Wieland, Koenig, Burlison, Curtman, Day, Cross, Nance, Guernsey, Kelly (24), Smith (150), Jones (89), Long, Dieckhaus, Wright, Lair, Stream, Schatz, Houghton, Scharnhorst, Gosen, Hinson, Loehner, Allen, Diehl, Weter, Dugger, Faith, Nolte, Holsman, McCaherty, May, Redmon, Schoeller, Franz, Wells, Pollock, Nasheed and Ellinger, for the sole purpose of eliminating, combining, and revising certain state boards, commissions, committees, and councils.

**HB 465**, introduced by Representatives Wells, Day, Denison, Nolte, Largent, McCann Beatty, Colona, Zimmerman, Talboy, Schad, Wright, Brandom, Sater and McNary, relating to credit unions.

**HB 466**, introduced by Representative Schoeller, relating to payroll deductions for electioneering purposes.

### COMMITTEE APPOINTMENT

February 9, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Legislative Research:

Representative Joe Fallert  
Representative Chris Kelly  
Representative Jean Peters-Baker  
Representative Mark Parkinson  
Representative Scott Sifton  
Representative Ryan Silvey

Continuing to serve on this Joint Committee are:

Representative Tom Flanigan  
Representative Tim Jones  
Representative Jason Smith  
Representative Rick Stream

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

### ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 10, 2011.

## COMMITTEE MEETINGS

### AGRICULTURE POLICY

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 6.

Executive session will be held: HB 131

Executive session may be held on any matter referred to the committee.

### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 10, 2011, 8:00 AM House Hearing Room 3.

Continuation of Department of Health and Senior Services budget overview, if necessary.

Department of Mental Health budget overview.

Committee may reconvene after morning adjournment.

### APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 10, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Corrections Budget.

### APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Public Safety Budget.

Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

### APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

### APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

### APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 10, 2011, 8:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Testimony will be presented by Economic Development.

At 10:00 AM, hearing will recess and reconvene upon adjournment.

At that time, the hearing will move to House Hearing Room 7 for presentation by MoDOT.

CORRECTED

### APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 14, 2011, 12:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Testimony to be presented by Department of Labor and Industrial Relations.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Begin mark-up.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Complete mark-up.

**CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, February 10, 2011, House Hearing Room 4 upon morning adjournment.

Public hearing to be held on: HB 41, HB 155

Executive session may be held on any matter referred to the committee.

**FISCAL REVIEW**

Thursday, February 10, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

**CANCELLED**

**RETIREMENT**

Thursday, February 10, 2011, 8:00 AM House Hearing Room 1.

Presentations from: MOSERS, MPERS, LAGERS & PSRS

**TOURISM AND NATURAL RESOURCES**

Thursday, February 10, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 89, HB 250

Executive session will be held: HB 89, HB 189, HB 190

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 167

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, February 10, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 104, HB 147, HB 330

**AMENDED**

**WAYS AND MEANS**

Thursday, February 10, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 222, HB 316

Executive session will be held: HB 151, HB 55

Executive session may be held on any matter referred to the committee.

The Committee will recess and reconvene upon morning adjournment in House Hearing Room 5.

**CORRECTED**

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, February 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HJR 6, HB 319, HB 320

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 10, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 19

**HOUSE BILLS FOR SECOND READING**

HB 445 through HB 466

**HOUSE BILLS FOR PERFECTION**

1 HCS HB 91 - Nolte

2 HB 71 - Nasheed

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 9, (2-1-11, Page 277) - Barnes

**HOUSE BILLS FOR THIRD READING**

1 HB 162 - Fisher

2 HCS HB 46 - Diehl

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 10, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*I am the vine, ye are the branches. He that abideth in me, and I in him, the same bringeth forth much fruit; for without me ye can do nothing. (John 15:5)*

O God, our Father, without Whom our world drifts into darkness and despair, let the light of Your spirit shine upon us as we for this moment worship You in spirit and in truth. Deliver us from unworthy ambitions which close our eyes to the rights of others and from a self-centeredness which grows into suspicion and ill will.

Make us mindful of the needs of people in our state and around our nation. Beneath all differences of race or creed help us to see human aspirations coming to fruition and seeking to be satisfied. Abiding in You, may the fruit of compassion and understanding and love be brought forth anew within us. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twentieth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 542 through House Resolution No. 555

## HOUSE CONCURRENT RESOLUTION

Representative Frederick, et al., offered House Concurrent Resolution No. 30.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 19** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 445** through **HB 466** were read the second time.



**THIRD READING OF HOUSE BILLS**

**HB 162**, relating to workers' compensation, was taken up by Representative Fisher.

On motion of Representative Fisher, **HB 162** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 116	Guernsey	Nasheed	Rizzo	Zimmerman
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 46**, relating to fire system sprinkler installments, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 46** was read the third time and passed by the following vote:

AYES: 149

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 009

Anders	Carlson	Ellinger	Kirkton	Newman
Oxford	Pierson	Schupp	Still	

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116	Guernsey	Rizzo	Zimmerman	Mr Speaker
-----------	----------	-------	-----------	------------

Speaker Pro Tem Schoeller declared the bill passed.

### **REFERRAL OF HOUSE RESOLUTIONS**

The following House Resolutions were referred to the Committee on Rules:

**HR 11, HR 12, HR 16, HR 30, HR 31, HR 66, HR 81, HR 207, HR 324, HR 325 and HR 527.**

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 7** - Veterans  
**HCR 8** - Elementary and Secondary Education  
**HCR 16** - International Trade and Job Creation  
**HCR 20** - Tourism and Natural Resources  
**HCR 21** - Tourism and Natural Resources  
**HCR 22** - International Trade and Job Creation  
**HCR 23** - Transportation Funding and Public Institutions

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 7** - Downsizing State Government  
**HJR 12** - Downsizing State Government  
**HJR 13** - Downsizing State Government  
**HJR 15** - Tourism and Natural Resources  
**HJR 16** - Elections

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 32** - Children and Families  
**HB 40** - Elementary and Secondary Education  
**HB 43** - Local Government  
**HB 52** - Tax Reform  
**HB 65** - Crime Prevention and Public Safety  
**HB 66** - Judiciary  
**HB 70** - Local Government  
**HB 84** - Tourism and Natural Resources  
**HB 98** - Tourism and Natural Resources  
**HB 106** - Tax Reform  
**HB 118** - Crime Prevention and Public Safety  
**HB 119** - Utilities  
**HB 120** - Utilities  
**HB 121** - Elections  
**HB 146** - Health Insurance

**HB 158** - Judiciary  
**HB 159** - Judiciary  
**HB 197** - Health Care Policy  
**HB 223** - Higher Education  
**HB 228** - Transportation  
**HB 234** - Crime Prevention and Public Safety  
**HB 239** - Veterans  
**HB 245** - Elections  
**HB 264** - International Trade and Job Creation  
**HB 270** - Health Insurance  
**HB 272** - Health Care Policy  
**HB 278** - Tax Reform  
**HB 283** - Elections  
**HB 286** - Ways and Means  
**HB 295** - Crime Prevention and Public Safety  
**HB 297** - Children and Families  
**HB 300** - Health Care Policy  
**HB 305** - Retirement  
**HB 306** - Crime Prevention and Public Safety  
**HB 307** - Transportation  
**HB 311** - Professional Registration and Licensing  
**HB 312** - Ways and Means  
**HB 314** - Elementary and Secondary Education  
**HB 321** - Tourism and Natural Resources  
**HB 322** - Small Business  
**HB 323** - Financial Institutions  
**HB 327** - Local Government  
**HB 328** - Health Care Policy  
**HB 333** - Elementary and Secondary Education  
**HB 334** - Health Care Policy  
**HB 335** - Tax Reform  
**HB 336** - Economic Development  
**HB 340** - Corrections  
**HB 341** - General Laws  
**HB 347** - Professional Registration and Licensing  
**HB 348** - Health Care Policy  
**HB 353** - Insurance Policy  
**HB 356** - Crime Prevention and Public Safety  
**HB 357** - Economic Development  
**HB 358** - Retirement  
**HB 360** - Retirement  
**HB 361** - General Laws  
**HB 362** - Elementary and Secondary Education  
**HB 363** - Transportation  
**HB 367** - Professional Registration and Licensing  
**HB 368** - Veterans  
**HB 372** - Elementary and Secondary Education

**HB 384** - Corrections  
**HB 387** - Health Care Policy  
**HB 388** - Health Insurance  
**HB 393** - Elementary and Secondary Education  
**HB 394** - Transportation  
**HB 395** - Crime Prevention and Public Safety  
**HB 404** - Judiciary  
**HB 405** - Agriculture Policy  
**HB 406** - Crime Prevention and Public Safety  
**HB 407** - Insurance Policy  
**HB 408** - Ways and Means  
**HB 409** - Retirement  
**HB 410** - Elementary and Secondary Education  
**HB 411** - Special Standing Committee on Disability Services  
**HB 412** - Health Care Policy  
**HB 413** - Crime Prevention and Public Safety  
**HB 417** - Judiciary  
**HB 421** - Special Standing Committee on Disability Services  
**HB 423** - Health Care Policy  
**HB 426** - Health Insurance  
**HB 430** - Transportation  
**HB 431** - Judiciary  
**HB 434** - Workforce Development and Workplace Safety  
**HB 442** - Veterans  
**HB 459** - Transportation

## **COMMITTEE REPORTS**

### **Committee on General Laws, Chairman Franz reporting:**

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 108**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on International Trade and Job Creation, Chairman Nolte reporting:**

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 61**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## **INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were read the first time and copies ordered printed:

**HB 1**, introduced by Representative Silvey, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 2**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 3**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 4**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 5**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 6**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 7**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 8**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 9**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 10**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 11**, introduced by Representative Silvey, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 12**, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

**HB 13**, introduced by Representative Silvey, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 467**, introduced by Representatives Diehl, Zerr, Colona, Long, Berry, McGhee, Kratky, Brandom and McNary, relating to science and innovation.

**HB 468**, introduced by Representatives Diehl, Talboy, Zerr, Colona, Long, Jones (63), Berry, McGhee, Kratky, Brandom, Swearingen, Grisamore, Silvey, Schupp, Kelly (24), Gatschenberger, Hodges, Brown (50), Denison, Smith (71) and McNary, relating to science and innovation.

**HB 469**, introduced by Representative Franz, relating to the Missouri family trust.

**HB 470**, introduced by Representatives Funderburk, Nance, Long, Wieland, Parkinson, Bahr, Schoeller, Jones (89), Smith (150), Gosen, Cierpiot, Solon, Tilley, Schad, Wright, Weter, Pollock, Keeney, Denison, Shumake, Cox, Nolte, Franz, Wells, Barnes, Kelly (24), McGhee, Curtman, Flanagan, Allen, Dugger, Lair, Klippenstein, Hoskins, Entlicher, Burlison, Zerr, Ellinger, Grisamore, Black, Franklin, Brown (50), Berry, Curls, Pierson, Scharnhorst, Cauthorn, Loehner, Nasheed, Thomson, Fitzwater, Quinn, Fallert, Molendorp, McDonald, Talboy, Casey, Fraker, Phillips, Fuhr, Sater, Brandom, Largent, Pace and Walton Gray, relating to the nonresident entertainers tax.

**HB 471**, introduced by Representatives Aull, Asbury, Ellinger, Quinn, Anders, Black, Cox, Nance, Rowland, Largent, Hoskins, Holsman, McGhee, Loehner, Wells, Thomson, Conway (27), Brown (50), Casey, Fallert, Swinger, Houghton, Lampe, Walton Gray, Carter, Fitzwater, Meadows, Newman, Shively, Schieffer, Stream, Dieckhaus and McNary, relating to school days missed due to inclement weather.

**HB 472**, introduced by Representatives Torpey, McDonald, Cierpiot, Anders and Solon, relating to bicycling state holidays.

**HB 473**, introduced by Representatives Jones (63), Cookson, Dieckhaus, Tilley, Riddle, Carter, Hubbard, Nasheed, Talboy, Jones (89) and Colona, relating to charter schools.

**HB 474**, introduced by Representatives Denison, Rowland, Dugger, Ruzicka, Pollock, Lant, Jones (63), Taylor and Wright, relating to the designation of an official state butterfly.

**HB 475**, introduced by Representatives Funderburk, Tilley, Jones (89), Burlison, Parkinson, Holsman, Leara, Jones (63), Molendorp, Allen and Nance, relating to disclosure of health care data.



**HB 476**, introduced by Representatives Funderburk, Parkinson, Burlison, Walton Gray and Holsman, relating to interscholastic athletics.

**HB 477**, introduced by Representatives Webber, Newman, Montecillo, Ellinger, McNeil, Zimmerman, Carter, Pace, Taylor, Casey, Nasheed, Walton Gray, Nichols, Curls, Conway (27), Peters-Baker, Spreng, Hummel, Kirkton, McCann Beatty, Oxford, Brown (50), McDonald, Schupp, Webb, Colona, Kratky, Kander, Schneider, Talboy, Fallert, McManus, Swearingen, Rizzo, Atkins, Still, Kelly (24), Jones (63), Lampe, Carlson, Meadows, Hodges, Sifton, Holsman, Hubbard, Pierson, Smith (71), McGeoghegan, Hughes and Harris, relating to discrimination based on sexual orientation.

**HB 478**, introduced by Representatives Wyatt, Burlison, Kelley (126), Conway (14), Franklin, Hoskins, Silvey, Brown (85), Schoeller, Day, Lasater, Curtman, Guernsey and Zerr, relating to state contracts and funds.

**HB 479**, introduced by Representatives Brown (50), Hummel, Conway (27), Smith (71), Jones (63), Talboy, Swearingen, Carlson, Casey and McDonald, relating to tax credits for qualified film production projects.

**HB 480**, introduced by Representative Brown (50), relating to the land assemblage tax credit program.

**HB 481**, introduced by Representative Brown (50), relating to traffic violations.

**HB 482**, introduced by Representatives Lichtenegger, Allen, Wallingford, White, Davis, Wright, Oxford and Colona, relating to automated external defibrillators.

**HB 483**, introduced by Representatives Cox, Largent, Lant, Fisher, Diehl, Richardson, Rowland, Smith (150), Crawford, Elmer, Cierpiot, Franz and Bernskoetter, relating to the Title X consistency and transparency act.

**HB 484**, introduced by Representative Faith, relating to the Missouri state transit assistance program.

**HB 485**, introduced by Representatives Curls and McCann Beatty, relating to foreclosure notice to tenants.

**HB 486**, introduced by Representatives Curls and McCann Beatty, relating to remedies for forcible entry by landlord.

**HB 487**, introduced by Representatives Curls and McCann Beatty, relating to abandoned housing.

**HB 488**, introduced by Representatives Gatschenberger, Davis, Fisher, Schad, Brattin, Lant, Higdon and Nance, relating to driver's license examination fees.

**HB 489**, introduced by Representatives Gatschenberger and Nance, relating to the establishment of minimal yellow light change interval times for traffic control devices.

**HB 490**, introduced by Representatives Diehl, Pollock, Dugger and Wells, relating to the taxation of property.

**HB 491**, introduced by Representatives Diehl, Day, Richardson, Hough and Barnes, relating to the tobacco master settlement agreement.

**HB 492**, introduced by Representatives Franz, Allen, Cierpiot, Lant, Davis, White and Fraker, relating to labor organizations.

**HB 493**, introduced by Representatives Wieland and McCaherty, relating to the acceptance of electronic payments by the office of administration.

**HB 494**, introduced by Representatives Schupp, Webber, Walton Gray, Kratky, Carlson, Anders, Still, Oxford, Kirkton, Kelly (24), McGeoghegan, Pierson, Peters-Baker and Ellinger, relating to the University of Missouri board of curators.

### **COMMITTEE APPOINTMENT**

February 8, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Jake Zimmerman from the House Rules Committee and subsequently appoint Representative Mike Colona.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Mike Talboy  
House Minority Leader

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 14, 2011.

## COMMITTEE MEETINGS

### AGRI-BUSINESS

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 96, HB 266

Executive session may be held on any matter referred to the committee.

### AGRICULTURE POLICY

Tuesday, February 15, 2011, 12:30 PM House Hearing Room 6.

Executive session will be held: HB 131

Executive session may be held on any matter referred to the committee.

### CORRECTED

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 14, 2011, 12:00 PM House Hearing Room 1.

Budget presentation continued by the Department of Conservation.

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Budget presentation continued by the Department of Conservation, if necessary.

Begin markups.

### AMENDED

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Complete markups.

### APPROPRIATIONS - EDUCATION

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 1.

Analyst markup sheets continued.

### APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 3.

Presentation by Higher Education Institution Presidents.

### APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 1.

Presentation continued by Higher Education Institution Presidents.

### APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 14, 2011, 12:00 PM House Hearing Room 3.

Markup.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Monday, February 14, 2011, 5:00 PM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Markup.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 15, 2011, House Hearing Room 1 upon morning adjournment.  
Executive session may be held on any matter referred to the committee.  
Markup.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 16, 2011, House Hearing Room 3 upon morning adjournment.  
Executive session may be held on any matter referred to the committee.  
Markup.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Monday, February 14, 2011, 12:00 PM House Hearing Room 5.  
Department of Mental Health budget presentation, continued.  
Department of Social Services budget presentation.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Monday, February 14, 2011, 7:30 PM House Hearing Room 4.  
Executive session may be held on any matter referred to the committee.  
Public Safety Budget.  
Public Testimony - Requests to testify must be submitted in writing to Rep. Chris Kelly at least 24 hours prior to hearing. Contact Donna Scheulen at 573-751-4189 if questions.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Thursday, February 17, 2011, House Hearing Room 6 upon morning adjournment.  
Executive session may be held on any matter referred to the committee.  
Vote bills out of committee.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Monday, February 14, 2011, 12:00 PM House Hearing Room 7.  
Executive session may be held on any matter referred to the committee.  
Testimony to be presented by Department of Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Begin markup.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Complete markup.

DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM, MCTA, 223 E Capital Drive.

Committee dinner and work session.

ELECTIONS

Tuesday, February 15, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 329, HJR 14, HB 187, HB 54

Executive session will be held: HB 329, HJR 14

Executive session may be held on any matter referred to the committee.

Public hearing continued on HB 329

CORRECTED

GENERAL LAWS

Monday, February 14, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 277, HB 294, HB 123, HB 125, HB 271

Executive session may be held on any matter referred to the committee.

CANCELLED

GENERAL LAWS

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 123, HB 125, HB 294, HB 277, HB 271

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 110, HB 201

Executive session will be held: HB 213

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 146, HB 262, HB 270, HB 388, HB 426

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 212, HB 231

Executive session may be held on any matter referred to the committee.

#### INSURANCE POLICY

Monday, February 14, 2011, House Hearing Room 1, 5:00 PM or upon evening adjournment.

Executive session will be held: HB 148

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 16, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 326, HB 301

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, February 14, 2011, House Hearing Room 2 upon afternoon adjournment.

Executive session will be held: HCR 3, HB 14, HB 15, HB 76

Executive session may be held on any matter referred to the committee.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HJR 5, HJR 17

Executive session will be held: HB 112, HB 285, HJR 5,

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 6.

Informational Meeting on Energy Basics, and specifically Geographical Sourcing.

#### TOURISM AND NATURAL RESOURCES

Monday, February 14, 2011, 1:30 PM House Lounge.

Joint Committee meeting between the House Tourism and Natural Resources Committee and Senate Jobs, Economic Development and Local Government Committee for the purpose of the presentation of Tourism Commission's Annual Report.

#### TRANSPORTATION

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 167

Executive session may be held on any matter referred to the committee.

#### UTILITIES

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 3.

Public hearing to be held on: HB 124, HB 338, HB 339

Executive session may be held on any matter referred to the committee.

**VETERANS**

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 442

Executive session will be held: HB 303, HB 136

Executive session may be held on any matter referred to the committee.

This will be an informational meeting as well, with presentations from three different groups.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, February 14, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HJR 6, HB 319, HB 320

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

TWENTY-SECOND DAY, MONDAY, FEBRUARY 14, 2011

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

HB 1 through HB 13

**HOUSE BILLS FOR SECOND READING**

HB 467 through HB 494

**HOUSE BILLS FOR PERFECTION**

1 HCS HB 91 - Nolte

2 HB 71 - Nasheed

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 9, (2-1-11, Page 277) - Barnes

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTY-SECOND DAY, MONDAY, FEBRUARY 14, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. David Cox, Immaculate Conception Catholic Church, Jefferson City.

Heavenly Father,

We humbly stand before You today to acknowledge that we need Your strength and guidance. We are grateful for all Your blessings, both material and spiritual. As we are aware of Your presence at this moment, help us to be aware of it throughout the work of this day. Bless us and those whom we serve through our office. We ask this through Christ our Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-first day was approved as printed by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp



Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Aull	Brown 116	Houghton	Hughes
------	-----------	----------	--------

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 556 through House Resolution No. 567

## **HOUSE CONCURRENT RESOLUTION**

Representative Cookson, et al., offered House Concurrent Resolution No. 31.

## **SECOND READING OF HOUSE BILLS - APPROPRIATIONS**

**HB 1** through **HB 13** were read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 467** through **HB 494** were read the second time.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1** - Budget  
**HB 2** - Budget  
**HB 3** - Budget  
**HB 4** - Budget  
**HB 5** - Budget  
**HB 6** - Budget  
**HB 7** - Budget  
**HB 8** - Budget  
**HB 9** - Budget  
**HB 10** - Budget  
**HB 11** - Budget  
**HB 12** - Budget  
**HB 13** - Budget  
**HB 466** - Workforce Development and Workplace Safety

**HB 467** - Economic Development  
**HB 468** - Economic Development  
**HB 475** - Health Insurance  
**HB 492** - Workforce Development and Workplace Safety

### COMMITTEE REPORT

**Committee on Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 205**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 20**, introduced by Representative Sifton, relating to the referendum process.

**HJR 21**, introduced by Representative Sifton, relating to the initiative and referendum.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 495**, introduced by Representatives Jones (117), Long, Guernsey and Torpey, relating to driver's license qualifications.

**HB 496**, introduced by Representatives Jones (117), Fallert, Long, Guernsey, Torpey, Hough and Hinson, relating to veterinary legend drugs.

**HB 497**, introduced by Representative Schieffer, relating to annexation procedures.

**HB 498**, introduced by Representatives Wallingford, Lichtenegger, Hodges, Wright and Brandom, relating to peripheral zoning.

**HB 499**, introduced by Representatives Wells, Brandom and Jones (117), relating to driver's license competency assessment.

**HB 500**, introduced by Representatives Colona, Montecillo, Jones (63), Newman, Carter, Kratky and Hummel, relating to the motorist insurance identification database program.

**HB 501**, introduced by Representatives Cauthorn, Hough, Pollock, Wallingford, Shumake, Bahr, Houghton, Schatz, Cierpiot, Smith (150), Anders, Aull, Lampe, Solon, Schieffer and White, relating to the telemarketing no-call list.

**HB 502**, introduced by Representatives Hubbard, Nasheed, Webb, Jones (63), May, Pace, Smith (71), Walton Gray, Curls, Bahr, Conway (14) and Spreng, relating to criminal nonsupport.

**HB 503**, introduced by Representatives Dugger, Diehl, Entlicher, Cox, Pollock, Gosen, Wells, Hough, Denison, Lichtenegger, Koenig, Riddle, Cierpiot, Smith (150) and Jones (89), relating to public election dates.

**HB 504**, introduced by Representatives Silvey, Kelly (24), Talboy, Schupp, Peters-Baker, Colona, Carter, Jones (63), Lampe, Tilley, Jones (89), Solon, Lichtenegger, Brandom, Newman, Still, McNeil, Spreng, Kirkton, Webber, Black, McManus, Carlson, Oxford, Rizzo, May, Franklin, Richardson, Frederick, Faith, Hoskins, Swearingen, Elmer, Hough, Hinson, Brown (50), Burlison and Schneider, relating to domestic violence.

**HB 505**, introduced by Representatives Kelly (24), Silvey, Talboy, Schupp, Peters-Baker, Colona, Carter, Jones (63), Lampe, Tilley, Jones (89), Solon, Lichtenegger, Brandom, Newman, Kirkton, Still, Spreng, Webber, Black, McNeil, McManus, Carlson, Oxford, Rizzo, May, Franklin, Richardson, Frederick, Faith, Diehl, Hoskins, Swearingen, Elmer, Hinson, Hough, Brown (50), Burlison and Schneider, relating to domestic violence.

## COMMITTEE APPOINTMENTS

February 14, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Gaming and Wagering:

Representative Caleb Jones  
Representative Noel Torpey  
Representative Anne Zerr

Continuing to serve on this Joint Committee are:

Representative Michele Kratky  
Representative Jason Holsman

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

-----

February 14, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following member to serve on the Joint Committee on Government Accountability:

Representative Cole McNary

Continuing to serve on this Joint Committee are:

Representative Sally Faith  
Representative Darrell Pollock  
Representative Ryan Silvey

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

The following member's presence was noted: Houghton.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 15, 2011.

### **COMMITTEE MEETINGS**

#### **ADMINISTRATION AND ACCOUNTS**

Tuesday, February 15, 2011, 2:00 PM South Gallery.

#### **AGRI-BUSINESS**

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HB 96, HB 266

Executive session may be held on any matter referred to the committee.

#### **AGRICULTURE POLICY**

Tuesday, February 15, 2011, 12:30 PM House Hearing Room 6.

Executive session will be held: HB 131

Executive session may be held on any matter referred to the committee.

**CORRECTED**

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Budget presentation continued by the Department of Conservation, if necessary.

Begin markups.

CANCELLED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Complete markups.

APPROPRIATIONS - EDUCATION

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 1.

Analyst markup sheets continued.

APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 3.

Presentation by Higher Education Institution Presidents.

APPROPRIATIONS - EDUCATION

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 1.

Presentation continued by Higher Education Institution Presidents.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 15, 2011, House Hearing Room 1 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Markup.

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 16, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Markup.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 5.

Department of Mental Health budget overview, continued.

Department of Social Services budget overview.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Thursday, February 17, 2011, House Hearing Room 6 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Vote bills out of committee.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Begin markup.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Complete markup.

**CHILDREN AND FAMILIES**

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 32

Executive session may be held on any matter referred to the committee.

**CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 199, HB 247, HB 356, HB 413

Executive session may be held on any matter referred to the committee.

**DOWNSIZING STATE GOVERNMENT**

Thursday, February 17, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HJR 11, HB 315, HJR 12

Executive session may be held on any matter referred to the committee.

**DOWNSIZING STATE GOVERNMENT**

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.

Committee dinner and work session.

**ECONOMIC DEVELOPMENT**

Tuesday, February 15, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 467, HB 468

Executive session may be held on any matter referred to the committee.

#### ELECTIONS

Tuesday, February 15, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 329, HB 187, HB 54

Executive session will be held: HB 329, HJR 14

Executive session may be held on any matter referred to the committee.

Public hearing continued on HB 329.

#### CORRECTED

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HJR 10, HB 393

#### FINANCIAL INSTITUTIONS

Wednesday, February 16, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held: HB 83, HB 109, HB 173

Executive session may be held on any matter referred to the committee.

#### GENERAL LAWS

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 123, HB 125, HB 294, HB 277, HB 271, HB 361, HB 341

Executive session may be held on any matter referred to the committee.

Please note the addition of two bills: HB 361 and HB 341.

#### AMENDED

#### HEALTH CARE POLICY

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 110, HB 201

Executive session will be held: HB 213

Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 5.

Public hearing to be held on: HB 146, HB 262, HB 270, HB 388, HB 426

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 212, HB 231

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 43, HB 184, HB 290, HB 369, HB 101, HB 142, HB 161

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 16, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.

Public hearing to be held on: HB 326, HB 301

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 358, HB 360, HB 229, HB 183, HB 263, HB 282, HB 127

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, February 15, 2011, 4:35 PM House Hearing Room 6.

Executive session will be held: HCR 3, HB 14, HB 15, HB 61, HB 76

Executive session may be held on any matter referred to the committee.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HJR 5, HJR 17

Executive session will be held: HJR 5, HB 112, HB 285

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, February 15, 2011, 2:00 PM House Hearing Room 6.

Informational Meeting on Energy Basics, and specifically Geographical Sourcing.

#### TAX REFORM

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 278, HB 52

Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 167

Executive session may be held on any matter referred to the committee.

#### UTILITIES

Tuesday, February 15, 2011, 12:00 PM House Hearing Room 3.

Public hearing to be held on: HB 124, HB 338, HB 339

Executive session may be held on any matter referred to the committee.

#### VETERANS

Tuesday, February 15, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 442

Executive session will be held: HB 303, HB 136

Executive session may be held on any matter referred to the committee.

This will be an informational meeting as well, with presentations from three different groups.



**HOUSE CALENDAR**

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 15, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 20 and HJR 21

**HOUSE BILLS FOR SECOND READING**

HB 495 through HB 505

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 91 - Nolte
- 2 HB 71 - Nasheed

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 9, (2-1-11, Page 277) - Barnes

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 15, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Dr. Steven G. Williams, First Christian Church, Poplar Bluff, MO.

As Jesus reminded those with Him (Matthew 26:41): "*Watch and pray that you may not enter into temptation; the spirit indeed is willing, but the flesh is weak.*"

Our most gracious and compassionate Heavenly Father, in this moment when we pause at the beginning of another session of the House, we turn our attention to You, seeking the guidance of Your wisdom, the strength of Your presence, and the undergirding of Your power.

Those of us who have accepted positions of power and authority, whether clergy, politician, teacher, police officer, administrator, or executive, can easily forget our position is first one of responsibility. As Jesus warned us, our minds and our spirits may seek to guide us in paths and decisions that are edifying for those we serve, but temptation is all about us.

We are tempted by those who would curry our favor for particular ends. We are tempted by our pride. Sometimes we are tempted by our greed. We often fail to keep our egos in check, forgetting the exuberant vitality and principled dedication of the days of our youthful innocence. In these moments of contemplative reflection, we pray that we might be open to Your presence, to Your guidance, to Your will, in such a way that we might remember our service to the state in which we live, and *all* the citizens thereof.

The needs of our state are great. The demands upon these public servants can at times be horrendous. The pressures sometimes indescribable. Gracious Father, help honest hearts and struggling minds remain focused upon that which is good, just, right and honorable, as the work is entered into this day.

We pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Candace Thomas.

The Journal of the twenty-second day was approved as printed.

### **SPECIAL RECOGNITION**

The Officers of the Missouri State Future Farmers of America were introduced by Speaker Tilley.

Jon Black, President of the Missouri State Future Farmers of America, addressed the House.

### **HOUSE RESOLUTION**

Representatives Bernskoetter and Barnes offered House Resolution No. 571.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 568 through House Resolution No. 570  
House Resolution No. 572 through House Resolution No. 584

### **HOUSE CONCURRENT RESOLUTION**

Representative Bernskoetter, et al., offered House Concurrent Resolution No. 32.

### **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 20** and **HJR 21** were read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 495** through **HB 505** were read the second time.

### **PERFECTION OF HOUSE BILL**

**HCS HB 91**, relating to workers' compensation, was placed on the Informal Calendar.

### **THIRD READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 9**, relating to a federal amendment convention, was taken up by Representative Barnes.

Representative Parkinson assumed the Chair.

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14

Conway 27	Cookson	Crawford	Cross	Curls
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 002

Cox                      Kelly 24

ABSENT WITH LEAVE: 007

Brown 50	Brown 116	Carter	Hughes	Pierson
Scharnhorst	Webb			

Speaker Tilley resumed the Chair.

**HCR 9** was laid over.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 26** - Ways and Means
- HB 53** - Crime Prevention and Public Safety
- HB 87** - Corrections
- HB 144** - Ways and Means
- HB 177** - Crime Prevention and Public Safety
- HB 200** - Corrections
- HB 202** - Downsizing State Government

**HB 207** - Crime Prevention and Public Safety  
**HB 208** - Urban Issues  
**HB 238** - Workforce Development and Workplace Safety  
**HB 246** - Elementary and Secondary Education  
**HB 251** - Economic Development  
**HB 291** - Transportation  
**HB 313** - Insurance Policy  
**HB 349** - Workforce Development and Workplace Safety  
**HB 350** - Elementary and Secondary Education  
**HB 374** - Judiciary  
**HB 392** - Health Care Policy  
**HB 401** - General Laws  
**HB 414** - Insurance Policy  
**HB 415** - Transportation  
**HB 416** - Transportation Funding and Public Institutions  
**HB 419** - Elementary and Secondary Education  
**HB 427** - Judiciary  
**HB 437** - Downsizing State Government  
**HB 440** - Crime Prevention and Public Safety  
**HB 441** - Tourism and Natural Resources  
**HB 445** - Corrections  
**HB 446** - Elementary and Secondary Education  
**HB 448** - Retirement  
**HB 449** - Crime Prevention and Public Safety  
**HB 458** - Emerging Issues in Animal Agriculture  
**HB 463** - Elementary and Secondary Education  
**HB 464** - Downsizing State Government  
**HB 465** - Financial Institutions  
**HB 471** - Elementary and Secondary Education  
**HB 473** - Elementary and Secondary Education  
**HB 474** - Tourism and Natural Resources  
**HB 490** - General Laws  
**HB 502** - Crime Prevention and Public Safety

#### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SCS SB 68** - General Laws

## COMMITTEE REPORTS

### **Committee on Rural Community Development**, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 112** and **HB 285**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Tourism and Natural Resources**, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 89**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 136**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 61**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 76**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 506**, introduced by Representatives Fuhr, Haefner and Brown (85), relating to property tax levy revisions.

**HB 507**, introduced by Representative Carter, relating to health insurance coverage for licensed athletic trainer services.

**HB 508**, introduced by Representatives Carter, Oxford and Walton Gray, relating to caseload standards for certain state agencies.

**HB 509**, introduced by Representatives Carter, Curls, Webb, Hughes and Walton Gray, relating to eligibility for food stamps.

**HB 510**, introduced by Representatives Wyatt, Conway (14), Entlicher, Kelley (126) , Franklin, Brown (85) and Largent, relating to testing of certain defendants for sexually transmitted diseases.

**HB 511**, introduced by Representatives Nasheed, Dieckhaus, McNary, Gatschenberger, Fuhr, Wieland, Hinson, Rowland, Berry, Carter, Curls, Spreng, May, Taylor, Pierson, Burlison, Haefner, Lasater, McCann Beatty, McGeoghegan, Hubbard, Pace, Walton Gray, Tilley, Parkinson, Fisher, McCaherty, Davis, Brattin, White, Higdon, Koenig, Leara, Denison and Jones (89), relating to personalized learning plans.

**HB 512**, introduced by Representative Lair, relating to unlawfully intercepting computer and electronic communication device information.

**HB 513**, introduced by Representatives Newman, Carter, Oxford, Montecillo, McGeoghegan, Stream, Kirkton, Spreng, Peters-Baker and Ellinger, relating to Sean's Law.

**HB 514**, introduced by Representatives McNeil, Stream, Still, Kirkton and Shively, relating to unaccredited schools.

**HB 515**, introduced by Representatives Wallingford, Lichtenegger, Hinson, Fitzwater, Scharnhorst, Korman, Flanigan, Jones (89), McNary, Smith (150), Cauthorn, McCaherty, Frederick, Diehl, Rowland, Franz, Cookson, Conway (14), Lasater, Schoeller, Curtman, Hampton, Entlicher, Riddle and Wright, relating to embryo transfer.

**HB 516**, introduced by Representatives Ellinger, Nasheed, Pierson, Smith (71), Pace, Oxford, McCann Beatty, Taylor, Nichols, Hubbard and Schupp, relating to fairness in the infliction of the death penalty.

**HB 517**, introduced by Representatives Ellinger, Nasheed, Pierson, Nichols, Smith (71), Pace, Oxford, McCann Beatty, Taylor, Hubbard and Schupp, relating to the right to clemency in capital cases.

**HB 518**, introduced by Representative Schupp, relating to the designation of a memorial highway.

**HB 519**, introduced by Representatives Curls and McCann Beatty, relating to abandoned housing.

**HB 520**, introduced by Representatives Schupp, Funderburk, Walton Gray, Kratky, Meadows and Schoeller, relating to sales tax exemptions.

**HB 521**, introduced by Representatives Wells and Dugger, relating to recalls of ambulance district board members.

**HB 522**, introduced by Representative Rizzo, relating to payday loans.

**HB 523**, introduced by Representative Molendorp, relating to portable electronics insurance.

**HB 524**, introduced by Representatives Molendorp, Colona, Zimmerman, Nance and Casey, relating to bail bond regulations.

**HB 525**, introduced by Representative Molendorp, relating to life and health reinsurance contracts.

**HB 526**, introduced by Representative Weter, relating to surgical technology.

**HB 527**, introduced by Representatives Cookson, Hinson, Denison, Schieffer, Faith, Meadows, Stream, Long, Fitzwater, Hampton and Richardson, relating to highway safety.

**HB 528**, introduced by Representatives Jones (117), Richardson, Hinson, Silvey, Jones (89), Hough, Elmer, Barnes, Korman, Wallingford, Kelly (24), Riddle, Houghton, Lichtenegger, Neth, Parkinson, Schad, Loehner, Kelley (126), Zimmerman, Webber, Casey, Colona, Diehl, Schneider, Cross, Gatschenberger, Smith (150), Leach, Fitzwater, Gosen, Nance, Tilley, Kander, Hoskins and Berry, relating to medical records.

**HB 529**, introduced by Representatives Carter, Walton Gray, Hubbard and Webb, relating to the designation of the new Mississippi River bridge.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 19**, entitled:

An act to repeal section 147.010, RSMo, and to enact in lieu thereof one new section relating to the phase-out of the corporate franchise tax.

In which the concurrence of the House is respectfully requested.



## **COMMITTEE CHANGE**

February 15, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Genise Montecillo from the Committee on Transportation Funding and Public Institutions. If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

The following members' presence was noted: Brown (50), Carter, Hughes, Pierson, Scharnhorst and Webb.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 16, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Complete markups.

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 3.

Presentation by Higher Education Institution Presidents.

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 1.

Presentation continued by Higher Education Institution Presidents.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 16, 2011, House Hearing Room 3 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Markup.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 5.

Department of Social Services budget overview, continued.

**CANCELLED**

**APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Thursday, February 17, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

May reconvene upon morning adjournment.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Bills could be voted out of committee today.

**AMENDED**

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Thursday, February 17, 2011, House Hearing Room 6 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Vote bills out of committee.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Complete markup.

**CHILDREN AND FAMILIES**

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 32

Executive session may be held on any matter referred to the committee.

**CORRECTIONS**

Wednesday, February 16, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 340, HB 384

Executive session may be held on any matter referred to the committee.

**CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 199, HB 247, HB 356, HB 413

Executive session may be held on any matter referred to the committee.

**DOWNSIZING STATE GOVERNMENT**

Thursday, February 17, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HJR 11, HB 315, HJR 12, HB 464

Executive session may be held on any matter referred to the committee.

**AMENDED**

**DOWNSIZING STATE GOVERNMENT**

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.  
Committee dinner and work session.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 6.  
Public hearing to be held on: HJR 10, HB 393

**FINANCIAL INSTITUTIONS**

Wednesday, February 16, 2011, 5:00 PM House Hearing Room 6.  
Public hearing to be held on: HB 465, HB 50  
Executive session will be held: HB 109, HB 173, HB 465, HB 83  
Executive session may be held on any matter referred to the committee.  
AMENDED

**FISCAL REVIEW**

Thursday, February 17, 2011, 8:30 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
Any bills referred to the committee.

**GENERAL LAWS**

Thursday, February 17, 2011, 12:00 PM House Hearing Room 4.  
Public hearing to be held on: HB 364  
Executive session may be held on any matter referred to the committee.

**HEALTH CARE POLICY**

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 6.  
Public hearing to be held on: HB 110, HB 201  
Executive session will be held: HB 213  
Executive session may be held on any matter referred to the committee.

**INTERNATIONAL TRADE AND JOB CREATION**

Wednesday, February 16, 2011, 5:00 PM House Hearing Room 7.  
Public hearing to be held on: HB 264  
Executive session may be held on any matter referred to the committee.

**JUDICIARY**

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 1.  
Public hearing to be held on: HB 256, HB 260  
Executive session will be held: HB 128, HB 130, HB 111, HB 253  
Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 7.  
Public hearing to be held on: HB 43, HB 184, HB 290, HB 369  
Executive session will be held: HB 101, HB 142, HB 161  
Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 16, 2011, House Hearing Room 5, 12:00 PM or upon morning adjournment.  
Public hearing to be held on: HB 326, HB 301  
Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 1.  
Public hearing to be held on: HB 358, HB 360, HB 229, HB 183, HB 263, HB 282, HB 127  
Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, February 16, 2011, 2:00 PM House Hearing Room 5.  
Executive session will be held: HCS HB 205  
Executive session may be held on any matter referred to the committee.  
CORRECTED

#### SMALL BUSINESS

Wednesday, February 16, 2011, 12:00 PM House Hearing Room 7.  
Public hearing to be held on: HB 68  
Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 21, 2011, 1:00 PM House Hearing Room 7.  
Executive session will be held: HB 421, HB 411  
Executive session may be held on any matter referred to the committee.

#### TAX REFORM

Wednesday, February 16, 2011, 8:00 AM House Hearing Room 5.  
Public hearing to be held on: HB 278, HB 52  
Executive session may be held on any matter referred to the committee.

#### TOURISM AND NATURAL RESOURCES

Thursday, February 17, 2011, 8:00 AM House Hearing Room 7.  
Public hearing to be held on: HCR 6, HCR 11  
Executive session will be held: HB 250  
Executive session may be held on any matter referred to the committee.  
There will also be a presentation by the Missouri Parks Association.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, February 17, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 147, HB 330, HB 126, HB 137, HCR 23

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, February 17, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 408, HB 312, HB 248

Executive session will be held: HB 116

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, February 21, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 319, HB 320, HB 434

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 16, 2011

**HOUSE BILLS FOR SECOND READING**

HB 506 through HB 529

**HOUSE BILLS FOR PERFECTION**

HB 71 - Nasheed

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 9, (2-1-11, Page 277) - Barnes

**SENATE BILLS FOR SECOND READING**

SCS SB 19

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 16, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Blessed is the man that walketh not in the counsel of the ungodly; nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in His law doth he meditate day and night. (Psalm 1:1,2)*

Write Your Law upon our hearts, O God, and Your words upon our minds, as we lift our souls to You this refreshing morning. We believe in You, and we pray that Your spirit may so dwell in us that Your peace and Your power may be ours this day. Guide us in the decisions we make, give us support in our efforts to be true to You, and grant us courage to do what we firmly believe to be right. Just as we are now, strong and free, to be the best that we can be for truth and righteousness and You, Lord of our lives, we come and bring with us all our Missouri citizens and together we say, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Josie Kaderly, Luke and Jacob Detering, Ellie Kremer and Hope Keeley.

The Journal of the twenty-third day was approved as printed by the following vote:

AYES: 155

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty

McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 007

Atkins	Brandom	Brown 116	Grisamore	Pace
Shively	Webber			

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 585 through House Resolution No. 596

## HOUSE CONCURRENT RESOLUTION

Representative Davis, et al., offered House Concurrent Resolution No. 33.

## SECOND READING OF HOUSE BILLS

**HB 506** through **HB 529** were read the second time.

## SECOND READING OF SENATE BILL

**SCS SB 19** was read the second time.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 429** - Tax Reform
- HB 470** - Tax Reform
- HB 506** - Ways and Means

## **COMMITTEE REPORTS**

### **Committee on Crime Prevention and Public Safety**, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 214**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 329**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 276**, **HB 233** and **HB 274**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 361**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 213**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Insurance Policy**, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 148**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 167**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.



**Committee on Utilities**, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 339**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 22**, introduced by Representative Cauthorn, relating to the sales and use tax for conservation.

**HJR 23**, introduced by Representatives Leara and Lant, relating to initiative and referendum petitions.

**INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 530**, introduced by Representatives Kander, Barnes, Schupp, Webber, Richardson, Kelly (24) and Jones (117), relating to the public fraud prevention act.

**HB 531**, introduced by Representatives Conway (14), Nance, Kelley (126), Brattin, Bahr, Hubbard, Spreng, Haefner, Wyatt and Brown (85), relating to unfair insurance practices and fraud.

**HB 532**, introduced by Representatives Cauthorn, Jones (63) and Nasheed, relating to school days missed due to inclement weather.

**HB 533**, introduced by Representative Newman, relating to taxation.

**HB 534**, introduced by Representative Leara, relating to distribution of local sales taxes.

**HB 535**, introduced by Representatives Leara and Lant, relating to petition circulators.

**HB 536**, introduced by Representative Leara, relating to tax credits for corporation franchise taxes paid.

**HB 537**, introduced by Representatives Leara and Richardson, relating to firearms.

**HB 538**, introduced by Representatives Hubbard, Hughes, Jones (63), Colona, May, Spreng, Rizzo, Meadows, McGhee, Hummel, Smith (71), Carter, Curls, Carlson, Webber, Schupp and Nasheed, relating to elimination of the inmate intervention fee.

**HB 539**, introduced by Representatives Hubbard, Nasheed, Jones (63), Conway (14), Lasater, May, Spreng, McCaherty, Rizzo, Meadows, Brown (50), McGhee, Hughes, Hummel, Smith (71), Carter, Colona, Curls, Schupp, Carlson and Webber, relating to a pilot project for increasing children's access to incarcerated mothers.

**HB 540**, introduced by Representatives Schneider and Diehl, relating to the crime of practicing medicine while intoxicated.

**HB 541**, introduced by Representatives McManus, Conway (27), Swearingen, Harris, Anders, Colona, Hodges, Nolte, Bernskoetter, Wieland, Meadows and Quinn, relating to tax credits for donated food.

**HB 542**, introduced by Representative Bernskoetter, relating to ambulance districts.

**HB 543**, introduced by Representatives Fitzwater, Nance, Redmon, Black, Nasheed, Lasater and Taylor, relating to professional improvement plans for teachers and principals.

**HB 544**, introduced by Representative Sater, relating to long-term care background screenings.

**HB 545**, introduced by Representative Schieber, relating to tourism community enhancement districts.

**HB 546**, introduced by Representatives Diehl, Jones (89) and Tilley relating to the housing development commission.

**HB 547**, introduced by Representatives McNeil, Lampe, Hughes, Oxford, Kirkton, Carter, Ellinger, Schupp, Still, Anders, Pace and Newman, relating to health insurance premium rate reviews.

**HB 548**, introduced by Representatives Jones (117), Long, Barnes, Nance, Hough, Bernskoetter, Schieber, Houghton, Asbury, Guernsey, Cierpiot, Schad, Fitzwater, Richardson and Cookson, relating to compensatory leave for nonexempt state employees.

## **COMMITTEE APPOINTMENT**

February 16, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Gaming and Wagering:

Representative Jason Holsman  
Representative Caleb Jones  
Representative Michele Kratky  
Representative Noel Torpey  
Representative Anne Zerr

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

## **COMMUNICATION**

February 16, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo., I am hereby filing a written report of possible personal interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am employed with Boeing Company and am on the Advisory Board of the Missouri Vocational Enterprises Program of the Missouri Department of Corrections.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Clem Smith  
Representative  
District 71

The following members' presence was noted: Atkins, Brandom, Grisamore, Shively and Webber.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 17, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Thursday, February 17, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

May reconvene upon morning adjournment.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Monday, February 21, 2011, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Thursday, February 17, 2011, House Hearing Room 6 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Vote bills out of committee.

**CANCELLED**

### **DOWNSIZING STATE GOVERNMENT**

Thursday, February 17, 2011, 8:00 AM House Hearing Room 4.

Public hearing to be held on: HJR 11, HB 315, HJR 12, HB 464

Executive session may be held on any matter referred to the committee.

**AMENDED**

### **DOWNSIZING STATE GOVERNMENT**

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.

Committee dinner and work session.

### **ELECTIONS**

Tuesday, February 22, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 187, HB 54, HB 240, HJR 16, HB 180, HB 283

Executive session may be held on any matter referred to the committee.

### **FISCAL REVIEW**

Thursday, February 17, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

**CANCELLED**

#### FISCAL REVIEW

Monday, February 21, 2011, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### GENERAL LAWS

Thursday, February 17, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 364

Executive session may be held on any matter referred to the committee.

#### INSURANCE POLICY

Monday, February 21, 2011, House Hearing Room 1, 5:00 PM or upon evening adjournment.

Public hearing to be held on: HB 407, HB 414

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 17, 2011, 8:00 AM House Hearing Room 1.

Public hearing to be held on: HB 358, HB 360, HB 229, HB 183, HB 263, HB 282, HB 127

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 409

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 21, 2011, 1:00 PM House Hearing Room 7.

Public hearing to be held on: HB 421, HB 411

Executive session may be held on any matter referred to the committee.

#### TOURISM AND NATURAL RESOURCES

Thursday, February 17, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HCR 6, HCR 11

Executive session will be held: HB 250

Executive session may be held on any matter referred to the committee.

There will also be a presentation by the Missouri Parks Association.

#### TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, February 17, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 147, HB 330, HB 126, HB 137, HCR 23

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, February 17, 2011, 8:00 AM House Hearing Room 5.

Public hearing to be held on: HB 408, HB 312, HB 248

Executive session will be held: HB 116

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, February 21, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 319, HB 320, HB 434

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

**TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 17, 2011**

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 22 and HJR 23

**HOUSE BILLS FOR SECOND READING**

HB 530 through HB 548

**HOUSE BILLS FOR PERFECTION**

HB 71 - Nasheed

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 9, (2-1-11, Page 277) - Barnes

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 17, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Blessed are the dead who die in the Lord from henceforth: Yea, wish the Spirit, that they may rest from the labors; and their works do follow them. (Revelation 14:13)*

Almighty God, Our Heavenly Father, from Whom we come, with Whom we live, and unto Whom our spirit returns, grant us Your blessing as we pray and enable us to put our trust in You that we may find comfort and courage for facing the events of this day for our state.

We remember before You those who have given their lives for our country. Comfort the hearts and the homes that walk in sorrow and in grief. Even as they journey through the valley of the shadow of death, may they feel Your presence near and in the assurance of Your love find strength sufficient for every need.

May we and all our people hear the summons to a greater and nobler living which comes to us as we remember our loyal and loving dead - a summons to give our best that a government of the people, by the people, and for the people shall not perish from the earth.

In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Daniel Bauman, Patrick Hayes, Ryan Holmquist, Tim Johnson, Michael O'Malley, Oliver Oxler, Colin Safley, Daylyn Snelling, Travis Triplett, Antonio Partida, Eli Brown, Alex Partida, Silas Brown, Logan Schafer and Lily Schafer.

The Journal of the twenty-fourth day was approved as printed.

## SPECIAL RECOGNITION

Mike Anderson, Head Coach of the University of Missouri Men's Basketball Team, was introduced by Speaker Tilley.

Coach Anderson addressed the House.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 597 through House Resolution No. 642

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 22** and **HJR 23** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 530** through **HB 548** were read the second time.

## PERFECTION OF HOUSE BILL

**HB 71**, relating to the City of St. Louis Police Force, was taken up by Representative Nasheed.

Representative Schoeller offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 71, Page 2, Section 84.348, Line 3, by inserting after said line the following:

**“84.349. 1. No person shall solicit orally, or by letter or otherwise, or shall be in any manner concerned in soliciting, any assessment, contribution, or payment for any political purpose whatsoever from any officer or employee in the service of the police department for such cities or from members of the said police board. No officer, agent, or employee of the police department of such cities shall permit any such solicitation in any building or room occupied for the discharge of the official duties of the said department.**

**2. No officer or employee of said department shall promote, remove, or reduce any other official or employee, or promise or threaten to do so, for withholding or refusing to make any contribution for any political party or purpose or club, or for refusal to render any political service, and shall not directly or indirectly attempt to coerce, command, or advise any other officer or employee to make any such contribution or render any such service. No officer or employee in the service of said department or member of the police board shall use his official authority or influence for the purpose of interfering with any election or any nomination for office, or affecting the result thereof. No officer or employee of such department shall be a member or official of any committee of any political party, or be a ward committeeman or committeewoman, nor shall any such officer or employee solicit any person to vote for or against any candidate for public office, or "poll precincts" or be connected with other political work of similar character on behalf of any political organization, party, or candidate. All such persons shall, however, retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.**

**3. No person or officer or employee of said department shall affix any sign, bumper sticker or other device to any property or vehicle under the control of said department which either supports or opposes any ballot measure or political candidate.**

**4. No question in any examination shall relate to political or religious opinions or affiliations, and no appointment, transfer, layoff, promotion, reduction, suspension, or removal shall be affected by such opinions or affiliations.**

**5. No person shall make false statement, certification, mark, rating, or report with regard to any tests, certificate, or appointment made under any provision of sections 84.010 to 84.350 or in any manner commit or attempt to commit any fraud preventing the impartial execution of this section or any provision thereof.**

**6. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for or on account of any appointment, proposed appointment, promotion to, or any advancement in, a position in the service of the police departments of such cities.**



7. No person shall defeat, deceive, or obstruct any person in his right to examination, eligibility, certification, appointment or promotion under sections 84.010 to 84.350, or furnish to any person any such secret information for the purpose of affecting the right or prospects of any person with respect to employment in the police departments of such cities.

8. Any officer or any employee of the police department of such cities who shall be found by the board to have violated any of the provisions of this section shall be discharged forthwith from said service. It shall be the duty of the chief of police to prefer charges against any such offending person at once. Any member of the board or of the common council of such cities may bring suit to restrain payment of compensation to any such offending officer or employee and, as an additional remedy, any such member of the board or of the common council of such cities may also apply to the circuit court for a writ of mandamus to compel the dismissal of such offending officer or employee. Officers or employees discharged by such mandamus shall have no right of review before the police board. Any person dismissed or convicted under this section shall, for a period of five years, be ineligible for appointment to any position in the service of the police department of such cities or the municipal government of such cities. Any persons who shall willfully or through culpable negligence violate any of the provisions of this section may, upon conviction thereof, be punished by a fine of not less than fifty dollars and not exceeding five hundred dollars, or by imprisonment for a time not exceeding six months, or by both such fine and imprisonment.

9. For purposes of this section the following terms shall mean:

(1) “Licensed dealer”, a person who is licensed under 18 U.S.C. Section 923 to engage in the business of dealing in firearms.

(2) “Private seller”, a person who sells or offers for sale any firearm, as defined in section 571.010, or ammunition.

(3) “Ammunition”, any cartridge, shell, or projectile designed for use in a firearm.

(4) “Materially false information”, any information that portrays an illegal transaction as legal or a legal transaction as illegal.

10. Any officer, employee, or representative of said department who knowingly solicits, persuades, encourages or entices a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this state or the United States is guilty of a class D felony.

11. Any officer, employee, or representative of said department who provides to a licensed dealer or private seller of firearms or ammunition what the persons knows to be materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition is guilty of a class D felony.

12. Any officer, employee, or representative of said department who willfully procures another to engage in conduct prohibited by this section shall be held accountable as a principal.

Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 1** was adopted.

Representative Leara offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 71, Page 2, Section 84.348, Lines 1 to 3, by deleting all of said section and lines and inserting in lieu of thereof the following:

“84.348. Any police pension system created under chapter 86 for the benefit of a police force established under sections 84.010 to 84.340 shall continue to be governed by chapter 86, and shall apply to any police force established under sections 84.345 and 84.346. Nothing in the provisions of subsection 2 of section 84.010, section 84.345, 84.346, or 84.347 shall be construed to relieve the city not within a county of its obligations to provide funding under sections including, but not limited to, 86.183, 86.187, 86.344, and 86.350.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Riddle offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Bill No. 71, Page 1, Line 8, by inserting after all of said line the following:

‘Further amend said bill, Page 2, Section 84.348, Line 3, by inserting after all of said line the following:

**“Section 2. 1. The police department of any city not within a county shall not allow any officer, employee, liaison, or registered representative to testify or conduct any lobbying activities before the general assembly if such officer, employee, liaison, or registered representative purports to represent the official policy of the department, or commits any act or acts representing himself or herself in any official manner, including but not limited to wearing a uniform, stating specific rank and title in the department, or providing testimony on official department letterhead. An officer, employee, or liaison may, in their personal capacity, petition the general assembly for the redress of grievances, and communicate opinions on any subject whatsoever.**

**2. Any person may enforce this section by bringing an action for monetary damages in the amount of ten thousand dollars in any court of competent jurisdiction. If a court finds that there has been a violation of this section, then it shall award attorney fees and costs to the plaintiff. The state hereby abrogates and waives with regard to the police departments regulated by subsection 1 of this section, all types of sovereign, official, and absolute immunity, and any other immunity doctrine recognized by common law such that the department shall have full liability for a violation of this section.”; and’; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon

Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 040

Anders	Atkins	Colona	Curls	Ellinger
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Neth	Newman	Nichols	Oxford
Peters-Baker	Pierson	Quinn	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 50	Brown 116	Carter	Pace	Wyatt
Zimmerman				

On motion of Representative Leara, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curls
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen

Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Berry	Brown 50	Brown 116	Carter	Pace
Webber	Wyatt	Zimmerman		

Representative Colona offered **House Amendment No. 3**.

**House Amendment No. 3** was withdrawn.

Representative Fuhr offered **House Amendment No. 4**.

Representative Cox raised a point of order that **House Amendment No. 4** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Meadows offered **House Amendment No. 5**.

Representative Richardson raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Nasheed, **HB 71, as amended**, was ordered perfected and printed by the following vote:

AYES: 123

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Burlison	Carlson	Carter	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCann Beatty
McGhee	McManus	McNary	McNeil	Molendorp
Nasheed	Newman	Nolte	Oxford	Phillips

Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Smith 71	Smith 150	Solon	Still	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wright	Zerr	Mr Speaker		

NOES: 034

Anders	Atkins	Black	Casey	Davis
Fallert	Funderburk	Gatschenberger	Higdon	Hodges
Jones 89	Kander	Kelly 24	Kirkton	Korman
Kratky	Loehner	McCaherty	McDonald	McGeoghegan
Meadows	Montecillo	Nance	Neth	Nichols
Parkinson	Scharnhorst	Sifton	Silvey	Spreng
Stream	Swearingen	White	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 50	Brown 116	Pace	Peters-Baker	Wyatt
Zimmerman				

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 546** - General Laws

## COMMITTEE REPORTS

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## HOUSE CONCURRENT RESOLUTION NO. 19

### AN ACT

Relating to the calling of a convention proposing amendments to the United States Constitution.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Article V of the Constitution of the United States provides authority for a Convention to be called by the Congress of the United States for the purpose of proposing amendments to the Constitution upon application of two-thirds of the Legislatures of the several states ("amendments convention"); and

WHEREAS, the Legislature of the State of Missouri favors the proposal and ratification of an amendment to said Constitution which shall provide that an increase in the federal debt requires approval from a majority of the Legislatures of the separate States:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby respectfully applies, as provided for in Article V of the Constitution of the United States, for an amendments convention to be called for the purpose of proposing an amendment which shall provide that an increase in the federal debt requires approval from a majority of the Legislatures of the separate States; and

BE IT FURTHER RESOLVED that the amendments convention contemplated by this application shall be entirely focused upon and exclusively limited to the subject matter of proposing for ratification an amendment to the Constitution providing that an increase in the federal debt requires approval from a majority of the Legislatures of the separate States; and

BE IT FURTHER RESOLVED that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the Legislatures of the several States have made application for an equivalently limited amendments convention; and

BE IT FURTHER RESOLVED that a certified copy of this application be dispatched by the Chief Clerk of the Missouri House of Representatives to the President of the United States Senate, the Speaker of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each house of the several State Legislatures requesting their cooperation in applying for the amendments convention limited to the subject matter contemplated by this application.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 364**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Higher Education**, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 174**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 205**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 24**, introduced by Representative Aull, relating to volunteer bingo game operations.

**HJR 25**, introduced by Representative Aull, relating to bonded indebtedness of school districts.

**HJR 26**, introduced by Representatives Curtman, Hinson, Phillips, Long, Schatz, Houghton, Leach, Conway (14), Richardson, Lichtenegger, Entlicher, Brattin, Redmon, Brown (85), McCaherty, Koenig, Wallingford, Higdon, Berry, Cierpiot, Solon, Denison, Franz, Wieland, Asbury, Bahr, Wyatt, Guernsey, Smith (150), Dugger, Korman, Dieckhaus, Jones (89) and Jones (117), relating to state sovereignty.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 549**, introduced by Representatives Bahr, Ruzicka, Dieckhaus, Jones (89), Higdon, Gatschenberger, Lasater, McNary, Conway (14) and Kelley (126), relating to motor vehicle mileage taxes.

**HB 550**, introduced by Representative Day, relating to liens and encumbrances.

**HB 551**, introduced by Representatives Schieffer and Kirkton, relating to controlled substances.

**HB 552**, introduced by Representative Molendorp, relating to the standard of care for the treatment of persons with bleeding disorders.

**HB 553**, introduced by Representatives Nance, Webber, Franklin, Anders, Jones (117), Richardson, Schneider, Molendorp and Nolte, relating to the Missouri home inspectors professional competency and financial responsibility act.

**HB 554**, introduced by Representatives Loehner, Wyatt, Nance, Smith (150), Klippenstein, Schad and Bahr, relating to animal husbandry.

**HB 555**, introduced by Representative Grisamore, relating to termination of parental rights.

**HB 556**, introduced by Representative Grisamore, relating to disability history and awareness month in public schools.

**HB 557**, introduced by Representative Grisamore, relating to the mental health earnings fund.

**HB 558**, introduced by Representative Grisamore, relating to comprehensive day rehabilitation services under the MO HealthNet program.

**HB 559**, introduced by Representative Grisamore, relating to electronic texts.

**HB 560**, introduced by Representative Grisamore, relating to disabled parking signs.

**HB 561**, introduced by Representative Grisamore, relating to the MO HealthNet oversight committee.

**HB 562**, introduced by Representative Grisamore, relating to the Missouri children's services commission.

**HB 563**, introduced by Representative Grisamore, relating to the MO HealthNet benefits.

**HB 564**, introduced by Representative Grisamore, relating to tax incentives for job growth.

**HB 565**, introduced by Representatives Denison, Dugger, Wells and Cookson, relating to reporting of child abuse.

**HB 566**, introduced by Representatives Denison, Parkinson, Cox, Cauthorn and Schad, relating to the political subdivision construction bidding standards act.

**HB 567**, introduced by Representatives Elmer, Weter, Phillips and Rowland, relating to judicial circuits.

**HB 568**, introduced by Representatives Elmer and Korman, relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

**HB 569**, introduced by Representatives Shively, Quinn, Black, Oxford, Atkins, McGeoghegan, Hubbard, Cookson, Aull, Fallert, Meadows, McManus, McDonald, Carlson, Harris, Casey, Redmon and Johnson, relating to 911 emergency communications service.

**HB 570**, introduced by Representatives Lampe, McGeoghegan, Carter, Kratky, McCann Beatty, McNeil, Hodges, Anders, Oxford, Kander, Swearingen, Colona, Newman, Ellinger, Still, Dieckhaus, Montecillo, Barnes, Kirkton, Zerr, Neth, Fitzwater, Cookson, Franz, Nolte, Burlison, Asbury, Silvey, Hough, Talboy and Long, relating to gifted education.

**HB 571**, introduced by Representative Faith, relating to penalties for tax-delinquent lands.

**HB 572**, introduced by Representative Pollock, relating to controlled substances.

**HB 573**, introduced by Representatives Kirkton and Ellinger, relating to health care insurance rates.

**HB 574**, introduced by Representative Aull, relating to insurance premium rates.

**HB 575**, introduced by Representative Aull, relating to the joint committee on education.

**HB 576**, introduced by Representative Aull, relating to school violence prevention.

**HB 577**, introduced by Representative Aull, relating to school food services.

**HB 578**, introduced by Representative Thomson, relating to the disposal of tires.

**HB 579**, introduced by Representatives Frederick, Richardson, Lichtenegger and Burlison, relating to hospital licensure law.

**HB 580**, introduced by Representatives Frederick, Haefner, Allen, Wallingford, Berry, Neth, Franklin, Denison, McCaherty, Phillips and Guernsey, relating to medical records.



**HB 581**, introduced by Representatives Oxford, Schupp, Walton Gray, Pace, Atkins, Still, Kirkton, McNeil, Carter, Nichols, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Schieffer, Hodges, Curls, Webber, Nasheed, Carlson, Swearingen, Peters-Baker, McCann Beatty, Hughes, Pierson, McGeoghegan, Rizzo, Sifton, Anders, McManus, Taylor, Holsman and Aull, relating solely to the creation of an earned income tax credit.

**HB 582**, introduced by Representatives Oxford, Schupp, Walton Gray, Pace, Atkins, Still, Newman, McNeil, Carter, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Curls, Lampe, Webber, Schieffer, Carlson, Peters-Baker, Hughes, Pierson, Colona, McGeoghegan, Rizzo, Anders, Taylor and Holsman, relating to school class size.

**HB 583**, introduced by Representatives Oxford, Walton-Gray, Schupp, Pace, Atkins, Still, Kirkton, McNeil, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Curls, Lampe, Nasheed, Carlson, Swearingen, Peters-Baker, Hughes, Pierson, Taylor and Holsman, relating to the quality early childhood act.

**HB 584**, introduced by Representatives Oxford, Schupp, Kirkton, Pace, Walton Gray, Atkins, Still, Newman, McNeil, Montecillo, Carter, Nichols, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Curls, Lampe, Nasheed, Carlson, Peters-Baker, McCann Beatty, Hughes, Pierson, McGeoghegan, Rizzo, Anders, Harris, Taylor and Holsman, relating to prepayment loan penalties.

**HB 585**, introduced by Representatives Oxford, Nichols, Walton Gray, Pace, Atkins, Still, Newman, Kirkton, Carter (61), McNeil, Montecillo, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Fallert, Curls, Lampe, Nasheed, Carlson, Swearingen, Peters-Baker, McCann Beatty, Hughes, Pierson, Zimmerman, McGeoghegan, Rizzo, McManus, Harris, Taylor and Holsman, relating to actions for money damages for conduct or speech at public hearings or meetings.

**HB 586**, introduced by Representatives Stream, Ruzicka, Grisamore, Zerr, Kirkton, Newman, Schupp, McNeil, Kratky, Oxford, McGeoghegan, Nasheed, Aull, Carlson, Still, Smith (71), Pace, Brown (85), Hoskins, Largent, Torpey, Allen, Faith, Diehl, Denison, Scharnhorst, Fitzwater, Fisher, Tilley and Flanigan, relating to continuing professional education curriculum in eating disorders for certain school personnel.

**HB 587**, introduced by Representatives Aull and Harris, relating to relocation of a child.

**HB 588**, introduced by Representatives Cookson, Dieckhaus, Tilley, Diehl, Jones (63), Smith (71), Taylor, Richardson, Smith (150), Fitzwater, Jones (89), Denison, Schoeller, Riddle and Jones (117), relating to student athlete safety.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 3**, entitled:

An act to repeal sections 115.205, 115.427, 115.430, and 115.631, RSMo, and to enact in lieu thereof five new sections relating to elections, with penalty provisions and a contingent effective date.

In which the concurrence of the House is respectfully requested.

### ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 21, 2011.

### COMMITTEE MEETINGS

#### AGRI-BUSINESS

Monday, February 21, 2011, South Gallery upon afternoon adjournment.

Executive Session will be held: HB 266

Executive session may be held on any matter referred to the committee.

#### APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2011, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup of HB 2 and HB 3.

#### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Monday, February 21, 2011, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

CANCELLED

#### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

CANCELLED

#### CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 21, 2011, 1:00 PM House Hearing Room 3.

Public hearing to be held on: HB 115

Executive session may be held on any matter referred to the committee.

#### DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.  
Committee dinner and work session.

#### ECONOMIC DEVELOPMENT

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 7.  
Public hearing to be held on: HB 366  
Executive session may be held on any matter referred to the committee.

#### ELECTIONS

Tuesday, February 22, 2011, 8:15 AM House Hearing Room 5.  
Public hearing to be held on: HB 187, HB 54, HB 240, HJR 16, HB 180, HB 283  
Executive session may be held on any matter referred to the committee.

#### EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 1.  
Public hearing to be held on: HB 458  
Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Monday, February 21, 2011, 2:00 PM House Hearing Room 5.  
Executive session may be held on any matter referred to the committee.  
All bills referred to the committee.  
CANCELLED

#### GENERAL LAWS

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 4.  
Public hearing to be held on: HB 401, HB 490, HB 252, SCS SB 68  
Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 6.  
Public hearing to be held on: HB 272 , HB 412 , HB 423 , HB 201  
Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 6.  
Public hearing to be held on: HB 223  
Executive session may be held on any matter referred to the committee.

#### INSURANCE POLICY

Monday, February 21, 2011, House Hearing Room 1, 5:00 PM or upon evening adjournment.  
Public hearing to be held on: HB 407, HB 414  
Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 409

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, February 21, 2011, House Hearing Room 4 upon afternoon adjournment.

Executive session will be held: HB 108, HCS HB 136, HJR 14, HCS HB 329,

HCS HB 276, 233 & 274, HCS HB 214, HB 167, HCR 19, HB 364

Executive session may be held on any matter referred to the committee.

House Resolutions for Chamber Use to be approved.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 7.

Executive session only.

#### SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, February 21, 2011, 1:00 PM House Hearing Room 7.

Public hearing to be held on: HB 421, HB 411

Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 363, HB 430, HB 415, HB 459, HB 228

Executive session may be held on any matter referred to the committee.

#### VETERANS

Tuesday, February 22, 2011, 8:30 AM House Hearing Room 1.

Public hearing to be held on: HCR 7, HB 368, HB 239

Executive session may be held on any matter referred to the committee.

#### WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 21, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 319, HB 320, HB 434

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 21, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 24 through HJR 26

**HOUSE BILLS FOR SECOND READING**

HB 549 through HB 588

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

HCS HB 14 - Silvey

HB 15 - Silvey

**HOUSE BILLS FOR PERFECTION**

- 1 HB 139 - Smith (150)
- 2 HB 209 - Guernsey
- 3 HCS HB 76 - Nolte
- 4 HB 107 - Smith (150)
- 5 HCS HB 61 - Nolte
- 6 HCS HB 205 - Elmer

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 3, (2-8-11, Page 309) - Scharnhorst

**HOUSE BILLS FOR THIRD READING**

HB 71 - Nasheed

**SENATE BILLS FOR SECOND READING**

SB 3

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 21, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Greg White, Sheriff of Cole County.

Heavenly Father, Lord God, in Jesus' name we come to You. For this day, and in each of our days, I thank You. According to *Romans 8:28*, we thank You for working all things together for good to those who love You and are called according to Your purposes.

Lord, I thank You for the men and women gathered here to seek Your will in the governance of the people of the State of Missouri. I ask You to make Your will plain to each of them. I ask You to help them make godly decisions to fulfill Your will. May You lead them and guide them throughout this day and their term of office. Make them into the people You have called them to be.

Please bless the members of this session. Lead them in all they do. In Jesus' Christ name I pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alaina Brantley, Carson Hardesty, Aimee Burns, Beth Prater, Logan Wood and Michael Lady.

The Journal of the twenty-fifth day was approved as printed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long

Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 002

Newman Peters-Baker

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Brown 50	Brown 116	Curls	Hughes
Klippenstein	Molendorp	Parkinson	Smith 71	Wallingford
Webber	Zimmerman			

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 643 through House Resolution No. 663

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 24** through **HJR 26** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 549** through **HB 588** were read the second time.

## SECOND READING OF SENATE BILL

**SB 3** was read the second time.

## REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 17** - Agriculture Policy

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 503** - Elections

## COMMITTEE REPORTS

**Committee on Agriculture Policy**, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 131**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Children and Families**, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Corrections**, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 154**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Downsizing State Government**, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 171**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 186**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 217**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.



**Committee on Financial Institutions**, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 83**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 109**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Retirement**, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 127**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 183**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 229**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 263**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 282**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 358**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 360**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Tourism and Natural Resources**, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 189**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 141**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 153**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation Funding and Public Institutions**, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 137**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Utilities**, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 338**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 149**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 204**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 116** and **HB 316**, begs leave to report it has examined the same and recommends that it **Do Pass With House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 151**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HJR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 434**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 108**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 136**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 167**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 214**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 276, 233 & 274**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 329**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 589**, introduced by Representative Ruzicka, relating to making a false report.

**HB 590**, introduced by Representatives Harris, Smith (71), Black, Walton Gray, Shively, Webber, Aull, Anders, Swearingen, Fallert and Quinn, relating to adverse possession.

**HB 591**, introduced by Representatives Lichtenegger, Wallingford, Lant, Davis, White, Richardson, Jones (117), Wright and Wyatt, relating to limited dental teaching license.

**HB 592**, introduced by Representatives Gatschenberger and Nolte, relating to funeral protests.

**HB 593**, introduced by Representative Gatschenberger, relating to mailing envelopes for absentee ballots.

**HB 594**, introduced by Representative Richardson, relating to the possession, manufacture, transport, repair and sale of weapons.

**HB 595**, introduced by Representatives Schieffer, Hinson and Denison, relating to temporary motorcycle permits.

**HB 596**, introduced by Representatives Schieffer, Korman and Gatschenberger, relating to sales taxes on firearms and ammunition.

**HB 597**, introduced by Representatives Pollock, Wells, Denison, Dugger, Guernsey, Diehl, Day, Funderburk and Black, relating to conservation easements.

**HB 598**, introduced by Representative Schad, relating to the Missouri propane education and research act.

**HB 599**, introduced by Representatives Schad, Loehner, Cierpiot, Rowland, Hinson, Fraker, Fitzwater, McGhee, Jones (89), Higdon and Cookson, relating to sexual contact with a student.

**HB 600**, introduced by Representatives Schad, Loehner, Cierpiot, Rowland, Fitzwater and McGhee, relating to the crime of assaulting a utility worker.

**HB 601**, introduced by Representatives Schad, Loehner, Rowland and Fitzwater, relating to sales tax exemptions for feed for captive wildlife.

**HB 602**, introduced by Representatives Schad, McNeil, Dieckhaus, Rowland, Brown (85), Keeney and Cookson, relating to school district corporate organization.

**HB 603**, introduced by Representatives Schupp, Still, Ellinger, McNeil, Swearingen, Rizzo, Oxford, Weter, Kirkton, Spreng, Lant, Schieffer, Talboy, Lampe, Nasheed, Webb and McGhee, relating to child-care facilities.

## COMMITTEE APPOINTMENTS

February 21, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Public Employee Retirement:

Representative Ira Anders  
Representative Cloria Brown  
Representative Tommie Pierson  
Representative Paul Wieland

Continuing to serve on this Joint Committee are:

Representative Bert Atkins  
Representative Ward Franz

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

-----  
February 21, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Terrorism, Bioterrorism, and Homeland Security:

Representative Rick Brattin  
Representative Paul Curtman  
Representative Charlie Davis

Continuing to serve on this Joint Committee is:

Representative David Day

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

## **COMMUNICATION**

February 21, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Respectfully,

/s/ Genise Montecillo  
District 66

The following members' presence was noted: Molendorp, Parkinson, Smith (71), Wallingford and Webber.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 22, 2011.

## COMMITTEE MEETINGS

### APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2011, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup of HB 2 and HB 3.

### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11.

CANCELLED

### DOWNSIZING STATE GOVERNMENT

Tuesday, February 22, 2011, 6:30 PM MCTA, 223 E Capitol Drive.

Committee dinner and work session.

### ECONOMIC DEVELOPMENT

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 7.

Public hearing to be held on: HB 366, HB 336

Executive session may be held on any matter referred to the committee.

AMENDED

### ELECTIONS

Tuesday, February 22, 2011, 8:15 AM House Hearing Room 5.

Public hearing to be held on: HB 187, HB 54, HB 240, HJR 16, HB 180, HB 283

Executive session may be held on any matter referred to the committee.

### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 362, HB 473

### EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, February 22, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 458

Executive session may be held on any matter referred to the committee.

### FISCAL REVIEW

Thursday, February 24, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

### GENERAL LAWS

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 401, HB 490, HB 252, SCS SB 68

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 6.  
Public hearing to be held on: HB 272 , HB 412 , HB 423 , HB 201  
Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 5.  
Public hearing to be held on: HB 475  
Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 6.  
Public hearing to be held on: HB 223  
Executive session may be held on any matter referred to the committee.

#### JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 6.  
Quarterly Business Meeting.  
Some portions of the meeting may be closed pursuant to Section 610.021.

#### JUDICIARY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 1.  
Public hearing to be held on: HB 158, HB 159, HB 255, HB 417, HB 404, HB 257  
Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 7.  
Public hearing to be held on: HB 70, HB 327  
Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.  
Public hearing to be held on: HB 409  
Executive session may be held on any matter referred to the committee.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, February 22, 2011, 8:00 AM House Hearing Room 7.  
Executive session only.

#### TAX REFORM

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 5.  
Public hearing to be held on: HB 36, HB 335, HB 429, HB 470  
Executive session will be held: HJR 8  
Executive session may be held on any matter referred to the committee.



#### TRANSPORTATION

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 7.

Public hearing to be held on: HB 363, HB 430, HB 415, HB 459, HB 228

Executive session may be held on any matter referred to the committee.

#### UTILITIES

Tuesday, February 22, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 119

Executive session will be held: HB 124

Executive session may be held on any matter referred to the committee.

#### VETERANS

Tuesday, February 22, 2011, 8:30 AM House Hearing Room 1.

Public hearing to be held on: HCR 7, HB 368, HB 239

Executive session may be held on any matter referred to the committee.

### **HOUSE CALENDAR**

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 22, 2011

#### **HOUSE BILLS FOR SECOND READING**

HB 589 through HB 603

#### **HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 14 - Silvey
- 2 HB 15 - Silvey

#### **HOUSE BILLS FOR PERFECTION**

- 1 HB 139 - Smith (150)
- 2 HB 209 - Guernsey
- 3 HCS HB 76 - Nolte
- 4 HB 107 - Smith (150)
- 5 HCS HB 61 - Nolte
- 6 HCS HB 205 - Elmer

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 3, (2-8-11, Page 309) - Scharnhorst

**HOUSE BILLS FOR THIRD READING**

HB 71 - Nasheed

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 22, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Create in us clean hearts, O Lord, and renew a right spirit within us. (Psalm 51:10)*

O Lord, our God, before Whom all deceit fades, all pretense fails, all ill will falls, Who is the way, the truth and the life - bless us this day as we open the House with Your spirit and help us walk in Your way, to believe Your truth and to live Your life.

Forgive our foolish ways, the mistakes we make, the sins we commit, the harsh criticism we direct toward those who disagree with us, and our slowness to see the good in others and the wrong in ourselves.

Then, create in us clean hearts, O Lord, and renew a right spirit within us - that Your will may be done in us, in our beloved state of Missouri, and in all people we serve. The House says "Amen".

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Abigail Thomas.

The Journal of the twenty-sixth day was approved as printed.

## HOUSE RESOLUTION

Representative Webber offered House Resolution No. 696.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 664 through House Resolution No. 695  
House Resolution No. 697

## HOUSE CONCURRENT RESOLUTIONS

Representative Hampton, et al., offered House Concurrent Resolution No. 34.  
Representative Oxford, et al., offered House Concurrent Resolution No. 35.  
Representative Oxford, et al., offered House Concurrent Resolution No. 36.

**SECOND READING OF HOUSE BILLS**

**HB 589** through **HB 603** were read the second time.

**THIRD READING OF HOUSE BILL**

**HB 71**, relating to the City of St. Louis Police Force, was taken up by Representative Nasheed.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Nasheed, **HB 71** was read the third time and passed by the following vote:

AYES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Burlison	Carlson
Carter	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Funderburk
Gosen	Grisamore	Guernsey	Hampton	Harris
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Long	Marshall	May	McCann Beatty
McGhee	McManus	McNary	McNeil	Molendorp
Nasheed	Newman	Nolte	Oxford	Pace
Peters-Baker	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Sater	Schad	Schatz	Schieber	Schoeller
Schupp	Shumake	Smith 71	Smith 150	Solon
Still	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Wright	Wyatt	Mr Speaker	

NOES: 046

Anders	Atkins	Black	Brattin	Brown 85
Casey	Conway 14	Curtman	Davis	Fallert
Fuhr	Haefner	Higdon	Hinson	Hodges
Jones 89	Kander	Kelly 24	Kirkton	Korman
Kratky	Leara	Loehner	McCaherty	McDonald
McGeoghegan	Meadows	Montecillo	Nance	Neth
Nichols	Phillips	Ruzicka	Scharnhorst	Schieffer
Schneider	Shively	Sifton	Silvey	Spreng
Stream	Swearingen	Weter	White	Wieland
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Brown 116	Curls	Fraker	Gatschenberger
Hughes	Parkinson	Zimmerman		

Speaker Pro Tem Schoeller declared the bill passed.

### PERFECTION OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 14**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 14** was adopted.

On motion of Representative Silvey, **HCS HB 14** was ordered perfected and printed.

**HB 15**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 15** was ordered perfected and printed.

### PERFECTION OF HOUSE BILL

**HB 209**, relating to private nuisance actions, was taken up by Representative Guernsey.

Representative Shively offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 209, Page 2, Section 537.296, Line 36, by inserting after all of said line the following:

**“7. The provisions of this section shall not apply to any claim for private nuisance by a plaintiff whose property ownership precedes the defendant’s activities giving rise to the cause of action.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough

Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Brown 116	Carter	Curls	Fuhr
Hughes	Jones 63	Nasheed	Quinn	Swinger
Zimmerman				

Representative Shively moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

**HB 209** was laid over.

### RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

**HB 431** - Judiciary

### COMMITTEE REPORTS

**Committee on Agri-Business**, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 266**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 29**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 196**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 256**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rural Community Development**, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HJR 5**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 37**, introduced by Representatives Franklin, Frederick, Crawford, Lauer, Zerr, Lichtenegger, Curtman, Franz, Brattin, Wallingford, Fraker, Weter, Smith (150), Phillips, White, Davis, Schatz, Houghton, Cross, Hough, Gosen, Hoskins, Haefner, Lasater, Conway (14), Leach, Burlison, Asbury, Fitzwater, Johnson, Entlicher, Brown (85), Dieckhaus, Redmon, Wyatt, Jones (117), Torpey and Kelley (126), relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week.

**INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 27**, introduced by Representatives Brattin, Gatschenberger, Bahr, Kelley (126), Conway (14), Molendorp, Davis, White, Frederick, Lichtenegger, Schoeller, Smith (150), Solon, Berry, Largent, Hoskins, Pollock, Riddle, Schieber, Rowland, Bernskoetter, Richardson, Houghton, Fisher, Phillips, Lair, Long, Higdon, Jones (117), Asbury, Guernsey, Curtman, Koenig, Harris, Johnson, Diehl, Cierpiot, Franklin, Reiboldt, Lant, Redmon, Fuhr, Dugger, Hough, Fitzwater, Fraker, Lasater, Hampton, Burlison, Faith, Marshall, Black, Schieffer, Jones (89), Colona, Keeney, Sater, Cross, Ruzicka, Wallingford, Shumake, Bandom, Elmer, Scharnhorst, Leach, Schatz, Loehner and Tilley, relating to the right to bear arms.

**HJR 28**, introduced by Representatives Walton Gray, Oxford, Pace, Pierson, Lampe, Webb, Schieffer, Wells, Atkins and Black, relating to the general assembly.

**HJR 29**, introduced by Representatives Solon, Torpey, Higdon, Fitzwater, Diehl, Houghton, Lasater, Wallingford, Day, Fuhr, Kelly (24), Hubbard, Brattin, Haefner, Rizzo, Fraker and Nichols, relating to the state lottery.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 604**, introduced by Representatives Long, Kelley (126), Richardson, Pollock, Weter, Franklin, Brown (85), Davis, Denison, Taylor, Zerr, Hampton, Gatschenberger, Lauer, Cross, Higdon, McNary, Solon, Talboy, Jones (63), Stream, Montecillo, Neth, Koenig, Allen, Grisamore and Hough, relating to parental rights of individuals with disabilities.

**HB 605**, introduced by Representatives Schieffer, Wells, Meadows, McDonald, Fallert and Denison, relating to collection of sales taxes on motor vehicles.

**HB 606**, introduced by Representative Schoeller, relating to limitations on punitive damages.

**HB 607**, introduced by Representative Franz, relating to health insurance coverage for licensed athletic trainers.

**HB 608**, introduced by Representatives Meadows, McGeoghegan, Fallert, Atkins and Ellinger, relating to van accessible parking spaces.

**HB 609**, introduced by Representative Molendorp, relating to the Show-Me health insurance exchange act.

**HB 610**, introduced by Representatives Molendorp and Nance, relating to the motorist insurance identification database program.

**HB 611**, introduced by Representatives Holsman, Atkins and Oxford, relating to light pollution.

**HB 612**, introduced by Representatives Holsman, Atkins, Oxford, McNeil and Walton Gray, relating to school class size.

**HB 613**, introduced by Representatives Holsman, McNeil, Kirkton, Atkins and Walton Gray, relating to renewable energy technology.

**HB 614**, introduced by Representatives Holsman and Atkins, relating to tuition rates for students at institutions of higher education.

**HB 615**, introduced by Representatives Holsman and Atkins, relating to the civil disaster response corps.



**HB 616**, introduced by Representatives Holsman and Atkins, relating to renewable energy.

**HB 617**, introduced by Representatives Holsman, Atkins, McNeil and Walton Gray, relating to the school calendar.

**HB 618**, introduced by Representatives Holsman and Atkins, relating to an income tax deduction for school supplies.

**HB 619**, introduced by Representatives Holsman and Atkins, relating to broadcasting of professional sporting events in publicly funded stadiums.

**HB 620**, introduced by Representatives Holsman, Atkins, Talboy and Walton Gray, relating to industrial hemp.

**HB 621**, introduced by Representatives Holsman, Atkins, Oxford, McNeil and Walton Gray, relating to high school dropout prevention.

**HB 622**, introduced by Representatives Holsman, Atkins, McNeil and Walton Gray, relating to solar water heating systems.

**HB 623**, introduced by Representatives Marshall, Lasater, Lant, Torpey, Brattin, Sifton and Kelley (126), relating to liability for driving while intoxicated.

**HB 624**, introduced by Representatives McNeil, Montecillo, Oxford, Still, Schupp and Carlson, relating to corporal punishment in schools.

**HB 625**, introduced by Representatives Nichols, Diehl and Kratky, relating to condemnation commissioners.

**HB 626**, introduced by Representatives Solon, Tilley, Hubbard, Nasheed, Nolte, Diehl, Haefner, Schoeller, Riddle and Higdon, relating to the senior citizens protection act for retired persons.

**HB 627**, introduced by Representative Curls, relating to contributions to political action committees.

**HB 628**, introduced by Representatives Dieckhaus, Scharnhorst, Leara and Tilley, relating to teacher continuing contracts.

**HB 629**, introduced by Representatives Cierpiot, Torpey, Cox, Schad, Smith (150), Dieckhaus, Berry, Elmer, Scharnhorst, Lichtenegger and Jones (89), relating to dates for conducting elections.

**HB 630**, introduced by Representative Grisamore, relating to the Missouri task force on prematurity and infant mortality.

**HB 631**, introduced by Representative Grisamore, relating to designation of tax refunds to the developmental disabilities waiting list equity trust fund.

**HB 632**, introduced by Representatives Frederick, Lichtenegger, Brattin, Franklin and White, relating to a controlled substances dispensation monitoring program.

**HB 633**, introduced by Representative Ruzicka, relating to the agritourism promotion act.

**HB 634**, introduced by Representative Ruzicka, relating to imposing costs of investigation and prosecution of criminal cases on defendants.

**HB 635**, introduced by Representatives Silvey, Hough, Gatschenberger, Carter, Colona, Hummel, Nasheed, Hinson, Richardson, Webb, McNeil, Scharnhorst, Hodges, Talboy, Conway (27) and Nichols, relating to paid members of any fire department or fire district.

**HB 636**, introduced by Representatives Oxford, Walton Gray, Pace, Atkins, Still, Newman, Schupp, Kirkton, McNeil, Montecillo, Carter, Nichols, Jones (63), Smith (71), Talboy, Spreng, Ellinger, Curls, Lampe, Webber, Nasheed, Carlson, Swearingen, Peters-Baker, McCann Beatty, Hughes, Pierson, Zimmerman, Colona, Sifton, Taylor, Holsman, Webb, Kelly (24), Hubbard and Kander, relating to the compassionate assistance for rape emergencies act.

**HB 637**, introduced by Representatives Oxford, Smith (71), Walton Gray, Pace, Atkins, Kirkton, Montecillo, Jones (63), Carter, Talboy, Ellinger, Fallert, Curls, Nasheed, Brown (50), Hughes, Pierson, Hummel, McGeoghegan, Taylor, Holsman, Webb, Hubbard and McCann Beatty, relating to individual income tax.

**HB 638**, introduced by Representatives Funderburk, Tilley, Talboy, Silvey, Franz, Molendorp, Still, Nance, Colona, Parkinson, Gatschenberger, Scharnhorst, Hummel, Meadows and Ruzicka, relating to the insured vehicle identification network program.

**HB 639**, introduced by Representatives McNary, Dieckhaus, Koenig, Stream, Neth, Scharnhorst, Weter, Higdon, Wright, Diehl, McCaherty, Leara, Davis, White, Zerr, Kelley (126), Jones (117), Elmer, Brown (85), Wallingford, Leach, Cookson, Berry, Bahr, Jones (63), Black, Nasheed and Grisamore, relating to student progression.

**HB 640**, introduced by Representatives Neth, Hough, Long and Elmer, relating to electioneering.

**HB 641**, introduced by Representatives Franz, Burlison, Funderburk, Nance, Ruzicka, Lasater, Wells, Dugger, Long, Cross, Black, Gosen, Nolte and Loehner, relating to controlled substances.

**HB 642**, introduced by Representatives Cookson, Dieckhaus, Jones (63) and Rowland, relating to summer school.

## **COMMUNICATION**

February 21, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Respectfully,

/s/ Genise Montecillo  
District 66

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 23, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HCR 17

Executive session may be held on any matter referred to the committee.

### **CORRECTIONS**

Wednesday, February 23, 2011, 5:00 PM House Hearing Room 1.

Public hearing to be held on: HB 87, HB 200, HB 445

Executive session may be held on any matter referred to the committee.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 4.

Public hearing to be held on: HB 118, HB 295

Executive session may be held on any matter referred to the committee.

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 6.

Public hearing to be held on: HB 362, HB 473

#### FINANCIAL INSTITUTIONS

Wednesday, February 23, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held: HB 50, HB 173, HB 465

Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Thursday, February 24, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

#### HEALTH CARE POLICY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 6.

Public hearing to be held on: HB 272, HB 412, HB 423, HB 201

Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, February 23, 2011, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Presentations will be given by the Department of Economic Development and the Department of Agriculture.

#### JUDICIARY

Wednesday, February 23, 2011, 12:00 PM House Hearing Room 1.

Public hearing to be held on: HB 158, HB 159, HB 417, HB 404, HB 257

Executive session may be held on any matter referred to the committee.

#### AMENDED

#### LOCAL GOVERNMENT

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 70, HB 327

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 23, 2011, House Hearing Room 5.

12:00 PM, or upon morning adjournment if after 12:00 PM.

Public hearing to be held on: HB 311

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.

Public hearing to be held on: HB 409

Executive session may be held on any matter referred to the committee.

**TAX REFORM**

Wednesday, February 23, 2011, 8:00 AM House Hearing Room 5.  
Public hearing to be held on: HB 36, HB 335, HB 429, HB 470  
Executive session will be held: HJR 8  
Executive session may be held on any matter referred to the committee.

**TOURISM AND NATURAL RESOURCES**

Thursday, February 24, 2011, 8:30 AM House Hearing Room 1.  
Public hearing to be held on: HCR 6, HCR 11, HB 98  
Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, February 24, 2011, 8:00 AM House Hearing Room 5.  
Public hearing to be held on: HB 286, HB 506, HB 144

**HOUSE CALENDAR**

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 23, 2011

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 37

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 27 through HJR 29

**HOUSE BILLS FOR SECOND READING**

HB 604 through HB 642

**HOUSE BILLS FOR PERFECTION**

- 1 HB 139 - Smith (150)
- 2 HB 209 - Guernsey
- 3 HCS HB 76 - Nolte
- 4 HB 107 - Smith (150)
- 5 HCS HB 61 - Nolte
- 6 HCS HB 205 - Elmer

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 9, (2-1-11, Page 277) - Barnes

HCR 3, (2-8-11, Page 309) - Scharnhorst

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 23, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*In returning and rest shall you be saved; in quietness and in confidence shall be your strength. (Isaiah 30:15)*

O God, our Father, the light of the minds know You, the life of the spirits that love You, the strength of the souls that live with You - in quietness and confidence we lift our hearts to You in prayer this Missouri morning. Deliver us from unworthy thoughts, overanxious moods, tense spirits, and may we find rest and peace and joy with You.

Forgive our shortcomings, our failure to give You right-of-way in our lives, our insistence upon our way rather than Your way. May we never think of ourselves as sufficient for our responsibilities but may we find our sufficiency in You. Strengthen our hands and our hearts this day and use us for Your glory and for the good of our citizens.

We thank God for the return of Representative Wanda Brown in our midst today. May God continue to heal her. In God's Name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caresa Jordon, Katie Weldon, Abigail Freeman, Alison Davis, Brittany Webb, Courtney Wasmer and Andrea Mason.

The Journal of the twenty-seventh day was approved as corrected.

Representative Riddle assumed the Chair.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 698 through House Resolution No. 707

## HOUSE CONCURRENT RESOLUTION

Representative Cierpiot, et al., offered House Concurrent Resolution No. 38.

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 37** was read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 27** through **HJR 29** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 604** through **HB 642** were read the second time.

## PERFECTION OF HOUSE BILLS

**HB 139**, relating to the Missouri Accountability Portal, was taken up by Representative Smith (150).

Representative Silvey offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 139, Page 2, Section 37.857, Line 16, by inserting after all of said line the following:

**“Section 1. The Office of Administration shall maintain travel accountability information detailing the Governor’s travel information in the Missouri Accountability Portal established under 37.850. The Missouri Accountability Portal shall provide public access to a complete, transparent and comprehensive database of all travel by the Governor. The travel information shall include, but is not limited to, the departure date, departure time, arrival date, arrival time, accompanying passengers, duration of the trip, purpose of the trip, destination, and detailed travel expenses.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 1** was adopted by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus



McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Diehl	Ellinger	Hughes	Nasheed
Schupp	Wright	Zimmerman		

Representative Schoeller offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 139, Section 37.857, Page 2, Line 16, by inserting the following after all of said line:

**“Section 1. The office of administration shall maintain municipal government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of municipal government financial and policy information as a means of creating better public understanding of municipal government policies, practices, and operations.**

**2. Individual municipal governmental entities shall collect and transmit, to the office of administration, the public information applicable to all municipal government as provided in this section.**

**3. Municipal governmental entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 2** was adopted.

On motion of Representative Smith (150), **HB 139, as amended**, was ordered perfected and printed.

Speaker Tilley resumed the Chair.

**HB 209**, relating to private nuisance actions, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **HB 209** was ordered perfected and printed.

Speaker Pro Tem Schoeller assumed the Chair.

**HB 107**, relating to vacancies in statewide offices, was taken up by Representative Smith (150).

Representative Hampton offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 107, Page 1, Section 26.016, Line 10, by inserting after all of said line the following:

**“Notwithstanding the requirements of this section, if a vacancy in the office of lieutenant governor occurs less than one year prior to the end of the term of office for the lieutenant governor position, then the governor may appoint an individual to hold the office of lieutenant governor until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and**

Further amend said bill, Page 2, Section 27.015, Line 11, by inserting after all of said line the following:

**“Notwithstanding the requirements of this section, if a vacancy in the office of attorney general occurs less than one year prior to the end of the term of office for the attorney general position, then the governor may appoint an individual to hold the office of attorney general until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and**

Further amend said bill, Page 2, Section 28.190, Line 12, by inserting after all of said line the following:

**“Notwithstanding the requirements of this section, if a vacancy in the office of secretary of state occurs less than one year prior to the end of the term of office for the secretary of state position, then the governor may appoint an individual to hold the office of secretary of state until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and**

Further amend said bill, Page 2, Section 29.280, Line 11, by inserting after all of said line the following:

**“Notwithstanding the requirements of this section, if a vacancy in the office of state auditor occurs less than one year prior to the end of the term of office for the state auditor position, then the governor may appoint an individual to hold the office of state auditor until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and**

Further amend said bill, Page 3, Section 30.060, Line 11, by inserting after all of said line the following:

**“Notwithstanding the requirements of this section, if a vacancy in the office state treasurer occurs less than one year prior to the end of the term of office for the state treasurer position, then the governor may appoint an individual to hold the office of state treasurer until the next regular election required by section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and**

Further amend said bill, Page 3, Section 30.080, Line 1, by removing from the bill the phrase: “[appointment]” and inserting in lieu thereof the phrase: “appointment **or**”; and

Further amend said bill, Page 3, Section 105.030, Line 5, by inserting prior to the words: “be filled” the word: “**only**”; and

Further amend said section, Page 4, Line 24, by inserting after all of said line the following:

**“Notwithstanding the requirements of this section, if a vacancy in any aforementioned office occurs less than one year prior to the end of the term of such office, then the governor may appoint an individual to hold such office until the next regular election required pursuant to section 17, article IV, Constitution of Missouri, for such office is held and a successor is duly qualified.”; and**

Further amend said bill, Page 4, Section 105.040, Line 7, by inserting after all of said line the following:

**“Notwithstanding the requirements of this section, if a vacancy in the office of senator of the United States occurs less than one year prior to the end of the term of office for the senator of the United States position, then the governor may appoint an individual to hold the office of senator of the United States until the next election required every six years pursuant to Amendment XVII of the Constitution of the United States for such office is held and a successor is duly qualified.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hampton, **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HB 107, as amended**, was ordered perfected and printed.

**HCS HB 205**, relating to unlawful discriminatory practices, was taken up by Representative Elmer.

Representative Neth offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 205, Pages 4 and 5, Section 213.101, Lines 1 to 35, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

**HCS HB 205, with House Amendment No. 1, pending**, was laid over.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

**PERFECTION OF HOUSE BILL**

**HCS HB 205, with House Amendment No. 1, pending**, relating to unlawful discriminatory practices, was again taken up by Representative Elmer.

Representative Neth moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Conway 27
Curls	Curtman	Ellinger	Fallert	Harris

Hodges	Holsman	Hubbard	Hummel	Jones 63
Kirkton	Kratky	Lampe	Leach	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieber	Schieffer
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

NOES: 098

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schneider	Schoeller	Shumake	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 001

Kander

ABSENT WITH LEAVE: 008

Brown 50	Higdon	Hughes	Kelly 24	McGhee
Schupp	Silvey	Zimmerman		

Representative Jones (63) offered **House Amendment No. 2.**

Representative Jones (117) raised a point of order that **House Amendment No. 2** is dilatory.

The Chair ruled the point of order well taken.

Representative May offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 205, Page 2, Section 213.010, Line 39, by deleting all of said line and inserting in lieu thereof the following:

“or civil subdivision thereof, or [any person employing six or more persons within the state,] any”; and

Further amend said bill, page, and section, Line 40, by inserting an open bracket before “,but”; and

Further amend said bill, page, and section, Lines 42-43, by deleting the words “**an individual employed by an employer,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative May moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kirkton
Kratky	Lampe	Leach	Marshall	May
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

NOES: 100

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McNary
Molendorp	Nance	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

PRESENT: 001

Kander

ABSENT WITH LEAVE: 007

Brown 50	Higdon	Hughes	Kelly 24	Schupp
Silvey	Zimmerman			

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Higdon	Hughes	Kelly 24	Schupp
Silvey	Zimmerman			

On motion of Representative Elmer, **HCS HB 205** was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McNary	Molendorp	Nance	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Smith 150	Stream	Swinger	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 056

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kirkton
Kratky	Lampe	Leach	Marshall	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Solon	Spreng	Still	Swearingen
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber				

PRESENT: 001

Kander

ABSENT WITH LEAVE: 007

Brown 50	Higdon	Hughes	Kelly 24	Schupp
Silvey	Zimmerman			

On motion of Representative Elmer, **HCS HB 205** was ordered perfected and printed.

### **THIRD READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3**, relating to a proposed federal balanced budget amendment, was taken up by Representative Scharnhorst.

**HCR 3** was laid over.

### **SPECIAL RECOGNITION**

United States Senator Roy Blunt was introduced by Speaker Pro Tem Schoeller.

Senator Roy Blunt addressed the House.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 107** - Fiscal Review (Fiscal Note)
- HB 139** - Fiscal Review (Fiscal Note)
- HB 628** - Elementary and Secondary Education
- HB 639** - Elementary and Secondary Education

### **COMMITTEE REPORTS**

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 108**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 272**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 142**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 184**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.



**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 363**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 415**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, women have served honorably and with courage in all of America's wars and conflicts since the American Revolution; and

WHEREAS, the United States military has evolved from a predominantly male force to a force of over 14% women who are currently serving on active duty, and nearly 17% serving in the Reserves and National Guard; and

WHEREAS, the population of women veterans is increasing exponentially from 1.1 million in 1980 to a projection of nearly 2 million by 2020, and will comprise more than 10% of the veteran population; and

WHEREAS, the projected population of male veterans is expected to continue to decline; and

WHEREAS, given that an unprecedented number of women are serving in the military and participating in Operation Enduring Freedom and Operation Iraqi Freedom, the United States Department of Veterans Affairs (VA) is working to provide consistent, comprehensive, and quality health care and benefits to women veterans of all eras; and

WHEREAS, the number of women veterans has increased over the last decade because there is an increasing number and proportion of women who are entering and leaving the military, and women are living longer than men and have a younger age distribution compared to male veterans; and

WHEREAS, even though the VA has been at the forefront of health care and lifestyle solutions affecting an aging male population, there is now a growing need to improve health care services for women veterans, ensure clinicians are properly trained to provide primary care and gender specific care to women of all ages, and identify innovative courses of treatment and solutions to obstacles that are unique to women veterans; and

WHEREAS, with a rapidly increasing number of women serving in the military today and returning from deployments as seasoned veterans, and some with exposure to combat, VA facilities and veterans service organizations are working to ensure that the post-deployment mental and physical health needs unique to women veterans are also met; and

WHEREAS, even though the roles of women in the military have changed over time and will continue to change, they deserve to be acknowledge for their military service and treated with equal respect:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby encourages the Missouri Veterans Commission and its women veterans state coordinator to work in conjunction with the National Foundation

for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to reach out to all women veterans within the State of Missouri to encourage them to bring their specific needs and concerns to the attention of agency officials so that state legislators and agency officials may work together to identify unique issues impacting women veterans and consider policy solutions that will improve the quality of life for women veterans within this state; and

BE IT FURTHER RESOLVED that the Missouri General Assembly formally honors all of the women in this state who have heroically answered their call to duty and recognizes the important role women have played in shaping this great nation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Veterans Commission.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 442**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 30**, introduced by Representative Wyatt, relating to property tax exemption for veterans.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 643**, introduced by Representatives May, Wyatt, Pierson, Nichols, Smith (71), Conway (14), Taylor, Kelly (24), Walton Gray, McGeoghegan and Ellinger, relating to the crime of criminal nonsupport.

**HB 644**, introduced by Representatives Schieffer, Nolte, Houghton and McNeil, relating to deceptive advertising practices.

**HB 645**, introduced by Representatives Schieffer, Korman, Faith and Houghton, relating to taxes for emergency telephone service.

**HB 646**, introduced by Representative Scharnhorst, relating to confidentiality of department of revenue records.

**HB 647**, introduced by Representative Schneider, relating to security of officers and contractors for public works.

**HB 648**, introduced by Representatives Montecillo, McNary, Grisamore, Wallingford, Lair, Brown (85), Fuhr, Reiboldt, Lant, Berry, Redmon, Schieffer, Hough, Rowland, Hinson, Gosen, Stream, Allen, Colona, Webb, Jones (89), May, Jones (63), Swearingen, Swinger, Fallert, Hummel, Sifton, McGeoghegan, Atkins, Talboy, Oxford, Hubbard, Pace, Bahr, Black, Smith (71), Pierson, Still, Silvey, Wyatt, Webber, Kander, McManus, Lampe, Carter, Newman, Meadows, Spreng,

Quinn, Walton Gray, Hodges, Kratky, McDonald, Anders, Fitzwater, McCann Beatty, Lasater and Diehl, relating to developmental disability.

**HB 649**, introduced by Representatives McGhee, Fisher, Lair and Grisamore, relating to tax credits for certain contributions.

**HB 650**, introduced by Representatives McGhee, Talboy, Grisamore, Scharnhorst, Still, Silvey and Casey, relating to the duties of the board of probation and parole.

**HB 651**, introduced by Representative Curls, relating to the Missouri housing development commission.

**HB 652**, introduced by Representatives Riddle, McGhee, Higdon, Schad, Reiboldt, Fisher, Burlison, Wells, Taylor, Frederick, Cierpiot, Pace and Gatschenberger, relating to assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, health care worker, or probation and parole officer.

**HB 653**, introduced by Representatives Cauthorn and Guernsey, relating to noxious weeds.

**HB 654**, introduced by Representatives Fitzwater, Smith (71), Dieckhaus, Jones (117), Kelley (126), Asbury, Fraker, Lauer, Redmon, Lant, Wallingford, Thomson, Cross, Day, Lasater, Conway (27), Atkins, Casey, Wells, Harris, McCann Beatty, McGeoghegan, Rizzo, May, Hubbard, Pierson, Ellinger, Nichols, Taylor, Schieffer, Hodges, McManus, Webb, Carter, Leach, Franklin, Grisamore, Lichtenegger, Talboy, Jones (63), Schatz, Cookson, Scharnhorst, Davis, Smith (150), Solon, Hampton, Fisher, Wright, Hough, Flanigan, Long, Brattin, Curtman, Keeney, Wyatt and Loehner, relating to the designation of veterans of operation Iraq/enduring freedom day.

**HB 655**, introduced by Representatives Lampe, Denison, Schupp, Newman, Kander, Carlson, Talboy, Long, Carter, Webb, Curls, Holsman, Jones (63), Colona, McCann Beatty, Swearingen, Sifton, Quinn, Kelly (24), Hummel, Harris, Shively, Atkins, Conway (27), Fallert, Taylor, Peters-Baker, Still, McNeil, McGeoghegan, Rizzo, Meadows, McDonald and Schieffer, relating to the designation of a memorial highway.

**HB 656**, introduced by Representatives Brandom, Solon, Hampton, Lampe, Redmon, McNary, Dieckhaus, Richardson, Long, Cookson, Tilley, Zerr, Meadows, Carter, Hodges, Colona, Hummel, Rizzo, Fallert, Jones (117), Smith (150), Wells, Conway (27), Black and Diehl, relating to unsecured loans of five hundred dollars or less.

**HB 657**, introduced by Representatives Allen, McNary, Flanigan, Haefner, Diehl, Wyatt, Leara, Faith, Solon, McCaherty, Guernsey, Lauer, Hoskins, Grisamore, Lichtenegger and Zerr, relating to audits.

**HB 658**, introduced by Representatives Schatz, Black, Houghton, Berry, Hinson, Redmon, Cross, Brown (85), Denison, Grisamore, Johnson, Dieckhaus, Reiboldt, Funderburk, Hampton, Lichtenegger, Schieffer, Franklin, Phillips, Wright, Fitzwater, Brattin, Rowland, Leach, Jones (117), Scharnhorst, McGhee, Atkins, Allen, Higdon, McCaherty, Zerr, Wallingford, Taylor, Casey, McNeil, McDonald, Gosen, Torpey, Cookson, Smith (71), Klippenstein, Largent, Fuhr, Wyatt,

Davis, McNary, Thomson, Gatschenberger, Elmer, Fraker, Ellinger, Kelley (126), Cauthorn, Faith, Shumake, Stream, Korman, Pierson, Spreng, Newman, Hodges, Entlicher, Conway (27) and Smith (150), relating to the meth lab elimination act.

### WITHDRAWAL OF HOUSE BILL

February 23, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby request to have **House Bill No. 268** withdrawn which prohibits any person or business from engaging in blasting, excavating, or mining within one mile of a business or residential area.

If you have any questions regarding this communication, please contact my office.

Respectfully,

/s/ Brent Lasater  
Representative  
District 53

### COMMUNICATION

February 22, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306-C  
Jefferson City, MO 65101

Dear Mr. Crumbliss,

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of possible interest in legislation that may be voted on during this legislative session.

As co-owner of Tin Mill Brewing Company, LLC, I am involved in the manufacture and sale of alcoholic beverages. The brewery is located in Hermann, Missouri and currently holds a Missouri micro-brewer's license and retail "beer only" license. We manufacture beer for sale on premise and to our distributors for distribution through-out the State of Missouri.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Sincerely,

/s/ Don Gosen  
District 84

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 24, 2011.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Tuesday, February 22, 2011, Page 417, Line 35, by deleting all of said line and inserting in lieu thereof the following:

**HB 431** - General Laws

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 17

Executive session may be held on any matter referred to the committee.

### **ELECTIONS**

Tuesday, March 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 503, HB 283

Executive session will be held: HB 187, HB 54, HB 240, HJR 16, HB 95

Executive session may be held on any matter referred to the committee.

### **FISCAL REVIEW**

Thursday, February 24, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

### **RETIREMENT**

Thursday, February 24, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 409

Executive session may be held on any matter referred to the committee.

### **RULES - RULES PURSUANT TO RULE 25(32)(F)**

Thursday, February 24, 2011, 8:45 AM House Hearing Room 6.

Executive session will be held: HCS HBs 116 & 316, HCS HB 213

Executive session may be held on any matter referred to the committee.

### **TAX REFORM**

Tuesday, March 1, 2011, 6:30 PM, 516 South Country Club, Jefferson City.

Dinner Presentation on Tax Issues.

**TOURISM AND NATURAL RESOURCES**

Thursday, February 24, 2011, 8:30 AM House Hearing Room 1.

Public hearing will be held: HB 98

Executive session will be held: HCR 6, HCR 11

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Thursday, February 24, 2011, South Gallery upon morning adjournment.

Executive session will be held: HB 459

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, February 24, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 286, HB 506, HB 144

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, February 28, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 466, HB 320

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 24, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 30

**HOUSE BILLS FOR SECOND READING**

HB 643 through HB 658

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 14 - Cox

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 76 - Nolte
- 2 HCS HB 61 - Nolte
- 3 HCS HB 136 - Day
- 4 HB 167 - Nolte
- 5 HCS HB 214 - Zerr
- 6 HCS HB 276, 233 & 274 - Franz
- 7 HCS HB 329 - Diehl

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 3, (2-8-11, Page 309) - Scharnhorst
- 3 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HCS HB 14 - Silvey
- 2 HB 15 - Silvey

**HOUSE BILLS FOR THIRD READING**

- 1 HB 139, (Fiscal Review 2-23-11) - Smith (150)
- 2 HB 209 - Guernsey
- 3 HB 107, (Fiscal Review 2-23-11) - Smith (150)
- 4 HCS HB 205 - Elmer

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 24, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*My presence shall go with you and I will give you rest. (Exodus 33:14)*

Our Father in heaven and on earth, Who has given us life and the promise of life eternal, on every hand we see evidences of Your spirit and of Your goodness to us. For the beauty of the earth, for the glory of the skies, for the love which from our birth over and around us lies, Lord of all to You we raise this our prayer of grateful praise.

We thank You for Your presence in our hearts, making us strong, giving us confidence, and helping us to live in good will with our fellow citizens. We thank You for our nation and state - this land of the free and the home of the brave. May we now and always play our full part in keeping the flag of freedom forever flying over our Show-Me State.

We thank You for these men and women in the House for their devotion to Missouri and their dedication to You. May Your presence go with them all the day long in the Chamber, in their offices, and in their homes.

The House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-eighth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 708 through House Resolution No. 746

## HOUSE CONCURRENT RESOLUTION

Representatives Leara and Allen offered House Concurrent Resolution No. 39.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 30** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 643** through **HB 658** were read the second time.



## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 107** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 139** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Nolte assumed the Chair.

## THIRD READING OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 14**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 14** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey

Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Diehl	Higdon	Hughes	Kelly 24
Webb	Zimmerman			

Representative Nolte declared the bill passed.

**HB 15**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 15** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bahr	Brown 50	Conway 27	Diehl	Higdon
Hughes	Kelly 24	Marshall	Smith 71	Webb
Zimmerman				

Representative Nolte declared the bill passed.

Speaker Tilley resumed the Chair.

### THIRD READING OF HOUSE BILLS

**HB 139**, relating to the Missouri Accountability Portal, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HB 139** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Conway 27	Diehl	Higdon	Hughes
Kelly 24	Smith 71	Swearingen	Zimmerman	

Speaker Tilley declared the bill passed.

**HB 209**, relating to private nuisance actions, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **HB 209** was read the third time and passed by the following vote:

AYES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 043

Anders	Atkins	Carlson	Carter	Casey
Colona	Ellinger	Fallert	Harris	Hubbard
Hummel	Jones 63	Kander	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson

Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Conway 27	Curls	Diehl	Flanigan
Higdon	Hughes	Kelly 24	Nasheed	Nolte
Zimmerman				

Speaker Tilley declared the bill passed.

**HB 107**, relating to vacancies in statewide offices, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HB 107** was read the third time and passed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Conway 27	Curls	Diehl	Higdon
Hughes	Kelly 24	Zimmerman		

Speaker Tilley declared the bill passed.

**HCS HB 205**, relating to unlawful discriminatory practices, was taken up by Representative Elmer.

On motion of Representative Elmer, **HCS HB 205** was read the third time and passed by the following vote:

AYES: 095

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Smith 150	Stream
Swinger	Thomson	Wallingford	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 059

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kirkton	Kratky	Lampe
Leach	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Montecillo	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schneider	Schupp	Shively
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Swearingen	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Weter	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Conway 27	Curls	Diehl	Higdon
Hughes	Kander	Kelly 24	Zimmerman	

Speaker Tilley declared the bill passed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 25** - Tourism and Natural Resources  
**HCR 26** - Tourism and Natural Resources  
**HCR 27** - Tourism and Natural Resources  
**HCR 28** - International Trade and Job Creation  
**HCR 30** - Health Care Policy  
**HCR 33** - Veterans  
**HCR 35** - Veterans  
**HCR 36** - Veterans  
**HCR 38** - Economic Development

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 9** - Higher Education  
**HJR 18** - General Laws  
**HJR 21** - Elections  
**HJR 27** - General Laws  
**HJR 29** - Veterans

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 31** - Insurance Policy  
**HB 34** - Health Care Policy  
**HB 93** - Crime Prevention and Public Safety  
**HB 122** - Professional Registration and Licensing  
**HB 132** - Financial Institutions  
**HB 145** - Local Government  
**HB 188** - Local Government  
**HB 194** - Judiciary  
**HB 210** - Utilities  
**HB 267** - Special Standing Committee on Renewable Energy  
**HB 269** - Judiciary

**HB 299** - Transportation  
**HB 310** - Ways and Means  
**HB 317** - Crime Prevention and Public Safety  
**HB 318** - Health Insurance  
**HB 324** - Transportation Funding and Public Institutions  
**HB 337** - Crime Prevention and Public Safety  
**HB 344** - Agri-Business  
**HB 345** - Agri-Business  
**HB 346** - Ways and Means  
**HB 352** - Higher Education  
**HB 354** - Transportation Funding and Public Institutions  
**HB 359** - Financial Institutions  
**HB 385** - Economic Development  
**HB 386** - Small Business  
**HB 396** - Judiciary  
**HB 397** - Workforce Development and Workplace Safety  
**HB 400** - Local Government  
**HB 402** - Judiciary  
**HB 403** - Small Business  
**HB 418** - Health Care Policy  
**HB 420** - Health Insurance  
**HB 425** - Tax Reform  
**HB 428** - Tourism and Natural Resources  
**HB 432** - General Laws  
**HB 433** - Crime Prevention and Public Safety  
**HB 438** - Local Government  
**HB 450** - Transportation  
**HB 451** - Financial Institutions  
**HB 461** - Financial Institutions  
**HB 462** - Utilities  
**HB 472** - Tourism and Natural Resources  
**HB 476** - Elementary and Secondary Education  
**HB 478** - Elections  
**HB 483** - Children and Families  
**HB 484** - Transportation Funding and Public Institutions  
**HB 488** - Transportation  
**HB 489** - Transportation  
**HB 491** - General Laws  
**HB 494** - Higher Education  
**HB 495** - Professional Registration and Licensing  
**HB 496** - Professional Registration and Licensing  
**HB 498** - Local Government  
**HB 501** - Utilities  
**HB 505** - Judiciary  
**HB 507** - Health Insurance  
**HB 511** - Elementary and Secondary Education  
**HB 513** - Special Standing Committee on Disability Services



**HB 515** - Children and Families  
**HB 520** - Tax Reform  
**HB 521** - Elections  
**HB 522** - Financial Institutions  
**HB 525** - Insurance Policy  
**HB 526** - Professional Registration and Licensing  
**HB 528** - Health Insurance  
**HB 530** - Judiciary  
**HB 531** - Insurance Policy  
**HB 532** - Elementary and Secondary Education  
**HB 538** - Corrections  
**HB 539** - Corrections  
**HB 540** - Crime Prevention and Public Safety  
**HB 541** - Economic Development  
**HB 542** - Local Government  
**HB 544** - Crime Prevention and Public Safety  
**HB 545** - Tourism and Natural Resources  
**HB 548** - Transportation Funding and Public Institutions  
**HB 549** - Ways and Means  
**HB 550** - Financial Institutions  
**HB 554** - Professional Registration and Licensing  
**HB 555** - Special Standing Committee on Disability Services  
**HB 556** - Special Standing Committee on Disability Services  
**HB 557** - Special Standing Committee on Disability Services  
**HB 558** - Special Standing Committee on Disability Services  
**HB 559** - Elementary and Secondary Education  
**HB 560** - Special Standing Committee on Disability Services  
**HB 561** - Special Standing Committee on Disability Services  
**HB 562** - Special Standing Committee on Disability Services  
**HB 563** - Health Care Policy  
**HB 564** - Economic Development  
**HB 565** - Children and Families  
**HB 566** - Local Government  
**HB 571** - Ways and Means  
**HB 573** - Health Insurance  
**HB 578** - Tourism and Natural Resources  
**HB 579** - Health Care Policy  
**HB 580** - Health Care Policy  
**HB 581** - Tax Reform  
**HB 582** - Elementary and Secondary Education  
**HB 583** - Elementary and Secondary Education  
**HB 584** - Financial Institutions  
**HB 585** - Judiciary  
**HB 589** - Crime Prevention and Public Safety  
**HB 590** - Judiciary  
**HB 591** - Professional Registration and Licensing  
**HB 592** - General Laws

**HB 593** - Elections  
**HB 595** - Transportation  
**HB 596** - General Laws  
**HB 603** - Professional Registration and Licensing  
**HB 604** - Special Standing Committee on Disability Services  
**HB 607** - Health Insurance  
**HB 613** - Special Standing Committee on Renewable Energy  
**HB 625** - Local Government  
**HB 626** - Financial Institutions  
**HB 629** - Elections  
**HB 636** - Children and Families  
**HB 637** - Tax Reform  
**HB 641** - General Laws  
**HB 648** - Special Standing Committee on Disability Services  
**HB 655** - Transportation  
**HB 656** - Financial Institutions

### COMMITTEE REPORTS

**Committee on Agri-Business**, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HJR 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on International Trade and Job Creation**, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 116 & 316**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 213**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 40**, introduced by Representatives McNeil, Holsman, Atkins, Oxford, Carlson, Schupp, Newman, Kirkton, Taylor, Nichols, Lampe, Smith (71), McCann Beatty, McDonald, Spreng, Sifton, Pace, McGeoghegan, Rizzo, Webb, Webber, Colona, Talboy, Jones (63), Ellinger and Pierson, relating to the ratification of the Equal Rights Amendment to the United States Constitution.

### INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 31**, introduced by Representatives Wells, Pollock, Fraker, Riddle, Curtman, Franz, Loehner, Schoeller, Wright, Klippenstein, Denison, Flanigan, Tilley, Diehl, Allen, Gatschenberger, Schad, Wyatt, Lair, Hoskins, Thomson, Stream, Largent, Guernsey, Dugger, Lasater, Fisher, Bahr, Phillips, Sater, Elmer, Grisamore, Parkinson, Berry, Kelley (126), Long, Smith (150), Lichtenegger, Entlicher, Davis, Brattin, Crawford, Cauthorn, Neth, Lant, Reiboldt, Brown (85), Fuhr, Redmon, Johnson, Bernskoetter, Jones (117), Cierpiot, Brandom, Asbury, Wallingford, Leara, Lauer, McNary, Higdon, Houghton, Faith, Keeney, Fitzwater, Franklin, Hinson, Leach, Hampton, Meadows, Day, Silvey, Burlison, Jones (89), Ruzicka, Koenig, McGhee, Schatz, Cross, Shumake, Funderburk, Wieland, Scharnhorst, Conway (14), Zerr, Haefner, Brown (116), Frederick, Casey, Schieffer, Conway (27), Atkins, McDonald, McManus, Hodges, Harris, Taylor, Aull, Swearingen, Webb, Fallert, Nance, Weter, Marshall, Schieber, Cookson, Rowland and Schneider, relating to the judicial department.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 659**, introduced by Representatives Denison, Schad, Stream, Diehl, Allen, McNary, Gosen, Fuhr, Ellinger, Hummel, Meadows, Carlson and Kirkton, relating to the procurement of construction by the design-build method by certain sewer districts.

**HB 660**, introduced by Representative Rizzo, relating to prostitution control.

**HB 661**, introduced by Representatives Wells, Meadows, Pollock, Fraker, Franz, Schneider and Denison, relating to debt adjusters.

**HB 662**, introduced by Representatives Bernskoetter, Barnes, Jones (89), Schoeller, Tilley and Diehl, relating to the Missouri housing development commission.

**HB 663**, introduced by Representatives Ruzicka, Phillips, Schad, Loehner and Fuhr, relating to a surcharge in all criminal cases.

**HB 664**, introduced by Representatives Leara and Colona, relating to the firemen's retirement system of St. Louis.

**HB 665**, introduced by Representatives Leara and Colona, relating to the firefighter's retirement system of St. Louis.

**HB 666**, introduced by Representatives Bernskoetter, Barnes and Sater, relating to medical benefits for bariatric surgery under the Missouri consolidated health care plan.

**HB 667**, introduced by Representatives Carter, Curls, Taylor, Talboy, Hummel, Pace, McNeil, Jones (63), Walton Gray, May, Hubbard, Oxford, Pierson and Nasheed, relating to the prostate cancer pilot program.

**HB 668**, introduced by Representatives Meadows, Brandom, Lichtenegger, Zerr, Wells, Kratky, Sifton, Fallert, Hodges, Harris, Schieffer, Shively and Long, relating to funeral directors.

**HB 669**, introduced by Representative Molendorp, relating to insurance coverage for certain services.

**HB 670**, introduced by Representatives Hough, Zerr, Allen, Lichtenegger, Franz, Cierpiot, Richardson, Wallingford, Hinson, Phillips, Fraker, Jones (117), Redmon, Long, Dugger, Ruzicka, Sater, Schoeller and Korman, relating to tax incentives for business development.

**HB 671**, introduced by Representative Molendorp, relating to community improvement districts.

**HB 672**, introduced by Representatives Dugger, Ruzicka, Koenig, Gatschenberger, Dieckhaus, Hummel, Entlicher and Denison, relating to marshals in fourth class cities.

**HB 673**, introduced by Representatives Largent, Hoskins, Molendorp, Kelley (126) and Taylor, relating to military honors.

**HB 674**, introduced by Representative Largent, relating to tax credits for freight line companies.

**HB 675**, introduced by Representatives Largent and Hoskins, relating to county coroner training.

**HB 676**, introduced by Representatives Wells, Pollock, Fraker, Aull, Hummel, McDonald, Oxford, Conway (27), Denison, Hodges, Fallert, Casey, Schieffer, Atkins, Montecillo, McGeoghegan, Rizzo, Colona, Jones (63), Talboy, Spreng, Carlson, Harris, Walton Gray, Anders, Hubbard, Pace, Webber, Curls, Webb, Still, McNeil, Newman, Shively, Houghton, Smith (71), Taylor, Quinn, Hampton, Wright, Nance, Redmon, Peters-Baker, Kratky, Black, Ellinger and McManus, relating to prescription eye drop refills.

**HB 677**, introduced by Representatives Wells, Schoeller, Lauer, Kelley (126), Jones (117), Pollock, Smith (150), Brandom, Fitzwater, Riddle, Cookson, Faith, Funderburk, Scharnhorst, Nolte, Keeney, Weter, Diehl, Silvey, Shumake, Crawford, Long, Entlicher, Ruzicka, Schneider, Stream, McGhee, Fraker, Denison, Hodges, Aull, Fallert, Hummel, Casey, McDonald, Schieffer, Oxford, Atkins, Conway (27), Montecillo, McGeoghegan, Rizzo, Colona, Jones (63), Talboy, Spreng, Carlson, Harris, Walton Gray, Anders, Pace, Hubbard, Webber, Curls, Webb, Still, McNeil, Newman, Shively, Houghton, Smith (71), Taylor, Quinn, Hampton, Wright, Nance, Redmon, Peters-Baker, Kratky, Black, McManus, Ellinger, Cox, Bernskoetter, Richardson, Lant, Schupp, Pierson, May, Conway (14), Swearingen, Nichols, Molendorp, Guernsey, Hoskins, Largent, Barnes, Kander, Franz, Burlison, Torpey, Gosen, Lasater and Rowland, relating to vision examinations for school children.

**HB 678**, introduced by Representatives Schatz and Pollock, relating to underground facilities.

**HB 679**, introduced by Representatives Rowland, Redmon, Hampton, Brown (85), Cookson, Swinger, Aull, Shumake, Schad and Dieckhaus, relating to school reserve funds.

**HB 680**, introduced by Representatives White, Sater, Davis, Lant, Wallingford, Shumake, Crawford, Lichtenegger, Franklin, Brattin, Reiboldt, Fuhr, Brown (85), Wieland, Entlicher, Flanigan, McManus and Long, relating to adoption proceedings.

**HB 681**, introduced by Representative Walton Gray, relating to nomination of candidates in certain elections.

**HB 682**, introduced by Representatives McNeil, Schupp, Spreng, Sifton, Pace, Walton Gray, Newman, Oxford, McGeoghegan, Rizzo, Webb, Hummel and Webber, relating to funding for research projects by the University of Missouri board of curators.

**HB 683**, introduced by Representatives Peters-Baker, Higdon, Newman, Kirkton, McGeoghegan, Montecillo and McCann Beatty, relating to the safe place for newborns act.

**HB 684**, introduced by Representatives Peters-Baker, Newman, Spreng, Kirkton, Ellinger, McGeoghegan, Montecillo, McCann Beatty and Sifton, relating to drivers' licenses.

**HB 685**, introduced by Representatives Richardson, Frederick and Diehl, relating to certificate of need.

**HB 686**, introduced by Representative Richardson, relating to mining permits.

**HB 687**, introduced by Representatives Brandom, Hodges, Kratky, Meadows, Quinn, Weter, Wallingford, Swinger, Lichtenegger, Hampton and Wright, relating to the creation of the Missouri homeowners mutual insurance company.

**HB 688**, introduced by Representative Pollock, relating to the Missouri public service commission.

**HB 689**, introduced by Representatives Still, Wright, Phillips, Grisamore, Aull, Shively, Quinn, Black, Harris, Hodges, Conway (27), Stream, Cox, Schatz, Molendorp, Kander, Webber, Meadows, Wells, Funderburk, Swinger and McGhee, relating to Missouri state humane association special license plate.

**HB 690**, introduced by Representatives Bahr, Koenig, Wieland, Lasater, McNary, Conway (14), Kelley (126), Brattin, Brown (85), McGhee and Leach, relating to child immunizations.

**HB 691**, introduced by Representatives Schad, Jones (117), Conway (14), Ruzicka and Cierpiot, relating to endangerment of emergency workers.

**HB 692**, introduced by Representatives Schad, Cox, Funderburk, Largent, Loehner, Jones (89), Jones (117), Phillips, Higdon, Hinson, Bernskoetter, Scharnhorst, Rowland and Schatz, relating to supreme court review of death sentences.

**HB 693**, introduced by Representatives Schad, Cox, Largent, Loehner, Higdon, Hinson, and Scharnhorst, relating to receiving stolen property.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 2**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to voter photo identification.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 13**, entitled:

An act to amend chapter 160, RSMo, by adding thereto one new section relating to a task force to study teacher compensation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 33**, entitled:

An act to repeal section 226.095, RSMo, relating to the abolishment of mandatory arbitration in negligence actions where the department of transportation is a defendant.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 58**, entitled:

An act to repeal sections 387.040, 387.050, 387.080, 387.137, 387.139, 387.207, 387.110, 390.051, 390.061, 390.081, 390.101, 390.116, and 390.280, RSMo, and to enact in lieu thereof fifteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 71**, entitled:

An act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 108**, entitled:

An act to repeal section 67.281 as enacted by senate substitute no. 2 for senate committee substitute for house bill no. 103, ninety-fifth general assembly, first regular session, and section 67.281 as enacted by conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, and to enact in lieu thereof one new section relating to the installation of fire sprinklers in certain dwellings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 174**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to the imposition of fees for the repair of water service lines in certain municipalities.

In which the concurrence of the House is respectfully requested.

**WITHDRAWAL OF HOUSE BILL**

February 24, 2011

D. Adam Crumbliss, Chief Clerk  
201 West Capitol Ave.  
Room 307  
Jefferson City, MO 65101

Chief Clerk Crumbliss,

I request my **House Bill No. 225** be withdrawn from consideration as soon as possible. If you have any questions regarding this issue, please feel free to contact me.

Sincerely,

/s/ Ellen Brandom  
District 160

**ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 28, 2011.

**CORRECTION TO THE HOUSE JOURNAL**

**AFFIDAVIT**

I, State Representative Lyndall Fraker, District 145, hereby state and affirm that my vote as recorded on Page 416 of the Journal of the House for Tuesday, February 22, 2011, to third read and finally pass House Bill No. 71, was incorrectly recorded as absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 24th day of February 2011.

/s/ Lyndall Fraker  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 24th day of February in the year 2011.

/s/ Megan Limbach  
Notary Public



## COMMITTEE MEETINGS

### AGRI-BUSINESS

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 344, HB 345

Executive session may be held on any matter referred to the committee.

### AGRICULTURE POLICY

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 17

Executive session may be held on any matter referred to the committee.

### BUDGET

Monday, February 28, 2011, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review Appropriations Committee amendments in the following order of Committees:

Education; General Administration; Transportation and Economic Development;

Agriculture and Natural Resources; Public Safety and Corrections;

Health, Mental Health and Social Services.

CANCELLED

### BUDGET

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review Appropriations Committee amendments in the following order of Committees:

Education; General Administration; Transportation and Economic Development;

Agriculture and Natural Resources; Public Safety and Corrections;

Health, Mental Health and Social Services.

CORRECTED

### BUDGET

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of Appropriations Committee amendments to be reviewed in the following order of Committees: Education; General Administration; Transportation and Economic Development; Agriculture and Natural Resources, Public Safety and Corrections; Health, Mental Health and Social Services.

### CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 28, 2011, 1:00 PM House Hearing Room 1.

Public hearing will be held: HB 395, HB 449

Executive session may be held on any matter referred to the committee.

#### ECONOMIC DEVELOPMENT

Tuesday, March 1, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 251, HB 357, HB 467, HB 468

Executive session may be held on any matter referred to the committee.

HB 467 and HB 468 Working session only (NO PUBLIC TESTIMONY).

CORRECTED

#### ELECTIONS

Tuesday, March 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 503, HB 283

Executive session will be held: HB 187, HB 54, HB 240, HJR 16, HB 95

Executive session may be held on any matter referred to the committee.

#### EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, March 1, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 458

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 300, HB 328, HB 334, HB 387

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 352

Executive session may be held on any matter referred to the committee.

#### INSURANCE POLICY

Monday, February 28, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: HB 313, HB 525

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, February 28, 2011, 1:30 PM House Hearing Room 7.

Executive Session will be held: HJR 2, HJR 6, HCS HJR 5, HCS HB 174, HCS HBs 112 & 285, HB 442, HCS HB 108, HCS HB 83, HB 109, HB 127, HB 137, HB 149, HB 151, HB 153, HB 171, HB 183, HB 186, HB 190, HB 204, HB 217, HB 229, HCS HB 250, HB 263, HB 282, HCS HB 315, HCS HB 338, HB 358, HB 360, HB 142, HB 184, HB 415, HCR 7, HB 189, HCS HB 363

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Tuesday, March 1, 2011, 5:00 PM.

Moreland Ridge Middle School, 900 SW Bishop Drive, Blue Springs 64015.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

**SPECIAL STANDING COMMITTEE ON REDISTRICTING**

Wednesday, March 2, 2011, 3:00 PM.

Mexico Chamber of Commerce, 100 West Jackson St, Mexico 65265.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

**SPECIAL STANDING COMMITTEE ON REDISTRICTING**

Thursday, March 3, 2011, 6:00 PM.

Three Rivers Community College, Westover Building A201, 202, 203, Poplar Bluff 63901.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

**SPECIAL STANDING COMMITTEE ON REDISTRICTING**

Friday, March 4, 2011, 2:00 PM.

St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

**TAX REFORM**

Tuesday, March 1, 2011, 6:30 PM, 516 South Country Club, Jefferson City.

Dinner Presentation on Tax Issues.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, February 28, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 466, HB 320

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTIETH DAY, MONDAY, FEBRUARY 28, 2011

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 40

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 31

**HOUSE BILLS FOR SECOND READING**

HB 659 through HB 693

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 14 - Cox

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 76 - Nolte
- 2 HCS HB 61 - Nolte
- 3 HCS HB 136 - Day
- 4 HB 167 - Nolte
- 5 HCS HB 214 - Zerr
- 6 HCS HBs 276, 233 & 274 - Franz
- 7 HCS HB 329 - Diehl
- 8 HCS HB 116 & 316 - Flanigan
- 9 HCS HB 213 - Jones (89)

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 3, (2-8-11, Page 309) - Scharnhorst
- 3 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**SENATE JOINT RESOLUTIONS FOR SECOND READING**

SJR 2

**SENATE BILLS FOR SECOND READING**

- 1 SS SCS SB 13
- 2 SB 33
- 3 SS SCS SB 58
- 4 SB 71
- 5 SCS SB 108
- 6 SB 174

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTIETH DAY, MONDAY, FEBRUARY 28, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Keith Spaugh, Chapel Lake Church, Lake St. Louis, Missouri.

Great God and Father,

We come before You this afternoon with grateful hearts, rejoicing in the bountiful blessings which You have showered upon us. We are truly a blessed people.

We thank You for this great land in which we live and the privilege of being a self-governing people - for the ability to have these representatives gather here to propose, debate, and vote to determine according to conscience the laws under which we shall live as a people.

Your Word says, "He has showed you, O man, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God." (*Micah 6:8- NIV*)

Therefore, O God, it is our prayer that these words will guide what this legislative body does in these days of session - that they will act in justice, that they will love mercy, and that they will live in humility and move in accordance to Your wisdom.

We ask Your blessing upon them; shine the light of Your grace upon this body as we now commend them to Your service, O LORD. In the name of Jesus we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-ninth day was approved as printed.

Representative Richardson assumed the Chair.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 747 through House Resolution No. 760

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 40** was read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 31** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 659** through **HB 693** were read the second time.

## SECOND READING OF SENATE JOINT RESOLUTION

**SJR 2** was read the second time.

## SECOND READING OF SENATE BILLS

**SS SCS SB 13, SB 33, SS SCS SB 58, SB 71, SCS SB 108** and **SB 174** were read the second time.

Speaker Pro Tem Schoeller assumed the Chair.

## THIRD READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3**, relating to a balanced budget amendment, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HCR 3** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McDonald	McGhee	McManus	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey

Smith 150	Solon	Stream	Swinger	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 030

Atkins	Brown 50	Carlson	Carter	Colona
Curls	Hubbard	Hummel	Jones 63	Kirkton
May	McCann Beatty	McGeoghegan	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Smith 71	Spreng	Still
Swearingen	Talboy	Walton Gray	Webb	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 006

Aull	Ellinger	Hughes	Meadows	Quinn
Schupp				

Speaker Pro Tem Schoeller declared the bill passed.

## PERFECTION OF HOUSE BILLS

**HCS HB 76**, relating to corporate franchise tax, was taken up by Representative Nolte.

Representative Nolte offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 76, Page 2, Section 147.010, Line 28, by deleting the words “**January 1, 2012**” and inserting in lieu thereof the words “**December 31, 2011**”; and

Further amend said bill, Page 2, Section 147.010, Page 2, Line 31, by deleting the words “**January 1, 2016**” and inserting in lieu thereof the words “**December 31, 2015**”; and

Further amend said bill, Page 2, Section 147.010, Page 2, Line 33, by inserting after the word “revenue.” the following:

**“For all taxable years beginning on or after January 1, 2011 but before December 31, 2015, a corporation's annual tax liability under this chapter shall not exceed the amount of annual franchise tax liability of such corporation for the taxable year ending on or before December 31, 2010. If the corporation had no annual franchise tax liability under this chapter for the taxable year ending on or before December 31, 2010, because such corporation was not in existence or doing business in Missouri, the annual franchise tax for the first taxable year in which such corporation exists shall be determined by applying the applicable rate of tax provided under the provisions of this subsection to the corporation's outstanding shares and surplus if the outstanding shares and surplus exceed ten million dollars, but in no case shall such corporation's tax liability for any subsequent taxable year exceed the amount of annual franchise tax liability of such corporation for the first full taxable year such corporation was in existence or doing business in Missouri.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

**Representative Leara offered House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 76, Section 147.010, Page 3, Line 87, by inserting after all of said section, the following:

“148.064. 1. Notwithstanding any law to the contrary, this section shall determine the ordering and limit reductions for certain taxes and tax credits which may be used as credits against various taxes paid or payable by banking institutions. Except as adjusted in subsections 2, 3 and 6 of this section, such credits shall be applied in the following order until used against:

- (1) The tax on banks determined under subdivision (2) of subsection 2 of section 148.030;
- (2) The tax on banks determined under subdivision (1) of subsection 2 of section 148.030;
- (3) The state income tax in section 143.071.

2. The tax credits permitted against taxes payable pursuant to subdivision (2) of subsection 2 of section 148.030 shall be utilized first and include taxes referenced in subdivisions (2) and (3) of subsection 1 of this section, which shall be determined without reduction for any tax credits identified in subsection 5 of this section which are used to reduce such taxes. Where a banking institution subject to this section joins in the filing of a consolidated state income tax return under chapter 143, the credit allowed under this section for state income taxes payable under chapter 143 shall be determined based upon the consolidated state income tax liability of the group and allocated to a banking institution, without reduction for any tax credits identified in subsection 5 of this section which are used to reduce such consolidated taxes as provided in chapter 143.

3. The taxes referenced in subdivisions (2) and (3) of subsection 1 of this section may be reduced by the tax credits in subsection 5 of this section without regard to any adjustments in subsection 2 of this section.

4. To the extent that certain tax credits which the taxpayer is entitled to claim are transferable, such transferability may include transfers among such taxpayers who are members of a single consolidated income tax return, and this subsection shall not impact other tax credit transferability.

5. For the purpose of this section, the tax credits referred to in subsections 2 and 3 shall include tax credits available for economic development, low-income housing and neighborhood assistance which the taxpayer is entitled to claim for the year, including by way of example and not of limitation, tax credits pursuant to the following sections: section 32.115, section 100.286, and sections 135.110, 135.225, 135.352 and 135.403.

6. For tax returns filed on or after January 1, 2001, including returns based on income in the year 2000, and after, a banking institution shall be entitled to an annual tax credit equal to one-sixtieth of one percent of its outstanding shares and surplus employed in this state if the outstanding shares and surplus exceed one million dollars, determined in the same manner as in section 147.010. This tax credit shall be taken as a dollar-for-dollar credit against the bank tax provided for in subdivision (2) of subsection 2 of section 148.030; if such bank tax was already reduced to zero by other credits, then against the corporate income tax provided for in chapter 143.

7. In the event the corporation franchise tax in chapter 147 is repealed by the general assembly, there shall also be a reduction in the taxation of banks as follows: in lieu of the loss of the corporation franchise tax credit reduction in subdivision (1) of subsection 2 of section 148.030, the bank shall receive a tax credit equal to one and one-half percent of net income as determined in this chapter. This subsection shall take effect at the same time the corporation franchise tax in chapter 147 is repealed.

8. An S corporation bank or bank holding company that otherwise qualifies to distribute tax credits to its shareholders shall pass through any tax credits referred to in subsection 5 of this section to its shareholders as otherwise provided for in subsection 9 of section 143.471 with no reductions or limitations resulting from the transfer through such S corporation, and on the same terms originally made available to the original taxpayer, subject to any original dollar or percentage limitations on such credits, and when such S corporation is the original taxpayer, treating such S corporation as having not elected Subchapter S status.

9. Notwithstanding any law to the contrary, in the event the corporation franchise tax in chapter 147 is repealed by the general assembly, after such repeal all Missouri taxes of any nature and type imposed directly or used as a tax credit against the bank's taxes shall be passed through to the S corporation bank or bank holding company shareholder in the form otherwise permitted by law, except for the following:

- (1) Credits for taxes on real estate and tangible personal property owned by the bank and held for lease or rental to others;
- (2) Contributions paid pursuant to the unemployment compensation tax law of Missouri; or



(3) State and local sales and use taxes collected by the bank on its sales of tangible personal property and the services enumerated in chapter 144.

**10. For tax returns filed on or after January 1, 2012, any financial institution that is a limited liability company or limited liability partnership may claim the tax credit for such company's or partnership's annual franchise tax liability as provided in subsection 6 of this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 2** was adopted.

Representative Lampe offered **House Amendment No. 3**.

Representative Richardson raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Webber offered **House Amendment No. 4**.

Representative Jones (117) raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Shively offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 76, Page 3, Section 147.010, Line 87, by inserting after all of said line the following:

**"9. For tax years beginning on or after January 1, 2011, no annual franchise tax shall be imposed under this section on any corporation organized for agricultural purposes or to any farm, farm dealer, or livestock operation.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shively moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 046

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Curls
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Peters-Baker	Pierson	Rizzo	Schieffer	Shively

Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber
Zimmerman				

NOES: 111

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 006

Aull	Diehl	Ellinger	Hughes	Quinn
Schupp				

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp

Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Curls
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 006

Aull	Bahr	Ellinger	Hughes	Quinn
Schupp				

On motion of Representative Nolte, **HCS HB 76, as amended**, was adopted.

On motion of Representative Nolte, **HCS HB 76, as amended**, was ordered perfected and printed.

**HCS HBs 276, 233 & 274**, relating to unlawful picketing of a funeral, was taken up by Representative Franz.

Representative Barnes offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 276, 233 & 274, Page 2, Section 578.503, Line 9, by inserting after all of said line the following:

**“3. For any cause of action brought pursuant to actions which violate this section to recover for emotional distress, the plaintiff shall not be required to prove physical manifestation of such damage.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 276, 233 & 274, Page 1, Line 6, by inserting at the end of said line the following:

‘Further amend said bill, Page 2, Section 578.503, Line 9, by inserting at the end of said section and line the following:

**“Section 1. The provisions of sections 578.501 to 578.503 are severable. If any part of sections 578.501 to 578.503 are declared invalid or unconstitutional, it is the intent of the legislature that the remaining portions of sections 578.501 to 578.503 shall remain and be in full force and effect.”; and’; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Barnes, **House Amendment No. 1, as amended**, was adopted.

Representative Black offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 276, 233 & 274, Page 2, Section 578.502, Line 15, by deleting all of said line and inserting in lieu thereof the following:

**"located within five hundred feet of a cemetery, mortuary, church, or other place of"; and**

Further amend said bill, Page 2, Section 578.503, Line 5, by deleting all of said line and inserting in lieu thereof the following:

**"in picketing from two hours prior through two hours following the commencement of a"; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 2** was adopted.

**HCS HBs 276, 233 & 274, as amended**, was laid over.

## COMMITTEE REPORTS

### **Committee on Crime Prevention and Public Safety**, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 118**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 199**, begs leave to report it has examined the same and recommends that it **Do Pass By Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Financial Institutions**, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 465**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Tourism and Natural Resources**, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, more than 4,000,000 Americans served in World War I; and

WHEREAS, there is no nationally recognized memorial honoring the service of those over 4,000,000 Americans; and

WHEREAS, in 1919, the people of Kansas City, Missouri, expressed an outpouring of support and raised more than \$2 million in two weeks for a memorial to the service of Americans who served in World War I. This fund was an accomplishment unparalleled by any other city in the United States, irrespective of population; and

WHEREAS, on November 1, 1921, more than 100,000 people witnessed the dedication of the site for the Liberty Memorial in Kansas City, Missouri; and

WHEREAS, General of the Armies John J. Pershing, a native of Missouri and the Commander of the American Expeditionary Forces in World War I, noted at the November 1, 1921, dedication that "the people of Kansas City, Missouri, are deeply proud of the beautiful memorial, erected in tribute to the patriotism, the gallant achievements, and the heroic sacrifices of their sons and daughters who served in our country's armed forces during the World War. It symbolized their grateful appreciation of duty well done, an appreciation which I share, because I know so well how richly it is merited"; and

WHEREAS, the 217 foot Liberty Memorial Tower has an inscription that reads, "In Honor of Those Who Served in the World War in Defense of Liberty and Our Country" as well as four stone "Guardian Spirits" representing courage, honors, patriotism, and sacrifices, which rise above the observation deck, making the Liberty Memorial a noble tribute to all who served in World War I; and

WHEREAS, the 106th Congress recognized the Liberty Memorial as a national symbol of World War I; and

WHEREAS, the 108th Congress designated the museum at the base of the Liberty Memorial as "American's National World War I Museum"; and

WHEREAS, the American's World War I Museum is the only public museum in the United States specifically dedicated to the history of World War I; and

WHEREAS, the National World War I Museum is known throughout the world as a major center of World War I remembrance:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urges the United States Congress to designate the Liberty Memorial, Kansas City, Missouri, at the National World War I Museum in Kansas City, Missouri, as the "National World War I Memorial"; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority Leader and Minority Leader of the United States Senate and United States House of Representatives, and each member of the Missouri Congressional delegation.

**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 459**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 83**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 108**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 109**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 112 & 285**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 127**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 137**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 142**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 149**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 151**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 153**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 171**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 174**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 184**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 186**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 189**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 204**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 217**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 338**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 363**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 415**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 442**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 32**, introduced by Representatives Colona, Spreng, Oxford, Walton Gray, Newman, Jones (63), Atkins and McGeoghegan, relating to the general assembly.

**HJR 33**, introduced by Representatives Crawford, Largent, Entlicher, Smith (150), Gosen, Berry, Allen, Kelley (126), Haefner, Lichtenegger, Lauer, Brown (116), Brown (85), Davis, Lant, White, Rowland, Fraker, Conway (14), Frederick, Houghton, Franklin, Wells and Dugger, relating to a member of the general assembly removing himself or herself from the state for the purpose of avoiding any official duty or vote.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 694**, introduced by Representative Barnes, relating to public election dates.

**HB 695**, introduced by Representatives Frederick, Hough, Webber, McNeil, Thomson, Wyatt, Wallingford, Conway (27) and McCaherty, relating to fine arts education.

**HB 696**, introduced by Representatives Gosen and Wieland, relating to contracts for construction work.

**HB 697**, introduced by Representatives Smith (150), Burlison, Long, Bahr, McNary and Richardson, relating to the repromulgation of state administrative rules.

**HB 698**, introduced by Representatives Colona, Holsman, Oxford, Walton Gray, Jones (63), Atkins, Ellinger, Spreng, McGeoghegan and Carlson, relating to the use for marijuana for medicinal purposes.

**HB 699**, introduced by Representatives Colona, Newman, Atkins, Oxford, McCann Beatty, McGeoghegan, Hodges, Hummel and Conway (27), relating to election procedures.

**HB 700**, introduced by Representatives Colona, Spreng, Oxford, Walton Gray, Hummel, Newman and Jones (63), relating to the creation of a death penalty commission.



**HB 701**, introduced by Representatives Colona, Oxford, Walton Gray, Hummel, Newman, Atkins and McGeoghegan, relating to workers' compensation.

**HB 702**, introduced by Representatives Colona, Oxford, Hummel, Newman, Atkins and McGeoghegan, relating to the second injury fund.

**HB 703**, introduced by Representatives Colona, Spreng, Oxford, Newman, Atkins, Hummel and McGeoghegan, relating to public employee labor organizations.

**HB 704**, introduced by Representatives Curls and McCann Beatty, relating to landlord-tenant law.

**HB 705**, introduced by Representatives Curls and McCann Beatty, relating to low-income housing tax credits.

**HB 706**, introduced by Representative Zerr, relating to abandoned easements.

**HB 707**, introduced by Representatives Brown (50), Curls, McDonald, Talboy, Peters-Baker, Conway (27), Walton Gray, Hummel, Webb, Black, Carter, Lasater, Rizzo, McGeoghegan, McCann Beatty, Pace, McGhee, Colona, Casey, Fallert, Meadows and Nolte, relating to land tax collection.

**HB 708**, introduced by Representatives Curtman, Bahr, Jones (89), Tilley, Smith (150), Entlicher, Fuhr, Wells, Franklin, Dugger, Dieckhaus, Stream, Allen, Koenig, Higdon, Leach, McCaherty, Wieland, Phillips, Long, Hinson, Korman, Wallingford, Asbury, Jones (117), Cox, Lichtenegger, Brattin, Fitzwater, Franz, Neth, Houghton, McNary, Hoskins, Brown (85), Scharnhorst, Conway (14), Haefner and Solon, relating to choice of law.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 187**, entitled:

An act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 1, 2011.

## COMMITTEE MEETINGS

### AGRI-BUSINESS

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 344, HB 345

Executive session may be held on any matter referred to the committee.

### AGRICULTURE POLICY

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 17

Executive session may be held on any matter referred to the committee.

### BUDGET

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of Appropriations Committee amendments to be reviewed in the following order of Committees: Education; General Administration; Transportation and Economic Development; Agriculture and Natural Resources; Public Safety and Corrections; Health, Mental Health and Social Services.

### CORRECTED

### BUDGET

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of Appropriations Committee amendments to be reviewed in the following order of Committees: Education; General Administration; Transportation and Economic Development; Agriculture and Natural Resources; Public Safety and Corrections; Health, Mental Health and Social Services.

### CHILDREN AND FAMILIES

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 565, HB 483

Executive session may be held on any matter referred to the committee.

### CORRECTIONS

Wednesday, March 2, 2011, 5:00 PM House Hearing Room 1.

Executive session will be held: HB 38, HB 200, HB 340

Executive session may be held on any matter referred to the committee.

### DOWNSIZING STATE GOVERNMENT

Thursday, March 3, 2011, 8:30 AM House Hearing Room 4.

Public hearing will be held: HB 437, HB 202

Executive session may be held on any matter referred to the committee.

#### ECONOMIC DEVELOPMENT

Tuesday, March 1, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 357, HB 467, HB 468

Executive session may be held on any matter referred to the committee.

HB 467 and HB 468 Working Session Only (NO PUBLIC TESTIMONY).

AMENDED

#### ELECTIONS

Tuesday, March 1, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 503, HB 283

Executive session will be held: HB 187, HB 54, HB 240, HJR 16, HB 95

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 628, HB 639, HB 511

#### EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, March 1, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 458

Executive session will be held: HB 458

Executive session may be held on any matter referred to the committee.

#### GENERAL LAWS

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 431, HB 641

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 300, HB 328, HB 334, HB 387

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, March 1, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 352

Executive session may be held on any matter referred to the committee.

#### JUDICIARY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 254, HB 255, HB 427

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 400, HB 145, HB 566, HB 188, HB 542, HB 498

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, March 3, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 305, HB 448

Executive session may be held on any matter referred to the committee.

#### RURAL COMMUNITY DEVELOPMENT

Thursday, March 3, 2011, South Gallery upon morning adjournment.

Executive session will be held: HJR 17

#### SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, March 2, 2011, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 555, HB 604

Executive session will be held: HB 411, HB 421

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Tuesday, March 1, 2011, 5:00 PM.

Moreland Ridge Middle School, 900 SW Bishop Drive, Blue Springs 64015.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Wednesday, March 2, 2011, 3:00 PM.

Mexico Chamber of Commerce, 100 West Jackson St, Mexico 65265.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, March 3, 2011, 6:00 PM.

Three Rivers Community College, Westover Building A201, 202, 203, Poplar Bluff 63901.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Friday, March 4, 2011, 2:00 PM.

St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, March 1, 2011, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 613

Executive session may be held on any matter referred to the committee.

#### TAX REFORM

Tuesday, March 1, 2011, 6:30 PM, 516 South Country Club, Jefferson City.

Dinner Presentation on Tax Issues.

**TRANSPORTATION**

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 394, HB 655, HB 450, HB 488, HB 489, HB 595

Executive session may be held on any matter referred to the committee.

**UTILITIES**

Tuesday, March 1, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 120, HB 462

Executive session will be held: HB 119

Executive session may be held on any matter referred to the committee.

**VETERANS**

Tuesday, March 1, 2011, 8:30 AM House Hearing Room 1.

Public hearing will be held: HCR 33, HJR 29, HCR 35

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-FIRST DAY, TUESDAY, MARCH 1, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 32 and HJR 33

**HOUSE BILLS FOR SECOND READING**

HB 694 through HB 708

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 14 - Cox

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 61 - Nolte
- 2 HCS HB 136 - Day
- 3 HB 167 - Nolte
- 4 HCS HB 214 - Zerr
- 5 HCS HBs 276, 233 & 274, as amended - Franz
- 6 HCS HB 329 - Diehl
- 7 HCS HBs 116 & 316 - Flanigan
- 8 HCS HB 213 - Jones (89)

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1        HCR 9, (2-1-11, Page 277) - Barnes
- 2        HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**SENATE BILLS FOR SECOND READING**

SB 187

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-FIRST DAY, TUESDAY, MARCH 1, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Let the words of my mouth, and the meditation of my heart, be acceptable in your sight, O Lord, my strength and my Redeemer. (Psalm 19:14)*

Our Father, Who art in heaven, we come to You conscious of our shortcomings and our faults, yet confident that You are with us and that with You sins are forgiven, discouragement gives way to encouragement, fear changes to faith, and a new glory enters human life.

Give us the courage of our convictions - the confidence to say yes to what is right, the courage to say no to what is wrong, and the wisdom and insight to know the difference. May this spirit enter the hearts of all our people. So shall we be children of You, serving You faithfully all our days. Let the words of our mouths, and the meditations of our hearts, be acceptable in Your sight, O God, our strength and our joy.

We remember the late Corporal Frank Woodruff Buckles, born near Bethany, Missouri, who passed away this weekend at the age of 110. He was the last living link to all who served in our armed forces during the First World War. May he and all veterans rest in peace. And the House says, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nathan McGhee and Lydia Harrison.

The Journal of the thirtieth day was approved as printed.

## HOUSE RESOLUTION

Representative Sifton offered House Resolution No. 787.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 761 through House Resolution No. 786  
House Resolution No. 788

## HOUSE CONCURRENT RESOLUTION

Representative Parkinson, et al., offered House Concurrent Resolution No. 41.

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 32** and **HJR 33** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 694** through **HB 708** were read the second time.

## SECOND READING OF SENATE BILL

**SB 187** was read the second time.

## PERFECTION OF HOUSE BILLS

**HCS HBs 276, 233 & 274, as amended**, relating to unlawful picketing of a funeral, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HBs 276, 233 & 274, as amended**, was adopted.

On motion of Representative Franz, **HCS HBs 276, 233 & 274, as amended**, was ordered perfected and printed.

**HCS HB 61**, relating to state minimum wage, was taken up by Representative Nolte.

Representative May offered **House Amendment No. 1**.

Representative Cox raised a point of order that **House Amendment No. 1** is out of order pursuant to Rule 46(d).

The Chair ruled the point of order well taken.

Representative McNeil offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 61, Section 290.502, Page 1, Line 17, by inserting the following after all of said line:

“290.512. 1. [No employer of any employee who receives and retains compensation in the form of gratuities in addition to wages is required to pay wages in excess of fifty percent of the minimum wage rate specified in sections 290.500 to 290.530, however, total compensation for such employee shall total at least the minimum wage specified in sections 290.500 to 290.530, the difference being made up by the employer] **An employer may not apply tips or gratuities bestowed on employees as a credit toward payment of the minimum hourly wage required by section 290.502.**

2. If an employee receives and retains compensation in the form of goods or services as an incident of his employment and if he is not required to exercise any discretion in order to receive the goods or services, the employer is required to pay only the difference between the fair market value of the goods and services and the minimum wage otherwise required to be paid by sections 290.500 to 290.530. The fair market value of the goods and services shall be computed on a weekly basis. The director shall provide by regulation a method of valuing the goods and services received by any employee in lieu of the wages otherwise required to be paid under the provisions of sections 290.500



to 290.530. He shall also provide by regulation a method of determining those types of goods and services that are an incident of employment the receipt of which does not require any discretion on the part of the employee.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McNeil moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Oxford offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 61, Section 290.502, Page 1, Lines 14-17, by deleting all of said lines and inserting in lieu thereof the following:

**“3. The minimum wage calculated under this section shall be equal to an hourly wage rate which on an annual basis based on forty hours per week, fifty-two weeks per year, is equivalent to one hundred and thirty percent of the federal poverty guidelines for a family of three, as updated annually in the Federal Register by the United States Department of Health and Human Services.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Taylor	Walton Gray	Webb	Webber
Zimmerman				

NOES: 106

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater

Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Hughes	Meadows	Riddle	Schupp
Talboy				

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Nolte, **HCS HB 61** was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 061

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Fitzwater	Hampton
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Phillips	Pierson	Quinn	Rizzo
Rowland	Schieffer	Shively	Sifton	Silvey

Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb	Webber	Zerr
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 006

Flanigan	Hughes	Meadows	Riddle	Schupp
Talboy				

On motion of Representative Nolte, **HCS HB 61** was ordered perfected and printed.

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HCS HB 76** - Fiscal Review (Fiscal Note)

### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 241** - Retirement

### **COMMITTEE REPORTS**

**Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

#### **HOUSE CONCURRENT RESOLUTION NO. 33**

WHEREAS, while war deaths have been a part of our heritage since the birth of this nation, the United States has not instituted an official symbol commemorating fallen servicepersons; and

WHEREAS, H.R. 1034 was introduced in the 111th Congress designating the Honor and Remember Flag, created by Honor and Remember, Inc., as an official recognition and in honor of fallen members of the United States Armed Forces; and

WHEREAS, the Honor and Remember Flag's red field represents the brave men and women who sacrificed their lives for freedom. The flag's blue star is a symbol of active service in military conflict that dates back to World War I. The flag's white border recognizes the purity of sacrifice. The flag's gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given. The folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, the Honor and Remember Flag is a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen servicepersons throughout history and the families and communities who mourn their loss:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty and urges the United States Congress to enact a similar resolution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Veterans Commission and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Veterans, to which was referred **HJR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 34**, introduced by Representatives Nasheed, Jones (63), Curls, Pierson, Webb, Atkins, Hubbard, Montecillo, McCann Beatty, McGeoghegan, Colona, May, Carlson, Hodges, McDonald, Newman, Peters-Baker, Taylor, Brown (50), Talboy, Hummel, Lampe, Casey, McNary, Higdon, Lant, Reiboldt, Carter, Funderburk and McGhee, relating to the term limit reform act.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 709**, introduced by Representatives Nichols, Taylor and Oxford, relating to elections.

**HB 710**, introduced by Representatives Nichols, Taylor, Ellinger and Atkins, relating to termination of community improvement districts.

**HB 711**, introduced by Representatives McDonald, Torpey, Brown (50), Kratky, Colona, Rizzo, Cierpiot, Curls, Hodges, Kander, Anders, Lasater, McManus, Molendorp, Talboy, Peters-Baker, Holsman, Nance, Grisamore, Cross, Hummel, Meadows, Fallert, Casey, McGeoghegan, Swearingen, Harris, Lauer and McNary, relating to the nonpayment of sewer services.

**HB 712**, introduced by Representatives Webb, Carter, Tilley, Smith (150), Jones (89), Silvey, Talboy, Riddle, Casey, Taylor, Allen, Holsman, McGhee, Nasheed, Montecillo and Smith (71), relating to the Missouri juneteenth heritage and jazz festival and memorial.

**HB 713**, introduced by Representatives Phillips, Scharnhorst, Rowland, Ruzicka and Denison, relating to safety belts.

**HB 714**, introduced by Representatives Cauthorn and Jones (89), relating to publication of the state manual.

**HB 715**, introduced by Representatives White, Schoeller, Davis, Reiboldt and Lichtenegger, relating to labor organizations.

**HB 716**, introduced by Representatives Wyatt, Holsman, McNeil, Colona, Brown (85) and Nolte, relating to renewable energy resources in state parks.

**HB 717**, introduced by Representative Zerr, relating to automated external defibrillators.

**HB 718**, introduced by Representative Marshall, relating to the uniform limited liability company act.

**HB 719**, introduced by Representatives Higdon, Solon, Allen, Kelly (24), Fuhr, Lauer, Torpey, Lant, Tilley, Silvey, Wieland, Klippenstein, Taylor, Peters-Baker, Jones (89), Richardson, Schad, Lichtenegger, Long, Scharnhorst, Colona, Conway (27), Wells, Koenig, Lair, Houghton, Dieckhaus, Johnson and Nolte, relating to liquor control.

**HB 720**, introduced by Representative Parkinson, relating to the transparency in private attorney contracts act.

**HB 721**, introduced by Representative Schneider, relating to foreclosure sales.

**HB 722**, introduced by Representative Schneider, relating to sewerage and water services.

### WITHDRAWAL OF HOUSE BILLS

February 14, 2011

Speaker of the House Steven Tilley  
State Capitol, Room 308A

Honorable Speaker,

I respectfully request that **House Bill No. 353** be withdrawn from the Insurance Policy Committee. The Committee on Fiscal Oversight recently discovered that this bill is a duplicate of an already existing piece of legislation that requires an insurance producer's license to be suspended, revoked, or denied issuance or renewal if the producer fails to pay personal property taxes, county real estate taxes, or income taxes. I appreciate your time and consideration.

Sincerely,

/s/ Zachary R. Wyatt  
Representative  
Missouri's 2<sup>nd</sup> House District

-----

March 1, 2011

Mr. D. Adam Crumbliss  
Missouri House of Representatives  
Chief Clerk  
Jefferson City, MO 65101

Dear Adam,

I wish to withdraw **House Bill No. 626**.

Thank you.

Sincerely,

/s/ Sheila Solon  
Representative  
District 55

The following member's presence was noted: Talboy.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 2, 2011.

### **COMMITTEE MEETINGS**

#### **AGRI-BUSINESS**

Thursday, March 3, 2011, North Gallery upon morning adjournment.  
Executive session may be held on any matter referred to the committee.

#### **BUDGET**

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Continuation of Appropriations Committee amendments to be reviewed in the following order of Committees: Education; General Administration; Transportation and Economic Development; Agriculture and Natural Resources; Public Safety and Corrections; Health, Mental Health and Social Services.

#### **CANCELLED**

#### **CHILDREN AND FAMILIES**

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 565, HB 483  
Executive session may be held on any matter referred to the committee.

#### **CORRECTIONS**

Wednesday, March 2, 2011, 5:00 PM House Hearing Room 1.  
Executive Session will be held: HB 38, HB 200, HB 340  
Executive session may be held on any matter referred to the committee.

#### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 544, HB 337, HB 317, HB 93

Executive session may be held on any matter referred to the committee.

#### DOWNSIZING STATE GOVERNMENT

Thursday, March 3, 2011, 8:30 AM House Hearing Room 4.

Public hearing will be held: HB 437, HB 202

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 628, HB 639, HB 511

#### FISCAL REVIEW

Wednesday, March 2, 2011, 4:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

#### GENERAL LAWS

Thursday, March 3, 2011, 8:00 AM House Hearing Room 2.

Public hearing will be held: HB 258, HB 546

Executive session may be held on any matter referred to the committee.

Please note the addition of HB 546.

#### AMENDED

#### HEALTH CARE POLICY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 300, HB 328, HB 334, HB 387

Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Thursday, March 3, 2011, House Hearing Room 1 upon morning adjournment.

Executive session will be held: HB 475

Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 2, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HCR 22

Executive session may be held on any matter referred to the committee.

#### JUDICIARY

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 254, HB 255, HB 427

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, March 2, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 400, HB 145, HB 566, HB 188, HB 542, HB 498

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 2, 2011, House Hearing Room 5.

12:00 PM, or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 591, HB 347

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, March 3, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 305, HB 448

Executive session may be held on any matter referred to the committee.

#### RURAL COMMUNITY DEVELOPMENT

Thursday, March 3, 2011, South Gallery upon morning adjournment.

Executive session will be held: HJR 17

#### SMALL BUSINESS

Wednesday, March 2, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 386

Executive session will be held: HB 68, HB 86, HB 211

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Wednesday, March 2, 2011, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 555, HB 604

Executive session will be held: HB 411, HB 421

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Wednesday, March 2, 2011, 3:00 PM.

Mexico Chamber of Commerce, 100 West Jackson St., Mexico 65265.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, March 3, 2011, 6:00 PM.

Three Rivers Community College, Westover Building A201, 202, 203, Poplar Bluff 63901.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional District boundaries.



**SPECIAL STANDING COMMITTEE ON REDISTRICTING**

Friday, March 4, 2011, 2:00 PM.

St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional district boundaries.

**TOURISM AND NATURAL RESOURCES**

Thursday, March 3, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 578, HB 545, HJR 15

Executive session will be held: HB 98

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, March 3, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 416, HB 324, HB 354, HB 484, HB 548

Executive session will be held: HCR 23

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, March 3, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 26, HB 144, HB 549

Executive session will be held: HB 222, HB 408, HB 506

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-SECOND DAY, WEDNESDAY, MARCH 2, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 34

**HOUSE BILLS FOR SECOND READING**

HB 709 through HB 722

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HJR 2 - McGhee
- 3 HJR 6 - Cierpiot

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 136 - Day
- 2 HB 167 - Nolte
- 3 HCS HB 214 - Zerr
- 4 HCS HB 329 - Diehl
- 5 HCS HBs 116 & 316 - Flanigan
- 6 HCS HB 213 - Jones (89)
- 7 HCS HB 108 - Smith (150)
- 8 HCS HBs 112 & 285 - Day
- 9 HCS HB 174 - Thomson

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING**

HCS HB 76, (Fiscal Review 3-1-11) - Nolte

**HOUSE CONCURRENT RESOLUTIONS**

HCR 7, (2-23-11, Pages 436-437) - Walton Gray

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-SECOND DAY, WEDNESDAY, MARCH 2, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicky, Chaplain.

*This is the day which the Lord hath made; we will rejoice and be glad in it. (Psalm 118:24)*

Our Heavenly Father, we bow before our altar of prayer with hearts overflowing with gratitude because You have been so wonderfully good to us. We are what we are, we have what we have, not because we deserve it, not because we have earned it, but because Your goodness has attended us.

Your strength has made us strong, Your love has undergirded us, and Your presence has blessed us all our days. Help us to be worthy of Your gifts and to use each day for Your glory, for the good of our state and for the welfare of our citizens. Thus, may every day be a glorious adventure in great living. And the House says, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Maddie Seiler and Haley Tyrrell.

The Journal of the thirty-first day was approved as printed.

## **SPECIAL RECOGNITION**

Eric Czeriewski was introduced by Representatives Hoskins and Korman and recognized as the 2010 Harlon Hill Trophy recipient and NCAA Division II College Football Player of the Year.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 789 through House Resolution No. 822

## **HOUSE CONCURRENT RESOLUTION**

Representative Funderburk, et al., offered House Concurrent Resolution No. 42.

## **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 34** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 709** through **HB 722** were read the second time.

## PERFECTION OF HOUSE BILLS

**HCS HBs 116 & 316**, relating to the collection of state moneys, was taken up by Representative Flanigan.

Representative Bahr offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 116 & 316, Section 32.088, Page 5, Lines 3 and 13, by deleting the words, "**chapter 260**" and inserting in lieu thereof the words, "**sections 260.262 or 260.273**"; and

Further amend said bill, Section 32.383, Page 7, Line 49, by inserting after all of said section the following:

**"32.385.1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.**

**2. When used in this section, the following words, terms, and phrases are defined as set forth herein:**

**(1) "Federal official" means a unit or official of the federal government charged with the collection of non-tax liabilities payable to the federal government under 31 U.S.C. section 3716.**

**(2) "State agency" means any department, division, board, commission, office, or other agency of the state of Missouri,**

**(3) "Non-tax liability due the State" means a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other non-tax assessments imposed by or payable to any state agency that is finally determined to be due and owing.**

**(4) "Person" means an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing.**

**(5) "Refund" means an amount described as a refund of tax under the provisions of the State tax law that authorized its payment.**

**(6) "Vendor payment" means any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the State; but shall not include a person's salary, wages, or pension.**

**(7) "Offset agreement" is the agreement authorized by this section.**

**3. Under the offset agreement, a federal official may**

**(1) Certify to the state of Missouri the existence of a person's delinquent non-tax liability owed by the person to the federal government; and**

**(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled.**

**(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:**

**(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and non-tax debts owed to the State; and**

**(b) Provide for the payment of the amount withheld to the state.**

**(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.**

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:
  - (1) the full name of the person and any other names known to be used by the person;
  - (2) the social security number or federal tax identification number;
  - (3) the amount of the non-tax liability; and
  - (4) a statement that the debt is past due and legally enforceable in the amount certified.
5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall
  - (1) withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;
  - (2) in accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;
  - (3) pay to the federal official the lesser of:
    - (a) the entire refund or vendor payment; or
    - (b) the amount certified; and
  - (4) pay any refund or vendor payment in excess of the certified amount to the person.
6. Under the agreement, the director of revenue shall
  - (1) certify to a federal official the existence of a person's delinquent tax or non-tax liability due the state owed by the person to any state agency;
  - (2) request that the federal official withhold any eligible vendor payment to which the person is entitled; and
  - (3) provide for the payment of the amount withheld to the state.
7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:
  - (1) the full name and address of the person and any other names known to be used by the person;
  - (2) the social security number or tax identification number;
  - (3) the amount of the tax or non-tax liability;
  - (4) a statement that the debt is past due and legally enforceable in the amount certified; and
  - (5) any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.
8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt for debts due the other state that extends a like comity to this state.”; and

Further amend said bill, Section 32.410, Page 7, Line 1, by deleting the number, “**32.470**” and inserting in lieu thereof the number, “**32.460**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 1** was adopted.

Representative McNeil offered **House Amendment No. 2**.

**House Amendment No. 2** was withdrawn.

Representative Nance offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 116 & 316, Section 168.071, Page 17, Line 114, by inserting after all of said section the following:

“302.341. 1. If a Missouri resident charged with a moving [traffic] violation, **as defined in section 302.010**, of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for [traffic] **cited moving** violations occurring on state highways, **whether the violation is adjudicated finally as a moving or nonmoving violation**, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. [The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue.]

3. **The governing body of each fourth class city or village with over one hundred thousand dollars in traffic revenues in the previous year in this state shall cause to be prepared an annual report of the fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation occurring on state highways, along with the entity's annual general operating revenue for the year, in such summary form as the state courts administrator's office shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of the entity's general revenue for the year, the entity shall include with the annual report payment of the excess revenues to the director of the department of revenue. Within thirty days of receipt of payment of the excess revenues, the director of the department of revenue shall disburse the excess to the proper schools, as provided in subsection 2 of this section.** If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. [Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.]

4. **The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective**

date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

5. In the event a city, town, or village fails to comply with subsections 2 and 3 of this section, such entity shall be subject to a civil penalty in an amount of ten percent of excess revenues required to be submitted that were not submitted, with such penalty to be distributed to the local schools where the moving violation occurred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nance moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Flanigan, **HCS HBs 116 & 316, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HBs 116 & 316, as amended**, was ordered perfected and printed.

**HCS HB 136**, relating to military spouses, was taken up by Representative Day.

Representative Day offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 136, Page 13, Section 324.008, Line 45, by striking the following from said line “commissioner of administration” and inserting in lieu thereof the following:

“**the appropriate board or agency**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Day, **House Amendment No. 1** was adopted.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Day, **HCS HB 136, as amended**, was adopted by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman



Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50	Hughes	Swearingen	Webber	Zimmerman
----------	--------	------------	--------	-----------

On motion of Representative Day, **HCS HB 136, as amended**, was ordered perfected and printed.

Speaker Tilley resumed the Chair.

**HCS HB 214**, relating to human trafficking, was taken up by Representative Zerr.

Representative Zerr offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 214, Page 3, Section 566.203, Line 7, by removing all of said line from the bill; and

Further amend said bill, Page 6, Section 566.223, Lines 5-8, by removing all of said lines and inserting in lieu thereof the following:

**“2. It is an affirmative defense for the offense of prostitution under section 567.020 that the defendant engaged in the conduct charged to constitute an offense because he or she was coerced to do so by the use of, or threatened use of, unlawful physical force upon himself or herself or a third person, which force or threatened force a person of reasonable firmness in his or her situation would have been unable to resist.”; and**

Further amend said page and section, Line 19, by removing the phrase **“or a prosecuting attorney’s or circuit attorney’s office”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 214, Page 4, Section 566.206, Lines 12 and 13, by deleting all of said lines and inserting in lieu thereof the following:

"3. [The crime of] **Except as provided in subsection 4 of this section**, trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor is a [class B] felony **punishable by imprisonment for a term of years not less than five years and not more than twenty years. If death results from a violation of this section, or if the**"; and

Further amend said bill, Page 4, Section 566.206, Line 17, by inserting after all of said line the following:

**"4. If death results from a violation of this section, or if the violation includes kidnapping or an attempt to kidnap, sexual abuse when punishable as a class B felony or an attempt to commit sexual abuse when the sexual abuse attempted is punishable as a class B felony, or an attempt to kill, it shall be punishable by imprisonment for a term of years not less than five years or life."**; and

Further amend said bill, Page 4, Section 566.209, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"2. [The crime of] **Except as provided in subsection 3 of this section**, trafficking for the purposes of sexual exploitation is a [class B] felony **punishable by imprisonment for a term of years not less than five years and not more than twenty years."**; and

Further amend said bill, Page 4, Section 566.209, Line 11, by inserting after all of said line the following:

**"3. If death results from a violation of this section, or if the violation includes kidnapping or an attempt to kidnap, sexual abuse when punishable as a class B felony or an attempt to commit sexual abuse when the sexual abuse attempted is punishable as a class B felony, or an attempt to kill, it shall be punishable by imprisonment for a term of years not less than five years or life."**; and

Further amend said bill, Page 5, Section 566.212, Lines 14 and 15, by deleting all of said lines and inserting in lieu thereof the following:

"3. [The crime of] Sexual trafficking of a child is a [class A] felony **punishable by imprisonment for a term of years not less than ten years or life** if the child is under the age of eighteen. **If a violation of this section was effected by force, abduction, or coercion,"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kander offered **House Amendment No. 1 to House Amendment No. 2**.

*House Amendment No. 1  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 214, Page 1, Line 5, by inserting after the phrase "**twenty years**" the phrase "**and a fine not to exceed two hundred fifty thousand dollars**"; and

Further amend said page, Line 12, by inserting after the word "**life**" the phrase "**and a fine not to exceed two hundred fifty thousand dollars**"; and

Further amend said page, Line 17, by inserting after the phrase “**twenty years**” the phrase “**and a fine not to exceed two hundred fifty thousand dollars**”; and

Further amend said page, Line 23, by inserting after the word “**life**” the phrase “**and a fine not to exceed two hundred fifty thousand dollars**”; and

Further amend said page, Line 27, by inserting after the word “**life**” the phrase “**and a fine not to exceed two hundred fifty thousand dollars**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kander, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Fuhr, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Zerr, **HCS HB 214, as amended**, was adopted.

On motion of Representative Zerr, **HCS HB 214, as amended**, was ordered perfected and printed.

## **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 76** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 187** and **HB 54**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Emerging Issues in Animal Agriculture**, Chairman Wright reporting:

Mr. Speaker: Your Committee on Emerging Issues in Animal Agriculture, to which was referred **HB 458**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 723**, introduced by Representatives Kratky, Hummel, Colona, McDonald, Smith (71), Spreng and May, relating to vacancies in the general assembly.

**HB 724**, introduced by Representatives Kratky, Hummel, Colona, Newman, McManus, Oxford, Atkins, Pace, Montecillo, Carter, Nichols, Carlson, Kirkton, McDonald and Spreng, relating to unlawful use of weapons.

**HB 725**, introduced by Representatives Kratky, Hummel, Newman, McManus, Oxford, Atkins, Pace, Carter, Montecillo, Nichols, Kirkton, McDonald and Spreng, relating to the unlawful use of a weapon.

**HB 726**, introduced by Representatives Kratky, Walton Gray, Hummel, Colona, Pace, Meadows, Fallert, Carter, Nichols, Carlson, Kirkton, McNeil, McDonald, Smith (71), Spreng and May, relating to a tax credit for certain small businesses.

**HB 727**, introduced by Representatives Kratky, McDonald, Walton Gray, Hummel, Colona, Newman, Oxford, Atkins, Pace, Montecillo, Carter, Nichols, Carlson, Kirkton and Spreng, relating to unlawful use of a weapon.

**HB 728**, introduced by Representatives McManus, Newman, McDonald and Hodges, relating to product safety.

**HB 729**, introduced by Representatives McManus, McDonald and Hodges, relating to the purchase of catalytic converters.

**HB 730**, introduced by Representatives McManus and Holsman, relating to emergency vehicles.

**HB 731**, introduced by Representatives Parkinson, Schad, Allen, Hinson and Scharnhorst, relating to possible deportation of aliens who are listed in the state sexual offender registry.

**HB 732**, introduced by Representative Brandom, relating to licensure of certain professions.

**HB 733**, introduced by Representatives Walton Gray and Ellinger, relating to the duties of the board of probation and parole.

**HB 734**, introduced by Representatives Brandom, Faith, Korman, Lichtenegger, Pollock, Fitzwater, Wieland, Wright, McGhee and McCaherty, relating to donated food tax credits.

**HB 735**, introduced by Representatives Hough, Hinson, Jones (117), Burlison, Sater, Lichtenegger, Entlicher, Klippenstein, Denison, Fraker, McGeoghegan and Scharnhorst, relating to road use.

**HB 736**, introduced by Representatives McCaherty, Nolte, Long, Berry, McNary, Wieland, Brown (85), Kelley (126), Schupp, Cross, Curtman, Frederick, Parkinson, Lant and Peters-Baker, relating to forms provided by the department of revenue.

**HB 737**, introduced by Representatives Redmon and Shumake, relating to tangible personal property.

**HB 738**, introduced by Representatives Nasheed, Hummel, Shively, McGhee and Hubbard, relating to student study plans.

**HB 739**, introduced by Representatives Nance, Fisher and Lampe, relating to the Amber Alert and Silver Alert system.

**HB 740**, introduced by Representatives Funderburk, Nolte, Franz and Scharnhorst, relating to sales tax exemptions for various industries and political subdivisions.

**HB 741**, introduced by Representative Bernskoetter, relating to financing for energy efficiency improvements.

**HB 742**, introduced by Representatives Wyatt and Guernsey, relating to a county drinking water supply lake authority.

**HB 743**, introduced by Representatives Lauer, Higdon, Schad, Hinson, Cierpiot, Peters-Baker, Jones (117), Bandom, Cross, Conway (14), Haefner, Lasater, McGeoghegan, McCann Beatty, Cookson, McDonald, Phillips, Grisamore and Keeney, relating to sexual contact with a student.

**HB 744**, introduced by Representatives Brown (85), Hampton, Koenig, Fuhr, Allen, Jones (89), Leara, Reiboldt, Lant, Diehl, Conway (14), Stream, Wieland, Long and Kelley (126), relating to property assessments.

**HB 745**, introduced by Representatives Brown (85), Lichtenegger, Entlicher, Haefner, Scharnhorst, Hinson, Leara, Stream, Wieland and Long, relating to the adjusted gross receipts tax on gambling games to be used for public safety.

**HB 746**, introduced by Representatives Brown (85), Conway (14), Stream, Wieland and Long, relating to designation of tax refunds to the department of agriculture for puppy protection.

**HB 747**, introduced by Representatives Pollock, Denison, Wallingford, Hough, Dugger, Wyatt, Franz, Burlison, Schoeller, Ruzicka, Schad, Crawford, Davis, Reiboldt, White, Colona, Webb, Talboy and Wells, relating to renewable energy portfolio requirements for electric utilities.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 38**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to the prostate cancer pilot program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 77**, entitled:

An act to repeal section 226.520, RSMo, and to enact in lieu thereof one new section relating to directional signs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 83**, entitled:

An act to repeal sections 408.140, 408.233, and 408.300, RSMo, and to enact in lieu thereof four new sections relating to the sale of deficiency waiver addendums and other similar products in certain loan transactions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 101**, entitled:

An act to amend chapter 407, RSMo, by adding thereto one new section relating to home exterior contractors, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 166**, entitled:

An act to repeal section 381.115, RSMo, and to enact in lieu thereof one new section relating to the licensure of title agencies and title agents.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 180**, entitled:

An act to amend chapter 9, RSMo, by adding thereto two new sections relating to bicycling state holidays.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Brown (50).

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 3, 2011.

### **COMMITTEE MEETINGS**

#### **AGRI-BUSINESS**

Thursday, March 3, 2011, North Gallery upon morning adjournment.  
Executive session may be held on any matter referred to the committee.

#### **CRIME PREVENTION AND PUBLIC SAFETY**

Monday, March 7, 2011, 1:00 PM House Hearing Room 7.  
Public hearing will be held: HB 406, HB 207  
Executive session may be held on any matter referred to the committee.

#### **DOWNSIZING STATE GOVERNMENT**

Thursday, March 3, 2011, 8:30 AM House Hearing Room 4.  
Public hearing will be held: HB 437, HB 202, HJR 11  
Executive session will be held: HB 464  
Executive session may be held on any matter referred to the committee.  
Additional testimony provided on HJR 11.  
AMENDED

#### **GENERAL LAWS**

Thursday, March 3, 2011, 8:00 AM House Hearing Room 2.  
Public hearing will be held: HB 258, HB 546  
Executive session may be held on any matter referred to the committee.  
Please note the addition of HB 546.  
AMENDED

#### **HEALTH INSURANCE**

Thursday, March 3, 2011, South Gallery upon morning adjournment.  
Executive session will be held: HB 475  
Executive session may be held on any matter referred to the committee.  
Upon morning adjournment - location changed to Side South Gallery.  
CORRECTED

#### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.  
1st Quarter Meeting.

#### RETIREMENT

Thursday, March 3, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 305, HB 448  
Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, March 3, 2011, 9:30 AM House Hearing Room 2.  
Executive Session will be held: HB 229, HB 282, HCS HB 315, HB 358, HB 360, HCS HB 459, HCS HB 465, HCS HB 89, HCS HB 131, HB 339, HB 434, HCS HB 266, HCR 11, HCR 33  
Executive session may be held on any matter referred to the committee.

#### RURAL COMMUNITY DEVELOPMENT

Thursday, March 3, 2011, South Gallery upon morning adjournment.  
Executive session will be held: HJR 17

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, March 3, 2011, 6:00 PM.  
Three Rivers Community College, Westover Building A201, 202, 203, Poplar Bluff 63901.  
Public hearing will be held: HB 193  
Public Testimony on establishing new Congressional District boundaries.

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Friday, March 4, 2011, 2:00 PM.  
St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.  
Public hearing will be held: HB 193  
Public Testimony on establishing new Congressional district boundaries.

#### TOURISM AND NATURAL RESOURCES

Thursday, March 3, 2011, 8:00 AM House Hearing Room 7.  
Public hearing will be held: HB 578, HB 545, HJR 15  
Executive session will be held: HB 98  
Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 7.  
Public hearing will be held: HB 291  
Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 3, 2011, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 416, HB 324, HB 354, HB 484, HB 548  
Executive session will be held: HCR 23  
Executive session may be held on any matter referred to the committee.

#### URBAN ISSUES

Monday, March 7, 2011, 5:00 PM House Hearing Room 5.  
Presentations on Urban Education.



**WAYS AND MEANS**

Thursday, March 3, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 26, HB 144, HB 549

Executive session will be held: HB 222, HB 408, HB 506

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, March 7, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 397, HB 238

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-THIRD DAY, THURSDAY, MARCH 3, 2011

**HOUSE BILLS FOR SECOND READING**

HB 723 through HB 747

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HJR 2 - McGhee
- 3 HJR 6 - Cierpiot

**HOUSE BILLS FOR PERFECTION**

- 1 HB 167 - Nolte
- 2 HCS HB 329 - Diehl
- 3 HCS HB 213 - Jones (89)
- 4 HCS HB 108 - Smith (150)
- 5 HCS HBs 112 & 285 - Day
- 6 HCS HB 174 - Thomson

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 91 - Nolte

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger

- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 76 - Nolte
- 2 HCS HBs 276, 233 & 274 - Franz
- 3 HCS HB 61 - Nolte
- 4 HCS HBs 116 & 316, E.C. - Flanigan
- 5 HCS HB 136 - Day
- 6 HCS HB 214 - Zerr

#### **SENATE BILLS FOR SECOND READING**

- 1 SB 38
- 2 SB 77
- 3 SB 83
- 4 SB 101
- 5 SCS SB 166
- 6 SB 180

#### **HOUSE CONCURRENT RESOLUTIONS**

- HCR 7, (2-23-11, Pages 436-437) - Walton Gray

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-THIRD DAY, THURSDAY, MARCH 3, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Where two or three are gathered together in My name, there am I in the midst of them. (Matthew 18:20)*

Our Heavenly Father, Who has given Your word that where two or three are gathered together in Your name, there You are in the midst of them - make us aware of Your presence this moment as we assemble in the House in Your name, invoking Your blessing upon us and praying that You would make us adequate for the tasks of this day, give us wisdom for the decisions we have to make and courage always to do what is right and just. And the House says, "Amen"!

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Claire Thomas.

The Journal of the thirty-second day was approved as printed.

## HOUSE RESOLUTION

Representative Jones (89) offered House Resolution No. 900.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 823 through House Resolution No. 899  
House Resolution No. 901

## SECOND READING OF HOUSE BILLS

**HB 723** through **HB 747** were read the second time.

## SECOND READING OF SENATE BILLS

**SB 38**, **SB 77**, **SB 83**, **SB 101**, **SCS SB 166** and **SB 180** were read the second time.

**PERFECTION OF HOUSE BILL**

**HCS HB 108**, relating to political action committees, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 108** was adopted.

On motion of Representative Smith (150), **HCS HB 108** was ordered perfected and printed.

**THIRD READING OF HOUSE BILLS**

**HCS HB 76**, relating to a corporate franchise tax, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCS HB 76** was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curls	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 005

Hughes	Jones 117	McGhee	Riddle	Zimmerman
--------	-----------	--------	--------	-----------

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HBs 276, 233 & 274**, relating to unlawful picketing of a funeral, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HBs 276, 233 & 274** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curls	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swinger	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 015

Atkins	Carlson	Carter	Ellinger	Jones 63
Kander	May	Montecillo	Newman	Oxford
Smith 71	Swearingen	Talboy	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Hubbard	Hughes	Jones 117	Lichtenegger	Riddle
Zimmerman				

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley assumed the Chair.

**HCS HBs 116 & 316**, relating to collection of state moneys, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HBs 116 & 316** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curls	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Casey	Hubbard	Hughes	Jones 117
Lichtenegger	Nasheed	Riddle	Zimmerman	

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Hubbard	Hughes	Jones 117	Lichtenegger
Nasheed	Riddle	Zimmerman		

**HCS HB 136**, relating to military spouses, was taken up by Representative Day.

On motion of Representative Day, **HCS HB 136** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Curtman	Hubbard	Hughes	Jones 117
Lichtenegger	Nasheed	Riddle	Zimmerman	

Speaker Tilley declared the bill passed.

**HCS HB 214**, relating to human trafficking, was taken up by Representative Zerr.



On motion of Representative Zerr, **HCS HB 214** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curls	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Hubbard	Hughes	Jones 117	Lichtenegger
Nasheed	Riddle	Zimmerman		

Speaker Tilley declared the bill passed.

**HCS HB 61**, relating to state minimum wage, was taken up by Representative Nolte.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Higdon	Hubbard	Hughes	Jones 117
Leara	Lichtenegger	McCann Beatty	Nasheed	Riddle
Zimmerman				

On motion of Representative Nolte, **HCS HB 61** was read the third time and passed by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Loehner	Long
Marshall	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 060

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curls
Ellinger	Fallert	Fitzwater	Hampton	Harris
Hodges	Holsman	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCaherty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Phillips	Pierson
Quinn	Rizzo	Rowland	Schieffer	Schupp
Shively	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber	Weter	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Higdon	Hubbard	Hughes	Jones 117
Leara	Lichtenegger	McCann Beatty	Nasheed	Riddle
Zimmerman				

Speaker Tilley declared the bill passed.

## REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

**HR 900** - Rules

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 32** - Workforce Development and Workplace Safety
- HCR 34** - Rural Community Development
- HCR 39** - Tourism and Natural Resources
- HCR 42** - General Laws

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 26** - General Laws
- HJR 31** - Judiciary
- HJR 32** - General Laws
- HJR 33** - Elections

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 39** - Elections
- HB 51** - Crime Prevention and Public Safety
- HB 63** - Small Business
- HB 72** - Elections
- HB 172** - Judiciary
- HB 293** - Professional Registration and Licensing
- HB 398** - Judiciary
- HB 399** - Judiciary
- HB 493** - Downsizing State Government
- HB 499** - Professional Registration and Licensing
- HB 523** - Insurance Policy
- HB 534** - Local Government
- HB 547** - Health Insurance
- HB 551** - General Laws
- HB 567** - Judiciary
- HB 568** - Professional Registration and Licensing
- HB 588** - Elementary and Secondary Education
- HB 600** - Crime Prevention and Public Safety
- HB 605** - Transportation
- HB 609** - Health Insurance
- HB 630** - Special Standing Committee on Disability Services
- HB 631** - Special Standing Committee on Disability Services
- HB 633** - Agriculture Policy
- HB 634** - Judiciary
- HB 635** - Crime Prevention and Public Safety

**HB 638** - General Laws  
**HB 643** - Urban Issues  
**HB 644** - Small Business  
**HB 649** - Economic Development  
**HB 653** - Agriculture Policy  
**HB 657** - Downsizing State Government  
**HB 658** - Crime Prevention and Public Safety  
**HB 659** - Transportation Funding and Public Institutions  
**HB 660** - Urban Issues  
**HB 661** - Financial Institutions  
**HB 662** - Transportation Funding and Public Institutions  
**HB 664** - Retirement  
**HB 665** - Retirement  
**HB 666** - Health Insurance  
**HB 667** - Urban Issues  
**HB 670** - Economic Development  
**HB 673** - Veterans  
**HB 674** - Economic Development  
**HB 675** - Local Government  
**HB 676** - Health Insurance  
**HB 677** - Professional Registration and Licensing  
**HB 678** - Transportation Funding and Public Institutions  
**HB 679** - Elementary and Secondary Education  
**HB 682** - Higher Education  
**HB 683** - Children and Families  
**HB 684** - Transportation  
**HB 687** - Insurance Policy  
**HB 689** - Transportation  
**HB 696** - Insurance Policy  
**HB 697** - Downsizing State Government  
**HB 698** - Crime Prevention and Public Safety  
**HB 699** - Elections  
**HB 700** - Crime Prevention and Public Safety  
**HB 701** - Insurance Policy  
**HB 702** - Workforce Development and Workplace Safety  
**HB 708** - Judiciary  
**HB 710** - Local Government  
**HB 711** - Utilities  
**HB 713** - Transportation  
**HB 721** - Financial Institutions  
**HB 722** - Utilities  
**HB 731** - International Trade and Job Creation  
**HB 732** - Professional Registration and Licensing  
**HB 734** - Economic Development  
**HB 737** - Local Government  
**HB 738** - Urban Issues  
**HB 740** - Tax Reform

**HB 744** - Ways and Means

**HB 745** - Ways and Means

**HB 746** - Agriculture Policy

**HB 747** - Special Standing Committee on Renewable Energy

### **REFERRAL OF SENATE JOINT RESOLUTION**

The following Senate Joint Resolution was referred to the Committee indicated:

**SJR 2** - Elections

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SB 3** - Elections

**SCS SB 19** - International Trade and Job Creation

**SCS SB 108** - General Laws

**SB 187** - Agri-Business

### **COMMITTEE REPORTS**

**Committee on Corrections**, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 38**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 294**, **HB 123**, **HB 125**, **HB 113**, **HB 271** and **HB 215**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 431**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Higher Education**, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 223** and **HB 231**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rural Community Development**, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HJR 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Tourism and Natural Resources**, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 98**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 578**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 655**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Utilities**, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Special Standing Committee on Disability Services**, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 411** and **HB 421**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 131**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 229**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 266**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 282**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 339**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 358**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 360**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 434**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 459**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 465**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 35**, introduced by Representative Schad, relating to a member of the general assembly removing himself or herself from the state for the purpose of avoiding any official duty or vote.



## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 748**, introduced by Representatives Cross, Schoeller, Rowland, Jones (89), McCaherty, Scharnhorst, McGhee, McNary, Brown (116), Conway (14), Berry, Nance, Thomson, Pollock, Parkinson, Long, Davis, Hampton, Brattin, Schneider, Silvey, Korman, Diehl, Fitzwater, Gatschenberger, Schad, Sater, Johnson, Fraker, Cierpiot, Jones (117), Houghton and Franklin, relating to the crime of absconding without paying rent.

**HB 749**, introduced by Representatives Lasater, Schieber, Fitzwater, Lant, Faith, Bahr, Rizzo, McGeoghegan, Montecillo, Hough, Berry, Fraker, Cookson, Walton Gray, Oxford, Schoeller, Leach, Lauer, Anders, Grisamore, Hampton, Torpey, Riddle, Jones (89), Kelley (126), Jones (117), Brown (116), Curls, Kelly (24), Johnson, Conway (14), Brandom, Haefner, Hinson and Hubbard, relating to child abuse prevention.

**HB 750**, introduced by Representatives Hinson, Fallert, Nance, Johnson, Black and Lasater, relating to wireless enhanced 911 service.

**HB 751**, introduced by Representative Kratky, relating to the clinical laboratory science practice act.

**HB 752**, introduced by Representatives Torpey, Lampe, Holsman, Thomson and Dieckhaus, relating to compulsory school attendance.

**HB 753**, introduced by Representatives Wallingford, Wright, Lichtenegger, Brandom and Hodges, to authorize the board of regents of Southeast Missouri State University to convey property in the City of Cape Girardeau.

**HB 754**, introduced by Representatives Jones (63), Nasheed, Talboy, Colona, Smith (71), Taylor, McCann Beatty, Pierson, Pace, Carter, Brown (50), Newman, Kirkton, McNeil, Swearingen, McGeoghegan, Anders, Harris, Shively, Hodges, McManus, Kratky, Swinger, Aull, Conway (27), Meadows, Fallert, Hummel, Rizzo, Schupp, Carlson, Black, Spreng, Oxford, Atkins, Montecillo, Hubbard, Nichols, McDonald, Webber, Quinn, Peters-Baker, Ellinger, Schieffer and Sifton, relating to the designation of lupus awareness month.

**HB 755**, introduced by Representatives Leach, Schoeller, Riddle, Jones (89), Diehl, Smith (150), Keeney, Scharnhorst, Brattin, Lichtenegger, Cierpiot, Conway (14), Kelley (126), Stream, Hampton, Franklin, Fitzwater, Faith, Solon, Haefner, Allen, Lasater, Bahr, Fraker, Wyatt, Brown (85), Lant, Entlicher, Zerr, Crawford, Redmon, Reiboldt, Wieland, Frederick, McCaherty, Lair, Dieckhaus, Long, Berry, Schieber, Barnes, Black, Meadows, Fallert, McGeoghegan, Casey, Quinn, Harris, Cookson, Marshall and Largent, relating to life sciences.

**HB 756**, introduced by Representative Grisamore, relating to school days missed due to inclement weather.

**HB 757**, introduced by Representative Fitzwater, to authorize the conveyance of state property owned by the state to the City of Farmington.

**HB 758**, introduced by Representative Fitzwater, to authorize the conveyance of state properties in St. Francois County.

**HB 759**, introduced by Representative Dieckhaus, relating to annexation.

**HB 760**, introduced by Representatives Johnson, Brattin, Schieber, Wallingford, Cross, Conway (14), Kelley (126), Jones (117), Redmon, Higdon, Houghton, Klippenstein, Elmer, Hinson, Torpey, Lant, Reiboldt, Brown (85), Entlicher, Lichtenegger, Jones (89), Lasater, Hoskins, Franklin, Berry, Zerr, Hampton, Koenig, Richardson, Asbury, Meadows, Nance, Gosen and Parkinson, relating to allowing full-time fire investigators to carry concealed weapons.

**HB 761**, introduced by Representatives Denison, May, Pollock, Fisher and Wells, relating to water and sewer services for rental property.

**HB 762**, introduced by Representative Schad, relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

**HB 763**, introduced by Representatives Stream, Scharnhorst, Diehl, Kirkton, Haefner, Fuhr, Brown (85) and McNeil, relating to school enrollment options for students from unaccredited districts.

**HB 764**, introduced by Representatives Webb, Carter, Dieckhaus, May, Montecillo, Pace, Parkinson, Jones (89), Curls, Riddle, Hampton, Brandom, Pierson, Hubbard and Denison, relating to student participation in extracurricular activities.

**HB 765**, introduced by Representative Aull, relating to the school calendar.

**HB 766**, introduced by Representative Aull, relating to summer school reimbursement.

**HB 767**, introduced by Representatives Bahr, Kelley (126), Gatschenberger, Kelly (24), Lasater, Pace and McGeoghegan, relating to offsets from state income tax refunds.

**HB 768**, introduced by Representatives Bahr, Curtman and Wells, relating to the application of foreign law to contracts.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 133**, entitled:

An act to repeal section 227.107, RSMo, and to enact in lieu thereof one new section relating to highway design-build project contracts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 243**, entitled:

An act to repeal section 177.088, RSMo, and to enact in lieu thereof two new sections relating to the utilization of resources and services.

In which the concurrence of the House is respectfully requested.

### WITHDRAWAL OF HOUSE BILLS

March 2, 2011

The Honorable Steven Tilley  
Speaker of the House  
Room 308, Capitol Building  
Jefferson City, MO 65101

Dear Speaker Tilley:

This letter is to respectfully request that **House Bill No. 507**, dealing with health insurance coverage for licensed athletic trainers, be withdrawn.

Thank you.

Sincerely,

/s/ Chris Carter  
Representative  
61<sup>st</sup> District

-----  
March 2, 2011

The Honorable Steven Tilley  
Speaker of the House  
Room 308, Capitol Building  
Jefferson City, MO 65101

Dear Speaker Tilley:

This letter is to respectfully request that **House Bill No. 508**, dealing with caseload standards for certain state agencies, be withdrawn.

Thank you.

Sincerely,

/s/ Chris Carter  
Representative  
61<sup>st</sup> District

The following member's presence was noted: Riddle.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, March 7, 2011.

## **COMMITTEE MEETINGS**

### **BUDGET**

Monday, March 07, 2011, 12:00 PM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Overview of HCS House Bills 1 through 13.

### **BUDGET**

Tuesday, March 08, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Overview of HCS House Bills 1 through 13.

### **BUDGET**

Wednesday, March 09, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Overview of HCS House Bills 1 through 13.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Monday, March 07, 2011, 1:00 PM House Hearing Room 7.  
Public hearing will be held: HB 600, HB 406  
Executive session may be held on any matter referred to the committee.  
House Bill 406 distributed with original 3/7/11 notice.  
**AMENDED**

### **ELECTIONS**

Tuesday, March 08, 2011, 8:15 AM House Hearing Room 5.  
Public hearing will be held: SJR 2, SB 3, HB 478, HB 629, HB 521, HB 121  
Executive session will be held: HB 503  
Executive session may be held on any matter referred to the committee.  
**AMENDED**

### **GENERAL LAWS**

Monday, March 07, 2011, 2:30 PM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.

### **HEALTH CARE POLICY**

Wednesday, March 09, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: HB 197, HB 392, HB 580, HB 563  
Executive session will be held: HB 110  
Executive session may be held on any matter referred to the committee.  
Bills to be heard in the order shown.

#### INSURANCE POLICY

Monday, March 07, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: HB 531

Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Monday, March 07, 2011, House Hearing Room 4 upon afternoon adjournment.

Public hearing will be held: HB 731

Executive session may be held on any matter referred to the committee.

#### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

1<sup>st</sup> Quarter Meeting.

#### SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, March 07, 2011, 10:00 AM House Hearing Room 7.

Public hearing will be held: HB 513, HB 556, HB 560, HB 648

Executive session will be held: HB 555, HB 604

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Friday, March 04, 2011, 2:00 PM.

St. Louis County Administration Building, Council Chambers, 41 South Central, Clayton 63105.

Public hearing will be held: HB 193

Public Testimony on establishing new Congressional district boundaries.

#### TRANSPORTATION

Tuesday, March 08, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 291

Executive session may be held on any matter referred to the committee.

#### URBAN ISSUES

Monday, March 07, 2011, 5:00 PM House Hearing Room 5.

Presentations on Urban Education.

#### WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, March 07, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 397, HB 238

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-FOURTH DAY, MONDAY, MARCH 7, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 35

**HOUSE BILLS FOR SECOND READING**

HB 748 through HB 768

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HJR 2 - McGhee
- 3 HJR 6 - Cierpiot

**HOUSE BILLS FOR PERFECTION**

- 1 HB 167 - Nolte
- 2 HCS HB 329 - Diehl
- 3 HCS HB 213 - Jones (89)
- 4 HCS HBs 112 & 285 - Day
- 5 HCS HB 174 - Thomson
- 6 HCS HB 131 - Cox
- 7 HCS HB 266 - Smith (150)
- 8 HB 339 - Pollock
- 9 HB 434 - Nolte

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka

- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara
- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **HOUSE BILLS FOR THIRD READING**

HCS HB 108 - Smith (150)

#### **SENATE BILLS FOR SECOND READING**

- 1 SCS SB 133
- 2 SB 243

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-FOURTH DAY, MONDAY, MARCH 7, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Mike Warman, StoneBridge Community Church, O'Fallon, MO.

It's a great honor for me to stand before you ladies and gentlemen this afternoon. I'd like to thank Representative Chuck Gatschenberger for inviting me today.

Two weeks ago as I was leading our people through a study in the book of Jonah, I noted God's rescuing of a great nation. It was through a simple message brought by a simple man. This message so impacted the king that he took the necessary steps to call on God and thus averted disaster for his people. The king cared for his people and his country, and I believe the same can be said of you gathered here.

I have a message from God for you today. It's simple and comes from His Word. You are loved, and you are valued for who you are, not for what you do.

Having said this though, on behalf of a church in Dardenne Prairie, Missouri, I'd like to say thank you for what you do. What happens in this hall matters greatly to those of us outside of it. Now if you'd allow me I'd like to pray for you.

Our Father, Your Word tells us to pray for kings and those in authority, that we might live quiet and peaceful lives in all godliness and holiness. We live in a time of tension and unrest, and so for the men and women gathered here I pray for You to lead them that it might go well for all of us.

I ask You by the power of Your Holy Spirit to help them work together. I pray that there may be unity in this place so that there might be harmony and peace outside of it.

I pray that You give them the wisdom needed to make good decisions. We sometimes fail to see how common sense can solve complex situations. I pray that You would give them the courage of conviction. Allow them to have honest and open dialogue over principles and not be caught up in the mindless debate over preferences.

King Solomon said a while back it's to the glory of kings to search out a matter, so Lord I pray You'd give these leaders wisdom to be thorough and fair in their deliberations. Father, I ask You to keep them from that which is evil and destructive. As they work to protect and strengthen our families, I ask that You might protect theirs at home.

Finally, Father, I would ask You to give them Your joy as they serve. Life is challenging enough without the enormous load these men and women carry. So I pray they would enjoy the work they're about to do. Father, may they encourage one another often. I ask that You would help them to always remember that, in spite of the politics, they are real people.

May You multiply the work of their hands and its positive impact on individuals and families of this great state of Missouri. Give us Your peace and help us to know the love of Jesus Christ.

In His Name I pray. Amen.



The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-third day was approved as printed.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 902 through House Resolution No. 912

### **HOUSE CONCURRENT RESOLUTION**

Representative Smith (71), et al., offered House Concurrent Resolution No. 43.

### **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 35** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 748** through **HB 768** were read the second time.

### **SECOND READING OF SENATE BILLS**

**SCS SB 133** and **SB 243** were read the second time.

Representative Curls assumed the Chair.

### **THIRD READING OF HOUSE BILL**

**HCS HB 108**, relating to political action committees, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 108** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curls	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney

Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Faith	Hubbard	Meadows	Quinn
Webb	Zimmerman			

Representative Curls declared the bill passed.

## PERFECTION OF HOUSE BILLS

**HCS HB 174**, relating to higher education governing boards, was taken up by Representative Thomson.

Representative Still offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 174, Page 1, Section 172.030, Line 1, by inserting immediately after the numerals “172.030.” the following:

“1.”; and

Further amend said bill, page and section, Line 7, by adding after all of said line the following:

**“2. Notwithstanding any other law, the ninth member of the board shall be a student curator who shall have the right to vote on any matter before the board, including the hiring or firing of the president of the University of Missouri system, the chancellors of each of the university campuses, the general counsel of the university, the secretary of the board of curators, and all other general officers of the university. However, the student curator shall be excluded from all other decisions regarding hiring or firing of faculty or staff. The student curator may be from any congressional district, and his or her district may be the same as one member of the board. The first student curator shall be appointed in January 2012 and shall serve a two-year term provided the person maintains the status of a full-time student. The student curator appointed under this subsection shall replace the nonvoting student representative appointed under section 172.035; however, such**

**student curator shall be appointed in the manner prescribed in section 172.035, and he or she shall meet all other requirements of section 172.035.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Still moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 053

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Curls	Curtman
Ellinger	Fallert	Grisamore	Harris	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Korman	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Schieffer	Schupp
Shively	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber	Wyatt	Mr Speaker		

NOES: 099

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 011

Diehl	Faith	Franz	Funderburk	Hubbard
Meadows	Nasheed	Quinn	Schad	Webb
Zimmerman				

Representative Schupp offered **House Amendment No. 2.**

Representative Richardson raised a point of order that **House Amendment No. 2** is dilatory.

Representative Curls requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Thomson, **HCS HB 174** was adopted.

On motion of Representative Thomson, **HCS HB 174** was ordered perfected and printed.

Speaker Tilley resumed the Chair.

**HCS HBs 112 & 285**, relating to tax classification of sawmills, was taken up by Representative Day.

Representative Ellinger offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 112 & 285, Page 2, Section 137.016, Line 80, by inserting after all of said line the following:

**“7. No property tax classification changes resulting from this section shall have the effect of eliminating employer obligations under Chapter 287.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ellinger, **House Amendment No. 1** was adopted.

Representative Aull offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 112 & 285, Pages 1-2, Section 137.016, Lines 16-19, by deleting all of said lines and inserting in lieu thereof the following:

**“implement section 7 of article X of the Missouri Constitution. For classification purposes any sawmill or planing mill defined in the U.S. Department of Labor’s Standard Industrial Classification (SIC) Manual under industry Group 252 with the SIC number 2421 shall be classified as half commercial property and half agricultural property with an assessed valuation ration of twenty-two percent of the real value of the property.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Day, **HCS HBs 112 & 285, as amended**, was adopted.

On motion of Representative Day, **HCS HBs 112 & 285, as amended**, was ordered perfected and printed.

**HB 167**, relating to driver's license examinations, was taken up by Representative Nolte.

Representative Nolte offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 167, Section 302.173, Page 2, Line 34, by inserting the word "**spoken**" before the word "**language**"; and

Further amend said section and page, Line 35, by inserting directly after the word "**section**" the following:

**" , but sign language interpreters may be provided when requested by persons who are deaf or hard of hearing, but are otherwise qualified to take the examination, as required by Title II of the Americans with Disabilities Act"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Kirkton offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 167, Page 2, Section 302.173, Line 19, by inserting after the word "thereunder," the following:

**"or if the applicant received his or her original license on or after August 28, 2011, after passing an examination conducted in a language other than English or through the use of an interpreter,"; and**

Further amend said bill, Page 2, Section 302.173, Lines 30 to 35, by deleting all of said lines and inserting in lieu thereof the following:

**"operation of a motor vehicle of the classification for which the license is sought. Beginning on August 28, 2011, applicants with limited or no English proficiency who have not previously been issued a license may be allowed to have an examination in a language they understand, or access to an interpreter, for the first license issued to him or her. Upon the expiration of that license under section 302.181 or after five years whichever term is longer, the applicant's license shall be renewed only after passing the examination in English. All other examinations conducted under the authority of this section shall only be administered in the English language so that the applicant can demonstrate his or her ability to read the English language sufficiently to understand highway signs and safety warnings. The director shall neither supply nor permit the use of language interpreters in connection with the written and driving tests required under this section, except under the aforementioned exception for first-time license applicants. When an applicant for a license has"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HB 167, as amended, with House Amendment No. 2, pending**, was laid over.

## COMMITTEE REPORTS

### **Committee on Agri-Business**, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Downsizing State Government**, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 464**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 252**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 401**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 641**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 475**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 111**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 257**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Professional Registration and Licensing**, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 220**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 265**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 287**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Retirement**, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 448**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Small Business**, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 68**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 408**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 506**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Special Standing Committee on Disability Services**, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 604**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 769**, introduced by Representatives Wells, Funderburk, Dieckhaus, McGhee, Ruzicka, Jones (89) and Kelly (24), relating to fire sprinkler contractor regulation.

**HB 770**, introduced by Representatives Smith (71), Schieffer, Harris, Ellinger, Pierson, Taylor, Webb, McGeoghegan, Hubbard, Pace, Nichols, Colona, Jones (63), May, Nasheed, Kratky, Brown (50) and Carter, relating to assault of an elected official or his or her staff member.

**HB 771**, introduced by Representative Curls, relating to foster care and adoptive parents recruitment and retention.

**HB 772**, introduced by Representatives Peters-Baker, Berry, Conway (27), Rizzo, Talboy, McManus, Swearingen and McCann Beatty, relating to court costs for certain municipal ordinance violations.

**HB 773**, introduced by Representatives Gosen, Wieland, Nance and Molendorp, relating to the regulation of surplus lines insurance.

**HB 774**, introduced by Representatives Korman, Diehl, Flanigan, Lant, Kelley (126), Allen, Brown (85), Hinson, Berry, Conway (14), Houghton, Redmon, Cookson, Bandom, Lichtenegger, Davis, McGhee, Bahr, Cross, Long, Shively, Smith (71) and White, relating to the initiative to save act.

**HB 775**, introduced by Representatives Wyatt, Shively and Franklin, relating to reimbursement for the transport of persons to and from mental health facilities.

**HB 776**, introduced by Representatives Leara and Colona, relating to police retirement.

**HB 777**, introduced by Representatives Denison, Grisamore and Wright, relating to water safety.

**HB 778**, introduced by Representatives Riddle, Parkinson, Jones (89), Schoeller, Allen, Keeney, Smith (150), Silvey, Tilley, Entlicher, Richardson, Wallingford, Korman, Leara, Brown (116), Higdon, Houghton, Schatz, Phillips, Grisamore, Lair, Fisher, Loehner, Schad, Rowland, Shumake, Cauthorn, Funderburk, Hinson, Hampton, Cross, Crawford, Brattin, Davis, White, Frederick, McCaherty, Berry, Barnes, Lant, Reiboldt, Fuhr, Brown (85), Fitzwater, Leach, Cookson, Fraker, Bahr, Wyatt, Haefner, Marshall, Conway (14), Guernsey, Asbury, Largent, Molendorp, Cox, Bernskoetter, Redmon, Klippenstein, Zerr and Franz, relating to carrying concealed firearms in the state capitol building.

**HB 779**, introduced by Representatives Hummel, Carter, Kratky, Colona and Carlson, relating to remediation tax credits.

**HB 780**, introduced by Representatives Oxford, Carter, Pace, Walton Gray, Atkins, Talboy, Ellinger, Hughes, Casey and Holsman, relating to job growth.



## COMMUNICATION

March 2, 2011

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. In reference to House Bill No. 258, The Schupp Co., Inc. does work for Miller/Coors Brewing.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Respectfully,

/s/ Jill Schupp  
District 82

The following member's presence was noted: Diehl.

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 8, 2011.

## COMMITTEE MEETINGS

### AGRICULTURE POLICY

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 633

Executive session may be held on any matter referred to the committee.

### BUDGET

Tuesday, March 8, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Overview of HCS House Bills 1 through 13.

### BUDGET

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Overview of HCS House Bills 1 through 13.

CHILDREN AND FAMILIES

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 515, HB 636, HB 683  
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 7.  
Public hearing will be held: HB 658  
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 10, 2011, 8:30 AM House Hearing Room 4.  
Public hearing will be held: HB 657, HB 493, HB 697  
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, March 8, 2011, 5:00 PM House Hearing Room 7.  
Public hearing will be held: HCR 38, HB 385, HB 541, HB 670  
Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 8, 2011, 8:15 AM House Hearing Room 5.  
Public hearing will be held: SJR 2, SB 3, HB 478, HB 629, HB 521, HB 121  
Executive session will be held: HB 503  
Executive session may be held on any matter referred to the committee.  
AMENDED

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, March 8, 2011, 8:00 AM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
Work session; no public testimony.

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, March 8, 2011, 7:00 PM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
Possible work session; no public testimony.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 639, HB 511  
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, March 10, 2011, 8:00 AM South Gallery.  
Executive session may be held on any matter referred to the committee.

#### GENERAL LAWS

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 108, HB 491

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 197, HB 392, HB 580, HB 563

Executive session will be held: HB 110

Executive session may be held on any matter referred to the committee.

Bills to be heard in the order shown.

#### HEALTH INSURANCE

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 609

Executive session may be held on any matter referred to the committee.

#### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 10, 2011, 9:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

1<sup>st</sup> Quarter Meeting.

AMENDED

#### LOCAL GOVERNMENT

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 534, HB 675, HB 737, HB 710, HB 625, HB 438

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 664, HB 665, HB 241

Executive session may be held on any matter referred to the committee.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, March 8, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 34

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, March 8, 2011, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Work session on Proposition C; review of sections in HB 613.

#### TAX REFORM

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 425, HB 740, HB 106

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 307, HB 291, HB 713

Executive session may be held on any matter referred to the committee.

AMENDED

**UTILITIES**

Tuesday, March 8, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 42, HB 711, HB 501

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-FIFTH DAY, TUESDAY, MARCH 8, 2011

**HOUSE BILLS FOR SECOND READING**

HB 769 through HB 780

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HJR 2 - McGhee
- 3 HJR 6 - Cierpiot

**HOUSE BILLS FOR PERFECTION**

- 1 HB 167, as amended, HA 2, pending, - Nolte
- 2 HCS HB 329 - Diehl
- 3 HCS HB 213 - Jones (89)
- 4 HCS HB 131 - Cox
- 5 HCS HB 266 - Smith (150)
- 6 HB 339 - Pollock
- 7 HB 434 - Nolte

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black

- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara
- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-FIFTH DAY, TUESDAY, MARCH 8, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*You are my God, and I will praise You; You are my God, I will exalt You. (Psalm 118:28)*

Our Heavenly Father, in Whom we live and move and have our being, so fill us with Your spirit that we may not yield to temptation on this Mardi Gras, but be strengthened with inward power for outward tasks. May we meet our obligations with honor, our duties with faith, and our responsibilities with a high regard for the good of all.

Stimulate us with those deep and abiding convictions which keep our state of Missouri strong, which makes our houses of worship vital, and fill our homes with love and joy and peace. May noble virtues live nobly in us, and may we give them hands and feet in our day and for this hour in which we live. And the House says, "Amen"!

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kaitlin McClaskey, Kenaniah McClaskey, Cole Herman, Saylor Herman, Kai Herman, Gaela Jenks, Makayla Green, Jacob Green, Hunter Caldwell, Zoe Achilleus, Uriel Achilleus, Sara Nema, Lindsey Farris, Gwendolyn Farris, Jeremy Schneiderjohn and Nathan Schneiderjohn.

The Journal of the thirty-fourth day was approved as corrected.

## SPECIAL RECOGNITION

Country recording artist and auctioneer Leroy Van Dyke of Smithton, Missouri, was introduced by Representatives Brown (116) and Cox and recognized as an Outstanding Missourian.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 913 through House Resolution No. 957

## SECOND READING OF HOUSE BILLS

**HB 769** through **HB 780** were read the second time.

Representative Smith (150) assumed the Chair.

**PERFECTION OF HOUSE JOINT RESOLUTION**

**HJR 2**, relating to religious freedom in public places, was taken up by Representative McGhee.

On motion of Representative McGhee, **HJR 2** was ordered perfected and printed by the following vote:

AYES: 131

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Molendorp
Nance	Neth	Nolte	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman
Mr Speaker				

NOES: 031

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Curls	Ellinger	Hubbard	Hughes
Jones 63	Kelly 24	Kirkton	May	McCann Beatty
McDonald	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Peters-Baker	Pierson	Schupp
Smith 71	Spreng	Still	Talboy	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 001

Meadows

Speaker Pro Tem Schoeller assumed the Chair.

## PERFECTION OF HOUSE BILL

**HCS HB 266**, relating to vehicles hauling livestock, was taken up by Representative Smith (150).

**HCS HB 266** was laid over.

## LETTER OF RESIGNATION

March 8, 2011

Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to RSMo, 21.090, I hereby submit my resignation, effective today at 12:00 noon, as state representative for the 41<sup>st</sup> District so that I may take the oath of office as state senator for the 9<sup>th</sup> District.

I furthermore request, pursuant to the same section, that you immediately notify the governor of said resignation so that he may call a special election for the 41<sup>st</sup> District seat in the House of Representatives.

Sincerely,

/s/ Shalonn "Kiki" Curls  
Representative, 41<sup>st</sup> District  
Senator-Elect, 9<sup>th</sup> District

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

## AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

## PERFECTION OF HOUSE BILLS

**HCS HB 266**, relating to vehicles hauling livestock, was again taken up by Representative Smith (150).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis



Day	Denison	Dieckhaus	Elmer	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Sprenge	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 010

Atkins	Diehl	Dugger	Entlicher	Franz
May	Meadows	Scharnhorst	Schneider	Wells

VACANCIES: 001

On motion of Representative Smith (150), **HCS HB 266** was adopted by the following vote:

AYES: 102

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Elmer	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty

Molendorp	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Brown 50	Carlson	Carter	Colona
Conway 27	Denison	Ellinger	Fuhr	Funderburk
Gosen	Higdon	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Marshall	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Montecillo	Nance
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Scharnhorst	Schieber	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Walton Gray	Webb	Webber
Weter	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 008

Atkins	Diehl	Dugger	Entlicher	Gatschenberger
Lauer	May	Meadows		

VACANCIES: 001

On motion of Representative Smith (150), **HCS HB 266** was ordered perfected and printed.

**HB 339**, relating to telecommunications, was taken up by Representative Pollock.

Representative Pollock offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 339, Section 392.460, Page 4, Line 122, by removing from said line the phrase:

“**one million**” and inserting in lieu thereof the phrase:

“**eight hundred thousand**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Holsman offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 339, Page 5, Section 392.460, Line 127, by inserting after all of said line the following:

**"15. A petition may be submitted to the registered agent for the original carrier of last resort to make local voice service available if the exclusive contract with the alternative service provider materially and adversely changes or local voice services are no longer being provided. Such petition shall be submitted by fifty percent plus one of the residents within the exclusive contract area. After receipt of the petition, the local exchange carrier shall respond to such petition within thirty days.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 2** was adopted.

Representative Jones (117) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Bill No. 339, Page 4, Section 392.460, Line 110, by inserting after the phrase:

"any technology" on said line the following:

**"If a telecommunications company uses a wireless technology, such company shall meet such obligations by using a technology that provides 911 caller location technology that meets or exceeds wireless Phase II enhanced 911 rules requirements, as adopted by the Federal Communications Commission.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 3** was adopted.

On motion of Representative Pollock, **HB 339, as amended**, was ordered perfected and printed by the following vote:

AYES: 110

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Carter	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Elmer	Faith	Fisher	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson

Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 043

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Hummel	Kander	Kelly 24
Kirkton	Kratky	Marshall	McCann Beatty	McDonald
McGeoghegan	McManus	Montecillo	Newman	Nichols
Oxford	Pierson	Quinn	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Webber	Wright	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 009

Dugger	Entlicher	Fitzwater	Lampe	May
McNeil	Meadows	Rizzo	Schneider	

VACANCIES: 001

**HB 167, as amended, with House Amendment No. 2, pending,** relating to driver's license examinations, was taken up by Representative Nolte.

Representative Rizzo offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Bill No. 167, Page 1, Line 13, by inserting immediately after the word "**understand,**" the following:

**"only if offered in the language by the department of revenue under current law,"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rizzo moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Kirkton moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Fallert offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Bill No. 167, Page 2, Section 302.173, Line 35, by inserting after the word “**section.**” the following:

**“Notwithstanding any other provision of law, examinations conducted under the authority of this section must be administered in the English language to all drivers prior to driving on roads located in the State of Missouri. [”]; and**

Further amend said bill, page, section, Line 42, by inserting a closing bracket, “]” after the word “vehicle.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fallert moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 025

Anders	Atkins	Black	Carlson	Casey
Colona	Conway 27	Fallert	Harris	Hodges
Hughes	Kratky	McDonald	McNeil	Nasheed
Newman	Nichols	Pierson	Quinn	Schieffer
Shively	Smith 71	Spreng	Swearingen	Walton Gray

NOES: 129

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Ellinger	Elmer	Entlicher
Faith	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McGeoghegan	McGhee	McManus
McNary	Molendorp	Montecillo	Nance	Neth
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Schupp	Shumake	Sifton	Silvey	Smith 150
Solon	Still	Stream	Swinger	Talboy
Taylor	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Dugger	Fitzwater	Guernsey	Klippenstein	May
Meadows	Scharnhorst	Thomson		

VACANCIES: 001

Representative Parkinson assumed the Chair.

Representative Oxford offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Bill No. 167, Page 2, Section 302.173, Line 35, by inserting after the word “**section.**” the following:

**“If an applicant fails to pass the driver’s license exam, the state shall offer to pay for the applicant to attend English as a second language classes.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

**HB 167, as amended**, was laid over.

**REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 2** - Fiscal Review (Fiscal Note)

**COMMITTEE REPORTS**

**Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 503**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 490**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 546**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Insurance Policy**, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 525**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 88**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rural Community Development**, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 34

WHEREAS, the Mark Twain National Forest, the only national forest in Missouri, is 1.5 million acres spread across 29 counties, with 1.4 million acres open to public hunting, 14 floatable streams, and 16 lakes ranging from 3 to 44 acres; and

WHEREAS, the Mark Twain National Forest is located in southern and central Missouri, and extends from the St. Francois Mountains in the southeast to dry rocky glades in the southwest, from the prairies lands along the Missouri River to the nation's most ancient mountains in the south; and

WHEREAS, the Mark Twain National Forest is popular with hunters, trappers, anglers, and persons who enjoy observing, studying, and photographing wildflowers and wildlife; and

WHEREAS, the Mark Twain National Forest has approximately 320 species of birds, 75 species of mammals, and 125 species of amphibians and reptiles; and

WHEREAS, named after Missouri native, Mark Twain, the National Forest gets a variety of visitors through the year, including spring and fall, when color changes the forest; and

WHEREAS, on January 8, 2009, the United States Forest Service Travel Management Rule, 36 CFR 212, Subpart B, became effective. This Rule requires each national forest or ranger district to designate those roads, trails, and areas open to motor vehicles; and

WHEREAS, the designations under the Rule include class of vehicle and, where appropriate, time of year for motor vehicle use; and

WHEREAS, once these designations are completed, the Rule will prohibit motor vehicle use off the designated system or inconsistent with the designations; and

WHEREAS, these designations will be made locally, with public input and in coordination with state, local, and tribal governments; and

WHEREAS, these designations will be shown on a motor vehicle map, with any use inconsistent with those designations prohibited; and

WHEREAS, the Travel Management Rule limits access to areas of the forest, especially for the disabled and elderly. Many disabled and elderly persons enjoy hunting, fishing, and observing nature and wildlife; and

WHEREAS, many areas of the forest are only accessible by hiking, so further restrictions on motor vehicle usage in the National Forest will significantly reduce access to the wide range of learning and recreational opportunities available in the Mark Twain National Forest:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Forest Service to amend or rescind the Travel Management Rule, 36 CFR 212, Subpart B, and allow an increase in motor vehicle access to areas of the Mark Twain National Forest; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Tom Tidwell, Chief of the United States Forest Service, and each member of the Missouri Congressional Delegation.

**Committee on Tax Reform, Chairman Funderburk reporting:**

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HJR 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 36**, introduced by Representatives Kander, McNary and Schupp, relating to the general assembly.

**INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 781**, introduced by Representatives Torpey, Grisamore, Molendorp, Peters-Baker, Rizzo, Hoskins, Largent, Scharnhorst, Schad, Smith (150) and Guernsey, relating to child molestation in the first degree.

**HB 782**, introduced by Representative Cauthorn, relating to the designation of motorcycle awareness month.



**HB 783**, introduced by Representatives Berry, Scharnhorst, Bernskoetter, Schieber, Richardson, Wallingford, Nolte, Crawford, Houghton, Lant, Reiboldt, Faith, Nance, Fraker, Lasater, Barnes, Frederick, Brattin, Davis, Brown (85), Fuhr, Zerr, Allen, Kelly (24), Lauer, Kelley (126), Long, Burlison, Swearingen, Anders, Peters-Baker, Conway (27), Fitzwater, Leach, Franklin, Wyatt, Asbury, Taylor, Redmon, Klippenstein, McCaherty, Wieland, White, Higdon, Brown (116), Diehl, Neth, Korman, Rowland, Marshall, McGhee, Bahr, Johnson, Entlicher, Cierpiot and Silvey, relating to small business development.

**HB 784**, introduced by Representatives Riddle and Cox, relating to motor vehicle and driver registration records.

**HB 785**, introduced by Representative Riddle, relating to products liability.

**HB 786**, introduced by Representatives Franklin, Lant, Lichtenegger, Davis, Entlicher, Flanigan, Conway (14), Wyatt, Haefner, Reiboldt, Berry, Brown (85), Silvey, Pollock, Kelley (126), Houghton, Johnson, Wallingford, Gatschenberger, Phillips, Fisher, Lair, Hampton, Schad, Cox, White, Higdon, Day, Frederick, Redmon, Brattin, Barnes and Fraker, relating to nonprofit fee offices.

**HB 787**, introduced by Representatives Wells, Pollock, Largent, Taylor and Brown (116), relating to residential mortgage loan brokers.

**HB 788**, introduced by Representative Fisher, relating to workers' compensation law.

**HB 789**, introduced by Representatives Johnson, Houghton, Franklin, Guernsey, Thomson, Loehner, Entlicher and Berry, relating to a sales tax exemption for farm products sold at farmers' markets.

**HB 790**, introduced by Representatives Marshall, Cierpiot, Higdon, Fuhr and Fitzwater, relating to the water patrol division of the Missouri state highway patrol.

**HB 791**, introduced by Representatives Marshall, Conway (14), Fuhr and Fitzwater, relating to DNA profiling analysis.

**HB 792**, introduced by Representatives Marshall, Cierpiot, Higdon, Fuhr and Fitzwater, relating to the state highway patrol.

**HB 793**, introduced by Representatives Nance and Pace, relating to public assistance benefits for children.

**HB 794**, introduced by Representatives Spreng, Scharnhorst, Schieffer, Shively, Taylor, Jones (89) and Quinn, relating to storm water management.

**HB 795**, introduced by Representatives Kelley (126), Tilley, Brattin, Bahr, Parkinson, Conway (14), Redmon, Johnson, Talboy, Hinson, McCaherty, Lant, Schieber, Cross, Fitzwater, Leach, Fraker, Barnes, Wallingford, Torpey, Rizzo, Pollock, Schatz, Wells, Phillips, Carter, Curls, Fallert, Lampe, Kratky, Meadows, Anders, Spreng, Harris, May, Casey, Montecillo, Hodges, Conway (27), Brown (85), Haefner, Frederick, Jones (117), Rowland, Holsman, Smith (150), Fuhr, Molendorp, Hummel, Nolte, Fisher, Denison, McNeil, Marshall, Berry, Reiboldt, Jones (63), Kirkton, Taylor, Wyatt, Largent, Jones (89), Guernsey, Grisamore, Colona, Wright, Lair, Day, Higdon, Neth, Houghton, Lauer, Gatschenberger, Long, Korman, Silvey, Dugger, Brown (116), Koenig, Crawford, Franklin, Gosen, Brown (50), Nasheed, Kelly (24), Still, Pace, Aull, McDonald, Quinn, Shively, Black, Sifton, Swinger, Webber, Kander, Zerr, Richardson, White, Davis, McNary, Hoskins, Wieland, Diehl, Asbury, Burlison, Lasater, Funderburk, Klippenstein, Sater, Bernskoetter, McGhee, Pierson, Smith (71), Swearingen, Oxford, Ruzicka, Shumake, Carlson, McManus, Ellinger, McGeoghegan, Nance, Hampton, Hubbard, Faith, Entlicher, Elmer, Flanigan, Allen, Riddle, Schoeller, Bandom, Franz, Newman, Walton Gray, Dieckhaus, Schneider, Curtman, Keeney and Schupp, relating to the designation of school read-in day.

**HB 796**, introduced by Representatives Schupp, Diehl, Walton Gray, Carlson and Meadows, relating to third party candidates.

**HB 797**, introduced by Representatives Korman and Cauthorn, relating to the state land survey program.

**HB 798**, introduced by Representative Brown (85), relating to the designation of a memorial bridge.

**HB 799**, introduced by Representatives Carlson, McGhee, Berry, Webber, Lasater, Quinn, Newman, Curls, Ellinger, Spreng, Smith (71), Pace, Swearingen, Hubbard, Kelly (24), Carter, Oxford, McDonald, Atkins, Walton Gray, Rizzo, Meadows, Pierson, Nasheed, Jones (63), Brown (50), Schupp, Montecillo, Webb, McNeil, McGeoghegan, Kirkton, Wieland, McCann Beatty and Talboy, relating to repealing the death penalty.

**HB 800**, introduced by Representatives Stream, McNeil, Kirkton and Montecillo, relating to school discipline.

## **COMMITTEE APPOINTMENT**

March 8, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Gail McCann Beatty to the Committee on Budget.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 9, 2011.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Thirty-fourth day, Monday, March 7, 2011, Page 537, Line 1, by inserting immediately after said line the following:

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 504** - Judiciary

### **COMMITTEE MEETINGS**

#### **BUDGET**

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Overview of HCS House Bills 1 through 13.

#### **BUDGET**

Thursday, March 10, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Overview of HCS House Bills 1 through 13.

#### **BUDGET**

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Bills to be considered: HCS House Bills 1 through 13.

#### **BUDGET**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Bills to be considered: HCS House Bills 1 through 13.

#### **CHILDREN AND FAMILIES**

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 515, HB 636, HB 683  
Executive session may be held on any matter referred to the committee.

#### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 658

Executive session may be held on any matter referred to the committee.

#### DOWNSIZING STATE GOVERNMENT

Thursday, March 10, 2011, 8:30 AM House Hearing Room 4.

Public hearing will be held: HB 657, HB 493, HB 697

Executive session may be held on any matter referred to the committee.

#### ELECTIONS

Wednesday, March 9, 2011, 2:00 PM House Hearing Room 1.

Public hearing will be held: HB 121, SJR 2, SB 3

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 639, HB 511

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Thursday, March 10, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

#### FINANCIAL INSTITUTIONS

Wednesday, March 9, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 132, HB 550, HB 656

Executive session may be held on any matter referred to the committee.

#### CORRECTED

#### FISCAL REVIEW

Wednesday, March 9, 2011, 4:30 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

#### HEALTH CARE POLICY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 197, HB 392, HB 580, HB 563

Executive session will be held: HB 110

Executive session may be held on any matter referred to the committee.

Bills to be heard in the order shown.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 9, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: SCS SB 19

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - OVERSIGHT SUBCOMMITTEE

Thursday, March 10, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Contested fiscal notes: HCS HBs 73 & 47, HB 101, HB 139, HCS HB 641, SB 236

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 10, 2011, 9:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

1<sup>st</sup> Quarter Meeting.

AMENDED

JUDICIARY

Wednesday, March 9, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 374, HB 505, HB 504, HB 530

Executive session may be held on any matter referred to the committee.

AMENDED

LOCAL GOVERNMENT

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 534, HB 675, HB 737, HB 710, HB 625, HB 438

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 9, 2011, House Hearing Room 5.

12:00 PM; or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 496, HB 677, HB 495, HB 134, HB 499

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 664, HB 665, HB 241

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, March 9, 2011, 2:30 PM House Hearing Room 4.

Public hearing will be held: HR 900

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 9, 2011, 2:45 PM House Hearing Room 4.

Executive session will be held: HCS HB 29, HCS HJR 8, HJR 29, HB 252, HB 361,

HCS HBs 411 & 421, HCS HB 431, HCS HB 38, HB 68, HB 98, HB 118, HB 183,

HCS HBs 187 & 54, HB 263, HCS HB 287, HCS HBs 294, 123, 125, 113, 271, & 215,

HB 340, HCS HB 344, HB 462, HB 503, HCS HB 578

Executive session may be held on any matter referred to the committee.

HCS HB 338 WILL NOT BE HEARD.

AMENDED

**SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY**

Thursday, March 10, 2011, 9:00 AM House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

Work Group on Prop. C.

**TAX REFORM**

Wednesday, March 9, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 425, HB 740, HB 106

Executive session may be held on any matter referred to the committee.

**TOURISM AND NATURAL RESOURCES**

Thursday, March 10, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HJR 15, HB 545, HCR 15, HB 192

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, March 10, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 678, HB 662

Executive session will be held: HB 324, HB 354, HB 484, HB 548

Executive session may be held on any matter referred to the committee.

**URBAN ISSUES**

Monday, March 14, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 738, HB 667, HB 660, HB 643

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, March 10, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 744, HB 745

Executive session will be held: HB 286, HB 312

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 9, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 36

**HOUSE BILLS FOR SECOND READING**

HB 781 through HB 800

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HJR 6 - Cierpiot

**HOUSE BILLS FOR PERFECTION**

- 1 HB 167, as amended - Nolte
- 2 HCS HB 329 - Diehl
- 3 HCS HB 213 - Jones (89)
- 4 HCS HB 131 - Cox
- 5 HB 434 - Nolte

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/2/2011)

- 1 HCS HB 83 - Nolte
- 2 HB 109 - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara
- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 174 - Thomson
- 2 HCS HB 112 & 285 - Day

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis



# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 9, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The Lord is my light and my salvation; whom shall I fear? (Psalm 27:1)*

Eternal God and Father of all, facing responsibilities that tower above us like threatening waves beyond our power to meet adequately - we bow in Your presence, praying for the strengthening uplift of Your Holy Spirit. In quiet confidence we come with humble and contrite hearts, on this Ash Wednesday morning, acknowledging with the Psalmist - *The Lord is the strength of my life, my light, and my salvation.*

As we face the tasks of this day, help us to be conscious of Your presence, and eager to do Your will and to work for the good of our state.

In this time of tumult, through these days of economic uncertainty, give us a steadiness of purpose, a devotion to duty, and a determination to complete the work we are called to do. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Adam Hart, Jason Hart, Abby Hart, Kyle Bernskoetter, Krista Bernskoetter and Luke Bernskoetter.

The Journal of the thirty-fifth day was approved as printed.

## SPECIAL RECOGNITION

The Nevada R-V High School Lady Tigers Softball Team was introduced by Representative Fisher and recognized for attaining the 2010-2011 Class 3 State Championship.

## HOUSE RESOLUTION

Representatives Cox and Kelly (24) offered House Resolution No. 1003.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 958 through House Resolution No. 1002

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 36** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 781** through **HB 800** were read the second time.

## PERFECTION OF HOUSE BILLS

**HB 167, as amended**, relating to driver's license examinations, was taken up by Representative Nolte.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 004

Berry	Meadows	Webber	Zimmerman
-------	---------	--------	-----------

VACANCIES: 001

On motion of Representative Nolte, **HB 167, as amended**, was ordered perfected and printed.

**HCS HB 213**, relating to abortions, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 213, Page 1, Section 188.015, Lines 5-9, by deleting all of said lines and inserting in lieu thereof the following:

**“(a) the act of using or prescribing any instrument, device, medicine, drug, or any other means or substance with the intent to destroy the life of an embryo or fetus in his or her mother's womb; or**

**(b) the intentional termination of the pregnancy of a mother by using or prescribing any instrument, device, medicine, drug, or any other means or substance with an intention other than to increase the probability of a live birth or to remove a dead or dying unborn child.”; and**

Further amend said bill, Section 118.030, Page 3, Line 31, by deleting all of said line and inserting in lieu thereof the following:

**“2. Except in the case of a medical emergency:  
(1) Prior to performing or inducing”; and**

Further amend said bill, Section 118.030, Page 3, Lines 55-56, by deleting all of said lines and inserting in lieu thereof the following:

**“(4) (a) If the physician determines that the unborn child is viable, the physician”; and**

Further amend said bill and section, Page 5, Lines 108-116, by deleting all of said lines and inserting in lieu thereof the following:

**“4. Any physician who pleads guilty to or is found guilty of performing or inducing an abortion of an unborn child in violation of this section shall be subject to suspension or revocation of his or her license to practice medicine in the state of Missouri by the State Board of Registration for the Healing Arts pursuant to the provisions of sections 334.100 and 334.103.**

**5. Any hospital licensed in the state of Missouri that knowingly allows an abortion of an unborn child to be performed or induced in violation of this section may be subject to suspension or revocation of its license under the provisions of section 197.070.**

**6. Any ambulatory surgical center licensed in the state of Missouri that knowingly allows an abortion of an unborn child to be performed or induced in violation of this section may be subject to suspension or revocation of its license under the provisions of section 197.220.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Peters-Baker offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 213, Section 188.030, Page 6, Lines 128-131, by deleting all of said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Peters-Baker moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative McNeil offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 213, Page 2, Section 188.015, Lines 31-34, by deleting all of said lines and inserting in lieu thereof the following:

**““Viable”, a physician’s reasonable medical judgement, in accordance with accepted obstetrical and neonatal standards of care and practice, there is a reasonable likelihood that the unborn child can sustain a meaningful quality of life outside the mother’s womb with or without artificial support.”; and**

Further amend said bill and Section 188.030, Page 3, Lines 40-41, by deleting all of said lines and inserting in lieu thereof the following:

**“(2) Prior to performing or inducing an abortion upon the woman, the”;** and

Further amend said bill, section and page, Lines 48-49, by deleting all of said lines and inserting in lieu thereof the following:

**“(3) If the physician determines that the unborn child is not viable and performs or”;** and

Further amend said bill, section and page, Lines 55-56, by deleting all of said lines and inserting in lieu thereof the following:

**“(4) (a) If the physician determines that the unborn child is viable, the physician”;** and

Further amend said bill and section, Page 4, Lines 61-66, by deleting all of said lines and inserting in lieu thereof the following:

**“(b) A physician may proceed with performing or inducing an abortion upon a woman when it has been determined that the unborn child is viable. The physician shall certify in writing if a medical threat is posed to the life of the pregnant woman. Upon completion of the abortion, the physician shall report the reasons”;** and

Further amend said bill, section and page, Lines 71-83, by deleting all of said lines from the bill and renumbering the remaining subsections of this section of the bill accordingly; and

Further amend said bill and section, Page 5, Lines 103-121, by deleting all of said lines from the bill and renumbering the remaining sections of the bill accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HCS HB 213, as amended, with House Amendment No. 3, pending**, was laid over.

### **REFERRAL OF HOUSE RESOLUTIONS**

The following House Resolutions were referred to the Committee on Rules:

**HR 571, HR 696, HR 787 and HR 1003.**

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HCS HB 266** - Fiscal Review (Fiscal Note)

### **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 2** (Fiscal Review), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 266** (Fiscal Review), begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Agriculture Policy**, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 17**

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these Rivers (estimated to be \$6 billion) as it does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for a better data based upon new hydrology and flow studies and the need to study tributaries to the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the River; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructures, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantify the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H is totally unacceptable to Lincoln, Pike, and St. Charles Counties and we ask the Missouri Congressional Delegation to support modifications of the comprehensive plan, by the Corps of Engineers, to this plan; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

**Committee on Economic Development, Chairman Zerr reporting:**

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 336**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:**

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 197**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 300**, **HB 334** and **HB 387**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 423**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 369**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Tax Reform**, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 470** and **HB 429**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation Funding and Public Institutions**, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE CONCURRENT RESOLUTION NO. 23

WHEREAS, bicycling and walking are essential to millions of Missourians as basic transportation and enjoyed by millions of Missourians as healthful recreation and as part of a healthy lifestyle; and

WHEREAS, encouraging and promoting a complete network of safe bicycle and pedestrian ways and routes is essential for those Missourians who rely on bicycling and walking for transportation, recreation, and health; and

WHEREAS, a safe and complete bicycle and pedestrian system is important for Missouri's economy and economic development; and

WHEREAS, world-class bicycling and walking facilities help promote Missouri as a leading tourist and recreation destination; and

WHEREAS, walking and bicycling improve the public health and reduce treatment costs for conditions associated with reduced physical activity, including obesity, heart disease, lung disease, and diabetes; and

WHEREAS, the United Health Foundation estimates direct medical costs associated with physical inactivity in Missouri at \$1.9 billion in 2008, and projects an annual cost for Missouri of over \$8 billion per year by 2018 if current trends continue; and

WHEREAS, the annual per capita cost of obesity is \$450 per Missourian, among the highest per capita costs of any state in the United States; and

WHEREAS, promoting walking and bicycling for transportation improves Missouri's environment, reduces congestion, reduces the need for expensive expansion of our road and highway systems, and reduces our dependence on foreign energy supplies; and

WHEREAS, creating healthy, walkable, bicycleable, and livable communities helps keep Missouri competitive in the global competition for high quality businesses and motivated, creative workers who consider transportation and recreation options an essential part of a healthy community; and

WHEREAS, Missourians who reach retirement age choose more often to walk and bicycle for fitness, recreation, enjoyment, and transportation; and

WHEREAS, citizens with disabilities often rely on walking, bicycling, and transit to meet basic transportation needs and to make connections with the transit system, face great obstacles within our current transportation system, and benefit greatly from complete and well designed accommodations for bicycling and walking; and

WHEREAS, all transit users depend on walking and bicycling to complete at least part of each transit trip; and

WHEREAS, the number of Missouri students who walk and bicycle to school has dropped dramatically over the past forty years, with 50% of students walking or bicycling in 1975 but only 15% in 2005. In the same period, the percentage of children clinically defined as overweight has increased from 8% to 25%; and

WHEREAS, the principles of Complete Streets are designed to create a transportation network that meets the needs of all users of the state's transportation system: pedestrians of all ages and abilities, bicyclists, disabled persons, public transportation vehicles and patrons, and those who travel in trucks, buses, and automobiles; and

WHEREAS, the term "Complete Streets" means creating roads, streets, and communities where all road users can feel safe, secure, and welcome on our roads and streets and throughout our communities; and

WHEREAS, the terms "livable streets" and "comprehensive street design" are also used to identify these same concepts; and

WHEREAS, coordination and cooperation among many different agencies and municipalities is required to fully implement Complete Streets and create a complete, connected, and safe transportation network for walking and bicycling; and

WHEREAS, the cities of Elsberry, Pevely, Herculaneum, Crystal City, Festus, De Soto, Ferguson, Columbia, Lee's Summit, Kansas City, and St. Louis City have adopted Complete Streets or Livable Streets policies; and

WHEREAS, metropolitan planning organizations in the St. Joseph area, the Kansas City area, and the St. Louis area have adopted Complete Streets policies as part of the long-range planning process:



NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby declare our support for Complete Streets policies and urge their adoption at the local, metropolitan, regional, state, and national levels; and

BE IT FURTHER RESOLVED that the General Assembly encourages and urges the United States Department of Transportation, the Missouri Department of Transportation, the governing bodies of Metropolitan Planning Organizations, and Regional Planning Commissions, municipalities, and other organizations and agencies that build, control, maintain, or fund roads, highways, and bridges in Missouri to adopt Complete Streets policies and to plan, design, build, and maintain their road and street system to provide complete, safe access to all road users; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Ray LaHood, Secretary of the United States Department of Transportation; members of the Missouri Highway and Transportation Commission; the director of each Metropolitan Planning Agency and Regional Planning Commission in the State of Missouri; and the Missouri Municipal League.

**Committee on Rules, Chairman Diehl reporting:**

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 38**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 68**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 89**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 98**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 118**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 183**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 187 & 54**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 252**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 263**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 287**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 294, 123, 125, 113, 271 & 215**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 361**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 411 & 421**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 431**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 503**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 578**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

#### **ADVANCEMENT OF HOUSE BILLS - CONSENT**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 83, HB 109, HB 127, HB 137, HB 142, HB 149, HB 151, HB 153, HB 171, HB 184, HB 186, HB 189, HB 190, HB 204, HB 217, HCS HB 250, HCS HB 338, HCS HB 363, HB 415 and HB 442.**

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 801**, introduced by Representatives Nichols and McNary, relating to the uniform planned community act.

**HB 802**, introduced by Representatives McCaherty, Cross, Wieland, Curtman, Frederick, Parkinson, Lant, Stream, Brown (85), Holsman, Colona, Kratky, Jones (63), Riddle, Fuhr, Brattin and Davis, relating to property damage in the first degree.

**HB 803**, introduced by Representative Hughes, relating to repealing intervention fees for parolees.

**HB 804**, introduced by Representative Hughes, relating to adoption.

**HB 805**, introduced by Representative Hughes, relating to expungement of certain criminal records.

**HB 806**, introduced by Representative Hughes, relating to an economic development grant program.

**HB 807**, introduced by Representative Hughes, relating to use of credit scores by employers.

**HB 808**, introduced by Representative Hughes, relating to the labeling of food.

**HB 809**, introduced by Representative Hughes, relating to state contracts.

**HB 810**, introduced by Representative Hughes, relating to title loans.

**HB 811**, introduced by Representatives Talboy and Tilley, relating to motor vehicle extended service contracts.

**HB 812**, introduced by Representatives Brattin, Molendorp, Largent and McGhee, relating to a special license plate.

**HB 813**, introduced by Representative Dugger, relating to the designation of a memorial bridge.

**HB 814**, introduced by Representatives McDonald, Denison, Kander, Hughes, Talboy, Conway (27), Anders, Cierpiot, Cross, Hodges, McManus, Kratky, Fallert, Hummel, Swinger, Casey, Harris, Lasater, Brown (50), Holsman and Molendorp, relating to the designation of a highway.

**HB 815**, introduced by Representative Scharnhorst, relating to published county financial statements.

**HB 816**, introduced by Representatives Parkinson, McCaherty, Gatschenberger, Conway (14), and Kelley (126), relating to temporary assistance for needy families.

**HB 817**, introduced by Representative Wyatt, relating to temporary assistance for needy families.

**HB 818**, introduced by Representative Denison, relating to motor vehicle dealers.

**HB 819**, introduced by Representative Denison, relating to electronic notifications and forms from the department of revenue.

**HB 820**, introduced by Representative Denison, relating to commercial drivers' licensing.

**HB 821**, introduced by Representatives Bernskoetter, Sater and Denison, relating to pharmacy services.

**HB 822**, introduced by Representative McGhee, relating to escrow funds.

**HB 823**, introduced by Representative Ruzicka, relating to the state park earnings fund.

**HB 824**, introduced by Representative Cookson, relating to transient guest taxes.

**HB 825**, introduced by Representatives Fallert, Denison, Schieffer, Long, McDonald, Hinson and Phillips, relating to motor vehicle registration periods.

**HB 826**, introduced by Representative Schad, relating to prohibiting exceeding certain noise levels on the Lake of the Ozarks.

**HB 827**, introduced by Representatives Allen, Zerr and Lichtenegger, relating to dental hygienists.

## COMMITTEE APPOINTMENTS

March 9, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jonas Hughes to the Committee on Downsizing State Government.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

-----

March 9, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jonas Hughes to the Committee on Small Business.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

The following members' presence was noted: Berry and Webber.

### **ADJOURNMENT**

On motion of Representative Riddle, the House adjourned until 10:00 a.m., Thursday, March 10, 2011.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 653, HB 746

Executive session may be held on any matter referred to the committee.

#### **BUDGET**

Thursday, March 10, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Overview of HCS House Bills 1 through 13.

**CANCELLED**

#### **BUDGET**

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13.

#### **BUDGET**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13.

**DOWNSIZING STATE GOVERNMENT**

Thursday, March 10, 2011, 8:30 AM House Hearing Room 4.

Public hearing will be held: HB 657, HB 493, HB 697

Executive session may be held on any matter referred to the committee.

**ELEMENTARY AND SECONDARY EDUCATION**

Thursday, March 10, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH - OVERSIGHT SUBCOMMITTEE**

Thursday, March 10, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Contested fiscal notes: HCS HBs 73 & 47, HB 101, HB 139, HCS HB 641, SB 236

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, March 10, 2011, 9:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

1<sup>st</sup> Quarter Meeting.

AMENDED

**RETIREMENT**

Thursday, March 10, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 664, HB 665, HB 241

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES**

Monday, March 14, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 557, HB 558, HB 561, HB 562, HB 630, HB 631

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY**

Thursday, March 10, 2011, 9:00 AM House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

Work Group on Prop. C.

**TOURISM AND NATURAL RESOURCES**

Thursday, March 10, 2011, 8:00 AM House Hearing Room 7.

Executive session will be held: HJR 15, HB 545, HCR 15, HB 192

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, March 10, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 678, HB 662

Executive session will be held: HB 324, HB 354, HB 484, HB 548

Executive session may be held on any matter referred to the committee.

**URBAN ISSUES**

Monday, March 14, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 738, HB 667, HB 660, HB 643

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, March 10, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 744, HB 745

Executive session will be held: HB 286, HB 312

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-SEVENTH DAY, THURSDAY, MARCH 10, 2011

**HOUSE BILLS FOR SECOND READING**

HB 801 through HB 827

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HJR 6 - Cierpiot
- 3 HJR 29 - Solon

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 213, as amended, HA 3, pending - Jones (89)
- 3 HCS HB 131 - Cox
- 4 HB 434 - Nolte
- 5 HCS HB 29 - Sater
- 6 HCS HB 89 - Pollock
- 7 HB 252 - Cox
- 8 HCS HBs 294, 123, 125, 113, 271 & 215 - Riddle
- 9 HB 361 - Leara
- 10 HCS HB 411 & 421 - Wyatt
- 11 HCS HB 431 - Franz

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara

579 *Journal of the House*

- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

(3/10/2011)

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98 - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340 - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HJR 2 - McGhee

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 174 - Thomson
- 2 HCS HBs 112 & 285 - Day
- 3 HCS HB 266 - Smith (150)
- 4 HB 339 - Pollock
- 5 HB 167 - Nolte

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HB 83 - Nolte
- 2 HB 109, E.C. - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black



- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-SEVENTH DAY, THURSDAY, MARCH 10, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*O give thanks to the Lord; for He is good; for His mercy endures forever. (Psalm 118:29)*

O God, our Father, Who knows us better than we know ourselves, Whose mercy never lets us down and Whose love never lets us go - by Your spirit help us to take an honest look at ourselves and our frustrations, our fears and the futility that marks our daily lives - so much of which separates us from You and from one another.

Grant to us the assurance of Your forgiving spirit, the consciousness of Your redeeming love and the confidence of Your empowering presence that we may begin again this day to walk in Your way, to believe Your truth and to live Your life. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-sixth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1004 through House Resolution No. 1137

## HOUSE CONCURRENT RESOLUTIONS

Representative Barnes, et al., offered House Concurrent Resolution No. 44.  
Representative Pollock, et al., offered House Concurrent Resolution No. 45.  
Representative Nolte, et al., offered House Concurrent Resolution No. 46.

## SECOND READING OF HOUSE BILLS

**HB 801** through **HB 827** were read the second time.

**THIRD READING OF HOUSE BILLS**

**HCS HB 174**, relating to higher education governing boards, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS HB 174** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Nance
Nasheed	Neth	Nichols	Peters-Baker	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 012

Atkins	Carlson	Ellinger	Hubbard	Hughes
Montecillo	Newman	Oxford	Pace	Pierson
Smith 71	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 008

Faith	Holsman	Meadows	Nolte	Parkinson
Schatz	Webber	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HBs 112 & 285**, relating to tax classification of sawmills, was taken up by Representative Day.

On motion of Representative Day, **HCS HBs 112 & 285** was read the third time and passed by the following vote:

AYES: 116

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 150
Solon	Stream	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 040

Anders	Atkins	Aull	Carlson	Carter
Colona	Ellinger	Franz	Hodges	Hughes
Hummel	Jones 63	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schad
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 006

Faith	Holsman	Meadows	Nolte	Parkinson
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

**HCS HB 266**, relating to vehicles hauling livestock, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 266** was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McNary
Molendorp	Nasheed	Neth	Nichols	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr				

NOES: 046

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Conway 27	Ellinger	Fuhr	Funderburk
Higdon	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	Marshall	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Montecillo	Nance	Newman	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Scharnhorst	Schieber
Schupp	Sifton	Solon	Spreng	Still
Swearingen	Talboy	Walton Gray	Webb	Webber
Weter				

PRESENT: 000

ABSENT WITH LEAVE: 010

Faith	Franz	Gatschenberger	Holsman	Hughes
Meadows	Nolte	Parkinson	Zimmerman	Mr Speaker

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 339**, relating to telecommunications, was taken up by Representative Pollock.

On motion of Representative Pollock, **HB 339** was read the third time and passed by the following vote:

AYES: 106

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Pace	Peters-Baker	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wyatt
Zerr				

NOES: 043

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Hummel	Kander	Kirkton
Kratky	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McManus	Montecillo	Newman	Nichols
Oxford	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Diehl	Faith	Kelly 24	Lampe
McNeil	Meadows	Nolte	Parkinson	Scharnhorst
Schatz	Zimmerman	Mr Speaker		

VACANCIES: 001

Speaker Pro Team Schoeller declared the bill passed.

**HB 167**, relating to driver's license examinations, was taken up by Representative Denison.

Representative Keeney assumed the Chair.

On motion of Representative Denison, **HB 167** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Bernskoetter	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 056

Anders	Atkins	Aull	Barnes	Berry
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Fallert	Gosen	Harris
Hodges	Holsman	Hough	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Phillips	Pierson	Rizzo	Schieber	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen

Talboy	Taylor	Walton Gray	Webb	Webber
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 004

Faith	Meadows	Nolte	Zimmerman	
-------	---------	-------	-----------	--

VACANCIES: 001

Representative Keeney declared the bill passed.

### THIRD READING OF HOUSE JOINT RESOLUTION

**HJR 2**, relating to religious freedom in public places, was taken up by Representative Gosen.

On motion of Representative Gosen, **HJR 2** was read the third time and passed by the following vote:

AYES: 126

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGeoghegan
McManus	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 030

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Hubbard	Hughes	Jones 63	Kelly 24
Kirkton	May	McCann Beatty	McDonald	McNeil
Montecillo	Newman	Nichols	Oxford	Pace



Peters-Baker	Pierson	Schupp	Smith 71	Spreng
Still	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 006

Day	Faith	McGhee	Meadows	Nolte
Zimmerman				

VACANCIES: 001

Representative Keeney declared the bill passed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 31** - Tourism and Natural Resources

**HCR 37** - Health Care Policy

**HCR 43** - Urban Issues

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 23** - Elections

**HJR 30** - Veterans

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 447** - Local Government

**HB 477** - Judiciary

**HB 482** - Health Care Policy

**HB 516** - Crime Prevention and Public Safety

**HB 527** - Transportation

**HB 535** - Elections

**HB 536** - Economic Development

**HB 537** - General Laws

**HB 543** - Elementary and Secondary Education

**HB 552** - Health Insurance

**HB 553** - Professional Registration and Licensing

**HB 586** - Elementary and Secondary Education

**HB 601** - Agri-Business

**HB 602** - Elementary and Secondary Education

**HB 611** - Veterans

**HB 617** - Elementary and Secondary Education

**HB 632** - Professional Registration and Licensing  
**HB 642** - Elementary and Secondary Education  
**HB 647** - Local Government  
**HB 652** - Crime Prevention and Public Safety  
**HB 654** - Veterans  
**HB 663** - Judiciary  
**HB 669** - Health Insurance  
**HB 671** - Economic Development  
**HB 680** - Judiciary  
**HB 691** - Crime Prevention and Public Safety  
**HB 692** - Crime Prevention and Public Safety  
**HB 693** - Crime Prevention and Public Safety  
**HB 695** - Elementary and Secondary Education  
**HB 706** - Utilities  
**HB 709** - Elections  
**HB 712** - Urban Issues  
**HB 715** - Workforce Development and Workplace Safety  
**HB 716** - Special Standing Committee on Renewable Energy  
**HB 717** - Elementary and Secondary Education  
**HB 723** - Elections  
**HB 724** - Crime Prevention and Public Safety  
**HB 725** - Crime Prevention and Public Safety  
**HB 726** - Ways and Means  
**HB 727** - General Laws  
**HB 733** - Corrections  
**HB 735** - Transportation  
**HB 736** - Tax Reform  
**HB 742** - Rural Community Development  
**HB 749** - Children and Families  
**HB 752** - Elementary and Secondary Education  
**HB 755** - Children and Families  
**HB 761** - Utilities  
**HB 763** - Elementary and Secondary Education  
**HB 764** - Elementary and Secondary Education  
**HB 767** - Ways and Means  
**HB 769** - Professional Registration and Licensing  
**HB 770** - Crime Prevention and Public Safety  
**HB 772** - Judiciary  
**HB 773** - Insurance Policy  
**HB 776** - Retirement  
**HB 777** - Crime Prevention and Public Safety  
**HB 778** - General Laws  
**HB 783** - Economic Development  
**HB 787** - Financial Institutions  
**HB 788** - Workforce Development and Workplace Safety  
**HB 794** - Utilities  
**HB 795** - Children and Families

**HB 798** - Transportation  
**HB 812** - Transportation  
**HB 813** - Transportation  
**HB 824** - Ways and Means  
**HB 825** - Transportation

## COMMITTEE REPORTS

### **Committee on Children and Families**, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 28**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 32**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 143**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 259**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Crime Prevention and Public Safety**, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 115**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 121**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on International Trade and Job Creation**, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 731**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **SCS SB 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Tourism and Natural Resources**, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 15

WHEREAS, baseball players called him "Skip" because John Jordan "Buck" O'Neil was the captain of the ship that sent more Negro League veterans ashore to the white Majors than any man in baseball history; and

WHEREAS, Buck O'Neil played briefly in 1937 with the Memphis Red Sox and debuted as a first baseman for the Kansas City Monarchs in 1938. In 1942, O'Neil led the Monarchs to a Negro American League title, hitting .353 during the Negro World Series in the Monarchs four-game sweep of the Homestead Grays; and

WHEREAS, O'Neil's achievements included being named to the East-West All-Star Classic in 1942, 1943, and 1949, managing the West squad in 1950, 1953, 1954, and 1955, and playing for the 1946 Satchel Paige All Stars; and

WHEREAS, in 1944, O'Neil enlisted for a two-year stint with the United States Navy, briefly interrupted his playing career. He returned to the Monarchs in 1946, admitting that he regretted the fact that he was not a member of the Monarchs in 1945 when the great Jackie Robinson played in Kansas City before signing with the Brooklyn Dodgers; and

WHEREAS, in 1948, O'Neil succeeded Frank Duncan as manager of the Kansas City Monarchs, continuing to manage the team until 1955. He guided the Monarchs to league titles in 1948, 1950, 1951, and 1953; and

WHEREAS, in 1956, O'Neil was hired by the Chicago Cubs as a scout, helping the team sign future Hall of Famer Lou Brock, and superstars Oscar Gamble, Lee Smith, and Joe Carter;

WHEREAS, O'Neil's greatest achievement came in 1962 when he became the first African-American coach in the Major Leagues with the Cubs. After 33 years as a Cubbie, he returned home in 1988 to scout for the Kansas City Royals; and

WHEREAS, in 1990, O'Neil began raising money for a museum to preserve and celebrate the history of the Negro Leagues. His efforts led to the opening of the Negro League Baseball Museum in Kansas City, serving as Chair of the Board of Directors from 1990 until his death in 2006. O'Neil also served on the Veterans' Committee of the National Baseball Hall of Fame, was posthumously awarded the Presidential Medal of Freedom, and is a member of the Missouri Sports Hall of Fame; and

WHEREAS, O'Neil gained national prominence with his compelling descriptions of the Negro Leagues as part of Ken Burns' 1994 PBS documentary on baseball; and

WHEREAS, on April 2, 2007, the Kansas City Royals honored O'Neil by placing a fan in the Buck O'Neil Legacy Seat in Kauffman Stadium each game who best exemplifies O'Neil's spirit. The seat is a red seat amidst the all-blue seats behind home plate in Section 127, Seat 9, Row C. The first person to sit in "Buck's seat" was Buck O'Neil's brother, Warren; and

WHEREAS, Buck O'Neil will be remembered as the first African-American coach in Major League Baseball and as one of the finest players in the Negro Leagues. Through his willingness to share his memories of the Negro Leagues, fans everywhere have a greater understanding and deeper appreciation for a significant period in baseball history:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby designate November 13, 2011, as "Buck O'Neil Day" in Missouri and recommends to the people of the state that the day be appropriately observed with activities, events, and ceremonies in honor of the first African-American coach in Major League Baseball; and

BE IT FURTHER RESOLVED that the General Assembly requests that the Governor issue a proclamation setting apart November 13, 2011, as "Buck O'Neil Day" in Missouri; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Governor Jay Nixon.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HJR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 545**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 307**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 828**, introduced by Representative Fisher, relating to the definition of construction for public works projects.

**HB 829**, introduced by Representatives Weter, Zerr and Grisamore, relating to school bullying.

**HB 830**, introduced by Representative Lampe, relating to the farm-to-table advisory board.

**HB 831**, introduced by Representatives Houghton, Redmon, Smith (71), Cauthorn, Klippenstein, Johnson, Lair, Korman, Asbury, Higdon, Leach, Scharnhorst, Brown (116), Oxford, Pollock, Tilley, Long and Schieffer, relating to direct mail marketing.

**HB 832**, introduced by Representatives Wright, Cookson, Hampton, Hoskins and Shively, relating to the Missouri state board of accountancy.

**HB 833**, introduced by Representatives Funderburk, Gosen and Higdon, relating to the advertising of alcoholic beverages.

**HB 834**, introduced by Representative Lampe, relating to retirement benefits for members of the general assembly.

**HB 835**, introduced by Representatives Lampe, Newman, Schieffer, Atkins, Oxford, Kelly (24), Brown (50), Fallert, Taylor, Anders, Walton Gray, McGhee and Pace, relating to school attendance.

**HB 836**, introduced by Representative Scharnhorst, relating to ombudsman services for children with disabilities.

**HB 837**, introduced by Representatives Brattin, Molendorp, Largent, Hoskins, McGhee, Davis, Bahr, Holsman, Kelley (126), Brown (85), Conway (14), Higdon, Fuhr, Long, Burlison and Lasater, relating to inmate charges for medical treatment at correctional facilities.

**HB 838**, introduced by Representatives Brattin, Lichtenegger, Davis, Talboy, Barnes and Lasater, relating to newborn screenings.

**HB 839**, introduced by Representatives Holsman, Schoeller, Lampe, Kelly (24), Talboy, Hummel, Jones (63), Pollock, Silvey, Nance, Wyatt, Hampton, Tilley, Klippenstein, Zerr, Day, Jones (89), Smith (150), Ruzicka, Riddle, Sater, McNeil, Newman, Ellinger, Kirkton, Aull, Smith (71), Hughes, McDonald, Molendorp, Torpey, Kelley (126), Still, Casey, Webber, Carter, Fallert, Black, Schieffer, Nolte, Long, Brattin, Montecillo, Oxford, Atkins, Schneider, Funderburk, Pace, Anders, May, Walton Gray, Swearingen, Harris, Quinn, Schupp, Carlson, Hodges, Kratky, Kander, Sifton, Rizzo, Webb, Brown (50), Nasheed, Taylor, Hoskins, Largent, Spreng, Pierson, Peters-Baker, Wright and Burlison, relating to energy efficiency improvements to certain state buildings.

**HB 840**, introduced by Representatives Jones (117), Diehl, Jones (89), Funderburk, Nolte, Tilley and Zerr, relating to tax incentives to encourage foreign trade.

**HB 841**, introduced by Representatives Fitzwater, Jones (89), Fraker, Asbury, Lasater, Cookson, Barnes, Elmer, Hampton and Redmon, relating to the open carry of firearms.

**HB 842**, introduced by Representatives Conway (27), Fallert, Aull, Still, Hummel, Atkins, Higdon, Talboy, Shively, Rizzo, Carter, Quinn, Colona and Swearingen, relating to the designation of the official state exercise.

**HB 843**, introduced by Representatives Conway (27), Fallert, Aull, Still, Hummel, Atkins, Higdon, Klippenstein, Kelly (24), Talboy, Johnson, Houghton, Davis, Brattin, Fisher, Lair, Brown (116), Funderburk, Shively, Rizzo, Carter, Quinn, Colona, Webber, McManus, Holsman, Molendorp, Lampe, McCann Beatty, Montecillo and Swearingen, relating to city sales taxes for public safety purposes.

**HB 844**, introduced by Representative Denison, relating to foster children.

**HB 845**, introduced by Representatives Curtman, McCaherty, Koenig, Bahr and Wieland, relating to workers' compensation insurance.

**HB 846**, introduced by Representatives Wieland, Casey, Fallert, Harris, McCaherty, Curtman and Koenig, relating to neighborhood improvement districts.

**HB 847**, introduced by Representatives Guernsey, Loehner and Klippenstein, relating to agricultural cooperative corporations.

**HB 848**, introduced by Representatives Fitzwater, Tilley, Colona, Conway (14), Marshall, Kelly (24), Webber, Smith (71), McCann Beatty, Peters-Baker, Zerr, Shively, Jones (63), Smith (150), Taylor, Fallert, Wyatt, Schieber, Schoeller, Shumake, Guernsey, Brown (85), McGhee, Torpey, Pace, Walton Gray, Newman, Still, Aull, Lampe, Rizzo, Meadows, Barnes, Grisamore, Oxford, Weter, Funderburk, Spreng, Sifton, Nasheed, Hubbard, Sater, Ellinger, Reiboldt, Schupp, Montecillo, Talboy, McManus, Hummel, Cross, Allen and Haefner, relating to the University of Missouri board of curators.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 61**, entitled:

An act to repeal section 523.040, RSMo, and to enact in lieu thereof one new section relating to condemnation commissioners.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 63**, entitled:

An act to repeal section 256.400, RSMo, and to enact in lieu thereof two new sections relating to major water users.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 113 & 95**, entitled:

An act to repeal sections 273.327 and 273.345, RSMo, and to enact in lieu thereof four new sections relating to the care of dogs, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 135**, entitled:

An act to repeal sections 260.965 and 414.072, RSMo, and to enact in lieu thereof four new sections relating to environmental protection.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 188**, entitled:

An act to repeal sections 213.010, 213.070, 213.101, and 213.111, RSMo, and to enact in lieu thereof five new sections relating to unlawful discriminatory practices.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 207**, entitled:

An act to repeal section 386.850, RSMo, relating to the Missouri energy task force.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 219**, entitled:

An act to repeal sections 362.111 and 370.073, RSMo, and to enact in lieu thereof two new sections relating to international transactions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 284**, entitled:

An act to repeal sections 338.055 and 338.330, RSMo, and to enact in lieu thereof two new sections relating to the authority of the board of pharmacy, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.



**COMMITTEE APPOINTMENTS**

March 10, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Gail McCann Beatty from the Committee on Financial Institutions and appoint Representative Clem Smith.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

-----  
March 10, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Gail McCann Beatty from the Committee on Tax Reform and appoint Representative Karla May.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, March 14, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 653, HB 746

Executive session may be held on any matter referred to the committee.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, March 16, 2011, 6:00 PM

Dinner at 2125 Missouri Blvd., Jefferson City, MO.

### **BUDGET**

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13

### **BUDGET**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13

### **CRIME PREVENTION AND PUBLIC SAFETY**

Monday, March 14, 2011, 1:00 PM House Hearing Room 7.

Public hearing will be held: HB 540

Executive session may be held on any matter referred to the committee.

Meeting time changed from 1:00 AM to 1:00 PM.

**CORRECTED**

### **ELECTIONS**

Tuesday, March 15, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HJR 33, HB 72, HB 39

Executive session may be held on any matter referred to the committee.

### **FISCAL REVIEW**

Tuesday, March 15, 2011, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### HEALTH INSURANCE

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 528, HB 666, HB 676

Executive session will be held: HB 270

Executive session may be held on any matter referred to the committee.

HB 270 Reconsider for Consent.

#### INSURANCE POLICY

Monday, March 14, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: HB 523, HB 687, HB 696, HB 701

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, March 14, 2011, 3:45 PM House Hearing Room 1.

Executive session will be held: HB 401, HB 423, HCS HB 475, HCS HB 546, HB 731

Executive session may be held on any matter referred to the committee.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 742

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES

Monday, March 14, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 557, HB 558, HB 561, HB 562, HB 630, HB 631

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, March 14, 2011, 1:30 PM House Hearing Room 3.

Prop C Work Group.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, March 15, 2011, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 613

Executive session may be held on any matter referred to the committee.

#### TAX REFORM

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 520, HB 581

Executive session will be held: HB 36, HB 335, HB 425, HB 740

Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Tuesday, March 15, 2011, South Gallery upon morning adjournment or recess.

Executive session may be held on any matter referred to the committee.

**URBAN ISSUES**

Monday, March 14, 2011, 5:00 PM House Hearing Room 5.  
Public hearing will be held: HB 738, HB 667, HB 660, HB 643  
Executive session may be held on any matter referred to the committee.

**VETERANS**

Tuesday, March 15, 2011, 8:30 AM House Hearing Room 1.  
Public hearing will be held: HB 673, HJR 30  
Executive session may be held on any matter referred to the committee.  
**AMENDED**

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, March 14, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: HCR 32  
Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

THIRTY-EIGHTH DAY, MONDAY, MARCH 14, 2011

**HOUSE BILLS FOR SECOND READING**

HB 828 through HB 848

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HJR 6 - Cierpiot
- 3 HJR 29 - Solon

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 213, as amended, HA 3, pending - Jones (89)
- 3 HCS HB 131 - Cox
- 4 HB 434 - Nolte
- 5 HCS HB 29 - Sater
- 6 HCS HB 89 - Pollock
- 7 HB 252 - Cox
- 8 HCS HBs 294, 123, 125, 113, 271 & 215 - Riddle
- 9 HB 361 - Leara
- 10 HCS HBs 411 & 421 - Wyatt
- 11 HCS HB 431 - Franz

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/7/2011)

- 1 HB 229 - Curls
- 2 HB 282 - Franz
- 3 HCS HB 315 - McNary
- 4 HB 358 - Leara
- 5 HB 360 - Leara
- 6 HCS HB 459 - Denison
- 7 HCS HB 465 - Wells

(3/10/2011)

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98 - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340 - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HB 83 - Nolte
- 2 HB 109, E.C. - Wells
- 3 HB 127 - Barnes
- 4 HB 137 - Thomson
- 5 HB 142 - Gatschenberger
- 6 HB 149 - Day
- 7 HB 151 - Kelly (24)
- 8 HB 153 - Black
- 9 HB 171 - Ruzicka
- 10 HB 184 - Dugger
- 11 HB 186 - Entlicher
- 12 HB 189 - Ruzicka

- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz

**SENATE BILLS FOR SECOND READING**

- 1 SB 61
- 2 SB 63
- 3 SS SCS SBs 113 & 95
- 4 SS SB 135
- 5 SCS SB 188
- 6 SB 207
- 7 SCS SB 219
- 8 SB 284

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-EIGHTH DAY, MONDAY, MARCH 14, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

The songwriter reminds us that *Great are the works of the LORD; They are studied by all who delight in them. Splendid and majestic is His work, and His righteousness endures forever. He has made His wonders to be remembered; the LORD is gracious and compassionate. (Psalm 111:2-4)*

O Lord, we pray today that in Your wisdom and goodness that You will raise up for us...

...people like Queen Esther, who understood that her appointment was in accordance to Your will and thus brought great responsibility;

...people like Daniel, who as counselor of the king, spoke truth to him even though it was contrary to the king's desires;

...people like King David, who was a man after Your own heart;

...people like King Solomon, who desired wisdom to lead over Your people;

...people like King Manasseh, who, in spite of his sin, repented of his sins and found Your amazing grace;

...people like Samuel the prophet, who warned the people about having a dependence upon their leaders instead of upon You;

...people like King Josiah, who did what was right in Your eyes and led the nation in following after the things which please You;

...people like the three Hebrew boys, counselors of the king, who feared God more than they feared the king.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-seventh day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1138 through House Resolution No. 1173

## HOUSE CONCURRENT RESOLUTION

Representative Kelley (126), et al., offered House Concurrent Resolution No. 47.

## SECOND READING OF HOUSE BILLS

**HB 828** through **HB 848** were read the second time.

## SECOND READING OF SENATE BILLS

**SB 61, SB 63, SS SCS SBs 113 & 95, SS SB 135, SCS SB 188, SB 207, SCS SB 219, and SB 284** were read the second time.

## PERFECTION OF HOUSE BILL

**HCS HB 213, as amended, with House Amendment No. 3, pending**, relating to abortions, was taken up by Representative Jones (89).

**House Amendment No. 3** was withdrawn.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150



Solon	Stream	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 007

Burlison	Dieckhaus	Nolte	Smith 71	Thomson
Webb	Zimmerman			

VACANCIES: 001

On motion of Representative Jones (89), **HCS HB 213, as amended**, was adopted by the following vote:

AYES: 120

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 037

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Hughes	Jones 63
Kander	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 005

Burlison	Dieckhaus	Nolte	Smith 71	Webb
----------	-----------	-------	----------	------

VACANCIES: 001

On motion of Representative Jones (89), **HCS HB 213, as amended**, was ordered perfected and printed.

Speaker Tilley assumed the Chair.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HJR 6**, relating to the right to vote by secret ballot, was taken up by Representative Cierpiot.

On motion of Representative Cierpiot, **HJR 6** was ordered perfected and printed by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber
Zerr	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 004

Burlison	Dieckhaus	Nolte	Webb
----------	-----------	-------	------

VACANCIES: 001

## PERFECTION OF HOUSE BILLS

**HCS HB 29**, relating to the Volunteer Health Services Act, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 29** was adopted.

On motion of Representative Sater, **HCS HB 29** was ordered perfected and printed.

**HCS HB 89**, relating to funding for natural resources, was taken up by Representative Pollock.

Representative Ruzicka offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 89, Page 2, Section 253.090, Line 18, by inserting immediately after the number “2.” the following:

**“Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. 3.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 89, Page 1, Line 3, by deleting on Line 3 the word "Remaining"; and

Further amend said bill by deleting all of Lines 4 and 5; and

Further amend said bill by adding the following:

"Received from the Taum Sauk Settlement Fund".

Representative Kelly (24) moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Ruzicka, **House Amendment No. 1** was adopted.

On motion of Representative Pollock, **HCS HB 89, as amended**, was adopted.

On motion of Representative Pollock, **HCS HB 89, as amended**, was ordered perfected and printed.

**REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 213** - Fiscal Review (Fiscal Note)

**HB 748** - General Laws

**REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SS SCS SBs 113 & 95** - Agriculture Policy

## COMMITTEE REPORTS

**Committee on Tourism and Natural Resources**, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 192**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 401**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 423**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 475**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 546**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 731**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 229**, **HB 282**, **HCS HB 315**, **HB 358**, **HB 360**, **HCS HB 459**, and **HCS HB 465**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 849**, introduced by Representative Cookson, relating to the school calendar.

**HB 850**, introduced by Representatives Diehl and Richardson, relating to the Missouri cooperative associations act.

**HB 851**, introduced by Representatives Cross, Riddle, Lichtenegger, Richardson, Zerr, Nance, Lauer, Brown (116), McCaherty, Black, Jones (63), Nasheed, Allen, Schneider, Long, Houghton, Fitzwater and McNeil, relating to tanning facilities.

**HB 852**, introduced by Representatives Fitzwater and Hampton, relating to a special license plate.

**HB 853**, introduced by Representatives Nance and Nolte, relating to a sales tax for community centers.

**HB 854**, introduced by Representatives McGeoghegan, Hummel, Colona, Rizzo, McCann Beatty, Oxford, Anders, Walton Gray, Black, Schupp, Smith (71), Hodges, Kratky, Fallert, Quinn, Meadows, Kelly (24), Aull, Atkins, Schieffer, Shively, Talboy, Swinger, Kirkton, Casey, McDonald, Conway (27), Carter, Ellinger, McNeil, Pace, Jones (63), Brown (50), Montecillo, Sifton, Lasater and Lant, relating to an emergency contact database.

**HB 855**, introduced by Representative Johnson, relating to establishment of the parents as teachers advancement fund.

**HB 856**, introduced by Representatives Dugger, Pollock, Entlicher, Diehl, Schoeller, Smith (150), Curtman, Funderburk, Jones (89), Allen, Cauthorn, Koenig, Houghton, Wells, Franz, Fraker, Cox, Crawford and Lichtenegger, relating to initiative and referendum petitions.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 15, 2011.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 653, HB 746

Executive session may be held on any matter referred to the committee.

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, March 16, 2011, 6:00 PM

Dinner at 2125 Missouri Blvd., Jefferson City, MO.

#### **BUDGET**

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13.

#### **BUDGET**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Bills to be considered: HCS House Bills 1 through 13.

#### **CHILDREN AND FAMILIES**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 749, HB 755, HB 795

Executive session may be held on any matter referred to the committee.

#### CORRECTIONS

Wednesday, March 16, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 538, HB 539

Executive session may be held on any matter referred to the committee.

AMENDED

#### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 691, HB 692, HB 693

Executive session may be held on any matter referred to the committee.

#### DOWNSIZING STATE GOVERNMENT

Wednesday, March 16, 2011, South Gallery upon afternoon adjournment.

Executive session will be held: HB 657, HB 697

#### ECONOMIC DEVELOPMENT

Tuesday, March 15, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 536, HB 783, HB 671, HB 734

Executive session may be held on any matter referred to the committee.

#### ELECTIONS

Tuesday, March 15, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HJR 33, HB 72, HB 39

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 463

Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Tuesday, March 15, 2011, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### FISCAL REVIEW

Wednesday, March 16, 2011, House Hearing Room 7, 4:00 PM or upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### GENERAL LAWS

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HCR 42, HJR 26

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 580, HB 392, HCR 37, HB 418, HB 579

Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 528, HB 666, HB 676, HB 318, HB 552, HB 669

Executive session will be held: HB 270

Executive session may be held on any matter referred to the committee.

HB 270 Reconsider for Consent.

AMENDED

#### LOCAL GOVERNMENT

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 447, HB 647

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 15, 2011, South Gallery, 5:00 PM or upon evening adjournment.

Executive session may be held on any matter referred to the committee.

Executive session.

CORRECTED

#### RETIREMENT

Thursday, March 17, 2011, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session will be held: HB 664

Executive session may be held on any matter referred to the committee.

#### RULES

Wednesday, March 16, 2011, 6:30 PM 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee Dinner.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, March 15, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 742

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, March 15, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HB 267

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

AMENDED



**TAX REFORM**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 520, HB 581

Executive session will be held: HB 36, HB 335, HB 425, HB 740

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 689, HB 684, HB 798, HB 812, HB 813, HB 825, HB 527, HB 735

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Tuesday, March 15, 2011, South Gallery, upon morning adjournment or recess.

Executive session may be held on any matter referred to the committee.

**UTILITIES**

Tuesday, March 15, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 210, HB 711

Executive session may be held on any matter referred to the committee.

**VETERANS**

Tuesday, March 15, 2011, 8:30 AM House Hearing Room 1.

Public hearing will be held: HB 673, HJR 30

Executive session may be held on any matter referred to the committee.

**AMENDED**

**HOUSE CALENDAR**

THIRTY-NINTH DAY, TUESDAY, MARCH 15, 2011

**HOUSE BILLS FOR SECOND READING**

HB 849 through HB 856

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

1 HJR 14 - Cox

2 HJR 29 - Solon

**HOUSE BILLS FOR PERFECTION**

1 HCS HB 329 - Diehl

2 HCS HB 131 - Cox

3 HB 434 - Nolte

4 HB 252 - Cox

5 HCS HBs 294, 123, 125, 113, 271 & 215 - Riddle

6 HB 361 - Leara

612     *Journal of the House*

- 7        HCS HBs 411 & 421 - Wyatt
- 8        HCS HB 431 - Franz
- 9        HB 423 - Burlison
- 10       HCS HB 475 - Funderburk
- 11       HCS HB 546 - Diehl
- 12       HB 731 - Parkinson

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/10/2011)

- 1        HCS HB 38 - Pace
- 2        HB 68 - Scharnhorst
- 3        HB 98 - Ruzicka
- 4        HB 118 - Peters-Baker
- 5        HB 183 - Silvey
- 6        HCS HBs 187 & 54 - Conway (27)
- 7        HB 263 - Weter
- 8        HCS HB 287 - Brandom
- 9        HB 340 - Klippenstein
- 10       HCS HB 344 - Guernsey
- 11       HB 462 - Pollock
- 12       HB 503 - Dugger
- 13       HCS HB 578 - Thomson

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1        HCR 9, (2-1-11, Page 277) - Barnes
- 2        HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING**

HCS HB 213, (Fiscal Review 3-14-11) - Jones (89)

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1        HCS HB 83 - Nolte
- 2        HB 109, E.C. - Wells
- 3        HB 127 - Barnes
- 4        HB 137 - Thomson
- 5        HB 142 - Gatschenberger
- 6        HB 149 - Day
- 7        HB 151 - Kelly (24)
- 8        HB 153 - Black
- 9        HB 171 - Ruzicka
- 10       HB 184 - Dugger
- 11       HB 186 - Entlicher

- 12 HB 189 - Ruzicka
- 13 HB 190 - Ruzicka
- 14 HB 204 - Hoskins
- 15 HB 217 - Dugger
- 16 HCS HB 250 - Cox
- 17 HCS HB 338 - Pollock
- 18 HCS HB 363 - Colona
- 19 HB 415 - Richardson
- 20 HB 442 - Franz
- 21 HB 229 - Leara
- 22 HB 282 - Franz
- 23 HCS HB 315 - McNary
- 24 HB 358 - Leara
- 25 HB 360 - Leara
- 26 HCS HB 459 - Denison
- 27 HCS HB 465 - Wells

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-NINTH DAY, TUESDAY, MARCH 15, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Teach me to do Your will, for You art my God: Your spirit is good; lead me into the land of uprightness.  
(Psalm 143:10)*

On this Ides of March O Eternal God, Who is ever pouring out Your spirit upon Your people, we thank You for all those in every age who have opened their hearts to You, for men and women who have dreamed great dreams, seen wonderful visions, and who possessed courage to stand firm for what is right and good for all.

For those who trust in truth amid lies; who stand for justice amid injustice; who walk in good ways amid evil times; who quietly work for unity even when people are splintered; who possess a vision of life with You at the center even when Your presence is denied - we thank You, O God. By Your Spirit help us to be in this number of these great and good people. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chaz Fursman, Rebecca Collins, Elise Collins, Ian Collins, Michael Elmer, Logan Elmer, Nathan Elmer, Andrew Guydos, Sally Williams, Anna Williams, Caroline Pryor, Nathan Murfin, Nick Murfin, Marissa Murfin and Skylar Wilson.

The Journal of the thirty-eighth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1174 through House Resolution No. 1218

## SECOND READING OF HOUSE BILLS

**HB 849** through **HB 856** were read the second time.

## COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 213** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Allen assumed the Chair.

## PERFECTION OF HOUSE BILLS

**HCS HB 431**, relating to foster care and adoption, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 431, Page 5, Section 210.112, Line 108, by deleting the word “**exclusively**” on said line; and

Further amend said bill, Page 7, Section 210.565, Line 29, by inserting at the end of said line the following:

**“5. Recognizing the critical nature of sibling bonds for children, the children's division shall make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless doing so would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the children's division shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the siblings, unless this interaction would be contrary to a sibling's safety or well-being.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Franz offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 431, Page 7, Section 210.565, Line 38, by deleting the word “**shall**” on said line and inserting in lieu thereof the word “**may**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 2** was adopted.

Representative Pace offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 431, Page 7, Section 210.565, Lines 19-22, by deleting all of said lines and inserting in lieu thereof the following:

“child; and

(3) Any foster parent who is currently licensed and capable of accepting placement of the child.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pace, **House Amendment No. 3** was adopted.

On motion of Representative Franz, **HCS HB 431, as amended**, was adopted.

On motion of Representative Franz, **HCS HB 431, as amended**, was ordered perfected and printed.

Speaker Pro Tem Schoeller resumed the Chair.

**HCS HBs 411 & 421**, relating to residents of disability facilities, was taken up by Representative Wyatt.

**HCS HBs 411 & 421**, was laid over.

**PERFECTION OF HOUSE JOINT RESOLUTION**

**HJR 29**, relating to a veterans lottery ticket, was taken up by Representative Solon.

Representative Solon offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Joint Resolution No. 29, Page 2, Section 39(b), Line 19, by striking the word “**money**” and inserting in lieu thereof the following “**net proceeds**”; and

Further amend said line by inserting immediately after the word “**deposited**” the word “**solely**”; and

Further amend said section, Line 21, by striking the first occurrence of the word “The” on said line and inserting in lieu thereof the following “**Except as provided in subsection 2 of Section 39(b), the**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

**HJR 29, as amended**, was laid over.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Tilley.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kylie Swearingen and Grant Baker.

**PERFECTION OF HOUSE BILL**

**HCS HBs 411 & 421**, relating to residents of disability facilities, was again taken up by Representative Wyatt.

Representative Aull moved that **HCS HBs 411 & 421** be recommitted to the committee of origin.

Which motion was defeated by the following vote:

AYES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

NOES: 104

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McNary	Molendorp	Nance
Nasheed	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey

Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Diehl	Dugger	Holsman	McGhee
Nolte	Swearingen	Zimmerman		

VACANCIES: 001

Speaker Pro Tem Schoeller resumed the Chair.

**HCS HBs 411 & 421** was laid over.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HJR 29, as amended**, relating to a veterans lottery ticket, was again taken up by Representative Solon.

On motion of Representative Solon, **HJR 29, as amended**, was ordered perfected and printed.

### PERFECTION OF HOUSE BILL

**HCS HB 131**, relating to dog breeders, was taken up by Representative Cox.

Representative Pollock offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 131, Page 2, Section 273.345, Line 30, by inserting directly after the word “veterinarian,” the following:

**“guidance from a licensed veterinarian on preventative care, an exercise plan that has been approved by a licensed veterinarian, normal and prudent attention to skin, coat, and nails,”**; and

Further amend said bill, page, and section, Line 31, by deleting the word “**serious**”; and

Further amend said, bill, page, section, and line, by placing brackets “[ ]” around the words “by a licensed veterinarian”; and

Further amend said bill, and section, Page 3, Line 32, by deleting the brackets “[ ]” around the words “by a licensed veterinarian”; and



Further amend said bill, page, and section, Line 33, by inserting after the word “Association” the following:

**“ If, during the course of a routine personal visual inspection, the licensed veterinarian detects signs of disease or injury, then a physical examination of any such afflicted dog shall be conducted by a licensed veterinarian”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Dugger offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 131, Page 3, Section 273.345, Line 57, by inserting after the word “**species**” the following:

**“, with no interval to exceed eight hours”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 2** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen

Swinger	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 014

Carlson	Colona	Jones 63	Kelly 24	Marshall
May	McCann Beatty	McGeoghegan	Montecillo	Pierson
Rizzo	Smith 71	Talboy	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Webber	Zimmerman
--------	-------	--------	-----------

VACANCIES: 001

### Representative Wells offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 131, Page 3, Section 273.345, Lines 62-65, by deleting all of said lines and insert in lieu thereof the following:

**“eighty-five degrees Fahrenheit] , the continuous provision of a sanitary facility, the provision of a solid surface on which to lie in a recumbent position, protection from the extremes of weather conditions, proper ventilation, and appropriate space depending on the species of animal as required by regulations of the Missouri department of agriculture. No dog shall remain inside its enclosure while the enclosure is being cleaned. Dogs housed within the same enclosure shall be compatible, in accordance with regulations promulgated by the Missouri department of agriculture”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips

621 *Journal of the House*

Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Nolte	Schneider	Stream	Zimmerman
--------	-------	-----------	--------	-----------

VACANCIES: 001

On motion of Representative Wells, **House Amendment No. 3** was adopted by the following vote:

AYES: 126

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nichols	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Still	Swearingen	Swinger	Taylor	Thomson

Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 032

Anders	Atkins	Brown 50	Carlson	Colona
Ellinger	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Oxford	Peters-Baker	Pierson	Rizzo	Schupp
Sifton	Smith 71	Solon	Spreng	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Stream	Zimmerman
--------	-------	--------	-----------

VACANCIES: 001

**HCS HB 131, as amended,** was laid over.

Speaker Tilley resumed the Chair.

### THIRD READING OF HOUSE BILLS - CONSENT

**HCS HB 83**, relating to automated teller machine surcharges, was taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 83** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May

McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Hoskins	Nasheed	Nolte	Schad
Schieffer	Talboy	Thomson	Zimmerman	

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 109**, relating to a linked deposit program, was taken up by Representative Wells.

On motion of Representative Wells, **HB 109** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Peters-Baker

Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Franz	Nolte	Schad	Zimmerman
--------	-------	-------	-------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson

625 *Journal of the House*

Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Schad	Zimmerman
--------	-------	-------	-----------

VACANCIES: 001

**HB 137**, relating to a transfer of property by universities, was taken up by Representative Thomson.

On motion of Representative Thomson, **HB 137** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Hughes

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Brown 50	Nolte	Schad	Zimmerman
--------	----------	-------	-------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 142**, relating to auditors in charter counties, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 142** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Sater	Sarnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				



NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Nolte	Ruzicka	Schad	Webb
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 149**, relating to the Missouri Family Relief Fund, was taken up by Representative Day.

On motion of Representative Day, **HB 149** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Brown 50	Nolte	Ruzicka	Schad
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 151**, relating to donations to the Organ Donor Program Fund, was taken up by Representative Kelly (24).

On motion of Representative Kelly (24), **HB 151** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Schad	Zimmerman
--------	-------	-------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 153**, relating to a highway designation, was taken up by Representative Black.

On motion of Representative Black, **HB 153** was read the third time and passed by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Barnes Nolte Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 171**, relating to third class city primary elections, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 171** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Nolte	Talboy	Zimmerman
--------	-------	--------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 184**, relating to commissioners of road districts, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 184** was read the third time and passed by the following vote:

AYES: 159

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Barnes Nolte Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 186**, relating to county clerk residency requirements, was taken up by Representative Entlicher.

On motion of Representative Entlicher, **HB 186** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes Nolte Riddle Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 189**, relating to coolers on rivers and waterways, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 189** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McNary
Meadows	Nance	Nasheed	Neth	Nichols
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Silvey	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 020

Atkins	Carter	Ellinger	Holsman	Kander
Kelly 24	May	McManus	McNeil	Montecillo
Newman	Oxford	Pace	Peters-Baker	Pierson
Sifton	Smith 71	Spreng	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes Molendorp Nolte Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 190**, relating to state department cash transactions, was taken up by Representative Ruzicka.

**HB 190** was laid over.

### REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

**HJR 6** - Fiscal Review (Fiscal Note)

### REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HCS HB 89** - Fiscal Review (Fiscal Note)

### COMMITTEE REPORTS

**Committee on Agriculture Policy**, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 746**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Budget**, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.



Mr. Speaker: Your Committee on Budget, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 4**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 9**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 10**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 11**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 12**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 13**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 270**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 388**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Insurance Policy**, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 407**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Professional Registration and Licensing**, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 499**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation Funding and Public Institutions**, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 354**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 484**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Urban Issues**, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 667**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 738**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 79**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 303** and **HB 239**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 673**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Special Standing Committee on Disability Services**, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 513**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 557**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 560**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 561**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 555**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 556**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 562**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 631**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 648**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 857**, introduced by Representative Stream, relating to reimbursing bi-state development agency for the reasonable costs attributable to investigating and prosecuting fare evasion offenses.

**HB 858**, introduced by Representatives Hampton, Richardson, Smith (150), Lichtenegger, Wright, Wallingford, Day, Weter, Thomson, Fitzwater and Redmon, relating to major water users.

**HB 859**, introduced by Representatives Ellinger, Swearingen, Quinn, Pace, Black, Smith (71), Pierson and Walton Gray, relating to cigarette taxes.

**HB 860**, introduced by Representative Hinson, relating to intoxicated-related traffic offenses.

**HB 861**, introduced by Representative Zerr, relating to tax increment financing.

**HB 862**, introduced by Representatives Brown (50), Nasheed, Carter, Webb, Newman, May, Jones (63), Taylor, Nichols, Ellinger, Smith (71), Hughes, Colona, Holsman, Hodges and McCann Beatty, relating to the Missouri universal health assurance program.

**HB 863**, introduced by Representative Frederick, relating to the prompt credentialing act.

**HB 864**, introduced by Representatives Kander and Webber, relating to financial interest statements.

## COMMUNICATIONS

March 15, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Clem Smith from the Committee on Financial Institutions and appoint Representative Mary Still.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

---

March 15, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Karla May from the Committee on Tax Reform and appoint Representative Clem Smith.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

## **WITHDRAWAL OF HOUSE BILL**

March 15, 2011

D. Adam Crumbliss, Chief Clerk  
Capitol Building  
Room 307B  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request a withdrawal of **House Bill No. 801** filed on March 9, 2011.

Sincerely,

/s/ Mary Nichols  
District 79

The following members' presence was noted: Barnes and Zimmerman.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 16, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: SS SCS SBs 113 & 95  
Executive session may be held on any matter referred to the committee.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, March 16, 2011, 6:00 PM  
Dinner at 2125 Missouri Blvd., Jefferson City, MO.

### **BUDGET**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Bills to be considered: HCS House Bills 1 through 13.  
**CANCELLED**

### **CHILDREN AND FAMILIES**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 749, HB 755, HB 795  
Executive session may be held on any matter referred to the committee.

**CORRECTIONS**

Wednesday, March 16, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 538, HB 539

Executive session may be held on any matter referred to the committee.

**AMENDED**

**CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 691, HB 692, HB 693

Executive session may be held on any matter referred to the committee.

**CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, March 17, 2011, House Hearing Room 4 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Executive session.

**DOWNSIZING STATE GOVERNMENT**

Wednesday, March 16, 2011, South Gallery upon afternoon adjournment.

Executive session will be held: HB 657, HB 697

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 463

Executive session may be held on any matter referred to the committee.

**FINANCIAL INSTITUTIONS**

Wednesday, March 16, 2011, House Hearing Room 6.

5:00 PM or upon afternoon adjournment, whichever is later.

Public hearing will be held: HB 661, HB 787

Executive session will be held: HB 550, HB 656, HB 661, HB 787, HB 132

Executive session may be held on any matter referred to the committee.

**FISCAL REVIEW**

Wednesday, March 16, 2011, House Hearing Room 7, 4:00 PM or upon afternoon adjournment.

Public hearing will be held: HCS HB 89, HJR 6

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

**AMENDED**

**HEALTH CARE POLICY**

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 580, HB 392, HCR 37, HB 418, HB 579

Executive session may be held on any matter referred to the committee.

#### JUDICIARY

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HJR 31, HB 396, HB 402, HB 680, HB 708, HB 398, HB 399

Executive session may be held on any matter referred to the committee.

AMENDED

#### LOCAL GOVERNMENT

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 447, HB 647

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 16, 2011, House Hearing Room 5.

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 632, HB 732

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, March 17, 2011, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session will be held: HB 664

Executive session may be held on any matter referred to the committee.

#### RULES

Wednesday, March 16, 2011, North Gallery upon morning adjournment.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

CANCELLED

#### RULES

Wednesday, March 16, 2011, 6:30 PM 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee Dinner.

CANCELLED

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 16, 2011, North Gallery upon morning adjournment.

Executive session will be held: HCS HJR 8, HB 364, HCS SJR 2, HCS SB 3

Executive session may be held on any matter referred to the committee.

House Resolutions for Chamber Use to be approved.

AMENDED



#### **SMALL BUSINESS**

Wednesday, March 16, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 403, HB 63, HB 322, HB 644

Executive session will be held: HB 386

Executive session may be held on any matter referred to the committee.

#### **TAX REFORM**

Wednesday, March 16, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 520, HB 581

Executive session will be held: HB 36, HB 335, HB 425, HB 740

Executive session may be held on any matter referred to the committee.

#### **TOURISM AND NATURAL RESOURCES**

Thursday, March 17, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 428

Executive session will be held: HCR 31, HCR 39, HB 182

Executive session may be held on any matter referred to the committee.

#### **TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, March 17, 2011, 8:00 AM House Hearing Room 6.

Executive session will be held: HB 662

Executive session may be held on any matter referred to the committee.

#### **WAYS AND MEANS**

Thursday, March 17, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 292, HB 346, HB 571

### **HOUSE CALENDAR**

FORTIETH DAY, WEDNESDAY, MARCH 16, 2011

#### **HOUSE BILLS FOR SECOND READING**

HB 857 through HB 864

#### **HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 14 - Cox

#### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434 - Nolte
- 4 HB 252 - Cox

- 5 HCS HBs 294, 123, 125, 113, 271 & 215 - Riddle
- 6 HB 361 - Leara
- 7 HCS HBs 411 & 421 - Wyatt
- 8 HB 423 - Burlison
- 9 HCS HB 475 - Funderburk
- 10 HCS HB 546 - Diehl
- 11 HB 731 - Parkinson

#### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3/10/2011)

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98 - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340 - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HJR 6, (Fiscal Review 3-15-11) - Cierpiot

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 213 - Jones (89)
- 2 HCS HB 29 - Sater
- 3 HCS HB 89, (Fiscal Review 3-15-11), E.C. - Pollock

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1     HB 127 - Barnes
- 2     HB 190 - Ruzicka
- 3     HB 204 - Hoskins
- 4     HB 217 - Dugger
- 5     HCS HB 250 - Cox
- 6     HCS HB 338 - Pollock
- 7     HCS HB 363 - Colona
- 8     HB 415 - Richardson
- 9     HB 442 - Franz
- 10    HB 229 - Leara
- 11    HB 282 - Franz
- 12    HCS HB 315 - McNary
- 13    HB 358 - Leara
- 14    HB 360 - Leara
- 15    HCS HB 459 - Denison
- 16    HCS HB 465 - Wells

**HOUSE CONCURRENT RESOLUTIONS**

- 1     HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2     HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3     HCR 33, (3-1-11, Pages 486-487) - Davis

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTIETH DAY, WEDNESDAY, MARCH 16, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*If any man walks in the day, he does not stumble because he sees the light of this world. (John 11:9)*

Almighty God, our Creator, Whose mercy is from everlasting to everlasting and Whose truth endures forever, in all humility and reverence we bow in Your presence offering unto You once again the devotion of our minds and hearts.

Amid all the traffic of our ways, turmoils without, within, make in our hearts a quiet place and come and dwell therein. Sure of Your presence may we face the tasks of this day with a dauntless courage, a quiet faith and with a never failing good will.

In the struggle between light and darkness in our time may we walk in the light and live in the light that we and our state may continue to be the light of the nation.

We lift up Representative Sylvester Taylor in our prayers. May the Lord continue to heal him and give him and his family peace and comfort. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sydney Rackers, Makayla Jordan and Jackson Lehr.

The Journal of the thirty-ninth day was approved as printed.

## **SPECIAL RECOGNITION**

The Brookfield R-III High School Wrestling Team was introduced by Representative Shively and recognized for attaining the 2010-2011 Class 1 State Championship.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1219 through House Resolution No. 1235

## **HOUSE CONCURRENT RESOLUTION**

Representative Schatz, et al., offered House Concurrent Resolution No. 48.

## SECOND READING OF HOUSE BILLS

**HB 857** through **HB 864** were read the second time.

Speaker Tilley assumed the Chair.

## PERFECTION OF HOUSE BILLS

**HB 731**, relating to reporting of certain illegal aliens, was taken up by Representative Parkinson.

Representative Allen assumed the Chair.

On motion of Representative Parkinson, **HB 731** was ordered perfected and printed.

**HB 252**, relating to the Business Premises Safety Act, was taken up by Representative Cox.

Speaker Tilley resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman

Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb	Webber	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 006

Berry	Jones 117	Nolte	Schneider	Taylor
Wright				

VACANCIES: 001

On motion of Representative Cox, **HB 252** was ordered perfected and printed.

**HCS HBs 294, 123, 125, 113, 271 & 215**, relating to firearms, was taken up by Representative Riddle.

Representative Jones (89) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 4, Section 571.030, Line 52, by inserting after, "Section 44.921" the words:

**"whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Marshall offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 19, Section 571.117, Line 102, by inserting immediately after all of said line the following:

**"Section 1. No political subdivision shall enact or enforce any order or ordinance that prohibits the use of pneumatic guns at facilities approved for shooting ranges, on other property where firearms may be discharged, or on or within private property with permission of the owner or legal possessor thereof when conducted with reasonable care to prevent a projectile from crossing the bounds of the property."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 4, Section 571.030, Line 57, by inserting brackets “[ ]” around the word “and” on said line; and

Further amend said page and section, Line 60, by deleting all of said line and inserting in lieu thereof the following:

“subsection 2 of section 571.111[.]; and

**(11) Any member of a fire department, who is employed on a full-time basis as a fire investigator and who has met the training requirements for a concealed carry endorsement under section 571.111.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted.

Representative Redmon offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 19, Section 571.117, Line 102, by inserting after all of said line the following:

**“Section 1. The attorney general of the state of Missouri may establish a public website that publishes the names of municipalities and counties who do not allow the open carry of firearms. Such municipalities and counties, may forward their ordinances to the attorney general on their own volition.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Redmon, **House Amendment No. 4** was adopted.

**HCS HBs 294, 123, 125, 113, 271 & 215, as amended,** was laid over.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Tilley.

**PERFECTION OF HOUSE BILL**

**HCS HBs 294, 123, 125, 113, 271 & 215, as amended,** relating to firearms, was again taken up by Representative Riddle.

Representative Gatschenberger assumed the Chair.

Representative Oxford offered **House Amendment No. 5.***House Amendment No. 5*

AMEND House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 8, Section 571.101, Line 15, by deleting the phrase “**twenty-one**” and inserting in lieu thereof the phrase “**twenty-five**”; and

Further amend said bill, Page 9, Section 571.101, Line 57, by deleting the phrase “**twenty-one**” and inserting in lieu thereof the phrase “**twenty-five**”; and

Further amend said bill, Page 17, Section 571.117, Line 30, by deleting the phrase “**twenty-one**” and inserting in lieu thereof the phrase “**twenty-five**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Funderburk offered **House Amendment No. 1 to House Amendment No. 5.***House Amendment No. 1*

*to*

*House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 1, Line 3, by deleting the phrase “**twenty-five**” and inserting in lieu thereof the phrase “**eighteen**”; and

Further amend said amendment, Line 6, by inserting the phrase “**twenty-five**” and inserting in lieu thereof the phrase “**eighteen**”; and

Further amend said amendment, Line 9, by deleting the phrase “**twenty-five**” and inserting in lieu thereof the phrase “**eighteen**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber



Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Fuhr	Meadows	Nolte	Taylor
Webb				

VACANCIES: 001

On motion of Representative Funderburk, **House Amendment No. 1 to House Amendment No. 5** was adopted.

**House Amendment No. 5, as amended,** was withdrawn.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle

Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Walton Gray	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Kelly 24	Meadows	Nolte	Taylor
Webb	Webber			

VACANCIES: 001

On motion of Representative Riddle, **HCS HBs 294, 123, 125, 113, 271 & 215, as amended**, was adopted.

On motion of Representative Riddle, **HCS HBs 294, 123, 125, 113, 271 & 215, as amended**, was ordered perfected and printed.

Representative Silvey assumed the Chair.

### THIRD READING OF HOUSE BILLS - CONSENT

**HB 190**, relating to state department cash transactions, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 190** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan

Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Day	Diehl	Hughes	Loehner
Meadows	Nolte	Schad	Taylor	Webb

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 204**, relating to driver's license renewals, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HB 204** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton

Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Day	Diehl	Meadows	Nolte
Schad	Taylor	Webb		

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 250**, relating to water well regulations, was taken up by Representative Cox.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Redmon

655 *Journal of the House*

Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Cauthorn	Day	McGhee	Meadows
Nolte	Schad	Taylor	Mr Speaker	

VACANCIES: 001

On motion of Representative Cox, **HCS HB 250** was read the third time and passed by the following vote:

AYES: 117

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Stream
Swearingen	Swinger	Thomson	Torpey	Wallingford

Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 036

Atkins	Brown 50	Carlson	Carter	Colona
Holsman	Hughes	Hummel	Jones 63	Kander
Kirkton	Korman	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Talboy	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Cauthorn	Day	Ellinger	Meadows
Nolte	Schad	Taylor	Mr Speaker	

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 217**, relating to electronic voter identification, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 217** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Largent
Lasater	Laurer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad

657 *Journal of the House*

Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Day	Lampe	Loehner	Meadows
Nolte	Taylor			

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 338**, relating to telecommunications, was taken up by Representative Pollock.

On motion of Representative Pollock, **HCS HB 338** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McNary	Molendorp	Nance	Nasheed	Neth
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 020

Carlson	Ellinger	Hughes	Kander	Kirkton
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Peters-Baker	Pierson	Schupp
Sifton	Spreng	Still	Webber	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Day	Funderburk	Holsman	Lasater
McGhee	Meadows	Nolte	Taylor	

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 363**, relating to a memorial highway, was taken up by Representative Colona.

On motion of Representative Colona, **HCS HB 363** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	



NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Day	Funderburk	Lasater	McGhee
Meadows	Nolte	Taylor		

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 415**, relating to a memorial highway, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 415** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Zimmerman
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Day	Ellinger	Funderburk	Lasater
Meadows	Nolte	Swearingen	Talboy	Taylor
Wright				

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 442**, relating to veteran preference for contracts, was taken up by Representative Franz.

On motion of Representative Franz, **HB 442** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Zimmerman			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Brown 116	Day	Funderburk	McNary
Meadows	Nolte	Taylor	Torpey	Mr Speaker

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 229**, relating to the Kansas City School Retirement System, was taken up by Representative Leara.

On motion of Representative Leara, **HB 229** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Day	Funderburk	Meadows	Nolte
Taylor	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 282**, relating to state employee deferred compensation, was taken up by Representative Franz.

On motion of Representative Franz, **HB 282** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Peters-Baker	Phillips
Pierson	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 007

Bahr	Burlison	Dugger	Lasater	Marshall
Parkinson	Pollock			

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Day	Funderburk	Higdon	Meadows
Molendorp	Nasheed	Nolte	Redmon	Reiboldt
Taylor	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 315**, relating to multiple versions of state statutes, was taken up by Representative McNary.

On motion of Representative McNary, **HCS HB 315** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Day	Diehl	Funderburk	Meadows
Nasheed	Nolte	Swinger	Taylor	Mr Speaker

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 358**, relating to the St. Louis Police retirement system, was taken up by Representative Leara.

On motion of Representative Leara, **HB 358** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Brown 50	Day	Funderburk	Meadows
Nolte	Pierson	Taylor	Mr Speaker	

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 360**, relating to local government employee retirement, was taken up by Representative Leara.

On motion of Representative Leara, **HB 360** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Zimmerman			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Day	Denison	Funderburk	Meadows
Nasheed	Nolte	Pollock	Taylor	Mr Speaker

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 459**, relating to a memorial bridge, was taken up by Representative Denison.

On motion of Representative Denison, **HCS HB 459** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 116	Burlison	Carlson	Carter
Casey	Cierpiot	Colona	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Korman	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 022

Bahr	Brown 85	Cauthorn	Conway 14	Cookson
Fisher	Fuhr	Guernsey	Haefner	Hinson
Houghton	Klippenstein	Kratky	Lair	Lasater
Marshall	Nichols	Schad	Schatz	Still
Wyatt	Zimmerman			



PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Day	Diehl	Funderburk	Meadows
Nolte	Reiboldt	Talboy	Taylor	Mr Speaker

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 465**, relating to credit unions, was taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 465** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nasheed	Neth	Nichols
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Day	Diehl	Franz	Funderburk
Meadows	Nance	Newman	Nolte	Still
Taylor	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

### **PERFECTION OF HOUSE BILL**

**HB 361**, relating to the Missouri Firearms Freedom Act, was taken up by Representative Leara.

On motion of Representative Leara, **HB 361** was ordered perfected and printed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 29** - Tourism and Natural Resources

**HCR 47** - Tourism and Natural Resources

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HJR 29** - Fiscal Review (Fiscal Note)

**HCS HB 431** - Fiscal Review (Fiscal Note)

**HB 74** - Children and Families

**HB 185** - Agriculture Policy

**HB 249** - Tourism and Natural Resources

**HB 298** - Ways and Means

**HB 371** - Corrections

**HB 375** - Elections

**HB 377** - Elections

**HB 382** - Elections

**HB 436** - Elections

**HB 509** - Children and Families

**HB 518** - Transportation

**HB 572** - General Laws

**HB 597** - Tourism and Natural Resources

**HB 598** - Utilities

**HB 599** - Crime Prevention and Public Safety

**HB 623** - Crime Prevention and Public Safety

**HB 686** - General Laws

**HB 688** - Utilities

**HB 690** - Health Care Policy  
**HB 714** - Transportation Funding and Public Institutions  
**HB 718** - Judiciary  
**HB 719** - Tax Reform  
**HB 728** - Crime Prevention and Public Safety  
**HB 729** - Professional Registration and Licensing  
**HB 730** - Crime Prevention and Public Safety  
**HB 739** - Children and Families  
**HB 743** - Crime Prevention and Public Safety  
**HB 750** - Utilities  
**HB 751** - Professional Registration and Licensing  
**HB 753** - Local Government  
**HB 754** - Urban Issues  
**HB 757** - Local Government  
**HB 758** - Local Government  
**HB 762** - Health Insurance  
**HB 765** - Elementary and Secondary Education  
**HB 766** - Elementary and Secondary Education  
**HB 790** - Crime Prevention and Public Safety  
**HB 791** - Crime Prevention and Public Safety  
**HB 792** - Transportation Funding and Public Institutions  
**HB 796** - Elections  
**HB 797** - Agriculture Policy  
**HB 802** - Crime Prevention and Public Safety  
**HB 814** - Transportation  
**HB 818** - Transportation  
**HB 820** - Transportation  
**HB 823** - Tourism and Natural Resources  
**HB 827** - Professional Registration and Licensing  
**HB 828** - Workforce Development and Workplace Safety  
**HB 829** - Elementary and Secondary Education  
**HB 831** - Professional Registration and Licensing  
**HB 832** - Professional Registration and Licensing  
**HB 837** - Corrections  
**HB 838** - Health Care Policy  
**HB 842** - Tourism and Natural Resources  
**HB 843** - Ways and Means  
**HB 847** - Agri-Business  
**HB 851** - Health Care Policy  
**HB 858** - Utilities  
**HB 860** - Crime Prevention and Public Safety  
**HB 861** - Economic Development

## **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SB 61** - General Laws

**SB 63** - Utilities

**SB 174** - General Laws

**SCS SB 188** - Workforce Development and Workplace Safety

## **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 6** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 29** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 89** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 431** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Children and Families**, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 749**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 795**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 37

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week.

WHEREAS, Diabetic Peripheral Neuropathy (DPN) is a serious condition that results from damage to nerves due to prolonged exposure to high amounts of glucose in the bloodstream as a result of diabetes; and

WHEREAS, more than half of all diabetics suffer from DPN, and the areas of the body most commonly affected by DPN are the feet and legs; and

WHEREAS, nerve damage in the feet can result in the loss of foot sensation, increasing risk of foot problems and which manifests itself in intense pain often described as aching, tingling, burning, and numbness; and

WHEREAS, in 2009, 364,000 Missourians were diagnosed with diabetes; and

WHEREAS, DPN is the leading cause of amputations, and as many as 40 to 60 percent of lower extremity amputations are due to severe forms of DPN; and

WHEREAS, DPN is preventable only to the extent that the underlying cause is preventable, requiring the individual patient's alert awareness of bodily deficiency, illness, infection or injury that can cause DPN, and the individual's willingness to seek early diagnosis and treatment; and

WHEREAS, it is absolutely fitting and proper to designate a special week to raise public awareness of DPN and its symptoms:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-Sixth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize the third week of June of each year as Diabetic Peripheral Neuropathy (DPN) Week in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri House of Representatives and Senate encourage citizens throughout Missouri to observe this week by raising public awareness regarding the symptoms and treatment of this painful and dangerous neuropathy; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Governor for his approval or rejection pursuant to the Missouri Constitution.

**Committee on Judiciary, Chairman Cox reporting:**

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 402**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Local Government, Chairman Gatschenberger reporting:**

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 70**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 101**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 161**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 327**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 675**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Retirement**, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 305**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Tax Reform**, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 740**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 291**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 430**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 798**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 812**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 813**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 825**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation Funding and Public Institutions**, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 548**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 678**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 364**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **SJR 2**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 3**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 865**, introduced by Representatives Johnson, Jones (117), Fraker, Redmon, Klippenstein, Torpey, Schoeller, Houghton and Higdon, relating to motorcycle protective headgear.

**HB 866**, introduced by Representatives Newman, Kirkton, McNeil, Spreng, Kelly (24), Carlson, Jones (63), McDonald, Peters-Baker, Walton Gray, Atkins, Still, Schupp, Hodges, Carter, Rizzo, McGeoghegan, Oxford, Lampe, May and Kratky, relating to domestic violence.

**HB 867**, introduced by Representatives Barnes and Webber, relating to the Missouri biosciences eminent scholars program.

**HB 868**, introduced by Representative Meadows, relating to highway lane usage.

**HB 869**, introduced by Representative Meadows, relating to the use of hand-held electronic communications devices by persons operating motor vehicles for compensation while transporting passengers.

**HB 870**, introduced by Representatives Smith (71), McNeil, Kirkton, Webb, Schupp, Lampe, Walton Gray, Pace, Newman, Still, Colona, Montecillo, Sifton, Pierson, Nichols, McGeoghegan, Kelly (24), Nasheed, Atkins, Zimmerman, Webber, Curls, Carlson, McDonald, Rizzo, Jones (63), May, Carter, Oxford, Taylor, McCann Beatty, Aull, Brown (50), Ellinger, Hubbard, Peters-Baker, Hughes, Talboy, Spreng and Holsman, relating to instruction in human sexuality and sexually transmitted diseases.

**HB 871**, introduced by Representatives Fitzwater, Barnes, Fraker, Oxford and Leach, relating to state employee performance reviews.

**HB 872**, introduced by Representatives Houghton, Redmon, Schatz, Johnson, Korman, Grisamore, Curtman and Guernsey, relating to transparency in state contracts.

**HB 873**, introduced by Representatives Wyatt and Franklin, relating to the Missouri sustainable local food policy council.

**HB 874**, introduced by Representatives Grisamore, Kander, Peters-Baker, Higdon, Fitzwater, White, Lichtenegger, Newman, Kelly (24), Nance, Black, Jones (63) Houghton, Torpey, Oxford, Fuhr, Ellinger, Stream, Phillips, Wright, Long, Lauer, Flanigan, McNary, Scharnhorst, Diehl, Riddle, Lampe, Jones (117), Jones (89), Cierpiot, Weter, Solon, Cross, Gatschenberger, Richardson, Zerr, Zimmerman, Funderburk, Lasater, Hoskins, Schad, Denison, McCaherty, Carter, McGhee, Wells, Schoeller, Davis, Wieland, Reiboldt, Lant, Brown (85), Barnes, White, Crawford, Parkinson, Berry, Webber, Swinger, Frederick, Talboy and Taylor, relating to orders of protection.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 17, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS SCS SBs 113 & 95

Executive session may be held on any matter referred to the committee.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, March 17, 2011, House Hearing Room 4 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Executive session.



#### HEALTH INSURANCE

Thursday, March 17, 2011, South Gallery 30 minutes following morning adjournment.

Executive session will be held: HB 609

Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, March 17, 2011, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session will be held: HB 664

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, March 17, 2011, House Hearing Room 6 upon morning adjournment.

Executive session will be held: HCS HB 1, HCS HB 2, HCS HB 3, HCS HB 4, HCS HB 5, HCS HB 6, HCS HB 7, HCS HB 8, HCS HB 9, HCS HB 10, HCS HB 11, HCS HB 12, HCS HB 13

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Thursday, March 17, 2011, House Hearing Room 7 upon morning adjournment.

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

#### TOURISM AND NATURAL RESOURCES

Thursday, March 17, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 31, HCR 39, HB 428, HB 182

Executive session will be held: HCR 31, HCR 39, HB 182

Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION

Thursday, March 17, 2011, 12:00 PM South Gallery.

Executive session will be held: HB 689

Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 17, 2011, 8:00 AM House Hearing Room 6.

Executive session will be held: HB 662

Executive session may be held on any matter referred to the committee.

#### WAYS AND MEANS

Thursday, March 17, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 292, HB 346, HB 571

**HOUSE CALENDAR**

**FORTY-FIRST DAY, THURSDAY, MARCH 17, 2011**

**HOUSE BILLS FOR SECOND READING**

HB 865 through HB 874

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 14 - Cox

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434 - Nolte
- 4 HCS HBs 411 & 421 - Wyatt
- 5 HB 423 - Burlison
- 6 HCS HB 475 - Funderburk
- 7 HCS HB 546 - Diehl

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/10/2011)

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98 - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340 - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HJR 6 - Cierpiot
- 2 HJR 29 - Solon

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 213 - Jones (89)
- 2 HCS HB 29 - Sater
- 3 HCS HB 89, E.C. - Pollock
- 4 HCS HB 431 - Franz
- 5 HB 731 - Parkinson
- 6 HB 252 - Cox
- 7 HCS HB 294, 123, 125, 113, 271 & 215 - Riddle
- 8 HB 361 - Leara

**HOUSE BILLS FOR THIRD READING - CONSENT**

HB 127 - Barnes

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTY-FIRST DAY, THURSDAY, MARCH 17, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*He hath showed you, O man, what is good; and what doth the Lord require of you, but to do justly, and to love mercy, and to walk humbly with your God? (Micah 6:8)*

O God, Whose will it is that we do justly, love mercy, and walk humbly with You, grant unto us as we wait upon You the confidence to do what we ought to do, the courage not to do what we ought not to do and the wisdom to see our way clearly.

Deliver us and our state from discord and disunity. May we find our concord and our unity in You. Give to each one of us the consciousness of Your presence, the continual strength of Your Spirit and the constant awareness of our duty to lead our people in the ways of freedom and justice and peace.

Help us to keep our faith in You, and may this faith keep us walking in the way of Your commandments all the days of our lives, and as we begin Spring Break on this St. Patrick's Day may all Irish eyes be smiling! And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jaynie Hunt, Coltin Griffin, Dallas Richardson, Lillie Hollomon, Payton Gibbens, Kayla Rodgers, Hayden Torpey, Dawson Torpey, Lauren Lloyd, Milena Fein, Ellie Dagnan, Ellie Cierpiot and Louis Cierpiot.

The Journal of the fortieth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1236 through House Resolution No. 1323

## HOUSE CONCURRENT RESOLUTIONS

Representative Atkins offered House Concurrent Resolution No. 49.

Representative Higdon, et al., offered House Concurrent Resolution No. 50.

**SECOND READING OF HOUSE BILLS**

**HB 865** through **HB 874** were read the second time.

**THIRD READING OF HOUSE BILL - CONSENT**

**HB 127**, relating to the Sheriffs' Retirement System, was taken up by Representative Barnes.

On motion of Representative Barnes, **HB 127** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 002

Hughes                      Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 010

Asbury	Diehl	Holsman	Meadows	Nolte
Parkinson	Silvey	Taylor	Zerr	Mr Speaker

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF HOUSE JOINT RESOLUTIONS

**HJR 6**, relating to the right to vote by secret ballot, was taken up by Representative Cierpiot.

On motion of Representative Cierpiot, **HJR 6** was read the third time and passed by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McGhee	McNary	Molendorp	Nance
Neth	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Walton Gray	Webb	Webber
Zerr	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 005

Flanigan	Meadows	Nolte	Parkinson	Taylor
----------	---------	-------	-----------	--------

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HJR 29**, relating to a veterans lottery ticket, was taken up by Representative Solon.

On motion of Representative Solon, **HJR 29** was read the third time and passed by the following vote:

AYES: 146

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandon
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Nance	Nasheed	Neth	Nichols
Oxford	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Stream	Swearingen	Swinger	Talboy	Thomson
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 011

Anders	Carlson	Colona	Ellinger	Kirkton
Montecillo	Newman	Spreng	Still	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 005

Meadows                      Nolte                      Parkinson                      Taylor                      Torpey

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HCS HB 213**, relating to abortions, was taken up by Representative Jones (89).

Representative Funderburk assumed the Chair.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schieffer



683 *Journal of the House*

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Walton Gray
Webb	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 006

Meadows	Nolte	Parkinson	Quinn	Silvey
Taylor				

VACANCIES: 001

On motion of Representative Jones (89), **HCS HB 213** was read the third time and passed by the following vote:

AYES: 119

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McManus
McNary	Molendorp	Nance	Nasheed	Neth
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 038

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Hughes	Jones 63
Kander	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 005

Meadows	Nolte	Parkinson	Quinn	Taylor
---------	-------	-----------	-------	--------

VACANCIES: 001

Representative Funderburk declared the bill passed.

**HCS HBs 294, 123, 125, 113, 271 & 215**, relating to firearms, was taken up by Representative Riddle.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Walton Gray
Webb	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 006

McGhee	Meadows	Nolte	Parkinson	Quinn
Taylor				

VACANCIES: 001

On motion of Representative Riddle, **HCS HBs 294, 123, 125, 271 & 215** was read the third time and passed by the following vote:

AYES: 124

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McGhee	McManus	McNary
Molendorp	Nance	Nasheed	Neth	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 033

Atkins	Carlson	Carter	Colona	Ellinger
Hummel	Jones 63	Kander	Kirkton	Kratky
Lampe	McCann Beatty	McDonald	McGeoghegan	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Walton Gray	Webb	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 005

Meadows	Nolte	Parkinson	Quinn	Taylor
---------	-------	-----------	-------	--------

VACANCIES: 001

Representative Funderburk declared the bill passed.

**HB 252**, relating to the Business Premises Safety Act, was taken up by Representative Cox.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Phillips	Pollock	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 013

Entlicher	Faith	Hughes	Kelly 24	Meadows
Molendorp	Nolte	Parkinson	Quinn	Redmon
Sater	Taylor	Wright		

VACANCIES: 001

On motion of Representative Cox, **HB 252** was read the third time and passed by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Nasheed
Neth	Newman	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 038

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Ellinger	Hubbard	Hummel	Jones 63
Kander	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb	Webber	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 007

Hughes	Kelly 24	Meadows	Molendorp	Nolte
Quinn	Taylor			

VACANCIES: 001

Representative Funderburk declared the bill passed.

**HB 731**, relating to reporting of certain illegal aliens, was taken up by Representative Parkinson.

On motion of Representative Parkinson, **HB 731** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McGeoghegan	McGhee
McManus	McNary	Molendorp	Nance	Neth
Nichols	Parkinson	Peters-Baker	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 023

Atkins	Carlson	Carter	Colona	Hughes
Jones 63	Lampe	McCann Beatty	McDonald	Montecillo
Nasheed	Newman	Oxford	Pace	Pierson
Schupp	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 009

Day	Diehl	Kelly 24	McNeil	Meadows
Nolte	Quinn	Rowland	Taylor	

VACANCIES: 001

Representative Funderburk declared the bill passed.

**HCS HB 431**, relating to foster care and adoption, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 431** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Diehl	Kelly 24	Meadows	Nolte
Quinn	Taylor	Mr Speaker		

VACANCIES: 001

Representative Funderburk declared the bill passed.

**HCS HB 89**, relating to funding for natural resources, was taken up by Representative Pollock.

On motion of Representative Pollock, **HCS HB 89** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Zimmerman			

NOES: 001

Schupp

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Diehl	Kelly 24	Meadows
Nolte	Quinn	Taylor	Mr Speaker	

VACANCIES: 001

Representative Funderburk declared the bill passed.



The emergency clause was adopted by the following vote:

AYES: 150

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Anders	Brown 50	Day	Diehl	Hughes
Kelly 24	Meadows	Nolte	Pierson	Quinn
Scharnhorst	Taylor			

VACANCIES: 001

**HCS HB 29**, relating to the Volunteer Health Services Act, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 29** was read the third time and passed by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 037

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Holsman	Hughes	Hummel	Kander
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Day	Kelly 24	Meadows	Nolte
Quinn	Scharnhorst	Taylor		

VACANCIES: 001

Representative Funderburk declared the bill passed.

**HB 361**, relating to the Missouri Firearms Freedom Act, was taken up by Representative Leara.

On motion of Representative Leara, **HB 361** was read the third time and passed by the following vote:

AYES: 118

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 037

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Day	Kelly 24	Meadows	Nolte
Quinn	Taylor			

VACANCIES: 001

Representative Funderburk declared the bill passed.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 840** - Economic Development

**HB 856** - Elections

## **COMMITTEE REPORTS**

**Committee on Crime Prevention and Public Safety**, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 600**, **HB 337** and **HB 413**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Downsizing State Government**, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 657**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 697**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Financial Institutions**, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 550**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Professional Registration and Licensing**, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 677**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Tourism and Natural Resources**, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## HOUSE CONCURRENT RESOLUTION NO. 31

WHEREAS, the Land and Water Conservation Fund (LWCF) was established by the United States Congress in 1965 to preserve, develop, and assure accessibility to quality outdoor recreation resources "to strengthen the health and vitality of the citizens of the United States"; and

WHEREAS, the LWCF is principally funded by revenue received from offshore energy extraction and is authorized to receive \$900 million annually through the annual appropriations process; and

WHEREAS, the LWCF funds a federal land acquisition program and provides matching grants to states and localities for capital projects through the State Assistance program; and

WHEREAS, investments from the LWCF State Assistance program support the creation of public parks in rural and urban communities throughout America, protect green space and local water supplies, guarantee outdoor recreation opportunities, spur economic development, create jobs, and significantly aid national efforts to promote health, connect youth to nature and the outdoors, combat childhood obesity, and protect the environment; and

WHEREAS, in the original authorizing legislation, Congress recognized the important role of state and local parks in achieving its intended purpose by requiring the allocation of 60% of LWCF annual funding to the State Assistance program and 40% to the federal program; and

WHEREAS, the language protecting the State Assistance program was removed in the mid 1970s resulting in a disproportional amount (84%) of LWCF funding going to the federal side of the program over the past 25 years; and

WHEREAS, no language exists to protect the State Assistance funding allocations, and Congress appropriated a total of approximately \$304 million to LWCF in FY 2009 but allocated only \$19 million (6%) to the State Assistance program, and in FY 2010 appropriated a total of approximately \$479 million to LWCF with a mere \$490 million (8%) going to the State Assistance program; and

WHEREAS, Missouri received only \$509,599 in FY 2009 and \$699,429 in FY 2010 based on Missouri's portion (.017%) of the 16% that is currently allocated to the states; and

WHEREAS, the disproportional allocation of LWCF funding between the two programs has severely limited state and local governments in their capacity to develop parks and open spaces and protect green space and local water supplies in light of rapidly increasing populations; and

WHEREAS, LWCF provides one-time funding for state and local capital projects and state and local governments equally match the federal dollars, then assume all costs of management and maintenance; and

WHEREAS, LWCF State Assistance program has invested more than \$84,125,968 in Missouri since 1965 and has funded 1,275 projects; and

WHEREAS, requiring 40% of LWCF funds to be annually allocated to the State Assistance program would not increase the national debt, but would ensure a more balanced allocation of resources between federal land acquisition and state and local community conservation efforts, as intended by the authorizing legislation. This would provide \$6 million for Missouri's 2012 LWCF budget:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby call on the United States Congress to implement legislation specifying an annual allocation of at least 40% of Land and Water Conservation Fund (LWCF) moneys to the State Assistance program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 39**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE CONCURRENT RESOLUTION NO. 39

WHEREAS, Grant's Farm is an extraordinary treasure for the entire state and is one of the premiere attractions for visitors coming to St. Louis from across the country and the world; and

WHEREAS, Grant's Farm takes its name from our 18th President of the United States, Ulysses S. Grant. In the 1850s, Grant founded and owned the 281 acres comprising Grant's Farm; and

WHEREAS, Grant's Farm averages over 550,000 visitors per year over the last six years and is a vital economic engine in St. Louis County; and

WHEREAS, Grant's Farm, operated by Anheuser-Busch, Inc., has been a St. Louis tradition for more than five decades, employing more than 200 people and has welcomed more than 24 million visitors during its history; and

WHEREAS, Grant's Farm is home to more than 900 animals representing more than 100 different species, including a zoo with more than 400 animals; and

WHEREAS, in the U.S. Family Guide Zagat Survey of more than 11,000 avid travelers, Grant's Farm ranked overall as the 7th best family attraction nationwide; and

WHEREAS, some of Grant's Farm's attractions include:

(1) Deer Park, home to a variety of exotic animal species from six of the seven continents of the world and a variety of fish in the several beautiful lakes throughout Deer Park;

(2) Tier Garten, which provides visitors with an up close look at an amazing variety of animals and which includes an amphitheater featuring educational and entertaining animal shows;

(3) Grant's Cabin, built on 80 acres received by Ulysses S. Grant and his new bride in 1848 as a wedding gift. In 1855, Grant did much of the log sawing and construction himself, completed the four-room, two-story cabin in just three days with the help of friends;

(4) The Bauernhof, the first building constructed on the Busch family estate which today is the home of the Busch family's world-renowned carriage collection and stables. Bauernhof is German for "farmstead";

(5) The Clydesdale Stables, home to one of the world's largest herd of Clydesdale horses with approximately 25 Clydesdale mares, geldings, stallions and foals. Only the finest Clydesdales from this stable become part of the Budweiser teams; and

WHEREAS, more than twenty local organizations and political subdivisions in the St. Louis County region have passed resolutions in support of incorporating Grant's Farm as a unit of the National Park Service; and

WHEREAS, to preserve this extraordinary treasure, Grant's Farm should be added as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly support the incorporation of, and urge the United States Department of the Interior to incorporate, Grant's Farm as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Secretary of the Interior, Ken Salazar, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 182**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Utilities**, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 711**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 4**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 9**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 10**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 11**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 12**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 13**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 hours total debate on Perfection for HCS HB 1 through HCS HB 13.**

#### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 38, HB 68, HB 98, HB 118, HB 183, HCS HBs 187 & 54, HB 263, HCS HB 287, HB 340, HCS HB 344, HB 462, HB 503 and HCS HB 578.**

#### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 875**, introduced by Representatives Marshall, Silvey, Schieber, Nolte, Lasater, Kander, Cross, Molendorp, Grisamore, Peters-Baker, Swearingen, Neth, Anders, Hughes, Berry, Holsman, Torpey, Casey, Rizzo, Talboy, Brown (50), McManus, McCann Beatty, McDonald and Brattin, relating to prohibited activities in the Kansas City police department.

**HB 876**, introduced by Representative Fisher, relating to the public works projects.

**HB 877**, introduced by Representatives Berry, Holsman, Fitzwater and McGhee, relating to the interconnection of electric generating facilities with utilities.

**HB 878**, introduced by Representative Smith (150), relating to rulemaking authority of the board of trustees of the Missouri consolidated health care plan.

**HB 879**, introduced by Representative Franz, relating to the county employees' retirement system.



**HB 880**, introduced by Representative Atkins, relating to sales tax exemptions.

**HB 881**, introduced by Representative Atkins, relating to the Missouri radon certification program.

**HB 882**, introduced by Representative Atkins, relating to the crime of practicing medicine while intoxicated.

**HB 883**, introduced by Representative Largent, relating to crime scene photographs and video recordings.

**HB 884**, introduced by Representative Diehl, relating to the appointment of certain circuit clerks.

**HB 885**, introduced by Representatives Koenig, Curtman, Dugger and Hoskins, relating to payment of sales tax.

**HB 886**, introduced by Representatives Gatschenberger, Long, Cross, Bahr, Fitzwater and Lasater, relating to temporary assistance for needy families benefits.

**HB 887**, introduced by Representatives Frederick and Lichtenegger, relating to midwifery.

**HB 888**, introduced by Representatives Brattin, Davis, White, Wieland, Frederick, Kelley (126), Largent, Molendorp, Berry, Parkinson, Higdon, Koenig, Brown (116), Long, Solon, Johnson, Schoeller and Lair, relating to nondriver's licenses.

**HB 889**, introduced by Representative Gatschenberger, relating to political subdivisions.

**HB 890**, introduced by Representatives Franz, Funderburk, Tilley, Carter, McDonald, Talboy and Gosen, relating to unsecured loans of five hundred dollars or less.

**HB 891**, introduced by Representatives Parkinson and Atkins, relating to an income tax exemption for certain elections employees.

**HB 892**, introduced by Representatives Talboy, Jones (63), Lampe, Webber, Sifton, Carter and Hoskins, relating to student athlete agents.

**HB 893**, introduced by Representatives Richardson, Barnes, Colona, Jones (117), Webber, Diehl, Molendorp, Dieckhaus, Fisher, Long, Talboy, Flanigan, Elmer, Scharnhorst, Parkinson, Zerr, Fraker, Cookson, Crawford, White and Schoeller, relating to the second injury fund.

**HB 894**, introduced by Representatives Long, Schoeller, Hough, Koenig, Cauthorn, Korman, Wallingford, Bahr, Higdon, Faith, Oxford, Hughes, Burlison, Franz, Dugger, Zerr, Fisher, McCaherty, Fraker, McGhee, Lant, Leach, Davis, Curtman, Funderburk, Cookson, Schad, McNary, Richardson and Fitzwater, relating to midwifery.

**HB 895**, introduced by Representatives Hampton, Richardson, Wright, Fisher, Weter, Pollock, Wells, Franz, Denison, Faith, Sater, Schad and Loehner, relating to the establishment of a memorial highway.

**HB 896**, introduced by Representative McCaherty, relating to state employee retirement.

**HB 897**, introduced by Representative Jones (63), relating to charter schools.

**HB 898**, introduced by Representative Smith (71), relating to the council on digital inclusion.

**HB 899**, introduced by Representative Colona, relating to health care utilization review.

**HB 900**, introduced by Representative McGhee, relating to the establishment of a memorial highway.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 7**.

#### **SENATE CONCURRENT RESOLUTION NO. 7**

WHEREAS, Section 21.760 of the Revised Statutes of Missouri provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the provisions of Section 21.760; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 8**, entitled:

An act to repeal sections 287.067, 287.120, and 287.150, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 17**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to cord blood banking.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 55**, entitled:

An act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to classification of certain real property.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 131**, entitled:

An act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 145**, entitled:

An act to repeal section 55.030, RSMo, and to enact in lieu thereof one new section relating to county inventory.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 161**, entitled:

An act to repeal sections 348.400, 348.407, and 348.412, RSMo, and to enact in lieu thereof three new sections relating to business development loans for agribusinesses.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 162**, entitled:

An act to amend chapter 262, RSMo, by adding thereto one new section relating to the farm-to-table advisory board, with an expiration date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 163**, entitled:

An act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education boards.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 173**, entitled:

An act to repeal section 21.920, RSMo, and to enact in lieu thereof one new section relating to the joint committee on Missouri's promise.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 220**, entitled:

An act to repeal section 429.015, RSMo, and to enact in lieu thereof one new section relating to liens for architects, professional engineers, land surveyors, and landscape architects.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 250**, entitled:

An act to repeal sections 566.147 and 589.040, RSMo, and to enact in lieu thereof two new sections relating to requirements for persons convicted of sexual assault offenses, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 306**, entitled:

An act to repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions, with penalty provisions.

In which the concurrence of the House is respectfully requested.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, March 18, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS SCS SBs 113 & 95

Executive session may be held on any matter referred to the committee.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Monday, March 28, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 623, HB 743, HB 791

Executive session may be held on any matter referred to the committee.

### **HEALTH CARE POLICY**

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 30, HB 482, HB 690, HB 838, HB 851

Executive session may be held on any matter referred to the committee.

### **LOCAL GOVERNMENT**

Wednesday, March 30, 2011, 6:00 PM

Dinner only - 3702 W. Truman.

### **RULES - RULES PURSUANT TO RULE 25(32)(F)**

Monday, March 28, 2011, 1:30 PM House Hearing Room 4.

Executive Session will be held: HCS HB 28, HCS HB 32, HCS HB 70, HB 79, HB 88, HB 101, HB 141, HCS HB 143, HB 182, HCS HB 197, HB 199, HCS HB 220, HB 256, HCS HB 259, HB 260, HB 264, HCS HB 265, HB 270, HB 272, HCS HBs 300, 334 & 387, HB 307, HB 327, HCS HB 354, HCS HB 369, HB 388, HB 402, HCS HB 412, HB 448, HCS HB 473, HB 484, HB 499, HCS HB 506, HB 513, HB 525, HCS HB 545, HCS HB 548, HB 550, HCS HB 556, HCS HB 557, HB 560, HB 561, HCS HB 604, HCS HB 630, HCS HB 631, HB 648, HB 667, HB 673, HB 675, HB 678, HB 738, HB 746, HB 749, HB 795, HB 798, HB 812, HB 813, HCS HB 825, HCS HJR 3, HCR 15, HCS HCR 17, HCR 34, HCS HB 100, HB 115, HCS HB 192, HB 257, HCS HB 336, HB 458, HCS HBs 470 & 429, HB 490, HCS HB 641, HCS HB 468, HCS HB 473

Executive session may be held on any matter referred to the committee.

### **AMENDED**

### **RURAL COMMUNITY DEVELOPMENT**

Tuesday, March 29, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

**TAX REFORM**

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 719, HB 736

Executive session may be held on any matter referred to the committee.

**URBAN ISSUES**

Monday, March 28, 2011, House Hearing Room 5 5:00 PM or upon adjournment.

Public hearing will be held: HB 712, HCR 43, HB 754

Executive session will be held: HB 643, HB 660

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, March 28, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 492, HB 828

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FORTY-SECOND DAY, FRIDAY, MARCH 18, 2011

**HOUSE BILLS FOR SECOND READING**

HB 875 through HB 900

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 14 - Cox

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 2 HCS HB 2, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 3 HCS HB 3, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 4 HCS HB 4, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 5 HCS HB 5, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 6 HCS HB 6, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 7 HCS HB 7, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 8 HCS HB 8, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 9 HCS HB 9, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 10 HCS HB 10, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 11 HCS HB 11, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 12 HCS HB 12, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 13 HCS HB 13, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey

**HOUSE BILLS FOR PERFECTION**

- 1     HCS HB 329 - Diehl
- 2     HCS HB 131, as amended - Cox
- 3     HB 434 - Nolte
- 4     HCS HBs 411 & 421 - Wyatt
- 5     HB 423 - Burlison
- 6     HCS HB 475 - Funderburk
- 7     HCS HB 546 - Diehl

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1     HCR 9, (2-1-11, Page 277) - Barnes
- 2     HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1     HCS HB 38 - Pace
- 2     HB 68 - Scharnhorst
- 3     HB 98, E.C. - Ruzicka
- 4     HB 118 - Peters-Baker
- 5     HB 183 - Silvey
- 6     HCS HBs 187 & 54 - Conway (27)
- 7     HB 263 - Weter
- 8     HCS HB 287 - Brandom
- 9     HB 340, E.C. - Klippenstein
- 10    HCS HB 344 - Guernsey
- 11    HB 462 - Pollock
- 12    HB 503 - Dugger
- 13    HCS HB 578 - Thomson

**SENATE BILLS FOR SECOND READING**

- 1     SS#2 SCS SB 8
- 2     SCS SB 17
- 3     SS SB 55
- 4     SCS SB 131
- 5     SB 145
- 6     SB 161
- 7     SCS SB 162
- 8     SCS SB 163
- 9     SB 173
- 10    SB 220
- 11    SB 250
- 12    SS SB 306

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis



# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTY-SECOND DAY, FRIDAY, MARCH 18, 2011

The House met pursuant to adjournment.

Representative Barnes in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Clayton Engleby, Spencer Engleby and Olivia Neely.

## SECOND READING OF HOUSE BILLS

**HB 875** through **HB 900** were read the second time.

## SECOND READING OF SENATE BILLS

**SS#2 SCS SB 8, SCS SB 17, SS SB 55, SCS SB 131, SB 145, SB 161, SCS SB 162, SCS SB 163, SB 173, SB 220, SB 250** and **SS SB 306** were read the second time.

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 889** - Local Government

## COMMITTEE REPORT

**Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 609**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following members' presence was noted: Gatschenberger, Gosen, Hampton, Houghton, Jones (117), Loehner, Montecillo, Riddle, Schupp, Swearingen and Webb.

## **ADJOURNMENT**

On motion of Representative Barnes, the House adjourned until 4:00 p.m., Monday, March 28, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS SCS SBs 113 & 95

Executive session may be held on any matter referred to the committee.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Monday, March 28, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 623, HB 743, HB 791

Executive session may be held on any matter referred to the committee.

### **HEALTH CARE POLICY**

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 30, HB 482, HB 690, HB 838, HB 851

Executive session may be held on any matter referred to the committee.

### **LOCAL GOVERNMENT**

Wednesday, March 30, 2011, 6:00 PM

Dinner only - 3702 W. Truman.

### **RULES - RULES PURSUANT TO RULE 25(32)(F)**

Monday, March 28, 2011, 1:30 PM House Hearing Room 4.

Executive session will be held: HCS HB 28, HCS HB 32, HCS HB 70, HB 79, HB 88, HB 101, HB 141, HCS HB 143, HB 182, HCS HB 197, HB 199, HCS HB 220, HB 256, HCS HB 259, HB 260, HB 264, HCS HB 265, HB 270, HB 272, HCS HBs 300, 334 & 387, HB 307, HB 327, HCS HB 354, HCS HB 369, HB 388, HB 402, HCS HB 412, HB 448, HB 484, HB 499, HCS HB 506, HB 513, HB 525, HCS HB 545, HCS HB 548, HB 550, HCS HB 556, HCS HB 557, HB 560, HB 561, HCS HB 604, HCS HB 630, HCS HB 631, HB 648, HB 667, HB 673, HB 675, HB 678, HB 738, HB 746, HB 749, HB 795, HB 798, HB 812, HB 813, HCS HB 825, HCS HJR 3, HCR 15, HCS HCR 17, HCR 34, HCS HB 100, HB 115, HCS HB 192, HB 257, HCS HB 336, HB 458, HCS HBs 470 & 429, HB 490, HCS HB 641, HCS HB 468, HCS HB 473

Executive session may be held on any matter referred to the committee.

### **AMENDED**

### **RURAL COMMUNITY DEVELOPMENT**

Tuesday, March 29, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

#### **TAX REFORM**

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 719, HB 736

Executive session may be held on any matter referred to the committee.

#### **TRANSPORTATION**

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 518, HB 814, HB 818, HB 820

Executive session may be held on any matter referred to the committee.

#### **URBAN ISSUES**

Monday, March 28, 2011, House Hearing Room 5 5:00 PM or upon adjournment.

Public hearing will be held: HB 712, HCR 43, HB 754

Executive session will be held: HB 643, HB 660

Executive session may be held on any matter referred to the committee.

#### **WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, March 28, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 492, HB 828

Executive session may be held on any matter referred to the committee.

### **HOUSE CALENDAR**

FORTY-THIRD DAY, MONDAY, MARCH 28, 2011

#### **HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 14 - Cox

#### **HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 2 HCS HB 2, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 3 HCS HB 3, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 4 HCS HB 4, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 5 HCS HB 5, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 6 HCS HB 6, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 7 HCS HB 7, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 8 HCS HB 8, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 9 HCS HB 9, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 10 HCS HB 10, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 11 HCS HB 11, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 12 HCS HB 12, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 13 HCS HB 13, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey

## **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434 - Nolte
- 4 HCS HBs 411 & 421 - Wyatt
- 5 HB 423 - Burlison
- 6 HCS HB 475 - Funderburk
- 7 HCS HB 546 - Diehl

## **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

## **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98, E.C. - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340, E.C. - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

## **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTY-THIRD DAY, MONDAY, MARCH 28, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend John Reiker, St. Charles Borromeo Parish, St. Charles, Missouri.

Let us begin this session by listening to Jesus' parable: "There was a rich man who was dressed in purple and fine linen and who feasted sumptuously every day. And at his gate lay a poor man named Lazarus, covered with sores, who longed to satisfy his hunger with what fell from the rich man's table; even the dogs would come and lick his sores. The poor man died and was carried away by the angels to be with Abraham. The rich man also died and was buried. In Hades, where he was being tormented, he looked up and saw Abraham far away with Lazarus by his side. He called out, 'Father Abraham, have mercy on me, and send Lazarus to dip the tip of his finger in water and cool my tongue; for I am in agony in these flames.' But Abraham said, 'Child, remember that during your lifetime you received your good things, and Lazarus in like manner evil things; but now he is comforted here, and you are in agony. Besides all this, between you and us a great chasm has been fixed, so that those who might want to pass from here to you cannot do so, and no one can cross from there to us.' He said, 'Then, father, I beg you to send him to my father's house - for I have five brothers - that he may warn them, so that they will not also come into this place of torment.' Abraham replied, 'They have Moses and the prophets; they should listen to them.' He said, 'No, father Abraham; but if someone goes to them from the dead, they will repent.' He said to him, 'If they do not listen to Moses and the prophets, neither will they be convinced even if someone rises from the dead.' "

Let us pause a minute to listen to our Lord in our hearts.

God of all Love, we praise You and thank You for so generously giving us so many gifts. Help us to seek and ask for the gift of Your love. Only with Your powerful grace can we overcome our selfishness and negligence. Help each of us not only focus on my needs and wants but on the needs of others around me. Help us to share our material blessings with those less fortunate.

We thank You for the gift of life this day and for Your bringing us together here. We thank You for those here You have called to be Your public servants in our great state of Missouri. Guide their decisions which affect so many. Help us to listen to You alone. For we all depend totally on You - the giver of life - the giver of eternal life to all who love You and love all Your children as our sisters and brothers. Let us all say AMEN!

Thomas Smith led the House in reciting the Pledge of Allegiance.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rick Howell, Lucas Yates, Thomas Smith, Blaine Brady, Hunter Hicks, Joshua Williams, Wyatt Karase, Zackary Wiseman and Zachary Kremer.

The Journal of the forty-first day was approved as printed.

The Journal of the forty-second day was approved as printed.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1324 through House Resolution No. 1375

**PERFECTION OF HOUSE BILLS - APPROPRIATIONS**

**HCS HB 1**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 1** was laid over.

**HCS HB 2**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 2** was laid over.

**HCS HB 3**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 3** was laid over.

**HCS HB 4**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 4** was laid over.

**HCS HB 5**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 5** was laid over.

**HCS HB 6**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 6** was laid over.

**HCS HB 7**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 7** was laid over.

**HCS HB 8**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 8** was laid over.

**HCS HB 9**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 9** was laid over.

**HCS HB 10**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 10** was laid over.

**HCS HB 11**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 11** was laid over.

**HCS HB 12**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 12** was laid over.

**HCS HB 13**, relating to appropriations, was taken up by Representative Silvey.

**HCS HB 13** was laid over.

**HCS HB 1**, was again taken up by Representative Silvey.

**HCS HB 1** was laid over.

**HCS HB 2** was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2, Page 1, Section 2.005, Line 6, by deleting "2,018,461" and inserting "1,882,461"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative McNeil offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.017, Line 3, by inserting immediately after said section the following new section:

"Section 2.018 To the Department of Elementary and Secondary Education  
For compulsory summer school in unaccredited and provisionally accredited school districts  
From General Revenue Fund.....\$14,818,750"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative McNeil moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

**HCS HB 2, as amended**, was laid over.

**HCS HB 3** was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 3, Page 1, Section 3.005, Line 8, by deleting "874,683" and inserting "834,343"; and

Further amend said bill, Page 5, Section 3.120, Line 3, by deleting "10,611,848" and inserting "10,558,012"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Kelly (24) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 3, Page 6, Section 3.144, Line 3, by deleting "General Revenue" and inserting "Lewis and Clark Discovery"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

Representative Kelly (24) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 3, Page 3, Section 3.045, Line 5, by deleting "4,860,640" and inserting "16,860,640"; and

Further amend said bill, said page, Section 3.050, Line 4, by deleting "22,827,307" and inserting "34,827,307"; and

Further amend said bill, said page, said section, Line 5, by deleting "42,000,000" and inserting "30,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 3** was adopted.

Representative Jones (117) offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 3, Page 10, Section 3.220, Line 4, by inserting immediately after said line the following new line:

"From Lewis and Clark Discovery Fund.....\$2,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Jones (117), **House Amendment No. 4** was adopted.



Speaker Pro Tem Schoeller assumed the Chair.

**HCS HB 3, as amended**, was laid over.

**HCS HB 4** was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 4, Page 1, Section 4.005, Line 6, by deleting "\$10,343,027" and inserting "\$10,284,719"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Grisamore offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 4, Page 2, Section 4.010, Line 14, by deleting "3,337,760" and inserting "1,337,760"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson

Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Faith	Hughes	Schneider	Zimmerman
-------	--------	-----------	-----------

VACANCIES: 001

**HCS HB 4, as amended**, was laid over.

**HCS HB 10** was again taken up by Representative Silvey.

Representative Grisamore offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 10, Page 19, Section 10.410, Line 7, by deleting "156,288,847" and inserting "158,288,847"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Grisamore, **House Amendment No. 1** was adopted.

**HCS HB 10, as amended**, was laid over.

**HCS HB 4, as amended**, was again taken up by Representative Silvey.

**HCS HB 4, as amended**, was laid over.

**HCS HB 5** was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 5, Page 1, Section 5.005, Line 6, by deleting "936,899" and inserting "872,508"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Grisamore offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 5, Page 2, Section 5.020, Line 10, by deleting “42,482,777” and inserting “41,253,157”; and

Further amend said bill, said page, said section, Line 22, by deleting “1,145.10” and inserting “1,121.10”; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 010

Atkins	Carlson	Kander	McGeoghegan	Pace
Pierson	Smith 71	Swearingen	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Faith	Funderburk	Houghton	Hughes	Leara
Schatz	Schneider	Zimmerman		

VACANCIES: 001

**HCS HB 5, as amended**, was laid over.

**HCS HB 10, as amended**, was again taken up by Representative Silvey.

Representative Grisamore offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 10, Page 19, Section 10.410, Line 7, by deleting "156,288,847" and inserting "157,518,467"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted.

**HCS HB 10, as amended**, was laid over.

**HCS HB 5, as amended**, was again taken up by Representative Silvey.

**HCS HB 5, as amended**, was laid over.

**HCS HB 6** was again taken up by Representative Silvey.

Representative Cauthorn offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 6, Page 10, Section 6.210, Line 11, by deleting "32,982,537" and inserting "34,837,619"; and

Further amend said bill, said page, said section, Line 12, by deleting "11,913,767" and inserting "12,299,489"; and

Further amend said bill, said section, Page 12, Line 96, by deleting "908.69" and inserting "949.71"; and

Further amend said bill, Page 16, Section 6.280, Line 7, by deleting "18,448,466" and inserting "19,272,970"; and

Further amend said bill by adjusting section subtotal, section total and bill totals accordingly.

On motion of Representative Cauthorn, **House Amendment No. 1** was adopted.

Representative Guernsey offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 6, Page 1, Section 6.005, Line 6, by deleting "277,772" and inserting "268,392"; and

Further amend said bill, said section, said page, Line 7, by deleting "1,176,804" and inserting "1,152,684"; and

Further amend said bill, Page 9, Section 6.200, Line 6, by deleting "304,808" and inserting "298,538"; and

Further amend said bill, said section, said page, Line 7, by deleting "3,778,594" and inserting "3,727,864"; and

Further amend said bill by adjusting section subtotal, section totals and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 2** was adopted.

**HCS HB 6, as amended**, was laid over.

**HCS HB 7** was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 7, Page 1, Section 7.005, Line 6, by deleting "468,526" and inserting "459,146"; and

Further amend said bill, said page, said section, Line 7, by deleting "1,108,275" and inserting "1,088,728"; and

Further amend said bill, Page 2, said section, Line 10, by deleting "251,787" and inserting "247,214."; and

Further amend said bill, Page 11, Section 7.400, Line 3, by deleting "153,121" and inserting "147,843"; and

Further amend said bill, Page 12, Section 7.420, Line 4, by deleting "7,142,935" and inserting "7,091,213"; and

Further amend said bill, Page 19, Section 7.800, Line 9, by deleting "4,010,802" and inserting "3,953,802."; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

**HCS HB 7, as amended**, was laid over.

**HCS HB 8** was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 8, Page 1, Section 8.005, Line 6, by deleting "867,138" and inserting "833,638"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

**HCS HB 8, as amended**, was laid over.

**HCS HB 9** was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 9, Page 1, Section 9.005, Line 7, by deleting "4,374,645" and inserting "4,323,402"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

**HCS HB 9, as amended**, was laid over.

**HCS HB 10, as amended**, was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 10, Page 1, Section 10.005, Line 6, by deleting "576,487" and inserting "531,754"; and

Further amend said bill, Page 28, Section 10.600, Line 7, by deleting "710,928" and inserting "690,091"; and

Further amend said bill, said page, said section, Line 8, by deleting "2,074,199" and inserting "2,045,425"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 3** was adopted.

Representative Sater offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 10, Page 35, Section 10.725, by deleting the section in its entirety; and

Further amend said bill by adjusting bill totals accordingly.

On motion of Representative Sater, **House Amendment No. 4** was adopted by the following vote:

AYES: 086

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Johnson
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Marshall
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schoeller	Shumake
Silvey	Solon	Thomson	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 068

Anders	Atkins	Aull	Black	Brandom
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Curtman	Day	Dieckhaus	Ellinger
Fallert	Gosen	Harris	Higdon	Hodges
Holsman	Hubbard	Hummel	Jones 63	Jones 89
Kander	Kelly 24	Kirkton	Kratky	Lampe
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Smith 150	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 008

Faith	Funderburk	Houghton	Hughes	Leara
Schatz	Schneider	Zimmerman		

VACANCIES: 001

**HCS HB 10, as amended, was laid over.**

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 786** - Transportation Funding and Public Institutions

## COMMITTEE REPORTS

**Committee on Elementary and Secondary Education**, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 138**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 491**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 108**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Retirement**, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 664**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 828**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.



Mr. Speaker: Your Committee on Rules, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 32**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 70**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 79**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 88**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 100**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 101**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 115**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 141**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 143**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 182**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 192**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 197**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 199**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 220**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 256**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 259**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 265**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 270**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 272**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 307**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 327**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 336**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 354**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 369**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 388**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 402**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 448**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 458**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 470 & 429**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 484**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 490**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 499**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 506**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 513**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 525**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 545**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 548**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 550**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 556**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 557**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 560**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 561**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 604**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 631**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 641**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 648**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 667**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 673**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 675**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 678**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 738**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 746**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 749**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 795**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 798**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 812**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 813**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 825**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 901**, introduced by Representatives Talboy, Silvey, Peters-Baker, Berry, Nolte, Rizzo, Grisamore, McManus, Swearingen, Holsman, Cierpiot, McCann Beatty, Hoskins, Conway (27), Anders, Schieber, Brown (50), Hughes, Lasater, Lauer, Cross, Brattin, Nance, Johnson, Marshall, McDonald, Higdon, Long, Kelley (126), Kander, Solon, Tilley, Largent, Molendorp, Neth, Guernsey, McGhee, Aull and Jones (89), relating to tax credits.

**HB 902**, introduced by Representatives Neth, Marshall and Cierpiot, relating to reporting of child abuse.

**HB 903**, introduced by Representative Stream, relating to cardiovascular care instruction in schools.

**HB 904**, introduced by Representative Loehner, relating to agriculture.

**HB 905**, introduced by Representatives Zerr and Diehl, relating to historic structures rehabilitation tax credits.

**HB 906**, introduced by Representatives Torpey, Hoskins, Stream, Lair, Fisher, Solon, Long, Hinson, Nance, McDonald, Conway (27), Hummel, Swearingen, Anders, Jones (117), Allen and Denison, relating to the use of handheld electronic communications devices by persons operating school buses.

**HB 907**, introduced by Representatives Webber, Still, Quinn and Kelly (24), relating to a real property tax for funding early childhood education programs in certain school districts.

## COMMITTEE APPOINTMENT

March 17, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Keith Frederick to the MO HealthNet Oversight Committee.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker

## WITHDRAWAL OF HOUSE BILL

Mr. Crumbliss,

I wish to withdraw **House Bill No. 852**. There is some technical work I need to do with co-sponsorship before reintroducing the bill. Thanks for the help!

All the best,

/s/ Paul Fitzwater  
State Representative  
District 152

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 29, 2011.

## COMMITTEE MEETINGS

### AGRICULTURE POLICY

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 3.

Public hearing will be held: SS SCS SBs 113 & 95

Executive session may be held on any matter referred to the committee.

CORRECTED

### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 3.

Review of FY 2010 Statewide Single Audit.

Testimony will be taken from State Auditor's office, Department of Health and Senior Services, Department of Mental Health, and Department of Social Services.

May reconvene upon morning adjournment.

### CHILDREN AND FAMILIES

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 739, HB 297, HB 509

Executive session may be held on any matter referred to the committee.

### CORRECTIONS

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 371, HB 837

Executive session may be held on any matter referred to the committee.

### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 156

Executive session may be held on any matter referred to the committee.

### ECONOMIC DEVELOPMENT

Tuesday, March 29, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 840, HB 674

Executive session may be held on any matter referred to the committee.

### ELECTIONS

Tuesday, March 29, 2011, 8:45 AM House Hearing Room 5.

Public hearing will be held: HB 856

Executive session will be held: HB 856, HCS SJR 2, HCS SB 3

Executive session may be held on any matter referred to the committee.

CORRECTED

### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 446, HB 642

Executive session may be held on any matter referred to the committee.

AMENDED

#### GENERAL LAWS

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HJR 27, HB 638, HB 686, HB 748

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 30, HB 482, HB 690, HB 838, HB 851

Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Wednesday, March 30, 2011, South Gallery upon morning adjournment.

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, March 29, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HJR 9, HB 682

Executive session may be held on any matter referred to the committee.

#### JUDICIARY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 269, HB 718, HB 634, HB 663

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 753, HB 757, HB 758

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, March 30, 2011, 6:00 PM

Dinner only - 3702 W. Truman.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 30, 2011, House Hearing Room 5.

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 568

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 30, 2011, 8:30 AM South Gallery.

Executive session will be held: HCS HB 609

Executive session may be held on any matter referred to the committee.

#### RURAL COMMUNITY DEVELOPMENT

Tuesday, March 29, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.



**SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY**

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 613

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

Bill to be reconsidered.

**TAX REFORM**

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 719, HB 736

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 518, HB 814, HB 818, HB 820, HB 527

Executive session may be held on any matter referred to the committee.

AMENDED

**UTILITIES**

Tuesday, March 29, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 598, HB 688, HB 794, HB 858, SB 63

Executive session may be held on any matter referred to the committee.

AMENDED

**HOUSE CALENDAR**

FORTY-FOURTH DAY, TUESDAY, MARCH 29, 2011

**HOUSE BILLS FOR SECOND READING**

HB 901 through HB 907

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 2 HCS HB 2, as amended,  
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 3 HCS HB 3, as amended,  
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 4 HCS HB 4, as amended,  
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey

- 5 HCS HB 5, as amended,  
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 6 HCS HB 6, as amended,  
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 7 HCS HB 7, as amended,  
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 8 HCS HB 8, as amended,  
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 9 HCS HB 9, as amended,  
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 10 HCS HB 10, as amended,  
(6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 11 HCS HB 11, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 12 HCS HB 12, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey
- 13 HCS HB 13, (6 hours total debate on Perfection for HCS HB 1-HCS HB 13) - Silvey

#### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434 - Nolte
- 4 HCS HBs 411 & 421 - Wyatt
- 5 HB 423 - Burlison
- 6 HCS HB 475 - Funderburk
- 7 HCS HB 546 - Diehl
- 8 HCS HB 28 - Sater
- 9 HCS HB 100 - Loehner
- 10 HCS HB 192 - Jones (89)
- 11 HCS HB 336 - Burlison
- 12 HB 458 - Loehner
- 13 HCS HBs 470 & 429 - Funderburk
- 14 HB 490 - Diehl
- 15 HCS HB 641 - Franz
- 16 HCS HB 468 - Diehl

#### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray

- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)
- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

## **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

## **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98, E.C. - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340, E.C. - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

## **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis
- 4 HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5 HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6 HCR 34, (3-8-11, Pages 554-555) - Hampton

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTY-FOURTH DAY, TUESDAY, MARCH 29, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Brethren, ye have been called unto liberty; only use not liberty for an occasion to the flesh, but by love serve one another. (Galations 5:13)*

Almighty God, Father of all people, Who is ever seeking entrance into our lives, forever knocking at the door of our hearts - we open our spirits to You in prayer this morning.

We pray humbly and sincerely for our state - this land where we can speak our minds without fear, where we can pray as we choose and where we can elect those who govern us. May it now and ever be the land of the free and the home of the brave.

During these trying economic days, help us to think clearly, to make decisions wisely and to courageously do what is right and good for all. Above all, may we put our trust in You and keep this faith as long as we live. In the Master's name we pray. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Melissa Bergin-Stack, Alexis Chandler and Jonah Schnell.

The Journal of the forty-third day was approved as corrected.

## SPECIAL RECOGNITION

Members of the Missouri Civil Air Patrol were introduced by Representative Scharnhorst and presented a Resolution recognizing the 70<sup>th</sup> Anniversary of their formation.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1376 through House Resolution No. 1412

## SECOND READING OF HOUSE BILLS

**HB 901** through **HB 907** were read the second time.

**PERFECTION OF HOUSE BILLS - APPROPRIATIONS**

**HCS HB 11** was taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 11, Page 1, Section 11.005, Line 6, by deleting "326,853" and inserting "277,241"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Kelly (24) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 11, Page 18, Section 11.425, Line 26, by deleting "192,575,272" and inserting "180,575,272"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

**HCS HB 11, as amended**, was laid over.

**HCS HB 3, as amended**, was taken up by Representative Silvey.

Representative Kelly (24) offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 3, Page 6, Section 3.144, Line 1, by deleting said section in its entirety; and

Further amend said bill, said section, said line, by inserting the following new section:

"Section 3.144. To the Department of Higher Education  
For the Preparing to Care Grant Program  
From General Revenue Fund.....\$12,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 5** was adopted.

**HCS HB 3, as amended**, was laid over.

**HCS HB 11, as amended**, was again taken up by Representative Silvey.

Representative Franz offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 11, Page 13, Section 11.245, Line 7, by deleting "\$7,422,385" and inserting "\$5,422,385"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 3** was adopted.

Representative Franz offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 11, Page 11, Section 11.205, Line 7, by deleting "\$7,473,426" and inserting "\$9,073,426"; and

Further amend said bill, said page, said section, Line 10, by deleting "1,250,000" and inserting "2,050,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 4** was adopted.

Representative Franz offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 11, Page 1, Section 11.005, Line 6, by deleting "\$326,853" and inserting "\$226,853"; and

Further amend said bill, said page, said section, Line 9, by deleting "5.00 F.T.E." and inserting "3.02 F.T.E."; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 5** was adopted.

**HCS HB 11, as amended**, was laid over.

**HCS HB 5, as amended**, was taken up by Representative Silvey.

Representative Franz offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 5, Page 8, Section 5.147, Line 25, by deleting "1,583,561" and inserting "1,683,561"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 3** was adopted.

**HCS HB 5, as amended**, was laid over.

**HCS HB 11, as amended**, was again taken up by Representative Silvey.

Representative Franz offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 11, Page 4, Section 11.055, by deleting the section in its entirety; and

Further amend said bill by adjusting bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 6** was adopted.

**HCS HB 11, as amended**, was laid over.

**HCS HB 12** was taken up by Representative Silvey.

Representative Franz offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 12, Page 7, Section 12.195, Line 3, by deleting "\$12,442,179" and inserting "\$13,963,212"; and

Further amend said section, Line 4, by deleting "2,556,077" and inserting "6,144,457"; and

Further amend said section, Line 24, by inserting immediately thereafter the following:

"From Third Party Liability Collections Fund.....668,140  
From Child Support Enforcement Collection Fund.....166,003"; and

Further amend said section, Line 25, by deleting "410.50 F.T.E" and inserting "531.47 F.T.E."; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

**HCS HB 12, as amended**, was laid over.

**HCS HB 11, as amended**, was again taken up by Representative Silvey.

**HCS HB 11, as amended**, was laid over.

**HCS HB 12, as amended**, was again taken up by Representative Silvey.

Representative Guernsey offered **House Amendment No. 2**.



*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 12, Page 1, Section 12.005, Line 2, by deleting "\$2,394,095" and inserting "\$2,207,095"; and

Further amend said bill, Page 2, Section 12.035, Line 3, by deleting "\$8,825,102" and inserting "\$8,810,208"; and

Further amend said bill, Page 5, Section 12.145, Line 3, by deleting "\$6,198,762" and inserting "\$6,180,787"; and

Further amend said bill, Page 7, Section 12.195, Line 3, by deleting "\$12,442,179" and inserting "\$12,373,742"; and

Further amend said bill, Page 14, Section 12.500, Line 5, by deleting "8,783,783" and inserting "8,782,283"; and

Further amend said bill, Page 15, Section 12.510, Line 6, by deleting "\$831,141" and inserting "\$824,869"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 2** was adopted by the following vote:

AYES: 119

Allen	Aull	Bahr	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McGhee	McManus
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 035

Anders	Asbury	Atkins	Brown 50	Carlson
Carter	Colona	Ellinger	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	May

McCann Beatty	McDonald	McGeoghegan	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Schupp	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

PRESENT: 001

Barnes

ABSENT WITH LEAVE: 007

Brown 116	Conway 27	Hughes	McCaherty	Sater
Schneider	Zimmerman			

VACANCIES: 001

### Representative Guernsey offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 12, Page 5, Section 12.150, Line 3, by deleting "\$1,825,414" and inserting "\$1,814,414"; and

Further amend said bill and adjusting section and bill totals accordingly.

On motion of Representative Guernsey, **House Amendment No. 3** was adopted.

### Representative Nasheed offered **House Amendment No. 4.**

#### *House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 12, Page 1, Section 12.005, Line 2, by deleting "\$2,394,095" and inserting "\$1,894,095"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Nasheed, **House Amendment No. 4** was adopted by the following vote:

AYES: 118

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Burlison	Carter	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner

Long	Marshall	May	McCaherty	McGhee
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Spreng	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 037

Anders	Atkins	Black	Carlson	Casey
Colona	Conway 27	Ellinger	Fallert	Harris
Hodges	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	McCann Beatty	McDonald	McGeoghegan
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schupp	Sifton	Still	Swearingen	Talboy
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 116	Hughes	McManus	McNary	Meadows
Schneider	Zimmerman			

VACANCIES: 001

**HCS HB 12, as amended**, was laid over.

**HCS HB 2, as amended**, was taken up by Representative Silvey.

Representative Nasheed offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 27, by inserting immediately after said line the following new section:

“Section 2.016. To the Department of Elementary and Secondary Education  
For Dropout Recovery Grants for use within the city of St. Louis  
General Revenue Fund.....\$500,000”; and

Further amend said bill by adjusting section and bill totals accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Nasheed, **House Amendment No. 3** was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 019

Bahr	Brown 116	Burlison	Conway 14	Curtman
Franklin	Higdon	Hodges	Keeney	Kelly 24
Koenig	Lasater	Leach	Marshall	Neth
Parkinson	Pollock	Swearingen	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 005

Fuhr	Hughes	Leara	Schneider	Zimmerman
------	--------	-------	-----------	-----------

VACANCIES: 001

**HCS HB 2, as amended**, was laid over.

**HCS HB 12, as amended**, was again taken up by Representative Silvey.

Representative Flanigan offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 12, Page 15, Section 12.505, Line 6, by deleting "11,037,656" and inserting "10,937,656"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 5** was adopted.

**HCS HB 12, as amended**, was laid over.

**HCS HB 5, as amended**, was again taken up by Representative Silvey.

Representative Flanigan offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 5, Page 5, Section 5.075, Line 12, by inserting immediately after said section the following new section:

"Section 5.079 There is transferred out of the State Treasury, chargeable to the General Revenue Fund, to the Capitol Commission Fund  
From General Revenue Fund.....\$100,000"; and

Further amend said bill, said page, section 5.080, line 7, by deleting "25,000" and inserting "125,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 4** was adopted.

**HCS HB 5, as amended**, was laid over.

**HCS HB 12, as amended**, was again taken up by Representative Silvey.

Representative Sifton offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 12, Page 5, Section 12.145, line 3, by deleting "\$6,198,162" and inserting "\$6,013,063"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Sifton moved that **House Amendment No. 6** be adopted.

## Which motion was defeated by the following vote:

AYES: 056

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Day	Ellinger	Fallert	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelley 126
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber				

NOES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelly 24	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Holsman	Hughes	Lasater	Leara	Schneider
Wallingford	Zimmerman			

VACANCIES: 001

**HCS HB 12, as amended,** was laid over.**HCS HB 13** was taken up by Representative Silvey.**HCS HB 13** was laid over.

**HCS HB 1** was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1** was adopted.

On motion of Representative Silvey, **HCS HB 1** was ordered perfected and printed.

**HCS HB 2, as amended**, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 2, as amended**, was ordered perfected and printed.

**HCS HB 3, as amended**, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 3, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 3, as amended**, was ordered perfected and printed.

**HCS HB 4, as amended**, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 4, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 4, as amended**, was ordered perfected and printed.

**HCS HB 5, as amended**, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 5, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 5, as amended**, was ordered perfected and printed.

**HCS HB 6, as amended**, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 6, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 6, as amended**, was ordered perfected and printed.

**HCS HB 7, as amended**, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 7, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 7, as amended**, was ordered perfected and printed.

**HCS HB 8, as amended**, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 8, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 8, as amended**, was ordered perfected and printed.

**HCS HB 9, as amended**, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 9, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 9, as amended**, was ordered perfected and printed.

**HCS HB 10, as amended**, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 10, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 10, as amended**, was ordered perfected and printed.

**HCS HB 11, as amended**, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 11, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 11, as amended**, was ordered perfected and printed.

**HCS HB 12, as amended**, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 12, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 12, as amended**, was ordered perfected and printed.

**HCS HB 13** was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 13** was adopted.

On motion of Representative Silvey, **HCS HB 13** was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 3:30 p.m.



**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

**PERFECTION OF HOUSE BILLS**

**HB 434**, relating to co-employee liability for negligence, was taken up by Representative Nolte.

Representative Nolte offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 434, Page 1, Section 287.120, Line 16, by deleting the words “**affirmative negligent**” and inserting in lieu thereof the word “**intentional**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Fallert offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 434, Page 1, Section 287.120, Line 17, by inserting after the word “**injury.**” the following:

“**The provision of this subsection shall not apply to a co-employee who has entered the United States illegally.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McManus offered **House Amendment No. 1 to House Amendment No. 2**.

**House Amendment No. 1 to House Amendment No. 2** was withdrawn.

Representative McManus offered **House Amendment No. 2 to House Amendment No. 2**.

*House Amendment No. 2*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to House Bill No. 434, Page 1, Line 4, by deleting "who" and replacing with "whose employer has not 'not knowingly' ".

On motion of Representative McManus, **House Amendment No. 2 to House Amendment No. 2** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCarthy	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Brown 116	Burlison	Cox	Pollock	Rowland
-----------	----------	-----	---------	---------

PRESENT: 000

ABSENT WITH LEAVE: 008

Leach	Marshall	McGhee	Nasheed	Scharnhorst
Schneider	Smith 150	Zimmerman		

VACANCIES: 001

Representative Flanigan assumed the Chair.

Representative Fallert moved that **House Amendment No. 2, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

NOES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schoeller	Shumake	Silvey
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 006

McGhee	Nasheed	Scharnhorst	Schneider	Smith 150
Zimmerman				

VACANCIES: 001

**HB 434, as amended**, was laid over.

**HB 423**, relating to a health care compact, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 423, Section 1, Page 1, Line 1, by deleting all of said line and insert in lieu thereof the following:

**“Section 1. Definitions. As used in this Compact, unless the context clearly indicates otherwise:”**; and

Further amend said bill, section and page, Line 6, by deleting the word **“latter”** and insert in lieu thereof the word **“later”**; and

Further amend said bill, section and page, Line 8, by inserting immediately after the word **“State;”** the word **“and”**; and

Further amend said bill and section, Page 2, Lines 10-15 by deleting all of said lines and insert in lieu thereof the following:

**“to Article I, Section 10, of the United States Constitution, after at least two Member States adopt this Compact.**

**“Health Care” means care, services, supplies, or plans related to the health of an individual and includes but is not limited to:**

**(a) preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care and counseling, service, assessment, or procedure with respect to the physical or mental condition or functional status of an individual or that affects the structure or function of the body; and**

**(b) sale or dispensing of a drug, device, equipment, or other item in accordance with a prescription; and**

**(c) an individual or group plan that provides, or pays the cost of, care, services, or supplies related to the health of an individual; except any care, services, supplies, or plans provided by the United States Department of Defense, the United States Department of Veteran Affairs, or provided to Native Americans.”**; and

Further amend said bill and section, Page 2, Line 16, by inserting after all of said line the following:

**““Member State” means a State that is signatory to this Compact and has adopted it under the laws of that State.**

**“Member State Base Funding Level” means a number equal to the total Federal spending on Health Care in the Member State during Federal fiscal year 2010 as determined. On or before the Effective Date, each Member State shall determine the Member State Base Funding Level for its State, and that number shall be binding upon that Member State. (The preliminary estimate of Member State Base Funding Level for the State of Missouri is \$18,669,000,000.)**

**“Member State Current Year Funding Level” means the Member State Base Funding Level multiplied by the Member State Current Year Population Adjustment Factor multiplied by the Current Year Inflation Adjustment Factor.**

**“Member State Current Year Population Adjustment Factor” means the average population of the Member State in the current year less the average population of the Member State in Federal fiscal year 2010, divided by the average population of the Member State in Federal fiscal year 2010, plus 1. Average population in a Member State shall be determined by the United States Census Bureau.**

**“Current Year Inflation Adjustment Factor” means the Total Gross Domestic Product Deflator in the current year divided by the Total Gross Domestic Product Deflator in Federal fiscal year 2010. Total Gross Domestic Product Deflator shall be determined by the Bureau of Economic Analysis of the United States Department of Commerce.”**; and

Further amend said bill, Section 2, Page 2, Line 1, by deleting the phrase **“All Member States pledge themselves to”** and insert in lieu thereof the phrase **“The Member States shall”**; and

Further amend said bill, section and page, Line 2, by inserting the words “**the United States**” after the word “**of**”; and

Further amend said bill, section and page, Line 4, by deleting all of said line and insert in lieu thereof the following:

**“articulated in this Compact. The Member States shall improve health care”**; and

Further amend said bill, section and page, Line 6, by adding an “**s**” to the word “**State**”; and

Further amend said bill and page, Section 4, Lines 1-4, by deleting all of said lines and insert in lieu thereof the following:

**“Section. 4. State Control. Each Member State, within its State, may suspend by legislation the operation of all federal laws, rules, regulations, and orders regarding Health Care that are inconsistent with the laws and regulations adopted by the Member State pursuant to this Compact. Federal laws, rules, regulations, and orders regarding health care will remain in effect unless a Member State expressly suspends them pursuant to its authority under this Compact. For any federal law, rule, regulation, or order that remains in effect in a Member State after the Effective Date, that Member State shall be responsible for the associated funding obligations in its State.”**; and

Further amend said bill, Page 2, Section 5, Lines 1-3, by deleting all of said lines and insert in lieu thereof the following:

**“Section. 5. Funding.**

**(a) Each Federal fiscal year, each Member State shall have the right to Federal monies up to an amount equal to its Member State Current Year Funding Level for that Federal fiscal year, funded by Congress as mandatory spending and not subject to annual appropriation, to support the exercise of Member State authority under this Compact. This funding shall not be conditional on any action of or regulation, policy, law, or rule being adopted by the Member State.**

**(b) By the start of each Federal fiscal year, Congress shall establish an initial Member State Current Year Funding Level for each Member State, based upon reasonable estimates. The final Member State Current Year Funding Level shall be calculated, and funding shall be reconciled by the United States Congress, based upon information provided by each Member State and audited by the United States Government Accountability Office.”**; and

Further amend said bill, Page 2, Section 6, Lines 1-2, by deleting the sentence “**The Member States hereby create the Interstate Advisory Health Care Commission.**”; and

Further amend said bill, section and page, Line 4, by deleting the words “**After careful consideration, the**” and insert in lieu thereof the word “**The**”; and

Further amend said bill, section and page, Line 6, by deleting the word “**then**”; and

Further amend said bill, section and page, Line 9, by deleting the words “**,but not limited to,**”; and

Further amend said bill, section and page, Line 10, by deleting the words “**cost of**” and insert in lieu thereof the word “**prices**”; and

Further amend said bill, section and page, Line 11, by inserting after the word “**information**” the words “**and data**”; and

Further amend said bill, section and page, Line 12, by inserting at the end of said line the following:

**“Notwithstanding any other provision in this Compact, no Member State shall disclose to the Commission the health information of any individual, nor shall the Commission disclose the health information of any individual.”; and**

Further amend said bill and section, Page 3, Line 13, by deleting the words **“shall consist”** and insert in lieu thereof the word **“consists”**; and

Further amend said bill, section and page, Line 14, by deleting the words **“No state may”** and insert in lieu thereof the words **“A Member State may not”**; and

Further amend said bill, section and page, Line 16, by deleting all of said line and insert in lieu thereof the following:

**“withdraw membership from the Commission at any time. Each Commission member is”; and**

Further amend said bill, section and page, Lines 18-19, by deleting the words **“total number of members.”** and insert in lieu thereof the words **“commission’s total membership.”**; and

Further amend said bill, section and page, Line 20, by deleting the word **“Chairman”** and insert in lieu thereof the word **“Chairperson”**; and

Further amend said bill, section and page, Line 21, by deleting the word **“which”** and insert in lieu thereof the word **“that”**; and

Further amend said bill, section and page, Line 22, by deleting the word **“will”** and insert in lieu thereof the word **“shall”**; and

Further amend said bill, section and page, Lines 24-28, by deleting all of said lines and insert in lieu thereof the following:

**“(e) The Commission shall be funded by the Member States as agreed to by the Member States. The Commission shall have the responsibilities and duties as may be conferred upon it by subsequent action of the respective legislatures of the Member States in accordance with the terms of this Compact.**

**(f) The Commission shall not take any action within a Member State that contravenes any State law of that Member State.”; and**

Further amend said bill, Sections 7-8, Page 3, by deleting all of said lines and insert in lieu thereof the following:

**“Section. 7. Congressional Consent. This Compact shall be effective on its adoption by at least two Member States and consent of the United States Congress. This Compact shall be effective unless the United States Congress, in consenting to this Compact, alters the fundamental purposes of this Compact, which are:**

**(a) To secure the right of the Member States to regulate Health Care in their respective States pursuant to this Compact and to suspend the operation of any conflicting federal laws, rules, regulations, and orders within their States; and**

**(b) To secure Federal funding for Member States that choose to invoke their authority under this Compact, as prescribed by Section 5 above.**

**Section. 8. Amendments. The Member States, by unanimous agreement, may amend this Compact from time to time without the prior consent or approval of Congress and any amendment shall be effective unless, within one year, the Congress disapproves that amendment. Any State may join this Compact after the date on which Congress consents to the Compact by adoption into law under its State Constitution.”; and**

Further amend said bill, Section 9, Page 3, Line 2, by inserting immediately after the word “**effect**” the following:

“, **but no such withdrawal shall take effect until six months after the Governor of the withdrawing Member State has given notice of the withdrawal to the other Member States**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 1** was adopted.

Representative Schupp offered **House Amendment No. 2**.

Representative Elmer raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Flanigan requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

**HB 423, as amended**, was laid over.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 606** - General Laws

**HB 839** - Special Standing Committee on Renewable Energy

**HB 893** - Workforce Development and Workplace Safety

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS SB 55** - Rural Community Development

**SS SB 306** - Financial Institutions

### **COMMITTEE REPORTS**

**Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 856**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Financial Institutions**, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 656**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 661**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 401**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 68**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 534**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 737**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Urban Issues**, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 660**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 908**, introduced by Representatives Berry, Nolte, Silvey, Neth, Schieber, Nance, Lauer, Cross, Long, Cierpiot, McGhee, Klippenstein, Brattin, Barnes, Lasater, Molendorp, Faith, Grisamore, Talboy, McCann Beatty and Solon, relating to economic incentives.

**HB 909**, introduced by Representative Higdon, relating to an owner's liability for death or injury to a trespasser.



**HB 910**, introduced by Representative Atkins, relating to illegal immigration.

**HB 911**, introduced by Representatives Webber and Kander, relating to designation of tax refunds to the Missouri veterans' medical research trust fund.

**HB 912**, introduced by Representatives McCaherty, Curtman, Scharnhorst, Fisher, Webber, Day, Wieland, Davis, Lant, Pollock, Nolte, Fallert, Denison, Schieffer, Casey, Harris and Bahr, relating to the designation of a memorial highway.

**HB 913**, introduced by Representatives Carter, Barnes, Pace, Webb, Jones (63) and Colona, relating to trafficking drugs.

**HB 914**, introduced by Representative Grisamore, relating to hearing instrument purchase agreements.

**HB 915**, introduced by Representatives Parkinson and Atkins, relating to motor vehicle financial responsibility.

**HB 916**, introduced by Representatives Houghton, Burlison, Wells, Pollock, Brown (116), Richardson, Schatz, Korman and Phillips, relating to a special license plate.

**HB 917**, introduced by Representatives Hinson and Kelly (24), relating to consolidation of fire districts in St. Louis County.

**HB 918**, introduced by Representatives Solon, Weter, Torpey, Montecillo, Cierpiot, Gatschenberger, Marshall, Higdon and Scharnhorst, relating to solid waste collection.

**HB 919**, introduced by Representatives Schupp and Conway (27), relating to community improvement districts.

**HB 920**, introduced by Representatives Walton Gray, Carter, Pace, Oxford, Smith (71), Atkins, May and Schieffer, relating to the use of credit scores by insurance companies.

**HB 921**, introduced by Representative Aull, relating to state aid for schools.

**HB 922**, introduced by Representatives Still, McGeoghegan, Ellinger, Oxford, Kirkton, Schupp, McNeil, McDonald and McCann Beatty, relating to mortgage foreclosures.

**HB 923**, introduced by Representative Pollock, relating to adverse possession.

**HB 924**, introduced by Representatives Nolte, Talboy, Neth, Berry, Peters-Baker, Brown (50), Lasater, Holsman, McCann Beatty, Swearingen, Grisamore, Rizzo, McManus and Silvey, relating to the Missouri quality jobs act.

**HB 925**, introduced by Representative Riddle, relating to breast-feeding.

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 30, 2011.

## CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Forty-third Day, Monday, March 28, 2011, Page 724, Line 31, by inserting immediately after said line the following:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## COMMITTEE MEETINGS

### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 3.

Review of FY 2010 Statewide Single Audit.

Testimony will be taken from State Auditor's office, Department of Health and Senior Services, Department of Mental Health, and Department of Social Services.

May reconvene upon morning adjournment.

### CHILDREN AND FAMILIES

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 739, HB 297

Executive session may be held on any matter referred to the committee.

HB 509 will not be heard.

AMENDED

### CORRECTIONS

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 371, HB 837

Executive session may be held on any matter referred to the committee.

### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 156

Executive session may be held on any matter referred to the committee.

### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 446, HB 642

Executive session may be held on any matter referred to the committee.

AMENDED

#### FINANCIAL INSTITUTIONS

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: SS SB 306

Executive session will be held: HB 787

Executive session may be held on any matter referred to the committee.

AMENDED

#### FISCAL REVIEW

Thursday, March 31, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### HEALTH CARE POLICY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 30, HB 482, HB 690, HB 838, HB 851

Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Wednesday, March 30, 2011, South Gallery upon morning adjournment.

Executive session may be held on any matter referred to the committee.

CANCELLED

#### HEALTH INSURANCE

Thursday, March 31, 2011, 8:15 AM South Gallery.

Executive session may be held on any matter referred to the committee.

CORRECTION: Due to session start time of 9:00 AM, this hearing has been moved up to 8:15 AM.

CORRECTED

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 30, 2011, 12:00 PM Room 315.

Lunch

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 7.

Public hearing will be held: HCR 28

Executive session may be held on any matter referred to the committee.

#### JUDICIARY

Wednesday, March 30, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 269, HB 718, HB 634, HB 663

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 753, HB 757, HB 758

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, March 30, 2011, 6:00 PM.

Dinner only - 3702 W. Truman.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 30, 2011, 12:00 PM or if after 12:00 PM House Hearing Room 5 upon morning adjournment.

Public hearing will be held: HB 568

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 31, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session may be held on any matter referred to the committee.

CORRECTED

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 30, 2011, House Hearing Room 3 upon morning adjournment.

Executive session will be held: SCS SB 68

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, March 30, 2011, 8:30 AM South Gallery.

Executive session will be held: HCS HB 609

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Wednesday, March 30, 2011, 5:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session only - No Public Testimony.

TAX REFORM

Wednesday, March 30, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 719, HB 736

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, March 31, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 659, HB 714, HB 792, HB 786

Executive session will be held: HB 659, HB 714, HB 792, HB 786

Executive session may be held on any matter referred to the committee.

URBAN ISSUES

Monday, April 4, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 208

Executive session will be held: HB 754, HB 712, HCR 43

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, March 31, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 767, HB 726

Executive session will be held: HB 549

Executive session may be held on any matter referred to the committee.

**CORRECTED**

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Thursday, March 31, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 188

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

**FORTY-FIFTH DAY, WEDNESDAY, MARCH 30, 2011**

**HOUSE BILLS FOR SECOND READING**

HB 908 through HB 925

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HB 434, as amended - Nolte
- 4 HCS HBs 411 & 421 - Wyatt
- 5 HB 423, as amended - Burlison
- 6 HCS HB 475 - Funderburk
- 7 HCS HB 546 - Diehl
- 8 HCS HB 28 - Sater
- 9 HCS HB 100 - Loehner
- 10 HCS HB 192 - Jones (89)
- 11 HCS HB 336 - Burlison
- 12 HB 458 - Loehner
- 13 HCS HBs 470 & 429 - Funderburk
- 14 HB 490 - Diehl
- 15 HCS HB 641 - Franz
- 16 HCS HB 468 - Diehl

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter

- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)
- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HCS HB 1 - Silvey
- 2 HCS HB 2 - Silvey
- 3 HCS HB 3 - Silvey
- 4 HCS HB 4 - Silvey
- 5 HCS HB 5 - Silvey
- 6 HCS HB 6 - Silvey
- 7 HCS HB 7 - Silvey
- 8 HCS HB 8 - Silvey
- 9 HCS HB 9 - Silvey
- 10 HCS HB 10 - Silvey
- 11 HCS HB 11 - Silvey
- 12 HCS HB 12 - Silvey
- 13 HCS HB 13 - Silvey

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98, E.C. - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340, E.C. - Klippenstein
- 10 HCS HB 344 - Guernsey

- 11     HB 462 - Pollock
- 12     HB 503 - Dugger
- 13     HCS HB 578 - Thomson

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1     HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2     HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3     HCR 33, (3-1-11, Pages 486-487) - Davis
- 4     HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5     HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6     HCR 34, (3-8-11, Pages 554-555) - Hampton



# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTY-FIFTH DAY, WEDNESDAY, MARCH 30, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend James T. King, Senior Pastor of St. Paul Lutheran Church, Farmington, Missouri.

Gracious Heavenly Father, You are the God of grace and mercy, as we again assemble in this Chamber and face the duties and decisions of a new day, may the power of Your Spirit be upon us.

Grant that our Speaker and the Members of the House of Representatives who have been entrusted by the people of this great state, be guided into the ways of truth and righteousness.

May the legislation they propose contribute to the growth and goodness, the health and happiness, the material and spiritual welfare of our state and all mankind.

Show them how to bring joy and peace into all those whose lives are broken by bitter adversities and afflictions, by heavy burdens and beset by trials and tribulations.

Forgive us when we stray from Your ways and open our hearts to receive Your divine strength and guidance as we struggle to perform our daily tasks faithfully and well.

Hear us in the name of Jesus Christ, our hope and our life. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hayley Starner, Tate Workcuff, Sydney Allred, Scott LaRue and Ayanna Johnson.

The Journal of the forty-fourth day was approved as printed.

Speaker Pro Tem Schoeller assumed the Chair.

## SPECIAL RECOGNITION

John Twitty was introduced by Representative Lampe and recognized as an Outstanding Missourian.

Dr. Devin Stephenson and employees of Three Rivers Community College were introduced by Representative Richardson and presented with a resolution.

Kathy Steinhoff, Teacher of the Year, was introduced by Representative Still and presented with a resolution.

Ray Steinhoff, Coach of the New Haven Shamrocks Basketball Team, was introduced by Representative Schatz and presented with a resolution.

Speaker Tilley resumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

### **HOUSE RESOLUTIONS**

Representative Gatschenberger offered House Resolution No. 1428.

Representative Higdon offered House Resolution No. 1452.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1413 through House Resolution No. 1427

House Resolution No. 1429 through House Resolution No. 1451

### **HOUSE CONCURRENT RESOLUTION**

Representative Oxford, et al., offered House Concurrent Resolution No. 51.

### **SECOND READING OF HOUSE BILLS**

**HB 908** through **HB 925** were read the second time.

### **THIRD READING OF HOUSE BILLS - APPROPRIATIONS**

**HCS HB 1**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1** was read the third time and passed by the following vote:

AYES: 161

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes

Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Zimmerman

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 2**, relating to appropriations, was taken up by Representative Silvey.

Speaker Tilley resumed the Chair.

On motion of Representative Silvey, **HCS HB 2** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson

Jones 63	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Parkinson	Peters-Baker
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 014

Atkins	Carlson	Keeney	McNeil	Newman
Oxford	Pace	Pierson	Schupp	Smith 71
Still	Swearingen	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 002

McDonald	Zimmerman
----------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 3**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 3** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky

Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 019

Atkins	Carlson	Hughes	Hummel	McDonald
McGeoghegan	McNeil	Newman	Oxford	Pace
Peters-Baker	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 002

Schieffer	Zimmerman
-----------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 4**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 4** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara

Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 007

Atkins	Hughes	McNeil	Oxford	Smith 71
Swearingen	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 001

Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 5**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 5** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed

Neth	Nichols	Nolte	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 017

Atkins	Carlson	Colona	Hughes	Hummel
Marshall	May	McGeoghegan	McNeil	Newman
Oxford	Pace	Schupp	Smith 71	Swearingen
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 002

Guernsey	Zimmerman
----------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 6**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 6** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson

770 *Journal of the House*

Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 007

Atkins	Hughes	McGeoghegan	McNeil	Oxford
Pace	Swearingen			

PRESENT: 000

ABSENT WITH LEAVE: 002

Elmer	Zimmerman
-------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 7**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 7** was read the third time and passed by the following vote:

AYES: 126

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nichols	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Still	Stream	Swinger	Talboy



Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 035

Anders	Atkins	Carlson	Casey	Colona
Fallert	Hodges	Hughes	Hummel	Kander
Kirkton	Kratky	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Oxford	Pace	Peters-Baker	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Swearingen	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 001

Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 8**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 8** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz

Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Hughes	Oxford
--------	--------

PRESENT: 000

ABSENT WITH LEAVE: 002

Loehner	Zimmerman
---------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 9**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 9** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng

Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

Atkins	Hughes	Oxford
--------	--------	--------

PRESENT: 001

Quinn

ABSENT WITH LEAVE: 003

Day	McGhee	Zimmerman
-----	--------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 10**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 10** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McManus	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Peters-Baker	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Spreng	Stream	Swinger	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 027

Atkins	Carlson	Colona	Hughes	Hummel
Jones 63	Kratky	May	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Still	Swearingen	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 004

Casey	Day	McGhee	Zimmerman
-------	-----	--------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 11**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 11** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 020

Atkins	Carlson	Colona	Hughes	McGeoghegan
McNeil	Newman	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Still	Swearingen	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 002

Brown 50                      Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 12**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 12** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 010

Carlson	Hughes	McDonald	McGeoghegan	Newman
Oxford	Pace	Peters-Baker	Schupp	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 003

Berry	McGhee	Zimmerman
-------	--------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 13**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 13** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Hughes Oxford

PRESENT: 000

ABSENT WITH LEAVE: 003

Fraker Schieber Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

### PERFECTION OF HOUSE BILLS

**HB 434, as amended**, relating to co-employee liability negligence, was taken up by Representative Nolte.

On motion of Representative Nolte, **HB 434, as amended**, was ordered perfected and printed.

**HCS HB 475**, relating to disclosure of health care data, was taken up by Representative Funderburk.

Representative Jones (117) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 475, Page 4, Section 191.1005, Line 93, by deleting the date "**August 28, 2011**" and insert in lieu thereof the date "**January 1, 2012**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

On motion of Representative Funderburk, **HCS HB 475, as amended**, was adopted.

On motion of Representative Funderburk, **HCS HB 475, as amended**, was ordered perfected and printed.

**HB 423, as amended**, relating to a health care compact, was taken up by Representative Burlison.

Representative Stream assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Hoskins 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Cox	Dieckhaus	Fraker	Higdon	Korman
Leara	Meadows	Schad	Scharnhorst	Zimmerman

VACANCIES: 001



On motion of Representative Burlison, **HB 423, as amended**, was ordered perfected and printed by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 006

Cox	Dieckhaus	Fraker	Leara	Schad
Zimmerman				

VACANCIES: 001

**HCS HB 28**, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Sater.

Representative Koenig offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 28, Page 1, Section 188.033, Line 12, by deleting all of said line and insert in lieu thereof the following:

**“not an ectopic pregnancy; and”**; and

Further amend said bill and section, Pages 1-2, Lines 16-26, by deleting all of said lines and insert in lieu thereof the following:

**“FDA or the drug manufacturer to induce an abortion.”**; and

Further amend said bill and section, Page 2, Line 32, by inserting after the word **“are”** the words **“performed or”**; and

Further amend said bill, section and page, Lines 46-47, by deleting all of said lines and insert in lieu thereof the following:

**“(2) Has privileges at the hospital or at the abortion facility where the drug or drugs were administered, to perform surgical intervention including but not limited to surgical abortion.”**; and

Further amend said bill and section, Page 3, Lines 59-61, by deleting all of said lines and inserting in lieu thereof the following:

**“and maintain in force a tail or occurrence-based insurance policy of at least one million dollars per occurrence and three million dollars in the aggregate per year for personal injury to or death of the child who is born alive, and such policy does not expire until at least the child reaches his or her twentieth birthday, pursuant to section 516.105.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Koenig, **House Amendment No. 1** was adopted.

Speaker Tilley resumed the Chair.

**HCS HB 28, as amended**, was laid over.

**HCS HB 546**, relating to the Missouri Housing Development Commission, was taken up by Representative Kelly (24).

Representative Kander offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 546, Page 1, Section 215.020, Lines 3 to 6, by deleting all of said lines and inserting in lieu thereof the following:

**“a body corporate and politic.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Webber offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 546, Page 1, Section 215.020, Lines 4-5, by removing all of said lines and inserting in lieu thereof the following:

**“located within thirty-five miles of the seat of government, and all employees of the commission shall maintain employment within thirty-five miles of the seat of government. All expenses and costs incurred for the relocation of the offices of the commission”;** and

Further amend said bill, Page 2, Section 215.020, Line 26, by removing all of said line and inserting in lieu thereof the following:

**“seat of government.”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HCS HB 546, with House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 1, pending,** was laid over.

**REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HCS HB 475** - Fiscal Review (Fiscal Note)

**COMMITTEE REPORTS**

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 840**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 68**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

**Committee on Rules**, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 609**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 926**, introduced by Representative Bernskoetter, to authorize the conveyance of various properties owned by the state.

**HB 927**, introduced by Representatives McDonald, Lasater, Anders, McManus, Cross, Lauer, Talboy, Rizzo, Kratky, Hughes, Brown (50), Conway (27), Black, Cierpiot, Casey, Hodges, Molendorp, Colona, Fallert and Webb, relating to a surcharge for violations of ordinances or criminal and traffic laws.

**HB 928**, introduced by Representatives Schoeller, Long, Denison, Leach, Hough, Lampe and Burlison, relating to a surcharge on civil cases.

**HB 929**, introduced by Representative Ellinger, relating to members of economic development tax boards.

**HB 930**, introduced by Representatives Oxford, Atkins, Pace, Talboy, Hubbard, Pierson, Walton Gray, May, Hughes, Ellinger, Fallert, McCann Beatty, Montecillo, Lampe, Carlson, Kirkton, Spreng, Smith (71), Taylor, Aull, Hummel, Jones (63), Brown (50), Nasheed, McGeoghegan, Carter, Webb and Holsman, relating to deductions for federal income tax liability.

**HB 931**, introduced by Representatives Johnson, Higdon, Houghton, Entlicher, Lichtenegger, Kelley (126), Klippenstein, Brattin, Hoskins, Redmon, Lant and Brown (85), relating to a Missouri funeral demonstration zone.

**HB 932**, introduced by Representatives Torpey, Crawford, Elmer, Long, Largent and Jones (117), relating to vision-reducing material applied to motor vehicle windshields or windows.

**HB 933**, introduced by Representatives Schupp and Kirkton, relating to the sale of kosher food.

**HB 934**, introduced by Representatives Shively, Quinn, Black, Harris, Meadows and Kratky, relating to the approval or disapproval of long-term care insurance rates by the director of the department of insurance, financial institutions and professional registration.

**HB 935**, introduced by Representatives Johnson, Higdon, Houghton, Conway (27), Entlicher, Lichtenegger, Kelley (126), Klippenstein, Brattin, Hoskins, Redmon, Lant and Brown (85), relating to a funeral protest fee.

**HB 936**, introduced by Representative Aull, relating to the A+ Schools program.

**HB 937**, introduced by Representatives Meadows, Fraker, Carter, Jones (117), Casey and Shively, relating to preneed funeral contracts.

**HB 938**, introduced by Representatives Meadows and Newman, relating to technical codes.

**HB 939**, introduced by Representatives Dieckhaus, Jones (89) and Scharnhorst, relating to school enrollment.

**HB 940**, introduced by Representatives Nichols, McNary, Harris, Ellinger, Torpey, Taylor, Gatschenberger, Lair, McGeoghegan, Spreng, Neth, Stream, Smith (71), Berry and Grisamore, relating to the common interest owners bill of rights act.

**HB 941**, introduced by Representative Johnson, relating to identity theft.

**HB 942**, introduced by Representative Johnson, relating to tax credits for adoptions.

**HB 943**, introduced by Representative Johnson, relating to broadband enhancement.

**HB 944**, introduced by Representative Johnson, relating to senior citizens property tax relief.

**HB 945**, introduced by Representatives Carter, Nasheed, Jones (117), Hough, Webb, Fraker, Fitzwater, Keeney, Phillips, Dugger, Largent, Hubbard, Montecillo, May, Hummel, Schupp, Meadows, Pace and Jones (63), relating to motor carrier exemptions.

**HB 946**, introduced by Representative Guernsey, relating to grain sale and storage.

**HB 947**, introduced by Representatives Holsman and Oxford, relating to public financing of certain election campaigns.

**HB 948**, introduced by Representative Holsman, relating to crime.

**HB 949**, introduced by Representative Ellinger, relating to members of economic development tax boards.

**HB 950**, introduced by Representative Scharnhorst, relating to insurance coverage for autism spectrum disorders.

**HB 951**, introduced by Representative Johnson, relating to corporate income taxation.

**HB 952**, introduced by Representative Korman, relating to nonpartisan elections.

**HB 953**, introduced by Representatives Cauthorn and Houghton, relating to sales tax exemptions.

**HB 954**, introduced by Representative Franz, relating to certain benefits for the Missouri development finance board.

**HB 955**, introduced by Representative Franz, relating to motor vehicle valuations.

**HB 956**, introduced by Representatives Shively, Lair, Sifton and Anders, relating to credit for imprisonment.

## WITHDRAWAL OF HOUSE BILL

March 30, 2011

Adam Crumbliss, Chief Clerk  
Room 306C  
State Capitol  
Jefferson City, MO 65101

Adam Crumbliss:

I hereby request to withdraw **House Bill No. 929**.

Sincerely,

/s/ Rory Ellinger  
Representative  
District 72

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:00 a.m., Thursday, March 31, 2011.

## COMMITTEE MEETINGS

### FISCAL REVIEW

Thursday, March 31, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

### HEALTH INSURANCE

Thursday, March 31, 2011, 8:15 AM South Gallery.

Executive session may be held on any matter referred to the committee.

**CORRECTION:** Due to session start time of 9:00 AM, this hearing has been moved up to 8:15 AM.

**CORRECTED**

### RETIREMENT

Thursday, March 31, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 776

Executive session may be held on any matter referred to the committee.

**CORRECTED**

### SPECIAL STANDING COMMITTEE ON REDISTRICTING

Thursday, March 31, 2011, 1:45 PM House Hearing Room 1.

Public hearing will be held: HB 193

Executive session will be held: HB 193

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY**

Thursday, March 31, 2011, House Hearing Room 7 upon morning adjournment.

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, March 31, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 659, HB 714, HB 792, HB 786

Executive session will be held: HB 659, HB 714, HB 792, HB 786

Executive session may be held on any matter referred to the committee.

**URBAN ISSUES**

Monday, April 4, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 208

Executive session will be held: HB 754, HB 712, HCR 43

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, March 31, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 767, HB 726

Executive session will be held: HB 549

Executive session may be held on any matter referred to the committee.

**CORRECTED**

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Thursday, March 31, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 188

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, April 4, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 893

Executive session may be held on any matter referred to the committee.

## **HOUSE CALENDAR**

FORTY-SIXTH DAY, THURSDAY, MARCH 31, 2011

### **HOUSE BILLS FOR SECOND READING**

- 1 HB 926 through HB 928
- 2 HB 930 through HB 956

### **HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HBs 411 & 421 - Wyatt
- 4 HCS HB 546, HSA 1 for HA 1, HA 1, pending - Kelly (24)
- 5 HCS HB 28, as amended - Sater
- 6 HCS HB 100 - Loehner
- 7 HCS HB 192 - Jones (89)
- 8 HCS HB 336 - Burlison
- 9 HB 458 - Loehner
- 10 HCS HBs 470 & 429 - Funderburk
- 11 HB 490 - Diehl
- 12 HCS HB 641 - Franz
- 13 HCS HB 468 - Diehl

### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox



- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)
- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

### **HOUSE BILLS FOR THIRD READING**

- 1 HB 434 - Nolte
- 2 HCS HB 475, (Fiscal Review 3-30-11) - Funderburk
- 3 HB 423 - Burlison

### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HB 38 - Pace
- 2 HB 68 - Scharnhorst
- 3 HB 98, E.C. - Ruzicka
- 4 HB 118 - Peters-Baker
- 5 HB 183 - Silvey
- 6 HCS HBs 187 & 54 - Conway (27)
- 7 HB 263 - Weter
- 8 HCS HB 287 - Brandom
- 9 HB 340, E.C. - Klippenstein
- 10 HCS HB 344 - Guernsey
- 11 HB 462 - Pollock
- 12 HB 503 - Dugger
- 13 HCS HB 578 - Thomson

### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2 HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3 HCR 33, (3-1-11, Pages 486-487) - Davis
- 4 HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5 HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6 HCR 34, (3-8-11, Pages 554-555) - Hampton

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTY-SIXTH DAY, THURSDAY, MARCH 31, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Blessed is the nation whose God is the Lord. (Psalm 33:12)*

O God, our Master, You are the creator and the sustainer of all mankind, without Whose blessing all our labor is in vain, we pray that our lives may be built not upon the shifting sands of superficial and shallow living but upon the rock of eternal truth and enduring love - so we come to offer unto You once again the devotion of our hearts, the dedication of our minds, and the discipline of our lives. May this moment of devotion at the end of this business week be the open door to an increasing fellowship with You and with one another.

We are mindful of the experiences and the events which bind us together as a state. By a common devotion to a common cause - the welfare of our beloved land - may we close ranks and by understanding and sympathy and good will bring together our different classes, heal the rift between peoples and make us a state united in spirit, eager to do Your will and to keep Your commandments. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Elizabeth Graver, Charlotte Kenney, Samuel Pruitt, Maddie Gardner, Isabel Hart, AJ Lynn, Kylie Stage, Tony Carr, Dustin Reeves, Nicole Andrews, Andrew Pierce, Trent Bernskoetter, Cheyenne Johnson, Kelsey Peckman, Tessa Kohley, Mykela Passley, Taylor Smith, Bria Mullings, Becca Jones, Jessica Maggard, Gail Burgard, Chelsy Carey and Ruth Dorton.

The Journal of the forty-fifth day was approved as printed.

## HOUSE RESOLUTION

Representative Faith offered House Resolution No. 1479.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1453 through House Resolution No. 1478

House Resolution No. 1480 and House Resolution No. 1481

**SECOND READING OF HOUSE BILLS**

**HB 926** through **HB 928** and **HB 930** through **HB 956** were read the second time.

**COMMITTEE REPORT**

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 475** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**THIRD READING OF HOUSE BILLS**

**HB 434**, relating to co-employee liability for negligence, was taken up by Representative Nolte.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Asbury	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Franklin	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Bahr	Brown 50	Carter	Conway 14
Diehl	Fraker	Franz	Gatschenberger	Hough
Jones 117	Parkinson	Schad	Schneider	Swearingen
Zerr	Zimmerman			

VACANCIES: 001

On motion of Representative Nolte, **HB 434** was read the third time and passed by the following vote:

AYES: 095

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Franklin
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hinson	Hoskins
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bahr	Brown 50	Conway 14	Fraker	Franz
Gatschenberger	Haefner	Hough	Jones 117	Parkinson
Schad	Swearingen	Zerr	Zimmerman	

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 475**, relating to disclosure of health care data, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HCS HB 475** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 011

Berry	Davis	Entlicher	Franklin	Frederick
Leach	Marshall	Schieber	Weter	White
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 007

Fraker	Franz	Jones 117	May	Schad
Swearingen	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 423**, relating to a health care compact, was taken up by Representative Burlison.

On motion of Representative Burlison, **HB 423** was read the third time and passed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 005

Diehl                      Fraker                      Schad                      Swearingen                      Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

### THIRD READING OF HOUSE BILLS - CONSENT

**HCS HB 38**, relating to notification of jail escapees, was taken up by Representative Pace.

On motion of Representative Pace, **HCS HB 38** was read the third time and passed by the following vote:

AYES: 149

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 013

Allen	Colona	Curtman	Diehl	Fraker
Grisamore	May	Richardson	Schad	Swearingen
Talboy	Webb	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 68**, relating to emergency telephone service misuse, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HB 68** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Fraker	McGhee	Schad	Swearingen	Zimmerman
--------	--------	-------	------------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 98**, relating to battery and hazardous waste fees, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 98** was read the third time and passed by the following vote:

AYES: 147

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 002

Curtman	Koenig
---------	--------

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Bahr	Fraker	Grisamore	Jones 63
McGhee	Parkinson	Quinn	Schad	Swearingen
Talboy	Zerr	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 003

Bahr	Curtman	Koenig
------	---------	--------

PRESENT: 000

ABSENT WITH LEAVE: 006

Dugger	Ellinger	Fraker	Schad	Swearingen
Zimmerman				

VACANCIES: 001

**HB 118**, relating to ex parte orders of protection, was taken up by Representative Peters-Baker.

On motion of Representative Peters-Baker, **HB 118** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Fraker	Redmon	Schad	Swearingen	Zimmerman
--------	--------	-------	------------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 183**, relating to the Kansas City Police Retirement System, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 183** was read the third time and passed by the following vote:

AYES: 156

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Allen	Diehl	Fraker	Redmon	Swearingen
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HBs 187 & 54**, relating to political party emblems on ballots, was taken up by Representative Conway (27).

On motion of Representative Conway (27), **HCS HBs 187 & 54** was read the third time and passed by the following vote:

AYES: 149

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Brown 85	Marshall	May	Sifton	Webb
----------	----------	-----	--------	------

PRESENT: 000

ABSENT WITH LEAVE: 008

Allen	Day	Diehl	Fraker	Redmon
Swearingen	Talboy	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 263**, relating to local government employees' retirement system, was taken up by Representative Weter.

On motion of Representative Weter, **HB 263** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Diehl	Fraker	Haefner	Redmon
Swearingen	Zerr	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 287**, relating to health care identification badges, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HB 287** was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Cross	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lichtenegger	Loehner	May
McDonald	McGeoghegan	McManus	McNary	Meadows
Montecillo	Nance	Nasheed	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Wallingford	Webb	Webber	Wells
Weter	Wright	Wyatt	Zerr	Mr Speaker

NOES: 036

Asbury	Bahr	Burlison	Crawford	Curtman
Elmer	Franklin	Franz	Fuhr	Haefner
Higdon	Hughes	Hummel	Koenig	Lasater
Lauer	Leach	Long	Marshall	McCaherty
McCann Beatty	McNeil	Molendorp	Neth	Newman
Nichols	Parkinson	Peters-Baker	Sater	Schad
Schieber	Smith 71	Torpey	Walton Gray	White
Wieland				

PRESENT: 000



ABSENT WITH LEAVE: 006

Brown 50	Fraker	Leara	McGhee	Swearingen
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 340**, relating to county jails, was taken up by Representative Klippenstein.

On motion of Representative Klippenstein, **HB 340** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Fraker	Leara	Swearingen	Talboy	Zimmerman
--------	-------	------------	--------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 008

Black	Carlson	Hughes	Kirkton	McNeil
Schupp	Smith 71	Spreng		

PRESENT: 000

ABSENT WITH LEAVE: 007

Asbury	Brown 50	Dieckhaus	Fraker	May
Swearingen	Zimmerman			

VACANCIES: 001

Representative Keeney assumed the Chair.

**HCS HB 344**, relating to a farm-to-table advisory board, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **HCS HB 344** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Ellinger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Dieckhaus	Diehl	Fraker	Hughes
May	Peters-Baker	Swearingen	Talboy	Wright
Zimmerman				

VACANCIES: 001

Representative Keeney declared the bill passed.

**HB 462**, relating to the Missouri Energy Task Force, was taken up by Representative Pollock.

On motion of Representative Pollock, **HB 462** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 012

Carlson	Ellinger	Hubbard	Hughes	McCann Beatty
McNeil	Oxford	Pace	Schupp	Sifton
Smith 71	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 021

Bahr	Conway 14	Day	Diehl	Faith
Fraker	Franz	Funderburk	Gatschenberger	Holsman
Jones 63	Leara	Molendorp	Parkinson	Redmon
Schneider	Swearingen	Talboy	Zerr	Zimmerman
Mr Speaker				

VACANCIES: 001

Representative Keeney declared the bill passed.

**HB 503**, relating to presidential primary elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 503** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Franklin	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 002

Hughes	Kelly 24
--------	----------

PRESENT: 000

ABSENT WITH LEAVE: 019

Asbury	Bahr	Conway 14	Day	Diehl
Faith	Fraker	Franz	Funderburk	Gatschenberger
Klippenstein	Leara	Parkinson	Schneider	Swearingen
Talboy	Zerr	Zimmerman	Mr Speaker	

VACANCIES: 001

Representative Keeney declared the bill passed.

**HCS HB 578**, relating to disposal of used tires, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS HB 578** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Bahr	Conway 14	Day	Diehl	Faith
Fraker	Funderburk	Gatschenberger	Guernsey	Holsman
Leara	Parkinson	Schneider	Swearingen	Zerr
Zimmerman	Mr Speaker			

VACANCIES: 001

Representative Keeney declared the bill passed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 45** - Children and Families  
**HCR 46** - International Trade and Job Creation  
**HCR 48** - Utilities

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 27** - Tax Reform  
**HB 57** - Health Care Policy  
**HB 59** - Elementary and Secondary Education  
**HB 67** - Health Care Policy  
**HB 69** - Transportation  
**HB 175** - Ways and Means  
**HB 176** - Crime Prevention and Public Safety  
**HB 243** - Higher Education  
**HB 244** - Higher Education  
**HB 443** - Professional Registration and Licensing  
**HB 444** - Professional Registration and Licensing  
**HB 460** - Elementary and Secondary Education  
**HB 500** - Transportation  
**HB 514** - Elementary and Secondary Education  
**HB 570** - Elementary and Secondary Education  
**HB 608** - Transportation  
**HB 610** - Transportation  
**HB 624** - Elementary and Secondary Education  
**HB 645** - Local Government  
**HB 703** - Workforce Development and Workplace Safety  
**HB 707** - International Trade and Job Creation  
**HB 741** - Small Business  
**HB 774** - Budget  
**HB 780** - Economic Development  
**HB 781** - Crime Prevention and Public Safety

**HB 782** - Tourism and Natural Resources  
**HB 799** - Crime Prevention and Public Safety  
**HB 800** - Elementary and Secondary Education  
**HB 803** - Corrections  
**HB 804** - Children and Families  
**HB 805** - Judiciary  
**HB 806** - International Trade and Job Creation  
**HB 807** - Workforce Development and Workplace Safety  
**HB 808** - Agri-Business  
**HB 809** - Urban Issues  
**HB 810** - Financial Institutions  
**HB 811** - Financial Institutions  
**HB 821** - Health Care Policy  
**HB 834** - Retirement  
**HB 835** - Elementary and Secondary Education  
**HB 836** - Special Standing Committee on Disability Services  
**HB 846** - Transportation  
**HB 848** - Higher Education  
**HB 854** - Crime Prevention and Public Safety  
**HB 857** - Transportation  
**HB 862** - Health Care Policy  
**HB 864** - General Laws  
**HB 868** - Transportation  
**HB 869** - Crime Prevention and Public Safety  
**HB 871** - Workforce Development and Workplace Safety  
**HB 872** - Judiciary  
**HB 874** - Judiciary  
**HB 878** - Health Insurance  
**HB 880** - Tax Reform  
**HB 881** - Professional Registration and Licensing  
**HB 882** - Professional Registration and Licensing  
**HB 890** - Financial Institutions  
**HB 895** - Transportation  
**HB 896** - Retirement  
**HB 899** - Insurance Policy  
**HB 904** - Agriculture Policy  
**HB 906** - Transportation  
**HB 908** - International Trade and Job Creation  
**HB 910** - Workforce Development and Workplace Safety  
**HB 912** - Transportation  
**HB 917** - Local Government  
**HB 918** - Local Government  
**HB 926** - Local Government  
**HB 932** - General Laws  
**HB 940** - Local Government



## REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 7** - Transportation Funding and Public Institutions

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**SS#2 SCS SB 8** - Workforce Development and Workplace Safety

**SS SCS SB 13** - Elementary and Secondary Education

**SCS SB 17** - Health Care Policy

**SB 33** - Judiciary

**SB 38** - Health Care Policy

**SS SCS SB 58** - Transportation

**SB 71** - Financial Institutions

**SB 77** - Transportation

**SB 83** - Financial Institutions

**SB 101** - Insurance Policy

**SCS SB 131** - Transportation

**SCS SB 133** - Transportation

**SS SB 135** - Tourism and Natural Resources

**SB 145** - Local Government

**SB 161** - Agri-Business

**SCS SB 162** - Agri-Business

**SCS SB 163** - Higher Education

**SCS SB 166** - Insurance Policy

**SB 173** - Transportation Funding and Public Institutions

**SB 180** - Tourism and Natural Resources

**SB 207** - Utilities

**SCS SB 219** - Financial Institutions

**SB 220** - Judiciary

**SB 243** - Elementary and Secondary Education

**SB 250** - Crime Prevention and Public Safety

**SB 284** - Health Care Policy

## COMMITTEE REPORTS

**Committee on Financial Institutions**, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 787**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, the federal Patient Protection and Affordable Care Act (PPACA), also known as ObamaCare, has been ruled unconstitutional in its entirety by the Florida Federal District Court, and the individual mandate contained in the PPACA requiring the purchase of insurance was ruled unconstitutional by Judge Henry Hudson in Federal District Court in Virginia; and

WHEREAS, the President of the United States, while addressing the issue of an individual mandate to purchase health insurance as a United States Senator in 2008, stated that "If a mandate was the solution, we can try that to solve homelessness by mandating everybody to buy a house."; and

WHEREAS, in the August 2010 primary election, the citizens of Missouri have expressed their clear opposition to the individual mandate by passing Missouri Health Care Freedom, Proposition C by a 71% margin; and

WHEREAS, each house of the Missouri General Assembly has requested that the Governor and the Attorney General of the State of Missouri join in the legal challenge to the PPACA, so far to no avail; and

WHEREAS, considerable time, effort, and money has been, are being, and will continue to be expended attempting to comply with the mandates of the PPACA, which may ultimately be wasted time, energy, and money if the PPACA is subsequently found by the United States Supreme Court to be unconstitutional; and

WHEREAS, the federal Court of Appeals process can be protracted and may well take up to two years for this issue to work its way through the appellate process and then ultimately to the United States Supreme Court; and

WHEREAS, such a lengthy delay of a final determination by the United States Supreme Court regarding the constitutionality of the PPACA would be extremely harmful to the State of Missouri and will cause substantial waste of state resources at a time when such resources are scarce; and

WHEREAS, allowing the waste of substantial amounts of state resources and uncertainty to continue when clarity could be provided is not good stewardship on the part of any elected state official:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Governor and Attorney General of the State of Missouri to send a letter to the President of the United States informing him of the urgency with which they view the need for a prompt resolution to the constitutional questions that have arisen regarding the federal Patient Protection and Affordable Care Act and further urge the President to take all actions within his powers to facilitate a hearing of this constitutional question by the United States Supreme Court at the earliest possible time; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and President Barack Obama.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 579**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was returned **HCS HB 609**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate, with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 708**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 52**, introduced by Representatives Brown (85), Bahr, Houghton, Nance, Lant, Reiboldt, Barnes, Haefner, Guernsey, Marshall, Lasater, Franklin, Wyatt, Entlicher, Berry, Klippenstein, Leach, Stream, McCaherty, Koenig, Curtman, Gatschenberger, Long, Cross, Hinson, Funderburk, Elmer, Wieland, Davis, White and Schoeller, relating to accountability for gambling receipts.

**INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 37**, introduced by Representative Hughes, relating to the general assembly.

**INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 957**, introduced by Representatives Barnes, Riddle, Schoeller, Loehner, Redmon, Higdon, Gatschenberger, Dugger, Cookson, Bernskoetter, Korman, Neth, Schieber, Leach, Berry, Reiboldt, Lant, Frederick, Bahr, Gosen, Cross, Houghton, Dieckhaus, Asbury, Lasater, Franklin, McNary, Brattin, Fraker, Cauthorn, Kelly (24), Fuhr, Brown (85), Davis, Torpey, Kelley (126), Molendorp, Hinson, Colona, Hummel, Kratky, McDonald, Taylor, Rizzo, McGeoghegan, McManus and Atkins, relating to service rates for electrical corporations.

**HB 958**, introduced by Representative Burlison, relating to the children in crisis tax credit.

**HB 959**, introduced by Representatives Pollock, Dugger and Wells, relating to candidates for certain municipal offices.

**HB 960**, introduced by Representative Ruzicka, relating to the statute of limitations.

**HB 961**, introduced by Representative Atkins, relating to towing truck companies.

**HB 962**, introduced by Representatives Kratky, Fallert, Colona and Hummel, relating to a tax credit for renovation of rental property.

**HB 963**, introduced by Representatives Fitzwater, Burlison, Redmon and Lasater, relating to a special license plate.

**HB 964**, introduced by Representative Aull, relating to school annexation.

**HB 965**, introduced by Representative Fallert, relating to fuel regulation.

**HB 966**, introduced by Representative Funderburk, relating to the implementation of the streamlined sales and use tax agreement.

**HB 967**, introduced by Representative Smith (150), relating to the public service commission's appellate procedures.

**HB 968**, introduced by Representatives Schad and Pollock, relating to watercraft.

**HB 969**, introduced by Representatives Franklin, Brown (85) and Pollock, relating to law enforcement districts.

**HB 970**, introduced by Representative Funderburk, relating to sales and use taxes.

**HB 971**, introduced by Representative Johnson, relating to the Missouri jobs for education program.

**HB 972**, introduced by Representative Johnson, relating to certain companies developing the department of economic development's internet websites.

**HB 973**, introduced by Representatives Korman, Nolte, Long, Kelley (126), Taylor, Scharnhorst, Curtman, Redmon, Lichtenegger, Denison, McNary, Hoskins, Smith (150), Schieffer and Houghton, relating to a sales tax holiday for products made in the United States.

**HB 974**, introduced by Representatives Hough, Lampe, Tilley, Talboy, Hinson, Jones (63), Richardson, Webber, Dugger, and Conway (27), relating to the Agreement Among the States to Elect the President by National Popular Vote Act.

**HB 975**, introduced by Representatives Curtman and McCaherty, relating to small businesses.

**HB 976**, introduced by Representative Johnson, relating to corporate income tax rates.

**HB 977**, introduced by Representative Johnson, relating to motor vehicles.

**HB 978**, introduced by Representatives Carter, Schoeller, Oxford, Hummel, Webb, Colona, Jones (63), Hughes, Walton Gray, May, Atkins and Schieffer, relating to caseload standards for certain state agencies.

**HB 979**, introduced by Representatives Brattin, Koenig, Conway (14), Davis, White, Johnson, Tilley, McNary, Smith (150), Lasater, Burlison, Largent, Kelley (126), Molendorp, Sater, Solon and Long, relating to tax rates and credits.

**HB 980**, introduced by Representatives Leach, Dieckhaus, Fitzwater and Berry, relating to classroom placement of children.

**HB 981**, introduced by Representatives Leach, Dieckhaus, Fitzwater, Faith, Lant, Bahr, Lair, Burlison, Rowland, Jones (89), Long, Koenig, Curtman, Scharnhorst, Barnes and Lasater, relating to classroom placement of children.

**HB 982**, introduced by Representatives Jones (117), Torpey, Schieber and White, relating to radiology benefit managers.

**HB 983**, introduced by Representative Meadows, relating to persons who are in the United States illegally.

**HB 984**, introduced by Representative Meadows, relating to labeling of genetically modified food and food products.

**HB 985**, introduced by Representatives Anders, Montecillo, Carlson, McDonald and Walton Gray, relating to restrictions on the residence of sexual offenders.

**HB 986**, introduced by Representatives Wallingford, Lant, Fitzwater, Korman and Hampton, relating to unemployment benefits.

**HB 987**, introduced by Representatives Rowland, Cross and Phillips, relating to common interest owners bill of rights act.

**HB 988**, introduced by Representative Wieland, relating to long-term care insurance rates.

**HB 989**, introduced by Representative Webber, relating to the establishment of a commission on workforce preparedness.

**HB 990**, introduced by Representative Fallert, relating to fuel regulation.

**HB 991**, introduced by Representatives Lichtenegger, Schupp and Fuhr, relating to mechanic's liens.

**HB 992**, introduced by Representatives May, Carter, Pace, Spreng, McNary, Anders, Walton Gray, Pierson, Carlson, Schupp, Harris, Haefner, Wyatt, Guernsey, Smith (71), Nasheed, Marshall, Webb, Hubbard, Conway (27), Fitzwater and Hughes, relating to the designation of bone marrow awareness month.

**HB 993**, introduced by Representative Meadows, relating to counties contracting out probation services.

**HB 994**, introduced by Representatives McNary, Stream, Lair, Jones (89), Allen, Diehl, Dieckhaus, Barnes, Scharnhorst, Koenig, Gatschenberger, Schoeller, Frederick and Fuhr, relating to school accreditation.

**HB 995**, introduced by Representative Walton Gray, relating to a tax force on alternative confinement for victims of human sex trafficking.

**HB 996**, introduced by Representatives Harris, Meadows and Ellinger, relating to the common interest owners bill of rights act.

**HB 997**, introduced by Representative Kirkton, relating to child support.

**HB 998**, introduced by Representatives Kirkton, Holsman and Oxford, relating to public financing of certain election campaigns.

**HB 999**, introduced by Representative Schad, relating to sexual offender registration.

**HB 1000**, introduced by Representative Diehl, relating to the composition of congressional districts.

**HB 1001**, introduced by Representative Diehl, relating to the composition of congressional districts.

**HB 1002**, introduced by Representative Talboy, relating to video lottery.

**HB 1003**, introduced by Representatives Hampton, Guernsey, Richardson, Lichtenegger, Wright, Swinger, Hodges, Smith (150) and Redmon, relating to private nuisances.

**HB 1004**, introduced by Representative Lampe, relating to obsolete education statutes.

**HB 1005**, introduced by Representative Lampe, relating to harmonizing and eliminating obsolete education provisions.

**HB 1006**, introduced by Representatives Schatz, Holsman, Nolte, Korman, Harris, Walton Gray, Smith (71), McNeil, Frederick, Hampton, Hinson, Richardson, Cauthorn, Wallingford, Pollock and Curtman, relating to the joint committee on renewable technology and industrial onsite energy generation.

**HB 1007**, introduced by Representative Long, relating to appeal procedures for dismissed nonmerit state employees.

**HB 1008**, introduced by Representatives Long, Rowland, Phillips, Stream, Fisher, Lair, Grisamore, McCaherty, Frederick, Brattin, Davis, Higdon, Elmer, Crawford, White, Wieland, Denison, Lauer, Cross, Ruzicka, Hinson, Nance, Nolte, Burlison, Wallingford, Korman, Jones (117), Berry, Weter, Pollock, Schoeller, Jones (89), Smith (150), Neth, Lampe, Riddle and Tilley, relating to highway infrastructure improvement agreements.

**HB 1009**, introduced by Representative Marshall, relating to state liabilities.

**HB 1010**, introduced by Representatives Bahr, Koenig, Schoeller, Leach, Conway (14) and Long, relating to the federal health care reform law.

**HB 1011**, introduced by Representative Hughes, relating to hunting.

**HB 1012**, introduced by Representative Hughes, relating to the secretary of state.

**HB 1013**, introduced by Representative Hughes, relating to the labeling of food.

**HB 1014**, introduced by Representative Hughes, relating to medical malpractice court cases.

**HB 1015**, introduced by Representatives Hughes, Shively, Hodges, Schieffer and Quinn, relating to farm commodities.

**HB 1016**, introduced by Representative Hughes, relating to income tax withholding.

**HB 1017**, introduced by Representative Oxford, relating to the temporary governance of a school district located in a city not within a county.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 57**, entitled:

An act to repeal section 475.115, RSMo, and to enact in lieu thereof one new section relating to public administrators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 96**, entitled:

An act to authorize the conveyance of state properties in St. Francois County.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 97**, entitled:

An act to authorize the conveyance of state property owned by the state to the City of Farmington.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 62**, entitled:

An act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 226**, entitled:

An act to repeal sections 190.035 and 190.040, RSMo, and to enact in lieu thereof three new sections relating to ambulance districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 282**, entitled:

An act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof one new section relating to dates of conducting elections.

In which the concurrence of the House is respectfully requested.

## **WITHDRAWAL OF HOUSE BILL**

March 31, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

RE: **House Bill No. 965**

Dear Adam:

I respectfully request **House Bill No. 965**, relating to fuel regulation, be WITHDRAWN.

Thank you for your assistance.

Sincerely,

/s/ Joseph Fallert, Jr.  
State Representative  
District 104

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, April 1, 2011.



## **COMMITTEE MEETINGS**

### **ADMINISTRATION AND ACCOUNTS**

Tuesday, April 5, 2011, 9:00 AM Office of Representative Mike McGhee Room 414.  
Member expenses.

### **ELECTIONS**

Tuesday, April 5, 2011, 8:15 AM House Hearing Room 5.  
Public hearing will be held: HJR 23, HB 535, HB 723, HB 436  
Executive session will be held: HCS SJR 2, HCS SB 3  
Executive session may be held on any matter referred to the committee.

### **HIGHER EDUCATION**

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 6.  
Public hearing will be held: SCS SB 163, HB 494, HB 243, HB 848  
Executive session may be held on any matter referred to the committee.

### **INSURANCE POLICY**

Monday, April 4, 2011, House Hearing Room 1 upon evening adjournment.  
Public hearing will be held: HB 773, SB 101  
Executive session may be held on any matter referred to the committee.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, April 6, 2011, 6:00 PM House Hearing Room 5.  
Executive session may be held on any matter referred to the committee.  
Quarterly business meeting. Oversight reports.  
Some portions may be closed pursuant to Section 610.021.

### **URBAN ISSUES**

Monday, April 4, 2011, 5:00 PM House Hearing Room 5.  
Public hearing will be held: HB 208  
Executive session will be held: HB 754, HB 712, HCR 43, HB 643  
Executive session may be held on any matter referred to the committee.  
**AMENDED**

### **WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, April 4, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: HB 893  
Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FORTY-SEVENTH DAY, FRIDAY, APRIL 1, 2011

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 52

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 37

**HOUSE BILLS FOR SECOND READING**

- 1 HB 957 through HB 964
- 2 HB 966 through HB 1017

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HBs 411 & 421 - Wyatt
- 4 HCS HB 546, HSA 1 for HA 1, HA 1, pending - Kelly (24)
- 5 HCS HB 28, as amended - Sater
- 6 HCS HB 100 - Loehner
- 7 HCS HB 192 - Jones (89)
- 8 HCS HB 336 - Burlison
- 9 HB 458 - Loehner
- 10 HCS HBs 470 & 429 - Funderburk
- 11 HB 490 - Diehl
- 12 HCS HB 641 - Franz
- 13 HCS HB 468 - Diehl
- 14 HCS HB 473 - Jones (63)

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte

- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)

822     *Journal of the House*

- 51     HB 798 - Brown (85)
- 52     HB 812 - Brattin
- 53     HB 813 - Dugger
- 54     HCS HB 825 - Fallert

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1       HCR 9, (2-1-11, Page 277) - Barnes
- 2       HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **SENATE BILLS FOR SECOND READING**

- 1       SCS SB 57
- 2       SS#2 SCS SB 62
- 3       SB 96
- 4       SB 97
- 5       SS SB 226
- 6       SB 282

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1       HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2       HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3       HCR 33, (3-1-11, Pages 486-487) - Davis
- 4       HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5       HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6       HCR 34, (3-8-11, Pages 554-555) - Hampton

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTY-SEVENTH DAY, Friday, April 1, 2011

The House met pursuant to adjournment.

Representative Barnes in the Chair.

Prayer by Chris Girouard, Office of the Minority Floor Leader.

Let us pray that, today and in the approaching weeks, we will have the wisdom and compassion, empathy and humility, to make the best decisions, despite our faults and limitations, for the people of Missouri, now and to come. Amen.

The Pledge of Allegiance to the flag was recited.

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 52** was read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 37** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 957** through **HB 964** and **HB 966** through **HB 1017** were read the second time.

## SECOND READING OF SENATE BILLS

**SCS SB 57**, **SS#2 SCS SB 62**, **SB 96**, **SB 97**, **SS SB 226** and **SB 282** were read the second time.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 924** - International Trade and Job Creation

**HB 1008** - Rural Community Development

## COMMITTEE REPORTS

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 357**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 366**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 38**, introduced by Representative Barnes, relating to public aid for education.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1018**, introduced by Representatives Kander, Rizzo, Still, Atkins, Gosen, Smith (71), Oxford, Quinn and Lampe, relating to mortgage foreclosures.

**HB 1019**, introduced by Representative Diehl, relating to distressed municipalities.

**HB 1020**, introduced by Representative Barnes, relating to medical benefits for temporomandibular joint disorder (TMJ) under the Missouri consolidated health care plan.

**HB 1021**, introduced by Representatives Nolte, Smith (71), Lant and Brown (50), relating to caller location information.

**HB 1022**, introduced by Representatives Nolte, Lant and Brown (50), relating to stolen information technology.

**HB 1023**, introduced by Representative Kelly (24), relating to cigarette taxes.

**HB 1024**, introduced by Representative Korman, relating to drug court commissioners in the twelfth judicial circuit.

**HB 1025**, introduced by Representative Diehl, relating to the appointment of certain circuit clerks.

**HB 1026**, introduced by Representative Kirkton, relating to mental health insurance.

**HB 1027**, introduced by Representative Grisamore, relating to MO HealthNet benefits.

**HB 1028**, introduced by Representative Hough, relating to the compete Missouri training program.

The following members' presence was noted: Casey, Grisamore, Hodges, Jones (117), Kelly (24), Kirkton, Koenig, Kratky, McCann Beatty, Meadows, Pace and Smith (71).

### **ADJOURNMENT**

On motion of Representative Barnes, the House adjourned until 4:00 p.m., Monday, April 4, 2011.

### **COMMITTEE MEETINGS**

#### **ADMINISTRATION AND ACCOUNTS**

Tuesday, April 5, 2011, 9:00 AM Office of Representative Mike McGhee Room 414.  
Member expenses.

#### **AGRI-BUSINESS**

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 4.  
Public hearing will be held: SB 161, SCS SB 162, HB 808  
Executive session may be held on any matter referred to the committee.

#### **AGRICULTURE POLICY**

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: HB 797, HB 904  
Executive session may be held on any matter referred to the committee.

#### **CRIME PREVENTION AND PUBLIC SAFETY**

Monday, April 4, 2011, 12:00 PM House Hearing Room 4.  
Public hearing will be held: HB 383, HB 652, HB 854  
Executive session may be held on any matter referred to the committee.

#### **ECONOMIC DEVELOPMENT**

Tuesday, April 5, 2011, House Hearing Room 7 upon afternoon adjournment.  
Public hearing will be held: HB 649  
Executive session may be held on any matter referred to the committee.

#### **ELECTIONS**

Tuesday, April 5, 2011, 8:15 AM House Hearing Room 5.  
Public hearing will be held: HJR 23, HB 535, HB 723, HB 436,  
Executive session will be held: HCS SJR 2, HCS SB 3  
Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 5, 2011, House Hearing Room 5 upon morning recess.

Public hearing will be held: HB 314, HB 273, HB 460, HB 829

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 679, HB 476, HB 764

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 163, HB 494, HB 243, HB 848

Executive session may be held on any matter referred to the committee.

#### INSURANCE POLICY

Monday, April 4, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: HB 773, SB 101

Executive session may be held on any matter referred to the committee.

#### JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 6, 2011, 6:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting. Oversight reports.

Some portions may be closed pursuant to Section 610.021.

#### LOCAL GOVERNMENT

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 940, HB 926, HB 918, HB 917, HB 645, SB 145, HB 889

Executive session may be held on any matter referred to the committee.

#### AMENDED

#### RULES

Wednesday, April 6, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee dinner.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, April 4, 2011, 2:00 PM House Hearing Room 5.

Executive Session will be held: HCR 30, HCR 31, HCR 37, HCS HCR 39, HCS HB 111, HCS HBs 223 & 231, HB 291, HCS HB 401, HCS HB 407, HCS HB 430, HCS HB 464, HCS HB 555, HB 591, HCS#2 HB 609, HB 655, HCS HB 657, HB 677, HCS HB 697, HB 737, HCS HB 840, HCS HB 856

Executive session may be held on any matter referred to the committee.



**RURAL COMMUNITY DEVELOPMENT**

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 55, HB 1008

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES**

Monday, April 4, 2011, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 836

Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON REDISTRICTING**

Tuesday, April 5, 2011, 1:00 PM House Hearing Room 3.

Public hearing will be held: HB 193

Executive session will be held: HB 193

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 299, HB 846, SS SCS SB 58, SB 77, SCS SB 131, SCS SB 133

Executive session may be held on any matter referred to the committee.

**URBAN ISSUES**

Monday, April 4, 2011, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 208

Executive session will be held: HB 754, HB 712, HCR 43, HB 643

Executive session may be held on any matter referred to the committee.

**AMENDED**

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, April 4, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 893

Executive session may be held on any matter referred to the committee.

## **HOUSE CALENDAR**

FORTY-EIGHTH DAY, MONDAY, APRIL 4, 2011

### **HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 38

### **HOUSE BILLS FOR SECOND READING**

HB 1018 through HB 1028

### **HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 3 - Loehner
- 3 HCS HJR 8 - Koenig

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HBs 411 & 421 - Wyatt
- 4 HCS HB 546, HSA 1 for HA 1, HA 1, pending - Kelly (24)
- 5 HCS HB 28, as amended - Sater
- 6 HCS HB 100 - Loehner
- 7 HCS HB 192 - Jones (89)
- 8 HCS HB 336 - Burlison
- 9 HB 458 - Loehner
- 10 HCS HBs 470 & 429 - Funderburk
- 11 HB 490 - Diehl
- 12 HCS HB 641 - Franz
- 13 HCS HB 468 - Diehl
- 14 HCS HB 473 - Jones (63)

### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3/29/2011)

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner

- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr
- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)

830     *Journal of the House*

- 51     HB 798 - Brown (85)
- 52     HB 812 - Brattin
- 53     HB 813 - Dugger
- 54     HCS HB 825 - Fallert

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1     HCR 9, (2-1-11, Page 277) - Barnes
- 2     HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1     HCR 7, (2-23-11, Pages 436-437) - Walton Gray
- 2     HCR 11, (2-28-11, Pages 472-473) - Nolte
- 3     HCR 33, (3-1-11, Pages 486-487) - Davis
- 4     HCR 15, (3-10-11, Pages 590-591) - Brown (50)
- 5     HCS HCR 17, (3-9-11, Pages 568-569) - Schieffer
- 6     HCR 34, (3-8-11, Pages 554-555) - Hampton

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTY-EIGHTH DAY, MONDAY, APRIL 4, 2011

The House met pursuant to adjournment.

Representative Leara in the Chair.

Prayer by Pastor Paul Meinsen.

Asaph the songwriter wrote about God, "Call on Me in a day of trouble; I will rescue you and you will honor Me."  
(*Psalm 50:15*)

We call upon You today, O Lord, for I know, just by making the rounds, that many here are in a day of trouble. Some have recently lost loved ones in death; some have trouble with health in themselves or their families. Others are having trouble with unforeseen events that cause many sleepless nights, heartaches and worries. Others, O Lord, have troubles with the everyday concerns of serving the people of their district and this state - they are seeking wisdom and direction, needing to know what is best and right in their daily decisions.

So I lift these members of our Missouri leadership, Lord, to You in prayers. You are all-knowing, thus You know the troubles each person here is bearing. You also know the answer which will best serve them. Therefore, I pray that You will deliver each in the way that You know is best.

In turn, Lord, may we honor You with praises and much thanksgiving. May we also honor You by trusting in You, especially if we do not understand Your answer.

Draw each person here to Yourself. Answer our prayers and bring much honor to Your name.

To You and Your Son be all glory, honor, majesty and praise.

It is in Your Son's name, I pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alexandra Kratky and Payton Moise.

The Journal of the forty-sixth day was approved as printed.

The Journal of the forty-seventh day was approved as printed.

Speaker Pro Tem Schoeller assumed the Chair.

### **SPECIAL RECOGNITION**

Public School Retirement System Director Steve Yoakum and Chief Investment Officer Craig Huston were introduced by Representative Cookson and presented a resolution.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1482 through House Resolution No. 1553

### **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 38** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1018** through **HB 1028** were read the second time.

### **HOUSE CONCURRENT RESOLUTIONS**

**HCR 15**, relating to “Buck O’Neil Day,” was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HCR 15** was adopted.

**HCR 33**, relating to the Honor and Remember Flag, was taken up by Representative Davis.

On motion of Representative Davis, **HCR 33** was adopted.

**HCR 34**, relating to the Mark Twain National Forest, was taken up by Representative Hampton.

On motion of Representative Hampton, **HCR 34** was adopted.

**HCR 11**, relating to the Liberty Memorial, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCR 11** was adopted.

**HCR 7**, relating to women veterans, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCR 7** was adopted.

**HCS HCR 17**, relating to the Mississippi River Basin, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HCS HCR 17** was adopted.

## PERFECTION OF HOUSE BILLS

**HB 458**, relating to the Missouri Farmland Trust Act, was taken up by Representative Loehner.

On motion of Representative Loehner, **HB 458** was ordered perfected and printed.

**HCS HB 641**, relating to controlled substances, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 641, Page 9, Section 195.010, Line 294, by deleting all of said line and inserting in lieu thereof the following:

**"but not limited to any substance listed in paragraph (ll) of subdivision (4) of subsection"; and**

Further amend said bill, Pages 13 to 15, Section 195.017, Lines 109 to 191, by deleting all of said lines and inserting in lieu thereof the following:

- "(n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts, and salts of isomers;
- (o) Alpha-ethyltryptamine;
- (p) Alpha-methyltryptamine;
- (q) Bufotenine;
- [(r) Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- (s)] (r) Diethyltryptamine;
- [(t)] (s) Dimethyltryptamine;
- [(u)] (t) 5-methoxy-N,N-diisopropyltryptamine;
- [(v)] (u) Ibogaine;
- [(w) Indole, or 1-butyl-3(1-naphthoyl)indole;
- (x) Indole, or 1-pentyl-3(1-naphthoyl)indole;
- (y)] (v) Lysergic acid diethylamide;
- [(z)] (w) Marijuana or marihuana;
- [(aa)] (x) Mescaline;
- [(bb)] (y) Parahexyl;
- [(cc)] (z) Peyote, to include all parts of the plant presently classified botanically as Lophophora Williamsii Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seed or extracts;
- [(dd) Phenol, CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain n=4,6, or 7;
- (ee)] (aa) N-ethyl-3-piperidyl benzilate;
- [(ff)] (bb) N-methyl-3-piperidyl benzilate;
- [(gg)] (cc) Psilocybin;
- [(hh)] (dd) Psilocyn;
- [(ii)] (ee) Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:
  - a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
  - b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
  - c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
  - d. Any compounds of these structures, regardless of numerical designation of atomic positions covered;

- [(jj)] (ff) Ethylamine analog of phencyclidine;
- [(kk)] (gg) Pyrrolidine analog of phencyclidine;
- [(ll)] (hh) Thiophene analog of phencyclidine;
- [(mm)] (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- [(nn)] (jj) Salvia divinorum;
- [(oo)] (kk) Salvinorin A;

**(ll) Synthetic cannabinoids:**

**a. Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited to:**

- (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
- (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
- (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
- (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
- (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
- (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
- (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
- (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
- (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
- (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
- (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
- (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;

**b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;**

**c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent;**

**d. Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Including, but not limited to:**

- (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
- (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
- (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
- (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
- (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

**e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including, but not limited to:**

(i) CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, where side chain n=5, and homologues where side chain n=4,6, or 7;

**f. Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to:**

- (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
- (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;

**g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;**



- h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- j. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- k. Dimethylheptylpyran, or DMHP;"; and

Further amend said bill, Pages 15 and 16, Section 195.017, Lines 206 to 212, by deleting all of said lines and inserting in lieu thereof the following:

- "(e) **3-Fluoromethcathinone;**
- (f) **4-Fluoromethcathinone;**
- (g) **Mephedrone, or 4-methylmethcathinone;**
- [(e)] (h) Methcathinone;
- (i) **4-methoxymethcathinone;**
- [(f)] (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazoline);
- (k) **Methylenedioxypropylvalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone;**
- (l) **Methylone, or 3,4-Methylenedioxypropylmethcathinone;**
- (m) **4-Methyl-alpha-pyrrolidinobutyphenone, or MPBP;**
- [(g)] (n) N-ethylamphetamine;
- [(h)] (o) N,N-dimethylamphetamine;"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 641, Page 29, Section 195.202, Line 17, by inserting after all of said section and line the following:

"195.217. 1. A person commits the offense of distribution of a controlled substance near a park if such person violates section 195.211 by unlawfully distributing or delivering heroin, cocaine, **cocaine base**, LSD, amphetamine, or methamphetamine to a person in or on, or within one thousand feet of, the real property comprising a public park, state park, county park, or municipal park or a public or private park designed for public recreational purposes, as park is defined in section 253.010.

- 2. Distribution of a controlled substance near a park is a class A felony."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 2** was adopted.

On motion of Representative Franz, **HCS HB 641, as amended**, was adopted.

On motion of Representative Franz, **HCS HB 641, as amended**, was ordered perfected and printed.

**HCS HB 192**, relating to environmental protections, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HCS HB 192** was adopted.

On motion of Representative Jones (89), **HCS HB 192** was ordered perfected and printed.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HCS HJR 3**, relating to the right to raise livestock, was taken up by Representative Loehner.

On motion of Representative Loehner, **HCS HJR 3** was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 034

Atkins	Carlson	Carter	Colona	Ellinger
Hummel	Jones 63	Kander	Kirkton	Kratky
McCann Beatty	McDonald	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Faith

Hughes

McGeoghegan

Schneider

Zimmerman

VACANCIES: 001

On motion of Representative Loehner, **HCS HJR 3** was ordered perfected and printed.

### **PERFECTION OF HOUSE BILL**

**HCS HBs 470 & 429**, relating to a nonresident entertainer income tax, was taken up by Representative Funderburk.

**HCS HBs 470 & 429** was laid over.

### **COMMITTEE REPORTS**

**Committee on Higher Education**, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 212**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 253** and **HB 398**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Small Business**, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 211**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SCS SB 188**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 39**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 111**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 223 & 231**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 291**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 401**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 407**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 430**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 464**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 555**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 609**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 655**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 657**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 677**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 697**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 737**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 840**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 856**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 108**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 863** - Professional Registration and Licensing  
**HB 967** - Judiciary

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SCS SB 19** - Fiscal Review (Fiscal Note)  
**SCS SB 57** - Judiciary  
**SS#2 SCS SB 62** - Health Care Policy  
**SB 96** - Local Government  
**SB 97** - Local Government  
**SB 282** - Elections

### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 32, HCS HB 70, HB 79, HB 88, HB 101, HB 141, HCS HB 143, HB 182, HCS HB 197, HB 199, HCS HB 220, HB 256, HCS HB 259, HB 260, HB 264, HCS HB 265, HB 270, HB 272, HB 307, HB 327, HCS HB 354, HCS HB 369, HB 388, HB 402, HCS HB 412, HB 448, HB 484, HB 499, HCS HB 506, HB 513, HB 525, HCS HB 545, HCS HB 548, HB 550, HCS HB 556, HCS HB 557, HB 560, HB 561, HCS HB 604, HCS HB 630, HCS HB 631, HB 648, HB 667, HB 673, HB 675, HB 678, HB 738, HB 746, HB 749, HB 795, HB 798, HB 812, HB 813 and HCS HB 825.**

The following member's presence was noted: McGeoghegan.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 5, 2011.

## **COMMITTEE MEETINGS**

### **ADMINISTRATION AND ACCOUNTS**

Tuesday, April 5, 2011, 9:00 AM Office of Representative Mike McGhee Room 414.  
Member expenses.

### **AGRI-BUSINESS**

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 4.  
Public hearing will be held: SB 161, SCS SB 162, HB 808  
Executive session may be held on any matter referred to the committee.

### **AGRICULTURE POLICY**

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: HB 797, HB 904  
Executive session may be held on any matter referred to the committee.

### **BUDGET**

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Presentation of Capital Improvements, Maintenance & Repair, and  
Reappropriations to the House Budget Committee.

### **BUDGET**

Thursday, April 7, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Continuation of Capital Improvements, Maintenance & Repair, and  
Reappropriations Presentations.

### **CORRECTIONS**

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 803  
Executive session may be held on any matter referred to the committee.

### **ECONOMIC DEVELOPMENT**

Tuesday, April 5, 2011, House Hearing Room 7 upon afternoon adjournment.  
Public hearing will be held: HB 649  
Executive session may be held on any matter referred to the committee.

#### ELECTIONS

Tuesday, April 5, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HJR 23, HB 535, HB 723, HB 436

Executive session will be held: HCS SJR 2, HCS SB 3

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 5, 2011, House Hearing Room 5 upon morning recess.

Public hearing will be held: HB 314, HB 273, HB 460, HB 829

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 679, HB 476, HB 764

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 7, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

#### GENERAL LAWS

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HJR 32, HB 932

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SCS SB 17, SB 38, SB 284, HB 821

Executive session will be held: HB 851, HB 838

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 163, HB 494, HB 243, HB 848

Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 6, 2011, 12:00 PM Room 315.

Lunch

#### JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 6, 2011, 6:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting. Oversight reports.

Some portions may be closed pursuant to Section 610.021.

LOCAL GOVERNMENT

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 940, HB 926, HB 918, HB 645, SB 145, HB 889

Executive session may be held on any matter referred to the committee.

AMENDED

RULES

Wednesday, April 6, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee dinner.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, April 5, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Committee to consider bills referred from Special Standing Committee on Redistricting including HCS HB193.

AMENDED

RURAL COMMUNITY DEVELOPMENT

Tuesday, April 5, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 55, HB 1008

Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 741

Executive session will be held: HB 322, HB 403, HB 644

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON REDISTRICTING

Tuesday, April 5, 2011, 12:30 PM House Hearing Room 3.

Public hearing will be held: HB 193

Executive session will be held: HB 193

Executive session may be held on any matter referred to the committee.

CORRECTED

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Tuesday, April 5, 2011, House Hearing Room 6 upon afternoon adjournment.

Public hearing will be held: HB 716, HB 839

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, April 6, 2011, 8:30 AM House Hearing Room 4.

Executive session will be held: HB 613

Executive session may be held on any matter referred to the committee.



#### **TAX REFORM**

Wednesday, April 6, 2011, 9:00 AM House Hearing Room 5.

Executive session will be held: HB 736, HB 520

Executive session may be held on any matter referred to the committee.

#### **TRANSPORTATION**

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 299, HB 846, SS SCS SB 58, SB 77, SCS SB 131, SCS SB 133

Executive session may be held on any matter referred to the committee.

#### **UTILITIES**

Tuesday, April 5, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HCR 48, SB 207

Executive session may be held on any matter referred to the committee.

### **HOUSE CALENDAR**

FORTY-NINTH DAY, TUESDAY, APRIL 5, 2011

#### **HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8 - Koenig

#### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HBs 411 & 421 - Wyatt
- 4 HCS HB 546, HSA 1 for HA 1, HA 1, pending - Kelly (24)
- 5 HCS HB 28, as amended - Sater
- 6 HCS HB 100 - Loehner
- 7 HCS HB 336 - Burlison
- 8 HCS HBs 470 & 429 - Funderburk
- 9 HB 490 - Diehl
- 10 HCS HB 468 - Diehl
- 11 HCS HB 473 - Jones (63)
- 12 HCS HB 111 - Cox
- 13 HCS HBs 223 & 231 - Wallingford
- 14 HB 291 - Denison
- 15 HCS HB 401 - Diehl
- 16 HCS HB 407 - Wieland
- 17 HCS HB 430 - Burlison
- 18 HCS HB 464 - McNary
- 19 HCS HB 555 - Grisamore
- 20 HB 591 - Lichtenegger
- 21 HB 655 - Lampe

844 *Journal of the House*

- 22 HCS HB 657 - Allen
- 23 HB 677 - Wells
- 24 HCS HB 697 - Smith (150)
- 25 HB 737 - Redmon
- 26 HCS HB 840 - Jones (117)

## **HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE**

HCS#2 HB 609 - Molendorp

## **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

## **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HB 32 - Sater
- 2 HCS HB 70 - Phillips
- 3 HB 79 - Nolte
- 4 HB 88 - Gatschenberger
- 5 HB 101 - Loehner
- 6 HB 141 - Black
- 7 HCS HB 143 - Schoeller
- 8 HB 182 - Walton Gray
- 9 HCS HB 197 - Jones (63)
- 10 HB 199 - Kelley (126)
- 11 HCS HB 220 - Smith (150)
- 12 HB 256 - Cox
- 13 HCS HB 259 - Cox
- 14 HB 260 - Cox
- 15 HB 264 - Nolte
- 16 HCS HB 265 - Smith (150)
- 17 HB 270 - Burlison
- 18 HB 272 - Kirkton
- 19 HB 307 - Gatschenberger
- 20 HB 327 - Wallingford
- 21 HCS HB 354 - Faith
- 22 HCS HB 369 - Gatschenberger
- 23 HB 388 - Burlison
- 24 HB 402 - Diehl
- 25 HCS HB 412 - Smith (150)
- 26 HB 448 - Lair
- 27 HB 484 - Faith
- 28 HB 499 - Wells
- 29 HCS HB 506 - Fuhr

- 30 HB 513 - Newman
- 31 HB 525 - Molendorp
- 32 HCS HB 545 - Schieber
- 33 HCS HB 548 - Jones (117)
- 34 HB 550 - Day
- 35 HCS HB 556 - Grisamore
- 36 HCS HB 557 - Grisamore
- 37 HB 560 - Grisamore
- 38 HB 561 - Grisamore
- 39 HCS HB 604 - Long
- 40 HCS HB 630 - Grisamore
- 41 HCS HB 631 - Grisamore
- 42 HB 648 - Montecillo
- 43 HB 667 - Carter
- 44 HB 673 - Largent
- 45 HB 675 - Largent
- 46 HB 678 - Schatz
- 47 HB 738 - Nasheed
- 48 HB 746 - Brown (85)
- 49 HB 749 - Lasater
- 50 HB 795 - Kelley (126)
- 51 HB 798 - Brown (85)
- 52 HB 812 - Brattin
- 53 HB 813 - Dugger
- 54 HCS HB 825 - Fallert

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 30, (3-31-11, Page 812) - Frederick
- 2 HCR 31, (3-17-11, Pages 694-695) - Cookson
- 3 HCS HCR 39, (3-17-11, Pages 696-697) - Leara

#### **SENATE BILLS FOR THIRD READING**

- 1 SCS SB 19 (Fiscal Review 4-4-11) - Nolte
- 2 SCS SB 108 - Diehl

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FORTY-NINTH DAY, TUESDAY, APRIL 5, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*God is able to provide you in abundance for every good work. (II Corinthians 9:8)*

O God, our Creator, Whom we seek to serve and to Whom we look for guidance, we bow before the altar of prayer offering unto You the gratitude and the loyalty of our hearts. We thank You for this new day fresh from Your hand with its possibilities for great and good living. By Your spirit may we always be honest and kind and forgiving; may we be generous in our criticism of others, patient with those who criticize us and considerate with those who differ from us. As we follow the Master who went about doing good, may we also stop merely going about and begin, like Him, to go about doing good to all.

Through this long day bless our beloved Speaker, members of the House and all who work with them. May the benediction of Your presence rest upon us all this day and every day. We recall the 150<sup>th</sup> anniversary of the Civil War - a conflict which changed our nation and state forever. Together lead us in the paths of unity and peace for Your Name's sake. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Wyatt Bowen and Alexandra Kratky.

The Journal of the forty-eighth day was approved as printed.

## HOUSE RESOLUTION

Representative Bernskoetter offered House Resolution No. 1705.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1554 through House Resolution No. 1704

## PERFECTION OF HOUSE BILLS

**HCS HBs 470 & 429**, relating to a nonresident entertainer income tax, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HCS HBs 470 & 429** was adopted.

On motion of Representative Funderburk, **HCS HBs 470 & 429** was ordered perfected and printed.

**HCS HB 336**, relating to a tax credit to attract sporting events, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HB 336** was adopted.

On motion of Representative Burlison, **HCS HB 336** was ordered perfected and printed.

**HCS HB 28, as amended**, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Sater.

Representative Keeney assumed the Chair.

On motion of Representative Sater, **HCS HB 28, as amended**, was adopted.

On motion of Representative Sater, **HCS HB 28, as amended**, was ordered perfected and printed by the following vote:

AYES: 120

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 035

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty

McDonald	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Peters-Baker	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 007

Faith	Hughes	McGeoghegan	Pace	Schneider
Webb	Zimmerman			

VACANCIES: 001

**HCS HB 546, with House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 1, pending**, relating to the Missouri Housing Development Commission, was taken up by Representative Kelly (24).

Speaker Tilley resumed the Chair.

Representative Webber moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 045

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Peters-Baker
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Brown 50	Colona	Faith	Holsman
Hughes	McDonald	McGeoghegan	McGhee	Nasheed
Pace	Pierson	Schneider	Webb	Zimmerman

VACANCIES: 001

Representative Webber again moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brown 85	Brown 116	Cauthorn	Conway 14
Cookson	Cox	Crawford	Davis	Day
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Korman	Lair	Lant	Largent
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Parkinson	Phillips	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Smith 150
Still	Thomson	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 078

Anders	Atkins	Aull	Berry	Black
Brattin	Brown 50	Burlison	Carlson	Carter
Casey	Cierpiot	Colona	Conway 27	Cross
Curtman	Dugger	Ellinger	Fallert	Franklin
Fuhr	Grisamore	Guernsey	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Klippenstein	Koenig	Kratky
Lampe	Lasater	Lauer	Leach	Marshall

May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Peters-Baker	Pierson	Quinn	Richardson	Rizzo
Schieber	Schieffer	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Torpey	Walton Gray	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 008

Faith	Hughes	McGeoghegan	Pace	Pollock
Schneider	Webb	Zimmerman		

VACANCIES: 001

On motion of Representative Kander, **House Amendment No. 1** was adopted by the following vote:

AYES: 081

Anders	Asbury	Atkins	Aull	Bahr
Berry	Black	Brattin	Brown 50	Burlison
Carlson	Carter	Casey	Cierpiot	Colona
Conway 14	Conway 27	Curtman	Ellinger	Fallert
Grisamore	Guernsey	Haefner	Harris	Higdon
Hodges	Holsman	Hoskins	Hubbard	Hummel
Johnson	Jones 63	Jones 117	Kander	Kelly 24
Kirkton	Koenig	Kratky	Lampe	Largent
Lasater	Marshall	May	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Quinn	Rizzo	Schieber	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray
White				

NOES: 073

Allen	Barnes	Bernskoetter	Brandom	Brown 85
Brown 116	Cauthorn	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Hampton
Hinson	Hough	Houghton	Jones 89	Keeney
Kelley 126	Klippenstein	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McNary	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz



Schieffer	Schoeller	Smith 150	Thomson	Wallingford
Webber	Wells	Weter	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Dugger	Faith	Hughes	McGeoghegan	Pace
Schneider	Webb	Zimmerman		

VACANCIES: 001

On motion of Representative Kelly (24), **HCS HB 546, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS HB 546, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Tilley.

### **COMMITTEE REPORTS**

**Special Standing Committee on Redistricting**, Chairman Diehl reporting:

Mr. Speaker: Your Special Standing Committee on Redistricting, to which was referred **HB 193**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 193**, begs leave to report it has examined the same and recommends that it **Do Pass**.

---

### **SUPPLEMENTAL CALENDAR APRIL 5, 2011**

### **HOUSE BILL FOR PERFECTION**

HCS HB 193 - Diehl

---

## PERFECTION OF HOUSE BILL

**HCS HBs 411 & 421**, relating to residents of disability facilities, was taken up by Representative Wyatt.

On motion of Representative Wyatt, **HCS HBs 411 & 421** was adopted.

On motion of Representative Wyatt, **HCS HBs 411 & 421** was ordered perfected and printed.

## THIRD READING OF HOUSE BILLS - CONSENT

**HB 550**, relating to liens on vehicles and certain homes, was taken up by Representative Day.

On motion of Representative Day, **HB 550** was read the third time and passed by the following vote:

AYES: 146

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Brown 50	Faith	Fallert	Fraker
Funderburk	Holsman	Hughes	Kelly 24	May
McGeoghegan	Pace	Schneider	Shively	Webb
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 32**, relating to heritage birth certificates, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 32** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Berry	Brown 50	Brown 116	Dieckhaus	Diehl
Ellinger	Faith	Funderburk	Hughes	May
McGeoghegan	Newman	Pace	Parkinson	Pollock
Quinn	Schneider	Spreng	Webb	Wells
Zimmerman				

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 70**, relating to county highway commissions, was taken up by Representative Phillips.

On motion of Representative Phillips, **HCS HB 70** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Nasheed	Pace	Pollock	Schieber
Webb	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 79**, relating to military medallions and medals, was taken up by Representative Nolte.

On motion of Representative Nolte, **HB 79** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Atkins	Brown 50	Day	Faith	Hughes
May	McGeoghegan	Pace	Wallingford	Webb
Webber	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

**HB 88**, relating to public administrators, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 88** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Aull	Brown 50	Carlson	Day	Faith
Grisamore	Hughes	Kander	May	McGeoghegan
Pace	Parkinson	Schupp	Webb	Zimmerman
Mr Speaker				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 101**, relating to liquor and wine tasting, was taken up by Representative Loehner.

On motion of Representative Loehner, **HB 101** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Cauthorn	Faith	Hughes	Kander
May	McGeoghegan	Pace	Parkinson	Webb
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley resumed the Chair.

**HB 141**, relating to the Heroes Way Interchange Designation Program, was taken up by Representative Black.

On motion of Representative Black, **HB 141** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000



PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Denison	Faith	Hughes	Kander
May	McGeoghegan	Pace	Parkinson	Webb
Zimmerman	Mr Speaker			

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 143**, relating to child abuse and neglect reports, was taken up by Representative Schoeller.

On motion of Representative Schoeller, **HCS HB 143** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Ellinger	Still
----------	-------

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Day	Dugger	Faith	Funderburk
Hughes	May	McGeoghegan	Pace	Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 182**, relating to Colon Cancer Awareness Day, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HB 182** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Neth	Pace	Zimmerman	

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 197**, relating to umbilical cord blood banking, was taken up by Representative Jones (63).

On motion of Representative Jones (63), **HCS HB 197** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Black

PRESENT: 000

ABSENT WITH LEAVE: 012

Brandom	Brown 50	Day	Faith	Hampton
Hughes	May	McGeoghegan	Nasheed	Nolte
Pace	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 199**, relating to intoxication-related offenses, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HB 199** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Long	Marshall	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Day	Faith	Hughes	Hummel
Jones 63	Leara	Loehner	May	McGeoghegan
McGhee	Newman	Nolte	Pace	Scharnhorst
Talboy	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 220**, relating to real estate licensee liability, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 220** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Nolte	Pace	Zimmerman	

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 256**, relating to the Basic Civil Legal Services Fund, was taken up by Representative Cox.

On motion of Representative Cox, **HB 256** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Nolte	Pace	Parkinson	Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 259**, relating to foster care licensure information, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 259** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Conway 14	Day	Diehl
Faith	Hughes	May	McGeoghegan	Nasheed
Pace	Parkinson	Scharnhorst	Talboy	Torpey
Webb	Wright	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 260**, relating to the Interstate Family Support Act, was taken up by Representative Cox.

On motion of Representative Cox, **HB 260** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 012

Brown 50	Day	Diehl	Faith	Hughes
May	McGeoghegan	McGhee	Pace	Parkinson
Pierson	Zimmerman			

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HB 264**, relating to the Manufacturing Jobs Act, was taken up by Representative Nolte.

On motion of Representative Nolte, **HB 264** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 008

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Pace	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HB 265**, relating to professional licenses, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 265** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 008

Brown 50	Day	Faith	Hughes	May
McGeoghegan	Pace	Zimmerman		

VACANCIES: 001

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

**HB 270**, relating to state employees health benefits, was taken up by Representative Burlison.

On motion of Representative Burlison, **HB 270** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Atkins

PRESENT: 002

Oxford                      Walton Gray

ABSENT WITH LEAVE: 012

Brown 50	Colona	Day	Faith	Hughes
Leara	May	McGeoghegan	Pace	Schneider
Spreng	Zimmerman			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 272**, relating to the MO HealthNet Oversight Committee, was taken up by Representative Kirkton.

On motion of Representative Kirkton, **HB 272** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey

871 *Journal of the House*

Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Day	Faith	Jones 63	May
McGeoghegan	Nasheed	Pace	Swearingen	Zimmerman

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 307**, relating to a special license plate, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 307** was read the third time and passed by the following vote:

AYES: 133

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Nance	Neth	Newman
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 018

Anders	Hodges	Hughes	Jones 63	Kander
McCann Beatty	McDonald	Montecillo	Nasheed	Nichols
Pierson	Sifton	Smith 71	Spreng	Still
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Day	Diehl	Faith
Hubbard	May	McGeoghegan	Pace	Webber
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 327**, relating to the Cape Girardeau County Circuit Court, was taken up by Representative Wallingford.

On motion of Representative Wallingford, **HB 327** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford

873 *Journal of the House*

Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Day	Diehl	Faith	Funderburk
May	McGeoghegan	McNeil	Pace	Spreng
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 369**, relating to water service line repair fees, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HCS HB 369** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Diehl	Faith	May
McGeoghegan	Pace	Webb	Zimmerman	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 388**, relating to patient information requests, was taken up by Representative Burlison.

On motion of Representative Burlison, **HB 388** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker



NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Day	Faith	May	McGeoghegan
Pace	Zimmerman			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 402**, relating to architects, engineers and surveyors, was taken up by Representative Korman.

On motion of Representative Korman, **HB 402** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Casey	Day	Faith	Holsman
Kander	May	McGeoghegan	Newman	Pace
Talboy	Zimmerman			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 412**, relating to wholesale drug distributors, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 412** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Berry	Brown 50	Day	Faith	May
McGeoghegan	Pace	Talboy	Zimmerman	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 448**, relating to the Missouri Local Government Employees' Retirement System, was taken up by Representative Lair.

On motion of Representative Lair, **HB 448** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 001

Walton Gray

ABSENT WITH LEAVE: 010

Brown 50	Conway 14	Day	Faith	Loehner
May	McGeoghegan	Pace	Talboy	Zimmerman

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 499**, relating to driver's license competency, was taken up by Representative Wells.

On motion of Representative Wells, **HB 499** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 008

Barnes	Burlison	Colona	Elmer	Hughes
Kelly 24	Marshall	Richardson		

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Day	Dieckhaus	Faith	May
McGeoghegan	Pace	Zimmerman		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 506**, relating to revision of prior tax levies, was taken up by Representative Fuhr.

On motion of Representative Fuhr, **HCS HB 506** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Day	Dieckhaus	Faith	May
McGeoghegan	Pace	Pollock	Zimmerman	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 513**, relating to persons with mental disabilities, was taken up by Representative Newman.

On motion of Representative Newman, **HB 513** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Peters-Baker	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 002

Sater	Schad
-------	-------

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 50	Day	Dieckhaus	Faith
May	McGeoghegan	Nasheed	Pace	Pollock
Zimmerman	Mr Speaker			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 525**, relating to a life and health reinsurance contract, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HB 525** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 002

Ellinger	Pierson
----------	---------

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Brattin	Brown 50	Day	Dieckhaus
Faith	Grisamore	Marshall	May	McGeoghegan
Pace	Pollock	Zimmerman	Mr Speaker	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 545**, relating to tourism community enhancement, was taken up by Representative Schieber.

On motion of Representative Schieber, **HCS HB 545** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 001

Schad

PRESENT: 000



ABSENT WITH LEAVE: 013

Brattin	Brown 50	Colona	Conway 14	Day
Dieckhaus	Faith	May	McGeoghegan	Pace
Talboy	Zimmerman	Mr Speaker		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 548**, relating to state employees, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HB 548** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 007

Asbury	Brown 116	Burlison	Hampton	Higdon
Houghton	Klippenstein			

PRESENT: 000

ABSENT WITH LEAVE: 013

Brattin	Brown 50	Colona	Day	Dieckhaus
Faith	May	McGeoghegan	Pace	Talboy
Torpey	Zimmerman	Mr Speaker		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 556**, relating to disability history and awareness, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 556** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 010

Asbury	Bahr	Burlison	Dugger	Hampton
Hinson	Largent	Parkinson	Richardson	Still

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Brown 50	Colona	Cox	Day
Dieckhaus	Diehl	Faith	May	McGeoghegan
Pace	Talboy	Zimmerman	Mr Speaker	

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 557**, relating to a Mental Health Earnings Fund, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 557** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Brown 50	Colona	Day	Dieckhaus
Diehl	Faith	May	McGeoghegan	Pace
Talboy	Zimmerman	Mr Speaker		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

Representative Silvey assumed the Chair.

**HB 560**, relating to accessible parking signs, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HB 560** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Crawford
Cross	Davis	Denison	Dieckhaus	Dugger
Ellinger	Entlicher	Fallert	Fisher	Fitzwater
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Harris	Higdon	Hodges
Holsman	Hoskins	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 020

Asbury	Bahr	Burlison	Conway 14	Cookson
Cox	Curtman	Elmer	Fraker	Franklin
Franz	Guernsey	Hampton	Hinson	Hough
Keeney	Lasater	Marshall	Parkinson	Sater

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Day	Diehl	Faith	Flanigan
Jones 117	May	McGeoghegan	Pace	Talboy
Zimmerman	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 561**, relating to the MO HealthNet Oversight Committee, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HB 561** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Harris	Higdon
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Peters-Baker	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 011

Bahr	Barnes	Burlison	Conway 14	Elmer
Hampton	Hinson	Hough	Hughes	Parkinson
Richardson				

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Denison	Faith	Guernsey
Haefner	May	McGeoghegan	Pace	Phillips
Smith 150	Talboy	Zimmerman	Mr Speaker	

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 604**, relating to termination of parental rights, was taken up by Representative Long.

On motion of Representative Long, **HCS HB 604** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Day	Diehl	Faith	Leara
May	McGeoghegan	Nasheed	Pace	Parkinson
Schad	Talboy	Taylor	Wright	Zimmerman
Mr Speaker				

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 630**, relating to prematurity and infant mortality, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 630** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 002

Hubbard	Hughes
---------	--------

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Diehl	Ellinger	Faith
May	McCann Beatty	McGeoghegan	Pace	Parkinson
Talboy	Taylor	Zimmerman	Mr Speaker	

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 631**, relating to the Developmental Disabilities Waiting List Equity Trust Fund, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 631** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Newman	Nichols	Nolte
Oxford	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 014

Brown 50	Day	Faith	Funderburk	Leara
May	McCaherty	McGeoghegan	Neth	Pace
Parkinson	Schad	Spreng	Zimmerman	

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 648**, relating to the developmentally disabled, was taken up by Representative Montecillo.

On motion of Representative Montecillo, **HB 648** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Ruzicka	Sater	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Carlson	Conway 27	Day	Dugger
Faith	Leara	May	McCaherty	McGeoghegan
McGhee	Nolte	Pace	Parkinson	Redmon
Rowland	Schad	Scharnhorst	Schneider	Sifton
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 667**, relating to prostate cancer pilot programs, was taken up by Representative Carter.

On motion of Representative Carter, **HB 667** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCann Beatty	McDonald
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Peters-Baker	Pierson	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Brown 50	Conway 14	Day	Denison	Dugger
Faith	Lasater	Leara	May	McCaherty
McGeoghegan	McGhee	Nolte	Pace	Parkinson
Phillips	Pollock	Redmon	Schad	Scharnhorst
Schneider	Wells	Zimmerman		

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 673**, relating to Missouri National Guard ribbons and awards, was taken up by Representative Largent.

On motion of Representative Largent, **HB 673** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Peters-Baker	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Brown 50	Conway 14	Day	Diehl	Dugger
Faith	Franklin	Jones 117	Lasater	Leara
May	McCaherty	McGeoghegan	Nolte	Pace
Parkinson	Phillips	Schad	Scharnhorst	Wells
Zimmerman	Mr Speaker			

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 675**, relating to county coroner training, was taken up by Representative Largent.

On motion of Representative Largent, **HB 675** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Conway 14	Day	Faith	Franklin
Guernsey	Holsman	Leara	Loehner	May
McGeoghegan	Molendorp	Pace	Wells	Zimmerman

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 678**, relating to excavation notification centers, was taken up by Representative Schatz.

On motion of Representative Schatz, **HB 678** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNeil
Meadows	Montecillo	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Schad

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Day	Faith	Guernsey	Holsman
Leara	Loehner	May	McGeoghegan	McNary
Molendorp	Nance	Pace	Pollock	Spreng
Swearingen	Zimmerman			

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 738**, relating to student study plans, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 738** was read the third time and passed by the following vote:

AYES: 115

Allen	Atkins	Aull	Barnes	Bernskoetter
Black	Brandom	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Denison	Dieckhaus
Diehl	Ellinger	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Kelley 126	Kelly 24
Kirkton	Kratky	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Taylor	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 037

Asbury	Bahr	Berry	Brattin	Burlison
Conway 14	Crawford	Cross	Curtman	Davis
Dugger	Elmer	Entlicher	Franklin	Franz
Guernsey	Hinson	Hough	Jones 117	Keeney
Klippenstein	Koenig	Korman	Lair	Leach
Long	Marshall	McCaherty	Nichols	Richardson
Ruzicka	Sater	Schad	Schupp	Still
Torpey	White			

PRESENT: 001

Anders

ABSENT WITH LEAVE: 009

Brown 50	Day	Faith	May	McGeoghegan
Pace	Talboy	Thomson	Zimmerman	

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 746**, relating to a Puppy Protection Trust Fund, was taken up by Representative Brown (85).

On motion of Representative Brown (85), **HB 746** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Ellinger
Fisher	Fitzwater	Flanigan	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 015

Asbury	Brown 116	Cookson	Dugger	Elmer
Entlicher	Fraker	Franklin	Franz	Guernsey
Hughes	Keeney	McGhee	Pollock	Wells

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Day	Faith	Fallert	Lampe
May	McGeoghegan	Pace	Webber	Zimmerman

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 749**, relating to child abuse prevention, was taken up by Representative Lasater.

On motion of Representative Lasater, **HB 749** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

Mr Speaker

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 016

Brown 50	Day	Faith	Fuhr	Holsman
Jones 117	Largent	May	McGeoghegan	Nasheed
Pace	Sater	Still	Webb	Webber
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 795**, relating to the Missouri School Read-In Day, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HB 795** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Faith	Fuhr	Jones 63
Jones 117	Kelly 24	May	McGeoghegan	Nasheed
Pace	Schad	Webber	Zimmerman	

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 798**, relating to a memorial bridge, was taken up by Representative Brown (85).

On motion of Representative Brown (85), **HB 798** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Brown 85	Cookson	Day	Faith
Hughes	Hummel	Jones 89	May	McGeoghegan
McGhee	Pace	Schad	Swinger	Zimmerman

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 812**, relating to a special license plate, was taken up by Representative Brattin.

On motion of Representative Brattin, **HB 812** was read the third time and passed by the following vote:

AYES: 146

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 005

Anders	McDonald	Quinn	Schad	Shively
--------	----------	-------	-------	---------

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Day	Faith	Hughes	Lant
May	McGeoghegan	Pace	Scharnhorst	Schneider
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

**HB 813**, relating to a memorial bridge, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 813** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 003

Hughes	McNeil	Still
--------	--------	-------

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Day	Faith	May	McGeoghegan
Pace	Zimmerman			

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 825**, relating to motor vehicle registration, was taken up by Representative Fallert.

On motion of Representative Fallert, **HCS HB 825** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nolte	Oxford	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brown 50	Day	Faith	Franz
Funderburk	Lauer	Leara	May	McGeoghegan
Nichols	Pace	Zimmerman		

VACANCIES: 001

Representative Silvey declared the bill passed.

### THIRD READING OF HOUSE CONCURRENT RESOLUTION

**HCR 19**, relating to an Article V Convention, was taken up by Representative Gatschenberger.

**HCR 19** was laid over.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HCS HJR 8**, relating to the Missouri Jobs and Prosperity Act, was taken up by Representative Koenig.

Representative Koenig offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 8, Section 4(d), Page 2, Line 32, by inserting after the words, “**investment purpose.**” the following words, “**Payments made by insurance companies to any business through the claims settlement process shall not be considered a business to business purchase.**”; and

Further amend said bill, section, page, Lines 35-36, by deleting all of said lines and inserting in lieu thereof the following:

“**b. Premiums or fees paid on valid insurance policies; or**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Koenig, **House Amendment No. 1** was adopted.

Representative Koenig offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Joint Resolution No. 8, Section B, Page 5, Lines 5-10, by deleting all of said lines and inserting in lieu thereof the following:

“A ‘yes’ vote will amend Missouri’s Constitution to phase-out the individual and corporate income tax; enact a single, revenue-neutral sales and use tax on new purchases and services capped at seven percent; and provide each resident with a sales tax rebate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HCS HJR 8, as amended, with House Amendment No. 2, pending,** was laid over.

### PERFECTION OF HOUSE BILL

**HCS HB 468**, relating to economic incentives for jobs, was taken up by Representative Diehl.

Speaker Tilley resumed the Chair.

Representative Leara offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 468, Section 67.2050, Page 3, Line 69, by inserting after all of said line the following:

**“9. The provisions of this section shall not be construed to allow municipalities to provide services provided by wired telecommunication carriers as defined by NAICS code 517110.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 1** was adopted.

Representative Silvey resumed the Chair.

On motion of Representative Diehl, **HCS HB 468, as amended**, was adopted.

On motion of Representative Diehl, **HCS HB 468, as amended**, was ordered perfected and printed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Parkinson	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle

Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 006

Bahr	Dugger	Koenig	Marshall	Pollock
Wells				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 012

Bernskoetter	Brown 50	Day	Faith	Loehner
McGeoghegan	Nasheed	Pace	Peters-Baker	Redmon
Schad	Zimmerman			

VACANCIES: 001

## **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HCS HJR 3** - Fiscal Review (Fiscal Note)

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 28** - Fiscal Review (Fiscal Note)

**HCS HB 192** - Fiscal Review (Fiscal Note)

**HCS HBs 411 & 421** - Fiscal Review (Fiscal Note)

**HB 901** - International Trade and Job Creation

**HB 979** - Ways and Means



## COMMITTEE REPORTS

### **Committee on Agriculture Policy**, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SS SCS SBs 113 & 95**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Insurance Policy**, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 523**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 773**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 101**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Rural Community Development**, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1008**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **SB 55**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 6, 2011.

## COMMITTEE MEETINGS

### AGRI-BUSINESS

Thursday, April 7, 2011, 8:00 AM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.

### BUDGET

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Presentation of Capital Improvements, Maintenance & Repair and  
Reappropriations to the House Budget Committee.

### BUDGET

Thursday, April 7, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Continuation of Capital Improvements, Maintenance & Repair, and  
Reappropriations Presentations.

### CORRECTIONS

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 803  
Executive session may be held on any matter referred to the committee.

### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 4.  
Public hearing will be held: HB 781, HB 635, SB 250  
Executive session may be held on any matter referred to the committee.

### DOWNSIZING STATE GOVERNMENT

Thursday, April 7, 2011, 9:00 AM House Hearing Room 4.  
Executive session will be held: HB 44, HJR 11, HJR 12, HB 437, HB 493  
Executive session may be held on any matter referred to the committee.

### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 679, HB 476, HB 764  
Executive session may be held on any matter referred to the committee.

### ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 7, 2011, 8:00 AM South Gallery.  
Public hearing will be held: HB 588  
Executive session may be held on any matter referred to the committee.  
AMENDED

#### FINANCIAL INSTITUTIONS

Wednesday, April 6, 2011, 5:00 PM House Hearing Room 6.  
Public hearing will be held: SB 71, SB 83, SCS SB 219, HB 811  
Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Wednesday, April 6, 2011, South Gallery upon morning recess.  
Public hearing will be held: SCS SB 19, HCS HB 192, HCS HJR 3  
Executive session will be held: SCS SB 19, HCS HB 192, HCS HJR 3  
Executive session may be held on any matter referred to the committee.  
All bills referred to the committee.  
AMENDED

#### HEALTH CARE POLICY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: SCS SB 17, SB 38, SB 284, SS#2 SCS SB 62  
Executive session will be held: HB 851, HB 838  
Executive session may be held on any matter referred to the committee.  
AMENDED

#### HEALTH CARE POLICY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: SCS SB 17, SB 38, SB 284, HB 821  
Executive session will be held: HB 851, HB 838  
Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 6, 2011, 12:00 PM, Room 315.  
Lunch

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 6, 2011, 5:00 PM House Hearing Room 7.  
Public hearing will be held: HCR 46, HB 707, HB 908  
Executive session may be held on any matter referred to the committee.

#### JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 6, 2011, 6:00 PM House Hearing Room 5.  
Executive session may be held on any matter referred to the committee.  
Quarterly business meeting. Oversight reports.  
Some portions may be closed pursuant to Section 610.021.

#### JUDICIARY

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 1.  
Public hearing will be held: SB 33, SB 220, HB 718, HB 585, HB 967, HB 874  
Executive session may be held on any matter referred to the committee.

**LOCAL GOVERNMENT**

Wednesday, April 6, 2011, 8:00 AM House Hearing Room 7.  
Public hearing will be held: HB 940, HB 926, HB 918, HB 645, SB 145, HB 889  
Executive session may be held on any matter referred to the committee.  
Amended Number 2.  
**AMENDED**

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, April 6, 2011, House Hearing Room 5,  
12:00 PM or upon morning adjournment if after 12:00 PM.  
Public hearing will be held: HB 832  
Executive session may be held on any matter referred to the committee.

**RULES**

Wednesday, April 6, 2011, House Hearing Room 1 upon afternoon adjournment.  
Executive session will be held: HR 900  
Executive session may be held on any matter referred to the committee.

**RULES**

Wednesday, April 6, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.  
Rules Committee dinner.

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Wednesday, April 6, 2011, House Hearing Room 1 upon afternoon adjournment.  
Executive session will be held: HCS HCR 23, HCS HB 121, HB 138, HCS HB 161, HB 211,  
HCS HBs 300, 334 & 387, HCS HBs 303 & 239, HB 305, HB 357, HCS HB 366, HB 491,  
HCS HB 562, HCS HB 579, HB 656, HB 661, HCS HB 664, HCS HB 711, HCS HB 828  
Executive session may be held on any matter referred to the committee.

**SMALL BUSINESS**

Wednesday, April 6, 2011, 12:00 PM House Hearing Room 7.  
Public hearing will be held: HB 741  
Executive session will be held: HB 322, HB 403, HB 644  
Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY**

Wednesday, April 6, 2011, 8:30 AM House Hearing Room 4.  
Executive session will be held: HB 613  
Executive session may be held on any matter referred to the committee.

**SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY**

Wednesday, April 6, 2011, 9:15 AM House Hearing Room 4.  
Public hearing will be held: HB 716, HB 839  
Executive session may be held on any matter referred to the committee.

#### **TAX REFORM**

Wednesday, April 6, 2011, 9:00 AM House Hearing Room 5.

Executive session will be held: HB 736, HB 520

Executive session may be held on any matter referred to the committee.

#### **TOURISM AND NATURAL RESOURCES**

Thursday, April 7, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 135, SB 180, HB 103, HB 597

Executive session may be held on any matter referred to the committee.

#### **TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, April 7, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCR 7, SB 173

Executive session will be held: HB 659, HB 786

Executive session may be held on any matter referred to the committee.

#### **WAYS AND MEANS**

Thursday, April 7, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 298, HB 824, HB 979

Executive session may be held on any matter referred to the committee.

#### **WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, April 11, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS#2 SCS SB 8

Executive session may be held on any matter referred to the committee.

### **HOUSE CALENDAR**

FIFTIETH DAY, WEDNESDAY, APRIL 6, 2011

#### **HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended, HA 2, pending - Koenig

#### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473 - Jones (63)
- 6 HCS HB 111 - Cox
- 7 HCS HBs 223 & 231 - Wallingford
- 8 HB 291 - Denison
- 9 HCS HB 401 - Diehl
- 10 HCS HB 407 - Wieland

- 11 HCS HB 430 - Burlison
- 12 HCS HB 464 - McNary
- 13 HCS HB 555 - Grisamore
- 14 HB 591 - Lichtenegger
- 15 HB 655 - Lampe
- 16 HCS HB 657 - Allen
- 17 HB 677 - Wells
- 18 HCS HB 697 - Smith (150)
- 19 HB 737 - Redmon
- 20 HCS HB 840 - Jones (117)
- 21 HCS HB 193 - Diehl

#### **HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE**

HCS#2 HB 609 - Molendorp

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 3, (Fiscal Review 4-5-11) - Loehner

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 458 - Loehner
- 2 HCS HB 641 - Franz
- 3 HCS HB 192, (Fiscal Review 4-5-11), E.C. - Jones (89)

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HCS HB 354 - Faith
- 2 HB 484 - Faith

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 30, (3-31-11, Page 812) - Frederick
- 2 HCR 31, (3-17-11, Pages 694-695) - Cookson
- 3 HCS HCR 39, (3-17-11, Pages 696-697) - Leara

#### **SENATE BILLS FOR THIRD READING**

- 1 SCS SB 19, (Fiscal Review 4-4-11) - Nolte
- 2 SCS SB 108 - Diehl

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTIETH DAY, WEDNESDAY, APRIL 6, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

“The Lord’s Prayer” was sung by Darrius Roberts of Normandy, Missouri.

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-ninth day was approved as printed.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Meredith Ann Cole.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1706 through House Resolution No. 1806

## HOUSE CONCURRENT RESOLUTIONS

**HCR 30**, relating to the Federal Health Care Reform Act, was taken up by Representative Frederick.

Representative Parkinson assumed the Chair.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Frederick, **HCR 30** was adopted.

**HCR 31**, relating to land and water conservation, was taken up by Representative Cookson.

On motion of Representative Cookson, **HCR 31** was adopted.

**HCS HCR 39**, relating to Grant’s Farm, was taken up by Representative Leara.

Speaker Tilley resumed the Chair.

On motion of Representative Leara, **HCS HCR 39** was adopted.

**THIRD READING OF HOUSE BILLS - CONSENT**

**HCS HB 354**, relating to electrical vehicle emissions inspections, was taken up by Representative Faith.

On motion of Representative Faith, **HCS HB 354** was read the third time and passed by the following vote:

AYES: 160

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Lasater                      Zimmerman

VACANCIES: 001

Speaker Tilley declared the bill passed.



Speaker Pro Tem Schoeller resumed the Chair.

**HB 484**, relating to the Missouri State Transit Assistance Program, was taken up by Representative Faith.

On motion of Representative Faith, **HB 484** was read the third time and passed by the following vote:

AYES: 134

Anders	Atkins	Aull	Bernskoetter	Black
Brandom	Brown 50	Brown 85	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 022

Asbury	Bahr	Berry	Brattin	Brown 116
Burlison	Curtman	Dugger	Entlicher	Franklin
Fuhr	Guernsey	Hampton	Houghton	Koenig
Marshall	Pollock	Richardson	Schad	Schieber
Wells	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 006

Allen	Barnes	Kander	Lasater	May
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

Representative Smith (150) assumed the Chair.

### **PERFECTION OF HOUSE BILL**

**HB 291**, relating to motor vehicle windshield stickers, was taken up by Representative Denison.

On motion of Representative Denison, **HB 291** was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Tilley.

### **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 3** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 28** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 192** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 411 & 421** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 19** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

### **THIRD READING OF SENATE BILL**

**SCS SB 108**, relating to installation of fire sprinklers, was taken up by Representative Scharnhorst.

Representative Silvey assumed the Chair.

On motion of Representative Scharnhorst, **SCS SB 108** was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Neth	Nichols
Nolte	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Stream
Swearingen	Swinger	Taylor	Thomson	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 012

Atkins	Carlson	Jones 63	Kelly 24	Kirkton
McGeoghegan	McNeil	Newman	Oxford	Schupp
Still	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 011

Funderburk	Hinson	Jones 117	Long	Nasheed
Parkinson	Redmon	Talboy	Torpey	Webber
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

Speaker Tilley resumed the Chair.

## PERFECTION OF HOUSE BILL

**HCS HB 193**, relating to congressional districts, was taken up by Representative Diehl.

Representative Aull offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 193, Pages 93 to 127, Section 128.455, Lines 2 to 1463, by deleting all of said lines and inserting in lieu thereof the following:

**"Clay MO County (parts)**

**VTD: Gal 1**

**VTD: Gal 10**

**VTD: Gal 11**

**VTD: Gal 12**

**VTD: Gal 13**

**VTD: Gal 14**

**VTD: Gal 15**

**VTD: Gal 16**

**VTD: Gal 17**

**VTD: Gal 18**

**VTD: Gal 2**

**VTD: Gal 3**

**VTD: Gal 4**

**VTD: Gal 5**

**VTD: Gal 6**

**VTD: Gal 7**

**VTD: Gal 9**

**VTD: KC 21-10**

**VTD: KC 21-11**

**VTD: KC 21-14**

**VTD: KC 21-18 (parts)**

**Block: 290470206024002**

**Block: 290470206024015**

**Block: 290470206024016**

**Block: 290470206024018**

**Block: 290470206024022**

**Block: 290470206024024**

**Block: 290470206024029**

**Block: 290470206031000**

**Block: 290470206031001**

**Block: 290470206031002**

**Block: 290470206031003**

**Block: 290470206031004**

**Block: 290470206031005**

**Block: 290470206031006**

**Block: 290470206031007**

**Block: 290470206031008**

**Block: 290470206031009**

**Block: 290470206031010**

**Block: 290470206031011**

**Block: 290470206031012**

**Block: 290470206031013**

**Block: 290470206031014**

Block: 290470206031015  
Block: 290470206031016  
Block: 290470206031017  
Block: 290470206031018  
Block: 290470206031019  
Block: 290470206031020  
Block: 290470206031021  
Block: 290470206031022  
Block: 290470206031023  
Block: 290470206031024  
Block: 290470206031025  
Block: 290470206032000  
Block: 290470206032001  
Block: 290470206032002  
Block: 290470206032003  
Block: 290470206032004  
Block: 290470206032005  
Block: 290470206032006  
Block: 290470206032007  
Block: 290470206032008  
Block: 290470206032012  
Block: 290470206032013  
Block: 290470206032014  
Block: 290470206032015  
Block: 290470206032016  
Block: 290470206032017  
Block: 290470206032018  
Block: 290470206033002  
Block: 290470206033003  
Block: 290470206033004  
Block: 290470206033005  
Block: 290470206033006  
Block: 290470206033007  
Block: 290470206033008  
Block: 290470206033009  
Block: 290470206033010  
Block: 290470206033011  
Block: 290470206033012  
Block: 290470206033013  
Block: 290470206033014  
Block: 290470206033015  
Block: 290470206033016  
Block: 290470206033017  
Block: 290470206033018  
Block: 290470206033021  
Block: 290470206033023  
Block: 290470206033024  
Block: 290470206033025  
Block: 290470206033026  
Block: 290470206033027  
Block: 290470206033028  
Block: 290470206033029  
Block: 290470206041001  
Block: 290470206041002  
Block: 290470206041003  
Block: 290470206041004

Block: 290470209021023  
Block: 290470209021024  
Block: 290470209021025  
Block: 290470209021027  
Block: 290470209021028  
Block: 290470209021031  
Block: 290470209021032  
Block: 290470209021033  
Block: 290470209021034  
Block: 290470209021035  
Block: 290470209021036  
Block: 290470222002045  
Block: 290470222002046  
Block: 290470222002047  
Block: 290470222002048  
Block: 290470222002049  
Block: 290470222002050  
Block: 290470222002051  
Block: 290470222002092  
Block: 290470222002093  
Block: 290470222002094  
Block: 290470222002095  
Block: 290470222002096  
Block: 290470222002097  
Block: 290470222002098  
Block: 290470222002099  
Block: 290470222002100  
Block: 290470222002101  
Block: 290470222002102  
Block: 290470222002103  
Block: 290470222002104  
Block: 290470222002105  
Block: 290470222002108  
Block: 290470222002109  
Block: 290470222002116  
Block: 290470222002117  
Block: 290470222002118  
Block: 290470222002119  
Block: 290470222002120  
Block: 290470222002121  
Block: 290470222002122  
Block: 290470222002123  
Block: 290470222002124  
Block: 290470222002125  
Block: 290470222002126  
Block: 290470222002129  
Block: 290470222002130  
Block: 290470222002131  
Block: 290470222002132  
Block: 290470222002133  
Block: 290470222002134  
Block: 290470222002135  
Block: 290470222002136  
Block: 290470222002137  
Block: 290470222002138  
Block: 290470222002156

VTD: KC 21-2  
VTD: KC 21-20  
VTD: KC 21-22  
VTD: KC 21-23  
VTD: KC 21-24  
VTD: KC 21-25 (parts)  
Block: 290470211011003  
Block: 290470211011007  
Block: 290470212061002  
Block: 290470212061004  
Block: 290470212061007  
Block: 290470212061009  
Block: 290470212061010  
Block: 290470212061011  
Block: 290470212083013  
Block: 290470212083014  
Block: 290470212083015  
Block: 290470212083018  
Block: 290470212083019  
Block: 290470212083020  
Block: 290470212083027  
VTD: KC 21-3  
VTD: KC 21-4  
VTD: KC 21-5 (parts)  
Block: 290470206044005  
Block: 290470209011001  
Block: 290470209011002  
Block: 290470209011004  
Block: 290470209011005  
Block: 290470209011006  
Block: 290470209011007  
Block: 290470209011008  
Block: 290470209011009  
Block: 290470209011010  
Block: 290470209011011  
Block: 290470209011012  
Block: 290470209011013  
Block: 290470209011014  
Block: 290470209011015  
Block: 290470209011016  
Block: 290470209011017  
Block: 290470209011018  
Block: 290470209011019  
Block: 290470209011020  
Block: 290470209011021  
Block: 290470209012000  
Block: 290470209012001  
Block: 290470209012002  
Block: 290470209012003  
Block: 290470209012004  
Block: 290470209012005  
Block: 290470209012006  
Block: 290470209012007  
Block: 290470209012010  
Block: 290470209012018  
Block: 290470209014000

**Block: 290470209014007**  
**Block: 290470209014008**  
**Block: 290470209014009**  
**Block: 290470209014013**  
**Block: 290470209015000**  
**Block: 290470209015001**  
**Block: 290470209015002**  
**Block: 290470209015003**  
**Block: 290470209015004**  
**Block: 290470209015005**  
**Block: 290470209015006**  
**Block: 290470209015007**  
**Block: 290470209015008**  
**Block: 290470209015009**  
**Block: 290470209015010**  
**Block: 290470209015011**  
**Block: 290470209015012**  
**Block: 290470209015013**  
**Block: 290470209015014**  
**Block: 290470209015015**  
**VTD: KC 21-6**  
**VTD: KC 21-7**  
**VTD: KC 21-8**  
**VTD: KC 21-9**  
**VTD: Lib 13 (parts)**  
**Block: 290470222002030**  
**Jackson MO County"; and**

Further amend said bill, Pages 127 to 158, Section 128.456, Lines 2 to 1368, by deleting all of said lines and inserting in lieu thereof the following:

**"Adair MO County**  
**Andrew MO County**  
**Atchison MO County**  
**Buchanan MO County**  
**Caldwell MO County**  
**Carroll MO County**  
**Chariton MO County**  
**Clark MO County**  
**Clay MO County (parts)**  
**VTD: Chou 8**  
**VTD: FR 1**  
**VTD: FR 2**  
**VTD: FR 3**  
**VTD: FR 4**  
**VTD: FR 5**  
**VTD: KC 21 Lib 1**  
**VTD: KC 21 Lib 2**  
**VTD: KC 21 Lib 3**  
**VTD: KC 21 Pl 1**  
**VTD: KC 21-1**  
**VTD: KC 21-12**  
**VTD: KC 21-13**  
**VTD: KC 21-15**  
**VTD: KC 21-16**  
**VTD: KC 21-17**



**VTD: KC 21-18 (parts)**  
**Block: 290470206033001**  
**Block: 290470206033019**  
**Block: 290470206033020**  
**Block: 290470206033022**  
**Block: 290470206041000**  
**Block: 290470206041005**  
**Block: 290470206041012**  
**Block: 290470209021017**  
**Block: 290470222002044**  
**Block: 290470222002106**  
**Block: 290470222002107**  
**VTD: KC 21-19**  
**VTD: KC 21-21**  
**VTD: KC 21-25 (parts)**  
**Block: 290470212051031**  
**Block: 290470212061000**  
**Block: 290470212061001**  
**Block: 290470212061003**  
**Block: 290470212061005**  
**Block: 290470212061006**  
**Block: 290470212061008**  
**Block: 290470212071052**  
**Block: 290470212071056**  
**Block: 290470212081000**  
**Block: 290470212081001**  
**Block: 290470212082000**  
**Block: 290470212083000**  
**Block: 290470212083001**  
**Block: 290470212083002**  
**Block: 290470212083003**  
**Block: 290470212083004**  
**Block: 290470212083005**  
**Block: 290470212083006**  
**Block: 290470212083007**  
**Block: 290470212083008**  
**Block: 290470212083009**  
**Block: 290470212083010**  
**Block: 290470212083011**  
**Block: 290470212083012**  
**Block: 290470212083016**  
**Block: 290470212083017**  
**Block: 290470212083021**  
**Block: 290470212083022**  
**Block: 290470212083023**  
**Block: 290470212083024**  
**Block: 290470212083025**  
**Block: 290470212083026**  
**VTD: KC 21-26**  
**VTD: KC 21-5 (parts)**  
**Block: 290470209011000**  
**Block: 290470209011003**  
**VTD: Kry 1**  
**VTD: Kry 2**  
**VTD: Kry 3**  
**VTD: Kry 4**

VTD: Lib 1  
VTD: Lib 10  
VTD: Lib 11  
VTD: Lib 12  
VTD: Lib 13 (parts)  
Block: 290470222002035  
Block: 290470222002036  
Block: 290470222002147  
Block: 290470223012024  
Block: 290470223012025  
Block: 290470223012026  
Block: 290470223021006  
Block: 290470223021016  
Block: 290470223021017  
Block: 290470223021018  
Block: 290470223021019  
Block: 290470223021020  
Block: 290470223021024  
Block: 290470223021025  
Block: 290470223021048  
Block: 290470223021050  
Block: 290470223021057  
Block: 290470223021058  
Block: 290470223021059  
Block: 290470223021060  
Block: 290470223023050  
Block: 290470223023052  
Block: 290470223023058  
Block: 290470223023059  
VTD: Lib 14  
VTD: Lib 2  
VTD: Lib 3  
VTD: Lib 4  
VTD: Lib 5  
VTD: Lib 6  
VTD: Lib 7  
VTD: Lib 8  
VTD: Lib 9  
VTD: Pl 1  
VTD: Pl 2  
VTD: Pl 3  
VTD: Wash 1  
VTD: Wash 2  
VTD: Wash 3  
Clinton MO County  
Daviess MO County  
DeKalb MO County  
Gentry MO County  
Grundy MO County  
Harrison MO County  
Holt MO County  
Knox MO County  
Lafayette MO County  
Lewis MO County  
Linn MO County  
Livingston MO County

**Macon MO County**  
**Marion MO County**  
**Mercer MO County**  
**Monroe MO County**  
**Nodaway MO County**  
**Pike MO County**  
**Platte MO County**  
**Putnam MO County**  
**Ralls MO County**  
**Randolph MO County (parts)**  
**VTD: Cairo**  
**VTD: Clifton Hill**  
**VTD: Darksville**  
**VTD: Huntsville**  
**VTD: Jacksonville**  
**VTD: Levicks Mill**  
**VTD: Mt. Airy (parts)**  
**Block: 291754902001169**  
**Block: 291754902001170**  
**Block: 291754902001172**  
**Block: 291754902001173**  
**Block: 291754902002079**  
**Block: 291754902002080**  
**Block: 291754906002048**  
**Block: 291754906002049**  
**Block: 291754906002053**  
**Block: 291754906002058**  
**Block: 291754906002059**  
**Block: 291754906002060**  
**Block: 291754906002062**  
**Block: 291754906002194**  
**VTD: Salt Springs (parts)**  
**Block: 291754902001115**  
**Block: 291754902001116**  
**Block: 291754902001123**  
**Block: 291754902001124**  
**Block: 291754902001125**  
**Block: 291754902001130**  
**Block: 291754902001131**  
**Block: 291754902001155**  
**Block: 291754902001156**  
**Block: 291754902001157**  
**Block: 291754902001158**  
**Block: 291754902001159**  
**Block: 291754902001160**  
**Block: 291754902001161**  
**Block: 291754902001162**  
**Block: 291754902001163**  
**Block: 291754902001164**  
**Block: 291754902001165**  
**Block: 291754902001168**  
**Block: 291754902001171**  
**Block: 291754902001174**  
**Block: 291754902002056**  
**Block: 291754902002057**  
**Block: 291754902002058**

Block: 291754902002062  
 Block: 291754902002064  
 Block: 291754902002065  
 Block: 291754902002066  
 Block: 291754902002067  
 Block: 291754902002068  
 Block: 291754902002069  
 Block: 291754902002070  
 Block: 291754902002071  
 Block: 291754902002073  
 Block: 291754902002074  
 Block: 291754902002075  
 Block: 291754902002076  
 Block: 291754902002077  
 Block: 291754902002078  
 Block: 291754902002081  
 Block: 291754902002082  
 Block: 291754902002083  
 Block: 291754902002084  
 Block: 291754902002085  
 Block: 291754902002087  
 Block: 291754902002088  
 Block: 291754902002089  
 Block: 291754902004062  
 Block: 291754902004063  
 Block: 291754902004064  
 Block: 291754902004065  
 Block: 291754902004066  
 Block: 291754906002000  
 Block: 291754906002001  
 Block: 291754906002002  
 Block: 291754906002003  
 Block: 291754906002004  
 Block: 291754906002005  
 Block: 291754906002006  
 Block: 291754906002007  
 Block: 291754906002012  
 Block: 291754906002025  
 Block: 291754906002050  
 Block: 291754906002051  
 Block: 291754906002052  
 Block: 291754906002204  
 Block: 291754906002205  
 Block: 291754906002218  
 Block: 291754906002219  
 VTD: South Sugar Creek (parts)  
 Block: 291754901002104  
 VTD: Thomas Hill  
 VTD: Union  
 Ray MO County  
 Saline MO County  
 Schuyler MO County  
 Scotland MO County  
 Shelby MO County  
 Sullivan MO County  
 Worth MO County"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Cox	Ellinger	Fallert	Harris	Hodges
Hughes	Hummel	Jones 63	Kirkton	Kratky
Lampe	Lasater	McDonald	McGhee	McManus
McNeil	Meadows	Montecillo	Nance	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Schieber	Schupp	Smith 71	Spreng
Still	Swinger	Taylor	Webb	

NOES: 110

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Higdon	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McGeoghegan
McNary	Molendorp	Neth	Peters-Baker	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieffer	Schneider	Schoeller
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Haefner	Hinson	Kelly 24	Nolte	Parkinson
Shively	Webber	Zimmerman		

VACANCIES: 001

Representative Casey offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 193, Pages 1 to 22, Section 128.451, Lines 2 to 879, by deleting all of said lines and inserting in lieu thereof the following:

**"St. Louis City MO County  
St. Louis MO County (part)**

**VTD: AP001**

**VTD: AP002**

**VTD: AP003**

**VTD: AP004**

**VTD: AP005**

**VTD: AP006**

**VTD: AP007**

**VTD: AP008**

**VTD: AP009**

**VTD: AP010**

**VTD: AP011**

**VTD: AP012**

**VTD: AP013**

**VTD: AP014**

**VTD: AP015**

**VTD: AP016**

**VTD: AP017**

**VTD: AP018**

**VTD: AP019**

**VTD: AP020**

**VTD: AP021**

**VTD: AP022**

**VTD: AP023**

**VTD: AP024**

**VTD: AP025**

**VTD: AP026**

**VTD: AP027**

**VTD: AP028**

**VTD: AP029**

**VTD: AP030**

**VTD: AP031**

**VTD: AP032**

**VTD: AP033**

**VTD: AP034**

**VTD: AP035**

**VTD: AP036**

**VTD: AP037**

**VTD: AP038**

**VTD: AP039**

**VTD: AP040**

**VTD: AP041**

**VTD: AP042**

**VTD: AP043**

**VTD: AP044**

**VTD: AP045**

**VTD: AP046**

**VTD: AP047**

**VTD: AP048**

**VTD: AP049**

**VTD: AP050**  
**VTD: AP051**  
**VTD: AP052**  
**VTD: AP053**  
**VTD: AP054**  
**VTD: AP055**  
**VTD: AP056**  
**VTD: AP200**  
**VTD: AP203**  
**VTD: AP206**  
**VTD: AP207**  
**VTD: AP208**  
**VTD: AP210**  
**VTD: AP211**  
**VTD: AP213**  
**VTD: AP214**  
**VTD: AP215**  
**VTD: AP216**  
**VTD: AP217**  
**VTD: AP218**  
**VTD: AP221**  
**VTD: AP225**  
**VTD: AP227**  
**VTD: AP228**  
**VTD: AP230**  
**VTD: AP232**  
**VTD: AP233**  
**VTD: AP237**  
**VTD: CC012 (part)**  
**Block: 291892155001004**  
**Block: 291892155001011**  
**Block: 291892155001012**  
**Block: 291892155001036**  
**Block: 291892155004008**  
**Block: 291892155004011**  
**Block: 291892155004014**  
**Block: 291892155004015**  
**VTD: CC013**  
**VTD: CC015**  
**VTD: CC018 (part)**  
**Block: 291892150041013**  
**Block: 291892150042002**  
**Block: 291892150042003**  
**Block: 291892150042006**  
**Block: 291892150042007**  
**Block: 291892150042025**  
**VTD: CC019**  
**VTD: CC020**  
**VTD: CC021**  
**VTD: CC022**  
**VTD: CC025**  
**VTD: CC026**  
**VTD: CC027**  
**VTD: CC028**  
**VTD: CC029**  
**VTD: CC034**

VTD: CC038  
 VTD: CC039  
 VTD: CC040  
 VTD: CC042  
 VTD: CC043  
 VTD: CC046  
 VTD: CC048  
 VTD: CC053 (part)  
 Block: 291892150041000  
 Block: 291892150041001  
 Block: 291892150041002  
 Block: 291892150041003  
 Block: 291892150041004  
 Block: 291892150041005  
 Block: 291892150041006  
 Block: 291892150041007  
 Block: 291892150041008  
 Block: 291892150041009  
 Block: 291892150041010  
 Block: 291892150041011  
 Block: 291892150041012  
 Block: 291892150042005  
 VTD: CC054  
 VTD: CC057  
 VTD: CC058 (part)  
 Block: 291892156001056  
 VTD: CC060  
 VTD: CC061 (part)  
 Block: 291892155004010  
 VTD: CC062 (part)  
 Block: 291892155001013  
 Block: 291892155004009  
 VTD: CC063  
 VTD: CC064  
 VTD: CC065  
 VTD: CC066  
 VTD: CC067  
 VTD: CC068  
 VTD: CC069  
 VTD: CC201  
 VTD: CC202  
 VTD: CC203 (part)  
 Block: 291892156001019  
 Block: 291892156001020  
 VTD: CC205  
 VTD: CC207  
 VTD: CC221  
 VTD: CC224  
 VTD: CC225  
 VTD: CC227  
 VTD: CLA001  
 VTD: CLA003 (part)  
 Block: 291892164001005  
 Block: 291892164001006  
 VTD: CLA005  
 VTD: CLA011 (part)



Block: 291892158002018  
Block: 291892158006012  
Block: 291892158006015  
Block: 291892158006016  
Block: 291892165001005  
VTD: CLA015 (part)  
Block: 291892155004026  
VTD: CLA021  
VTD: CLA022  
VTD: CLA050 (part)  
Block: 291892189004019  
Block: 291892189004023  
VTD: CLA051  
VTD: CLA052  
VTD: CLA054  
VTD: CLA056  
VTD: FER001  
VTD: FER002  
VTD: FER003  
VTD: FER004  
VTD: FER005  
VTD: FER006  
VTD: FER007  
VTD: FER008  
VTD: FER009  
VTD: FER010  
VTD: FER011  
VTD: FER012  
VTD: FER013  
VTD: FER014  
VTD: FER015  
VTD: FER016  
VTD: FER017  
VTD: FER018  
VTD: FER019  
VTD: FER020  
VTD: FER021  
VTD: FER022  
VTD: FER023  
VTD: FER024  
VTD: FER025  
VTD: FER026  
VTD: FER027  
VTD: FER028  
VTD: FER029  
VTD: FER030  
VTD: FER031  
VTD: FER032  
VTD: FER033  
VTD: FER034  
VTD: FER035  
VTD: FER036  
VTD: FER037  
VTD: FER038  
VTD: FER039  
VTD: FER040

VTD: FER041  
VTD: FER042  
VTD: FER043  
VTD: FER044  
VTD: FER045  
VTD: FER046  
VTD: FER047  
VTD: FER048  
VTD: FER049  
VTD: FER050  
VTD: FER051  
VTD: FER201  
VTD: FER208  
VTD: FLO001  
VTD: FLO002  
VTD: FLO003  
VTD: FLO004  
VTD: FLO005  
VTD: FLO006  
VTD: FLO007  
VTD: FLO008  
VTD: FLO009  
VTD: FLO010  
VTD: FLO011  
VTD: FLO012  
VTD: FLO013  
VTD: FLO014  
VTD: FLO015  
VTD: FLO016  
VTD: FLO017  
VTD: FLO018  
VTD: FLO019  
VTD: FLO020  
VTD: FLO021  
VTD: FLO022  
VTD: FLO023  
VTD: FLO024  
VTD: FLO025  
VTD: FLO026  
VTD: FLO027  
VTD: FLO028  
VTD: FLO029  
VTD: FLO030  
VTD: FLO031  
VTD: FLO032  
VTD: FLO033  
VTD: FLO034  
VTD: FLO035  
VTD: FLO036  
VTD: FLO037  
VTD: FLO038  
VTD: FLO039  
VTD: FLO040  
VTD: FLO041  
VTD: FLO042  
VTD: FLO200

VTD: FLO201  
VTD: FLO202  
VTD: FLO203  
VTD: FLO205  
VTD: FLO207  
VTD: HAD001  
VTD: HAD002  
VTD: HAD003  
VTD: HAD004  
VTD: HAD005  
VTD: HAD006  
VTD: HAD007  
VTD: HAD008  
VTD: HAD009  
VTD: HAD010  
VTD: HAD011  
VTD: HAD012  
VTD: HAD013  
VTD: HAD014  
VTD: HAD015  
VTD: HAD016  
VTD: HAD017  
VTD: HAD018  
VTD: HAD019  
VTD: HAD020  
VTD: HAD021  
VTD: HAD022  
VTD: HAD023  
VTD: HAD024  
VTD: HAD025  
VTD: HAD026  
VTD: HAD027  
VTD: HAD028  
VTD: HAD029  
VTD: HAD030  
VTD: HAD031  
VTD: HAD032  
VTD: HAD033  
VTD: HAD034  
VTD: HAD035  
VTD: HAD036  
VTD: HAD037  
VTD: HAD038  
VTD: JEF013  
VTD: JEF014  
VTD: JEF017 (part)  
Block: 291892196001006  
Block: 291892196001008  
Block: 291892196001009  
Block: 291892196001010  
Block: 291892196001011  
Block: 291892196001012  
Block: 291892196001013  
VTD: JEF018 (part)  
Block: 291892191003014  
Block: 291892191003015

Block: 291892191003016  
 Block: 291892191004010  
 Block: 291892191004011  
 Block: 291892191004012  
 Block: 291892191004013  
 Block: 291892192002007  
 Block: 291892192002008  
 Block: 291892192002009  
 Block: 291892192002011  
 Block: 291892192002012  
 Block: 291892192002015  
 Block: 291892192002016  
 Block: 291892192002017  
 Block: 291892192002018  
 Block: 291892192002019  
 Block: 291892192002020  
 Block: 291892192002023  
 VTD: JEF019  
 VTD: JEF020  
 VTD: JEF023 (part)  
 Block: 291892193003008  
 VTD: JEF024  
 VTD: JEF028  
 VTD: JEF030 (part)  
 Block: 291892195001000  
 Block: 291892195001002  
 Block: 291892195001010  
 VTD: JEF047  
 VTD: JEF048 (part)  
 Block: 291892193003000  
 Block: 291892193003001  
 Block: 291892193003002  
 Block: 291892193003003  
 Block: 291892193003004  
 Block: 291892193003005  
 Block: 291892193003006  
 Block: 291892193003007  
 Block: 291892193003009  
 Block: 291892193003010  
 VTD: JEF200 (part)  
 Block: 291892196001000  
 VTD: LC001  
 VTD: LC002  
 VTD: LC003  
 VTD: LC004  
 VTD: LC005  
 VTD: LC006  
 VTD: LC007  
 VTD: LC008  
 VTD: LC009  
 VTD: LC010  
 VTD: LC011  
 VTD: LC012  
 VTD: LC013  
 VTD: LC014  
 VTD: LC015

VTD: LC016  
VTD: LC017  
VTD: LC018  
VTD: LC019  
VTD: LC020  
VTD: LC021  
VTD: LC022  
VTD: LC023  
VTD: LC024  
VTD: LC025  
VTD: LC026  
VTD: LC027  
VTD: LC028  
VTD: LC029  
VTD: LC030  
VTD: LC031  
VTD: LC032  
VTD: LC033  
VTD: LC034  
VTD: LC035  
VTD: LC036  
VTD: LC037  
VTD: LC038  
VTD: LC039  
VTD: LC040  
VTD: LC200  
VTD: LC202  
VTD: LC203  
VTD: MHT016  
VTD: MHT018 (part)  
Block: 291892132022000  
Block: 291892132022001  
Block: 291892132022005  
VTD: MID001 (part)  
Block: 291892150011000  
Block: 291892150011001  
Block: 291892150011002  
Block: 291892150011058  
Block: 291892150011059  
Block: 291892150011060  
Block: 291892150011061  
Block: 291892150011062  
Block: 291892150011083  
Block: 291892150011084  
Block: 291892150011086  
VTD: MID002  
VTD: MID003  
VTD: MID004  
VTD: MID005  
VTD: MID006  
VTD: MID007  
VTD: MID008  
VTD: MID009  
VTD: MID010  
VTD: MID011  
VTD: MID012

VTD: MID013  
VTD: MID014  
VTD: MID015  
VTD: MID016  
VTD: MID017  
VTD: MID018  
VTD: MID019  
VTD: MID020  
VTD: MID021  
VTD: MID022  
VTD: MID023  
VTD: MID024  
VTD: MID025  
VTD: MID026  
VTD: MID027  
VTD: MID028  
VTD: MID029  
VTD: MID030  
VTD: MID031  
VTD: MID032  
VTD: MID033  
VTD: MID034  
VTD: MID035  
VTD: MID036  
VTD: MID037  
VTD: MID038  
VTD: MID039  
VTD: MID040  
VTD: MID041  
VTD: MID042  
VTD: MID043  
VTD: MID044  
VTD: MID045  
VTD: MID046  
VTD: MID047  
VTD: MID048  
VTD: MID049  
VTD: MID050  
VTD: MID051  
VTD: MID052  
VTD: MID053  
VTD: MID054  
VTD: MID055  
VTD: MID056  
VTD: MID058  
VTD: MID059  
VTD: MID060  
VTD: MID061  
VTD: MID202  
VTD: MID207 (part)  
Block: 291892150011053  
Block: 291892150011057  
Block: 291892150011063  
Block: 291892150011064  
Block: 291892150011065  
Block: 291892150011066

**Block: 291892150011071**

**Block: 291892150042008**

**VTD: MID208**

**VTD: MID209**

**VTD: MID213**

**VTD: MID215**

**VTD: NOR001**

**VTD: NOR002**

**VTD: NOR003**

**VTD: NOR004**

**VTD: NOR005**

**VTD: NOR006**

**VTD: NOR007**

**VTD: NOR008**

**VTD: NOR009**

**VTD: NOR010**

**VTD: NOR011**

**VTD: NOR012**

**VTD: NOR013**

**VTD: NOR014**

**VTD: NOR015**

**VTD: NOR016**

**VTD: NOR017**

**VTD: NOR018**

**VTD: NOR019**

**VTD: NOR020**

**VTD: NOR021**

**VTD: NOR022**

**VTD: NOR023**

**VTD: NOR024**

**VTD: NOR025**

**VTD: NOR026**

**VTD: NOR027**

**VTD: NOR028**

**VTD: NOR029**

**VTD: NOR030**

**VTD: NOR031**

**VTD: NOR032**

**VTD: NOR033**

**VTD: NOR034**

**VTD: NOR035**

**VTD: NOR036**

**VTD: NOR037**

**VTD: NOR038**

**VTD: NOR039**

**VTD: NOR040**

**VTD: NOR041**

**VTD: NOR042**

**VTD: NOR043**

**VTD: NOR044**

**VTD: NOR045**

**VTD: NOR046**

**VTD: NOR047**

**VTD: NOR048**

**VTD: NOR049**

**VTD: NOR050**

VTD: NOR051  
VTD: NOR052  
VTD: NOR053  
VTD: NOR054  
VTD: NOR055  
VTD: NOR056  
VTD: NOR201  
VTD: NOR202  
VTD: NOR203  
VTD: NOR205  
VTD: NOR206  
VTD: NOR207  
VTD: NOR208  
VTD: NOR213  
VTD: NOR214  
VTD: NOR215  
VTD: NOR219  
VTD: NOR220  
VTD: NOR222  
VTD: NRW001  
VTD: NRW002  
VTD: NRW003  
VTD: NRW004  
VTD: NRW005  
VTD: NRW006  
VTD: NRW007  
VTD: NRW008  
VTD: NRW009  
VTD: NRW010  
VTD: NRW011  
VTD: NRW012  
VTD: NRW013  
VTD: NRW014  
VTD: NRW015  
VTD: NRW016  
VTD: NRW017  
VTD: NRW018  
VTD: NRW019  
VTD: NRW020  
VTD: NRW021  
VTD: NRW022  
VTD: NRW023  
VTD: NRW024  
VTD: NRW025  
VTD: NRW026  
VTD: NRW027  
VTD: NRW028  
VTD: NRW029  
VTD: NRW031  
VTD: NRW032  
VTD: NRW033  
VTD: NRW034  
VTD: NRW035  
VTD: NRW036  
VTD: NRW037  
VTD: NRW038



VTD: NRW039  
VTD: NRW040  
VTD: NRW041  
VTD: NRW042  
VTD: NRW043  
VTD: NRW044  
VTD: NRW045  
VTD: NRW046  
VTD: NRW047  
VTD: NRW048  
VTD: NRW200  
VTD: NRW201  
VTD: NW001  
VTD: NW002  
VTD: NW003  
VTD: NW004  
VTD: NW005  
VTD: NW008 (part)  
Block: 291892113013005  
Block: 291892113013006  
Block: 291892113341024  
Block: 291892113341025  
Block: 291892113341026  
Block: 291892113341027  
Block: 291892113341030  
Block: 291892113341031  
Block: 291892113343009  
Block: 291892113343011  
Block: 291892113343012  
Block: 291892113343013  
Block: 291892113343014  
Block: 291892113343015  
Block: 291892113343016  
Block: 291892113343017  
VTD: NW010  
VTD: NW011  
VTD: NW012  
VTD: NW013 (part)  
Block: 291892151431053  
VTD: NW014  
VTD: NW016  
VTD: NW017  
VTD: NW019 (part)  
Block: 291892132023006  
VTD: NW020  
VTD: NW025 (part)  
Block: 291892113321023  
Block: 291892113321024  
Block: 291892114013000  
Block: 291892114013001  
Block: 291892114013007  
Block: 291892114013008  
VTD: NW026  
VTD: NW028  
VTD: NW030 (part)  
Block: 291892114013011

**VTD: NW031**

**VTD: NW032 (part)**

**Block: 291892131014025**

**Block: 291892131014026**

**Block: 291892131014027**

**Block: 291892131014028**

**Block: 291892131014029**

**Block: 291892131014030**

**Block: 291892131014031**

**Block: 291892131014032**

**Block: 291892131014033**

**Block: 291892131014034**

**Block: 291892131014035**

**Block: 291892131014036**

**Block: 291892131021104**

**Block: 291892131021105**

**Block: 291892131021109**

**Block: 291892131021114**

**Block: 291892132031005**

**Block: 291892151431000**

**VTD: NW034**

**VTD: NW037**

**VTD: NW042 (part)**

**Block: 291892131014014**

**Block: 291892131014015**

**Block: 291892131014016**

**Block: 291892131014017**

**Block: 291892131014018**

**Block: 291892131014019**

**Block: 291892131014020**

**Block: 291892131014023**

**Block: 291892131014024**

**Block: 291892131021106**

**Block: 291892131021107**

**Block: 291892131021108**

**VTD: NW043**

**VTD: NW045**

**VTD: NW047**

**VTD: NW048 (part)**

**Block: 291892114013010**

**VTD: NW049**

**VTD: NW050**

**VTD: NW051**

**VTD: NW200**

**VTD: NW202**

**VTD: NW203**

**VTD: NW204**

**VTD: NW205**

**VTD: NW206 (part)**

**Block: 291892132031019**

**VTD: NW207**

**VTD: NW219**

**VTD: NW220**

**VTD: NW222**

**VTD: NW223**

**VTD: NW224**

VTD: NW225  
VTD: NW226  
VTD: NW227  
VTD: NW229  
VTD: SF001  
VTD: SF002  
VTD: SF003  
VTD: SF004  
VTD: SF005  
VTD: SF006  
VTD: SF007  
VTD: SF008  
VTD: SF009  
VTD: SF010  
VTD: SF011  
VTD: SF012  
VTD: SF013  
VTD: SF014  
VTD: SF015  
VTD: SF016  
VTD: SF017  
VTD: SF018  
VTD: SF019  
VTD: SF020  
VTD: SF021  
VTD: SF022  
VTD: SF023  
VTD: SF024  
VTD: SF025  
VTD: SF026  
VTD: SF027  
VTD: SF028  
VTD: SF029  
VTD: SF030  
VTD: SF031  
VTD: SF032  
VTD: SF033  
VTD: SF034  
VTD: SF035  
VTD: SF036  
VTD: SF037  
VTD: SF038  
VTD: SF039  
VTD: SF040  
VTD: SF200  
VTD: SF204  
VTD: SF206  
VTD: SPL001  
VTD: SPL002  
VTD: SPL003  
VTD: SPL004  
VTD: SPL005  
VTD: SPL006  
VTD: SPL007  
VTD: SPL008  
VTD: SPL009

VTD: SPL010  
VTD: SPL011  
VTD: SPL012  
VTD: SPL013  
VTD: SPL014  
VTD: SPL015  
VTD: SPL016  
VTD: SPL017  
VTD: SPL018  
VTD: SPL019  
VTD: SPL020  
VTD: SPL021  
VTD: SPL022  
VTD: SPL023  
VTD: SPL024  
VTD: SPL025  
VTD: SPL026  
VTD: SPL027  
VTD: SPL028  
VTD: SPL029  
VTD: SPL030  
VTD: SPL201  
VTD: SPL202  
VTD: SPL207  
VTD: SPL208  
VTD: UNV001  
VTD: UNV002  
VTD: UNV003  
VTD: UNV004  
VTD: UNV005  
VTD: UNV006  
VTD: UNV007  
VTD: UNV008  
VTD: UNV009  
VTD: UNV010  
VTD: UNV011  
VTD: UNV012  
VTD: UNV013  
VTD: UNV014  
VTD: UNV015  
VTD: UNV016  
VTD: UNV017  
VTD: UNV018  
VTD: UNV019  
VTD: UNV020  
VTD: UNV021  
VTD: UNV022  
VTD: UNV023  
VTD: UNV024  
VTD: UNV025  
VTD: UNV026  
VTD: UNV027  
VTD: UNV028  
VTD: UNV029  
VTD: UNV030  
VTD: UNV031 (part)

**Block: 291892158002000**  
**Block: 291892158002009**  
**Block: 291892158002017**  
**Block: 291892158005031**  
**Block: 291892158005032**  
**Block: 291892158005033**  
**Block: 291892158005034**  
**Block: 291892158005035**  
**Block: 291892158005037**  
**Block: 291892158005038**  
**Block: 291892158005039**  
**Block: 291892158005040**  
**Block: 291892158006008**  
**Block: 291892158006009**  
**Block: 291892158006010**  
**Block: 291892158006011**  
**Block: 291892158006013**  
**Block: 291892158006014**  
**Block: 291892158006017**  
**VTD: UNV032**  
**VTD: UNV033**  
**VTD: UNV034**  
**VTD: UNV035**  
**VTD: UNV036**  
**VTD: UNV037**  
**VTD: UNV038**  
**VTD: UNV039**  
**VTD: UNV040**  
**VTD: UNV041**  
**VTD: UNV042**  
**VTD: UNV043**  
**VTD: UNV044**  
**VTD: UNV045**  
**VTD: UNV046**  
**VTD: UNV047**  
**VTD: UNV048**  
**VTD: UNV049**  
**VTD: UNV200**  
**VTD: UNV201**  
**VTD: UNV205**  
**VTD: UNV206**  
**VTD: UNV208"; and**

Further amend said bill, Pages 22 to 64, Section 128.452, Lines 2 to 1841, by deleting all of said lines and inserting in lieu thereof the following;

**"Jefferson MO County**  
**St. Louis MO County (part)**  
**VTD: BON001**  
**VTD: BON002**  
**VTD: BON003**  
**VTD: BON004**  
**VTD: BON005**  
**VTD: BON006**  
**VTD: BON007**  
**VTD: BON008**

VTD: BON009  
VTD: BON010  
VTD: BON011  
VTD: BON012  
VTD: BON013  
VTD: BON014  
VTD: BON015  
VTD: BON016  
VTD: BON017  
VTD: BON018  
VTD: BON019  
VTD: BON020  
VTD: BON021  
VTD: BON022  
VTD: BON023  
VTD: BON024  
VTD: BON025  
VTD: BON026  
VTD: BON027  
VTD: BON028  
VTD: BON029  
VTD: BON030  
VTD: BON031  
VTD: BON032  
VTD: BON033  
VTD: BON034  
VTD: BON035  
VTD: BON036  
VTD: BON037  
VTD: BON038  
VTD: BON039  
VTD: BON040  
VTD: BON041  
VTD: BON042  
VTD: BON043  
VTD: BON044  
VTD: BON045  
VTD: BON046  
VTD: BON047  
VTD: BON048  
VTD: BON202  
VTD: BON203  
VTD: BON206  
VTD: BON207  
VTD: BON210  
VTD: BON211  
VTD: CC001  
VTD: CC002  
VTD: CC003  
VTD: CC004  
VTD: CC005  
VTD: CC006  
VTD: CC007  
VTD: CC008  
VTD: CC009  
VTD: CC010

VTD: CC011  
VTD: CC012 (part)  
Block: 291892155004012  
Block: 291892155004016  
Block: 291892155004017  
Block: 291892155004021  
Block: 291892155004023  
VTD: CC014  
VTD: CC016  
VTD: CC017  
VTD: CC018 (part)  
Block: 291892150031011  
Block: 291892150031016  
Block: 291892150031017  
Block: 291892150031019  
Block: 291892150031025  
VTD: CC023  
VTD: CC024  
VTD: CC030  
VTD: CC031  
VTD: CC032  
VTD: CC033  
VTD: CC035  
VTD: CC036  
VTD: CC037  
VTD: CC041  
VTD: CC044  
VTD: CC045  
VTD: CC047  
VTD: CC049  
VTD: CC050  
VTD: CC051  
VTD: CC052  
VTD: CC053 (part)  
Block: 291892150031042  
Block: 291892150041015  
Block: 291892150041016  
Block: 291892150052005  
Block: 291892150052006  
Block: 291892150052007  
Block: 291892150052008  
Block: 291892150052010  
Block: 291892150052011  
Block: 291892150053000  
Block: 291892150053001  
Block: 291892150053010  
Block: 291892150053011  
Block: 291892150053012  
VTD: CC055  
VTD: CC056  
VTD: CC058 (part)  
Block: 291892150051010  
Block: 291892150051013  
Block: 291892150051014  
Block: 291892150052017  
Block: 291892150052018

Block: 291892150052020  
 Block: 291892150052021  
 Block: 291892150052022  
 Block: 291892150052023  
 Block: 291892150052024  
 Block: 291892150052025  
 Block: 291892150052026  
 Block: 291892150053021  
 Block: 291892150053028  
 Block: 291892150053029  
 Block: 291892150053030  
 Block: 291892150054012  
 Block: 291892150054013  
 Block: 291892153011000  
 Block: 291892153011001  
 Block: 291892153011002  
 Block: 291892153011003  
 Block: 291892155001016  
 Block: 291892155001017  
 Block: 291892156001048  
 Block: 291892156001049  
 Block: 291892156001054  
 VTD: CC059  
 VTD: CC061 (part)  
 Block: 291892155004020  
 VTD: CC062 (part)  
 Block: 291892155004013  
 Block: 291892155004018  
 Block: 291892155004019  
 Block: 291892155004022  
 Block: 291892155004024  
 VTD: CC203 (part)  
 Block: 291892156001022  
 Block: 291892156001023  
 Block: 291892156001026  
 Block: 291892156001027  
 VTD: CC206  
 VTD: CC208  
 VTD: CC214  
 VTD: CC216  
 VTD: CHE012  
 VTD: CHE014  
 VTD: CHE019  
 VTD: CHE022  
 VTD: CHE023  
 VTD: CHE027 (part)  
 Block: 291892216212067  
 VTD: CHE031  
 VTD: CHE032  
 VTD: CHE042  
 VTD: CHE044  
 VTD: CHE045  
 VTD: CHE046  
 VTD: CHE047  
 VTD: CHE048  
 VTD: CHE052



VTD: CHE203  
VTD: CHE204  
VTD: CHE212  
VTD: CHE214  
VTD: CHE215  
VTD: CLA002  
VTD: CLA003 (part)  
Block: 291892164001000  
Block: 291892164001001  
Block: 291892164001003  
Block: 291892164001004  
Block: 291892164001007  
Block: 291892164001008  
Block: 291892164001014  
Block: 291892164002014  
Block: 291892164002015  
VTD: CLA004  
VTD: CLA006  
VTD: CLA007  
VTD: CLA008  
VTD: CLA009  
VTD: CLA010  
VTD: CLA011 (part)  
Block: 291892165001000  
Block: 291892165001001  
Block: 291892165001002  
Block: 291892165001003  
Block: 291892165001004  
Block: 291892165001006  
Block: 291892165001007  
Block: 291892165001008  
Block: 291892165001009  
Block: 291892165001010  
Block: 291892165001011  
Block: 291892165001012  
Block: 291892165001013  
Block: 291892165001014  
Block: 291892165001015  
Block: 291892165001016  
Block: 291892165001017  
Block: 291892165001018  
Block: 291892165001019  
Block: 291892165002003  
Block: 291892165002004  
Block: 291892165002016  
Block: 291892165002017  
Block: 291892165002018  
VTD: CLA012  
VTD: CLA013  
VTD: CLA014  
VTD: CLA015 (part)  
Block: 291892154002002  
Block: 291892154002003  
Block: 291892154002004  
Block: 291892154002005  
Block: 291892154002006

Block: 291892154002007  
 Block: 291892154002008  
 Block: 291892154002009  
 Block: 291892154002010  
 Block: 291892154002011  
 Block: 291892154002013  
 Block: 291892154002014  
 Block: 291892154002015  
 Block: 291892154002016  
 Block: 291892154002017  
 Block: 291892155004025  
 VTD: CLA016  
 VTD: CLA017  
 VTD: CLA018  
 VTD: CLA019  
 VTD: CLA020  
 VTD: CLA024  
 VTD: CLA025  
 VTD: CLA026  
 VTD: CLA027  
 VTD: CLA028  
 VTD: CLA029  
 VTD: CLA030  
 VTD: CLA031  
 VTD: CLA032  
 VTD: CLA033  
 VTD: CLA034  
 VTD: CLA035  
 VTD: CLA036  
 VTD: CLA037  
 VTD: CLA038  
 VTD: CLA039  
 VTD: CLA040  
 VTD: CLA041  
 VTD: CLA042  
 VTD: CLA043  
 VTD: CLA044  
 VTD: CLA045  
 VTD: CLA046  
 VTD: CLA047  
 VTD: CLA048  
 VTD: CLA049  
 VTD: CLA050 (part)  
 Block: 291892189004000  
 Block: 291892189004001  
 Block: 291892189004002  
 Block: 291892189004003  
 Block: 291892189004004  
 Block: 291892189004005  
 Block: 291892189004006  
 Block: 291892189004007  
 Block: 291892189004008  
 Block: 291892189004010  
 Block: 291892189004011  
 Block: 291892189004012  
 Block: 291892189004013

Block: 291892189004014  
Block: 291892189004015  
Block: 291892189004016  
Block: 291892189004017  
Block: 291892189004018  
Block: 291892189004020  
Block: 291892189004021  
Block: 291892189004022  
VTD: CLA053  
VTD: CLA055  
VTD: CLA057  
VTD: CLA058  
VTD: CLA059  
VTD: CLA200  
VTD: CLA204  
VTD: CLA206  
VTD: CLA207  
VTD: CLA208  
VTD: CLA209  
VTD: CLA212  
VTD: CLA213  
VTD: CLA214  
VTD: CON001  
VTD: CON002  
VTD: CON003  
VTD: CON004  
VTD: CON005  
VTD: CON006  
VTD: CON007  
VTD: CON008  
VTD: CON009  
VTD: CON010  
VTD: CON011  
VTD: CON012  
VTD: CON013  
VTD: CON014  
VTD: CON015  
VTD: CON016  
VTD: CON017  
VTD: CON018  
VTD: CON019  
VTD: CON020  
VTD: CON021  
VTD: CON022  
VTD: CON023  
VTD: CON024  
VTD: CON025  
VTD: CON026  
VTD: CON027  
VTD: CON028  
VTD: CON029  
VTD: CON030  
VTD: CON031  
VTD: CON032  
VTD: CON033  
VTD: CON034

VTD: CON035  
VTD: CON036  
VTD: CON037  
VTD: CON038  
VTD: CON039  
VTD: CON040  
VTD: CON041  
VTD: CON042  
VTD: CON043  
VTD: CON044  
VTD: CON045  
VTD: CON046  
VTD: CON047  
VTD: CON048  
VTD: CON049  
VTD: CON050  
VTD: CON051  
VTD: CON052  
VTD: CON200  
VTD: CON201  
VTD: CON203  
VTD: CON204  
VTD: CON205  
VTD: GRA001  
VTD: GRA002  
VTD: GRA003  
VTD: GRA004  
VTD: GRA005  
VTD: GRA006  
VTD: GRA007  
VTD: GRA008  
VTD: GRA009  
VTD: GRA010  
VTD: GRA011  
VTD: GRA012  
VTD: GRA013  
VTD: GRA014  
VTD: GRA015  
VTD: GRA016  
VTD: GRA017  
VTD: GRA018  
VTD: GRA019  
VTD: GRA020  
VTD: GRA021  
VTD: GRA022  
VTD: GRA023  
VTD: GRA024  
VTD: GRA025  
VTD: GRA026  
VTD: GRA028  
VTD: GRA029  
VTD: GRA030  
VTD: GRA031  
VTD: GRA032  
VTD: GRA033  
VTD: GRA034

VTD: GRA035  
VTD: GRA036  
VTD: GRA037  
VTD: GRA038  
VTD: GRA039  
VTD: GRA040  
VTD: GRA041  
VTD: GRA042  
VTD: GRA043  
VTD: GRA044  
VTD: GRA045  
VTD: GRA046  
VTD: GRA047  
VTD: GRA048  
VTD: GRA049  
VTD: GRA050  
VTD: GRA051  
VTD: GRA052  
VTD: GRA053  
VTD: GRA054  
VTD: GRA055  
VTD: GRA056  
VTD: GRA202  
VTD: GRA203  
VTD: GRA204  
VTD: GRA205  
VTD: GRA206  
VTD: GRA209  
VTD: GRA210  
VTD: JEF001  
VTD: JEF002  
VTD: JEF003  
VTD: JEF004  
VTD: JEF005  
VTD: JEF006  
VTD: JEF007  
VTD: JEF008  
VTD: JEF009  
VTD: JEF010  
VTD: JEF011  
VTD: JEF012  
VTD: JEF015  
VTD: JEF016  
VTD: JEF017 (part)  
Block: 291892196001016  
Block: 291892196001017  
VTD: JEF018 (part)  
Block: 291892191004014  
Block: 291892191004015  
Block: 291892191004016  
Block: 291892191004017  
Block: 291892192002013  
Block: 291892192002014  
Block: 291892195003000  
Block: 291892196003002  
Block: 291892196003013

Block: 291892196003014  
 Block: 291892196003018  
 VTD: JEF021  
 VTD: JEF022  
 VTD: JEF023 (part)  
 Block: 291892193002000  
 Block: 291892193002005  
 Block: 291892193002006  
 Block: 291892193002007  
 Block: 291892193002008  
 Block: 291892193002009  
 Block: 291892193002010  
 Block: 291892193002011  
 Block: 291892193002012  
 Block: 291892193002013  
 Block: 291892193002014  
 VTD: JEF025  
 VTD: JEF026  
 VTD: JEF027  
 VTD: JEF029  
 VTD: JEF030 (part)  
 Block: 291892195001001  
 Block: 291892195003001  
 Block: 291892195003002  
 Block: 291892195003003  
 Block: 291892195003004  
 Block: 291892195003005  
 Block: 291892195003006  
 Block: 291892195003007  
 Block: 291892195003008  
 Block: 291892195003009  
 Block: 291892195003010  
 Block: 291892195003011  
 Block: 291892195003012  
 Block: 291892195003013  
 Block: 291892195003014  
 Block: 291892195003015  
 Block: 291892195003016  
 Block: 291892195003017  
 Block: 291892195004000  
 Block: 291892195004002  
 Block: 291892195004003  
 VTD: JEF031  
 VTD: JEF032  
 VTD: JEF033  
 VTD: JEF034  
 VTD: JEF035  
 VTD: JEF036  
 VTD: JEF037  
 VTD: JEF038  
 VTD: JEF039  
 VTD: JEF040  
 VTD: JEF041  
 VTD: JEF042  
 VTD: JEF043  
 VTD: JEF044

**VTD: JEF045**  
**VTD: JEF046**  
**VTD: JEF048 (part)**  
**Block: 291892188003002**  
**Block: 291892188003008**  
**Block: 291892193002001**  
**Block: 291892193002002**  
**Block: 291892193002003**  
**Block: 291892193002004**  
**Block: 291892193002018**  
**VTD: JEF049**  
**VTD: JEF050**  
**VTD: JEF200 (part)**  
**Block: 291892196001014**  
**Block: 291892196001015**  
**Block: 291892196001018**  
**Block: 291892196001019**  
**VTD: JEF201**  
**VTD: LAF001**  
**VTD: LAF002**  
**VTD: LAF003**  
**VTD: LAF004**  
**VTD: LAF005**  
**VTD: LAF006**  
**VTD: LAF007**  
**VTD: LAF008**  
**VTD: LAF009**  
**VTD: LAF010**  
**VTD: LAF011**  
**VTD: LAF012**  
**VTD: LAF013**  
**VTD: LAF014**  
**VTD: LAF015**  
**VTD: LAF016**  
**VTD: LAF017**  
**VTD: LAF018**  
**VTD: LAF019**  
**VTD: LAF020**  
**VTD: LAF021**  
**VTD: LAF022**  
**VTD: LAF023**  
**VTD: LAF024**  
**VTD: LAF025**  
**VTD: LAF026**  
**VTD: LAF027**  
**VTD: LAF028**  
**VTD: LAF029**  
**VTD: LAF030**  
**VTD: LAF031**  
**VTD: LAF032**  
**VTD: LAF033**  
**VTD: LAF034**  
**VTD: LAF035**  
**VTD: LAF036**  
**VTD: LAF037 (part)**  
**Block: 291892178511021**

**Block: 291892178511025**

**Block: 291892178511028**

**Block: 291892178522006**

**VTD: LAF038**

**VTD: LAF039**

**VTD: LAF040**

**VTD: LAF042**

**VTD: LAF043**

**VTD: LAF044**

**VTD: LAF201**

**VTD: LAF205**

**VTD: LAF207**

**VTD: LEM001**

**VTD: LEM002**

**VTD: LEM003**

**VTD: LEM004**

**VTD: LEM005**

**VTD: LEM006**

**VTD: LEM007**

**VTD: LEM008**

**VTD: LEM009**

**VTD: LEM010**

**VTD: LEM011**

**VTD: LEM012**

**VTD: LEM013**

**VTD: LEM014**

**VTD: LEM015**

**VTD: LEM016**

**VTD: LEM017**

**VTD: LEM018**

**VTD: LEM019**

**VTD: LEM020**

**VTD: LEM021**

**VTD: LEM022**

**VTD: LEM023**

**VTD: LEM024**

**VTD: LEM025**

**VTD: LEM026**

**VTD: LEM027**

**VTD: LEM028**

**VTD: LEM029**

**VTD: LEM030**

**VTD: LEM031**

**VTD: LEM032**

**VTD: LEM033**

**VTD: LEM034**

**VTD: LEM035**

**VTD: LEM036**

**VTD: LEM037**

**VTD: LEM038**

**VTD: LEM039**

**VTD: LEM040**

**VTD: LEM041**

**VTD: LEM042**

**VTD: LEM043**

**VTD: LEM044**



VTD: LEM045  
VTD: LEM046  
VTD: LEM200  
VTD: LEM201  
VTD: LEM202  
VTD: LEM203  
VTD: LEM204  
VTD: LEM205  
VTD: LEM206  
VTD: LEM207  
VTD: MER001  
VTD: MER006  
VTD: MER007  
VTD: MER008  
VTD: MER009  
VTD: MER010  
VTD: MER011  
VTD: MER012  
VTD: MER013  
VTD: MER014  
VTD: MER015  
VTD: MER016  
VTD: MER017  
VTD: MER018  
VTD: MER019  
VTD: MER020  
VTD: MER021  
VTD: MER023  
VTD: MER024  
VTD: MER025  
VTD: MER027  
VTD: MER028  
VTD: MER029  
VTD: MER030  
VTD: MER031  
VTD: MER032  
VTD: MER033  
VTD: MER034  
VTD: MER036  
VTD: MER037  
VTD: MER038  
VTD: MER039  
VTD: MER040  
VTD: MER041  
VTD: MER042  
VTD: MER043  
VTD: MER044  
VTD: MER045  
VTD: MER046  
VTD: MER047  
VTD: MER048  
VTD: MER049  
VTD: MER050  
VTD: MER051  
VTD: MER052  
VTD: MER053

VTD: MER203  
VTD: MER207  
VTD: MER210  
VTD: MER211  
VTD: MER212  
VTD: MER214  
VTD: MER218  
VTD: MHT001  
VTD: MHT002  
VTD: MHT003  
VTD: MHT004  
VTD: MHT005  
VTD: MHT006  
VTD: MHT007  
VTD: MHT008  
VTD: MHT009  
VTD: MHT010  
VTD: MHT011  
VTD: MHT012  
VTD: MHT013  
VTD: MHT014  
VTD: MHT015  
VTD: MHT017  
VTD: MHT018 (part)  
Block: 291892132022002  
Block: 291892132022003  
Block: 291892132022004  
Block: 291892132022006  
Block: 291892132022007  
Block: 291892132022008  
Block: 291892132022009  
Block: 291892132022014  
Block: 291892132022015  
Block: 291892132022016  
Block: 291892132022017  
Block: 291892132022018  
VTD: MHT019  
VTD: MHT020  
VTD: MHT021  
VTD: MHT022  
VTD: MHT023  
VTD: MHT024  
VTD: MHT025  
VTD: MHT026  
VTD: MHT027  
VTD: MHT028  
VTD: MHT029  
VTD: MHT030  
VTD: MHT031  
VTD: MHT032  
VTD: MHT033  
VTD: MHT034  
VTD: MHT035  
VTD: MHT036  
VTD: MHT037  
VTD: MHT038

VTD: MHT039  
VTD: MHT040  
VTD: MHT041  
VTD: MHT042  
VTD: MHT043  
VTD: MHT044  
VTD: MHT045  
VTD: MHT046  
VTD: MHT047  
VTD: MHT048  
VTD: MHT049  
VTD: MHT200  
VTD: MHT201  
VTD: MHT202  
VTD: MHT203  
VTD: MHT209  
VTD: MHT211  
VTD: MHT212  
VTD: MHT213  
VTD: MHT214  
VTD: MHT216  
VTD: MHT218  
VTD: MHT219  
VTD: MID001 (part)  
Block: 291892150011003  
Block: 291892150011004  
Block: 291892150011005  
Block: 291892150011048  
Block: 291892150011049  
VTD: MID057  
VTD: MID200  
VTD: MID201  
VTD: MID207 (part)  
Block: 291892150011047  
Block: 291892150011098  
VTD: MR001  
VTD: MR002  
VTD: MR003  
VTD: MR004  
VTD: MR005  
VTD: MR006  
VTD: MR007  
VTD: MR008  
VTD: MR009  
VTD: MR010  
VTD: MR011  
VTD: MR012  
VTD: MR013  
VTD: MR014  
VTD: MR015  
VTD: MR016  
VTD: MR017  
VTD: MR018  
VTD: MR019  
VTD: MR020  
VTD: MR021

VTD: MR022  
VTD: MR023  
VTD: MR024  
VTD: MR025  
VTD: MR026  
VTD: MR027  
VTD: MR028  
VTD: MR029  
VTD: MR030  
VTD: MR031  
VTD: MR032  
VTD: MR033  
VTD: MR034  
VTD: MR035  
VTD: MR036  
VTD: MR037  
VTD: MR038  
VTD: MR039  
VTD: MR040  
VTD: MR041  
VTD: MR042  
VTD: MR043  
VTD: MR044  
VTD: MR045  
VTD: MR046  
VTD: MR047  
VTD: MR048  
VTD: MR049  
VTD: MR050  
VTD: MR051  
VTD: MR052  
VTD: MR053  
VTD: MR054  
VTD: MR055  
VTD: MR056  
VTD: MR057  
VTD: MR058  
VTD: MR059  
VTD: MR060  
VTD: MR061  
VTD: MR062  
VTD: MR063  
VTD: MR064  
VTD: MR065  
VTD: MR066  
VTD: MR067  
VTD: MR068  
VTD: MR069  
VTD: MR070  
VTD: MR071  
VTD: MR072  
VTD: MR073  
VTD: MR074  
VTD: MR075  
VTD: MR076  
VTD: MR077

VTD: MR078  
VTD: MR079  
VTD: MR080  
VTD: MR200  
VTD: MR202  
VTD: MR203  
VTD: MR206  
VTD: MR209  
VTD: NW006  
VTD: NW007  
VTD: NW008 (part)  
Block: 291892113332000  
Block: 291892113341003  
Block: 291892113341016  
Block: 291892113341017  
Block: 291892113341018  
Block: 291892113341032  
VTD: NW009  
VTD: NW013 (part)  
Block: 291892151431006  
Block: 291892151431007  
Block: 291892151431008  
Block: 291892151431009  
Block: 291892151431010  
Block: 291892151431011  
Block: 291892151431012  
Block: 291892151431013  
Block: 291892151431014  
Block: 291892151431015  
Block: 291892151431016  
Block: 291892151431017  
Block: 291892151431018  
Block: 291892151431019  
Block: 291892151431020  
Block: 291892151431021  
Block: 291892151431022  
Block: 291892151431023  
Block: 291892151431024  
Block: 291892151431025  
Block: 291892151431026  
Block: 291892151431033  
Block: 291892151431034  
Block: 291892151431035  
Block: 291892151431037  
Block: 291892151431038  
Block: 291892151431040  
Block: 291892151431042  
Block: 291892151431054  
Block: 291892151431055  
Block: 291892151431056  
Block: 291892151431057  
Block: 291892151431058  
Block: 291892151431059  
Block: 291892151431061  
Block: 291892151431063  
Block: 291892151431064

Block: 291892151431065  
 Block: 291892151431066  
 Block: 291892151431067  
 Block: 291892151431068  
 Block: 291892151431069  
 Block: 291892151431070  
 Block: 291892151431071  
 Block: 291892151431072  
 Block: 291892151431073  
 Block: 291892151431074  
 Block: 291892151431075  
 Block: 291892151431076  
 Block: 291892151431077  
 Block: 291892151431078  
 Block: 291892151431079  
 Block: 291892151431080  
 Block: 291892151431081  
 Block: 291892151431087  
 Block: 291892151431089  
 Block: 291892151431091  
 Block: 291892151431092  
 VTD: NW015  
 VTD: NW018  
 VTD: NW019 (part)  
 Block: 291892132025000  
 Block: 291892132025019  
 Block: 291892132025021  
 Block: 291892151432024  
 VTD: NW021  
 VTD: NW022  
 VTD: NW023  
 VTD: NW024  
 VTD: NW025 (part)  
 Block: 291892114013002  
 Block: 291892114013003  
 Block: 291892114013040  
 VTD: NW027  
 VTD: NW029  
 VTD: NW030 (part)  
 Block: 291892114013012  
 Block: 291892114013013  
 Block: 291892114013030  
 VTD: NW032 (part)  
 Block: 291892131021049  
 Block: 291892131021050  
 Block: 291892131021052  
 Block: 291892131021053  
 Block: 291892131021054  
 Block: 291892131021059  
 Block: 291892131021090  
 Block: 291892131021091  
 Block: 291892131021092  
 Block: 291892131021093  
 Block: 291892131021102  
 Block: 291892131021103  
 Block: 291892131021112

Block: 291892131021113  
Block: 291892131021115  
Block: 291892151431002  
Block: 291892151431005  
VTD: NW033  
VTD: NW035  
VTD: NW036  
VTD: NW038  
VTD: NW039  
VTD: NW040  
VTD: NW041  
VTD: NW042 (part)  
Block: 291892131021048  
Block: 291892131021094  
Block: 291892131021095  
Block: 291892131021096  
Block: 291892131021097  
Block: 291892131021098  
Block: 291892131021099  
Block: 291892131021100  
Block: 291892131022041  
Block: 291892131022049  
Block: 291892131022050  
Block: 291892131022051  
Block: 291892131022052  
Block: 291892131022053  
Block: 291892131022054  
Block: 291892131022057  
VTD: NW044  
VTD: NW046  
VTD: NW048 (part)  
Block: 291892114013004  
Block: 291892114013005  
Block: 291892114013006  
Block: 291892114013014  
Block: 291892114013015  
Block: 291892114013016  
Block: 291892114013017  
Block: 291892114013018  
Block: 291892114013019  
Block: 291892114013020  
Block: 291892114013021  
Block: 291892114013022  
Block: 291892114013023  
Block: 291892114013024  
Block: 291892114013025  
Block: 291892114013026  
Block: 291892114013027  
Block: 291892114013031  
Block: 291892114013032  
Block: 291892114013033  
Block: 291892114013039  
VTD: NW052  
VTD: NW206 (part)  
Block: 291892151431052  
VTD: NW208

VTD: NW209  
VTD: NW210  
VTD: NW213  
VTD: NW215  
VTD: NW231  
VTD: OAK001  
VTD: OAK002  
VTD: OAK003  
VTD: OAK004  
VTD: OAK005  
VTD: OAK006  
VTD: OAK007  
VTD: OAK008  
VTD: OAK009  
VTD: OAK010  
VTD: OAK011  
VTD: OAK012  
VTD: OAK013  
VTD: OAK014  
VTD: OAK015  
VTD: OAK016  
VTD: OAK017  
VTD: OAK018  
VTD: OAK019  
VTD: OAK020  
VTD: OAK021  
VTD: OAK022  
VTD: OAK023  
VTD: OAK024  
VTD: OAK025  
VTD: OAK026  
VTD: OAK027  
VTD: OAK028  
VTD: OAK029  
VTD: OAK030  
VTD: OAK031  
VTD: OAK032  
VTD: OAK033  
VTD: OAK034  
VTD: OAK035  
VTD: OAK036  
VTD: OAK037  
VTD: QUE001  
VTD: QUE002  
VTD: QUE003  
VTD: QUE004  
VTD: QUE005  
VTD: QUE006  
VTD: QUE007  
VTD: QUE008  
VTD: QUE009  
VTD: QUE010  
VTD: QUE011  
VTD: QUE012  
VTD: QUE013  
VTD: QUE014



VTD: QUE015  
VTD: QUE016  
VTD: QUE017  
VTD: QUE018  
VTD: QUE019  
VTD: QUE020  
VTD: QUE021  
VTD: QUE022  
VTD: QUE023  
VTD: QUE024  
VTD: QUE025  
VTD: QUE026  
VTD: QUE027  
VTD: QUE028  
VTD: QUE029  
VTD: QUE030  
VTD: QUE031  
VTD: QUE032  
VTD: QUE033  
VTD: QUE034  
VTD: QUE035  
VTD: QUE036  
VTD: QUE037  
VTD: QUE038  
VTD: QUE039  
VTD: QUE040  
VTD: QUE041  
VTD: QUE042  
VTD: QUE043  
VTD: QUE044  
VTD: QUE045  
VTD: QUE046  
VTD: QUE047  
VTD: QUE048  
VTD: QUE049  
VTD: QUE050  
VTD: QUE051  
VTD: QUE201  
VTD: QUE202  
VTD: QUE204  
VTD: QUE209  
VTD: QUE210  
VTD: QUE211  
VTD: QUE212  
VTD: QUE215  
VTD: QUE216  
VTD: QUE217  
VTD: TSF001  
VTD: TSF002  
VTD: TSF003  
VTD: TSF004  
VTD: TSF005  
VTD: TSF006  
VTD: TSF007  
VTD: TSF008  
VTD: TSF009

VTD: TSF010  
VTD: TSF011  
VTD: TSF012  
VTD: TSF013  
VTD: TSF014  
VTD: TSF015  
VTD: TSF016  
VTD: TSF017  
VTD: TSF018  
VTD: TSF019  
VTD: TSF020  
VTD: TSF021  
VTD: TSF022  
VTD: TSF023  
VTD: TSF024  
VTD: TSF025  
VTD: TSF026  
VTD: TSF027  
VTD: TSF028  
VTD: TSF029  
VTD: TSF030  
VTD: TSF031  
VTD: TSF032  
VTD: TSF207  
VTD: TSF208  
VTD: UNV031 (part)  
Block: 291892158005036  
VTD: WH001  
VTD: WH002  
VTD: WH004  
VTD: WH005  
VTD: WH006  
VTD: WH007  
VTD: WH008  
VTD: WH009  
VTD: WH010  
VTD: WH011  
VTD: WH012  
VTD: WH013  
VTD: WH014  
VTD: WH015  
VTD: WH016  
VTD: WH017  
VTD: WH018  
VTD: WH019  
VTD: WH020  
VTD: WH023  
VTD: WH024  
VTD: WH025  
VTD: WH026 (part)  
Block: 291892216241016  
Block: 291892216252004  
Block: 291892216252010  
VTD: WH027 (part)  
Block: 291892178061012  
Block: 291892178061014

**Block: 291892178061015**  
**Block: 291892178061016**  
**Block: 291892178061017**  
**Block: 291892216241005**  
**VTD: WH028 (part)**  
**Block: 291892178061000**  
**VTD: WH029**  
**VTD: WH030**  
**VTD: WH031**  
**VTD: WH032**  
**VTD: WH033**  
**VTD: WH034**  
**VTD: WH035**  
**VTD: WH036**  
**VTD: WH037**  
**VTD: WH038**  
**VTD: WH039**  
**VTD: WH040**  
**VTD: WH041**  
**VTD: WH042**  
**VTD: WH043**  
**VTD: WH044**  
**VTD: WH045**  
**VTD: WH046**  
**VTD: WH047**  
**VTD: WH048**  
**VTD: WH049**  
**VTD: WH050**  
**VTD: WH051**  
**VTD: WH208**  
**VTD: WH209**  
**VTD: WH212"; and**

Further amend said bill, Pages 65 to 73, Section 128.453, Lines 2 to 385, by deleting all of said lines and inserting in lieu thereof the following;

**"Crawford MO County**  
**Franklin MO County**  
**Gasconade MO County**  
**Lincoln MO County**  
**Montgomery MO County**  
**Perry MO County (part)**  
**VTD: Brewer (part)**  
**Block: 291574701002003**  
**Block: 291574701002004**  
**Block: 291574701002005**  
**Block: 291574701002006**  
**Block: 291574701002007**  
**Block: 291574701002008**  
**Block: 291574701002009**  
**Block: 291574701002010**  
**Block: 291574701002011**  
**Block: 291574701002012**  
**Block: 291574701002013**  
**Block: 291574701002021**  
**Block: 291574701002022**

Block: 291574701002023  
 Block: 291574701002024  
 Block: 291574701002025  
 Block: 291574701002026  
 Block: 291574701002027  
 Block: 291574701002028  
 Block: 291574701002029  
 Block: 291574701002030  
 Block: 291574701002031  
 Block: 291574701002032  
 Block: 291574701002033  
 Block: 291574701002034  
 Block: 291574701002035  
 Block: 291574701002036  
 Block: 291574701002037  
 Block: 291574701002039  
 Block: 291574701002040  
 Block: 291574701002041  
 Block: 291574701002042  
 Block: 291574701002043  
 Block: 291574701002044  
 Block: 291574701002045  
 Block: 291574701002046  
 Block: 291574701002047  
 Block: 291574701002048  
 Block: 291574701002049  
 Block: 291574701002050  
 Block: 291574701002051  
 Block: 291574701002052  
 Block: 291574701002053  
 Block: 291574701002054  
 Block: 291574701002055  
 Block: 291574701002056  
 Block: 291574701002057  
 Block: 291574701002058  
 Block: 291574701002059  
 Block: 291574701002060  
 Block: 291574701002061  
 Block: 291574701002062  
 Block: 291574701002067  
 Block: 291574701002068  
 Block: 291574701002069  
 Block: 291574701002073  
 Block: 291574701002074  
 Block: 291574702002000  
 Block: 291574702002006  
 Block: 291574702002007  
 Block: 291574702002008  
 Block: 291574702002009  
 Block: 291574702002010  
 Block: 291574702002011  
 Block: 291574702002012  
 Block: 291574702002013  
 Block: 291574702002014  
 Block: 291574702002015  
 Block: 291574702002022

Block: 291574702002033  
Block: 291574702002034  
Block: 291574702003000  
VTD: Lithium (part)  
Block: 291574701003037  
Block: 291574701003038  
St. Charles MO County  
St. Francois MO County  
St. Louis MO County (part)  
VTD: CHE001  
VTD: CHE002  
VTD: CHE003  
VTD: CHE004  
VTD: CHE005  
VTD: CHE006  
VTD: CHE007  
VTD: CHE008  
VTD: CHE009  
VTD: CHE010  
VTD: CHE011  
VTD: CHE013  
VTD: CHE015  
VTD: CHE016  
VTD: CHE017  
VTD: CHE018  
VTD: CHE020  
VTD: CHE021  
VTD: CHE024  
VTD: CHE025  
VTD: CHE026  
VTD: CHE027 (part)  
Block: 291892216211064  
Block: 291892216212008  
Block: 291892216212009  
Block: 291892216212010  
Block: 291892216212011  
Block: 291892216212012  
Block: 291892216212013  
Block: 291892216212066  
Block: 291892221002001  
Block: 291892221002002  
Block: 291892221002003  
Block: 291892221002004  
VTD: CHE028  
VTD: CHE029  
VTD: CHE030  
VTD: CHE033  
VTD: CHE035  
VTD: CHE036  
VTD: CHE037  
VTD: CHE038  
VTD: CHE039  
VTD: CHE040  
VTD: CHE041  
VTD: CHE043  
VTD: CHE049

VTD: CHE050  
 VTD: CHE051  
 VTD: CHE053  
 VTD: CHE054  
 VTD: CHE055  
 VTD: CHE056  
 VTD: CHE200  
 VTD: CHE209  
 VTD: LAF037 (part)  
 Block: 291892178511026  
 Block: 291892178511027  
 VTD: LAF041  
 VTD: MER002  
 VTD: MER003  
 VTD: MER004  
 VTD: MER005  
 VTD: MER022  
 VTD: MER026  
 VTD: MER035  
 VTD: MER209  
 VTD: MER219  
 VTD: WH003  
 VTD: WH021  
 VTD: WH022  
 VTD: WH026 (part)  
 Block: 291892216241003  
 Block: 291892216242000  
 Block: 291892216242001  
 Block: 291892216242002  
 Block: 291892216242004  
 Block: 291892216252000  
 Block: 291892216252002  
 Block: 291892216252005  
 Block: 291892216261025  
 Block: 291892216262017  
 VTD: WH027 (part)  
 Block: 291892178061004  
 Block: 291892178061005  
 Block: 291892178061009  
 Block: 291892178061010  
 Block: 291892178061011  
 Block: 291892216241000  
 Block: 291892216241001  
 Block: 291892216241006  
 Block: 291892216241007  
 Block: 291892216241008  
 Block: 291892216241009  
 Block: 291892216241010  
 Block: 291892216241011  
 VTD: WH028 (part)  
 Block: 291892178061001  
 Block: 291892178061002  
 Block: 291892178061003  
 Block: 291892178061006  
 Block: 291892178061007  
 Block: 291892178061008

**VTD: WH205**  
**Ste. Genevieve MO County**  
**Warren MO County**  
**Washington MO County"; and**

Further amend said bill, Pages 73 to 93, Section 128.454, Lines 2 to 824, by deleting all of said lines and inserting in lieu thereof the following;

**"Audrain MO County**  
**Bates MO County**  
**Benton MO County**  
**Boone MO County**  
**Callaway MO County**  
**Camden MO County**  
**Cass MO County**  
**Cedar MO County**  
**Cole MO County**  
**Cooper MO County**  
**Henry MO County**  
**Hickory MO County (part)**  
**VTD: Carson's Corner**  
**VTD: Pittsburg**  
**VTD: Pleasant Ridge**  
**Howard MO County**  
**Johnson MO County**  
**Miller MO County**  
**Moniteau MO County**  
**Morgan MO County**  
**Pettis MO County**  
**Randolph MO County (part)**  
**VTD: Clark**  
**VTD: Higbee**  
**VTD: Mt. Airy (part)**  
**Block: 291754902002093**  
**Block: 291754902002094**  
**Block: 291754906002036**  
**Block: 291754906002037**  
**Block: 291754906002038**  
**Block: 291754906002040**  
**Block: 291754906002041**  
**Block: 291754906002042**  
**Block: 291754906002043**  
**Block: 291754906002044**  
**Block: 291754906002045**  
**Block: 291754906002046**  
**Block: 291754906002047**  
**Block: 291754906002056**  
**Block: 291754906002057**  
**Block: 291754906002063**  
**Block: 291754906002064**  
**Block: 291754906002065**  
**Block: 291754906002067**  
**Block: 291754906002068**  
**Block: 291754906002069**  
**Block: 291754906002070**  
**Block: 291754906002071**

**Block: 291754906002076**

**Block: 291754906002078**

**Block: 291754906002079**

**Block: 291754906002080**

**Block: 291754906002082**

**Block: 291754906002083**

**Block: 291754906002084**

**Block: 291754906002091**

**Block: 291754906002092**

**Block: 291754906002093**

**Block: 291754906002094**

**Block: 291754906002096**

**VTD: North Sugar Creek**

**VTD: Renick**

**VTD: Salt Springs (part)**

**Block: 291754902002090**

**Block: 291754902002091**

**Block: 291754902002092**

**Block: 291754906002010**

**Block: 291754906002011**

**Block: 291754906002013**

**Block: 291754906002014**

**Block: 291754906002015**

**Block: 291754906002016**

**Block: 291754906002017**

**Block: 291754906002035**

**Block: 291754906002199**

**Block: 291754906002200**

**Block: 291754906002201**

**Block: 291754906002217**

**VTD: South Sugar Creek (part)**

**Block: 291754901002097**

**Block: 291754901002098**

**Block: 291754901002100**

**Block: 291754901002101**

**Block: 291754901002102**

**Block: 291754901002103**

**Block: 291754901002105**

**Block: 291754901002106**

**Block: 291754901002107**

**Block: 291754901002108**

**Block: 291754901002109**

**Block: 291754901002110**

**Block: 291754901002111**

**Block: 291754901002112**

**Block: 291754901002113**

**Block: 291754901002114**

**Block: 291754901002115**

**Block: 291754901002118**

**Block: 291754901002119**

**Block: 291754901002120**

**Block: 291754901002121**

**Block: 291754901002122**

**Block: 291754901002123**

**Block: 291754901002124**

**Block: 291754901002125**



Block: 291754901002126  
Block: 291754901002127  
Block: 291754901002128  
Block: 291754901002129  
Block: 291754901002130  
Block: 291754901002131  
Block: 291754901002132  
Block: 291754901002133  
Block: 291754901002134  
Block: 291754901002135  
Block: 291754901002136  
Block: 291754901002137  
Block: 291754901002138  
Block: 291754901002139  
Block: 291754901002140  
Block: 291754901002141  
Block: 291754901002142  
Block: 291754901002143  
Block: 291754901002144  
Block: 291754901002145  
Block: 291754901002146  
Block: 291754901002147  
Block: 291754901002148  
Block: 291754901002149  
Block: 291754901002150  
Block: 291754901002151  
Block: 291754901002152  
Block: 291754901002153  
Block: 291754901002154  
Block: 291754901002155  
Block: 291754901002160  
Block: 291754901002161  
Block: 291754902002028  
Block: 291754902002029  
Block: 291754902002030  
Block: 291754902002037  
Block: 291754902002038  
Block: 291754902002039  
Block: 291754902002040  
Block: 291754902002041  
Block: 291754902002042  
Block: 291754902002043  
Block: 291754902002044  
Block: 291754902002045  
Block: 291754902002046  
Block: 291754902002047  
Block: 291754902002048  
Block: 291754902002049  
Block: 291754902002050  
Block: 291754902002051  
Block: 291754902002052  
Block: 291754902002053  
Block: 291754902002054  
Block: 291754902002055  
Block: 291754902002063  
Block: 291754902002072

Block: 291754902002086  
Block: 291754902002100  
Block: 291754903002122  
Block: 291754903002123  
Block: 291754904001000  
Block: 291754904001001  
Block: 291754904001002  
Block: 291754904001003  
Block: 291754904001004  
Block: 291754904001005  
Block: 291754904001006  
Block: 291754904001007  
Block: 291754904001008  
Block: 291754904001009  
Block: 291754904001010  
Block: 291754904001011  
Block: 291754904001012  
Block: 291754904001013  
Block: 291754904001014  
Block: 291754904001015  
Block: 291754904001016  
Block: 291754904001017  
Block: 291754904001018  
Block: 291754904001019  
Block: 291754904001020  
Block: 291754904001021  
Block: 291754904001022  
Block: 291754904001023  
Block: 291754904001024  
Block: 291754904001025  
Block: 291754904001026  
Block: 291754904001027  
Block: 291754904001028  
Block: 291754904001029  
Block: 291754904001030  
Block: 291754904001031  
Block: 291754904001032  
Block: 291754904001033  
Block: 291754904002014  
Block: 291754904002015  
Block: 291754904002016  
Block: 291754904002017  
Block: 291754904002018  
Block: 291754904002019  
Block: 291754904002020  
Block: 291754904002021  
Block: 291754904002024  
Block: 291754904002025  
Block: 291754904002026  
Block: 291754904002027  
Block: 291754904002028  
Block: 291754904002029  
Block: 291754904002030  
Block: 291754904002032  
Block: 291754904002033  
Block: 291754904002034

Block: 291754904002035  
Block: 291754904002036  
Block: 291754904002037  
Block: 291754904002038  
Block: 291754904002039  
Block: 291754904002040  
Block: 291754904002041  
Block: 291754904002042  
Block: 291754904002043  
Block: 291754904002044  
Block: 291754904002045  
Block: 291754904002046  
Block: 291754904002047  
Block: 291754904002048  
Block: 291754904002049  
Block: 291754904002050  
Block: 291754904002051  
Block: 291754904002052  
Block: 291754904002053  
Block: 291754904002054  
Block: 291754904002055  
Block: 291754904002056  
Block: 291754904002057  
Block: 291754904002058  
Block: 291754904002059  
Block: 291754904002060  
Block: 291754904002061  
Block: 291754904002062  
Block: 291754904002063  
Block: 291754904002064  
Block: 291754904002065  
Block: 291754904002066  
Block: 291754904002067  
Block: 291754904002068  
Block: 291754904002069  
Block: 291754904002070  
Block: 291754904002071  
Block: 291754904002072  
Block: 291754904002073  
Block: 291754904002074  
Block: 291754904002075  
Block: 291754904002076  
Block: 291754904002088  
Block: 291754904002089  
Block: 291754904002090  
Block: 291754904002091  
Block: 291754904002095  
Block: 291754904002096  
Block: 291754904002097  
Block: 291754904002098  
Block: 291754904002099  
Block: 291754904002100  
Block: 291754904002101  
Block: 291754904002102  
Block: 291754904002103  
Block: 291754905001000

Block: 291754905001001  
Block: 291754905001002  
Block: 291754905001003  
Block: 291754905001004  
Block: 291754905001005  
Block: 291754905001006  
Block: 291754905001007  
Block: 291754905001008  
Block: 291754905001009  
Block: 291754905001010  
Block: 291754905001011  
Block: 291754905001012  
Block: 291754905001013  
Block: 291754905001014  
Block: 291754905001015  
Block: 291754905001016  
Block: 291754905001017  
Block: 291754905001018  
Block: 291754905001019  
Block: 291754905001020  
Block: 291754905001021  
Block: 291754905001022  
Block: 291754905001023  
Block: 291754905001024  
Block: 291754905001025  
Block: 291754905001026  
Block: 291754905001027  
Block: 291754905001032  
Block: 291754905001033  
Block: 291754905001034  
Block: 291754905001035  
Block: 291754905001036  
Block: 291754905001037  
Block: 291754905001038  
Block: 291754905001039  
Block: 291754905001040  
Block: 291754905001048  
Block: 291754905001054  
Block: 291754905001055  
Block: 291754905002000  
Block: 291754905002001  
Block: 291754905002002  
Block: 291754905002003  
Block: 291754905002004  
Block: 291754905002005  
Block: 291754905002006  
Block: 291754905002007  
Block: 291754905002008  
Block: 291754905002009  
Block: 291754905002010  
Block: 291754905002011  
Block: 291754905002012  
Block: 291754905002013  
Block: 291754905002014  
Block: 291754905002015  
Block: 291754905002016

Block: 291754905002017  
Block: 291754905002018  
Block: 291754905002019  
Block: 291754905002020  
Block: 291754905002021  
Block: 291754905002022  
Block: 291754905002023  
Block: 291754905002024  
Block: 291754905002025  
Block: 291754905002026  
Block: 291754905002027  
Block: 291754905002028  
Block: 291754905002029  
Block: 291754905002030  
Block: 291754905002031  
Block: 291754905002032  
Block: 291754905002033  
Block: 291754905002034  
Block: 291754905002035  
Block: 291754905002036  
Block: 291754905002037  
Block: 291754905002038  
Block: 291754905002039  
Block: 291754905002040  
Block: 291754905002041  
Block: 291754905002042  
Block: 291754905002043  
Block: 291754905002044  
Block: 291754905002045  
Block: 291754905002046  
Block: 291754905002047  
Block: 291754905002048  
Block: 291754905002049  
Block: 291754905002050  
Block: 291754905002051  
Block: 291754905002052  
Block: 291754905002053  
Block: 291754905002054  
Block: 291754905002055  
Block: 291754905002056  
Block: 291754905002057  
Block: 291754905002058  
Block: 291754905002059  
Block: 291754905003018  
Block: 291754905003019  
Block: 291754905003020  
Block: 291754905003021  
Block: 291754905003025  
Block: 291754905003026  
Block: 291754905003027  
Block: 291754905003029  
Block: 291754905003043  
Block: 291754905003044  
Block: 291754905003045  
Block: 291754905003046  
Block: 291754905003047

Block: 291754905003048  
Block: 291754905003049  
Block: 291754905003050  
Block: 291754905003051  
Block: 291754905003052  
Block: 291754905003053  
Block: 291754905003054  
Block: 291754905003055  
Block: 291754905003056  
Block: 291754905003057  
Block: 291754905003058  
Block: 291754905003059  
Block: 291754905003060  
Block: 291754905003061  
Block: 291754905003062  
Block: 291754905003063  
Block: 291754905003064  
Block: 291754905003065  
Block: 291754905003066  
Block: 291754905003067  
Block: 291754905003068  
Block: 291754905003069  
Block: 291754905003070  
Block: 291754905003071  
Block: 291754905003072  
Block: 291754905003073  
Block: 291754905003074  
Block: 291754905003075  
Block: 291754905003076  
Block: 291754905003077  
Block: 291754905003078  
Block: 291754905003079  
Block: 291754905003080  
Block: 291754905003081  
Block: 291754905003082  
Block: 291754905003083  
Block: 291754905003084  
Block: 291754905003085  
Block: 291754905003086  
Block: 291754905003087  
Block: 291754905003088  
Block: 291754905003089  
Block: 291754905003091  
Block: 291754905003092  
Block: 291754906001009  
Block: 291754906001010  
Block: 291754906001011  
Block: 291754906001012  
Block: 291754906001013  
Block: 291754906001014  
Block: 291754906001015  
Block: 291754906001016  
Block: 291754906001017  
Block: 291754906001031  
Block: 291754906001070  
Block: 291754906001071

**Block: 291754906001072**

**Block: 291754906001073**

**Block: 291754906001074**

**Block: 291754906001075**

**Block: 291754906001076**

**Block: 291754906001077**

**VTD: Yates**

**St. Clair MO County**

**Vernon MO County (part)**

**VTD: Harwood Town Hall (part)**

**Block: 292179501001085**

**Block: 292179501001086**

**Block: 292179501001092**

**Block: 292179501001093**

**Block: 292179501001094**

**Block: 292179501001095**

**Block: 292179501001119**

**Block: 292179501001120**

**Block: 292179501001123**

**Block: 292179501001124**

**Block: 292179501001125**

**Block: 292179501001126**

**Block: 292179501001127**

**Block: 292179501001128**

**Block: 292179501001129**

**Block: 292179501001130**

**Block: 292179501001131**

**Block: 292179501001132**

**Block: 292179501001133**

**Block: 292179501001134**

**Block: 292179501001135**

**Block: 292179501001136**

**Block: 292179501001137**

**Block: 292179501001138**

**Block: 292179501001139**

**Block: 292179501001140**

**Block: 292179501001141**

**Block: 292179501001142**

**Block: 292179501001143**

**Block: 292179501001144**

**Block: 292179501001145**

**Block: 292179501001146**

**Block: 292179501001147**

**Block: 292179501001148**

**Block: 292179501001149**

**Block: 292179501001150**

**Block: 292179501001151**

**Block: 292179501001152**

**Block: 292179501001153**

**Block: 292179501001154**

**Block: 292179501001155**

**Block: 292179501001156**

**Block: 292179501001157**

**Block: 292179501001158**

**Block: 292179501001159**

**Block: 292179501001160**

Block: 292179501001161  
 Block: 292179501001162  
 Block: 292179501001163  
 Block: 292179501001164  
 Block: 292179501001165  
 Block: 292179501001166  
 Block: 292179501001167  
 Block: 292179501001168  
 Block: 292179501001169  
 Block: 292179501001170  
 Block: 292179501001171  
 Block: 292179501001172  
 Block: 292179501001173  
 Block: 292179501001174  
 Block: 292179501001175  
 Block: 292179501001176  
 Block: 292179501001177  
 Block: 292179501001178  
 Block: 292179501001179  
 Block: 292179501001180  
 Block: 292179501001181  
 Block: 292179501001182  
 Block: 292179501001183  
 Block: 292179501001184  
 Block: 292179501001185  
 Block: 292179501001186  
 Block: 292179501001187  
 Block: 292179501001188  
 Block: 292179501001189  
 Block: 292179501001190  
 Block: 292179501001191  
 Block: 292179501001192  
 Block: 292179501001193  
 Block: 292179501001194  
 Block: 292179501001199  
 Block: 292179501001201  
 Block: 292179501001202  
 Block: 292179501001203  
 Block: 292179501001204  
 Block: 292179501001205  
 Block: 292179501001206  
 Block: 292179501001207  
 Block: 292179501001208  
 Block: 292179501001212  
 Block: 292179501001213  
 Block: 292179501001214  
 Block: 292179501001215  
 Block: 292179501001216  
 Block: 292179501001217  
 Block: 292179501001223  
 Block: 292179501001224  
 Block: 292179501001225  
 Block: 292179501001226  
 Block: 292179501001227  
 Block: 292179501001228  
 Block: 292179501001229



Block: 292179501001230  
Block: 292179501001231  
Block: 292179501001232  
Block: 292179501001233  
Block: 292179501001234  
Block: 292179501001235  
Block: 292179501001236  
Block: 292179501001237  
Block: 292179501001238  
Block: 292179501001239  
Block: 292179501001240  
Block: 292179501001241  
Block: 292179501001243  
Block: 292179501001244  
Block: 292179501001247  
Block: 292179501001249  
Block: 292179501002233  
Block: 292179501003000  
VTD: Rinehart Christian Church  
VTD: Schell City City Hall  
VTD: Walker Community Building (part)  
Block: 292179501002099  
Block: 292179501002100  
Block: 292179501002103  
Block: 292179501002104  
Block: 292179501002106  
Block: 292179501002133  
Block: 292179501002136  
Block: 292179501002137  
Block: 292179501002138  
Block: 292179501002139  
Block: 292179501002140  
Block: 292179501002141  
Block: 292179501002142  
Block: 292179501002143  
Block: 292179501002193"; and

Further amend said bill, Pages 93 to 127, Section 128.455, Lines 2 to 1463, by deleting all of said lines and inserting in lieu thereof the following;

"Clay MO County (part)  
VTD: Chou 8 (part)  
Block: 290470208012009  
Block: 290470208012013  
Block: 290470208012014  
Block: 290470208012015  
Block: 290470208012021  
Block: 290470208012022  
Block: 290470208012023  
Block: 290470208012024  
Block: 290470208012025  
Block: 290470208012026  
Block: 290470208012027  
Block: 290470208012028  
Block: 290470208012029  
Block: 290470208012030

Block: 290470208013004  
Block: 290470208013005  
Block: 290470208013006  
Block: 290470208013007  
Block: 290470208013008  
Block: 290470208013009  
Block: 290470208013010  
Block: 290470208013011  
Block: 290470208013012  
Block: 290470208013013  
Block: 290470208013014  
Block: 290470208013015  
Block: 290470208013016  
Block: 290470208013017  
Block: 290470208013018  
Block: 290470208013019  
Block: 290470208013020  
Block: 290470208013021  
Block: 290470208013022  
Block: 290470208013023  
Block: 290470208013024  
Block: 290470208013025  
Block: 290470208013026  
Block: 290470208013027  
Block: 290470208013028  
Block: 290470208013029  
Block: 290470208013030  
Block: 290470208013031  
Block: 290470208013032  
Block: 290470223021026  
Block: 290470223021028  
Block: 290470223021030  
Block: 290470223021031  
Block: 290470223021032  
Block: 290470223021033  
Block: 290470223021034  
Block: 290470223021035  
Block: 290470223021036  
Block: 290470223021037  
Block: 290470223021038  
Block: 290470223021039  
Block: 290470223021040  
Block: 290470223021041  
Block: 290470223021042  
Block: 290470223021043  
Block: 290470223021044  
Block: 290470223021045  
Block: 290470223021046  
Block: 290470223021047  
Block: 290470223021049  
Block: 290470223021051  
Block: 290470223021052  
Block: 290470223021053  
Block: 290470223021054  
Block: 290470223021055  
Block: 290470223021056

**VTD: FR 1**

**VTD: FR 2**

**VTD: FR 3 (part)**

**Block: 290470217013045**

**Block: 290470217021000**

**Block: 290470217021001**

**Block: 290470217021002**

**Block: 290470217021003**

**Block: 290470217021004**

**Block: 290470217021005**

**Block: 290470217021006**

**Block: 290470217021007**

**Block: 290470217021008**

**Block: 290470217021009**

**Block: 290470217021010**

**Block: 290470217021011**

**Block: 290470217021012**

**Block: 290470217021013**

**Block: 290470217021014**

**Block: 290470217021015**

**Block: 290470217021016**

**Block: 290470217021017**

**Block: 290470217021018**

**Block: 290470217021019**

**Block: 290470217021020**

**Block: 290470217021021**

**Block: 290470217021022**

**Block: 290470217021023**

**Block: 290470217021024**

**Block: 290470217021025**

**Block: 290470217021026**

**Block: 290470217021027**

**Block: 290470217021028**

**Block: 290470217021029**

**Block: 290470217021030**

**Block: 290470217021031**

**Block: 290470217021032**

**Block: 290470217021033**

**Block: 290470217021034**

**Block: 290470217021037**

**Block: 290470217021038**

**Block: 290470217021039**

**Block: 290470217023005**

**Block: 290470217023008**

**Block: 290470217023009**

**Block: 290470217023019**

**Block: 290470217023022**

**Block: 290470217023024**

**Block: 290470217023029**

**Block: 290470217023030**

**Block: 290470217023031**

**Block: 290470217023032**

**Block: 290470217023033**

**Block: 290470217023034**

**Block: 290470217023035**

**Block: 290470217023036**

Block: 290470217024035  
Block: 290470217024036  
Block: 290470217025000  
Block: 290470217025001  
Block: 290470217025002  
Block: 290470217025003  
Block: 290470217025004  
Block: 290470217025005  
Block: 290470217025006  
Block: 290470217025007  
Block: 290470217025008  
Block: 290470217025009  
Block: 290470217025010  
Block: 290470217025011  
Block: 290470217025012  
Block: 290470217025013  
Block: 290470217025014  
Block: 290470217025015  
Block: 290470217025016  
Block: 290470217025017  
Block: 290470217025018  
Block: 290470217025019  
Block: 290470217025020  
Block: 290470217025021  
Block: 290470217025022  
Block: 290470217025023  
Block: 290470217025024  
Block: 290470217025025  
Block: 290470217025026  
Block: 290470217025034  
Block: 290470217025040  
VTD: FR 5 (part)  
Block: 290470217012044  
Block: 290470217012045  
Block: 290470217013022  
Block: 290470217013025  
Block: 290470217013026  
Block: 290470218054036  
VTD: Gal 1  
VTD: Gal 10  
VTD: Gal 11  
VTD: Gal 12  
VTD: Gal 13  
VTD: Gal 14  
VTD: Gal 15  
VTD: Gal 16  
VTD: Gal 18  
VTD: Gal 2  
VTD: Gal 3  
VTD: Gal 4  
VTD: Gal 5  
VTD: Gal 6  
VTD: Gal 7  
VTD: Gal 9  
VTD: KC 21-10  
VTD: KC 21-11

**VTD: KC 21-12 (part)**

**Block: 290470212053030**  
**Block: 290470212062000**  
**Block: 290470212062001**  
**Block: 290470212062002**  
**Block: 290470212062003**  
**Block: 290470212062004**  
**Block: 290470212062005**  
**Block: 290470212062006**  
**Block: 290470212062007**  
**Block: 290470212062008**  
**Block: 290470212062009**  
**Block: 290470212062010**  
**Block: 290470212062011**  
**Block: 290470212062012**  
**Block: 290470212062013**  
**Block: 290470212062014**  
**Block: 290470212062015**  
**Block: 290470212062016**  
**Block: 290470212062017**  
**Block: 290470212062018**  
**Block: 290470212062019**  
**Block: 290470212062020**  
**Block: 290470212062021**  
**Block: 290470212062022**  
**Block: 290470212062023**  
**Block: 290470212062024**  
**Block: 290470212062025**  
**Block: 290470212062026**  
**Block: 290470212062027**  
**Block: 290470212062028**  
**Block: 290470212062029**  
**Block: 290470212062030**  
**Block: 290470212062031**  
**Block: 290470212062032**  
**Block: 290470212062033**  
**Block: 290470212062034**  
**Block: 290470212062035**  
**Block: 290470212062036**  
**Block: 290470212062037**  
**Block: 290470212062038**  
**Block: 290470212062039**  
**Block: 290470212062040**  
**Block: 290470212062041**  
**Block: 290470212062042**  
**Block: 290470212062043**  
**Block: 290470212062044**  
**Block: 290470212062045**  
**Block: 290470212063001**  
**Block: 290470212063002**  
**Block: 290470212063003**  
**Block: 290470212063004**  
**Block: 290470212063005**  
**Block: 290470212063006**  
**Block: 290470212063007**  
**Block: 290470212063008**

Block: 290470212063009  
 Block: 290470212063012  
 Block: 290470212063013  
 Block: 290470212063014  
 Block: 290470212063015  
 Block: 290470212063016  
 Block: 290470212063017  
 Block: 290470212063018  
 Block: 290470212063019  
 Block: 290470212063020  
 Block: 290470212063021  
 Block: 290470212063024  
 Block: 290470212063025  
 Block: 290470212063026  
 Block: 290470212063027  
 VTD: KC 21-14  
 VTD: KC 21-16 (part)  
 Block: 290470212051000  
 Block: 290470212051001  
 Block: 290470212051002  
 Block: 290470212051003  
 Block: 290470212051004  
 Block: 290470212051005  
 Block: 290470212051006  
 Block: 290470212051007  
 Block: 290470212051008  
 Block: 290470212051009  
 Block: 290470212051010  
 Block: 290470212051011  
 Block: 290470212051012  
 Block: 290470212051013  
 Block: 290470212051014  
 Block: 290470212051015  
 Block: 290470212051016  
 Block: 290470212051017  
 Block: 290470212051018  
 Block: 290470212051019  
 Block: 290470212051020  
 Block: 290470212051021  
 Block: 290470212051022  
 Block: 290470212051023  
 Block: 290470212051024  
 Block: 290470212051025  
 Block: 290470212051026  
 Block: 290470212051027  
 Block: 290470212051028  
 Block: 290470212051029  
 Block: 290470212051030  
 Block: 290470212051032  
 Block: 290470212052011  
 Block: 290470212052021  
 Block: 290470212052022  
 Block: 290470212052023  
 Block: 290470212052024  
 Block: 290470212052026  
 Block: 290470212052027

Block: 290470212052028  
Block: 290470212052029  
Block: 290470212052030  
Block: 290470212052034  
Block: 290470212071014  
Block: 290470212071015  
Block: 290470212071016  
Block: 290470212071017  
Block: 290470212071018  
Block: 290470212071019  
Block: 290470212071020  
Block: 290470212071021  
Block: 290470212071022  
Block: 290470212071023  
Block: 290470212071024  
Block: 290470212071025  
Block: 290470212071026  
Block: 290470212071027  
Block: 290470212071029  
Block: 290470212071030  
Block: 290470212071031  
Block: 290470212071032  
Block: 290470212071033  
Block: 290470212071034  
Block: 290470212071035  
Block: 290470212071036  
Block: 290470212071037  
Block: 290470212071038  
Block: 290470212071039  
Block: 290470212071040  
Block: 290470212071041  
Block: 290470212071042  
Block: 290470212071043  
Block: 290470212071044  
Block: 290470212071045  
Block: 290470212071046  
Block: 290470212071047  
Block: 290470212071048  
Block: 290470212071049  
Block: 290470212071050  
Block: 290470212071051  
Block: 290470212071053  
Block: 290470212071054  
Block: 290470212071055  
Block: 290470212072030  
Block: 290470212072040  
Block: 290470212072041  
VTD: KC 21-18  
VTD: KC 21-19  
VTD: KC 21-2 (part)  
Block: 290470221002069  
VTD: KC 21-20  
VTD: KC 21-21  
VTD: KC 21-22  
VTD: KC 21-23  
VTD: KC 21-24

VTD: KC 21-25  
VTD: KC 21-3  
VTD: KC 21-4  
VTD: KC 21-5  
VTD: KC 21-6  
VTD: KC 21-7  
VTD: KC 21-8  
VTD: KC 21-9  
VTD: Lib 13 (part)  
Block: 290470222002030  
VTD: Lib 5 (part)  
Block: 290470208012016  
VTD: Wash 1  
VTD: Wash 2  
Jackson MO County (part)  
VTD: Blue Sub 1 No. 1  
VTD: Blue Sub 1 No. 10  
VTD: Blue Sub 1 No. 11 & 11A  
VTD: Blue Sub 1 No. 12  
VTD: Blue Sub 1 No. 13  
VTD: Blue Sub 1 No. 14  
VTD: Blue Sub 1 No. 18  
VTD: Blue Sub 1 No. 2  
VTD: Blue Sub 1 No. 4 & 4A  
VTD: Blue Sub 1 No. 5  
VTD: Blue Sub 1 No. 6 & 6B  
VTD: Blue Sub 1 No. 6A  
VTD: Blue Sub 1 No. 7  
VTD: Blue Sub 1 No. 8,15,& 16  
VTD: Blue Sub 1 No. 9  
VTD: Blue Sub 2 No. 1  
VTD: Blue Sub 2 No. 10  
VTD: Blue Sub 2 No. 2  
VTD: Blue Sub 2 No. 3  
VTD: Blue Sub 2 No. 3A  
VTD: Blue Sub 2 No. 4  
VTD: Blue Sub 2 No. 5  
VTD: Blue Sub 2 No. 6  
VTD: Blue Sub 2 No. 7  
VTD: Blue Sub 2 No. 8  
VTD: Blue Sub 2 No. 9  
VTD: Blue Sub 3 No. 1  
VTD: Blue Sub 3 No. 11 (part)  
Block: 290950147021001  
Block: 290950147021003  
Block: 290950148041013  
Block: 290950148041023  
VTD: Blue Sub 3 No. 14,15,15N,17N,& 18N  
VTD: Blue Sub 3 No. 15A  
VTD: Blue Sub 3 No. 16 & 16A  
VTD: Blue Sub 3 No. 2  
VTD: Blue Sub 3 No. 3  
VTD: Blue Sub 3 No. 4  
VTD: Blue Sub 3 No. 5  
VTD: Blue Sub 3 No. 5A  
VTD: Blue Sub 3 No. 9



**VTD: Blue Sub 4 No. 1**  
**VTD: Blue Sub 4 No. 10**  
**VTD: Blue Sub 4 No. 11**  
**VTD: Blue Sub 4 No. 12**  
**VTD: Blue Sub 4 No. 2**  
**VTD: Blue Sub 4 No. 3**  
**VTD: Blue Sub 4 No. 4**  
**VTD: Blue Sub 4 No. 5**  
**VTD: Blue Sub 4 No. 6**  
**VTD: Blue Sub 4 No. 7**  
**VTD: Blue Sub 4 No. 8**  
**VTD: Blue Sub 4 No. 9**  
**VTD: Blue Sub 5 No. 1**  
**VTD: Blue Sub 5 No. 11**  
**VTD: Blue Sub 5 No. 13**  
**VTD: Blue Sub 5 No. 14**  
**VTD: Blue Sub 5 No. 15**  
**VTD: Blue Sub 5 No. 2**  
**VTD: Blue Sub 5 No. 3**  
**VTD: Blue Sub 5 No. 4**  
**VTD: Blue Sub 5 No. 5 & 12**  
**VTD: Blue Sub 5 No. 6**  
**VTD: Blue Sub 5 No. 7**  
**VTD: Blue Sub 5 No. 8**  
**VTD: Blue Sub 5 No. 9**  
**VTD: Blue Sub 6 No. 1**  
**VTD: Blue Sub 6 No. 10**  
**VTD: Blue Sub 6 No. 11**  
**VTD: Blue Sub 6 No. 12**  
**VTD: Blue Sub 6 No. 2**  
**VTD: Blue Sub 6 No. 3**  
**VTD: Blue Sub 6 No. 4**  
**VTD: Blue Sub 6 No. 5**  
**VTD: Blue Sub 6 No. 5A**  
**VTD: Blue Sub 6 No. 6**  
**VTD: Blue Sub 6 No. 6A**  
**VTD: Blue Sub 6 No. 7 & 7N**  
**VTD: Blue Sub 6 No. 8**  
**VTD: Blue Sub 6 No. 8A**  
**VTD: Blue Sub 6 No. 9**  
**VTD: Blue Sub 7 No. 1**  
**VTD: Blue Sub 7 No. 10**  
**VTD: Blue Sub 7 No. 11**  
**VTD: Blue Sub 7 No. 12**  
**VTD: Blue Sub 7 No. 13**  
**VTD: Blue Sub 7 No. 14**  
**VTD: Blue Sub 7 No. 2**  
**VTD: Blue Sub 7 No. 2A**  
**VTD: Blue Sub 7 No. 3**  
**VTD: Blue Sub 7 No. 4**  
**VTD: Blue Sub 7 No. 5 & 5A**  
**VTD: Blue Sub 7 No. 6**  
**VTD: Blue Sub 7 No. 7**  
**VTD: Blue Sub 7 No. 8**  
**VTD: Blue Sub 7 No. 9**  
**VTD: Blue Sub 8 No. 1**

**VTD: Blue Sub 8 No. 10 & 10A**

**VTD: Blue Sub 8 No. 11 (part)**

**Block: 290950145012022**

**Block: 290950145012027**

**Block: 290950145021000**

**Block: 290950145021001**

**Block: 290950145021002**

**Block: 290950145021005**

**Block: 290950145021008**

**Block: 290950145021009**

**Block: 290950145021012**

**Block: 290950145021013**

**Block: 290950145021015**

**Block: 290950145021016**

**Block: 290950145021017**

**Block: 290950145021018**

**Block: 290950145022035**

**Block: 290950145022036**

**Block: 290950145022037**

**Block: 290950145022038**

**Block: 290950145022039**

**Block: 290950145022040**

**Block: 290950145022041**

**Block: 290950145022071**

**VTD: Blue Sub 8 No. 12,12A,& 12B (part)**

**Block: 290950145012000**

**Block: 290950145012001**

**Block: 290950145012002**

**Block: 290950145012003**

**Block: 290950145012004**

**Block: 290950145012005**

**Block: 290950145012006**

**Block: 290950145012007**

**Block: 290950145012008**

**Block: 290950145012009**

**Block: 290950145012010**

**Block: 290950145012011**

**Block: 290950145012012**

**Block: 290950145012013**

**Block: 290950145012014**

**Block: 290950145012015**

**Block: 290950145012018**

**Block: 290950145012019**

**Block: 290950145012020**

**Block: 290950145012021**

**Block: 290950145012034**

**Block: 290950145012035**

**Block: 290950145022028**

**Block: 290950145022029**

**Block: 290950145022030**

**Block: 290950145022031**

**Block: 290950145022032**

**Block: 290950145022033**

**Block: 290950145022034**

**Block: 290950146032029**

**Block: 290950146043026**

**Block: 290950146043027**  
**VTD: Blue Sub 8 No. 13 & 13N**  
**VTD: Blue Sub 8 No. 2**  
**VTD: Blue Sub 8 No. 2A**  
**VTD: Blue Sub 8 No. 3**  
**VTD: Blue Sub 8 No. 5 & 5A**  
**VTD: Blue Sub 8 No. 6**  
**VTD: Blue Sub 8 No. 7**  
**VTD: Blue Sub 8 No. 8**  
**VTD: Blue Sub 8 No. 9**  
**VTD: Blue Sub 8 No. 9A**  
**VTD: Brooking No. 1**  
**VTD: Brooking No. 10**  
**VTD: Brooking No. 11**  
**VTD: Brooking No. 12**  
**VTD: Brooking No. 13**  
**VTD: Brooking No. 14**  
**VTD: Brooking No. 15**  
**VTD: Brooking No. 16**  
**VTD: Brooking No. 17**  
**VTD: Brooking No. 18**  
**VTD: Brooking No. 19**  
**VTD: Brooking No. 2 & 2A**  
**VTD: Brooking No. 20**  
**VTD: Brooking No. 21**  
**VTD: Brooking No. 22 & 22A**  
**VTD: Brooking No. 23**  
**VTD: Brooking No. 24**  
**VTD: Brooking No. 25**  
**VTD: Brooking No. 26**  
**VTD: Brooking No. 27**  
**VTD: Brooking No. 28**  
**VTD: Brooking No. 3**  
**VTD: Brooking No. 4**  
**VTD: Brooking No. 5**  
**VTD: Brooking No. 6**  
**VTD: Brooking No. 7**  
**VTD: Brooking No. 8**  
**VTD: Brooking No. 9**  
**VTD: Brooking No. 9A**  
**VTD: Fort Osage No. 1,1A,2,& 3 (part)**  
**Block: 290950177003027**  
**Block: 290950177003028**  
**Block: 290950177003063**  
**Block: 290950177003064**  
**Block: 290950177003071**  
**Block: 290950177003078**  
**VTD: KC WD1 PCT101**  
**VTD: KC WD1 PCT102**  
**VTD: KC WD1 PCT103**  
**VTD: KC WD1 PCT104**  
**VTD: KC WD1 PCT105**  
**VTD: KC WD1 PCT106**  
**VTD: KC WD1 PCT107**  
**VTD: KC WD1 PCT108**  
**VTD: KC WD1 PCT109**

VTD: KC WD1 PCT110  
 VTD: KC WD1 PCT111  
 VTD: KC WD1 PCT511  
 VTD: KC WD10 PCT1001  
 VTD: KC WD10 PCT1002  
 VTD: KC WD10 PCT1003  
 VTD: KC WD10 PCT1004  
 VTD: KC WD10 PCT1005  
 VTD: KC WD10 PCT1006  
 VTD: KC WD10 PCT1008  
 VTD: KC WD10 PCT1009  
 VTD: KC WD10 PCT1010  
 VTD: KC WD10 PCT1011  
 VTD: KC WD10 PCT1012  
 VTD: KC WD10 PCT1013  
 VTD: KC WD10 PCT1014  
 VTD: KC WD10 PCT1015  
 VTD: KC WD10 PCT2201  
 VTD: KC WD11 PCT1101  
 VTD: KC WD11 PCT1102  
 VTD: KC WD11 PCT1103  
 VTD: KC WD11 PCT1104  
 VTD: KC WD11 PCT1105  
 VTD: KC WD11 PCT1106  
 VTD: KC WD11 PCT1107  
 VTD: KC WD11 PCT1108  
 VTD: KC WD11 PCT1109  
 VTD: KC WD11 PCT1110  
 VTD: KC WD11 PCT1209  
 VTD: KC WD12 PCT1201  
 VTD: KC WD12 PCT1202  
 VTD: KC WD12 PCT1203  
 VTD: KC WD12 PCT1204  
 VTD: KC WD12 PCT1205  
 VTD: KC WD12 PCT1206  
 VTD: KC WD12 PCT1207  
 VTD: KC WD12 PCT1208  
 VTD: KC WD12 PCT1210  
 VTD: KC WD12 PCT1305  
 VTD: KC WD12 PCT1306  
 VTD: KC WD12 PCT1307  
 VTD: KC WD12 PCT1308  
 VTD: KC WD12 PCT1309  
 VTD: KC WD12 PCT1310  
 VTD: KC WD13 PCT1301  
 VTD: KC WD13 PCT1302  
 VTD: KC WD13 PCT1303  
 VTD: KC WD13 PCT1304  
 VTD: KC WD13 PCT1501  
 VTD: KC WD13 PCT1502  
 VTD: KC WD14 PCT1401  
 VTD: KC WD14 PCT1402  
 VTD: KC WD14 PCT1403  
 VTD: KC WD14 PCT1404  
 VTD: KC WD14 PCT1405  
 VTD: KC WD14 PCT1406

VTD: KC WD14 PCT1407  
VTD: KC WD14 PCT1408  
VTD: KC WD14 PCT1409  
VTD: KC WD14 PCT1410  
VTD: KC WD14 PCT1411  
VTD: KC WD14 PCT1412  
VTD: KC WD14 PCT1413  
VTD: KC WD15 PCT1414  
VTD: KC WD15 PCT1503  
VTD: KC WD15 PCT1504  
VTD: KC WD15 PCT1505  
VTD: KC WD15 PCT1506  
VTD: KC WD15 PCT1507  
VTD: KC WD15 PCT1508  
VTD: KC WD15 PCT1509  
VTD: KC WD15 PCT1512  
VTD: KC WD15 PCT1513  
VTD: KC WD15 PCT1514  
VTD: KC WD15 PCT311  
VTD: KC WD15 PCT314  
VTD: KC WD15 PCT718  
VTD: KC WD16 PCT1511  
VTD: KC WD16 PCT1601  
VTD: KC WD16 PCT1602  
VTD: KC WD16 PCT1603  
VTD: KC WD16 PCT1604  
VTD: KC WD16 PCT1605  
VTD: KC WD16 PCT1607  
VTD: KC WD16 PCT1608  
VTD: KC WD16 PCT1609  
VTD: KC WD16 PCT1610  
VTD: KC WD16 PCT1611  
VTD: KC WD16 PCT1612  
VTD: KC WD16 PCT1613  
VTD: KC WD16 PCT1614  
VTD: KC WD16 PCT1615  
VTD: KC WD16 PCT1616  
VTD: KC WD16 PCT717  
VTD: KC WD17 PCT1606  
VTD: KC WD17 PCT1617  
VTD: KC WD17 PCT1618  
VTD: KC WD17 PCT1701  
VTD: KC WD17 PCT1702  
VTD: KC WD17 PCT1703  
VTD: KC WD17 PCT1704  
VTD: KC WD17 PCT1705  
VTD: KC WD17 PCT1706  
VTD: KC WD17 PCT1707  
VTD: KC WD17 PCT1708  
VTD: KC WD17 PCT1712  
VTD: KC WD17 PCT1814  
VTD: KC WD18 PCT1801  
VTD: KC WD18 PCT1802  
VTD: KC WD18 PCT1803  
VTD: KC WD18 PCT1804  
VTD: KC WD18 PCT1805

VTD: KC WD18 PCT1806  
 VTD: KC WD18 PCT1807  
 VTD: KC WD18 PCT1808  
 VTD: KC WD18 PCT1809  
 VTD: KC WD18 PCT1810  
 VTD: KC WD18 PCT1812  
 VTD: KC WD18 PCT1813  
 VTD: KC WD18 PCT1816  
 VTD: KC WD19 PCT1709  
 VTD: KC WD19 PCT1710  
 VTD: KC WD19 PCT1815  
 VTD: KC WD19 PCT1817  
 VTD: KC WD19 PCT1903  
 VTD: KC WD19 PCT1905  
 VTD: KC WD19 PCT1906  
 VTD: KC WD19 PCT1907  
 VTD: KC WD19 PCT1908  
 VTD: KC WD19 PCT1909  
 VTD: KC WD19 PCT1910  
 VTD: KC WD19 PCT1911  
 VTD: KC WD19 PCT1912  
 VTD: KC WD19 PCT1913  
 VTD: KC WD19 PCT1914  
 VTD: KC WD19 PCT1916  
 VTD: KC WD19 PCT1917  
 VTD: KC WD19 PCT1918  
 VTD: KC WD19 PCT1919  
 VTD: KC WD19 PCT903  
 VTD: KC WD19 PCT912  
 VTD: KC WD2 PCT201  
 VTD: KC WD2 PCT202  
 VTD: KC WD2 PCT203  
 VTD: KC WD2 PCT204  
 VTD: KC WD2 PCT205  
 VTD: KC WD2 PCT206  
 VTD: KC WD2 PCT207  
 VTD: KC WD2 PCT208  
 VTD: KC WD2 PCT209  
 VTD: KC WD2 PCT210  
 VTD: KC WD2 PCT211  
 VTD: KC WD2 PCT212  
 VTD: KC WD2 PCT213  
 VTD: KC WD2 PCT214  
 VTD: KC WD2 PCT215  
 VTD: KC WD2 PCT216  
 VTD: KC WD20 PCT1901  
 VTD: KC WD20 PCT2002  
 VTD: KC WD20 PCT2003  
 VTD: KC WD20 PCT2004  
 VTD: KC WD20 PCT2005  
 VTD: KC WD20 PCT2006  
 VTD: KC WD20 PCT2007  
 VTD: KC WD20 PCT2008  
 VTD: KC WD20 PCT2009  
 VTD: KC WD20 PCT2010  
 VTD: KC WD22 PCT1007

VTD: KC WD22 PCT2202  
VTD: KC WD22 PCT2203  
VTD: KC WD22 PCT2204  
VTD: KC WD22 PCT2205  
VTD: KC WD22 PCT2206  
VTD: KC WD22 PCT2207  
VTD: KC WD22 PCT2208  
VTD: KC WD22 PCT2209  
VTD: KC WD22 PCT2210  
VTD: KC WD22 PCT2211  
VTD: KC WD22 PCT2212  
VTD: KC WD22 PCT2213  
VTD: KC WD23 PCT2301  
VTD: KC WD23 PCT2302  
VTD: KC WD23 PCT2303  
VTD: KC WD23 PCT2304  
VTD: KC WD23 PCT2305  
VTD: KC WD23 PCT2306  
VTD: KC WD23 PCT2307  
VTD: KC WD23 PCT2308  
VTD: KC WD23 PCT2309  
VTD: KC WD23 PCT2310  
VTD: KC WD23 PCT2311  
VTD: KC WD23 PCT2312  
VTD: KC WD23 PCT2313  
VTD: KC WD23 PCT2314  
VTD: KC WD23 PCT2315  
VTD: KC WD23 PCT2316  
VTD: KC WD23 PCT2317  
VTD: KC WD23 PCT2318  
VTD: KC WD24 PCT2401  
VTD: KC WD24 PCT2402  
VTD: KC WD24 PCT2403  
VTD: KC WD24 PCT2404  
VTD: KC WD24 PCT2405  
VTD: KC WD24 PCT2407 (part)  
Block: 290950142032014  
Block: 290950142042013  
Block: 290950143002029  
Block: 290950143002030  
VTD: KC WD24 PCT2408 (part)  
Block: 290950142042014  
Block: 290950142042050  
Block: 290950142043043  
Block: 290950143003000  
Block: 290950143003001  
Block: 290950143003006  
Block: 290950143003007  
Block: 290950143003008  
Block: 290950143003009  
Block: 290950143003010  
Block: 290950143003011  
Block: 290950143003012  
Block: 290950143003013  
Block: 290950143003015  
Block: 290950143003016

Block: 290950143003017  
 Block: 290950143003018  
 Block: 290950143003019  
 Block: 290950143003020  
 Block: 290950143003021  
 Block: 290950143003035  
 Block: 290950143003036  
 Block: 290950143003037  
 Block: 290950143003038  
 Block: 290950143003039  
 Block: 290950143003040  
 Block: 290950143003054  
 Block: 290950143003055  
 Block: 290950176004028  
 VTD: KC WD24 PCT2409  
 VTD: KC WD24 PCT2410  
 VTD: KC WD24 PCT2412  
 VTD: KC WD24 PCT2413  
 VTD: KC WD24 PCT2414  
 VTD: KC WD24 PCT2415  
 VTD: KC WD24 PCT2416  
 VTD: KC WD24 PCT2417  
 VTD: KC WD24 PCT2418  
 VTD: KC WD24 PCT2419  
 VTD: KC WD24 PCT2420  
 VTD: KC WD24 PCT2421  
 VTD: KC WD24 PCT2422  
 VTD: KC WD24 PCT2424  
 VTD: KC WD24 PCT2425  
 VTD: KC WD24 PCT2426  
 VTD: KC WD24 PCT2427  
 VTD: KC WD24 PCT2428  
 VTD: KC WD24 PCT2429  
 VTD: KC WD24 PCT2430  
 VTD: KC WD24 PCT2431  
 VTD: KC WD24 PCT2432  
 VTD: KC WD24 PCT2601  
 VTD: KC WD25 PCT2001  
 VTD: KC WD25 PCT2501  
 VTD: KC WD25 PCT2503  
 VTD: KC WD25 PCT2504  
 VTD: KC WD25 PCT2505  
 VTD: KC WD25 PCT2506  
 VTD: KC WD25 PCT2507  
 VTD: KC WD25 PCT2508  
 VTD: KC WD25 PCT2509  
 VTD: KC WD25 PCT2510  
 VTD: KC WD25 PCT2511  
 VTD: KC WD25 PCT2602  
 VTD: KC WD26 PCT1711  
 VTD: KC WD26 PCT1902  
 VTD: KC WD26 PCT2502  
 VTD: KC WD26 PCT2603  
 VTD: KC WD26 PCT2604  
 VTD: KC WD26 PCT2605  
 VTD: KC WD26 PCT2606



VTD: KC WD26 PCT2607  
VTD: KC WD26 PCT2608  
VTD: KC WD26 PCT2609  
VTD: KC WD26 PCT2610  
VTD: KC WD26 PCT2611  
VTD: KC WD26 PCT2612  
VTD: KC WD3 PCT301  
VTD: KC WD3 PCT302  
VTD: KC WD3 PCT303  
VTD: KC WD3 PCT304  
VTD: KC WD3 PCT305  
VTD: KC WD3 PCT306  
VTD: KC WD3 PCT307  
VTD: KC WD3 PCT308  
VTD: KC WD3 PCT309  
VTD: KC WD3 PCT310  
VTD: KC WD3 PCT312  
VTD: KC WD3 PCT313  
VTD: KC WD3 PCT716  
VTD: KC WD4 PCT401  
VTD: KC WD4 PCT402  
VTD: KC WD4 PCT403  
VTD: KC WD4 PCT404  
VTD: KC WD4 PCT405  
VTD: KC WD4 PCT406  
VTD: KC WD4 PCT407  
VTD: KC WD4 PCT408  
VTD: KC WD4 PCT409  
VTD: KC WD5 PCT410  
VTD: KC WD5 PCT502  
VTD: KC WD5 PCT503  
VTD: KC WD5 PCT504  
VTD: KC WD5 PCT505  
VTD: KC WD5 PCT506  
VTD: KC WD5 PCT507  
VTD: KC WD5 PCT508  
VTD: KC WD5 PCT509  
VTD: KC WD5 PCT510  
VTD: KC WD6 PCT501  
VTD: KC WD6 PCT601  
VTD: KC WD6 PCT602  
VTD: KC WD6 PCT603  
VTD: KC WD6 PCT604  
VTD: KC WD6 PCT605  
VTD: KC WD6 PCT606  
VTD: KC WD6 PCT607  
VTD: KC WD6 PCT608  
VTD: KC WD6 PCT609  
VTD: KC WD6 PCT610  
VTD: KC WD6 PCT611  
VTD: KC WD6 PCT612  
VTD: KC WD6 PCT801  
VTD: KC WD7 PCT701  
VTD: KC WD7 PCT702  
VTD: KC WD7 PCT703  
VTD: KC WD7 PCT704

VTD: KC WD7 PCT705  
 VTD: KC WD7 PCT706  
 VTD: KC WD7 PCT707  
 VTD: KC WD7 PCT708  
 VTD: KC WD7 PCT709  
 VTD: KC WD7 PCT710  
 VTD: KC WD7 PCT711  
 VTD: KC WD7 PCT712  
 VTD: KC WD7 PCT713  
 VTD: KC WD7 PCT714  
 VTD: KC WD7 PCT715  
 VTD: KC WD7 PCT719  
 VTD: KC WD8 PCT613  
 VTD: KC WD8 PCT802  
 VTD: KC WD8 PCT803  
 VTD: KC WD8 PCT804  
 VTD: KC WD8 PCT805  
 VTD: KC WD8 PCT806  
 VTD: KC WD8 PCT807  
 VTD: KC WD8 PCT808  
 VTD: KC WD8 PCT809  
 VTD: KC WD8 PCT810  
 VTD: KC WD8 PCT811  
 VTD: KC WD8 PCT813  
 VTD: KC WD9 PCT1904  
 VTD: KC WD9 PCT812  
 VTD: KC WD9 PCT901  
 VTD: KC WD9 PCT902  
 VTD: KC WD9 PCT904  
 VTD: KC WD9 PCT905  
 VTD: KC WD9 PCT906  
 VTD: KC WD9 PCT907  
 VTD: KC WD9 PCT908  
 VTD: KC WD9 PCT909  
 VTD: KC WD9 PCT910  
 VTD: KC WD9 PCT911  
 VTD: Prairie No. 1  
 VTD: Prairie No. 10,11,& 12  
 VTD: Prairie No. 13  
 VTD: Prairie No. 13A  
 VTD: Prairie No. 14  
 VTD: Prairie No. 15  
 VTD: Prairie No. 16  
 VTD: Prairie No. 17  
 VTD: Prairie No. 18 & 19  
 VTD: Prairie No. 2  
 VTD: Prairie No. 20  
 VTD: Prairie No. 20A & 20B  
 VTD: Prairie No. 20C  
 VTD: Prairie No. 21  
 VTD: Prairie No. 22  
 VTD: Prairie No. 23  
 VTD: Prairie No. 24,24B,25A,68  
 VTD: Prairie No. 24A  
 VTD: Prairie No. 24C  
 VTD: Prairie No. 25

**VTD: Prairie No. 3**  
**VTD: Prairie No. 37**  
**VTD: Prairie No. 37A**  
**VTD: Prairie No. 38**  
**VTD: Prairie No. 39**  
**VTD: Prairie No. 39A**  
**VTD: Prairie No. 40**  
**VTD: Prairie No. 40A & 44A (part)**  
**Block: 290950179003002**  
**VTD: Prairie No. 43 & 79 (part)**  
**Block: 290950142043051**  
**Block: 290950142043052**  
**Block: 290950142043054**  
**Block: 290950142043056**  
**Block: 290950143003028**  
**Block: 290950179003004**  
**VTD: Prairie No. 45 (part)**  
**Block: 290950137031000**  
**Block: 290950137031001**  
**Block: 290950137031002**  
**Block: 290950137031003**  
**Block: 290950137031004**  
**Block: 290950137031005**  
**Block: 290950137031006**  
**Block: 290950137031007**  
**Block: 290950137031008**  
**Block: 290950137031009**  
**Block: 290950137031010**  
**Block: 290950137032013**  
**Block: 290950137032017**  
**Block: 290950137032018**  
**Block: 290950137033006**  
**Block: 290950137033007**  
**Block: 290950137033012**  
**Block: 290950137033013**  
**Block: 290950137033014**  
**Block: 290950137033015**  
**Block: 290950137033016**  
**Block: 290950137033030**  
**Block: 290950137033031**  
**Block: 290950137033032**  
**Block: 290950137033033**  
**Block: 290950137033034**  
**Block: 290950137033035**  
**Block: 290950137033036**  
**Block: 290950137033037**  
**Block: 290950137033038**  
**Block: 290950137033047**  
**Block: 290950137033048**  
**Block: 290950137033051**  
**VTD: Prairie No. 50A (part)**  
**Block: 290950139013031**  
**Block: 290950139013032**  
**Block: 290950139013033**  
**Block: 290950139013034**  
**Block: 290950139013035**

Block: 290950139013036  
 Block: 290950139013037  
 VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76 (part)  
 Block: 290950139011066  
 Block: 290950139011067  
 Block: 290950139012058  
 Block: 290950139012066  
 Block: 290950139012068  
 Block: 290950139012069  
 Block: 290950139012072  
 Block: 290950139012073  
 Block: 290950139012074  
 Block: 290950139012075  
 Block: 290950139012076  
 Block: 290950139012149  
 Block: 290950139012150  
 Block: 290950139012151  
 Block: 290950139012152  
 Block: 290950139013055  
 VTD: Prairie No. 51  
 VTD: Prairie No. 51A  
 VTD: Prairie No. 51B,51N,63,63A,63C,65,65A,65N,77,77A,77B,& 77N  
 VTD: Prairie No. 52  
 VTD: Prairie No. 52A  
 VTD: Prairie No. 53  
 VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)  
 Block: 290950139011031  
 Block: 290950139011032  
 Block: 290950139011033  
 Block: 290950139011034  
 Block: 290950139011035  
 Block: 290950139011036  
 Block: 290950139011042  
 Block: 290950141121045  
 Block: 290950141121059  
 VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)  
 Block: 290950139011044  
 Block: 290950139011045  
 Block: 290950139011065  
 VTD: Prairie No. 8 & 8B  
 VTD: Prairie No. 8A  
 VTD: Prairie No. 9  
 VTD: Sni-A-Bar No. 1,1B,& 1C (part)  
 Block: 290950145022002  
 Block: 290950145022010  
 Block: 290950145022011  
 Block: 290950145022020  
 Block: 290950145022044  
 VTD: Sni-A-Bar No. 10 (part)  
 Block: 290950141011005  
 VTD: Sni-A-Bar No. 14,75N,& 75X (part)  
 Block: 290950141011003  
 Block: 290950141011004  
 Block: 290950141011006  
 Block: 290950141011007  
 Block: 290950141011008

Block: 290950141011009  
Block: 290950141011010  
Block: 290950141011011  
Block: 290950141011012  
Block: 290950141011013  
Block: 290950141011014  
Block: 290950141011030  
Block: 290950141011032  
Block: 290950141011033  
Block: 290950141011034  
Block: 290950141011035  
VTD: Sni-A-Bar No. 14A & 75A (part)  
Block: 290950141011019  
Block: 290950141011027  
Block: 290950141011028  
Block: 290950141011029  
Block: 290950141011059  
Block: 290950141013000  
Block: 290950141013001  
Block: 290950141013002  
Block: 290950141013003  
Block: 290950141013009  
Block: 290950141013010  
Block: 290950141013013  
Block: 290950141013014  
Block: 290950141013015  
Block: 290950141055012  
Block: 290950141055013  
VTD: Sni-A-Bar No. 15 & 15A  
VTD: Sni-A-Bar No. 15B  
VTD: Sni-A-Bar No. 16,83,& 93  
VTD: Sni-A-Bar No. 22 (part)  
Block: 290950141012002  
Block: 290950141012003  
Block: 290950141012007  
Block: 290950141012008  
Block: 290950141012009  
Block: 290950141012010  
Block: 290950141012011  
Block: 290950141012012  
Block: 290950141012013  
Block: 290950141012014  
Block: 290950141012015  
Block: 290950141012016  
Block: 290950141014000  
Block: 290950141014001  
Block: 290950141014002  
Block: 290950141014004  
Block: 290950141014005  
Block: 290950141014006  
Block: 290950141014009  
Block: 290950141014010  
Block: 290950141014024  
Block: 290950141014025  
VTD: Sni-A-Bar No. 23 (part)  
Block: 290950141014035

**Block: 290950141014036**

**Block: 290950141014037**

**Block: 290950141014040**

**Block: 290950141014041**

**Block: 290950141014042**

**Block: 290950141014043**

**Block: 290950141014044**

**Block: 290950141014045**

**Block: 290950141014046**

**Block: 290950141014050**

**VTD: Sni-A-Bar No. 23A**

**VTD: Sni-A-Bar No. 24 (part)**

**Block: 290950141014007**

**Block: 290950141014008**

**Block: 290950141014011**

**Block: 290950141014012**

**Block: 290950141014017**

**Block: 290950141014018**

**Block: 290950141014019**

**Block: 290950141014020**

**Block: 290950141014021**

**Block: 290950141014022**

**Block: 290950141014023**

**Block: 290950141014026**

**Block: 290950141014027**

**Block: 290950141014028**

**Block: 290950141014029**

**Block: 290950141014030**

**Block: 290950141014031**

**Block: 290950141014032**

**Block: 290950141014033**

**Block: 290950141014038**

**Block: 290950141014039**

**VTD: Sni-A-Bar No. 27 (part)**

**Block: 290950141014048**

**Block: 290950141014049**

**Block: 290950141144000**

**Block: 290950141144001**

**Block: 290950141144002**

**Block: 290950141144006**

**Block: 290950141144009**

**Block: 290950141144015**

**Block: 290950141144016**

**Block: 290950141144017**

**Block: 290950141144018**

**Block: 290950141144019**

**Block: 290950141144020**

**Block: 290950141144021**

**Block: 290950141144022**

**VTD: Sni-A-Bar No. 31**

**VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)**

**Block: 290950141051011**

**Block: 290950141051012**

**Block: 290950141051013**

**Block: 290950141051022**

**Block: 290950141053001**

Block: 290950141053002  
Block: 290950141054000  
Block: 290950141054001  
Block: 290950141054003  
Block: 290950141054004  
Block: 290950141054005  
Block: 290950141054013  
Block: 290950141054014  
Block: 290950141054015  
Block: 290950141054016  
Block: 290950141054017  
Block: 290950141055018  
Block: 290950141055030  
Block: 290950141055035  
Block: 290950141055036  
Block: 290950141055037  
Block: 290950141055038  
Block: 290950141055039  
Block: 290950141055040  
Block: 290950141055042  
Block: 290950141055046  
Block: 290950141055057  
Block: 290950141055058  
Block: 290950141055059  
VTD: Sni-A-Bar No. 31B  
VTD: Sni-A-Bar No. 40 & 40B  
VTD: Sni-A-Bar No. 40A & 41  
VTD: Sni-A-Bar No. 40D & 40E  
VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)  
Block: 290950140021003  
Block: 290950140021010  
Block: 290950140021022  
Block: 290950140021023  
Block: 290950140071048  
Block: 290950140071049  
Block: 290950140071050  
Block: 290950140071051  
Block: 290950140071052  
Block: 290950140071053  
Block: 290950140071058  
Block: 290950140071059  
Block: 290950140071060  
Block: 290950140071061  
Block: 290950140071062  
Block: 290950140071063  
Block: 290950140071064  
Block: 290950140071066  
Block: 290950140071067  
Block: 290950140071068  
Block: 290950140071069  
Block: 290950140071070  
Block: 290950140071082  
Block: 290950140071083  
Block: 290950140071085  
Block: 290950140071086  
Block: 290950140071088

**Block: 290950140071093**

**Block: 290950140071094**

**Block: 290950140071095**

**Block: 290950141011017**

**Block: 290950141011018**

**Block: 290950141011021**

**VTD: Sni-A-Bar No. 50 & 91 (part)**

**Block: 290950140042006**

**Block: 290950140042007**

**Block: 290950140042008**

**Block: 290950140042009**

**Block: 290950140042010**

**Block: 290950140042011**

**Block: 290950140042012**

**Block: 290950140042013**

**Block: 290950140042014**

**Block: 290950140042024**

**Block: 290950140042025**

**Block: 290950140042026**

**Block: 290950140042027**

**Block: 290950140042028**

**Block: 290950140042029**

**Block: 290950140042030**

**Block: 290950140042031**

**Block: 290950140042032**

**Block: 290950140042033**

**Block: 290950140042034**

**Block: 290950140042038**

**Block: 290950140042039**

**Block: 290950140042040**

**Block: 290950140042041**

**Block: 290950140042044**

**Block: 290950140051001**

**Block: 290950140051002**

**Block: 290950140051003**

**Block: 290950140051004**

**Block: 290950140051006**

**Block: 290950140051007**

**Block: 290950140051008**

**Block: 290950140051009**

**Block: 290950140051010**

**Block: 290950140051018**

**Block: 290950140051019**

**Block: 290950140051022**

**VTD: Sni-A-Bar No. 51,51A,& 94A**

**VTD: Sni-A-Bar No. 53 & 92 (part)**

**Block: 290950140041024**

**Block: 290950140041025**

**Block: 290950140041026**

**Block: 290950140041027**

**Block: 290950140041028**

**Block: 290950140041029**

**Block: 290950140041030**

**Block: 290950140041031**

**Block: 290950140041033**

**Block: 290950140041034**



Block: 290950140041035  
Block: 290950140041036  
Block: 290950140041037  
Block: 290950140041038  
Block: 290950140041039  
Block: 290950140042035  
Block: 290950140042036  
Block: 290950140042037  
Block: 290950140042042  
Block: 290950140042043  
Block: 290950140051000  
Block: 290950140052000  
Block: 290950140052004  
VTD: Sni-A-Bar No. 55  
VTD: Sni-A-Bar No. 57  
VTD: Sni-A-Bar No. 76 & 76A  
VTD: Sni-A-Bar No. 77  
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)  
Block: 290950141055014  
Block: 290950141055028  
Block: 290950141055029  
Block: 290950141055041  
Block: 290950141055043  
Block: 290950141055044  
Block: 290950141055045  
Block: 290950141055047  
Block: 290950141055048  
Block: 290950141055049  
Block: 290950141055053  
Block: 290950141055054  
Block: 290950141055055  
Block: 290950141055056  
Block: 290950141055066  
Block: 290950141055067  
Block: 290950141111000  
Block: 290950141111001  
Block: 290950141111002  
Block: 290950141111009  
Block: 290950141121004  
Block: 290950141121005  
Block: 290950141121010  
VTD: Sni-A-Bar No. 86,87,88,88A,88B,& 88C  
VTD: Sni-A-Bar No. 94,94B,95,& 96  
VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)  
Block: 290950139011003  
Block: 290950139011004  
Block: 290950139011005  
Block: 290950139011006  
Block: 290950139011007  
Block: 290950139011012  
Block: 290950139011022  
Block: 290950139011023  
Block: 290950140022047  
Block: 290950140022048  
Block: 290950140022049  
Block: 290950140022050

**Block: 290950140022051**

**Block: 290950140022052**

**Block: 290950140022053**

**Block: 290950140022054**

**Block: 290950140022055**

**Block: 290950140022056**

**Block: 290950140022057**

**Block: 290950140022058**

**Block: 290950140022059**

**Block: 290950140022060**

**Block: 290950140022061**

**Block: 290950140022062**

**Block: 290950140022063**

**Block: 290950140022064**

**Block: 290950140022065**

**Block: 290950141121011**

**Block: 290950141121013**

**Block: 290950141121031**

**Block: 290950141121032**

**Block: 290950141121033**

**Block: 290950141121036**

**Block: 290950141121040**

**Block: 290950141121041**

**Block: 290950141121049**

**Block: 290950141121051**

**VTD: Van Buren No. 11N,19,19A,19B,19C,19D,20N,21,21N,23,& 24**

**VTD: Van Buren No. 25,26,27,28,29,30,& 32**

**VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)**

**Block: 290950139011001**

**Block: 290950139011009**

**Block: 290950139011010**

**Block: 290950139011011**

**Block: 290950139011013**

**Block: 290950139011014**

**Block: 290950139011015**

**Block: 290950139011016**

**Block: 290950139011017**

**Block: 290950139011018**

**Block: 290950139011019**

**Block: 290950139011020**

**Block: 290950139011021**

**Block: 290950139011024**

**Block: 290950139011025**

**Block: 290950139011026**

**Block: 290950139011027**

**Block: 290950139011028**

**Block: 290950139011029**

**Block: 290950139011030**

**Block: 290950139011037**

**Block: 290950139011038**

**Block: 290950139011039**

**Block: 290950139011040**

**Block: 290950139011041**

**Block: 290950139011043**

**Block: 290950139011046**

**Block: 290950139011047**

**Block: 290950139011048**  
**Block: 290950139011049**  
**Block: 290950139011050**  
**Block: 290950139011052**  
**Block: 290950139011053**  
**Block: 290950139011054**  
**Block: 290950139011055**  
**Block: 290950139011056**  
**Block: 290950139011058**  
**Block: 290950139011059**  
**Block: 290950139011060**  
**Block: 290950139011069**  
**Block: 290950139011070**  
**Block: 290950139011074**  
**Block: 290950139011075**  
**Block: 290950141121050**  
**Block: 290950141121052**  
**Block: 290950141121060**  
**Block: 290950141121062**  
**VTD: Van Buren No. 31 & 33**  
**VTD: Van Buren No. 34,35,36,& 37**  
**VTD: Van Buren No. 38,39,40,40A,40B,40C,40D,40N,& 43**  
**VTD: Van Buren No. 41 & 42**  
**VTD: Van Buren No. 9,10,10A,11,11A,12,13,14,15,17,18,& 20**  
**VTD: Washington No. 1**  
**VTD: Washington No. 10 & 10N**  
**VTD: Washington No. 11**  
**VTD: Washington No. 12**  
**VTD: Washington No. 13**  
**VTD: Washington No. 14**  
**VTD: Washington No. 15**  
**VTD: Washington No. 16**  
**VTD: Washington No. 17**  
**VTD: Washington No. 2**  
**VTD: Washington No. 3**  
**VTD: Washington No. 4**  
**VTD: Washington No. 5**  
**VTD: Washington No. 6**  
**VTD: Washington No. 7**  
**VTD: Washington No. 8**  
**VTD: Washington No. 9**  
**Lafayette MO County**  
**Ray MO County**  
**Saline MO County"; and**

Further amend said bill, Pages 127 to 158, Section 128.456, Lines 2 to 1368, by deleting all of said lines and inserting in lieu thereof the following;

**"Adair MO County**  
**Andrew MO County**  
**Atchison MO County**  
**Buchanan MO County**  
**Caldwell MO County**  
**Carroll MO County**  
**Chariton MO County**  
**Clark MO County**

**Clay MO County (part)**

**VTD: Chou 8 (part)**

**Block: 290470223021029**

**VTD: FR 3 (part)**

**Block: 290470216001153**

**Block: 290470216001156**

**Block: 290470217021035**

**Block: 290470217021036**

**Block: 290470217025027**

**Block: 290470217025033**

**Block: 290470217025035**

**Block: 290470217025036**

**Block: 290470217025037**

**Block: 290470217025038**

**Block: 290470217025039**

**VTD: FR 4**

**VTD: FR 5 (part)**

**Block: 290470216001006**

**Block: 290470216001008**

**Block: 290470216001009**

**Block: 290470216001010**

**Block: 290470216001011**

**Block: 290470216001012**

**Block: 290470216001013**

**Block: 290470216001014**

**Block: 290470216001015**

**Block: 290470216001016**

**Block: 290470216001017**

**Block: 290470216001018**

**Block: 290470216001019**

**Block: 290470216001020**

**Block: 290470216001021**

**Block: 290470216001022**

**Block: 290470216001023**

**Block: 290470216001024**

**Block: 290470216001025**

**Block: 290470216001026**

**Block: 290470216001027**

**Block: 290470216001030**

**Block: 290470216001031**

**Block: 290470216001032**

**Block: 290470216001033**

**Block: 290470216001034**

**Block: 290470216001035**

**Block: 290470216001036**

**Block: 290470216001037**

**Block: 290470216001038**

**Block: 290470216001039**

**Block: 290470216001040**

**Block: 290470216001041**

**Block: 290470216001042**

**Block: 290470216001043**

**Block: 290470216001044**

**Block: 290470216001045**

**Block: 290470216001046**

**Block: 290470216001047**

Block: 290470216001048  
Block: 290470216001049  
Block: 290470216001050  
Block: 290470216001051  
Block: 290470216001052  
Block: 290470216001053  
Block: 290470216001054  
Block: 290470216001055  
Block: 290470216001056  
Block: 290470216001057  
Block: 290470216001058  
Block: 290470216001059  
Block: 290470216001060  
Block: 290470216001061  
Block: 290470216001062  
Block: 290470216001063  
Block: 290470216001064  
Block: 290470216001065  
Block: 290470216001066  
Block: 290470216001067  
Block: 290470216001068  
Block: 290470216001069  
Block: 290470216001070  
Block: 290470216001071  
Block: 290470216001072  
Block: 290470216001073  
Block: 290470216001074  
Block: 290470216001075  
Block: 290470216001076  
Block: 290470216001077  
Block: 290470216001078  
Block: 290470216001079  
Block: 290470216001080  
Block: 290470216001081  
Block: 290470216001082  
Block: 290470216001083  
Block: 290470216001084  
Block: 290470216001085  
Block: 290470216001086  
Block: 290470216001087  
Block: 290470216001088  
Block: 290470216001089  
Block: 290470216001090  
Block: 290470216001091  
Block: 290470216001092  
Block: 290470216001093  
Block: 290470216001094  
Block: 290470216001095  
Block: 290470216001096  
Block: 290470216001097  
Block: 290470216001098  
Block: 290470216001110  
Block: 290470216001111  
Block: 290470216001112  
Block: 290470216001113  
Block: 290470216001114

Block: 290470216001130  
Block: 290470217012046  
Block: 290470217012048  
Block: 290470217013019  
Block: 290470217013020  
Block: 290470217013021  
Block: 290470218054017  
Block: 290470218054019  
Block: 290470218054020  
Block: 290470218054021  
Block: 290470218054022  
Block: 290470218054023  
Block: 290470218054024  
Block: 290470218054026  
Block: 290470218054027  
Block: 290470218054028  
Block: 290470218054029  
Block: 290470218054030  
Block: 290470218054031  
Block: 290470218054032  
Block: 290470218054033  
Block: 290470218054034  
Block: 290470218054035  
Block: 290470218054038  
Block: 290470218054039  
Block: 290470218054040  
Block: 290470218054041  
Block: 290470218054045  
Block: 290470218054046  
Block: 290470218054047  
Block: 290470218054048  
Block: 290470218054053  
Block: 290470218054054  
Block: 290470218054055  
Block: 290470218054056  
Block: 290470218054058  
Block: 290470218054059  
Block: 290470218054065  
Block: 290470218054130  
Block: 290470218054131  
Block: 290470218054132  
Block: 290470218054133  
Block: 290470218054158  
Block: 290470218054159  
VTD: Gal 17  
VTD: KC 21 Lib 1  
VTD: KC 21 Lib 2  
VTD: KC 21 Lib 3  
VTD: KC 21 Pl 1  
VTD: KC 21-1  
VTD: KC 21-12 (part)  
Block: 290470212052031  
Block: 290470212052032  
Block: 290470212052033  
Block: 290470212053000  
Block: 290470212053001

Block: 290470212053002  
Block: 290470212053003  
Block: 290470212053004  
Block: 290470212053005  
Block: 290470212053006  
Block: 290470212053007  
Block: 290470212053008  
Block: 290470212053009  
Block: 290470212053010  
Block: 290470212053011  
Block: 290470212053012  
Block: 290470212053013  
Block: 290470212053014  
Block: 290470212053015  
Block: 290470212053016  
Block: 290470212053017  
Block: 290470212053018  
Block: 290470212053019  
Block: 290470212053020  
Block: 290470212053021  
Block: 290470212053022  
Block: 290470212053023  
Block: 290470212053024  
Block: 290470212053025  
Block: 290470212053026  
Block: 290470212053027  
Block: 290470212053028  
Block: 290470212053029  
Block: 290470212053031  
Block: 290470212053032  
Block: 290470212053033  
Block: 290470212053034  
Block: 290470212053035  
Block: 290470212053036  
Block: 290470212053037  
Block: 290470212053038  
Block: 290470212053039  
Block: 290470212053040  
Block: 290470212053041  
Block: 290470212053042  
Block: 290470212053043  
Block: 290470212053044  
Block: 290470212063000  
Block: 290470212063010  
Block: 290470212063011  
Block: 290470212063022  
Block: 290470212063023  
Block: 290470213031010  
Block: 290470213031011  
Block: 290470213031012  
Block: 290470213031013  
Block: 290470213031014  
Block: 290470213031015  
Block: 290470213031016  
Block: 290470213031017  
Block: 290470213031018

Block: 290470213031019  
Block: 290470213031020  
Block: 290470213031021  
Block: 290470213031022  
Block: 290470213031023  
Block: 290470213031024  
Block: 290470213031025  
Block: 290470213031026  
Block: 290470213031030  
Block: 290470213032010  
Block: 290470213032011  
Block: 290470213032012  
Block: 290470213032013  
Block: 290470213032014  
Block: 290470213032015  
Block: 290470213032016  
Block: 290470213072021  
Block: 290470213072022  
Block: 290470213072023  
Block: 290470213072024  
Block: 290470213072025  
Block: 290470213072026  
Block: 290470213072034  
Block: 290470213072035  
Block: 290470213072038  
Block: 290470213072039  
Block: 290470213073007  
Block: 290470213073018  
Block: 290470213073019  
Block: 290470213073020  
Block: 290470213073021  
Block: 290470213073040  
Block: 290470213073041  
Block: 290470213073042  
Block: 290470213073043  
Block: 290470213073044  
Block: 290470213073045  
Block: 290470213073046  
Block: 290470213073047  
Block: 290470213073048  
Block: 290470213073049  
Block: 290470213073050  
Block: 290470213073051  
Block: 290470213073052  
Block: 290470213073053  
Block: 290470213073054  
Block: 290470213073055  
Block: 290470213073056  
Block: 290470213073057  
Block: 290470213091039  
Block: 290470213091040  
Block: 290470213091041  
Block: 290470213091042  
Block: 290470213091043  
Block: 290470213091044  
Block: 290470213091045



Block: 290470213091046  
Block: 290470213091054  
Block: 290470213091079  
Block: 290470213091080  
Block: 290470213091081  
Block: 290470213091082  
Block: 290470213101006  
Block: 290470213101007  
Block: 290470213101008  
Block: 290470213101013  
Block: 290470213101014  
Block: 290470213101015  
Block: 290470213102025  
Block: 290470213102026  
Block: 290470213102027  
Block: 290470213102028  
Block: 290470213102029  
Block: 290470213102030  
VTD: KC 21-13  
VTD: KC 21-15  
VTD: KC 21-16 (part)  
Block: 290470212052001  
Block: 290470212052002  
VTD: KC 21-17  
VTD: KC 21-2 (part)  
Block: 290470202021000  
Block: 290470202021001  
Block: 290470202021002  
Block: 290470202021003  
Block: 290470202021004  
Block: 290470202021005  
Block: 290470202021006  
Block: 290470202021007  
Block: 290470202021012  
Block: 290470202021013  
Block: 290470202021015  
Block: 290470202021016  
Block: 290470202021017  
Block: 290470202021018  
Block: 290470202021019  
Block: 290470202021020  
Block: 290470202021021  
Block: 290470202021022  
Block: 290470202021023  
Block: 290470202021024  
Block: 290470202021025  
Block: 290470202021026  
Block: 290470202021027  
Block: 290470202021028  
Block: 290470202021029  
Block: 290470202021030  
Block: 290470202021036  
Block: 290470202021037  
Block: 290470202021042  
Block: 290470202021043  
Block: 290470202021044

Block: 290470202021045  
Block: 290470202021046  
Block: 290470202021047  
Block: 290470202021048  
Block: 290470202021049  
Block: 290470202021050  
Block: 290470202021051  
Block: 290470202021052  
Block: 290470202021053  
Block: 290470202021055  
Block: 290470202021056  
Block: 290470202021057  
Block: 290470202021058  
Block: 290470202021059  
Block: 290470202021060  
Block: 290470202021062  
Block: 290470202021063  
Block: 290470202021064  
Block: 290470202021065  
Block: 290470202021067  
Block: 290470202021068  
Block: 290470202021069  
Block: 290470202021070  
Block: 290470202021071  
Block: 290470202021072  
Block: 290470202021073  
Block: 290470202022000  
Block: 290470202022001  
Block: 290470202022002  
Block: 290470202022003  
Block: 290470202022004  
Block: 290470202022005  
Block: 290470202022006  
Block: 290470202022007  
Block: 290470202022008  
Block: 290470202022009  
Block: 290470202022010  
Block: 290470202022011  
Block: 290470202022012  
Block: 290470202022013  
Block: 290470202022014  
Block: 290470202022015  
Block: 290470202022016  
Block: 290470202022017  
Block: 290470202022018  
Block: 290470202022019  
Block: 290470202022020  
Block: 290470202022021  
Block: 290470202022022  
Block: 290470202022023  
Block: 290470202022024  
Block: 290470202022025  
Block: 290470202023000  
Block: 290470202023001  
Block: 290470202023002  
Block: 290470202023003

Block: 290470202023004  
Block: 290470202023005  
Block: 290470202023006  
Block: 290470202023007  
Block: 290470202023008  
Block: 290470202023009  
Block: 290470202023010  
Block: 290470202023011  
Block: 290470202023012  
Block: 290470202023013  
Block: 290470202023014  
Block: 290470202023015  
Block: 290470202023016  
Block: 290470202023017  
Block: 290470202023018  
Block: 290470202023019  
Block: 290470202023020  
Block: 290470202023021  
Block: 290470202023022  
Block: 290470202023023  
Block: 290470202023024  
Block: 290470202023025  
Block: 290470202023026  
Block: 290470202023027  
Block: 290470202023028  
Block: 290470202023029  
Block: 290470202023030  
Block: 290470202023031  
Block: 290470202023032  
Block: 290470202023033  
Block: 290470202023034  
Block: 290470202023035  
Block: 290470202023036  
Block: 290470202023037  
Block: 290470202023038  
Block: 290470202023039  
Block: 290470202023040  
Block: 290470203005009  
Block: 290470203005010  
Block: 290470203005011  
Block: 290470203005012  
Block: 290470203005013  
Block: 290470203005014  
Block: 290470203005015  
Block: 290470203005016  
Block: 290470203005026  
Block: 290470203005028  
Block: 290470203005029  
Block: 290470203005030  
Block: 290470203005031  
Block: 290470203005034  
Block: 290470203005035  
Block: 290470203005036  
Block: 290470203005037  
Block: 290470203005038  
Block: 290470203005039

Block: 290470203005040  
Block: 290470203005043  
Block: 290470203005056  
Block: 290470203005057  
Block: 290470203005058  
Block: 290470203005059  
Block: 290470203005060  
Block: 290470203005061  
Block: 290470204002019  
Block: 290470204002022  
Block: 290470212043019  
Block: 290470221002070  
Block: 290470221002071  
Block: 290470221002072  
Block: 290470221002073  
Block: 290470221002074  
Block: 290470221002075  
Block: 290470221002076  
Block: 290470221002077  
Block: 290470221002078  
Block: 290470221002079  
Block: 290470221002080  
Block: 290470221002081  
Block: 290470221002082  
Block: 290470221002083  
Block: 290470221002084  
Block: 290470221002085  
Block: 290470221002086  
Block: 290470221002087  
Block: 290470221002088  
Block: 290470221002093  
Block: 290470221002095  
Block: 290470221002096  
Block: 290470221002097  
Block: 290470221002098  
Block: 290470221002099  
Block: 290470221002100  
Block: 290470221002101  
Block: 290470221002102  
Block: 290470221002103  
Block: 290470221002104  
Block: 290470221002105  
Block: 290470221002106  
Block: 290470221002107  
Block: 290470221002108  
Block: 290470221002109  
Block: 290470221002110  
Block: 290470221002111  
Block: 290470221002118  
Block: 290470221002119  
Block: 290470221002120  
Block: 290470221002121  
Block: 290470221002122  
Block: 290470221002194  
Block: 290470221002195  
Block: 290470221002196

Block: 290470221002197  
Block: 290470221002239  
Block: 290470221002240  
Block: 290470221002241  
Block: 290470221002244  
Block: 290470221002245  
Block: 290470221002246  
Block: 290470221002247  
Block: 290470221002248  
Block: 290470221002249  
Block: 290470221002250  
Block: 290470221002251  
Block: 290470221002252  
Block: 290470221002256  
Block: 290470221002258  
Block: 290470221002260  
Block: 290470221002262  
Block: 290470221002263  
Block: 290470221002264  
Block: 290470221002265  
Block: 290470221002266  
Block: 290470221002267  
Block: 290470221002268  
Block: 290470221002274  
Block: 290470221002275  
Block: 290470221002276  
VTD: KC 21-26  
VTD: Kry 1  
VTD: Kry 2  
VTD: Kry 3  
VTD: Kry 4  
VTD: Lib 1  
VTD: Lib 10  
VTD: Lib 11  
VTD: Lib 12  
VTD: Lib 13 (part)  
Block: 290470222002035  
Block: 290470222002036  
Block: 290470222002147  
Block: 290470223012024  
Block: 290470223012025  
Block: 290470223012026  
Block: 290470223021006  
Block: 290470223021016  
Block: 290470223021017  
Block: 290470223021018  
Block: 290470223021019  
Block: 290470223021020  
Block: 290470223021024  
Block: 290470223021025  
Block: 290470223021048  
Block: 290470223021050  
Block: 290470223021057  
Block: 290470223021058  
Block: 290470223021059  
Block: 290470223021060

Block: 290470223023050  
Block: 290470223023052  
Block: 290470223023058  
Block: 290470223023059  
VTD: Lib 14  
VTD: Lib 2  
VTD: Lib 3  
VTD: Lib 4  
VTD: Lib 5 (part)  
Block: 290470208011005  
Block: 290470208011006  
Block: 290470208011007  
Block: 290470208011038  
Block: 290470208011039  
Block: 290470208011040  
Block: 290470208011046  
Block: 290470208011047  
Block: 290470208011048  
Block: 290470208011049  
Block: 290470208011050  
Block: 290470208011051  
Block: 290470208011056  
Block: 290470208011057  
Block: 290470208011058  
Block: 290470208012000  
Block: 290470208012001  
Block: 290470208012002  
Block: 290470208012003  
Block: 290470208012004  
Block: 290470208012005  
Block: 290470208012006  
Block: 290470208012007  
Block: 290470208012008  
Block: 290470208012010  
Block: 290470208012011  
Block: 290470208012012  
Block: 290470208012017  
Block: 290470208012018  
Block: 290470208012019  
Block: 290470208012020  
Block: 290470208013000  
Block: 290470208013001  
Block: 290470208013002  
Block: 290470208013003  
Block: 290470208015000  
Block: 290470208015001  
Block: 290470208015002  
Block: 290470208015003  
Block: 290470208015004  
Block: 290470208015005  
Block: 290470208015006  
Block: 290470208015007  
Block: 290470208015008  
Block: 290470208015009  
Block: 290470208015010  
Block: 290470208015011

Block: 290470208015012  
Block: 290470208015013  
Block: 290470208015014  
Block: 290470208015015  
Block: 290470208015016  
Block: 290470208015017  
Block: 290470208015018  
Block: 290470208015019  
Block: 290470208015020  
Block: 290470208015021  
Block: 290470208015022  
Block: 290470208015023  
Block: 290470208015024  
Block: 290470208015025  
Block: 290470208015026  
Block: 290470223021005  
Block: 290470223021007  
Block: 290470223021010  
Block: 290470223021011  
Block: 290470223021012  
Block: 290470223021013  
Block: 290470223021015  
Block: 290470223021021  
Block: 290470223021022  
Block: 290470223021023  
Block: 290470223021027  
Block: 290470223021061  
Block: 290470223021062  
Block: 290470223021063  
VTD: Lib 6  
VTD: Lib 7  
VTD: Lib 8  
VTD: Lib 9  
VTD: Pl 1  
VTD: Pl 2  
VTD: Pl 3  
VTD: Wash 3  
Clinton MO County  
Davies MO County  
DeKalb MO County  
Gentry MO County  
Grundy MO County  
Harrison MO County  
Holt MO County  
Jackson MO County (part)  
VTD: Blue Sub 3 No. 11 (part)  
Block: 290950147021004  
Block: 290950148041006  
Block: 290950148041009  
Block: 290950148041010  
Block: 290950148041014  
VTD: Blue Sub 3 No. 12 & 13  
VTD: Blue Sub 8 No. 11 (part)  
Block: 290950145021006  
Block: 290950145021014  
Block: 290950145021026

**VTD: Blue Sub 8 No. 12,12A,& 12B (part)**

**Block: 290950145022054**

**Block: 290950145022055**

**VTD: Fort Osage No. 1,1A,2,& 3 (part)**

**Block: 290950147021002**

**Block: 290950148041000**

**Block: 290950148041001**

**Block: 290950148041002**

**Block: 290950148041003**

**Block: 290950148041004**

**Block: 290950148041005**

**Block: 290950148041007**

**Block: 290950148041039**

**Block: 290950150001071**

**Block: 290950150001072**

**Block: 290950150001076**

**Block: 290950150001077**

**Block: 290950177001000**

**Block: 290950177001001**

**Block: 290950177001002**

**Block: 290950177001003**

**Block: 290950177001004**

**Block: 290950177001005**

**Block: 290950177001006**

**Block: 290950177001008**

**Block: 290950177001009**

**Block: 290950177001010**

**Block: 290950177001011**

**Block: 290950177001012**

**Block: 290950177001013**

**Block: 290950177001014**

**Block: 290950177001015**

**Block: 290950177001016**

**Block: 290950177001017**

**Block: 290950177001018**

**Block: 290950177001019**

**Block: 290950177001020**

**Block: 290950177001021**

**Block: 290950177001022**

**Block: 290950177001023**

**Block: 290950177001026**

**Block: 290950177001027**

**Block: 290950177001028**

**Block: 290950177001035**

**Block: 290950177001036**

**Block: 290950177003000**

**Block: 290950177003001**

**Block: 290950177003002**

**Block: 290950177003003**

**Block: 290950177003004**

**Block: 290950177003005**

**Block: 290950177003006**

**Block: 290950177003007**

**Block: 290950177003008**

**Block: 290950177003009**

**Block: 290950177003010**



Block: 290950177003011  
Block: 290950177003012  
Block: 290950177003013  
Block: 290950177003014  
Block: 290950177003015  
Block: 290950177003016  
Block: 290950177003017  
Block: 290950177003018  
Block: 290950177003019  
Block: 290950177003020  
Block: 290950177003021  
Block: 290950177003024  
Block: 290950177003025  
Block: 290950177003026  
Block: 290950177003029  
Block: 290950177003072  
Block: 290950177003073  
Block: 290950177003074  
Block: 290950177003075  
Block: 290950177003076  
Block: 290950177003077  
VTD: Fort Osage No. 11,12,& 15N  
VTD: Fort Osage No. 16,17,17A,19,& 20  
VTD: Fort Osage No. 21  
VTD: Fort Osage No. 27 & 28  
VTD: Fort Osage No. 4  
VTD: Fort Osage No. 5 & 30  
VTD: Fort Osage No. 6  
VTD: Fort Osage No. 7,8,25,& 26  
VTD: Fort Osage No. 9  
VTD: KC WD24 PCT2406  
VTD: KC WD24 PCT2407 (part)  
Block: 290950142032009  
Block: 290950142032013  
VTD: KC WD24 PCT2408 (part)  
Block: 290950142043041  
Block: 290950142043042  
Block: 290950142043044  
VTD: KC WD24 PCT2423  
VTD: Prairie No. 26,27,28,& 78  
VTD: Prairie No. 29 & 30C  
VTD: Prairie No. 30  
VTD: Prairie No. 30A  
VTD: Prairie No. 30B,82,& 82A  
VTD: Prairie No. 31  
VTD: Prairie No. 33  
VTD: Prairie No. 34  
VTD: Prairie No. 35  
VTD: Prairie No. 4  
VTD: Prairie No. 40A & 44A (part)  
Block: 290950179003000  
Block: 290950179003005  
Block: 290950179003006  
Block: 290950185001051  
Block: 290950186001019  
Block: 290950186001023

Block: 290950186001025  
Block: 290950186001026  
Block: 290950186001027  
Block: 290950186001028  
Block: 290950186001033  
Block: 290950186002004  
Block: 290950186002005  
Block: 290950186002006  
Block: 290950186002014  
Block: 290950186002015  
Block: 290950186002016  
VTD: Prairie No. 41,42,& 81  
VTD: Prairie No. 43 & 79 (part)  
Block: 290950142042033  
Block: 290950142042034  
Block: 290950142042051  
Block: 290950142042052  
Block: 290950142042053  
Block: 290950142042054  
Block: 290950142042055  
Block: 290950142042056  
Block: 290950142042057  
Block: 290950142042058  
Block: 290950142043030  
Block: 290950142043037  
Block: 290950142043038  
Block: 290950142043039  
Block: 290950142043040  
Block: 290950142043049  
Block: 290950142043050  
Block: 290950142043053  
Block: 290950142043055  
Block: 290950143003027  
Block: 290950185001048  
Block: 290950185001049  
Block: 290950185001050  
Block: 290959891001038  
Block: 290959891001039  
Block: 290959891001040  
Block: 290959891001043  
Block: 290959891001044  
VTD: Prairie No. 45 (part)  
Block: 290950137032016  
Block: 290950137032020  
VTD: Prairie No. 46,67,67A,& 67B  
VTD: Prairie No. 47  
VTD: Prairie No. 48  
VTD: Prairie No. 49  
VTD: Prairie No. 5  
VTD: Prairie No. 50  
VTD: Prairie No. 50A (part)  
Block: 290950139041016  
Block: 290950139041018  
Block: 290950139042001  
Block: 290950139042002  
Block: 290950139042003

Block: 290950139042004  
Block: 290950139042005  
Block: 290950139042006  
Block: 290950139042007  
Block: 290950139042008  
Block: 290950139042010  
Block: 290950139042011  
Block: 290950139042012  
Block: 290950139042013  
Block: 290950139042014  
Block: 290950139043026  
Block: 290950139043027  
Block: 290950139043028  
Block: 290950139043030  
Block: 290950139043031  
VTD: Prairie No. 50B  
VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76 (part)  
Block: 290950139013023  
Block: 290950139013024  
Block: 290950139013025  
Block: 290950139013026  
Block: 290950139013027  
Block: 290950139013028  
Block: 290950139013029  
Block: 290950139013030  
Block: 290950139043000  
Block: 290950139043001  
Block: 290950139043033  
Block: 290950139161004  
Block: 290950139161005  
Block: 290950139161006  
Block: 290950139161007  
Block: 290950139161008  
Block: 290950139161009  
Block: 290950139161010  
Block: 290950139161011  
Block: 290950139161013  
Block: 290950139161014  
Block: 290950139161015  
Block: 290950139161016  
Block: 290950139161017  
Block: 290950139161018  
Block: 290950139161020  
Block: 290950139162050  
Block: 290950139162051  
Block: 290950139162056  
VTD: Prairie No. 50D  
VTD: Prairie No. 55 & 56  
VTD: Prairie No. 57,72,73,73A,73B,73C,73N,73W,& 73X  
VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)  
Block: 290950141121020  
Block: 290950141121021  
Block: 290950141121022  
Block: 290950141121023  
Block: 290950141121024  
Block: 290950141121025

**Block: 290950141121026**

**Block: 290950141121027**

**Block: 290950141121028**

**Block: 290950141121029**

**Block: 290950141121030**

**Block: 290950141121042**

**Block: 290950141121043**

**Block: 290950141121044**

**Block: 290950141121047**

**Block: 290950141121048**

**Block: 290950141121056**

**Block: 290950141121057**

**Block: 290950141201046**

**Block: 290950141201054**

**Block: 290950141201055**

**Block: 290950141201056**

**Block: 290950141201057**

**Block: 290950141201058**

**Block: 290950141201060**

**Block: 290950141201067**

**VTD: Prairie No. 6**

**VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)**

**Block: 290950139013000**

**Block: 290950139013001**

**Block: 290950139013002**

**Block: 290950139013003**

**Block: 290950139013004**

**Block: 290950139013005**

**Block: 290950139013006**

**Block: 290950139013008**

**Block: 290950139013013**

**Block: 290950139013015**

**Block: 290950139013016**

**Block: 290950139013019**

**Block: 290950139013020**

**Block: 290950139013021**

**Block: 290950139161000**

**Block: 290950139161001**

**Block: 290950139161002**

**Block: 290950139161003**

**Block: 290950141121046**

**Block: 290950141121058**

**Block: 290950141201045**

**Block: 290950141201047**

**Block: 290950141201048**

**Block: 290950141201049**

**Block: 290950141201050**

**Block: 290950141201053**

**Block: 290950141201059**

**Block: 290950141201061**

**Block: 290950141201062**

**Block: 290950141201063**

**Block: 290950141201064**

**Block: 290950141201065**

**Block: 290950141201066**

**Block: 290950141201068**

Block: 290950141201069  
Block: 290959891001045  
Block: 290959891001046  
Block: 290959891001047  
Block: 290959891001057  
Block: 290959891001058  
Block: 290959891001059  
Block: 290959891001060  
Block: 290959891001063  
Block: 290959891001066  
Block: 290959891001069  
VTD: Prairie No. 66 & 66F  
VTD: Prairie No. 66A,66B,66C,& 66G  
VTD: Prairie No. 66D & 66E  
VTD: Prairie No. 69  
VTD: Prairie No. 7  
VTD: Prairie No. 70,70A,70B,70C,& 70D  
VTD: Sni-A-Bar No. 1,1B,& 1C (part)  
Block: 290950145022007  
Block: 290950145022008  
Block: 290950145022009  
Block: 290950145022017  
Block: 290950145022018  
Block: 290950145022019  
Block: 290950145022042  
Block: 290950145022043  
Block: 290950145022045  
Block: 290950145022046  
Block: 290950145022047  
Block: 290950145022048  
Block: 290950145022049  
Block: 290950145022050  
Block: 290950145022051  
Block: 290950145022052  
Block: 290950145022053  
Block: 290950145022060  
Block: 290950145022061  
Block: 290950145022062  
Block: 290950145022063  
Block: 290950145022064  
Block: 290950145022065  
Block: 290950145022066  
Block: 290950145022068  
Block: 290950145022070  
Block: 290950193001005  
Block: 290950193001006  
Block: 290950193001007  
Block: 290950193001008  
VTD: Sni-A-Bar No. 10 (part)  
Block: 290950149042003  
Block: 290950149042004  
Block: 290950149042005  
Block: 290950149042006  
Block: 290950149042007  
Block: 290950149042008  
Block: 290950149042009

Block: 290950149042010  
 Block: 290950149042011  
 Block: 290950149042012  
 Block: 290950149042013  
 Block: 290950149042014  
 Block: 290950149042018  
 Block: 290950149042019  
 Block: 290950149042020  
 Block: 290950149042021  
 Block: 290950149042022  
 VTD: Sni-A-Bar No. 11  
 VTD: Sni-A-Bar No. 11A  
 VTD: Sni-A-Bar No. 14,75N,& 75X (part)  
 Block: 290950149052013  
 Block: 290950149052014  
 Block: 290950149052015  
 Block: 290950149052016  
 Block: 290950149052017  
 VTD: Sni-A-Bar No. 14A & 75A (part)  
 Block: 290950141011015  
 VTD: Sni-A-Bar No. 17,17N,17X,17Z,& 69  
 VTD: Sni-A-Bar No. 18,68N,& 68X  
 VTD: Sni-A-Bar No. 19  
 VTD: Sni-A-Bar No. 1A  
 VTD: Sni-A-Bar No. 2 & 3A  
 VTD: Sni-A-Bar No. 20 & 70A  
 VTD: Sni-A-Bar No. 21,21B,70,& 71  
 VTD: Sni-A-Bar No. 22 (part)  
 Block: 290950141012001  
 Block: 290950141012004  
 Block: 290950141012005  
 Block: 290950141012006  
 Block: 290950141012017  
 Block: 290950141014003  
 Block: 290950141081014  
 Block: 290950141081018  
 VTD: Sni-A-Bar No. 23 (part)  
 Block: 290950141083003  
 Block: 290950141083004  
 Block: 290950141083005  
 Block: 290950141083006  
 Block: 290950141083007  
 Block: 290950141083008  
 Block: 290950141083009  
 Block: 290950141083010  
 Block: 290950141083011  
 Block: 290950141083012  
 Block: 290950141083013  
 Block: 290950141083014  
 Block: 290950141083015  
 Block: 290950141083016  
 Block: 290950141083017  
 Block: 290950141083018  
 Block: 290950141083019  
 Block: 290950141083024  
 Block: 290950141083025

Block: 290950141083026  
Block: 290950141083027  
Block: 290950141083028  
Block: 290950141083029  
Block: 290950141083030  
Block: 290950141083031  
Block: 290950141083032  
Block: 290950141083033  
Block: 290950141083036  
Block: 290950141083037  
Block: 290950141083040  
VTD: Sni-A-Bar No. 24 (part)  
Block: 290950141014013  
Block: 290950141014014  
Block: 290950141014015  
Block: 290950141014016  
Block: 290950141014034  
Block: 290950141014047  
Block: 290950141082019  
Block: 290950141082020  
Block: 290950141082021  
Block: 290950141082022  
Block: 290950141082023  
Block: 290950141082024  
Block: 290950141082026  
Block: 290950141082027  
Block: 290950141082028  
Block: 290950141082029  
Block: 290950141082030  
Block: 290950141082031  
Block: 290950141082032  
Block: 290950141082033  
Block: 290950141082034  
Block: 290950141083000  
Block: 290950141083001  
Block: 290950141083002  
Block: 290950141083020  
Block: 290950141083021  
Block: 290950141083022  
Block: 290950141083023  
VTD: Sni-A-Bar No. 25,72A,& 72B  
VTD: Sni-A-Bar No. 26 & 26N  
VTD: Sni-A-Bar No. 27 (part)  
Block: 290950141083039  
Block: 290950141144003  
Block: 290950141144004  
Block: 290950141144005  
Block: 290950141144007  
Block: 290950141144008  
Block: 290950141144010  
Block: 290950141144011  
Block: 290950141144012  
Block: 290950141144013  
Block: 290950141144014  
VTD: Sni-A-Bar No. 29 & 73  
VTD: Sni-A-Bar No. 3 & 3B

**VTD: Sni-A-Bar No. 30**

**VTD: Sni-A-Bar No. 30A,30B,30C,& 30D**

**VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)**

**Block: 290950141054002**

**Block: 290950141054010**

**Block: 290950141054011**

**Block: 290950141054012**

**Block: 290950141055020**

**Block: 290950141055022**

**Block: 290950141055026**

**Block: 290950141055027**

**Block: 290950141055068**

**Block: 290950141055069**

**VTD: Sni-A-Bar No. 32 & 78N**

**VTD: Sni-A-Bar No. 33**

**VTD: Sni-A-Bar No. 34,34A,& 74**

**VTD: Sni-A-Bar No. 35**

**VTD: Sni-A-Bar No. 35A**

**VTD: Sni-A-Bar No. 36,36A,& 79A**

**VTD: Sni-A-Bar No. 37,38,& 39**

**VTD: Sni-A-Bar No. 4 & 4N**

**VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)**

**Block: 290950140071002**

**Block: 290950140071003**

**Block: 290950140071004**

**Block: 290950140071005**

**Block: 290950140071006**

**Block: 290950140071011**

**Block: 290950140071012**

**Block: 290950140071013**

**Block: 290950140071014**

**Block: 290950140071018**

**Block: 290950140071025**

**Block: 290950140071026**

**Block: 290950140071027**

**Block: 290950140071028**

**Block: 290950140071029**

**Block: 290950140071030**

**Block: 290950140071031**

**Block: 290950140071032**

**Block: 290950140071038**

**Block: 290950140071041**

**Block: 290950140071044**

**Block: 290950140071045**

**Block: 290950140071046**

**Block: 290950140071047**

**Block: 290950140071054**

**Block: 290950140071055**

**Block: 290950140071056**

**Block: 290950140071057**

**Block: 290950140071080**

**Block: 290950140071081**

**Block: 290950140071096**

**Block: 290950140071097**

**Block: 290950149032075**

**Block: 290950149032076**



Block: 290950149032077  
Block: 290950149032106  
Block: 290950149032135  
VTD: Sni-A-Bar No. 49  
VTD: Sni-A-Bar No. 4X,59,59N,59X,60,60A,60N,& 60X  
VTD: Sni-A-Bar No. 5 & 5N  
VTD: Sni-A-Bar No. 50 & 91 (part)  
Block: 290950140042000  
Block: 290950140042001  
VTD: Sni-A-Bar No. 52 & 52A  
VTD: Sni-A-Bar No. 53 & 92 (part)  
Block: 290950140041022  
VTD: Sni-A-Bar No. 5A,5B,61,62,62A,& 97  
VTD: Sni-A-Bar No. 6 & 6B  
VTD: Sni-A-Bar No. 65,65N,& 65X  
VTD: Sni-A-Bar No. 68 & 68Z  
VTD: Sni-A-Bar No. 6A & 66  
VTD: Sni-A-Bar No. 6C,6D,6E,& 6F  
VTD: Sni-A-Bar No. 7,13,13A,13N,81,81A,81D,81Y,& 99N  
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)  
Block: 290950141055021  
Block: 290950141055023  
Block: 290950141055024  
Block: 290950141055025  
Block: 290950141055064  
Block: 290950141111003  
Block: 290950141111005  
Block: 290950141111006  
Block: 290950141111010  
Block: 290950141111011  
Block: 290950141111013  
Block: 290950141111014  
Block: 290950141111029  
Block: 290950141111051  
Block: 290950141121006  
Block: 290950141121017  
VTD: Sni-A-Bar No. 8  
VTD: Sni-A-Bar No. 80  
VTD: Sni-A-Bar No. 81B  
VTD: Sni-A-Bar No. 82,82A,82N,& 82X  
VTD: Sni-A-Bar No. 89  
VTD: Sni-A-Bar No. 9  
VTD: Sni-A-Bar No. 90,90A,90B,& 90N  
VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)  
Block: 290950141121014  
Block: 290950141121015  
Block: 290950141121016  
Block: 290950141121018  
Block: 290950141121019  
Block: 290950141121034  
Block: 290950141121035  
Block: 290950141121037  
Block: 290950141121038  
Block: 290950141121039  
Block: 290950141121053  
Block: 290950141121054

**Block: 290950141121055**  
**VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)**  
**Block: 290950139013007**  
**Block: 290950139013009**  
**Block: 290950139013010**  
**Block: 290950139013011**  
**Block: 290950139013012**  
**Block: 290950139013014**  
**Block: 290950139013017**  
**Block: 290950139013018**  
**Block: 290950139013022**  
**Knox MO County**  
**Lewis MO County**  
**Linn MO County**  
**Livingston MO County**  
**Macon MO County**  
**Marion MO County**  
**Mercer MO County**  
**Monroe MO County**  
**Nodaway MO County**  
**Pike MO County**  
**Platte MO County**  
**Putnam MO County**  
**Ralls MO County**  
**Randolph MO County (part)**  
**VTD: Cairo**  
**VTD: Clifton Hill**  
**VTD: Darksville**  
**VTD: Huntsville**  
**VTD: Jacksonville**  
**VTD: Levicks Mill**  
**VTD: Mt. Airy (part)**  
**Block: 291754902001169**  
**Block: 291754902001170**  
**Block: 291754902001172**  
**Block: 291754902001173**  
**Block: 291754902002079**  
**Block: 291754902002080**  
**Block: 291754906002048**  
**Block: 291754906002049**  
**Block: 291754906002053**  
**Block: 291754906002058**  
**Block: 291754906002059**  
**Block: 291754906002060**  
**Block: 291754906002062**  
**Block: 291754906002194**  
**VTD: Salt Springs (part)**  
**Block: 291754902001115**  
**Block: 291754902001116**  
**Block: 291754902001123**  
**Block: 291754902001124**  
**Block: 291754902001125**  
**Block: 291754902001130**  
**Block: 291754902001131**  
**Block: 291754902001155**  
**Block: 291754902001156**

Block: 291754902001157  
Block: 291754902001158  
Block: 291754902001159  
Block: 291754902001160  
Block: 291754902001161  
Block: 291754902001162  
Block: 291754902001163  
Block: 291754902001164  
Block: 291754902001165  
Block: 291754902001168  
Block: 291754902001171  
Block: 291754902001174  
Block: 291754902002056  
Block: 291754902002057  
Block: 291754902002058  
Block: 291754902002062  
Block: 291754902002064  
Block: 291754902002065  
Block: 291754902002066  
Block: 291754902002067  
Block: 291754902002068  
Block: 291754902002069  
Block: 291754902002070  
Block: 291754902002071  
Block: 291754902002073  
Block: 291754902002074  
Block: 291754902002075  
Block: 291754902002076  
Block: 291754902002077  
Block: 291754902002078  
Block: 291754902002081  
Block: 291754902002082  
Block: 291754902002083  
Block: 291754902002084  
Block: 291754902002085  
Block: 291754902002087  
Block: 291754902002088  
Block: 291754902002089  
Block: 291754902004062  
Block: 291754902004063  
Block: 291754902004064  
Block: 291754902004065  
Block: 291754902004066  
Block: 291754906002000  
Block: 291754906002001  
Block: 291754906002002  
Block: 291754906002003  
Block: 291754906002004  
Block: 291754906002005  
Block: 291754906002006  
Block: 291754906002007  
Block: 291754906002012  
Block: 291754906002025  
Block: 291754906002050  
Block: 291754906002051  
Block: 291754906002052

**Block: 291754906002204**

**Block: 291754906002205**

**Block: 291754906002218**

**Block: 291754906002219**

**VTD: South Sugar Creek (part)**

**Block: 291754901002104**

**VTD: Thomas Hill**

**VTD: Union**

**Schuyler MO County**

**Scotland MO County**

**Shelby MO County**

**Sullivan MO County**

**Worth MO County"; and**

Further amend said bill, Pages 158 to 167, Section 128.457, Lines 2 to 359, by deleting all of said lines and inserting in lieu thereof the following;

**"Barry MO County**

**Barton MO County**

**Christian MO County**

**Dade MO County**

**Douglas MO County (part)**

**VTD: Buchanan (part)**

**Block: 290679502003065**

**Block: 290679502003066**

**Block: 290679502003071**

**Block: 290679502003072**

**Block: 290679502003073**

**Block: 290679502003074**

**Block: 290679502003077**

**Block: 290679502003078**

**Block: 290679502003079**

**Block: 290679502003080**

**Block: 290679502003081**

**Block: 290679502003082**

**Block: 290679502003083**

**Block: 290679502003084**

**Block: 290679502003085**

**Block: 290679502003086**

**Block: 290679502003087**

**Block: 290679502003088**

**Block: 290679502003089**

**Block: 290679502003090**

**Block: 290679502003091**

**Block: 290679502003092**

**Block: 290679502003093**

**Block: 290679502003094**

**Block: 290679502003095**

**Block: 290679502003096**

**Block: 290679502003157**

**Block: 290679502003230**

**Block: 290679502003231**

**Block: 290679502003232**

**Block: 290679502003234**

**Block: 290679502003235**

**Greene MO County**

Jasper MO County  
Lawrence MO County  
McDonald MO County  
Newton MO County  
Stone MO County  
Taney MO County  
Vernon MO County (part)  
VTD: 1st Baptist Church  
VTD: Bronaugh School  
VTD: Courthouse  
VTD: Deerfield Baptist Church  
VTD: Harwood Town Hall (part)  
Block: 292179501001195  
Block: 292179501001196  
Block: 292179501001197  
Block: 292179501001198  
Block: 292179501001200  
Block: 292179501001209  
Block: 292179501001210  
Block: 292179501001211  
Block: 292179501001218  
Block: 292179501001219  
Block: 292179501001220  
Block: 292179501001221  
Block: 292179501001242  
Block: 292179501001250  
Block: 292179501001251  
Block: 292179501002196  
Block: 292179501002197  
Block: 292179501002198  
Block: 292179501002199  
Block: 292179501002200  
Block: 292179501002201  
Block: 292179501002202  
Block: 292179501002203  
Block: 292179501002204  
Block: 292179501002205  
Block: 292179501002206  
Block: 292179501002207  
Block: 292179501002231  
Block: 292179501002232  
Block: 292179501002241  
Block: 292179501003001  
Block: 292179501003002  
Block: 292179501003003  
Block: 292179501003004  
Block: 292179501003005  
Block: 292179501003006  
Block: 292179501003007  
Block: 292179501003008  
Block: 292179501003009  
Block: 292179501003010  
Block: 292179501003011  
Block: 292179501003012  
Block: 292179501003013  
Block: 292179501003020

Block: 292179501003021  
Block: 292179501003022  
Block: 292179501003023  
Block: 292179501003024  
Block: 292179501003306  
VTD: Home EC Building  
VTD: Milo Fire Barn  
VTD: Moundville Community Building  
VTD: National Guard Armory  
VTD: Sheldon Community Building  
VTD: United Methodist Church  
VTD: Virgil  
VTD: Walker Community Building (part)  
Block: 292179501002080  
Block: 292179501002081  
Block: 292179501002082  
Block: 292179501002083  
Block: 292179501002087  
Block: 292179501002088  
Block: 292179501002089  
Block: 292179501002090  
Block: 292179501002105  
Block: 292179501002107  
Block: 292179501002108  
Block: 292179501002109  
Block: 292179501002110  
Block: 292179501002111  
Block: 292179501002112  
Block: 292179501002113  
Block: 292179501002114  
Block: 292179501002118  
Block: 292179501002119  
Block: 292179501002120  
Block: 292179501002121  
Block: 292179501002122  
Block: 292179501002123  
Block: 292179501002124  
Block: 292179501002125  
Block: 292179501002126  
Block: 292179501002127  
Block: 292179501002128  
Block: 292179501002129  
Block: 292179501002130  
Block: 292179501002131  
Block: 292179501002132  
Block: 292179501002134  
Block: 292179501002135  
Block: 292179501002144  
Block: 292179501002145  
Block: 292179501002146  
Block: 292179501002147  
Block: 292179501002148  
Block: 292179501002149  
Block: 292179501002150  
Block: 292179501002151  
Block: 292179501002152

Block: 292179501002153  
Block: 292179501002154  
Block: 292179501002155  
Block: 292179501002156  
Block: 292179501002157  
Block: 292179501002158  
Block: 292179501002159  
Block: 292179501002160  
Block: 292179501002161  
Block: 292179501002162  
Block: 292179501002163  
Block: 292179501002164  
Block: 292179501002165  
Block: 292179501002166  
Block: 292179501002167  
Block: 292179501002168  
Block: 292179501002169  
Block: 292179501002170  
Block: 292179501002171  
Block: 292179501002172  
Block: 292179501002173  
Block: 292179501002174  
Block: 292179501002175  
Block: 292179501002176  
Block: 292179501002177  
Block: 292179501002178  
Block: 292179501002179  
Block: 292179501002180  
Block: 292179501002181  
Block: 292179501002182  
Block: 292179501002183  
Block: 292179501002184  
Block: 292179501002185  
Block: 292179501002186  
Block: 292179501002187  
Block: 292179501002188  
Block: 292179501002189  
Block: 292179501002190  
Block: 292179501002191  
Block: 292179501002192  
Block: 292179501002194  
Block: 292179501002195  
Block: 292179501002208  
Block: 292179501002209  
Block: 292179501002210  
Block: 292179501002211  
Block: 292179501002212  
Block: 292179501002215  
Block: 292179501002236  
Block: 292179501002242  
Block: 292179501002244  
VTD: YMCA"; and

Further amend said bill, Pages 167 to 172, Section 128.458, Lines 2 to 204, by deleting all of said lines and inserting in lieu thereof the following;

**"Bollinger MO County  
Butler MO County  
Cape Girardeau MO County  
Carter MO County  
Dallas MO County  
Dent MO County  
Douglas MO County (part)  
VTD: Benton No. 1  
VTD: Benton No. 2  
VTD: Boone  
VTD: Brown  
VTD: Brush Creek  
VTD: Bryan  
VTD: Buchanan (part)  
Block: 290679502002143  
Block: 290679502002179  
Block: 290679502002180  
Block: 290679502003033  
Block: 290679502003034  
Block: 290679502003035  
Block: 290679502003036  
Block: 290679502003037  
Block: 290679502003038  
Block: 290679502003039  
Block: 290679502003045  
Block: 290679502003046  
Block: 290679502003047  
Block: 290679502003048  
Block: 290679502003049  
Block: 290679502003050  
Block: 290679502003052  
Block: 290679502003053  
Block: 290679502003055  
Block: 290679502003056  
Block: 290679502003057  
Block: 290679502003058  
Block: 290679502003059  
Block: 290679502003060  
Block: 290679502003061  
Block: 290679502003062  
Block: 290679502003063  
Block: 290679502003064  
Block: 290679502003067  
Block: 290679502003075  
Block: 290679502003076  
Block: 290679502003239  
VTD: Campbell  
VTD: Cass  
VTD: Champion  
VTD: Clay  
VTD: Clinton  
VTD: Findley  
VTD: Jackson**



VTD: Lincoln  
VTD: McKinley  
VTD: McMurtrey  
VTD: Miller  
VTD: Richland  
VTD: Spencer  
VTD: Spring Creek  
VTD: Walls  
VTD: Washington  
VTD: Wood  
Dunklin MO County  
Howell MO County  
Iron MO County  
Laclede MO County  
Madison MO County  
Maries MO County  
Mississippi MO County  
New Madrid MO County  
Oregon MO County  
Osage MO County  
Ozark MO County  
Pemiscot MO County  
Perry MO County (part)  
VTD: Altenburg  
VTD: Belgique  
VTD: Biehle  
VTD: Brewer (part)  
Block: 291574701002038  
Block: 291574701002063  
Block: 291574701002064  
Block: 291574701002065  
Block: 291574702002001  
Block: 291574702002023  
Block: 291574702003001  
Block: 291574702003002  
Block: 291574702003003  
VTD: Crosstown  
VTD: Farrar  
VTD: Frohna  
VTD: Highland  
VTD: Lithium (part)  
Block: 291574701002000  
Block: 291574701002001  
Block: 291574701002002  
Block: 291574701002014  
Block: 291574701002015  
Block: 291574701002016  
Block: 291574701002017  
Block: 291574701002018  
Block: 291574701002019  
Block: 291574701002020  
Block: 291574701002070  
Block: 291574701002071  
Block: 291574701002072  
Block: 291574701003012  
Block: 291574701003013

Block: 291574701003014  
Block: 291574701003027  
Block: 291574701003028  
Block: 291574701003029  
Block: 291574701003030  
Block: 291574701003031  
Block: 291574701003032  
Block: 291574701003033  
Block: 291574701003034  
Block: 291574701003035  
Block: 291574701003036  
Block: 291574701003039  
Block: 291574701003040  
Block: 291574701003041  
Block: 291574701003042  
Block: 291574701003043  
Block: 291574701003044  
Block: 291574701003056  
Block: 291574701003057  
Block: 291574701003058  
Block: 291574701003059  
Block: 291574701003060  
Block: 291574701003061  
Block: 291574701003062  
Block: 291574701003072  
Block: 291574701003073  
Block: 291574701003074  
Block: 291574701003075  
Block: 291574701003076  
Block: 291574701003077  
Block: 291574701003078  
Block: 291574701003079  
Block: 291574701003080  
Block: 291574701003081  
Block: 291574701003082  
Block: 291574701003083  
Block: 291574701003084  
Block: 291574701003085  
Block: 291574701003086  
Block: 291574701003087  
Block: 291574701003149  
Block: 291574701003151  
Block: 291574701003152  
Block: 291574701003158  
Block: 291574701003162  
VTD: Longtown  
VTD: P-4  
VTD: P-5  
VTD: Sereno  
VTD: Silver Lake  
VTD: Uniontown  
VTD: Yount  
Phelps MO County  
Polk MO County  
Pulaski MO County  
Reynolds MO County

**Ripley MO County**  
**Scott MO County**  
**Shannon MO County**  
**Stoddard MO County**  
**Texas MO County**  
**Wayne MO County**  
**Webster MO County**  
**Wright MO County"; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Casey moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curtman	Ellinger	Fallert	Funderburk	Harris
Hodges	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Zerr			

NOES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Fisher

Hinson

Scharnhorst

Schneider

Webber

Zimmerman

VACANCIES: 001

Representative Colona offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 193, Pages 1 to 22, Section 128.451, Lines 2 to 879, by deleting all of said lines and inserting in lieu thereof the following:

**"St. Louis City MO County (part)**

**VTD: ST 1-4**

**VTD: STL 1-1**

**VTD: STL 1-2**

**VTD: STL 1-3**

**VTD: STL 1-5**

**VTD: STL 1-6**

**VTD: STL 1-7**

**VTD: STL 17-1**

**VTD: STL 17-11**

**VTD: STL 17-2**

**VTD: STL 17-3**

**VTD: STL 17-4**

**VTD: STL 17-5**

**VTD: STL 17-7**

**VTD: STL 17-8**

**VTD: STL 17-9**

**VTD: STL 1-8**

**VTD: STL 18-1**

**VTD: STL 18-2**

**VTD: STL 18-3**

**VTD: STL 18-4**

**VTD: STL 18-5**

**VTD: STL 18-6**

**VTD: STL 19-1**

**VTD: STL 19-10**

**VTD: STL 19-2**

**VTD: STL 19-3**

**VTD: STL 19-4**

**VTD: STL 19-5**

**VTD: STL 19-6**

**VTD: STL 19-7**

**VTD: STL 19-8**

**VTD: STL 19-9**

**VTD: STL 2-1**

**VTD: STL 21-1**

**VTD: STL 21-2**

**VTD: STL 21-3**

**VTD: STL 21-4**

**VTD: STL 21-5**

**VTD: STL 21-6**

**VTD: STL 21-7**

VTD: STL 2-2  
VTD: STL 22-1  
VTD: STL 22-2  
VTD: STL 22-3  
VTD: STL 22-4  
VTD: STL 22-5  
VTD: STL 22-6  
VTD: STL 22-7  
VTD: STL 2-3  
VTD: STL 2-4  
VTD: STL 24-9  
VTD: STL 2-5  
VTD: STL 2-6  
VTD: STL 26-1  
VTD: STL 26-2  
VTD: STL 26-3  
VTD: STL 26-4  
VTD: STL 26-5  
VTD: STL 26-6  
VTD: STL 27-1  
VTD: STL 27-2  
VTD: STL 27-3  
VTD: STL 27-4  
VTD: STL 27-5  
VTD: STL 27-6  
VTD: STL 27-7  
VTD: STL 27-8  
VTD: STL 28-1  
VTD: STL 28-10  
VTD: STL 28-3  
VTD: STL 28-4  
VTD: STL 28-5  
VTD: STL 28-6  
VTD: STL 28-7  
VTD: STL 28-8  
VTD: STL 28-9  
VTD: STL 3-1  
VTD: STL 3-2  
VTD: STL 3-3  
VTD: STL 3-4  
VTD: STL 3-5  
VTD: STL 3-6  
VTD: STL 3-7  
VTD: STL 3-8  
VTD: STL 4-1  
VTD: STL 4-2  
VTD: STL 4-3  
VTD: STL 4-4  
VTD: STL 4-5  
VTD: STL 4-6  
VTD: STL 4-7  
VTD: STL 4-8  
VTD: STL 5-1  
VTD: STL 5-2  
VTD: STL 5-3  
VTD: STL 5-4

**VTD: STL 5-5**

**VTD: STL 5-6**

**VTD: STL 5-7**

**VTD: STL 5-8**

**VTD: STL 6-4**

**VTD: STL 6-5**

**VTD: STL 6-6**

**VTD: STL 6-8**

**VTD: STL 6-9**

**VTD: STL 7-4**

**VTD: STL 7-5**

**VTD: STL 7-7**

**St. Louis MO County (part)**

**VTD: AP001**

**VTD: AP002**

**VTD: AP003**

**VTD: AP004**

**VTD: AP005**

**VTD: AP006**

**VTD: AP007**

**VTD: AP008**

**VTD: AP009**

**VTD: AP010**

**VTD: AP011**

**VTD: AP012**

**VTD: AP013**

**VTD: AP014**

**VTD: AP015**

**VTD: AP016**

**VTD: AP017**

**VTD: AP018**

**VTD: AP019**

**VTD: AP020**

**VTD: AP021**

**VTD: AP022**

**VTD: AP023**

**VTD: AP024**

**VTD: AP025**

**VTD: AP026**

**VTD: AP027**

**VTD: AP028**

**VTD: AP029**

**VTD: AP030**

**VTD: AP031**

**VTD: AP032**

**VTD: AP033**

**VTD: AP034**

**VTD: AP035**

**VTD: AP036**

**VTD: AP037**

**VTD: AP038**

**VTD: AP039**

**VTD: AP040**

**VTD: AP041**

**VTD: AP042**

**VTD: AP043**

VTD: AP044  
VTD: AP045  
VTD: AP046  
VTD: AP047  
VTD: AP048  
VTD: AP049  
VTD: AP050  
VTD: AP051  
VTD: AP052  
VTD: AP053  
VTD: AP054  
VTD: AP055  
VTD: AP056  
VTD: AP200  
VTD: AP203  
VTD: AP206  
VTD: AP207  
VTD: AP208  
VTD: AP210  
VTD: AP211  
VTD: AP213  
VTD: AP214  
VTD: AP215  
VTD: AP216  
VTD: AP217  
VTD: AP218  
VTD: AP221  
VTD: AP225  
VTD: AP227  
VTD: AP228  
VTD: AP230  
VTD: AP232  
VTD: AP233  
VTD: AP237  
VTD: BON001  
VTD: BON002  
VTD: BON005  
VTD: BON006  
VTD: BON007  
VTD: BON008  
VTD: BON009  
VTD: BON011  
VTD: BON012  
VTD: BON013  
VTD: BON014  
VTD: BON017  
VTD: BON019  
VTD: BON020  
VTD: BON021  
VTD: BON022  
VTD: BON023  
VTD: BON024  
VTD: BON026  
VTD: BON027  
VTD: BON030  
VTD: BON031

VTD: BON032  
VTD: BON033  
VTD: BON034  
VTD: BON045  
VTD: BON047  
VTD: BON048  
VTD: BON210  
VTD: BON211  
VTD: CC001  
VTD: CC002  
VTD: CC003  
VTD: CC004  
VTD: CC005  
VTD: CC006  
VTD: CC007  
VTD: CC008  
VTD: CC009  
VTD: CC010  
VTD: CC011  
VTD: CC012  
VTD: CC013  
VTD: CC014  
VTD: CC015  
VTD: CC016  
VTD: CC017  
VTD: CC018  
VTD: CC019  
VTD: CC020  
VTD: CC021  
VTD: CC022  
VTD: CC023  
VTD: CC024  
VTD: CC025  
VTD: CC026  
VTD: CC027  
VTD: CC028  
VTD: CC029  
VTD: CC030  
VTD: CC031  
VTD: CC032  
VTD: CC033  
VTD: CC034  
VTD: CC035  
VTD: CC036  
VTD: CC037  
VTD: CC038  
VTD: CC039  
VTD: CC040  
VTD: CC041  
VTD: CC042  
VTD: CC043  
VTD: CC044  
VTD: CC045  
VTD: CC046  
VTD: CC047  
VTD: CC048



VTD: CC049  
VTD: CC050  
VTD: CC051  
VTD: CC052  
VTD: CC053  
VTD: CC054  
VTD: CC055  
VTD: CC056  
VTD: CC057  
VTD: CC058  
VTD: CC059  
VTD: CC060  
VTD: CC061  
VTD: CC062  
VTD: CC063  
VTD: CC064  
VTD: CC065  
VTD: CC066  
VTD: CC067  
VTD: CC068  
VTD: CC069  
VTD: CC201  
VTD: CC202  
VTD: CC203  
VTD: CC205  
VTD: CC206  
VTD: CC207  
VTD: CC208  
VTD: CC214  
VTD: CC216  
VTD: CC221  
VTD: CC224  
VTD: CC225  
VTD: CC227  
VTD: CHE047  
VTD: CLA001  
VTD: CLA005  
VTD: CLA006  
VTD: CLA007  
VTD: CLA012  
VTD: CLA013  
VTD: CLA014  
VTD: CLA015  
VTD: CLA016  
VTD: CLA018  
VTD: CLA019  
VTD: CLA020  
VTD: CLA021  
VTD: CLA022  
VTD: CLA024  
VTD: CLA025  
VTD: CLA026  
VTD: CLA027  
VTD: CLA028  
VTD: CLA029  
VTD: CLA032

VTD: CLA033  
VTD: CLA034  
VTD: CLA035  
VTD: CLA036  
VTD: CLA037  
VTD: CLA040  
VTD: CLA042  
VTD: CLA045  
VTD: CLA047  
VTD: CLA048  
VTD: CLA049  
VTD: CLA050  
VTD: CLA051  
VTD: CLA052 (part)  
Block: 291892189003004  
Block: 291892189003005  
Block: 291892189003006  
Block: 291892189003007  
Block: 291892189003016  
Block: 291892189003017  
Block: 291892189003018  
Block: 291892189003019  
Block: 291892189003020  
Block: 291892189003023  
Block: 291892189004032  
Block: 291892189004033  
Block: 291892189005018  
Block: 291892189005020  
Block: 291892189005021  
Block: 291892189005023  
Block: 291892189005024  
Block: 291892189005025  
Block: 291892189005026  
Block: 291892189005027  
Block: 291892189005028  
Block: 291892189005029  
Block: 291892189005030  
Block: 291892189005031  
Block: 291892189005032  
Block: 291892189005033  
Block: 291892189005034  
Block: 291892189005035  
Block: 291892189005036  
Block: 291892189005038  
Block: 291892193001006  
VTD: CLA054  
VTD: CLA055  
VTD: CLA056  
VTD: CLA057  
VTD: CLA058  
VTD: CLA214  
VTD: FER001  
VTD: FER002  
VTD: FER003  
VTD: FER004  
VTD: FER005

VTD: FER006  
VTD: FER007  
VTD: FER008  
VTD: FER009  
VTD: FER010  
VTD: FER011  
VTD: FER012  
VTD: FER013  
VTD: FER014  
VTD: FER015  
VTD: FER016  
VTD: FER017  
VTD: FER018  
VTD: FER019  
VTD: FER020  
VTD: FER021  
VTD: FER022  
VTD: FER023  
VTD: FER024  
VTD: FER025  
VTD: FER026  
VTD: FER027  
VTD: FER028  
VTD: FER029  
VTD: FER030  
VTD: FER031  
VTD: FER032  
VTD: FER033  
VTD: FER034  
VTD: FER035  
VTD: FER036  
VTD: FER037  
VTD: FER038  
VTD: FER039  
VTD: FER040  
VTD: FER041  
VTD: FER042  
VTD: FER043  
VTD: FER044  
VTD: FER045  
VTD: FER046  
VTD: FER047  
VTD: FER048  
VTD: FER049  
VTD: FER050  
VTD: FER051  
VTD: FER201  
VTD: FER208  
VTD: FLO001  
VTD: FLO002  
VTD: FLO003  
VTD: FLO004  
VTD: FLO005  
VTD: FLO006  
VTD: FLO007  
VTD: FLO008

VTD: FLO009  
VTD: FLO010  
VTD: FLO011  
VTD: FLO012  
VTD: FLO013  
VTD: FLO014  
VTD: FLO015  
VTD: FLO016  
VTD: FLO017  
VTD: FLO018  
VTD: FLO019  
VTD: FLO020  
VTD: FLO021  
VTD: FLO022  
VTD: FLO023  
VTD: FLO024  
VTD: FLO025  
VTD: FLO026  
VTD: FLO027  
VTD: FLO028  
VTD: FLO029  
VTD: FLO030  
VTD: FLO031  
VTD: FLO032  
VTD: FLO033  
VTD: FLO034  
VTD: FLO035  
VTD: FLO036  
VTD: FLO037  
VTD: FLO038  
VTD: FLO039  
VTD: FLO040  
VTD: FLO041  
VTD: FLO042  
VTD: FLO200  
VTD: FLO201  
VTD: FLO202  
VTD: FLO203  
VTD: FLO205  
VTD: FLO207  
VTD: GRA002  
VTD: HAD006  
VTD: HAD007  
VTD: HAD008  
VTD: HAD036  
VTD: HAD038  
VTD: JEF001  
VTD: JEF002  
VTD: JEF003  
VTD: JEF004  
VTD: JEF005  
VTD: JEF032  
VTD: JEF033  
VTD: JEF034  
VTD: JEF035  
VTD: JEF036

VTD: JEF037  
VTD: JEF039  
VTD: JEF040  
VTD: JEF047 (part)  
Block: 291892193001000  
Block: 291892193001001  
Block: 291892193001002  
Block: 291892193001003  
Block: 291892193001005  
Block: 291892193001008  
Block: 291892193001009  
Block: 291892193001011  
VTD: JEF201  
VTD: LAF001  
VTD: LAF002  
VTD: LAF003  
VTD: LAF004  
VTD: LAF013  
VTD: LAF015  
VTD: LAF018  
VTD: LAF019  
VTD: LAF020  
VTD: LAF021  
VTD: LAF022  
VTD: LAF023  
VTD: LAF024  
VTD: LAF025  
VTD: LAF027  
VTD: LAF036  
VTD: LAF038  
VTD: LAF207  
VTD: LC001  
VTD: LC002  
VTD: LC003  
VTD: LC004  
VTD: LC005  
VTD: LC006  
VTD: LC007  
VTD: LC008  
VTD: LC009  
VTD: LC010  
VTD: LC011  
VTD: LC012  
VTD: LC013  
VTD: LC014  
VTD: LC015  
VTD: LC016  
VTD: LC017  
VTD: LC018  
VTD: LC019  
VTD: LC020  
VTD: LC021  
VTD: LC022  
VTD: LC023  
VTD: LC024  
VTD: LC025

VTD: LC026  
VTD: LC027  
VTD: LC028  
VTD: LC029  
VTD: LC030  
VTD: LC031  
VTD: LC032  
VTD: LC033  
VTD: LC034  
VTD: LC035  
VTD: LC036  
VTD: LC037  
VTD: LC038  
VTD: LC039  
VTD: LC040  
VTD: LC200  
VTD: LC202  
VTD: LC203  
VTD: MER010  
VTD: MER012  
VTD: MER021  
VTD: MER027  
VTD: MER033  
VTD: MER034  
VTD: MER036  
VTD: MER038  
VTD: MER040  
VTD: MER049  
VTD: MER210  
VTD: MER218  
VTD: MHT001  
VTD: MHT002  
VTD: MHT003  
VTD: MHT004  
VTD: MHT005  
VTD: MHT006  
VTD: MHT007  
VTD: MHT008  
VTD: MHT009  
VTD: MHT010  
VTD: MHT011  
VTD: MHT012  
VTD: MHT013  
VTD: MHT014  
VTD: MHT015  
VTD: MHT016  
VTD: MHT017  
VTD: MHT018  
VTD: MHT019  
VTD: MHT020  
VTD: MHT021  
VTD: MHT022  
VTD: MHT023  
VTD: MHT024  
VTD: MHT025  
VTD: MHT026

VTD: MHT027  
VTD: MHT028  
VTD: MHT029  
VTD: MHT030  
VTD: MHT031  
VTD: MHT032  
VTD: MHT033  
VTD: MHT034  
VTD: MHT036  
VTD: MHT037  
VTD: MHT038  
VTD: MHT040  
VTD: MHT041  
VTD: MHT042  
VTD: MHT043  
VTD: MHT044  
VTD: MHT045  
VTD: MHT046  
VTD: MHT047  
VTD: MHT048  
VTD: MHT049  
VTD: MHT200  
VTD: MHT201  
VTD: MHT202  
VTD: MHT203  
VTD: MHT209  
VTD: MHT211  
VTD: MHT213  
VTD: MHT216  
VTD: MHT218  
VTD: MID001  
VTD: MID002  
VTD: MID003  
VTD: MID004  
VTD: MID005  
VTD: MID006  
VTD: MID007  
VTD: MID008  
VTD: MID009  
VTD: MID010  
VTD: MID011  
VTD: MID012  
VTD: MID013  
VTD: MID014  
VTD: MID015  
VTD: MID016  
VTD: MID017  
VTD: MID018  
VTD: MID019  
VTD: MID020  
VTD: MID021  
VTD: MID022  
VTD: MID023  
VTD: MID024  
VTD: MID025  
VTD: MID026

VTD: MID027  
VTD: MID028  
VTD: MID029  
VTD: MID030  
VTD: MID031  
VTD: MID032  
VTD: MID033  
VTD: MID034  
VTD: MID035  
VTD: MID036  
VTD: MID037  
VTD: MID038  
VTD: MID039  
VTD: MID040  
VTD: MID041  
VTD: MID042  
VTD: MID043  
VTD: MID044  
VTD: MID045  
VTD: MID046  
VTD: MID047  
VTD: MID048  
VTD: MID049  
VTD: MID050  
VTD: MID051  
VTD: MID052  
VTD: MID053  
VTD: MID054  
VTD: MID055  
VTD: MID056  
VTD: MID057  
VTD: MID058  
VTD: MID059  
VTD: MID060  
VTD: MID061  
VTD: MID200  
VTD: MID201  
VTD: MID202  
VTD: MID207  
VTD: MID208  
VTD: MID209  
VTD: MID213  
VTD: MID215  
VTD: MR007  
VTD: MR008  
VTD: MR010  
VTD: MR012  
VTD: MR013  
VTD: MR014  
VTD: MR015  
VTD: MR016  
VTD: MR019  
VTD: MR028 (part)  
Block: 291892180123019  
VTD: MR030  
VTD: MR032



VTD: MR035  
VTD: MR040  
VTD: MR042  
VTD: MR045  
VTD: MR046  
VTD: MR047  
VTD: MR050  
VTD: MR051  
VTD: MR054  
VTD: MR056  
VTD: MR057  
VTD: MR058  
VTD: MR065  
VTD: MR068  
VTD: MR069  
VTD: MR070  
VTD: MR071  
VTD: MR072  
VTD: MR073  
VTD: MR074  
VTD: MR075  
VTD: MR076  
VTD: MR077  
VTD: MR206  
VTD: NOR001  
VTD: NOR002  
VTD: NOR003  
VTD: NOR004  
VTD: NOR005  
VTD: NOR006  
VTD: NOR007  
VTD: NOR008  
VTD: NOR009  
VTD: NOR010  
VTD: NOR011  
VTD: NOR012  
VTD: NOR013  
VTD: NOR014  
VTD: NOR015  
VTD: NOR016  
VTD: NOR017  
VTD: NOR018  
VTD: NOR019  
VTD: NOR020  
VTD: NOR021  
VTD: NOR022  
VTD: NOR023  
VTD: NOR024  
VTD: NOR025  
VTD: NOR026  
VTD: NOR027  
VTD: NOR028  
VTD: NOR029  
VTD: NOR030  
VTD: NOR031  
VTD: NOR032

VTD: NOR033  
VTD: NOR034  
VTD: NOR035  
VTD: NOR036  
VTD: NOR037  
VTD: NOR038  
VTD: NOR039  
VTD: NOR040  
VTD: NOR041  
VTD: NOR042  
VTD: NOR043  
VTD: NOR044  
VTD: NOR045  
VTD: NOR046  
VTD: NOR047  
VTD: NOR048  
VTD: NOR049  
VTD: NOR050  
VTD: NOR051  
VTD: NOR052  
VTD: NOR053  
VTD: NOR054  
VTD: NOR055  
VTD: NOR056  
VTD: NOR201  
VTD: NOR202  
VTD: NOR203  
VTD: NOR205  
VTD: NOR206  
VTD: NOR207  
VTD: NOR208  
VTD: NOR213  
VTD: NOR214  
VTD: NOR215  
VTD: NOR219  
VTD: NOR220  
VTD: NOR222  
VTD: NRW001  
VTD: NRW002  
VTD: NRW003  
VTD: NRW004  
VTD: NRW005  
VTD: NRW006  
VTD: NRW007  
VTD: NRW008  
VTD: NRW009  
VTD: NRW010  
VTD: NRW011  
VTD: NRW012  
VTD: NRW013  
VTD: NRW014  
VTD: NRW015  
VTD: NRW016  
VTD: NRW017  
VTD: NRW018  
VTD: NRW019

VTD: NRW020  
VTD: NRW021  
VTD: NRW022  
VTD: NRW023  
VTD: NRW024  
VTD: NRW025  
VTD: NRW026  
VTD: NRW027  
VTD: NRW028  
VTD: NRW029  
VTD: NRW031  
VTD: NRW032  
VTD: NRW033  
VTD: NRW034  
VTD: NRW035  
VTD: NRW036  
VTD: NRW037  
VTD: NRW038  
VTD: NRW039  
VTD: NRW040  
VTD: NRW041  
VTD: NRW042  
VTD: NRW043  
VTD: NRW044  
VTD: NRW045  
VTD: NRW046  
VTD: NRW047  
VTD: NRW048  
VTD: NRW200  
VTD: NRW201  
VTD: NW001  
VTD: NW002  
VTD: NW003  
VTD: NW004  
VTD: NW005  
VTD: NW006  
VTD: NW007  
VTD: NW008  
VTD: NW009  
VTD: NW010  
VTD: NW011  
VTD: NW012  
VTD: NW013  
VTD: NW014  
VTD: NW015  
VTD: NW016  
VTD: NW017  
VTD: NW018  
VTD: NW019  
VTD: NW020  
VTD: NW021  
VTD: NW022  
VTD: NW023  
VTD: NW024  
VTD: NW025  
VTD: NW026

VTD: NW027  
VTD: NW028  
VTD: NW029  
VTD: NW030  
VTD: NW031  
VTD: NW032  
VTD: NW033  
VTD: NW034  
VTD: NW035  
VTD: NW036  
VTD: NW037  
VTD: NW038  
VTD: NW039  
VTD: NW040  
VTD: NW041  
VTD: NW042  
VTD: NW043  
VTD: NW044  
VTD: NW045  
VTD: NW046  
VTD: NW047  
VTD: NW048  
VTD: NW049  
VTD: NW050  
VTD: NW051  
VTD: NW052  
VTD: NW200  
VTD: NW202  
VTD: NW203  
VTD: NW204  
VTD: NW205  
VTD: NW206  
VTD: NW207  
VTD: NW208  
VTD: NW209  
VTD: NW210  
VTD: NW213  
VTD: NW215  
VTD: NW219  
VTD: NW220  
VTD: NW222  
VTD: NW223  
VTD: NW224  
VTD: NW225  
VTD: NW226  
VTD: NW227  
VTD: NW229  
VTD: NW231  
VTD: QUE001  
VTD: QUE002  
VTD: QUE003  
VTD: QUE004  
VTD: QUE005  
VTD: QUE006  
VTD: QUE007  
VTD: QUE008

VTD: QUE009  
VTD: QUE010  
VTD: QUE011  
VTD: QUE012  
VTD: QUE013  
VTD: QUE014  
VTD: QUE015  
VTD: QUE016  
VTD: QUE017  
VTD: QUE018  
VTD: QUE019  
VTD: QUE020  
VTD: QUE021  
VTD: QUE022  
VTD: QUE023  
VTD: QUE024  
VTD: QUE025  
VTD: QUE026  
VTD: QUE027  
VTD: QUE028  
VTD: QUE029  
VTD: QUE030  
VTD: QUE031  
VTD: QUE032  
VTD: QUE033  
VTD: QUE034  
VTD: QUE035  
VTD: QUE036  
VTD: QUE037  
VTD: QUE038  
VTD: QUE039  
VTD: QUE040  
VTD: QUE041  
VTD: QUE042  
VTD: QUE043  
VTD: QUE044  
VTD: QUE045  
VTD: QUE046  
VTD: QUE047  
VTD: QUE048  
VTD: QUE049  
VTD: QUE050  
VTD: QUE051  
VTD: QUE201  
VTD: QUE202  
VTD: QUE204  
VTD: QUE209  
VTD: QUE210  
VTD: QUE211  
VTD: QUE212  
VTD: QUE215  
VTD: QUE216  
VTD: QUE217  
VTD: SF001  
VTD: SF002  
VTD: SF003

VTD: SF004  
VTD: SF005  
VTD: SF006  
VTD: SF007  
VTD: SF008  
VTD: SF009  
VTD: SF010  
VTD: SF011  
VTD: SF012  
VTD: SF013  
VTD: SF014  
VTD: SF015  
VTD: SF016  
VTD: SF017  
VTD: SF018  
VTD: SF019  
VTD: SF020  
VTD: SF021  
VTD: SF022  
VTD: SF023  
VTD: SF024  
VTD: SF025  
VTD: SF026  
VTD: SF027  
VTD: SF028  
VTD: SF029  
VTD: SF030  
VTD: SF031  
VTD: SF032  
VTD: SF033  
VTD: SF034  
VTD: SF035  
VTD: SF036  
VTD: SF037  
VTD: SF038  
VTD: SF039  
VTD: SF040  
VTD: SF200  
VTD: SF204  
VTD: SF206  
VTD: SPL001  
VTD: SPL002  
VTD: SPL003  
VTD: SPL004  
VTD: SPL005  
VTD: SPL006  
VTD: SPL007  
VTD: SPL008  
VTD: SPL009  
VTD: SPL010  
VTD: SPL011  
VTD: SPL012  
VTD: SPL013  
VTD: SPL014  
VTD: SPL015  
VTD: SPL016

VTD: SPL017  
VTD: SPL018  
VTD: SPL019  
VTD: SPL020  
VTD: SPL021  
VTD: SPL022  
VTD: SPL023  
VTD: SPL024  
VTD: SPL025  
VTD: SPL026  
VTD: SPL027  
VTD: SPL028  
VTD: SPL029  
VTD: SPL030  
VTD: SPL201  
VTD: SPL202  
VTD: SPL207  
VTD: SPL208  
VTD: UNV001  
VTD: UNV002  
VTD: UNV003  
VTD: UNV004  
VTD: UNV005  
VTD: UNV006  
VTD: UNV007  
VTD: UNV008  
VTD: UNV009  
VTD: UNV010  
VTD: UNV011  
VTD: UNV012  
VTD: UNV013  
VTD: UNV014  
VTD: UNV015  
VTD: UNV016  
VTD: UNV017  
VTD: UNV018  
VTD: UNV019  
VTD: UNV020  
VTD: UNV021  
VTD: UNV022  
VTD: UNV023  
VTD: UNV024  
VTD: UNV025  
VTD: UNV026  
VTD: UNV027  
VTD: UNV028  
VTD: UNV029  
VTD: UNV030  
VTD: UNV031  
VTD: UNV032  
VTD: UNV033  
VTD: UNV034  
VTD: UNV035  
VTD: UNV036  
VTD: UNV037  
VTD: UNV038

**VTD: UNV039**  
**VTD: UNV040**  
**VTD: UNV041**  
**VTD: UNV042**  
**VTD: UNV043**  
**VTD: UNV044**  
**VTD: UNV045**  
**VTD: UNV046**  
**VTD: UNV047**  
**VTD: UNV048**  
**VTD: UNV049**  
**VTD: UNV200**  
**VTD: UNV201**  
**VTD: UNV205**  
**VTD: UNV206**  
**VTD: UNV208**  
**VTD: WH001**  
**VTD: WH006**  
**VTD: WH011**  
**VTD: WH015**  
**VTD: WH024**  
**VTD: WH029**  
**VTD: WH032**  
**VTD: WH033**  
**VTD: WH034**  
**VTD: WH038**  
**VTD: WH039**  
**VTD: WH040**  
**VTD: WH041**  
**VTD: WH042**  
**VTD: WH043**  
**VTD: WH044**  
**VTD: WH045**  
**VTD: WH046**  
**VTD: WH047**  
**VTD: WH048**  
**VTD: WH049**  
**VTD: WH050**  
**VTD: WH051**  
**VTD: WH209**  
**VTD: WH212"; and**

Further amend said bill, Pages 22 to 64, Section 128.452, Lines 2 to 1841, by deleting all of said lines and inserting in lieu thereof the following;

**"Franklin MO County**  
**Lincoln MO County**  
**Montgomery MO County (part)**  
**VTD: Bellflower**  
**VTD: High Hill**  
**VTD: Jonesburg**  
**VTD: Middletown**  
**VTD: Montgomery**  
**VTD: New Florence/Danville (part)**  
**Block: 291399702001077**  
**Block: 291399702001085**



Block: 291399702001086  
Block: 291399702001184  
Block: 291399703001132  
Block: 291399703001142  
Block: 291399703001143  
Block: 291399703001147  
Block: 291399703001148  
Block: 291399703001272  
Block: 291399703001273  
Block: 291399703001274  
Block: 291399703002002  
Block: 291399703002003  
Block: 291399703002004  
Block: 291399703002011  
Block: 291399703002012  
Block: 291399703002013  
Block: 291399703002014  
Block: 291399703002015  
Block: 291399703002016  
Block: 291399703002017  
Block: 291399703002018  
Block: 291399703002019  
Block: 291399703002020  
Block: 291399703002021  
Block: 291399703002024  
Block: 291399703002028  
Block: 291399703002029  
Block: 291399703002030  
Block: 291399703002031  
Block: 291399703002032  
Block: 291399703002033  
Block: 291399703002035  
Block: 291399703002036  
Block: 291399703002038  
Block: 291399703002039  
Block: 291399703002040  
Block: 291399703002041  
Block: 291399703002042  
Block: 291399703002043  
Block: 291399703002044  
Block: 291399703002045  
Block: 291399703002046  
Block: 291399703002047  
Block: 291399703002048  
Block: 291399703002049  
Block: 291399703002050  
Block: 291399703002051  
Block: 291399703002052  
Block: 291399703002053  
Block: 291399703002054  
Block: 291399703002055  
Block: 291399703002056  
Block: 291399703002057  
Block: 291399703002058  
Block: 291399703002059  
Block: 291399703002060

Block: 291399703002061  
 Block: 291399703002062  
 Block: 291399703002063  
 Block: 291399703002064  
 Block: 291399703002065  
 Block: 291399703002066  
 Block: 291399703002067  
 Block: 291399703002068  
 Block: 291399703002069  
 Block: 291399703002070  
 Block: 291399703002071  
 Block: 291399703002072  
 Block: 291399703002073  
 Block: 291399703002074  
 Block: 291399703002075  
 Block: 291399703002076  
 Block: 291399703002077  
 Block: 291399703002078  
 Block: 291399703002079  
 Block: 291399703002080  
 Block: 291399703002081  
 Block: 291399703002082  
 Block: 291399703002083  
 Block: 291399703002084  
 Block: 291399703002085  
 Block: 291399703002086  
 Block: 291399703002087  
 Block: 291399703002088  
 Block: 291399703002089  
 Block: 291399703002090  
 Block: 291399703002091  
 Block: 291399703002092  
 Block: 291399703002093  
 Block: 291399703002094  
 Block: 291399703002098  
 Block: 291399703002103  
 Block: 291399703002104  
 Block: 291399703002109  
 Block: 291399703002110  
 Block: 291399703002111  
 Block: 291399703002112  
 Block: 291399703002113  
 Block: 291399703002114  
 Block: 291399703002115  
 Block: 291399703002116  
 Block: 291399703002117  
 Block: 291399703002118  
 Block: 291399703002124  
 Block: 291399703002125  
 Block: 291399703002126  
 Block: 291399703002129  
 Block: 291399703002130  
 Block: 291399703002131  
 Block: 291399703002132  
 Block: 291399703002133  
 Block: 291399703002134

Block: 291399703002135  
Block: 291399703002136  
Block: 291399703002137  
Block: 291399703002138  
Block: 291399703002139  
Block: 291399703002140  
Block: 291399703002141  
Block: 291399703002142  
Block: 291399703002143  
Block: 291399703002144  
Block: 291399703002145  
Block: 291399703002146  
Block: 291399703002147  
Block: 291399703002148  
Block: 291399703002162  
Block: 291399703002163  
Block: 291399703002164  
Block: 291399703002165  
Block: 291399703002166  
Block: 291399703002167  
Block: 291399703002173  
Block: 291399703002175  
Block: 291399703002176  
Block: 291399703002177  
Block: 291399703002178  
Block: 291399703002179  
Block: 291399703002182  
Block: 291399703002185  
Block: 291399703002186  
Block: 291399703003000  
Block: 291399703003001  
Block: 291399703003002  
Block: 291399703003003  
Block: 291399703003015  
VTD: Wellsville  
Pike MO County  
St. Charles MO County  
St. Louis MO County (part)  
VTD: BON003  
VTD: BON010  
VTD: BON015  
VTD: BON016  
VTD: BON025  
VTD: BON035  
VTD: BON037  
VTD: BON038  
VTD: BON039  
VTD: BON040  
VTD: BON041  
VTD: BON042  
VTD: BON043  
VTD: BON044  
VTD: BON046  
VTD: BON206  
VTD: BON207  
VTD: CHE001

VTD: CHE002  
VTD: CHE003  
VTD: CHE004  
VTD: CHE005  
VTD: CHE006  
VTD: CHE007  
VTD: CHE008  
VTD: CHE009  
VTD: CHE010  
VTD: CHE011  
VTD: CHE012  
VTD: CHE013  
VTD: CHE014  
VTD: CHE015  
VTD: CHE016  
VTD: CHE017  
VTD: CHE018  
VTD: CHE019  
VTD: CHE020  
VTD: CHE021  
VTD: CHE022  
VTD: CHE023  
VTD: CHE024  
VTD: CHE025  
VTD: CHE026  
VTD: CHE027  
VTD: CHE028  
VTD: CHE029  
VTD: CHE030  
VTD: CHE031  
VTD: CHE032  
VTD: CHE033  
VTD: CHE035  
VTD: CHE036  
VTD: CHE037  
VTD: CHE038  
VTD: CHE039  
VTD: CHE040  
VTD: CHE041  
VTD: CHE042  
VTD: CHE043  
VTD: CHE044  
VTD: CHE045  
VTD: CHE046  
VTD: CHE048  
VTD: CHE049  
VTD: CHE050  
VTD: CHE051  
VTD: CHE052  
VTD: CHE053  
VTD: CHE054  
VTD: CHE055  
VTD: CHE056  
VTD: CHE200  
VTD: CHE203  
VTD: CHE204

VTD: CHE209  
VTD: CHE212  
VTD: CHE214  
VTD: CHE215  
VTD: CON015  
VTD: CON024  
VTD: CON025  
VTD: CON031  
VTD: CON042  
VTD: CON043  
VTD: CON048  
VTD: CON051  
VTD: GRA009  
VTD: GRA010  
VTD: GRA011  
VTD: GRA012  
VTD: GRA014  
VTD: GRA041  
VTD: GRA045  
VTD: GRA046  
VTD: LAF005  
VTD: LAF006  
VTD: LAF007  
VTD: LAF008  
VTD: LAF009  
VTD: LAF010  
VTD: LAF011  
VTD: LAF012  
VTD: LAF014  
VTD: LAF016  
VTD: LAF017  
VTD: LAF026  
VTD: LAF028  
VTD: LAF029  
VTD: LAF030  
VTD: LAF031  
VTD: LAF032  
VTD: LAF033  
VTD: LAF034  
VTD: LAF035  
VTD: LAF037  
VTD: LAF039  
VTD: LAF040  
VTD: LAF041  
VTD: LAF042  
VTD: LAF043  
VTD: LAF044  
VTD: LAF201  
VTD: LAF205  
VTD: MER001  
VTD: MER002  
VTD: MER003  
VTD: MER004  
VTD: MER005  
VTD: MER006  
VTD: MER007

VTD: MER008  
VTD: MER009  
VTD: MER011  
VTD: MER013  
VTD: MER014  
VTD: MER015  
VTD: MER016  
VTD: MER017  
VTD: MER018  
VTD: MER019  
VTD: MER020  
VTD: MER022  
VTD: MER023  
VTD: MER024  
VTD: MER025  
VTD: MER026  
VTD: MER028  
VTD: MER029  
VTD: MER030  
VTD: MER031  
VTD: MER032  
VTD: MER035  
VTD: MER037  
VTD: MER039  
VTD: MER041  
VTD: MER042  
VTD: MER043  
VTD: MER044  
VTD: MER045  
VTD: MER046  
VTD: MER047  
VTD: MER048  
VTD: MER050  
VTD: MER051  
VTD: MER052  
VTD: MER053  
VTD: MER203  
VTD: MER207  
VTD: MER209  
VTD: MER211  
VTD: MER212  
VTD: MER214  
VTD: MER219  
VTD: MHT035  
VTD: MHT039  
VTD: MHT212  
VTD: MHT214  
VTD: MHT219  
VTD: MR001  
VTD: MR002  
VTD: MR003  
VTD: MR004  
VTD: MR005  
VTD: MR006  
VTD: MR009  
VTD: MR011

VTD: MR017  
VTD: MR018  
VTD: MR020  
VTD: MR021  
VTD: MR022  
VTD: MR023  
VTD: MR024  
VTD: MR025  
VTD: MR026  
VTD: MR027  
VTD: MR028 (part)  
Block: 291892180031006  
Block: 291892180121017  
Block: 291892180121019  
Block: 291892180121028  
Block: 291892180122022  
Block: 291892180123000  
Block: 291892180123001  
Block: 291892180123016  
Block: 291892180123017  
Block: 291892180123018  
VTD: MR029  
VTD: MR031  
VTD: MR033  
VTD: MR034  
VTD: MR036  
VTD: MR037  
VTD: MR038  
VTD: MR039  
VTD: MR041  
VTD: MR043  
VTD: MR044  
VTD: MR048  
VTD: MR049  
VTD: MR052  
VTD: MR053  
VTD: MR055  
VTD: MR059  
VTD: MR060  
VTD: MR061  
VTD: MR062  
VTD: MR063  
VTD: MR064  
VTD: MR066  
VTD: MR067  
VTD: MR078  
VTD: MR079  
VTD: MR080  
VTD: MR200  
VTD: MR202  
VTD: MR203  
VTD: MR209  
VTD: TSF001  
VTD: TSF003  
VTD: TSF004  
VTD: TSF006

**VTD: TSF009**  
**VTD: TSF011**  
**VTD: TSF012**  
**VTD: TSF013**  
**VTD: TSF014**  
**VTD: TSF018**  
**VTD: TSF019 (part)**  
**Block: 291892213013002**  
**Block: 291892213013003**  
**Block: 291892213013004**  
**Block: 291892213013005**  
**Block: 291892213013006**  
**Block: 291892213013007**  
**Block: 291892213013008**  
**Block: 291892213013009**  
**Block: 291892213013010**  
**Block: 291892213013011**  
**Block: 291892213013012**  
**Block: 291892213013013**  
**Block: 291892213013014**  
**Block: 291892213013015**  
**Block: 291892213013016**  
**Block: 291892213013017**  
**Block: 291892213013018**  
**Block: 291892213013019**  
**Block: 291892213013020**  
**Block: 291892213013021**  
**Block: 291892213013023**  
**Block: 291892213013024**  
**Block: 291892213014004**  
**VTD: TSF020**  
**VTD: TSF021**  
**VTD: TSF025**  
**VTD: TSF207**  
**VTD: TSF208**  
**VTD: WH002**  
**VTD: WH003**  
**VTD: WH004**  
**VTD: WH005**  
**VTD: WH007**  
**VTD: WH008**  
**VTD: WH009**  
**VTD: WH010**  
**VTD: WH012**  
**VTD: WH013**  
**VTD: WH014**  
**VTD: WH016**  
**VTD: WH017**  
**VTD: WH018**  
**VTD: WH019**  
**VTD: WH020**  
**VTD: WH021**  
**VTD: WH022**  
**VTD: WH023**  
**VTD: WH025**  
**VTD: WH026**



**VTD: WH027**  
**VTD: WH028**  
**VTD: WH030**  
**VTD: WH031**  
**VTD: WH035**  
**VTD: WH036**  
**VTD: WH037**  
**VTD: WH205**  
**VTD: WH208**  
**Warren MO County"; and**

Further amend said bill, Pages 65 to 73, Section 128.453, Lines 2 to 385, by deleting all of said lines and inserting in lieu thereof the following;

**"Crawford MO County**  
**Jefferson MO County**  
**St. Francois MO County**  
**St. Louis City MO County (part)**  
**VTD: STL 10-1**  
**VTD: STL 10-2**  
**VTD: STL 10-3**  
**VTD: STL 10-4**  
**VTD: STL 10-5**  
**VTD: STL 10-6**  
**VTD: STL 10-7**  
**VTD: STL 11-1**  
**VTD: STL 11-2**  
**VTD: STL 11-3**  
**VTD: STL 11-4**  
**VTD: STL 11-5**  
**VTD: STL 12-1**  
**VTD: STL 12-2**  
**VTD: STL 12-3**  
**VTD: STL 12-4**  
**VTD: STL 12-5**  
**VTD: STL 12-6**  
**VTD: STL 12-7**  
**VTD: STL 13-1**  
**VTD: STL 13-2**  
**VTD: STL 13-3**  
**VTD: STL 13-4**  
**VTD: STL 13-5**  
**VTD: STL 13-6**  
**VTD: STL 14-1**  
**VTD: STL 14-2**  
**VTD: STL 14-3**  
**VTD: STL 14-4**  
**VTD: STL 14-5**  
**VTD: STL 14-6**  
**VTD: STL 14-7**  
**VTD: STL 15-1**  
**VTD: STL 15-2**  
**VTD: STL 15-3**  
**VTD: STL 15-4**  
**VTD: STL 15-5**  
**VTD: STL 15-6**

VTD: STL 16-1  
VTD: STL 16-2  
VTD: STL 16-3  
VTD: STL 16-4  
VTD: STL 16-5  
VTD: STL 16-6  
VTD: STL 16-7  
VTD: STL 16-8  
VTD: STL 17-10  
VTD: STL 17-6  
VTD: STL 20-1  
VTD: STL 20-2  
VTD: STL 20-3  
VTD: STL 20-4  
VTD: STL 20-5  
VTD: STL 23-1  
VTD: STL 23-2  
VTD: STL 23-3  
VTD: STL 23-4  
VTD: STL 23-5  
VTD: STL 23-6  
VTD: STL 23-7  
VTD: STL 23-8  
VTD: STL 24-1  
VTD: STL 24-2  
VTD: STL 24-3  
VTD: STL 24-4  
VTD: STL 24-5  
VTD: STL 24-6  
VTD: STL 24-7  
VTD: STL 24-8  
VTD: STL 25-1  
VTD: STL 25-2  
VTD: STL 25-3  
VTD: STL 25-4  
VTD: STL 28-2  
VTD: STL 6-1  
VTD: STL 6-2  
VTD: STL 6-3  
VTD: STL 6-7  
VTD: STL 7-1  
VTD: STL 7-2  
VTD: STL 7-3  
VTD: STL 7-6  
VTD: STL 8-1  
VTD: STL 8-2  
VTD: STL 8-3  
VTD: STL 8-4  
VTD: STL 8-5  
VTD: STL 8-6  
VTD: STL 8-7  
VTD: STL 8-8  
VTD: STL 8-9  
VTD: STL 9-1  
VTD: STL 9-2  
VTD: STL 9-3

VTD: STL 9-4  
VTD: STL 9-5  
VTD: STL 9-6  
VTD: STL 9-7  
VTD: STL 9-8  
St. Louis MO County (part)  
VTD: BON004  
VTD: BON018  
VTD: BON028  
VTD: BON029  
VTD: BON036  
VTD: BON202  
VTD: BON203  
VTD: CLA002  
VTD: CLA003  
VTD: CLA004  
VTD: CLA008  
VTD: CLA009  
VTD: CLA010  
VTD: CLA011  
VTD: CLA017  
VTD: CLA030  
VTD: CLA031  
VTD: CLA038  
VTD: CLA039  
VTD: CLA041  
VTD: CLA043  
VTD: CLA044  
VTD: CLA046  
VTD: CLA052 (part)  
Block: 291892189005022  
Block: 291892189005037  
VTD: CLA053  
VTD: CLA059  
VTD: CLA200  
VTD: CLA204  
VTD: CLA206  
VTD: CLA207  
VTD: CLA208  
VTD: CLA209  
VTD: CLA212  
VTD: CLA213  
VTD: CON001  
VTD: CON002  
VTD: CON003  
VTD: CON004  
VTD: CON005  
VTD: CON006  
VTD: CON007  
VTD: CON008  
VTD: CON009  
VTD: CON010  
VTD: CON011  
VTD: CON012  
VTD: CON013  
VTD: CON014

VTD: CON016  
VTD: CON017  
VTD: CON018  
VTD: CON019  
VTD: CON020  
VTD: CON021  
VTD: CON022  
VTD: CON023  
VTD: CON026  
VTD: CON027  
VTD: CON028  
VTD: CON029  
VTD: CON030  
VTD: CON032  
VTD: CON033  
VTD: CON034  
VTD: CON035  
VTD: CON036  
VTD: CON037  
VTD: CON038  
VTD: CON039  
VTD: CON040  
VTD: CON041  
VTD: CON044  
VTD: CON045  
VTD: CON046  
VTD: CON047  
VTD: CON049  
VTD: CON050  
VTD: CON052  
VTD: CON200  
VTD: CON201  
VTD: CON203  
VTD: CON204  
VTD: CON205  
VTD: GRA001  
VTD: GRA003  
VTD: GRA004  
VTD: GRA005  
VTD: GRA006  
VTD: GRA007  
VTD: GRA008  
VTD: GRA013  
VTD: GRA015  
VTD: GRA016  
VTD: GRA017  
VTD: GRA018  
VTD: GRA019  
VTD: GRA020  
VTD: GRA021  
VTD: GRA022  
VTD: GRA023  
VTD: GRA024  
VTD: GRA025  
VTD: GRA026  
VTD: GRA028

VTD: GRA029  
VTD: GRA030  
VTD: GRA031  
VTD: GRA032  
VTD: GRA033  
VTD: GRA034  
VTD: GRA035  
VTD: GRA036  
VTD: GRA037  
VTD: GRA038  
VTD: GRA039  
VTD: GRA040  
VTD: GRA042  
VTD: GRA043  
VTD: GRA044  
VTD: GRA047  
VTD: GRA048  
VTD: GRA049  
VTD: GRA050  
VTD: GRA051  
VTD: GRA052  
VTD: GRA053  
VTD: GRA054  
VTD: GRA055  
VTD: GRA056  
VTD: GRA202  
VTD: GRA203  
VTD: GRA204  
VTD: GRA205  
VTD: GRA206  
VTD: GRA209  
VTD: GRA210  
VTD: HAD001  
VTD: HAD002  
VTD: HAD003  
VTD: HAD004  
VTD: HAD005  
VTD: HAD009  
VTD: HAD010  
VTD: HAD011  
VTD: HAD012  
VTD: HAD013  
VTD: HAD014  
VTD: HAD015  
VTD: HAD016  
VTD: HAD017  
VTD: HAD018  
VTD: HAD019  
VTD: HAD020  
VTD: HAD021  
VTD: HAD022  
VTD: HAD023  
VTD: HAD024  
VTD: HAD025  
VTD: HAD026  
VTD: HAD027

VTD: HAD028  
VTD: HAD029  
VTD: HAD030  
VTD: HAD031  
VTD: HAD032  
VTD: HAD033  
VTD: HAD034  
VTD: HAD035  
VTD: HAD037  
VTD: JEF006  
VTD: JEF007  
VTD: JEF008  
VTD: JEF009  
VTD: JEF010  
VTD: JEF011  
VTD: JEF012  
VTD: JEF013  
VTD: JEF014  
VTD: JEF015  
VTD: JEF016  
VTD: JEF017  
VTD: JEF018  
VTD: JEF019  
VTD: JEF020  
VTD: JEF021  
VTD: JEF022  
VTD: JEF023  
VTD: JEF024  
VTD: JEF025  
VTD: JEF026  
VTD: JEF027  
VTD: JEF028  
VTD: JEF029  
VTD: JEF030  
VTD: JEF031  
VTD: JEF038  
VTD: JEF041  
VTD: JEF042  
VTD: JEF043  
VTD: JEF044  
VTD: JEF045  
VTD: JEF046  
VTD: JEF047 (part)  
Block: 291892193001004  
Block: 291892193001010  
Block: 291892193001020  
VTD: JEF048  
VTD: JEF049  
VTD: JEF050  
VTD: JEF200  
VTD: LEM001  
VTD: LEM002  
VTD: LEM003  
VTD: LEM004  
VTD: LEM005  
VTD: LEM006

VTD: LEM007  
VTD: LEM008  
VTD: LEM009  
VTD: LEM010  
VTD: LEM011  
VTD: LEM012  
VTD: LEM013  
VTD: LEM014  
VTD: LEM015  
VTD: LEM016  
VTD: LEM017  
VTD: LEM018  
VTD: LEM019  
VTD: LEM020  
VTD: LEM021  
VTD: LEM022  
VTD: LEM023  
VTD: LEM024  
VTD: LEM025  
VTD: LEM026  
VTD: LEM027  
VTD: LEM028  
VTD: LEM029  
VTD: LEM030  
VTD: LEM031  
VTD: LEM032  
VTD: LEM033  
VTD: LEM034  
VTD: LEM035  
VTD: LEM036  
VTD: LEM037  
VTD: LEM038  
VTD: LEM039  
VTD: LEM040  
VTD: LEM041  
VTD: LEM042  
VTD: LEM043  
VTD: LEM044  
VTD: LEM045  
VTD: LEM046  
VTD: LEM200  
VTD: LEM201  
VTD: LEM202  
VTD: LEM203  
VTD: LEM204  
VTD: LEM205  
VTD: LEM206  
VTD: LEM207  
VTD: OAK001  
VTD: OAK002  
VTD: OAK003  
VTD: OAK004  
VTD: OAK005  
VTD: OAK006  
VTD: OAK007  
VTD: OAK008

VTD: OAK009  
VTD: OAK010  
VTD: OAK011  
VTD: OAK012  
VTD: OAK013  
VTD: OAK014  
VTD: OAK015  
VTD: OAK016  
VTD: OAK017  
VTD: OAK018  
VTD: OAK019  
VTD: OAK020  
VTD: OAK021  
VTD: OAK022  
VTD: OAK023  
VTD: OAK024  
VTD: OAK025  
VTD: OAK026  
VTD: OAK027  
VTD: OAK028  
VTD: OAK029  
VTD: OAK030  
VTD: OAK031  
VTD: OAK032  
VTD: OAK033  
VTD: OAK034  
VTD: OAK035  
VTD: OAK036  
VTD: OAK037  
VTD: TSF002  
VTD: TSF005  
VTD: TSF007  
VTD: TSF008  
VTD: TSF010  
VTD: TSF015  
VTD: TSF016  
VTD: TSF017  
VTD: TSF019 (part)  
Block: 291892213013022  
Block: 291892213013025  
Block: 291892213014005  
Block: 291892213014006  
Block: 291892213014007  
Block: 291892213014008  
Block: 291892213014009  
Block: 291892213014010  
Block: 291892213014011  
Block: 291892213014012  
VTD: TSF022  
VTD: TSF023  
VTD: TSF024  
VTD: TSF026  
VTD: TSF027  
VTD: TSF028  
VTD: TSF029  
VTD: TSF030



**VTD: TSF031**  
**VTD: TSF032**  
**Ste. Genevieve MO County**  
**Washington MO County"; and**

Further amend said bill, Pages 73 to 93, Section 128.454, Lines 2 to 824, by deleting all of said lines and inserting in lieu thereof the following;

**"Audrain MO County**  
**Bates MO County**  
**Benton MO County**  
**Boone MO County**  
**Callaway MO County**  
**Camden MO County**  
**Cass MO County**  
**Cole MO County**  
**Cooper MO County**  
**Gasconade MO County**  
**Henry MO County**  
**Hickory MO County (part)**  
**VTD: Carson's Corner (part)**  
**Block: 290854701001081**  
**Block: 290854701001082**  
**Block: 290854701001115**  
**Block: 290854701001116**  
**Block: 290854701001117**  
**Block: 290854701003120**  
**Block: 290854701003121**  
**Block: 290854703001002**  
**Block: 290854703001003**  
**Block: 290854703001004**  
**Block: 290854703001005**  
**Block: 290854703001013**  
**Block: 290854703001014**  
**Block: 290854703001207**  
**Block: 290854703001210**  
**Block: 290854703002000**  
**VTD: Cross Timbers-Jordan**  
**VTD: Hermitage (part)**  
**Block: 290854701001080**  
**Block: 290854701001136**  
**Block: 290854701001137**  
**Block: 290854701001145**  
**Block: 290854701002000**  
**Block: 290854701002022**  
**Block: 290854701002023**  
**Block: 290854703001006**  
**Block: 290854703001007**  
**Block: 290854703001008**  
**Block: 290854703001009**  
**Block: 290854703001010**  
**Block: 290854703001011**  
**Block: 290854703001012**  
**Block: 290854703001017**  
**Block: 290854703001018**  
**Block: 290854703001019**

Block: 290854703001020  
Block: 290854703001021  
Block: 290854703001022  
Block: 290854703001023  
Block: 290854703001024  
Block: 290854703001026  
Block: 290854703001037  
Block: 290854703001038  
Block: 290854703001039  
Block: 290854703001040  
Block: 290854703001041  
Block: 290854703001042  
Block: 290854703001043  
Block: 290854703001044  
Block: 290854703001045  
Block: 290854703001046  
Block: 290854703001047  
Block: 290854703001048  
Block: 290854703001049  
Block: 290854703001050  
Block: 290854703001051  
Block: 290854703001052  
Block: 290854703001053  
Block: 290854703001054  
Block: 290854703001055  
Block: 290854703001056  
Block: 290854703001057  
Block: 290854703001058  
Block: 290854703001059  
Block: 290854703001060  
Block: 290854703001061  
Block: 290854703001062  
Block: 290854703001212  
Block: 290854703001218  
Block: 290854703002005  
Block: 290854703002008  
Block: 290854703002010  
Block: 290854703002130  
Block: 290854703002131  
Block: 290854703002132  
Block: 290854703002133  
Block: 290854703002134  
Block: 290854703002135  
Block: 290854703002136  
VTD: Preston  
VTD: Quincy  
VTD: Wheatland  
Howard MO County  
Johnson MO County  
Maries MO County  
Miller MO County  
Moniteau MO County  
Montgomery MO County (part)  
VTD: Big Spring/Americus  
VTD: Mineola  
VTD: New Florence/Danville (part)

Block: 291399702001078  
Block: 291399702001079  
Block: 291399702001181  
Block: 291399702001182  
Block: 291399702001183  
Block: 291399702001185  
Block: 291399702001201  
Block: 291399702001203  
Block: 291399702001204  
Block: 291399703001000  
Block: 291399703001001  
Block: 291399703001002  
Block: 291399703001003  
Block: 291399703001004  
Block: 291399703001005  
Block: 291399703001006  
Block: 291399703001007  
Block: 291399703001008  
Block: 291399703001009  
Block: 291399703001010  
Block: 291399703001011  
Block: 291399703001012  
Block: 291399703001013  
Block: 291399703001014  
Block: 291399703001015  
Block: 291399703001016  
Block: 291399703001017  
Block: 291399703001018  
Block: 291399703001019  
Block: 291399703001020  
Block: 291399703001021  
Block: 291399703001022  
Block: 291399703001050  
Block: 291399703001051  
Block: 291399703001052  
Block: 291399703001053  
Block: 291399703001054  
Block: 291399703001055  
Block: 291399703001056  
Block: 291399703001057  
Block: 291399703001069  
Block: 291399703001070  
Block: 291399703001071  
Block: 291399703001073  
Block: 291399703001074  
Block: 291399703001075  
Block: 291399703001076  
Block: 291399703001086  
Block: 291399703001088  
Block: 291399703001089  
Block: 291399703001090  
Block: 291399703001091  
Block: 291399703001092  
Block: 291399703001093  
Block: 291399703001094  
Block: 291399703001095

Block: 291399703001096  
 Block: 291399703001097  
 Block: 291399703001098  
 Block: 291399703001099  
 Block: 291399703001100  
 Block: 291399703001101  
 Block: 291399703001102  
 Block: 291399703001103  
 Block: 291399703001104  
 Block: 291399703001105  
 Block: 291399703001106  
 Block: 291399703001107  
 Block: 291399703001108  
 Block: 291399703001109  
 Block: 291399703001110  
 Block: 291399703001111  
 Block: 291399703001112  
 Block: 291399703001116  
 Block: 291399703001117  
 Block: 291399703001118  
 Block: 291399703001119  
 Block: 291399703001120  
 Block: 291399703001121  
 Block: 291399703001122  
 Block: 291399703001123  
 Block: 291399703001124  
 Block: 291399703001125  
 Block: 291399703001126  
 Block: 291399703001127  
 Block: 291399703001128  
 Block: 291399703001129  
 Block: 291399703001130  
 Block: 291399703001131  
 Block: 291399703001133  
 Block: 291399703001134  
 Block: 291399703001135  
 Block: 291399703001136  
 Block: 291399703001141  
 Block: 291399703001145  
 Block: 291399703001146  
 Block: 291399703001149  
 Block: 291399703001150  
 Block: 291399703001151  
 Block: 291399703001152  
 Block: 291399703001153  
 Block: 291399703001154  
 Block: 291399703001156  
 Block: 291399703001244  
 Block: 291399703001250  
 Block: 291399703001251  
 Block: 291399703001252  
 Block: 291399703001253  
 Block: 291399703001259  
 Block: 291399703001260  
 Block: 291399703001278  
 Block: 291399703001279

Block: 291399703001280  
Block: 291399703001281  
Block: 291399703001282  
Block: 291399703001283  
Block: 291399703001284  
Block: 291399703001286  
Block: 291399703001287  
Block: 291399703001288  
Block: 291399703001289  
Block: 291399703001290  
Block: 291399703001291  
Block: 291399703001292  
Block: 291399703001293  
Block: 291399703001294  
Block: 291399703001295  
Block: 291399703001297  
Block: 291399703001300  
Block: 291399703001301  
Block: 291399703002005  
Block: 291399703002006  
Block: 291399703002007  
Block: 291399703002008  
Block: 291399703002022  
Block: 291399703002023  
Block: 291399703002034  
Block: 291399703002037  
Block: 291399703002095  
Block: 291399703002096  
Block: 291399703002097  
Block: 291399703002099  
Block: 291399703002100  
Block: 291399703002101  
Block: 291399703002102  
Block: 291399703002105  
Block: 291399703002106  
Block: 291399703002107  
Block: 291399703002108  
Block: 291399703002180  
Block: 291399703002181  
Block: 291399703002183  
Block: 291399703002184  
VTD: Rhineland/McKittrick  
Morgan MO County  
Osage MO County  
Pettis MO County  
Randolph MO County (part)  
VTD: Higbee (part)  
Block: 291754906002109  
Block: 291754906002147  
Block: 291754906002179  
Block: 291754906002180  
Block: 291754906002181  
Block: 291754906002182  
Block: 291754906002183  
Block: 291754906002184  
Block: 291754906002185

Block: 291754906002186  
Block: 291754906002187  
Block: 291754906002188  
Block: 291754906002189  
Block: 291754906002190  
Block: 291754906002191  
Block: 291754906002192  
Block: 291754906002193  
Block: 291754906002207  
Block: 291754906002208  
Block: 291754906002209  
Block: 291754906002210  
Block: 291754906002212  
Block: 291754906002213  
Block: 291754906002214  
Block: 291754906002220  
Block: 291754906003011  
Block: 291754906003041  
Block: 291754906003042  
Block: 291754906003043  
Block: 291754906003044  
Block: 291754906003045  
Block: 291754906003046  
Block: 291754906004174  
Block: 291754906004178  
Block: 291754906004179  
Block: 291754906004180  
Block: 291754906004181  
Block: 291754906004182  
VTD: Yates  
St. Clair MO County"; and

Further amend said bill, Pages 93 to 127, Section 128.455, Lines 2 to 1463, by deleting all of said lines and inserting in lieu thereof the following;

"Clay MO County  
VTD: Chou 8 (part)  
Block: 290470208012009  
Block: 290470208012013  
Block: 290470208012014  
Block: 290470208012015  
Block: 290470208012021  
Block: 290470208012022  
Block: 290470208012023  
Block: 290470208012024  
Block: 290470208012025  
Block: 290470208012026  
Block: 290470208012027  
Block: 290470208012028  
Block: 290470208012029  
Block: 290470208012030  
Block: 290470208013004  
Block: 290470208013005  
Block: 290470208013006  
Block: 290470208013007  
Block: 290470208013008

Block: 290470208013009  
Block: 290470208013010  
Block: 290470208013011  
Block: 290470208013012  
Block: 290470208013013  
Block: 290470208013014  
Block: 290470208013015  
Block: 290470208013016  
Block: 290470208013017  
Block: 290470208013018  
Block: 290470208013019  
Block: 290470208013020  
Block: 290470208013021  
Block: 290470208013022  
Block: 290470208013023  
Block: 290470208013024  
Block: 290470208013025  
Block: 290470208013026  
Block: 290470208013027  
Block: 290470208013028  
Block: 290470208013029  
Block: 290470208013030  
Block: 290470208013031  
Block: 290470208013032  
Block: 290470223021026  
Block: 290470223021028  
Block: 290470223021030  
Block: 290470223021031  
Block: 290470223021032  
Block: 290470223021033  
Block: 290470223021034  
Block: 290470223021035  
Block: 290470223021036  
Block: 290470223021037  
Block: 290470223021038  
Block: 290470223021039  
Block: 290470223021040  
Block: 290470223021041  
Block: 290470223021042  
Block: 290470223021043  
Block: 290470223021044  
Block: 290470223021045  
Block: 290470223021046  
Block: 290470223021047  
Block: 290470223021049  
Block: 290470223021051  
Block: 290470223021052  
Block: 290470223021053  
Block: 290470223021054  
Block: 290470223021055  
Block: 290470223021056  
VTD: FR 1  
VTD: FR 2  
VTD: FR 3 (part)  
Block: 290470217013045  
Block: 290470217021000

Block: 290470217021001  
Block: 290470217021002  
Block: 290470217021003  
Block: 290470217021004  
Block: 290470217021005  
Block: 290470217021006  
Block: 290470217021007  
Block: 290470217021008  
Block: 290470217021009  
Block: 290470217021010  
Block: 290470217021011  
Block: 290470217021012  
Block: 290470217021013  
Block: 290470217021014  
Block: 290470217021015  
Block: 290470217021016  
Block: 290470217021017  
Block: 290470217021018  
Block: 290470217021019  
Block: 290470217021020  
Block: 290470217021021  
Block: 290470217021022  
Block: 290470217021023  
Block: 290470217021024  
Block: 290470217021025  
Block: 290470217021026  
Block: 290470217021027  
Block: 290470217021028  
Block: 290470217021029  
Block: 290470217021030  
Block: 290470217021031  
Block: 290470217021032  
Block: 290470217021033  
Block: 290470217021034  
Block: 290470217021037  
Block: 290470217021038  
Block: 290470217021039  
Block: 290470217023005  
Block: 290470217023008  
Block: 290470217023009  
Block: 290470217023019  
Block: 290470217023022  
Block: 290470217023024  
Block: 290470217023029  
Block: 290470217023030  
Block: 290470217023031  
Block: 290470217023032  
Block: 290470217023033  
Block: 290470217023034  
Block: 290470217023035  
Block: 290470217023036  
Block: 290470217024035  
Block: 290470217024036  
Block: 290470217025000  
Block: 290470217025001  
Block: 290470217025002



Block: 290470217025003  
Block: 290470217025004  
Block: 290470217025005  
Block: 290470217025006  
Block: 290470217025007  
Block: 290470217025008  
Block: 290470217025009  
Block: 290470217025010  
Block: 290470217025011  
Block: 290470217025012  
Block: 290470217025013  
Block: 290470217025014  
Block: 290470217025015  
Block: 290470217025016  
Block: 290470217025017  
Block: 290470217025018  
Block: 290470217025019  
Block: 290470217025020  
Block: 290470217025021  
Block: 290470217025022  
Block: 290470217025023  
Block: 290470217025024  
Block: 290470217025025  
Block: 290470217025026  
Block: 290470217025034  
Block: 290470217025040  
VTD: FR 5 (part)  
Block: 290470217012044  
Block: 290470217012045  
Block: 290470217013022  
Block: 290470217013025  
Block: 290470217013026  
Block: 290470218054036  
VTD: Gal 1  
VTD: Gal 10  
VTD: Gal 11  
VTD: Gal 12  
VTD: Gal 13  
VTD: Gal 14  
VTD: Gal 15  
VTD: Gal 16  
VTD: Gal 18  
VTD: Gal 2  
VTD: Gal 3  
VTD: Gal 4  
VTD: Gal 5  
VTD: Gal 6  
VTD: Gal 7  
VTD: Gal 9  
VTD: KC 21-10  
VTD: KC 21-11  
VTD: KC 21-12 (part)  
Block: 290470212053030  
Block: 290470212062000  
Block: 290470212062001  
Block: 290470212062002

Block: 290470212062003  
Block: 290470212062004  
Block: 290470212062005  
Block: 290470212062006  
Block: 290470212062007  
Block: 290470212062008  
Block: 290470212062009  
Block: 290470212062010  
Block: 290470212062011  
Block: 290470212062012  
Block: 290470212062013  
Block: 290470212062014  
Block: 290470212062015  
Block: 290470212062016  
Block: 290470212062017  
Block: 290470212062018  
Block: 290470212062019  
Block: 290470212062020  
Block: 290470212062021  
Block: 290470212062022  
Block: 290470212062023  
Block: 290470212062024  
Block: 290470212062025  
Block: 290470212062026  
Block: 290470212062027  
Block: 290470212062028  
Block: 290470212062029  
Block: 290470212062030  
Block: 290470212062031  
Block: 290470212062032  
Block: 290470212062033  
Block: 290470212062034  
Block: 290470212062035  
Block: 290470212062036  
Block: 290470212062037  
Block: 290470212062038  
Block: 290470212062039  
Block: 290470212062040  
Block: 290470212062041  
Block: 290470212062042  
Block: 290470212062043  
Block: 290470212062044  
Block: 290470212062045  
Block: 290470212063001  
Block: 290470212063002  
Block: 290470212063003  
Block: 290470212063004  
Block: 290470212063005  
Block: 290470212063006  
Block: 290470212063007  
Block: 290470212063008  
Block: 290470212063009  
Block: 290470212063012  
Block: 290470212063013  
Block: 290470212063014  
Block: 290470212063015

Block: 290470212063016  
Block: 290470212063017  
Block: 290470212063018  
Block: 290470212063019  
Block: 290470212063020  
Block: 290470212063021  
Block: 290470212063024  
Block: 290470212063025  
Block: 290470212063026  
Block: 290470212063027  
VTD: KC 21-14  
VTD: KC 21-16 (part)  
Block: 290470212051000  
Block: 290470212051001  
Block: 290470212051002  
Block: 290470212051003  
Block: 290470212051004  
Block: 290470212051005  
Block: 290470212051006  
Block: 290470212051007  
Block: 290470212051008  
Block: 290470212051009  
Block: 290470212051010  
Block: 290470212051011  
Block: 290470212051012  
Block: 290470212051013  
Block: 290470212051014  
Block: 290470212051015  
Block: 290470212051016  
Block: 290470212051017  
Block: 290470212051018  
Block: 290470212051019  
Block: 290470212051020  
Block: 290470212051021  
Block: 290470212051022  
Block: 290470212051023  
Block: 290470212051024  
Block: 290470212051025  
Block: 290470212051026  
Block: 290470212051027  
Block: 290470212051028  
Block: 290470212051029  
Block: 290470212051030  
Block: 290470212051032  
Block: 290470212052011  
Block: 290470212052021  
Block: 290470212052022  
Block: 290470212052023  
Block: 290470212052024  
Block: 290470212052026  
Block: 290470212052027  
Block: 290470212052028  
Block: 290470212052029  
Block: 290470212052030  
Block: 290470212052034  
Block: 290470212071014

Block: 290470212071015  
Block: 290470212071016  
Block: 290470212071017  
Block: 290470212071018  
Block: 290470212071019  
Block: 290470212071020  
Block: 290470212071021  
Block: 290470212071022  
Block: 290470212071023  
Block: 290470212071024  
Block: 290470212071025  
Block: 290470212071026  
Block: 290470212071027  
Block: 290470212071029  
Block: 290470212071030  
Block: 290470212071031  
Block: 290470212071032  
Block: 290470212071033  
Block: 290470212071034  
Block: 290470212071035  
Block: 290470212071036  
Block: 290470212071037  
Block: 290470212071038  
Block: 290470212071039  
Block: 290470212071040  
Block: 290470212071041  
Block: 290470212071042  
Block: 290470212071043  
Block: 290470212071044  
Block: 290470212071045  
Block: 290470212071046  
Block: 290470212071047  
Block: 290470212071048  
Block: 290470212071049  
Block: 290470212071050  
Block: 290470212071051  
Block: 290470212071053  
Block: 290470212071054  
Block: 290470212071055  
Block: 290470212072030  
VTD: KC 21-18  
VTD: KC 21-19  
VTD: KC 21-20  
VTD: KC 21-21  
VTD: KC 21-22  
VTD: KC 21-23  
VTD: KC 21-24  
VTD: KC 21-25  
VTD: KC 21-3  
VTD: KC 21-4  
VTD: KC 21-5  
VTD: KC 21-6  
VTD: KC 21-7  
VTD: KC 21-8  
VTD: KC 21-9  
VTD: Lib 13 (part)

Block: 290470222002030  
Block: 290470222002036  
Block: 290470223021006  
Block: 290470223021017  
Block: 290470223021018  
Block: 290470223021024  
Block: 290470223021025  
Block: 290470223021048  
Block: 290470223021050  
VTD: Lib 3 (part)  
Block: 290470223021000  
Block: 290470223021002  
Block: 290470223021003  
Block: 290470223021004  
Block: 290470223021009  
Block: 290470223021014  
VTD: Lib 5 (part)  
Block: 290470208012016  
Block: 290470223021005  
Block: 290470223021007  
Block: 290470223021010  
Block: 290470223021011  
Block: 290470223021015  
Block: 290470223021022  
Block: 290470223021023  
Block: 290470223021027  
Block: 290470223021061  
Block: 290470223021062  
Block: 290470223021063  
VTD: Wash 1  
VTD: Wash 2  
Jackson MO County (part)  
VTD: Blue Sub 1 No. 1  
VTD: Blue Sub 1 No. 10  
VTD: Blue Sub 1 No. 11 & 11A  
VTD: Blue Sub 1 No. 12  
VTD: Blue Sub 1 No. 13  
VTD: Blue Sub 1 No. 14  
VTD: Blue Sub 1 No. 18  
VTD: Blue Sub 1 No. 2  
VTD: Blue Sub 1 No. 4 & 4A  
VTD: Blue Sub 1 No. 5  
VTD: Blue Sub 1 No. 6 & 6B  
VTD: Blue Sub 1 No. 6A  
VTD: Blue Sub 1 No. 7  
VTD: Blue Sub 1 No. 8,15,& 16  
VTD: Blue Sub 1 No. 9  
VTD: Blue Sub 2 No. 1  
VTD: Blue Sub 2 No. 10  
VTD: Blue Sub 2 No. 2  
VTD: Blue Sub 2 No. 3  
VTD: Blue Sub 2 No. 3A  
VTD: Blue Sub 2 No. 4  
VTD: Blue Sub 2 No. 5  
VTD: Blue Sub 2 No. 6  
VTD: Blue Sub 2 No. 7

**VTD: Blue Sub 2 No. 8**  
**VTD: Blue Sub 2 No. 9**  
**VTD: Blue Sub 3 No. 1**  
**VTD: Blue Sub 3 No. 11 (part)**  
**Block: 290950147021001**  
**Block: 290950147021003**  
**Block: 290950148041013**  
**Block: 290950148041023**  
**VTD: Blue Sub 3 No. 14,15,15N,17N,& 18N**  
**VTD: Blue Sub 3 No. 15A**  
**VTD: Blue Sub 3 No. 16 & 16A**  
**VTD: Blue Sub 3 No. 2**  
**VTD: Blue Sub 3 No. 3**  
**VTD: Blue Sub 3 No. 4**  
**VTD: Blue Sub 3 No. 5**  
**VTD: Blue Sub 3 No. 5A**  
**VTD: Blue Sub 3 No. 9**  
**VTD: Blue Sub 4 No. 1**  
**VTD: Blue Sub 4 No. 10**  
**VTD: Blue Sub 4 No. 11**  
**VTD: Blue Sub 4 No. 12**  
**VTD: Blue Sub 4 No. 2**  
**VTD: Blue Sub 4 No. 3**  
**VTD: Blue Sub 4 No. 4**  
**VTD: Blue Sub 4 No. 5**  
**VTD: Blue Sub 4 No. 6**  
**VTD: Blue Sub 4 No. 7**  
**VTD: Blue Sub 4 No. 8**  
**VTD: Blue Sub 4 No. 9**  
**VTD: Blue Sub 5 No. 1**  
**VTD: Blue Sub 5 No. 11**  
**VTD: Blue Sub 5 No. 13**  
**VTD: Blue Sub 5 No. 14**  
**VTD: Blue Sub 5 No. 15**  
**VTD: Blue Sub 5 No. 2**  
**VTD: Blue Sub 5 No. 3**  
**VTD: Blue Sub 5 No. 4**  
**VTD: Blue Sub 5 No. 5 & 12**  
**VTD: Blue Sub 5 No. 6**  
**VTD: Blue Sub 5 No. 7**  
**VTD: Blue Sub 5 No. 8**  
**VTD: Blue Sub 5 No. 9**  
**VTD: Blue Sub 6 No. 1**  
**VTD: Blue Sub 6 No. 10**  
**VTD: Blue Sub 6 No. 11**  
**VTD: Blue Sub 6 No. 12**  
**VTD: Blue Sub 6 No. 2**  
**VTD: Blue Sub 6 No. 3**  
**VTD: Blue Sub 6 No. 4**  
**VTD: Blue Sub 6 No. 5**  
**VTD: Blue Sub 6 No. 5A**  
**VTD: Blue Sub 6 No. 6**  
**VTD: Blue Sub 6 No. 6A**  
**VTD: Blue Sub 6 No. 7 & 7N**  
**VTD: Blue Sub 6 No. 8**  
**VTD: Blue Sub 6 No. 8A**

**VTD: Blue Sub 6 No. 9**  
**VTD: Blue Sub 7 No. 1**  
**VTD: Blue Sub 7 No. 10**  
**VTD: Blue Sub 7 No. 11**  
**VTD: Blue Sub 7 No. 12**  
**VTD: Blue Sub 7 No. 13**  
**VTD: Blue Sub 7 No. 14**  
**VTD: Blue Sub 7 No. 2**  
**VTD: Blue Sub 7 No. 2A**  
**VTD: Blue Sub 7 No. 3**  
**VTD: Blue Sub 7 No. 4**  
**VTD: Blue Sub 7 No. 5 & 5A**  
**VTD: Blue Sub 7 No. 6**  
**VTD: Blue Sub 7 No. 7**  
**VTD: Blue Sub 7 No. 8**  
**VTD: Blue Sub 7 No. 9**  
**VTD: Blue Sub 8 No. 1**  
**VTD: Blue Sub 8 No. 10 & 10A**  
**VTD: Blue Sub 8 No. 11 (part)**  
**Block: 290950145012022**  
**Block: 290950145012027**  
**Block: 290950145021000**  
**Block: 290950145021001**  
**Block: 290950145021002**  
**Block: 290950145021005**  
**Block: 290950145021008**  
**Block: 290950145021009**  
**Block: 290950145021012**  
**Block: 290950145021013**  
**Block: 290950145021015**  
**Block: 290950145021016**  
**Block: 290950145021017**  
**Block: 290950145021018**  
**Block: 290950145022035**  
**Block: 290950145022036**  
**Block: 290950145022037**  
**Block: 290950145022038**  
**Block: 290950145022039**  
**Block: 290950145022040**  
**Block: 290950145022041**  
**Block: 290950145022071**  
**VTD: Blue Sub 8 No. 12,12A,& 12B (part)**  
**Block: 290950145012000**  
**Block: 290950145012001**  
**Block: 290950145012002**  
**Block: 290950145012003**  
**Block: 290950145012004**  
**Block: 290950145012005**  
**Block: 290950145012006**  
**Block: 290950145012007**  
**Block: 290950145012008**  
**Block: 290950145012009**  
**Block: 290950145012010**  
**Block: 290950145012011**  
**Block: 290950145012012**  
**Block: 290950145012013**

Block: 290950145012014  
Block: 290950145012015  
Block: 290950145012018  
Block: 290950145012019  
Block: 290950145012020  
Block: 290950145012021  
Block: 290950145012034  
Block: 290950145012035  
Block: 290950145022028  
Block: 290950145022029  
Block: 290950145022030  
Block: 290950145022031  
Block: 290950145022032  
Block: 290950145022033  
Block: 290950145022034  
Block: 290950146032029  
Block: 290950146043026  
Block: 290950146043027  
VTD: Blue Sub 8 No. 13 & 13N  
VTD: Blue Sub 8 No. 2  
VTD: Blue Sub 8 No. 2A  
VTD: Blue Sub 8 No. 3  
VTD: Blue Sub 8 No. 5 & 5A  
VTD: Blue Sub 8 No. 6  
VTD: Blue Sub 8 No. 7  
VTD: Blue Sub 8 No. 8  
VTD: Blue Sub 8 No. 9  
VTD: Blue Sub 8 No. 9A  
VTD: Brooking No. 1  
VTD: Brooking No. 10  
VTD: Brooking No. 11  
VTD: Brooking No. 12  
VTD: Brooking No. 13  
VTD: Brooking No. 14  
VTD: Brooking No. 15  
VTD: Brooking No. 16  
VTD: Brooking No. 17  
VTD: Brooking No. 18  
VTD: Brooking No. 19  
VTD: Brooking No. 2 & 2A  
VTD: Brooking No. 20  
VTD: Brooking No. 21  
VTD: Brooking No. 22 & 22A  
VTD: Brooking No. 23  
VTD: Brooking No. 24  
VTD: Brooking No. 25  
VTD: Brooking No. 26  
VTD: Brooking No. 27  
VTD: Brooking No. 28  
VTD: Brooking No. 3  
VTD: Brooking No. 4  
VTD: Brooking No. 5  
VTD: Brooking No. 6  
VTD: Brooking No. 7  
VTD: Brooking No. 8  
VTD: Brooking No. 9



VTD: Brooking No. 9A  
VTD: Fort Osage No. 1,1A,2,& 3 (part)  
Block: 290950177003027  
Block: 290950177003028  
Block: 290950177003063  
Block: 290950177003064  
Block: 290950177003071  
Block: 290950177003078  
VTD: KC WD1 PCT101  
VTD: KC WD1 PCT102  
VTD: KC WD1 PCT103  
VTD: KC WD1 PCT104  
VTD: KC WD1 PCT105  
VTD: KC WD1 PCT106  
VTD: KC WD1 PCT107  
VTD: KC WD1 PCT108  
VTD: KC WD1 PCT109  
VTD: KC WD1 PCT110  
VTD: KC WD1 PCT111  
VTD: KC WD1 PCT511  
VTD: KC WD10 PCT1001  
VTD: KC WD10 PCT1002  
VTD: KC WD10 PCT1003  
VTD: KC WD10 PCT1004  
VTD: KC WD10 PCT1005  
VTD: KC WD10 PCT1006  
VTD: KC WD10 PCT1008  
VTD: KC WD10 PCT1009  
VTD: KC WD10 PCT1010  
VTD: KC WD10 PCT1011  
VTD: KC WD10 PCT1012  
VTD: KC WD10 PCT1013  
VTD: KC WD10 PCT1014  
VTD: KC WD10 PCT1015  
VTD: KC WD10 PCT2201  
VTD: KC WD11 PCT1101  
VTD: KC WD11 PCT1102  
VTD: KC WD11 PCT1103  
VTD: KC WD11 PCT1104  
VTD: KC WD11 PCT1105  
VTD: KC WD11 PCT1106  
VTD: KC WD11 PCT1107  
VTD: KC WD11 PCT1108  
VTD: KC WD11 PCT1109  
VTD: KC WD11 PCT1110  
VTD: KC WD11 PCT1209  
VTD: KC WD12 PCT1201  
VTD: KC WD12 PCT1202  
VTD: KC WD12 PCT1203  
VTD: KC WD12 PCT1204  
VTD: KC WD12 PCT1205  
VTD: KC WD12 PCT1206  
VTD: KC WD12 PCT1207  
VTD: KC WD12 PCT1208  
VTD: KC WD12 PCT1210  
VTD: KC WD12 PCT1305

VTD: KC WD12 PCT1306  
VTD: KC WD12 PCT1307  
VTD: KC WD12 PCT1308  
VTD: KC WD12 PCT1309  
VTD: KC WD12 PCT1310  
VTD: KC WD13 PCT1301  
VTD: KC WD13 PCT1302  
VTD: KC WD13 PCT1303  
VTD: KC WD13 PCT1304  
VTD: KC WD13 PCT1501  
VTD: KC WD13 PCT1502  
VTD: KC WD14 PCT1401  
VTD: KC WD14 PCT1402  
VTD: KC WD14 PCT1403  
VTD: KC WD14 PCT1404  
VTD: KC WD14 PCT1405  
VTD: KC WD14 PCT1406  
VTD: KC WD14 PCT1407  
VTD: KC WD14 PCT1408  
VTD: KC WD14 PCT1409  
VTD: KC WD14 PCT1410  
VTD: KC WD14 PCT1411  
VTD: KC WD14 PCT1412  
VTD: KC WD14 PCT1413  
VTD: KC WD15 PCT1414  
VTD: KC WD15 PCT1503  
VTD: KC WD15 PCT1504  
VTD: KC WD15 PCT1505  
VTD: KC WD15 PCT1506  
VTD: KC WD15 PCT1507  
VTD: KC WD15 PCT1508  
VTD: KC WD15 PCT1509  
VTD: KC WD15 PCT1512  
VTD: KC WD15 PCT1513  
VTD: KC WD15 PCT1514  
VTD: KC WD15 PCT311  
VTD: KC WD15 PCT314  
VTD: KC WD15 PCT718  
VTD: KC WD16 PCT1511  
VTD: KC WD16 PCT1601  
VTD: KC WD16 PCT1602  
VTD: KC WD16 PCT1603  
VTD: KC WD16 PCT1604  
VTD: KC WD16 PCT1605  
VTD: KC WD16 PCT1607  
VTD: KC WD16 PCT1608  
VTD: KC WD16 PCT1609  
VTD: KC WD16 PCT1610  
VTD: KC WD16 PCT1611  
VTD: KC WD16 PCT1612  
VTD: KC WD16 PCT1613  
VTD: KC WD16 PCT1614  
VTD: KC WD16 PCT1615  
VTD: KC WD16 PCT1616  
VTD: KC WD16 PCT717  
VTD: KC WD17 PCT1606

VTD: KC WD17 PCT1617  
VTD: KC WD17 PCT1618  
VTD: KC WD17 PCT1701  
VTD: KC WD17 PCT1702  
VTD: KC WD17 PCT1703  
VTD: KC WD17 PCT1704  
VTD: KC WD17 PCT1705  
VTD: KC WD17 PCT1706  
VTD: KC WD17 PCT1707  
VTD: KC WD17 PCT1708  
VTD: KC WD17 PCT1712  
VTD: KC WD17 PCT1814  
VTD: KC WD18 PCT1801  
VTD: KC WD18 PCT1802  
VTD: KC WD18 PCT1803  
VTD: KC WD18 PCT1804  
VTD: KC WD18 PCT1805  
VTD: KC WD18 PCT1806  
VTD: KC WD18 PCT1807  
VTD: KC WD18 PCT1808  
VTD: KC WD18 PCT1809  
VTD: KC WD18 PCT1810  
VTD: KC WD18 PCT1812  
VTD: KC WD18 PCT1813  
VTD: KC WD18 PCT1816  
VTD: KC WD19 PCT1709  
VTD: KC WD19 PCT1710  
VTD: KC WD19 PCT1815  
VTD: KC WD19 PCT1817  
VTD: KC WD19 PCT1903  
VTD: KC WD19 PCT1905  
VTD: KC WD19 PCT1906  
VTD: KC WD19 PCT1907  
VTD: KC WD19 PCT1908  
VTD: KC WD19 PCT1909  
VTD: KC WD19 PCT1910  
VTD: KC WD19 PCT1911  
VTD: KC WD19 PCT1912  
VTD: KC WD19 PCT1913  
VTD: KC WD19 PCT1914  
VTD: KC WD19 PCT1916  
VTD: KC WD19 PCT1917  
VTD: KC WD19 PCT1918  
VTD: KC WD19 PCT1919  
VTD: KC WD19 PCT903  
VTD: KC WD19 PCT912  
VTD: KC WD2 PCT201  
VTD: KC WD2 PCT202  
VTD: KC WD2 PCT203  
VTD: KC WD2 PCT204  
VTD: KC WD2 PCT205  
VTD: KC WD2 PCT206  
VTD: KC WD2 PCT207  
VTD: KC WD2 PCT208  
VTD: KC WD2 PCT209  
VTD: KC WD2 PCT210

VTD: KC WD2 PCT211  
VTD: KC WD2 PCT212  
VTD: KC WD2 PCT213  
VTD: KC WD2 PCT214  
VTD: KC WD2 PCT215  
VTD: KC WD2 PCT216  
VTD: KC WD20 PCT1901  
VTD: KC WD20 PCT2002  
VTD: KC WD20 PCT2003  
VTD: KC WD20 PCT2004  
VTD: KC WD20 PCT2005  
VTD: KC WD20 PCT2006  
VTD: KC WD20 PCT2007  
VTD: KC WD20 PCT2008  
VTD: KC WD20 PCT2009  
VTD: KC WD20 PCT2010  
VTD: KC WD22 PCT1007  
VTD: KC WD22 PCT2202  
VTD: KC WD22 PCT2203  
VTD: KC WD22 PCT2204  
VTD: KC WD22 PCT2205  
VTD: KC WD22 PCT2206  
VTD: KC WD22 PCT2207  
VTD: KC WD22 PCT2208  
VTD: KC WD22 PCT2209  
VTD: KC WD22 PCT2210  
VTD: KC WD22 PCT2211  
VTD: KC WD22 PCT2212  
VTD: KC WD22 PCT2213  
VTD: KC WD23 PCT2301  
VTD: KC WD23 PCT2302  
VTD: KC WD23 PCT2303  
VTD: KC WD23 PCT2304  
VTD: KC WD23 PCT2305  
VTD: KC WD23 PCT2306  
VTD: KC WD23 PCT2307  
VTD: KC WD23 PCT2308  
VTD: KC WD23 PCT2309  
VTD: KC WD23 PCT2310  
VTD: KC WD23 PCT2311  
VTD: KC WD23 PCT2312  
VTD: KC WD23 PCT2313  
VTD: KC WD23 PCT2314  
VTD: KC WD23 PCT2315  
VTD: KC WD23 PCT2316  
VTD: KC WD23 PCT2317  
VTD: KC WD23 PCT2318  
VTD: KC WD24 PCT2401  
VTD: KC WD24 PCT2402  
VTD: KC WD24 PCT2403  
VTD: KC WD24 PCT2404  
VTD: KC WD24 PCT2405  
VTD: KC WD24 PCT2407 (part)  
Block: 290950142032014  
Block: 290950142042013  
Block: 290950143002029

Block: 290950143002030  
VTD: KC WD24 PCT2408 (part)  
Block: 290950142042014  
Block: 290950142042050  
Block: 290950142043043  
Block: 290950143003000  
Block: 290950143003001  
Block: 290950143003006  
Block: 290950143003007  
Block: 290950143003008  
Block: 290950143003009  
Block: 290950143003010  
Block: 290950143003011  
Block: 290950143003012  
Block: 290950143003013  
Block: 290950143003015  
Block: 290950143003016  
Block: 290950143003017  
Block: 290950143003018  
Block: 290950143003019  
Block: 290950143003020  
Block: 290950143003021  
Block: 290950143003035  
Block: 290950143003036  
Block: 290950143003037  
Block: 290950143003038  
Block: 290950143003039  
Block: 290950143003040  
Block: 290950143003054  
Block: 290950143003055  
Block: 290950176004028  
VTD: KC WD24 PCT2409  
VTD: KC WD24 PCT2410  
VTD: KC WD24 PCT2412  
VTD: KC WD24 PCT2413  
VTD: KC WD24 PCT2414  
VTD: KC WD24 PCT2415  
VTD: KC WD24 PCT2416  
VTD: KC WD24 PCT2417  
VTD: KC WD24 PCT2418  
VTD: KC WD24 PCT2419  
VTD: KC WD24 PCT2420  
VTD: KC WD24 PCT2421  
VTD: KC WD24 PCT2422  
VTD: KC WD24 PCT2424  
VTD: KC WD24 PCT2425  
VTD: KC WD24 PCT2426  
VTD: KC WD24 PCT2427  
VTD: KC WD24 PCT2428  
VTD: KC WD24 PCT2429  
VTD: KC WD24 PCT2430  
VTD: KC WD24 PCT2431  
VTD: KC WD24 PCT2432  
VTD: KC WD24 PCT2601  
VTD: KC WD25 PCT2001  
VTD: KC WD25 PCT2501

VTD: KC WD25 PCT2503  
VTD: KC WD25 PCT2504  
VTD: KC WD25 PCT2505  
VTD: KC WD25 PCT2506  
VTD: KC WD25 PCT2507  
VTD: KC WD25 PCT2508  
VTD: KC WD25 PCT2509  
VTD: KC WD25 PCT2510  
VTD: KC WD25 PCT2511  
VTD: KC WD25 PCT2602  
VTD: KC WD26 PCT1711  
VTD: KC WD26 PCT1902  
VTD: KC WD26 PCT2502  
VTD: KC WD26 PCT2603  
VTD: KC WD26 PCT2604  
VTD: KC WD26 PCT2605  
VTD: KC WD26 PCT2606  
VTD: KC WD26 PCT2607  
VTD: KC WD26 PCT2608  
VTD: KC WD26 PCT2609  
VTD: KC WD26 PCT2610  
VTD: KC WD26 PCT2611  
VTD: KC WD26 PCT2612  
VTD: KC WD3 PCT301  
VTD: KC WD3 PCT302  
VTD: KC WD3 PCT303  
VTD: KC WD3 PCT304  
VTD: KC WD3 PCT305  
VTD: KC WD3 PCT306  
VTD: KC WD3 PCT307  
VTD: KC WD3 PCT308  
VTD: KC WD3 PCT309  
VTD: KC WD3 PCT310  
VTD: KC WD3 PCT312  
VTD: KC WD3 PCT313  
VTD: KC WD3 PCT716  
VTD: KC WD4 PCT401  
VTD: KC WD4 PCT402  
VTD: KC WD4 PCT403  
VTD: KC WD4 PCT404  
VTD: KC WD4 PCT405  
VTD: KC WD4 PCT406  
VTD: KC WD4 PCT407  
VTD: KC WD4 PCT408  
VTD: KC WD4 PCT409  
VTD: KC WD5 PCT410  
VTD: KC WD5 PCT502  
VTD: KC WD5 PCT503  
VTD: KC WD5 PCT504  
VTD: KC WD5 PCT505  
VTD: KC WD5 PCT506  
VTD: KC WD5 PCT507  
VTD: KC WD5 PCT508  
VTD: KC WD5 PCT509  
VTD: KC WD5 PCT510  
VTD: KC WD6 PCT501

VTD: KC WD6 PCT601  
VTD: KC WD6 PCT602  
VTD: KC WD6 PCT603  
VTD: KC WD6 PCT604  
VTD: KC WD6 PCT605  
VTD: KC WD6 PCT606  
VTD: KC WD6 PCT607  
VTD: KC WD6 PCT608  
VTD: KC WD6 PCT609  
VTD: KC WD6 PCT610  
VTD: KC WD6 PCT611  
VTD: KC WD6 PCT612  
VTD: KC WD6 PCT801  
VTD: KC WD7 PCT701  
VTD: KC WD7 PCT702  
VTD: KC WD7 PCT703  
VTD: KC WD7 PCT704  
VTD: KC WD7 PCT705  
VTD: KC WD7 PCT706  
VTD: KC WD7 PCT707  
VTD: KC WD7 PCT708  
VTD: KC WD7 PCT709  
VTD: KC WD7 PCT710  
VTD: KC WD7 PCT711  
VTD: KC WD7 PCT712  
VTD: KC WD7 PCT713  
VTD: KC WD7 PCT714  
VTD: KC WD7 PCT715  
VTD: KC WD7 PCT719  
VTD: KC WD8 PCT613  
VTD: KC WD8 PCT802  
VTD: KC WD8 PCT803  
VTD: KC WD8 PCT804  
VTD: KC WD8 PCT805  
VTD: KC WD8 PCT806  
VTD: KC WD8 PCT807  
VTD: KC WD8 PCT808  
VTD: KC WD8 PCT809  
VTD: KC WD8 PCT810  
VTD: KC WD8 PCT811  
VTD: KC WD8 PCT813  
VTD: KC WD9 PCT1904  
VTD: KC WD9 PCT812  
VTD: KC WD9 PCT901  
VTD: KC WD9 PCT902  
VTD: KC WD9 PCT904  
VTD: KC WD9 PCT905  
VTD: KC WD9 PCT906  
VTD: KC WD9 PCT907  
VTD: KC WD9 PCT908  
VTD: KC WD9 PCT909  
VTD: KC WD9 PCT910  
VTD: KC WD9 PCT911  
VTD: Prairie No. 1  
VTD: Prairie No. 10,11,& 12  
VTD: Prairie No. 13

**VTD: Prairie No. 13A**  
**VTD: Prairie No. 14**  
**VTD: Prairie No. 15**  
**VTD: Prairie No. 16**  
**VTD: Prairie No. 17**  
**VTD: Prairie No. 18 & 19**  
**VTD: Prairie No. 2**  
**VTD: Prairie No. 20**  
**VTD: Prairie No. 20A & 20B**  
**VTD: Prairie No. 20C**  
**VTD: Prairie No. 21**  
**VTD: Prairie No. 22**  
**VTD: Prairie No. 23**  
**VTD: Prairie No. 24,24B,25A,68**  
**VTD: Prairie No. 24A**  
**VTD: Prairie No. 24C**  
**VTD: Prairie No. 25**  
**VTD: Prairie No. 3**  
**VTD: Prairie No. 37**  
**VTD: Prairie No. 37A**  
**VTD: Prairie No. 38**  
**VTD: Prairie No. 39**  
**VTD: Prairie No. 39A**  
**VTD: Prairie No. 40**  
**VTD: Prairie No. 40A & 44A (part)**  
**Block: 290950179003002**  
**VTD: Prairie No. 43 & 79 (part)**  
**Block: 290950142043051**  
**Block: 290950142043052**  
**Block: 290950142043054**  
**Block: 290950142043056**  
**Block: 290950143003028**  
**Block: 290950179003004**  
**VTD: Prairie No. 45 (part)**  
**Block: 290950137031000**  
**Block: 290950137031001**  
**Block: 290950137031002**  
**Block: 290950137031003**  
**Block: 290950137031004**  
**Block: 290950137031005**  
**Block: 290950137031006**  
**Block: 290950137031007**  
**Block: 290950137031008**  
**Block: 290950137031009**  
**Block: 290950137031010**  
**Block: 290950137032013**  
**Block: 290950137032017**  
**Block: 290950137032018**  
**Block: 290950137033006**  
**Block: 290950137033007**  
**Block: 290950137033012**  
**Block: 290950137033013**  
**Block: 290950137033014**  
**Block: 290950137033015**  
**Block: 290950137033016**  
**Block: 290950137033030**



**Block: 290950137033031**

**Block: 290950137033032**

**Block: 290950137033033**

**Block: 290950137033034**

**Block: 290950137033035**

**Block: 290950137033036**

**Block: 290950137033037**

**Block: 290950137033038**

**Block: 290950137033047**

**Block: 290950137033048**

**Block: 290950137033051**

**VTD: Prairie No. 50A (part)**

**Block: 290950139013031**

**Block: 290950139013032**

**Block: 290950139013033**

**Block: 290950139013034**

**Block: 290950139013035**

**Block: 290950139013036**

**Block: 290950139013037**

**VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76 (part)**

**Block: 290950139011066**

**Block: 290950139011067**

**Block: 290950139012058**

**Block: 290950139012066**

**Block: 290950139012068**

**Block: 290950139012069**

**Block: 290950139012072**

**Block: 290950139012073**

**Block: 290950139012074**

**Block: 290950139012075**

**Block: 290950139012076**

**Block: 290950139012149**

**Block: 290950139012150**

**Block: 290950139012151**

**Block: 290950139012152**

**Block: 290950139013055**

**VTD: Prairie No. 51**

**VTD: Prairie No. 51A**

**VTD: Prairie No. 51B,51N,63,63A,63C,65,65A,65N,77,77A,77B,& 77N**

**VTD: Prairie No. 52**

**VTD: Prairie No. 52A**

**VTD: Prairie No. 53**

**VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)**

**Block: 290950139011031**

**Block: 290950139011032**

**Block: 290950139011033**

**Block: 290950139011034**

**Block: 290950139011035**

**Block: 290950139011036**

**Block: 290950139011042**

**Block: 290950141121045**

**Block: 290950141121059**

**VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)**

**Block: 290950139011044**

**Block: 290950139011045**

**Block: 290950139011065**

**VTD: Prairie No. 8 & 8B**

**VTD: Prairie No. 8A**

**VTD: Prairie No. 9**

**VTD: Sni-A-Bar No. 1,1B,& 1C (part)**

**Block: 290950145022002**

**Block: 290950145022010**

**Block: 290950145022011**

**Block: 290950145022020**

**Block: 290950145022044**

**VTD: Sni-A-Bar No. 10 (part)**

**Block: 290950141011005**

**VTD: Sni-A-Bar No. 14,75N,& 75X (part)**

**Block: 290950141011003**

**Block: 290950141011004**

**Block: 290950141011006**

**Block: 290950141011007**

**Block: 290950141011008**

**Block: 290950141011009**

**Block: 290950141011010**

**Block: 290950141011011**

**Block: 290950141011012**

**Block: 290950141011013**

**Block: 290950141011014**

**Block: 290950141011030**

**Block: 290950141011032**

**Block: 290950141011033**

**Block: 290950141011034**

**Block: 290950141011035**

**VTD: Sni-A-Bar No. 14A & 75A (part)**

**Block: 290950141011019**

**Block: 290950141011027**

**Block: 290950141011028**

**Block: 290950141011029**

**Block: 290950141011059**

**Block: 290950141013000**

**Block: 290950141013001**

**Block: 290950141013002**

**Block: 290950141013003**

**Block: 290950141013009**

**Block: 290950141013010**

**Block: 290950141013013**

**Block: 290950141013014**

**Block: 290950141013015**

**Block: 290950141055012**

**Block: 290950141055013**

**VTD: Sni-A-Bar No. 15 & 15A**

**VTD: Sni-A-Bar No. 15B**

**VTD: Sni-A-Bar No. 16,83,& 93**

**VTD: Sni-A-Bar No. 22 (part)**

**Block: 290950141012002**

**Block: 290950141012003**

**Block: 290950141012007**

**Block: 290950141012008**

**Block: 290950141012009**

**Block: 290950141012010**

**Block: 290950141012011**

Block: 290950141012012  
Block: 290950141012013  
Block: 290950141012014  
Block: 290950141012015  
Block: 290950141012016  
Block: 290950141014000  
Block: 290950141014001  
Block: 290950141014002  
Block: 290950141014004  
Block: 290950141014005  
Block: 290950141014006  
Block: 290950141014009  
Block: 290950141014010  
Block: 290950141014024  
Block: 290950141014025  
VTD: Sni-A-Bar No. 23 (part)  
Block: 290950141014035  
Block: 290950141014036  
Block: 290950141014037  
Block: 290950141014040  
Block: 290950141014041  
Block: 290950141014042  
Block: 290950141014043  
Block: 290950141014044  
Block: 290950141014045  
Block: 290950141014046  
Block: 290950141014050  
VTD: Sni-A-Bar No. 23A  
VTD: Sni-A-Bar No. 24 (part)  
Block: 290950141014007  
Block: 290950141014008  
Block: 290950141014011  
Block: 290950141014012  
Block: 290950141014017  
Block: 290950141014018  
Block: 290950141014019  
Block: 290950141014020  
Block: 290950141014021  
Block: 290950141014022  
Block: 290950141014023  
Block: 290950141014026  
Block: 290950141014027  
Block: 290950141014028  
Block: 290950141014029  
Block: 290950141014030  
Block: 290950141014031  
Block: 290950141014032  
Block: 290950141014033  
Block: 290950141014038  
Block: 290950141014039  
VTD: Sni-A-Bar No. 27 (part)  
Block: 290950141014048  
Block: 290950141014049  
Block: 290950141144000  
Block: 290950141144001  
Block: 290950141144002

**Block: 290950141144006**

**Block: 290950141144009**

**Block: 290950141144015**

**Block: 290950141144016**

**Block: 290950141144017**

**Block: 290950141144018**

**Block: 290950141144019**

**Block: 290950141144020**

**Block: 290950141144021**

**Block: 290950141144022**

**VTD: Sni-A-Bar No. 31**

**VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)**

**Block: 290950141051011**

**Block: 290950141051012**

**Block: 290950141051013**

**Block: 290950141051022**

**Block: 290950141053001**

**Block: 290950141053002**

**Block: 290950141054000**

**Block: 290950141054001**

**Block: 290950141054003**

**Block: 290950141054004**

**Block: 290950141054005**

**Block: 290950141054013**

**Block: 290950141054014**

**Block: 290950141054015**

**Block: 290950141054016**

**Block: 290950141054017**

**Block: 290950141055018**

**Block: 290950141055030**

**Block: 290950141055035**

**Block: 290950141055036**

**Block: 290950141055037**

**Block: 290950141055038**

**Block: 290950141055039**

**Block: 290950141055040**

**Block: 290950141055042**

**Block: 290950141055046**

**Block: 290950141055057**

**Block: 290950141055058**

**Block: 290950141055059**

**VTD: Sni-A-Bar No. 31B**

**VTD: Sni-A-Bar No. 40 & 40B**

**VTD: Sni-A-Bar No. 40A & 41**

**VTD: Sni-A-Bar No. 40D & 40E**

**VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)**

**Block: 290950140021003**

**Block: 290950140021010**

**Block: 290950140021022**

**Block: 290950140021023**

**Block: 290950140071048**

**Block: 290950140071049**

**Block: 290950140071050**

**Block: 290950140071051**

**Block: 290950140071052**

**Block: 290950140071053**

**Block: 290950140071058**

**Block: 290950140071059**

**Block: 290950140071060**

**Block: 290950140071061**

**Block: 290950140071062**

**Block: 290950140071063**

**Block: 290950140071064**

**Block: 290950140071066**

**Block: 290950140071067**

**Block: 290950140071068**

**Block: 290950140071069**

**Block: 290950140071070**

**Block: 290950140071082**

**Block: 290950140071083**

**Block: 290950140071085**

**Block: 290950140071086**

**Block: 290950140071088**

**Block: 290950140071093**

**Block: 290950140071094**

**Block: 290950140071095**

**Block: 290950141011017**

**Block: 290950141011018**

**Block: 290950141011021**

**VTD: Sni-A-Bar No. 50 & 91 (part)**

**Block: 290950140042006**

**Block: 290950140042007**

**Block: 290950140042008**

**Block: 290950140042009**

**Block: 290950140042010**

**Block: 290950140042011**

**Block: 290950140042012**

**Block: 290950140042013**

**Block: 290950140042014**

**Block: 290950140042024**

**Block: 290950140042025**

**Block: 290950140042026**

**Block: 290950140042027**

**Block: 290950140042028**

**Block: 290950140042029**

**Block: 290950140042030**

**Block: 290950140042031**

**Block: 290950140042032**

**Block: 290950140042033**

**Block: 290950140042034**

**Block: 290950140042038**

**Block: 290950140042039**

**Block: 290950140042040**

**Block: 290950140042041**

**Block: 290950140042044**

**Block: 290950140051001**

**Block: 290950140051002**

**Block: 290950140051003**

**Block: 290950140051004**

**Block: 290950140051006**

**Block: 290950140051007**

**Block: 290950140051008**

Block: 290950140051009  
Block: 290950140051010  
Block: 290950140051018  
Block: 290950140051019  
Block: 290950140051022  
VTD: Sni-A-Bar No. 51,51A,& 94A  
VTD: Sni-A-Bar No. 53 & 92 (part)  
Block: 290950140041024  
Block: 290950140041025  
Block: 290950140041026  
Block: 290950140041027  
Block: 290950140041028  
Block: 290950140041029  
Block: 290950140041030  
Block: 290950140041031  
Block: 290950140041033  
Block: 290950140041034  
Block: 290950140041035  
Block: 290950140041036  
Block: 290950140041037  
Block: 290950140041038  
Block: 290950140041039  
Block: 290950140042035  
Block: 290950140042036  
Block: 290950140042037  
Block: 290950140042042  
Block: 290950140042043  
Block: 290950140051000  
Block: 290950140052000  
Block: 290950140052004  
VTD: Sni-A-Bar No. 55  
VTD: Sni-A-Bar No. 57  
VTD: Sni-A-Bar No. 76 & 76A  
VTD: Sni-A-Bar No. 77  
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)  
Block: 290950141055014  
Block: 290950141055028  
Block: 290950141055029  
Block: 290950141055041  
Block: 290950141055043  
Block: 290950141055044  
Block: 290950141055045  
Block: 290950141055047  
Block: 290950141055048  
Block: 290950141055049  
Block: 290950141055053  
Block: 290950141055054  
Block: 290950141055055  
Block: 290950141055056  
Block: 290950141055066  
Block: 290950141055067  
Block: 290950141111000  
Block: 290950141111001  
Block: 290950141111002  
Block: 290950141111009  
Block: 290950141121004

**Block: 290950141121005**

**Block: 290950141121010**

**VTD: Sni-A-Bar No. 86,87,88,88A,88B,& 88C**

**VTD: Sni-A-Bar No. 94,94B,95,& 96**

**VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)**

**Block: 290950139011003**

**Block: 290950139011004**

**Block: 290950139011005**

**Block: 290950139011006**

**Block: 290950139011007**

**Block: 290950139011012**

**Block: 290950139011022**

**Block: 290950139011023**

**Block: 290950140022047**

**Block: 290950140022048**

**Block: 290950140022049**

**Block: 290950140022050**

**Block: 290950140022051**

**Block: 290950140022052**

**Block: 290950140022053**

**Block: 290950140022054**

**Block: 290950140022055**

**Block: 290950140022056**

**Block: 290950140022057**

**Block: 290950140022058**

**Block: 290950140022059**

**Block: 290950140022060**

**Block: 290950140022061**

**Block: 290950140022062**

**Block: 290950140022063**

**Block: 290950140022064**

**Block: 290950140022065**

**Block: 290950141121011**

**Block: 290950141121013**

**Block: 290950141121031**

**Block: 290950141121032**

**Block: 290950141121033**

**Block: 290950141121036**

**Block: 290950141121040**

**Block: 290950141121041**

**Block: 290950141121049**

**Block: 290950141121051**

**VTD: Van Buren No. 11N,19,19A,19B,19C,19D,20N,21,21N,23,& 24**

**VTD: Van Buren No. 25,26,27,28,29,30,& 32**

**VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)**

**Block: 290950139011001**

**Block: 290950139011009**

**Block: 290950139011010**

**Block: 290950139011011**

**Block: 290950139011013**

**Block: 290950139011014**

**Block: 290950139011015**

**Block: 290950139011016**

**Block: 290950139011017**

**Block: 290950139011018**

**Block: 290950139011019**

**Block: 290950139011020**

**Block: 290950139011021**

**Block: 290950139011024**

**Block: 290950139011025**

**Block: 290950139011026**

**Block: 290950139011027**

**Block: 290950139011028**

**Block: 290950139011029**

**Block: 290950139011030**

**Block: 290950139011037**

**Block: 290950139011038**

**Block: 290950139011039**

**Block: 290950139011040**

**Block: 290950139011041**

**Block: 290950139011043**

**Block: 290950139011046**

**Block: 290950139011047**

**Block: 290950139011048**

**Block: 290950139011049**

**Block: 290950139011050**

**Block: 290950139011052**

**Block: 290950139011053**

**Block: 290950139011054**

**Block: 290950139011055**

**Block: 290950139011056**

**Block: 290950139011058**

**Block: 290950139011059**

**Block: 290950139011060**

**Block: 290950139011069**

**Block: 290950139011070**

**Block: 290950139011074**

**Block: 290950139011075**

**Block: 290950141121050**

**Block: 290950141121052**

**Block: 290950141121060**

**Block: 290950141121062**

**VTD: Van Buren No. 31 & 33**

**VTD: Van Buren No. 34,35,36,& 37**

**VTD: Van Buren No. 38,39,40,40A,40B,40C,40D,40N,& 43**

**VTD: Van Buren No. 41 & 42**

**VTD: Van Buren No. 9,10,10A,11,11A,12,13,14,15,17,18,& 20**

**VTD: Washington No. 1**

**VTD: Washington No. 10 & 10N**

**VTD: Washington No. 11**

**VTD: Washington No. 12**

**VTD: Washington No. 13**

**VTD: Washington No. 14**

**VTD: Washington No. 15**

**VTD: Washington No. 16**

**VTD: Washington No. 17**

**VTD: Washington No. 2**

**VTD: Washington No. 3**

**VTD: Washington No. 4**

**VTD: Washington No. 5**

**VTD: Washington No. 6**

**VTD: Washington No. 7**



**VTD: Washington No. 8**  
**VTD: Washington No. 9**  
**Lafayette MO County**  
**Ray MO County**  
**Saline MO County"; and**

Further amend said bill, Pages 127 to 158, Section 128.456, Lines 2 to 1368, by deleting all of said lines and inserting in lieu thereof the following;

**"Adair MO County**  
**Andrew MO County**  
**Atchison MO County**  
**Buchanan MO County**  
**Caldwell MO County**  
**Carroll MO County**  
**Chariton MO County**  
**Clark MO County**  
**Clay MO County (part)**  
**VTD: Chou 8 (part)**  
**Block: 290470223021029**  
**VTD: FR 3 (part)**  
**Block: 290470216001153**  
**Block: 290470216001156**  
**Block: 290470217021035**  
**Block: 290470217021036**  
**Block: 290470217025027**  
**Block: 290470217025033**  
**Block: 290470217025035**  
**Block: 290470217025036**  
**Block: 290470217025037**  
**Block: 290470217025038**  
**Block: 290470217025039**  
**VTD: FR 4**  
**VTD: FR 5 (part)**  
**Block: 290470216001006**  
**Block: 290470216001008**  
**Block: 290470216001009**  
**Block: 290470216001010**  
**Block: 290470216001011**  
**Block: 290470216001012**  
**Block: 290470216001013**  
**Block: 290470216001014**  
**Block: 290470216001015**  
**Block: 290470216001016**  
**Block: 290470216001017**  
**Block: 290470216001018**  
**Block: 290470216001019**  
**Block: 290470216001020**  
**Block: 290470216001021**  
**Block: 290470216001022**  
**Block: 290470216001023**  
**Block: 290470216001024**  
**Block: 290470216001025**  
**Block: 290470216001026**  
**Block: 290470216001027**  
**Block: 290470216001030**

Block: 290470216001031  
Block: 290470216001032  
Block: 290470216001033  
Block: 290470216001034  
Block: 290470216001035  
Block: 290470216001036  
Block: 290470216001037  
Block: 290470216001038  
Block: 290470216001039  
Block: 290470216001040  
Block: 290470216001041  
Block: 290470216001042  
Block: 290470216001043  
Block: 290470216001044  
Block: 290470216001045  
Block: 290470216001046  
Block: 290470216001047  
Block: 290470216001048  
Block: 290470216001049  
Block: 290470216001050  
Block: 290470216001051  
Block: 290470216001052  
Block: 290470216001053  
Block: 290470216001054  
Block: 290470216001055  
Block: 290470216001056  
Block: 290470216001057  
Block: 290470216001058  
Block: 290470216001059  
Block: 290470216001060  
Block: 290470216001061  
Block: 290470216001062  
Block: 290470216001063  
Block: 290470216001064  
Block: 290470216001065  
Block: 290470216001066  
Block: 290470216001067  
Block: 290470216001068  
Block: 290470216001069  
Block: 290470216001070  
Block: 290470216001071  
Block: 290470216001072  
Block: 290470216001073  
Block: 290470216001074  
Block: 290470216001075  
Block: 290470216001076  
Block: 290470216001077  
Block: 290470216001078  
Block: 290470216001079  
Block: 290470216001080  
Block: 290470216001081  
Block: 290470216001082  
Block: 290470216001083  
Block: 290470216001084  
Block: 290470216001085  
Block: 290470216001086

Block: 290470216001087  
Block: 290470216001088  
Block: 290470216001089  
Block: 290470216001090  
Block: 290470216001091  
Block: 290470216001092  
Block: 290470216001093  
Block: 290470216001094  
Block: 290470216001095  
Block: 290470216001096  
Block: 290470216001097  
Block: 290470216001098  
Block: 290470216001110  
Block: 290470216001111  
Block: 290470216001112  
Block: 290470216001113  
Block: 290470216001114  
Block: 290470216001130  
Block: 290470217012046  
Block: 290470217012048  
Block: 290470217013019  
Block: 290470217013020  
Block: 290470217013021  
Block: 290470218054017  
Block: 290470218054019  
Block: 290470218054020  
Block: 290470218054021  
Block: 290470218054022  
Block: 290470218054023  
Block: 290470218054024  
Block: 290470218054026  
Block: 290470218054027  
Block: 290470218054028  
Block: 290470218054029  
Block: 290470218054030  
Block: 290470218054031  
Block: 290470218054032  
Block: 290470218054033  
Block: 290470218054034  
Block: 290470218054035  
Block: 290470218054038  
Block: 290470218054039  
Block: 290470218054040  
Block: 290470218054041  
Block: 290470218054045  
Block: 290470218054046  
Block: 290470218054047  
Block: 290470218054048  
Block: 290470218054053  
Block: 290470218054054  
Block: 290470218054055  
Block: 290470218054056  
Block: 290470218054058  
Block: 290470218054059  
Block: 290470218054065  
Block: 290470218054130

Block: 290470218054131  
Block: 290470218054132  
Block: 290470218054133  
Block: 290470218054158  
Block: 290470218054159  
VTD: Gal 17  
VTD: KC 21 Lib 1  
VTD: KC 21 Lib 2  
VTD: KC 21 Lib 3  
VTD: KC 21 Pl 1  
VTD: KC 21-1  
VTD: KC 21-12 (part)  
Block: 290470212052031  
Block: 290470212052032  
Block: 290470212052033  
Block: 290470212053000  
Block: 290470212053001  
Block: 290470212053002  
Block: 290470212053003  
Block: 290470212053004  
Block: 290470212053005  
Block: 290470212053006  
Block: 290470212053007  
Block: 290470212053008  
Block: 290470212053009  
Block: 290470212053010  
Block: 290470212053011  
Block: 290470212053012  
Block: 290470212053013  
Block: 290470212053014  
Block: 290470212053015  
Block: 290470212053016  
Block: 290470212053017  
Block: 290470212053018  
Block: 290470212053019  
Block: 290470212053020  
Block: 290470212053021  
Block: 290470212053022  
Block: 290470212053023  
Block: 290470212053024  
Block: 290470212053025  
Block: 290470212053026  
Block: 290470212053027  
Block: 290470212053028  
Block: 290470212053029  
Block: 290470212053031  
Block: 290470212053032  
Block: 290470212053033  
Block: 290470212053034  
Block: 290470212053035  
Block: 290470212053036  
Block: 290470212053037  
Block: 290470212053038  
Block: 290470212053039  
Block: 290470212053040  
Block: 290470212053041

Block: 290470212053042  
Block: 290470212053043  
Block: 290470212053044  
Block: 290470212063000  
Block: 290470212063010  
Block: 290470212063011  
Block: 290470212063022  
Block: 290470212063023  
Block: 290470213031010  
Block: 290470213031011  
Block: 290470213031012  
Block: 290470213031013  
Block: 290470213031014  
Block: 290470213031015  
Block: 290470213031016  
Block: 290470213031017  
Block: 290470213031018  
Block: 290470213031019  
Block: 290470213031020  
Block: 290470213031021  
Block: 290470213031022  
Block: 290470213031023  
Block: 290470213031024  
Block: 290470213031025  
Block: 290470213031026  
Block: 290470213031030  
Block: 290470213032010  
Block: 290470213032011  
Block: 290470213032012  
Block: 290470213032013  
Block: 290470213032014  
Block: 290470213032015  
Block: 290470213032016  
Block: 290470213072021  
Block: 290470213072022  
Block: 290470213072023  
Block: 290470213072024  
Block: 290470213072025  
Block: 290470213072026  
Block: 290470213072034  
Block: 290470213072035  
Block: 290470213072038  
Block: 290470213072039  
Block: 290470213073007  
Block: 290470213073018  
Block: 290470213073019  
Block: 290470213073020  
Block: 290470213073021  
Block: 290470213073040  
Block: 290470213073041  
Block: 290470213073042  
Block: 290470213073043  
Block: 290470213073044  
Block: 290470213073045  
Block: 290470213073046  
Block: 290470213073047

Block: 290470213073048  
 Block: 290470213073049  
 Block: 290470213073050  
 Block: 290470213073051  
 Block: 290470213073052  
 Block: 290470213073053  
 Block: 290470213073054  
 Block: 290470213073055  
 Block: 290470213073056  
 Block: 290470213073057  
 Block: 290470213091039  
 Block: 290470213091040  
 Block: 290470213091041  
 Block: 290470213091042  
 Block: 290470213091043  
 Block: 290470213091044  
 Block: 290470213091045  
 Block: 290470213091046  
 Block: 290470213091054  
 Block: 290470213091079  
 Block: 290470213091080  
 Block: 290470213091081  
 Block: 290470213091082  
 Block: 290470213101006  
 Block: 290470213101007  
 Block: 290470213101008  
 Block: 290470213101013  
 Block: 290470213101014  
 Block: 290470213101015  
 Block: 290470213102025  
 Block: 290470213102026  
 Block: 290470213102027  
 Block: 290470213102028  
 Block: 290470213102029  
 Block: 290470213102030  
 VTD: KC 21-13  
 VTD: KC 21-15  
 VTD: KC 21-16 (part)  
 Block: 290470212052001  
 Block: 290470212052002  
 Block: 290470212072040  
 Block: 290470212072041  
 VTD: KC 21-17  
 VTD: KC 21-2  
 VTD: KC 21-26  
 VTD: Kry 1  
 VTD: Kry 2  
 VTD: Kry 3  
 VTD: Kry 4  
 VTD: Lib 1  
 VTD: Lib 10  
 VTD: Lib 11  
 VTD: Lib 12  
 VTD: Lib 13 (part)  
 Block: 290470222002035  
 Block: 290470222002147

Block: 290470223012024  
Block: 290470223012025  
Block: 290470223012026  
Block: 290470223021016  
Block: 290470223021019  
Block: 290470223021020  
Block: 290470223021057  
Block: 290470223021058  
Block: 290470223021059  
Block: 290470223021060  
Block: 290470223023050  
Block: 290470223023052  
Block: 290470223023058  
Block: 290470223023059  
VTD: Lib 14  
VTD: Lib 2  
VTD: Lib 3 (part)  
Block: 290470223012000  
Block: 290470223012001  
Block: 290470223012002  
Block: 290470223012003  
Block: 290470223012004  
Block: 290470223012005  
Block: 290470223012006  
Block: 290470223012007  
Block: 290470223012008  
Block: 290470223012009  
Block: 290470223012010  
Block: 290470223012011  
Block: 290470223012012  
Block: 290470223012013  
Block: 290470223012014  
Block: 290470223012015  
Block: 290470223012016  
Block: 290470223021001  
Block: 290470223021008  
Block: 290470223022000  
Block: 290470223022001  
Block: 290470223022002  
Block: 290470223022003  
Block: 290470223022004  
Block: 290470223022005  
Block: 290470223022006  
Block: 290470223022007  
Block: 290470223022008  
Block: 290470223022009  
Block: 290470223022010  
Block: 290470223022011  
Block: 290470223022012  
Block: 290470223022013  
Block: 290470223022014  
Block: 290470223022015  
Block: 290470223022016  
Block: 290470223022023  
Block: 290470223022024  
Block: 290470223022025

Block: 290470223023000  
Block: 290470223023001  
Block: 290470223023002  
Block: 290470223023003  
Block: 290470223023004  
Block: 290470223023005  
Block: 290470223023006  
Block: 290470223023007  
Block: 290470223023008  
Block: 290470223023009  
Block: 290470223023010  
Block: 290470223023011  
Block: 290470223023012  
Block: 290470223023013  
Block: 290470223023014  
Block: 290470223023015  
Block: 290470223023016  
Block: 290470223023017  
Block: 290470223023025  
Block: 290470223023026  
Block: 290470223023027  
Block: 290470223023028  
Block: 290470223023029  
Block: 290470223023032  
Block: 290470223023033  
Block: 290470223023034  
Block: 290470223023035  
Block: 290470223023037  
Block: 290470223023038  
Block: 290470223023040  
Block: 290470223023045  
Block: 290470223023046  
Block: 290470223023047  
Block: 290470223023048  
Block: 290470223023049  
Block: 290470223023051  
Block: 290470223023053  
Block: 290470223023054  
Block: 290470223023055  
Block: 290470223023056  
Block: 290470223023057  
VTD: Lib 4  
VTD: Lib 5 (part)  
Block: 290470208011005  
Block: 290470208011006  
Block: 290470208011007  
Block: 290470208011038  
Block: 290470208011039  
Block: 290470208011040  
Block: 290470208011046  
Block: 290470208011047  
Block: 290470208011048  
Block: 290470208011049  
Block: 290470208011050  
Block: 290470208011051  
Block: 290470208011056



Block: 290470208011057  
Block: 290470208011058  
Block: 290470208012000  
Block: 290470208012001  
Block: 290470208012002  
Block: 290470208012003  
Block: 290470208012004  
Block: 290470208012005  
Block: 290470208012006  
Block: 290470208012007  
Block: 290470208012008  
Block: 290470208012010  
Block: 290470208012011  
Block: 290470208012012  
Block: 290470208012017  
Block: 290470208012018  
Block: 290470208012019  
Block: 290470208012020  
Block: 290470208013000  
Block: 290470208013001  
Block: 290470208013002  
Block: 290470208013003  
Block: 290470208015000  
Block: 290470208015001  
Block: 290470208015002  
Block: 290470208015003  
Block: 290470208015004  
Block: 290470208015005  
Block: 290470208015006  
Block: 290470208015007  
Block: 290470208015008  
Block: 290470208015009  
Block: 290470208015010  
Block: 290470208015011  
Block: 290470208015012  
Block: 290470208015013  
Block: 290470208015014  
Block: 290470208015015  
Block: 290470208015016  
Block: 290470208015017  
Block: 290470208015018  
Block: 290470208015019  
Block: 290470208015020  
Block: 290470208015021  
Block: 290470208015022  
Block: 290470208015023  
Block: 290470208015024  
Block: 290470208015025  
Block: 290470208015026  
Block: 290470223021012  
Block: 290470223021013  
Block: 290470223021021  
VTD: Lib 6  
VTD: Lib 7  
VTD: Lib 8  
VTD: Lib 9

**VTD: Pl 1**  
**VTD: Pl 2**  
**VTD: Pl 3**  
**VTD: Wash 3**  
**Clinton MO County**  
**Daviess MO County**  
**DeKalb MO County**  
**Gentry MO County**  
**Grundy MO County**  
**Harrison MO County**  
**Holt MO County**  
**Jackson MO County (part)**  
**VTD: Blue Sub 3 No. 11 (part)**  
**Block: 290950147021004**  
**Block: 290950148041006**  
**Block: 290950148041009**  
**Block: 290950148041010**  
**Block: 290950148041014**  
**VTD: Blue Sub 3 No. 12 & 13**  
**VTD: Blue Sub 8 No. 11 (part)**  
**Block: 290950145021006**  
**Block: 290950145021014**  
**Block: 290950145021026**  
**VTD: Blue Sub 8 No. 12,12A,& 12B (part)**  
**Block: 290950145022054**  
**Block: 290950145022055**  
**VTD: Fort Osage No. 1,1A,2,& 3 (part)**  
**Block: 290950147021002**  
**Block: 290950148041000**  
**Block: 290950148041001**  
**Block: 290950148041002**  
**Block: 290950148041003**  
**Block: 290950148041004**  
**Block: 290950148041005**  
**Block: 290950148041007**  
**Block: 290950148041039**  
**Block: 290950150001071**  
**Block: 290950150001072**  
**Block: 290950150001076**  
**Block: 290950150001077**  
**Block: 290950177001000**  
**Block: 290950177001001**  
**Block: 290950177001002**  
**Block: 290950177001003**  
**Block: 290950177001004**  
**Block: 290950177001005**  
**Block: 290950177001006**  
**Block: 290950177001008**  
**Block: 290950177001009**  
**Block: 290950177001010**  
**Block: 290950177001011**  
**Block: 290950177001012**  
**Block: 290950177001013**  
**Block: 290950177001014**  
**Block: 290950177001015**  
**Block: 290950177001016**

Block: 290950177001017  
Block: 290950177001018  
Block: 290950177001019  
Block: 290950177001020  
Block: 290950177001021  
Block: 290950177001022  
Block: 290950177001023  
Block: 290950177001026  
Block: 290950177001027  
Block: 290950177001028  
Block: 290950177001035  
Block: 290950177001036  
Block: 290950177003000  
Block: 290950177003001  
Block: 290950177003002  
Block: 290950177003003  
Block: 290950177003004  
Block: 290950177003005  
Block: 290950177003006  
Block: 290950177003007  
Block: 290950177003008  
Block: 290950177003009  
Block: 290950177003010  
Block: 290950177003011  
Block: 290950177003012  
Block: 290950177003013  
Block: 290950177003014  
Block: 290950177003015  
Block: 290950177003016  
Block: 290950177003017  
Block: 290950177003018  
Block: 290950177003019  
Block: 290950177003020  
Block: 290950177003021  
Block: 290950177003024  
Block: 290950177003025  
Block: 290950177003026  
Block: 290950177003029  
Block: 290950177003072  
Block: 290950177003073  
Block: 290950177003074  
Block: 290950177003075  
Block: 290950177003076  
Block: 290950177003077  
VTD: Fort Osage No. 11,12,& 15N  
VTD: Fort Osage No. 16,17,17A,19,& 20  
VTD: Fort Osage No. 21  
VTD: Fort Osage No. 27 & 28  
VTD: Fort Osage No. 4  
VTD: Fort Osage No. 5 & 30  
VTD: Fort Osage No. 6  
VTD: Fort Osage No. 7,8,25,& 26  
VTD: Fort Osage No. 9  
VTD: KC WD24 PCT2406  
VTD: KC WD24 PCT2407 (part)  
Block: 290950142032009

Block: 290950142032013  
VTD: KC WD24 PCT2408 (part)  
Block: 290950142043041  
Block: 290950142043042  
Block: 290950142043044  
VTD: KC WD24 PCT2423  
VTD: Prairie No. 26,27,28,& 78  
VTD: Prairie No. 29 & 30C  
VTD: Prairie No. 30  
VTD: Prairie No. 30A  
VTD: Prairie No. 30B,82,& 82A  
VTD: Prairie No. 31  
VTD: Prairie No. 33  
VTD: Prairie No. 34  
VTD: Prairie No. 35  
VTD: Prairie No. 4  
VTD: Prairie No. 40A & 44A (part)  
Block: 290950179003000  
Block: 290950179003005  
Block: 290950179003006  
Block: 290950185001051  
Block: 290950186001019  
Block: 290950186001023  
Block: 290950186001025  
Block: 290950186001026  
Block: 290950186001027  
Block: 290950186001028  
Block: 290950186001033  
Block: 290950186002004  
Block: 290950186002005  
Block: 290950186002006  
Block: 290950186002014  
Block: 290950186002015  
Block: 290950186002016  
VTD: Prairie No. 41,42,& 81  
VTD: Prairie No. 43 & 79 (part)  
Block: 290950142042033  
Block: 290950142042034  
Block: 290950142042051  
Block: 290950142042052  
Block: 290950142042053  
Block: 290950142042054  
Block: 290950142042055  
Block: 290950142042056  
Block: 290950142042057  
Block: 290950142042058  
Block: 290950142043030  
Block: 290950142043037  
Block: 290950142043038  
Block: 290950142043039  
Block: 290950142043040  
Block: 290950142043049  
Block: 290950142043050  
Block: 290950142043053  
Block: 290950142043055  
Block: 290950143003027

Block: 290950185001048  
Block: 290950185001049  
Block: 290950185001050  
Block: 290959891001038  
Block: 290959891001039  
Block: 290959891001040  
Block: 290959891001043  
Block: 290959891001044  
VTD: Prairie No. 45 (part)  
Block: 290950137032016  
Block: 290950137032020  
VTD: Prairie No. 46,67,67A,& 67B  
VTD: Prairie No. 47  
VTD: Prairie No. 48  
VTD: Prairie No. 49  
VTD: Prairie No. 5  
VTD: Prairie No. 50  
VTD: Prairie No. 50A (part)  
Block: 290950139041016  
Block: 290950139041018  
Block: 290950139042001  
Block: 290950139042002  
Block: 290950139042003  
Block: 290950139042004  
Block: 290950139042005  
Block: 290950139042006  
Block: 290950139042007  
Block: 290950139042008  
Block: 290950139042010  
Block: 290950139042011  
Block: 290950139042012  
Block: 290950139042013  
Block: 290950139042014  
Block: 290950139043026  
Block: 290950139043027  
Block: 290950139043028  
Block: 290950139043030  
Block: 290950139043031  
VTD: Prairie No. 50B  
VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76 (part)  
Block: 290950139013023  
Block: 290950139013024  
Block: 290950139013025  
Block: 290950139013026  
Block: 290950139013027  
Block: 290950139013028  
Block: 290950139013029  
Block: 290950139013030  
Block: 290950139043000  
Block: 290950139043001  
Block: 290950139043033  
Block: 290950139161004  
Block: 290950139161005  
Block: 290950139161006  
Block: 290950139161007  
Block: 290950139161008

**Block: 290950139161009**

**Block: 290950139161010**

**Block: 290950139161011**

**Block: 290950139161013**

**Block: 290950139161014**

**Block: 290950139161015**

**Block: 290950139161016**

**Block: 290950139161017**

**Block: 290950139161018**

**Block: 290950139161020**

**Block: 290950139162050**

**Block: 290950139162051**

**Block: 290950139162056**

**VTD: Prairie No. 50D**

**VTD: Prairie No. 55 & 56**

**VTD: Prairie No. 57,72,73,73A,73B,73C,73N,73W,& 73X**

**VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)**

**Block: 290950141121020**

**Block: 290950141121021**

**Block: 290950141121022**

**Block: 290950141121023**

**Block: 290950141121024**

**Block: 290950141121025**

**Block: 290950141121026**

**Block: 290950141121027**

**Block: 290950141121028**

**Block: 290950141121029**

**Block: 290950141121030**

**Block: 290950141121042**

**Block: 290950141121043**

**Block: 290950141121044**

**Block: 290950141121047**

**Block: 290950141121048**

**Block: 290950141121056**

**Block: 290950141121057**

**Block: 290950141201046**

**Block: 290950141201054**

**Block: 290950141201055**

**Block: 290950141201056**

**Block: 290950141201057**

**Block: 290950141201058**

**Block: 290950141201060**

**Block: 290950141201067**

**VTD: Prairie No. 6**

**VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)**

**Block: 290950139013000**

**Block: 290950139013001**

**Block: 290950139013002**

**Block: 290950139013003**

**Block: 290950139013004**

**Block: 290950139013005**

**Block: 290950139013006**

**Block: 290950139013008**

**Block: 290950139013013**

**Block: 290950139013015**

**Block: 290950139013016**

Block: 290950139013019  
Block: 290950139013020  
Block: 290950139013021  
Block: 290950139161000  
Block: 290950139161001  
Block: 290950139161002  
Block: 290950139161003  
Block: 290950141121046  
Block: 290950141121058  
Block: 290950141201045  
Block: 290950141201047  
Block: 290950141201048  
Block: 290950141201049  
Block: 290950141201050  
Block: 290950141201053  
Block: 290950141201059  
Block: 290950141201061  
Block: 290950141201062  
Block: 290950141201063  
Block: 290950141201064  
Block: 290950141201065  
Block: 290950141201066  
Block: 290950141201068  
Block: 290950141201069  
Block: 290959891001045  
Block: 290959891001046  
Block: 290959891001047  
Block: 290959891001057  
Block: 290959891001058  
Block: 290959891001059  
Block: 290959891001060  
Block: 290959891001063  
Block: 290959891001066  
Block: 290959891001069  
VTD: Prairie No. 66 & 66F  
VTD: Prairie No. 66A,66B,66C,& 66G  
VTD: Prairie No. 66D & 66E  
VTD: Prairie No. 69  
VTD: Prairie No. 7  
VTD: Prairie No. 70,70A,70B,70C,& 70D  
VTD: Sni-A-Bar No. 1,1B,& 1C (part)  
Block: 290950145022007  
Block: 290950145022008  
Block: 290950145022009  
Block: 290950145022017  
Block: 290950145022018  
Block: 290950145022019  
Block: 290950145022042  
Block: 290950145022043  
Block: 290950145022045  
Block: 290950145022046  
Block: 290950145022047  
Block: 290950145022048  
Block: 290950145022049  
Block: 290950145022050  
Block: 290950145022051

Block: 290950145022052  
 Block: 290950145022053  
 Block: 290950145022060  
 Block: 290950145022061  
 Block: 290950145022062  
 Block: 290950145022063  
 Block: 290950145022064  
 Block: 290950145022065  
 Block: 290950145022066  
 Block: 290950145022068  
 Block: 290950145022070  
 Block: 290950193001005  
 Block: 290950193001006  
 Block: 290950193001007  
 Block: 290950193001008  
 VTD: Sni-A-Bar No. 10 (part)  
 Block: 290950149042003  
 Block: 290950149042004  
 Block: 290950149042005  
 Block: 290950149042006  
 Block: 290950149042007  
 Block: 290950149042008  
 Block: 290950149042009  
 Block: 290950149042010  
 Block: 290950149042011  
 Block: 290950149042012  
 Block: 290950149042013  
 Block: 290950149042014  
 Block: 290950149042018  
 Block: 290950149042019  
 Block: 290950149042020  
 Block: 290950149042021  
 Block: 290950149042022  
 VTD: Sni-A-Bar No. 11  
 VTD: Sni-A-Bar No. 11A  
 VTD: Sni-A-Bar No. 14,75N,& 75X (part)  
 Block: 290950149052013  
 Block: 290950149052014  
 Block: 290950149052015  
 Block: 290950149052016  
 Block: 290950149052017  
 VTD: Sni-A-Bar No. 14A & 75A (part)  
 Block: 290950141011015  
 VTD: Sni-A-Bar No. 17,17N,17X,17Z,& 69  
 VTD: Sni-A-Bar No. 18,68N,& 68X  
 VTD: Sni-A-Bar No. 19  
 VTD: Sni-A-Bar No. 1A  
 VTD: Sni-A-Bar No. 2 & 3A  
 VTD: Sni-A-Bar No. 20 & 70A  
 VTD: Sni-A-Bar No. 21,21B,70,& 71  
 VTD: Sni-A-Bar No. 22 (part)  
 Block: 290950141012001  
 Block: 290950141012004  
 Block: 290950141012005  
 Block: 290950141012006  
 Block: 290950141012017



Block: 290950141014003  
Block: 290950141081014  
Block: 290950141081018  
VTD: Sni-A-Bar No. 23 (part)  
Block: 290950141083003  
Block: 290950141083004  
Block: 290950141083005  
Block: 290950141083006  
Block: 290950141083007  
Block: 290950141083008  
Block: 290950141083009  
Block: 290950141083010  
Block: 290950141083011  
Block: 290950141083012  
Block: 290950141083013  
Block: 290950141083014  
Block: 290950141083015  
Block: 290950141083016  
Block: 290950141083017  
Block: 290950141083018  
Block: 290950141083019  
Block: 290950141083024  
Block: 290950141083025  
Block: 290950141083026  
Block: 290950141083027  
Block: 290950141083028  
Block: 290950141083029  
Block: 290950141083030  
Block: 290950141083031  
Block: 290950141083032  
Block: 290950141083033  
Block: 290950141083036  
Block: 290950141083037  
Block: 290950141083040  
VTD: Sni-A-Bar No. 24 (part)  
Block: 290950141014013  
Block: 290950141014014  
Block: 290950141014015  
Block: 290950141014016  
Block: 290950141014034  
Block: 290950141014047  
Block: 290950141082019  
Block: 290950141082020  
Block: 290950141082021  
Block: 290950141082022  
Block: 290950141082023  
Block: 290950141082024  
Block: 290950141082026  
Block: 290950141082027  
Block: 290950141082028  
Block: 290950141082029  
Block: 290950141082030  
Block: 290950141082031  
Block: 290950141082032  
Block: 290950141082033  
Block: 290950141082034

Block: 290950141083000  
 Block: 290950141083001  
 Block: 290950141083002  
 Block: 290950141083020  
 Block: 290950141083021  
 Block: 290950141083022  
 Block: 290950141083023  
 VTD: Sni-A-Bar No. 25,72A,& 72B  
 VTD: Sni-A-Bar No. 26 & 26N  
 VTD: Sni-A-Bar No. 27 (part)  
 Block: 290950141083039  
 Block: 290950141144003  
 Block: 290950141144004  
 Block: 290950141144005  
 Block: 290950141144007  
 Block: 290950141144008  
 Block: 290950141144010  
 Block: 290950141144011  
 Block: 290950141144012  
 Block: 290950141144013  
 Block: 290950141144014  
 VTD: Sni-A-Bar No. 29 & 73  
 VTD: Sni-A-Bar No. 3 & 3B  
 VTD: Sni-A-Bar No. 30  
 VTD: Sni-A-Bar No. 30A,30B,30C,& 30D  
 VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)  
 Block: 290950141054002  
 Block: 290950141054010  
 Block: 290950141054011  
 Block: 290950141054012  
 Block: 290950141055020  
 Block: 290950141055022  
 Block: 290950141055026  
 Block: 290950141055027  
 Block: 290950141055068  
 Block: 290950141055069  
 VTD: Sni-A-Bar No. 32 & 78N  
 VTD: Sni-A-Bar No. 33  
 VTD: Sni-A-Bar No. 34,34A,& 74  
 VTD: Sni-A-Bar No. 35  
 VTD: Sni-A-Bar No. 35A  
 VTD: Sni-A-Bar No. 36,36A,& 79A  
 VTD: Sni-A-Bar No. 37,38,& 39  
 VTD: Sni-A-Bar No. 4 & 4N  
 VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)  
 Block: 290950140071002  
 Block: 290950140071003  
 Block: 290950140071004  
 Block: 290950140071005  
 Block: 290950140071006  
 Block: 290950140071011  
 Block: 290950140071012  
 Block: 290950140071013  
 Block: 290950140071014  
 Block: 290950140071018  
 Block: 290950140071025

Block: 290950140071026  
Block: 290950140071027  
Block: 290950140071028  
Block: 290950140071029  
Block: 290950140071030  
Block: 290950140071031  
Block: 290950140071032  
Block: 290950140071038  
Block: 290950140071041  
Block: 290950140071044  
Block: 290950140071045  
Block: 290950140071046  
Block: 290950140071047  
Block: 290950140071054  
Block: 290950140071055  
Block: 290950140071056  
Block: 290950140071057  
Block: 290950140071080  
Block: 290950140071081  
Block: 290950140071096  
Block: 290950140071097  
Block: 290950149032075  
Block: 290950149032076  
Block: 290950149032077  
Block: 290950149032106  
Block: 290950149032135  
VTD: Sni-A-Bar No. 49  
VTD: Sni-A-Bar No. 4X,59,59N,59X,60,60A,60N,& 60X  
VTD: Sni-A-Bar No. 5 & 5N  
VTD: Sni-A-Bar No. 50 & 91 (part)  
Block: 290950140042000  
Block: 290950140042001  
VTD: Sni-A-Bar No. 52 & 52A  
VTD: Sni-A-Bar No. 53 & 92 (part)  
Block: 290950140041022  
VTD: Sni-A-Bar No. 5A,5B,61,62,62A,& 97  
VTD: Sni-A-Bar No. 6 & 6B  
VTD: Sni-A-Bar No. 65,65N,& 65X  
VTD: Sni-A-Bar No. 68 & 68Z  
VTD: Sni-A-Bar No. 6A & 66  
VTD: Sni-A-Bar No. 6C,6D,6E,& 6F  
VTD: Sni-A-Bar No. 7,13,13A,13N,81,81A,81D,81Y,& 99N  
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)  
Block: 290950141055021  
Block: 290950141055023  
Block: 290950141055024  
Block: 290950141055025  
Block: 290950141055064  
Block: 290950141111003  
Block: 290950141111005  
Block: 290950141111006  
Block: 290950141111010  
Block: 290950141111011  
Block: 290950141111013  
Block: 290950141111014  
Block: 290950141111029

Block: 290950141111051  
Block: 290950141121006  
Block: 290950141121017  
VTD: Sni-A-Bar No. 8  
VTD: Sni-A-Bar No. 80  
VTD: Sni-A-Bar No. 81B  
VTD: Sni-A-Bar No. 82,82A,82N,& 82X  
VTD: Sni-A-Bar No. 89  
VTD: Sni-A-Bar No. 9  
VTD: Sni-A-Bar No. 90,90A,90B,& 90N  
VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)  
Block: 290950141121014  
Block: 290950141121015  
Block: 290950141121016  
Block: 290950141121018  
Block: 290950141121019  
Block: 290950141121034  
Block: 290950141121035  
Block: 290950141121037  
Block: 290950141121038  
Block: 290950141121039  
Block: 290950141121053  
Block: 290950141121054  
Block: 290950141121055  
VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)  
Block: 290950139013007  
Block: 290950139013009  
Block: 290950139013010  
Block: 290950139013011  
Block: 290950139013012  
Block: 290950139013014  
Block: 290950139013017  
Block: 290950139013018  
Block: 290950139013022  
Knox MO County  
Lewis MO County  
Linn MO County  
Livingston MO County  
Macon MO County  
Marion MO County  
Mercer MO County  
Monroe MO County  
Nodaway MO County  
Platte MO County  
Putnam MO County  
Ralls MO County  
Randolph MO County (part)  
VTD: Cairo  
VTD: Clark  
VTD: Clifton Hill  
VTD: Darksville  
VTD: Higbee (part)  
Block: 291754906002027  
Block: 291754906002028  
Block: 291754906002029  
Block: 291754906002030

Block: 291754906002031  
Block: 291754906002032  
Block: 291754906002106  
Block: 291754906002107  
Block: 291754906002108  
Block: 291754906002110  
Block: 291754906002111  
Block: 291754906002112  
Block: 291754906002113  
Block: 291754906002114  
Block: 291754906002115  
Block: 291754906002116  
Block: 291754906002117  
Block: 291754906002124  
Block: 291754906002125  
Block: 291754906002128  
Block: 291754906002129  
Block: 291754906002130  
Block: 291754906002131  
Block: 291754906002132  
Block: 291754906002133  
Block: 291754906002134  
Block: 291754906002135  
Block: 291754906002136  
Block: 291754906002137  
Block: 291754906002138  
Block: 291754906002139  
Block: 291754906002140  
Block: 291754906002141  
Block: 291754906002142  
Block: 291754906002143  
Block: 291754906002144  
Block: 291754906002145  
Block: 291754906002146  
Block: 291754906002156  
Block: 291754906002157  
Block: 291754906002158  
Block: 291754906002159  
Block: 291754906002160  
Block: 291754906002167  
Block: 291754906002197  
Block: 291754906002198  
Block: 291754906002203  
Block: 291754906002211  
Block: 291754906002215  
Block: 291754906002216  
Block: 291754906002221  
Block: 291754906003000  
Block: 291754906003001  
Block: 291754906003002  
Block: 291754906003003  
Block: 291754906003004  
Block: 291754906003005  
Block: 291754906003006  
Block: 291754906003007  
Block: 291754906003008

Block: 291754906003009  
Block: 291754906003010  
Block: 291754906003012  
Block: 291754906003013  
Block: 291754906003014  
Block: 291754906003015  
Block: 291754906003016  
Block: 291754906003017  
Block: 291754906003018  
Block: 291754906003019  
Block: 291754906003020  
Block: 291754906003021  
Block: 291754906003022  
Block: 291754906003023  
Block: 291754906003024  
Block: 291754906003025  
Block: 291754906003026  
Block: 291754906003027  
Block: 291754906003028  
Block: 291754906003029  
Block: 291754906003030  
Block: 291754906003031  
Block: 291754906003032  
Block: 291754906003033  
Block: 291754906003034  
Block: 291754906003035  
Block: 291754906003036  
Block: 291754906003037  
Block: 291754906003038  
Block: 291754906003039  
Block: 291754906003040  
Block: 291754906003047  
Block: 291754906003048  
Block: 291754906003049  
Block: 291754906003050  
Block: 291754906003051  
Block: 291754906003052  
Block: 291754906003053  
Block: 291754906004027  
Block: 291754906004028  
Block: 291754906004029  
Block: 291754906004036  
Block: 291754906004037  
Block: 291754906004038  
Block: 291754906004175  
Block: 291754906004176  
Block: 291754906004177  
VTD: Huntsville  
VTD: Jacksonville  
VTD: Levicks Mill  
VTD: Mt. Airy  
VTD: North Sugar Creek  
VTD: Renick  
VTD: Salt Springs  
VTD: South Sugar Creek  
VTD: Thomas Hill

**VTD: Union  
Schuyler MO County  
Scotland MO County  
Shelby MO County  
Sullivan MO County  
Worth MO County"; and**

Further amend said bill, Pages 158 to 167, Section 128.457, Lines 2 to 359, by deleting all of said lines and inserting in lieu thereof the following;

**"Barry MO County  
Barton MO County  
Cedar MO County  
Christian MO County (part)  
VTD: BRUNER (part)  
Block: 290430204004192  
Block: 290430204004193  
Block: 290430204004215  
Block: 290430204004216  
Block: 290430204004221  
Block: 290430204004222  
Block: 290430204004234  
Block: 290430204004235  
Block: 290430204004242  
VTD: CASSIDY  
VTD: CASSIDY 6  
VTD: CHADWICK  
VTD: EAST FINLEY  
VTD: GARDEN GROVE  
VTD: GARRISON  
VTD: LEAD HILL  
VTD: LINCOLN  
VTD: LINCOLN 2  
VTD: LINDEN  
VTD: MCCracken  
VTD: NORTH GALLOWAY  
VTD: NORTH LINN  
VTD: NORTHVIEW 1  
VTD: NORTHVIEW 2  
VTD: OLDFIELD  
VTD: POLK  
VTD: RIVERSIDE  
VTD: RIVERSIDE 2  
VTD: ROSEDALE 1A  
VTD: ROSEDALE 1B  
VTD: ROSEDALE 2  
VTD: SADDLEBROOKE  
VTD: SENECA  
VTD: SOUTH GALLOWAY  
VTD: SOUTH LINN  
VTD: SPARTA  
VTD: UNION CHAPEL 1  
VTD: UNION CHAPEL 2  
VTD: WEST BENTON  
VTD: WEST FINLEY  
Dade MO County**

Greene MO County  
Hickory MO County (part)  
VTD: Carson's Corner (part)  
Block: 290854701003116  
Block: 290854701003117  
Block: 290854701003118  
Block: 290854701003119  
Block: 290854701003124  
Block: 290854701003125  
Block: 290854701003128  
Block: 290854703001090  
Block: 290854703001091  
Block: 290854703001092  
Block: 290854703001093  
Block: 290854703001094  
Block: 290854703001095  
Block: 290854703001096  
Block: 290854703001097  
Block: 290854703001099  
Block: 290854703001117  
Block: 290854703001118  
Block: 290854703001119  
Block: 290854703001120  
Block: 290854703001121  
Block: 290854703001122  
Block: 290854703001123  
Block: 290854703001128  
Block: 290854703001129  
Block: 290854703002001  
Block: 290854703002002  
Block: 290854703002003  
Block: 290854703002004  
Block: 290854703002006  
Block: 290854703002007  
Block: 290854703002009  
Block: 290854703002011  
Block: 290854703002012  
Block: 290854703002013  
Block: 290854703002014  
Block: 290854703002015  
Block: 290854703002016  
Block: 290854703002017  
Block: 290854703002018  
Block: 290854703002019  
Block: 290854703002039  
Block: 290854703002040  
Block: 290854703002041  
Block: 290854703002042  
Block: 290854703002043  
Block: 290854703002086  
Block: 290854703002087  
Block: 290854703002088  
Block: 290854703002089  
Block: 290854703002090  
Block: 290854703002091  
Block: 290854703002092



Block: 290854703002093  
Block: 290854703002094  
Block: 290854703002095  
Block: 290854703002096  
Block: 290854703002097  
Block: 290854703002098  
Block: 290854703002099  
Block: 290854703002100  
Block: 290854703002101  
Block: 290854703002102  
Block: 290854703002103  
Block: 290854703002104  
Block: 290854703002105  
Block: 290854703002106  
Block: 290854703002107  
Block: 290854703002108  
Block: 290854703002109  
Block: 290854703002110  
Block: 290854703002116  
Block: 290854703002117  
Block: 290854703002118  
Block: 290854703002122  
Block: 290854703002129  
Block: 290854705001000  
Block: 290854705001001  
Block: 290854705001002  
VTD: Elkton  
VTD: Hermitage (part)  
Block: 290854701002020  
Block: 290854701002021  
Block: 290854703001025  
Block: 290854703001027  
Block: 290854703001028  
Block: 290854703001029  
Block: 290854703001030  
Block: 290854703001031  
Block: 290854703001032  
Block: 290854703001033  
Block: 290854703001034  
Block: 290854703001035  
Block: 290854703001036  
Block: 290854703001081  
Block: 290854703001082  
Block: 290854703001083  
Block: 290854703001084  
Block: 290854703001085  
Block: 290854703001086  
Block: 290854703001087  
Block: 290854703001088  
Block: 290854703001089  
Block: 290854703001098  
Block: 290854703001100  
Block: 290854703001101  
Block: 290854703001102  
Block: 290854703001103  
Block: 290854703001104

Block: 290854703001105  
Block: 290854703001106  
Block: 290854703001108  
Block: 290854703001109  
Block: 290854703001110  
Block: 290854703001111  
Block: 290854703001112  
Block: 290854703001113  
Block: 290854703001114  
Block: 290854703001115  
Block: 290854703001116  
Block: 290854703001125  
Block: 290854703001126  
Block: 290854703001127  
Block: 290854703001131  
Block: 290854703001132  
Block: 290854703001133  
Block: 290854703001134  
Block: 290854703001135  
Block: 290854703001136  
Block: 290854703001137  
Block: 290854703001138  
Block: 290854703001139  
Block: 290854703001140  
Block: 290854703001141  
Block: 290854703001142  
Block: 290854703001143  
Block: 290854703001144  
Block: 290854703001145  
Block: 290854703001146  
Block: 290854703001147  
Block: 290854703001148  
Block: 290854703001149  
Block: 290854703001150  
Block: 290854703001151  
Block: 290854703001152  
Block: 290854703001153  
Block: 290854703001154  
Block: 290854703001155  
Block: 290854703001156  
Block: 290854703001157  
Block: 290854703001158  
Block: 290854703001159  
Block: 290854703001161  
Block: 290854703001162  
Block: 290854703001163  
Block: 290854703001180  
Block: 290854703001181  
Block: 290854703001186  
Block: 290854703001187  
Block: 290854703001188  
Block: 290854703001189  
Block: 290854703001193  
Block: 290854703001198  
Block: 290854703001200  
Block: 290854703001201

**Block: 290854703001205**  
**Block: 290854703001206**  
**Block: 290854703001211**  
**Block: 290854703001213**  
**Block: 290854703001214**  
**Block: 290854703001215**  
**Block: 290854703001216**  
**Block: 290854703001217**  
**Block: 290854703001219**  
**VTD: Pittsburg**  
**VTD: Pleasant Ridge**  
**VTD: Weaubleau**  
**Jasper MO County**  
**Lawrence MO County**  
**McDonald MO County**  
**Newton MO County**  
**Polk MO County**  
**Stone MO County**  
**Vernon MO County"; and**

Further amend said bill, Pages 167 to 172, Section 128.458, Lines 2 to 204, by deleting all of said lines and inserting in lieu thereof the following;

**"Bollinger MO County**  
**Butler MO County**  
**Cape Girardeau MO County**  
**Carter MO County**  
**Christian MO County (part)**  
**VTD: BRUNER (part)**  
**Block: 290430204004032**  
**Block: 290430204004035**  
**Block: 290430204004036**  
**Block: 290430204004037**  
**Block: 290430204004038**  
**Block: 290430204004039**  
**Block: 290430204004040**  
**Block: 290430204004042**  
**Block: 290430204004043**  
**Block: 290430204004044**  
**Block: 290430204004045**  
**Block: 290430204004046**  
**Block: 290430204004099**  
**Block: 290430204004100**  
**Block: 290430204004101**  
**Block: 290430204004102**  
**Block: 290430204004103**  
**Block: 290430204004104**  
**Block: 290430204004105**  
**Block: 290430204004106**  
**Block: 290430204004110**  
**Block: 290430204004111**  
**Block: 290430204004112**  
**Block: 290430204004113**  
**Block: 290430204004114**  
**Block: 290430204004115**  
**Block: 290430204004116**

Block: 290430204004117  
Block: 290430204004118  
Block: 290430204004123  
Block: 290430204004124  
Block: 290430204004125  
Block: 290430204004126  
Block: 290430204004127  
Block: 290430204004128  
Block: 290430204004129  
Block: 290430204004130  
Block: 290430204004131  
Block: 290430204004132  
Block: 290430204004133  
Block: 290430204004134  
Block: 290430204004135  
Block: 290430204004136  
Block: 290430204004137  
Block: 290430204004138  
Block: 290430204004139  
Block: 290430204004140  
Block: 290430204004141  
Block: 290430204004143  
Block: 290430204004144  
Block: 290430204004145  
Block: 290430204004146  
Block: 290430204004147  
Block: 290430204004152  
Block: 290430204004153  
Block: 290430204004165  
Block: 290430204004166  
Block: 290430204004167  
Block: 290430204004168  
Block: 290430204004169  
Block: 290430204004170  
Block: 290430204004171  
Block: 290430204004183  
Block: 290430204004184  
Block: 290430204004187  
Block: 290430204004194  
Block: 290430204004217  
Block: 290430204004218  
Block: 290430204004220  
Block: 290430204004223  
Block: 290430204004224  
Block: 290430204004225  
Block: 290430204004226  
Block: 290430204004227  
Block: 290430204004228  
Block: 290430204004232  
Block: 290430204004236  
Block: 290430204004237  
Block: 290430204004238  
Block: 290430204004240  
VTD: EAST BENTON  
Dallas MO County  
Dent MO County

**Douglas MO County**  
**Dunklin MO County**  
**Howell MO County**  
**Iron MO County**  
**Laclede MO County**  
**Madison MO County**  
**Mississippi MO County**  
**New Madrid MO County**  
**Oregon MO County**  
**Ozark MO County**  
**Pemiscot MO County**  
**Perry MO County**  
**Phelps MO County**  
**Pulaski MO County**  
**Reynolds MO County**  
**Ripley MO County**  
**Scott MO County**  
**Shannon MO County**  
**Stoddard MO County**  
**Taney MO County**  
**Texas MO County**  
**Wayne MO County**  
**Webster MO County**  
**Wright MO County"; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Colona moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

NOES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hoskins

Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 71	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 005

Hinson	Nasheed	Schneider	Webber	Zimmerman
--------	---------	-----------	--------	-----------

VACANCIES: 001

On motion of Representative Diehl, **HCS HB 193** was adopted.

On motion of Representative Diehl, **HCS HB 193** was ordered perfected and printed.

**HCS HB 840**, relating to the Aerotropolis Trade Incentive and Tax Credit Act, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HB 840** was adopted.

On motion of Representative Jones (117), **HCS HB 840** was ordered perfected and printed.

**HB 677**, relating to vision examinations for students, was taken up by Representative Wells.

On motion of Representative Wells, **HB 677** was ordered perfected and printed.

**HB 737**, relating to hydroelectric power, was taken up by Representative Redmon.

Representative Funderburk offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 737, Page 2, Section 137.010, Line 33, by inserting immediately after said line the following:

“137.073. 1. As used in this section, the following terms mean:

(1) "General reassessment", changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) "Tax rate", "rate", or "rate of levy", singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) "Tax rate ceiling", a tax rate as revised by the taxing authority to comply with the provisions of this section or when a court has determined the tax rate; except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, RSMo, less all adjustments required pursuant to article X, section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) "Tax revenue", when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term "tax revenue" shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, RSMo, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes pursuant to chapter 67, RSMo, shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505, RSMo, and section 164.013, RSMo, or as excess home dock city or county fees as provided in subsection 4 of section 313.820, RSMo, in the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term "tax revenue", as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books for any personal property, in the aggregate, or for any subclass of real property as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation of each subclass of real property, individually, and personal property, in the aggregate, exclusive of new construction and improvements. All political subdivisions shall immediately revise the applicable rates of levy for each purpose for each subclass of real property, individually, and personal property, in the aggregate, for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year for each subclass of real property, individually, and personal property, in the aggregate, except that the rate [may] **shall not exceed the greater of the most recent voter-approved rate or the most recent voter-approved rate as adjusted under subdivision (2) of subsection 5 of this section. Any political subdivision that has received approval from voters for a tax increase after August 27, 2008, may levy a rate to collect substantially the same amount of tax revenue as the amount of revenue that would have been derived by applying the voter-approved increased tax rate ceiling to the total assessed valuation of the political subdivision as most recently certified by the city or county clerk on or before the date of the election in which such increase is approved, increased by the percentage increase in the consumer price index, as provided by law, except that the rate shall not exceed the greater of the most recent voter-approved rate or the most recent voter-approved rate as adjusted under subdivision (2) of subsection 5 of this section.** Such tax revenue shall not include any receipts from ad valorem levies on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property. Where the taxing authority is a school district for the purposes of revising the applicable rates of levy for each subclass of real property, the tax revenues from state-assessed railroad and utility property shall be apportioned and attributed to each subclass of real property based on the percentage of the total assessed valuation of the county that each subclass of real property represents in the current taxable year. As provided in section 22 of article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor for any such subclass of real property or personal property shall be limited to the actual assessment growth in such subclass or class, exclusive of new construction and improvements, and exclusive of the assessed value on any real property which was assessed by the assessor of a county or city in the current year in a different subclass of real property, but not to exceed the consumer price index or five percent, whichever is lower. Should the tax revenue of a political subdivision from the various tax rates determined in this subsection be different than the tax revenue that would have been determined from a single tax rate as calculated pursuant to the method of calculation in this subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of those subclasses of real property, individually, and/or personal property, in the aggregate, in which there is a tax rate reduction, pursuant to the provisions of this subsection. Such revision shall yield an amount equal to such difference and shall be apportioned among such subclasses of real property, individually, and/or personal property, in the aggregate,

based on the relative assessed valuation of the class or subclasses of property experiencing a tax rate reduction. Such revision in the tax rates of each class or subclass shall be made by computing the percentage of current year adjusted assessed valuation of each class or subclass with a tax rate reduction to the total current year adjusted assessed valuation of the class or subclasses with a tax rate reduction, multiplying the resulting percentages by the revenue difference between the single rate calculation and the calculations pursuant to this subsection and dividing by the respective adjusted current year assessed valuation of each class or subclass to determine the adjustment to the rate to be levied upon each class or subclass of property. The adjustment computed herein shall be multiplied by one hundred, rounded to four decimals in the manner provided in this subsection, and added to the initial rate computed for each class or subclass of property. Notwithstanding any provision of this subsection to the contrary, no revision to the rate of levy for personal property shall cause such levy to increase over the levy for personal property from the prior year.

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, RSMo, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling for the particular subclass of real property or for personal property, in the aggregate, in a prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate for the particular subclass of real property or for personal property, in the aggregate, after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive had the corrected or finalized assessment been available at the time of the prior calculation.

4. (1) In order to implement the provisions of this section and section 22 of article X of the Constitution of Missouri, the term "improvements" shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, RSMo, sections 135.200 to 135.255, RSMo, and section 353.110, RSMo, shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. Notwithstanding any opt-out implemented pursuant to subsection 15 of section 137.115, the assessor shall certify the amount of new construction and improvements and the amount of assessed value on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property separately for each of the three subclasses of real property for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and section 22, article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on February first of each year over the immediately preceding prior twelve-month period



in order that political subdivisions shall have this information available in setting their tax rates according to law and section 22 of article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and section 22 of article X of the Missouri Constitution, the term "property" means all taxable property, including state-assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or section 22 of article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and section 22 of article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of section 10(c) of article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to section 22 of article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with section 22 of article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo, shall be applied to the tax rate as established pursuant to this section and section 22 of article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be adjusted as provided in this section and, so adjusted, shall be the current tax rate ceiling. The increased tax rate ceiling as approved shall be adjusted such that when applied to the current total assessed valuation of the political subdivision, excluding new construction and improvements since the date of the election approving such increase, the revenue derived from the adjusted tax rate ceiling is equal to the sum of: the amount of revenue which would have been derived by applying the voter-approved increased tax rate ceiling to total assessed valuation of the political subdivision, as most recently certified by the city or county clerk on or before the date of the election in which such increase is approved, increased by the percentage increase in the consumer price index, as provided by law. Such adjusted tax rate ceiling may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate. If a ballot question presents a phased-in tax rate increase, upon voter approval, each tax rate increase shall be adjusted in the manner prescribed in this section to yield the sum of: the amount of revenue that would be derived by applying such voter-approved increased rate to the total assessed valuation, as most recently certified by the city or county clerk on or before the date of the election in which such increase was approved, increased by the percentage increase in the consumer price index, as provided by law, from the date of the election to the time of such increase and, so adjusted, shall be the current tax rate ceiling.

(3) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling and may, in a nonreassessment year, increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval in the manner provided under subdivision (4) of this subsection. Nothing in this section shall be construed as prohibiting a political subdivision from voluntarily levying a tax rate lower than that which is required under the provisions of this section or from seeking voter approval of a reduction to such political subdivision's tax rate ceiling.

(4) In a year of general reassessment, a governing body whose tax rate is lower than its tax rate ceiling shall revise its tax rate pursuant to the provisions of subsection 4 of this section as if its tax rate was at the tax rate ceiling. In a year following general reassessment, if such governing body intends to increase its tax rate, the governing body shall conduct a public hearing, and in a public meeting it shall adopt an ordinance, resolution, or policy statement justifying its action prior to setting and certifying its tax rate. The provisions of this subdivision shall not apply to any political subdivision which levies a tax rate lower than its tax rate ceiling solely due to a reduction required by law resulting from sales tax collections. The provisions of this subdivision shall not apply to any political subdivision which has received voter approval for an increase to its tax rate ceiling subsequent to setting its most recent tax rate.

6. (1) For the purposes of calculating state aid for public schools pursuant to section 163.031, RSMo, each taxing authority which is a school district shall determine its proposed tax rate as a blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first determining the total tax revenue of the property within the jurisdiction of the taxing authority, which amount shall be equal to the sum of the products of multiplying the assessed valuation of each class and subclass of property by the corresponding tax rate for such class or subclass, then dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then multiplying the resulting

quotient by a factor of one hundred. Where the taxing authority is a school district, such blended rate shall also be used by such school district for calculating revenue from state-assessed railroad and utility property as defined in chapter 151, RSMo, and for apportioning the tax rate by purpose.

(2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest one-tenth of a cent, unless its proposed tax rate is in excess of one dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-hundredth of a cent, it shall round up a fraction greater than or equal to five/one-thousandth of one cent to the next higher one/one-hundredth of a cent; if a taxing authority shall round to one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. Any taxing authority levying a property tax rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. All forms for the calculation of rates pursuant to this section shall be promulgated as a rule and shall not be incorporated by reference. The state auditor shall promulgate rules for any and all forms for the calculation of rates pursuant to this section which do not currently exist in rule form or that have been incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be *prima facie* valid if, after making the payment for which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to

revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031, RSMo, or otherwise contested. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Silvey resumed the Chair.

On motion of Representative Funderburk, **House Amendment No. 1** was adopted.

On motion of Representative Redmon, **HB 737, as amended**, was ordered perfected and printed.

### **THIRD READING OF SENATE BILL**

**SCS SB 19**, relating to corporate franchise taxes, was taken up by Representative Nolte.

Representative Sifton offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 19, Section 147.010, Page 3, Lines 61-69, by deleting all of said lines and inserting in lieu thereof the following:

“(1) For tax year 2012, the rate shall be one-thirty-third of one percent and the threshold amount shall be ten million dollars;

(2) For tax year 2013, the rate shall be one-thirty-seventh of one percent and the threshold amount shall be ten million dollars;

(3) For tax year 2014, the rate shall be one-forty-third of one percent and the threshold amount shall be ten million dollars;

(4) For tax year 2015, the rate shall be one-fiftieth of one percent and the threshold amount shall be ten million dollars;

(5) For tax year 2016, the rate shall be one-sixty-seventh of one percent and the threshold amount shall be ten million dollars;

(6) For tax year 2017, the rate shall be one-seventy-fifth of one percent and the threshold amount shall be ten million dollars;

(7) For tax year 2018, the rate shall be one-hundred-thirteenth of one percent and the threshold amount shall be ten million dollars;

(8) For tax year 2019, the rate shall be one-hundred-fiftieth of one percent and the threshold amount shall be ten million dollars;

(9) For tax year 2020, the rate shall be two-hundred-fiftieth of one percent and the threshold amount shall be ten million dollars;

(10) For tax years beginning on or after January 1, 2021, no"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

NOES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Hughes	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Dugger	Gatschenberger	Hinson	Meadows	Nasheed
Phillips	Schneider	Zimmerman		

VACANCIES: 001

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Lochner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McGeoghegan	McManus	McNeil	Montecillo
Nasheed	Newman	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 014

Davis	Dugger	Franz	Gatschenberger	Hinson
Leara	McDonald	Meadows	Nichols	Phillips
Pollock	Schneider	Talboy	Zimmerman	

VACANCIES: 001

On motion of Representative Nolte, **SCS SB 19** was truly agreed to and finally passed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 006

Franz	Haefner	Hinson	Meadows	Phillips
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

---

**SUPPLEMENTAL CALENDAR  
APRIL 6, 2011**

**HOUSE BILL FOR THIRD READING**

HCS HB 193 - Diehl

---

**THIRD READING OF HOUSE BILL**

**HCS HB 193**, relating to congressional districts, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 193** was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McGhee	McNary
Molendorp	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hughes
Hummel	Jones 63	Kander	Keeney	Kelly 24
Kirkton	Kratky	Lampe	Lasater	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Nance	Newman	Nichols	Oxford	Pace

Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 003

Hinson	Meadows	Zimmerman
--------	---------	-----------

VACANCIES: 001

Representative Silvey declared the bill passed.

### PERFECTION OF HOUSE BILL

**HCS HB 473**, relating to charter schools, was taken up by Representative Jones (63).

Representative Thomson offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 473, Page 1, Section 160.400, Lines 2 to 9, by deleting all of said lines and inserting in lieu thereof the following:

- “2. **Except as further provided in subsection 4 of this section**, charter schools may be operated only:
- (1) In a metropolitan school district [or];
  - (2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants [and may be sponsored by any of the following];
  - (3) **In a school district that has been declared unaccredited;**
  - (4) **In a provisionally accredited school district under the following conditions:**
    - (a) **A school district is first eligible for charter schools after three consecutive full school years in provisionally accredited status;**
    - (b) **The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529 or on financial hardship as defined by rule of the state board of education shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and**
    - (c) **The sponsor is limited to the local school board or a sponsor who has met standards of accountability and performance in its sponsorship of other charter schools as determined by rule of the state board of education;**
  - or
  - (5) **In a school district that has been accredited without provisions, sponsored only by the local school board.**
3. **Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor charter schools:**
- (1) **The school board of the district in any district which is sponsoring a charter school as of August 27, 2011 as permitted under subdivision (1) of subsection 2;”;** and

Further amend said bill, and section, Page 2, Lines 27 to 29, by deleting all of said lines and inserting in lieu thereof the following:

“4. **Changes in a school district’s accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:**



**(1) Existing charter schools sponsored by entities that would not be permitted to sponsor charter schools in an unaccredited district shall be permitted to be maintained but not expanded after the district achieves three consecutive full school years of provisional accreditation.**

**Existing charter schools sponsored by entities that would not be permitted to sponsor charter schools in a provisionally accredited district shall be permitted to be maintained but not expanded after the district achieves three consecutive full school years without provisional accreditation.**

**(2) A charter school in a district described in subdivision (1) of this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the school is operated.”; and**

Further amend said bill, Section 160.405, Page 13, Line 255, by deleting the numeral “17” and inserting in lieu thereof the following: “18”; and

Further amend said bill, section, and page, Line 261, by inserting after all of said line the following:

**“The decision of the state board of education to revoke a charter under subsection 18 of section 160.400 or not to renew a charter under paragraph (b) of subdivision (2) of subsection 9 of this section shall be final.”; and**

Further amend said bill, Section 160.410, Page 14, Lines 6 and 7, by deleting the following:

**“any nonresident pupil from the same or an adjacent county who is considered high risk or is a dropout, or”; and**

Further amend said bill and section, Page 15, Line 34, by inserting after the word “level.” the following:

**“Students of a charter school that are present for the January membership count as defined in section 163.011 shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners.”; and**

Further amend said bill, Section 160.425, Page 23, Line 47, by inserting after all of said section the following:

**“Section 1. The joint committee on education shall review the fifth cycle school improvement program standards to determine what effects, if any, changes to performance standards may have on the number and type of charter schools and charter school sponsorship as a consequence of a district’s accreditation status. The joint committee on education shall deliver its report, which may contain recommendations for changes to law or to state board of education policy, no later than December 31, 2011, and again upon any subsequent substantive revision of the standards.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**Representative Dieckhaus offered House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1  
to  
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 473, Page 2, Lines 3 to 8 of said amendment, by deleting all of said lines and inserting in lieu thereof the following:

**“(1) As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation.”; and**

Further amend said amendment and page, Line 9 of said amendment, by deleting the following:

“**subdivision (1) of**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HCS HB 473, with House Amendment No. 1 to House Amendment No. 1, and House Amendment No. 1, pending**, was laid over.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 291** - Fiscal Review (Fiscal Note)

**HCS HB 840** - Fiscal Review (Fiscal Note)

## **COMMITTEE REPORTS**

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **HOUSE CONCURRENT RESOLUTION NO. 42**

WHEREAS, the United States Environmental Protection Agency (EPA) has proposed or is proposing numerous new regulations, particularly in the area of air quality and regulation of greenhouse gases, that are likely to have major effects on the economy, jobs, and the competitiveness of the United States in worldwide markets; and

WHEREAS, EPA's regulatory activity as to air quality and greenhouse gases has numerous and overlapping requirements and may have a potentially devastating consequence on the economy; and

WHEREAS, concern is growing that, with Cap-and-Trade legislation having failed in the United States Congress, EPA is attempting to obtain the same results through the adoption of regulations; and

WHEREAS, EPA over-regulation is driving jobs and industry out of the United States; and

WHEREAS, neither EPA nor the Administration has undertaken any comprehensive study of what the cumulative effect that the new regulatory activity will have on the economy, jobs, and competitiveness; and

WHEREAS, EPA has not performed any comprehensive study of what the environmental benefits of its greenhouse gas regulation will be in terms of impacts on global climate; and

WHEREAS, state agencies are routinely required to identify the costs of their regulations and to justify those costs in light of the benefits; and

WHEREAS, since EPA has identified "taking action on climate change and improving air quality" as its first strategic goal for the 2011-15 time period, EPA should be required to identify the specific actions it intends to take to achieve these goals and to assess the total cost of all these actions together; and

WHEREAS, the Missouri General Assembly supports continuing improvements in the quality of the nation's air and believes that such improvements can be made in a sensible fashion without damaging the economy so long as there is a full understanding of the cost of the regulation at issue; and

WHEREAS, the primary goal of government at the present time must be to promote economic recovery and to foster a stable and predictable business environment that will lead to the creation of jobs; and

WHEREAS, public health and welfare will suffer without significant new job creation and economic improvement, because people with good jobs are better able to take care of themselves and their families than the unemployed and because environmental improvement is only possible in a society that generates wealth:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to:

(1) Adopt legislation prohibiting EPA, by any means necessary, from regulating greenhouse gas emissions, including defunding EPA greenhouse gas regulatory activities, if necessary;

(2) Impose a moratorium on promulgation of any new air quality regulation by EPA, by any means necessary, except to directly address an imminent health or environmental emergency, for a period of at least two years, including defunding EPA air quality regulatory activities; and

(3) Require the Administration to undertake a study identifying all regulatory activity the EPA intends to undertake in furtherance of its goal of "taking action on climate change and improving air quality" and specifying the cumulative effect of all of these regulations on the economy, jobs, and the economic competitiveness of the United States. The study should be a multi-agency study drawing on the expertise both of EPA and of agencies and departments having expertise in and responsibility for the economy and the electric system and should provide an objective cost-benefit analysis of all the EPA's current and planned regulation together; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States; the Majority and Minority Leaders of the United States House of Representatives and Senate; Lisa P. Jackson, the Administrator of the Environmental Protection Agency; and each member of the Missouri Congressional delegation.

**Committee on Professional Registration and Licensing, Chairman Brandom reporting:**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 732**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation, Chairman Denison reporting:**

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 818**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Urban Issues, Chairman Nasheed reporting:**

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 643**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Special Standing Committee on Renewable Energy**, Chairman Holsman reporting:

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 613**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCR 8**.

SENATE SUBSTITUTE  
FOR  
SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be \$6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas.

The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Thursday, April 7, 2011.

### **COMMITTEE MEETINGS**

#### **AGRI-BUSINESS**

Thursday, April 7, 2011, 8:00 AM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.

#### **BUDGET**

Thursday, April 7, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Continuation of Capital Improvements, Maintenance & Repair, and  
Reappropriations Presentations.

#### **DOWNSIZING STATE GOVERNMENT**

Thursday, April 7, 2011, 9:00 AM House Hearing Room 4.  
Executive session will be held: HJR 11, HJR 12, HB 437, HB 493  
Executive session may be held on any matter referred to the committee.  
AMENDED

#### **ELEMENTARY AND SECONDARY EDUCATION**

Thursday, April 7, 2011, 8:00 AM South Gallery.  
Public hearing will be held: HB 588  
Executive session may be held on any matter referred to the committee.  
AMENDED

#### **FINANCIAL INSTITUTIONS**

Thursday, April 7, 2011, 9:00 AM North Gallery.  
Public hearing will be held: HB 811, SB 71, SB 83, SCS SB 219  
Executive session may be held on any matter referred to the committee.  
Continued from 4/6/11.

#### **RURAL COMMUNITY DEVELOPMENT**

Thursday, April 7, 2011, North Gallery upon morning adjournment.  
Executive session will be held: HB 742

**TOURISM AND NATURAL RESOURCES**

Thursday, April 7, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SB 135, SB 180, HB 103, HB 597

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, April 7, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCR 7, SB 173

Executive session will be held: HB 659, HB 786

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, April 7, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 298, HB 824, HB 979

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, April 11, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS#2 SCS SB 8

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FIFTY-FIRST DAY, THURSDAY, APRIL 7, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended, HA 2, pending - Koenig
- 3 HCS HJR 5 - Pollock

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 111 - Cox
- 7 HCS HBs 223 & 231 - Wallingford
- 8 HCS HB 401 - Diehl
- 9 HCS HB 407 - Wieland
- 10 HCS HB 430 - Burlison
- 11 HCS HB 464 - McNary
- 12 HCS HB 555 - Grisamore
- 13 HB 591 - Lichtenegger
- 14 HB 655 - Lampe

- 15 HCS HB 657 - Allen
- 16 HCS HB 697 - Smith (150)

**HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE**

HCS#2 HB 609 - Molendorp

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 3 - Loehner

**HOUSE BILLS FOR THIRD READING**

- 1 HB 458 - Loehner
- 2 HCS HB 641 - Franz
- 3 HCS HB 192, E.C. - Jones (89)
- 4 HCS HBs 470 & 429 - Funderburk
- 5 HCS HB 336 - Burlison
- 6 HCS HB 28 - Sater
- 7 HCS HB 546 - Kelly (24)
- 8 HCS HBs 411 & 421 - Wyatt
- 9 HCS HB 468 - Diehl
- 10 HB 291, (Fiscal Review 4-6-11) - Denison
- 11 HCS HB 840, (Fiscal Review 4-6-11) - Jones (117)
- 12 HB 677 - Wells
- 13 HB 737 - Redmon

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTY-FIRST DAY, THURSDAY, APRIL 7, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*They that wait upon the Lord shall renew their strength. (Isaiah 40:31)*

Our Father God, Who is from everlasting to everlasting, to You we come and unto You we lift our hearts in prayer. Always You are with us, always You seek to arise anew within our minds. Help us to be aware of Your presence and, by clear thinking, clean living, and a creative faith, we may find Your spirit coming to new life deep within our own being.

We pray for greater strength - strength to resist evil, strength to overcome our temptations, strength to do what we ought to do and to live as we ought to live. O God, come into our hearts and help us do for ourselves what we cannot do by ourselves - win the battle over our own weaknesses. Thus, may we be given strength to do our full part in making our hearts good and sound and wise. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fiftieth day was approved as printed.

## SPECIAL RECOGNITION

Graduates of the Missouri Statewide Drug Courts were introduced by Speaker Pro Tem Schoeller and presented with a resolution.

## HOUSE RESOLUTION

Representative Long, et al., offered House Resolution No. 1826.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1807 through House Resolution No. 1825

House Resolution No. 1827 through House Resolution No. 1846



## PERFECTION OF HOUSE BILL - FEDERAL MANDATE

**HCS#2 HB 609**, relating to the Show-me Health Insurance Exchange Act, was taken up by Representative Molendorp.

**HCS#2 HB 609** was laid over.

## THIRD READING OF HOUSE BILLS

**HB 458**, relating to the Missouri Farmland Trust Act, was taken up by Representative Loehner.

On motion of Representative Loehner, **HB 458** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116                      Hughes                      Webber                      Wells                      Zimmerman

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 641**, relating to controlled substances, was taken up by Representative Franz.

Representative Smith (150) assumed the Chair.

On motion of Representative Franz, **HCS HB 641** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

## 1157 *Journal of the House*

NOES: 012

Colona	Ellinger	Holsman	Hughes	Jones 63
Kelly 24	May	McGeoghegan	Oxford	Pierson
Smith 71	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116	Diehl	Webber	Zimmerman	Mr Speaker
-----------	-------	--------	-----------	------------

VACANCIES: 001

Representative Smith (150) declared the bill passed.

**HCS HB 192**, relating to environmental protections, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HCS HB 192** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 001

Hughes

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 007

Brown 116	Jones 63	Kander	Loehner	Webber
Zimmerman	Mr Speaker			

VACANCIES: 001

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

## 1159 *Journal of the House*

Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 001

Hughes

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 116	Webb	Zimmerman	Mr Speaker
-----------	------	-----------	------------

VACANCIES: 001

**HCS HBs 470 & 429**, relating to nonresident entertainer income tax, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HCS HBs 470 & 429** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shumake
Sifton	Silvey	Smith 150	Solon	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 015

Asbury	Burlison	Carlson	Ellinger	Hubbard
Kirkton	Lasater	Marshall	May	Oxford
Quinn	Schupp	Shively	Smith 71	Spreng

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 116	Schad	Zimmerman	Mr Speaker
-----------	-------	-----------	------------

VACANCIES: 001

Representative Smith (150) declared the bill passed.

**HCS HB 336**, relating to tax incentives to attract sporting events to Missouri, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HB 336** was read the third time and passed by the following vote:

AYES: 134

Allen	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Brandom	Brown 50	Brown 85
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 024

Anders	Bahr	Black	Brattin	Conway 14
Cookson	Curtman	Dugger	Guernsey	Hinson
Keeney	Kirkton	Koenig	Largent	Lasater
Leach	Marshall	Newman	Oxford	Pace
Richardson	Schad	Walton Gray	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 116	Scharnhorst	Swearingen	Zimmerman
-----------	-------------	------------	-----------

VACANCIES: 001

Representative Smith (150) declared the bill passed.

**HCS HB 28**, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Sater.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeider	Schneider	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 054

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24

Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Anders	Brattin	Brown 116	Weter	Zimmerman
--------	---------	-----------	-------	-----------

VACANCIES: 001

On motion of Representative Sater, **HCS HB 28** was read the third time and passed by the following vote:

AYES: 118

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 038

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Hughes	Jones 63
Kander	Kelly 24	Kirkton	Lampe	McCann Beatty
McDonald	McGeoghegan	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		



PRESENT: 000

ABSENT WITH LEAVE: 006

Anders	Brown 116	May	Schad	Weter
Zimmerman				

VACANCIES: 001

Representative Smith (150) declared the bill passed.

**HCS HB 546**, relating to the Missouri Housing Development Commission, was taken up by Representative Diehl.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Diehl, **HCS HB 546** was read the third time and passed by the following vote:

AYES: 128

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 028

Atkins	Brown 50	Carlson	Colona	Ellinger
Harris	Hodges	Hughes	Hummel	Kirkton
May	McGeoghegan	McNeil	Montecillo	Newman

Nichols	Oxford	Pace	Pierson	Quinn
Schieffer	Schupp	Shively	Smith 71	Still
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 116	Conway 27	Day	Peters-Baker	Sater
Zimmerman				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HBs 411 & 421**, relating to residents of developmental disability facilities, was taken up by Representative Wyatt.

Representative Franz assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	Montecillo

## 1165 *Journal of the House*

Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 116	Day	Guernsey	Lant	Leara
McNeil	Meadows	Peters-Baker	Sater	Zimmerman

VACANCIES: 001

Representative Wyatt moved that **HCS HBs 411 & 421** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 067

Allen	Bahr	Barnes	Bernskoetter	Burlison
Cauthorn	Conway 14	Conway 27	Cox	Cross
Curtman	Dieckhaus	Diehl	Elmer	Entlicher
Faith	Fitzwater	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Koenig	Korman	Lasater	Lauer
Lichtenegger	Loehner	Long	May	McNary
Nasheed	Neth	Nolte	Parkinson	Quinn
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Stream
Thomson	Wallingford	Weter	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 087

Anders	Asbury	Atkins	Aull	Berry
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Carlson	Carter	Casey	Cierpiot
Colona	Cookson	Crawford	Davis	Denison
Dugger	Ellinger	Fallert	Fisher	Flanigan
Fuhr	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Hughes	Hummel	Jones 63	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Kratky	Lair
Lampe	Largent	Leach	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Molendorp	Montecillo	Nance	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Richardson	Rizzo	Schad	Schieffer
Schupp	Sifton	Smith 71	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Walton Gray	Webb	Webber	Wells
White	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Guernsey	Lant	Leara	Meadows
Peters-Baker	Sater	Zimmerman		

VACANCIES: 001

**HCS HB 468**, relating to economic incentives for jobs, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 468** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 007

Bahr	Brattin	Dugger	Koenig	Marshall
Pollock	Wells			

## 1167 *Journal of the House*

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 010

Day	Entlicher	Guernsey	Lant	Leara
McNeil	Meadows	Peters-Baker	Sater	Zimmerman

VACANCIES: 001

Representative Franz declared the bill passed.

**HB 677**, relating to vision examinations for students, was taken up by Representative Wells.

On motion of Representative Wells, **HB 677** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 002

Ellinger	Kirkton
----------	---------

PRESENT: 002

Swinger Mr Speaker

ABSENT WITH LEAVE: 012

Brown 50	Day	Dieckhaus	Entlicher	Guernsey
Lant	Leara	McNeil	Meadows	Peters-Baker
Sater	Zimmerman			

VACANCIES: 001

Representative Franz declared the bill passed.

**HB 737**, relating to hydroelectric power, was taken up by Representative Redmon.

On motion of Representative Redmon, **HB 737** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 012

Cierpiot	Day	Dieckhaus	Entlicher	Guernsey
Lant	Leara	McNeil	Meadows	Peters-Baker
Sater	Zimmerman			

VACANCIES: 001

Representative Franz declared the bill passed.

### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 721** - General Laws

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 650** - Crime Prevention and Public Safety  
**HB 720** - General Laws  
**HB 793** - Children and Families  
**HB 816** - Children and Families  
**HB 817** - Children and Families  
**HB 865** - Transportation  
**HB 870** - Elementary and Secondary Education  
**HB 875** - Crime Prevention and Public Safety  
**HB 876** - Workforce Development and Workplace Safety  
**HB 877** - Utilities  
**HB 883** - Crime Prevention and Public Safety  
**HB 885** - Ways and Means  
**HB 891** - Ways and Means  
**HB 894** - Professional Registration and Licensing  
**HB 903** - Elementary and Secondary Education  
**HB 909** - Judiciary  
**HB 913** - Crime Prevention and Public Safety  
**HB 914** - Special Standing Committee on Disability Services  
**HB 915** - General Laws  
**HB 927** - Crime Prevention and Public Safety  
**HB 931** - General Laws  
**HB 935** - General Laws  
**HB 943** - Economic Development  
**HB 945** - Transportation  
**HB 948** - Crime Prevention and Public Safety

**HB 949** - Economic Development  
**HB 950** - Special Standing Committee on Disability Services  
**HB 951** - Economic Development  
**HB 953** - Ways and Means  
**HB 961** - Transportation  
**HB 968** - Tax Reform  
**HB 971** - Higher Education  
**HB 972** - Economic Development  
**HB 974** - Elections  
**HB 980** - Elementary and Secondary Education  
**HB 981** - Elementary and Secondary Education  
**HB 985** - Crime Prevention and Public Safety  
**HB 987** - Local Government  
**HB 990** - Agriculture Policy  
**HB 992** - Tourism and Natural Resources  
**HB 996** - Local Government  
**HB 999** - Crime Prevention and Public Safety  
**HB 1002** - General Laws  
**HB 1003** - Emerging Issues in Animal Agriculture  
**HB 1006** - Special Standing Committee on Renewable Energy  
**HB 1011** - Crime Prevention and Public Safety  
**HB 1018** - Financial Institutions  
**HB 1027** - Special Standing Committee on Disability Services

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SS SB 226** - General Laws

### **COMMITTEE REPORTS**

**Committee on Agri-Business**, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SCS SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.



**Committee on Elementary and Secondary Education**, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 446**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Financial Institutions**, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 811**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 71**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 83**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SCS SB 219**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SS SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on International Trade and Job Creation**, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 28

WHEREAS, civil aviation plays a pivotal role in promoting cultural exchange, business, trade, and tourism; and

WHEREAS, to develop international civil aviation in a safe and orderly manner is the supreme cause of the International Civil Aviation Organization (ICAO); and

WHEREAS, Taiwan is the world's 20th largest economy, 18th largest trading country, and a key air transport hub linking Northeast and Southeast Asia; and

WHEREAS, in December 2008, Taiwan and China resumed direct flights, shipping, and postal service which ended a ban that had been in place since 1949. Direct flights operated exclusively by Taiwanese and Chinese carriers more than doubled after the ban was lifted; and

WHEREAS, over 174,000 international flights travel to and from Taiwan, with foreign passengers making approximately 4.8 million trips to the island every year, and over 35 million passengers, including 29 million passengers on international flights, arrived and departed from Taiwan's airports in 2009; and

WHEREAS, remodeling of one of Taiwan's two international airports will be completed in the fall of 2011 to help absorb the nearly threefold surge in tourist arrivals from China which is expected to exceed one million in 2010; and

WHEREAS, without Taiwan's participation, international flight plans, regulations, and procedures that ICAO formulates will be incomplete; and

WHEREAS, in the 1994 Taiwan Policy Review, the United States declared its intention to support Taiwan's participation in appropriate international organizations; and

WHEREAS, the State of Missouri and Taiwan have entered into Sister State relationship since 1980, with both sides highly regarding this mutually beneficial link:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby endorses an observer status for Taiwan in the International Civil Aviation Organization; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the United States Secretary of State, the United States Secretary of Transportation, each member of the Missouri Congressional delegation, and the Director-General of the Taipei Economic and Cultural Office in Kansas City, Missouri.

**Committee on Small Business, Chairman Scharnhorst reporting:**

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 403**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:**

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 466**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules, Chairman Diehl reporting:**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 121**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 138**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 211**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 257**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 303 & 239**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 305**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 357**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 366**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 562**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 579**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 656**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 661**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 664**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 828**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## INTRODUCTION OF HOUSE BILLS-APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

**HB 17**, introduced by Representative Silvey, to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2011 and ending June 30, 2013.

**HB 18**, introduced by Representative Silvey, to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements; and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

**HB 21**, introduced by Representative Silvey, to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

**HB 22**, introduced by Representative Silvey, to appropriate money for the purpose of funding state government.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 9**, entitled:

An act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 29**, entitled:

An act to repeal sections 338.010, 338.140, 338.150, 338.210, 338.220, and 338.240, RSMo, and to enact in lieu thereof six new sections relating to veterinary legend drugs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 54**, entitled:

An act to repeal sections 37.710, 160.261, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037, RSMo, and to enact in lieu thereof eighteen new sections relating to protecting children from sexual offenders, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 59**, entitled:

An act to repeal section 456.5-505, RSMo, and to enact in lieu thereof three new sections relating to fiduciaries.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 60**, entitled:

An act to repeal sections 404.710, 456.3-301, 456.8-813, 469.411, 469.437, and 469.459, RSMo, and to enact in lieu thereof six new sections relating to fiduciaries.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 65**, entitled:

An act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 70**, entitled:

An act to repeal sections 402.199, 402.200, 402.205, 402.210, 402.215, 402.217, 402.220, 473.657, and 475.093, RSMo, and to enact in lieu thereof twelve new sections relating to the Missouri family trust.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 81**, entitled:

An act to amend chapter 162, RSMo, by adding thereto one new section relating to fine arts education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 90**, entitled:

An act to repeal sections 103.080 and 103.089, RSMo, and to enact in lieu thereof two new sections relating to the state employee health insurance program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 116**, entitled:

An act to repeal sections 210.844, 454.850, 454.853, 454.855, 454.857, 454.860, 454.862, 454.865, 454.867, 454.869, 454.871, 454.874, 454.877, 454.880, 454.882, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.900, 454.902, 454.905, 454.907, 454.910, 454.912, 454.915, 454.917, 454.920, 454.922, 454.927, 454.930, 454.932, 454.934, 454.936, 454.938, 454.941, 454.943, 454.946, 454.948, 454.951, 454.953, 454.956, 454.958, 454.961, 454.963, 454.966, 454.968, 454.971, 454.973, 454.976, 454.978, 454.981, 454.983, 454.986, 454.989, 454.991, 454.993, 454.995, and 454.999, RSMo, and to enact in lieu thereof eighty new sections relating to the uniform interstate family support act, with a contingent effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 117**, entitled:

An act to repeal section 144.032, RSMo, and to enact in lieu thereof two new sections relating to the imposition of a hospital district sales tax in lieu of a property tax to fund a hospital district, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 118**, entitled:

An act to repeal section 198.074, RSMo, and to enact in lieu thereof one new section relating to sprinkler system requirements in long-term care facilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 147**, entitled:

An act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to the school accountability report card.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 165**, entitled:

An act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 177**, entitled:

An act to repeal sections 630.053, 630.095, and 630.167, RSMo, and to enact in lieu thereof three new sections relating to the department of mental health.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 202**, entitled:

An act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 237**, entitled:

An act to repeal section 484.350, RSMo, and to enact in lieu thereof one new section relating to standards for representation of children by guardians ad litem.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 351**, entitled:

An act to repeal section 453.121, RSMo, and to enact in lieu thereof one new section relating to adoption records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 356**, entitled:

An act to repeal sections 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof four new sections relating to grain sale and storage, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 366**, entitled:

An act to amend chapter 351, RSMo, by adding thereto seventy-seven new sections relating to the Missouri cooperative associations act, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 368**, entitled:

An act to repeal sections 60.510, 60.530, 60.540, 60.550, 60.560, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 261.023, and 640.010, RSMo, and to enact in lieu thereof fifteen new sections relating to the state land survey program, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 394 & 331**, entitled:

An act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

In which the concurrence of the House is respectfully requested.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, April 11, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 185

Executive session may be held on any matter referred to the committee.

We will also have a work session on an omnibus bill.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Monday, April 11, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 875, HB 883

Executive session may be held on any matter referred to the committee.



#### ELECTIONS

Tuesday, April 12, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: SB 282

Executive session will be held: HCS SJR 2, HCS SB 3

Executive session may be held on any matter referred to the committee.

Breakfast will not be provided this week.

#### FISCAL REVIEW

Monday, April 11, 2011, 2:00 PM House Hearing Room 5.

Executive session will be held: HB 291, HCS HB 840

Executive session may be held on any matter referred to the committee.

#### GENERAL LAWS

Monday, April 11, 2011, 2:30 PM House Hearing Room 7.

Executive session will be held: HB 364

Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 5.

Executive session will be held: HB 552

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, April 12, 2011, 8:30 AM House Hearing Room 6.

Public hearing will be held: HB 971

Executive session may be held on any matter referred to the committee.

#### INSURANCE POLICY

Monday, April 11, 2011, House Hearing Room 1 upon evening adjournment.

Public hearing will be held: SCS SB 166, HB 899

Executive session may be held on any matter referred to the committee.

#### RULES

Monday, April 11, 2011, 3:45 PM House Hearing Room 6.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Monday, April 11, 2011, 3:45 PM House Hearing Room 6.

Executive session will be held: HCR 42, HCS HBs 253 & 398, HB 466, HCS HB 523,

HCS HB 643, HB 708, HCS HB 773, HB 1008, SS SCS SBs 113 & 95, SCS SB 188

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Monday, April 11, 2011, 2:00 PM House Hearing Room 1.

Executive session will be held: HB 267, HB 839, HB 716

Executive session may be held on any matter referred to the committee.

**TAX REFORM**

Wednesday, April 13, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 880

Executive session may be held on any matter referred to the committee.

**URBAN ISSUES**

Monday, April 11, 2011, House Hearing Room 5, 5:00 PM or upon adjournment.

Executive session will be held: HB 208

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, April 11, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SS#2 SCS SB 8

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FIFTY-SECOND DAY, MONDAY, APRIL 11, 2011

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

- 1 HB 17 and HB 18
- 2 HB 21 and HB 22

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended, HA 2, pending - Koenig
- 3 HCS HJR 5 - Pollock

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 111 - Cox
- 7 HCS HBs 223 & 231 - Wallingford
- 8 HCS HB 401 - Diehl
- 9 HCS HB 407 - Wieland
- 10 HCS HB 430 - Burlison
- 11 HCS HB 464 - McNary
- 12 HCS HB 555 - Grisamore
- 13 HB 591 - Lichtenegger
- 14 HB 655 - Lampe
- 15 HCS HB 657 - Allen

1181 *Journal of the House*

- 16 HCS HB 697 - Smith (150)
- 17 HCS HB 121 - Dugger
- 18 HCS HB 161 - Cox
- 19 HB 211 - Koenig
- 20 HB 257 - Cox
- 21 HCS HBs 303 & 239 - Davis
- 22 HB 305 - Gatschenberger
- 23 HB 357 - Leara
- 24 HCS HB 366 - Silvey
- 25 HCS HB 562 - Grisamore
- 26 HCS HB 579 - Frederick
- 27 HB 656 - Brandom
- 28 HB 661 - Wells
- 29 HCS HB 664 - Leara

**HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE**

HCS#2 HB 609 - Molendorp

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 3 - Loehner

**HOUSE BILLS FOR THIRD READING**

- 1 HB 291, (Fiscal Review 4-6-11) - Denison
- 2 HCS HB 840, (Fiscal Review 4-6-11) - Jones (117)

**SENATE BILLS FOR SECOND READING**

- 1 SS SB 9
- 2 SCS SB 29
- 3 SCS SB 54
- 4 SB 59
- 5 SCS SB 60
- 6 SS SCS SB 65
- 7 SS SCS SB 70
- 8 SCS SB 81
- 9 SB 90
- 10 SB 116
- 11 SCS SB 117

12 SS SB 118  
13 SB 147  
14 SB 165  
15 SCS SB 177  
16 SS SB 202  
17 SB 237  
18 SS SCS SB 351  
19 SCS SB 356  
20 SCS SB 366  
21 SCS SB 368  
22 SCS SBs 394 & 331

**HOUSE CONCURRENT RESOLUTIONS**

HCS HCR 23, (3-9-11, Pages 570-572) - Faith

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTY-SECOND DAY, MONDAY, APRIL 11, 2011

The House met pursuant to adjournment.

Representative Silvey in the Chair.

Prayer by Reverend Ned Nugent, First Baptist Church, Bethany, Missouri.

Father, I lift up to You today these men and women who have been called and elected to this place to serve the people of Missouri. It is an honor and privilege to gather in this place, under the flag of freedom that so many have shed their blood for. We remember them as we enjoy the liberty that was purchased by the lives of so many. I thank You Lord for your leadership in this great nation, in the state of Missouri, and for these leaders assembled here today.

I ask You today to be ever present in the discussions that ensue throughout this session, and that You place Your watch and care over each and every man and woman here in this room and all of those working so diligently throughout our great state. I pray that You, O Lord, would indeed be our leader and our guide, giving wisdom and discernment to these men and women as they begin to meet and discuss many issues; may You always remain and be the center of all things that take place.

Please give these men and women rest as they need it, shield them, protect them, and use them in great and mighty ways as they begin to strive to ensure the people of Missouri are given voice in our government. I pray that our desire is always to bring You glory by all that is said and done. Father, may our passion be to preserve the integrity of truth, justice, and honor in a way that reflects Your will and desire. Be ever present, Lord, in this place.

We ask this, Father, in Your Son's name, Jesus Christ, Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-first day was approved as printed.

## **SPECIAL RECOGNITION**

Tyler White of Reeds Spring High School was introduced by Representative Phillips and recognized for attaining the Class 2 Missouri State Wrestling Championship.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1847 through House Resolution No. 1982

## **SECOND READING OF HOUSE BILLS - APPROPRIATIONS**

**HB 17, HB 18, HB 21 and HB 22** were read the second time.

## SECOND READING OF SENATE BILLS

**SS SB 9, SCS SB 29, SCS SB 54, SB 59, SCS SB 60, SS SCS SB 65, SS SCS SB 70, SCS SB 81, SB 90, SB 116, SCS SB 117, SS SB 118, SB 147, SB 165, SCS SB 177, SS SB 202, SB 237, SS SCS SB 351, SCS SB 356, SCS SB 366, SCS SB 368 and SCS SBs 394 & 331** were read the second time.

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 291** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 840** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF HOUSE JOINT RESOLUTION

**HCS HJR 3**, relating to the right to raise livestock, was taken up by Representative Loehner.

On motion of Representative Loehner, **HCS HJR 3** was read the third time and passed by the following vote:

AYES: 120

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McDonald	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 035

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Harris	Hughes	Hummel	Jones 63
Kander	Kirkton	Kratky	McCann Beatty	McGeoghegan
McManus	McNeil	Montecillo	Newman	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Swearingen	Talboy	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 007

Dieckhaus	Faith	Franklin	Funderburk	Largent
Meadows	Zimmerman			

VACANCIES: 001

Representative Silvey declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HB 291**, relating to motor vehicle windshield stickers, was taken up by Representative Denison.

On motion of Representative Denison, **HB 291** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer

# 1186 *Journal of the House*

Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 004

Conway 14	Keeney	Lasater	Wyatt
-----------	--------	---------	-------

PRESENT: 000

ABSENT WITH LEAVE: 009

Dieckhaus	Faith	Franklin	Funderburk	Hough
Hughes	Meadows	Stream	Zimmerman	

VACANCIES: 001

Representative Silvey declared the bill passed.

**HCS HB 840**, relating to the Aerotropolis Trade Incentive and Tax Credit Act, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HB 840** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Day	Denison	Diehl	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson



Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 014

Bahr	Brattin	Burlison	Curtman	Davis
Dugger	Keeney	Kirkton	Koenig	Leach
Marshall	Oxford	Quinn	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 006

Dieckhaus	Franklin	Funderburk	Guernsey	Meadows
Zimmerman				

VACANCIES: 001

Representative Silvey declared the bill passed.

### **PERFECTION OF HOUSE BILL - FEDERAL MANDATE**

**HCS#2 HB 609**, relating to the Show-me Health Insurance Exchange, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS#2 HB 609** was adopted.

On motion of Representative Molendorp, **HCS#2 HB 609** was ordered perfected and printed.

### **PERFECTION OF HOUSE BILLS**

**HCS HB 111**, relating to judicial procedures, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 111, Page 4, Section 56.089, Line 93, by inserting after all of said line the following:

**“15. Notwithstanding any provision of this section to the contrary, a prosecuting attorney shall not utilize a prosecution diversion program when the accused’s participation in such a program will prevent a conviction from appearing on the driving record of a commercial driver’s license holder in violation of Title 49 Code of Federal Regulations, Section 384.226, as amended.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 111, Page 30, Section 571.092, Line 1, by deleting the phrase “**over the age of eighteen years**”; and

Further amend said page and section, Line 11, by inserting immediately after the word “**include**” the phrase “**and the court shall consider**”; and

Further amend said page and section, Line 23, by deleting the phrase “**a preponderance of**” and inserting in lieu thereof the phrase “**clear and convincing**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Marshall offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 111, Page 1, Line 8, by inserting after all of said line the following:

‘Further amend said bill, Page 30, Section 571.092, Line 12, by inserting after the word “**firearms**” the word “**related**”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Cox, **House Amendment No. 2, as amended**, was adopted.

Representative Franz offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 111, Page 4, Section 56.089, Line 93, by inserting after all of said section and line the following:

“211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190, shall have exclusive original jurisdiction in proceedings:

(1) Involving any child or person seventeen years of age who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child or person seventeen years of age, neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child or person seventeen years of age shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child or person seventeen years of age is otherwise without proper care, custody or support; or

(c) The child or person seventeen years of age was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130;

(d) The child or person seventeen years of age is a child in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification; or

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of seventeen years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen [and one-half] years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child or person seventeen years of age to the guardianship of the department of social services as provided by law.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child or person seventeen years of age who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child or person seventeen years of age may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person seventeen years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age, or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child or person seventeen years of age under the supervision of another juvenile court within or without the state pursuant to section 210.570, with the consent of the receiving court;

(5) Upon motion of any child or person seventeen years of age or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri Supreme Court Rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child or person seventeen years of age, certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child or person seventeen years of age taken into custody in a county other than the county of the child's residence or the residence of a person seventeen years of age, the juvenile court of the county of the child's residence or the residence of a person seventeen years of age shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031, involving a child who alleges to be home schooled, the juvenile officer

shall contact a parent or parents of such child to verify that the child is being home schooled and not in violation of section 167.031, before making a report of such a violation. Any report of a violation of section 167.031, made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 3** was adopted.

Representative Cauthorn offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 111, Page 1, Section A, Line 8, by inserting after all of said section and line the following:

“11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual. **The official manual shall include information such as the biographies of elected members of the executive, legislative and judicial branches of state government.**

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 4** was adopted.

Representative Riddle offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 111, Page 30, Section 557.011, Line 39, by inserting directly after said section and line the following:

“**571.063. 1. As used in this section the following terms shall mean:**

- (1) "Ammunition", any cartridge, shell, or projectile designed for use in a firearm;
- (2) "Licensed dealer", a person who is licensed under 18 U.S.C. Section 923 to engage in the business of dealing in firearms;
- (3) "Materially false information", any information that portrays an illegal transaction as legal or a legal transaction as illegal;
- (4) "Private seller", a person who sells or offers for sale any firearm, as defined in section 571.010, or ammunition.

**2. A person commits the crime of fraudulent purchase of a firearm if such person:**

- (1) Knowingly solicits, persuades, encourages or entices a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this state or the United States; or

(2) Provides to a licensed dealer or private seller of firearms or ammunition what the person knows to be materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition; or

(3) Willfully procures another to violate the provisions of subdivision (1) or (2) of this subsection.

3. Fraudulent purchase of a firearm is a class D felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 5** was adopted.

Representative Oxford offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 111, Page 27, Section 516.140, Line 7, by inserting after all of said line the following:

"537.528. 1. Any action [seeking money damages] against a person for conduct or speech undertaken or made in connection with a public hearing or public meeting, in a quasi-judicial proceeding before a tribunal or decision-making body of the state or any political subdivision of the state is subject to a special motion to dismiss, motion for judgment on the pleadings, or motion for summary judgment that shall be considered by the court on a priority or expedited basis to ensure the early consideration of the issues raised by the motion and to prevent the unnecessary expense of litigation. Upon the filing of any special motion described in this subsection, all discovery shall be suspended pending a decision on the motion by the court and the exhaustion of all appeals regarding the special motion.

2. If the rights afforded by this section are raised as an affirmative defense and if a court grants a motion to dismiss, a motion for judgment on the pleadings or a motion for summary judgment filed within ninety days of the filing of the moving party's answer, the court shall award reasonable attorney fees and costs incurred by the moving party in defending the action. If the court finds that a special motion to dismiss or motion for summary judgment is frivolous or solely intended to cause unnecessary delay, the court shall award costs and reasonable attorney fees to the party prevailing on the motion.

3. Any party shall have the right to an expedited appeal from a trial court order on the special motions described in subsection 2 of this section or from a trial court's failure to rule on the motion on an expedited basis.

4. As used in this section, a "public meeting in a quasi-judicial proceeding" means and includes any meeting established and held by a state or local governmental entity, including without limitations meetings or presentations before state, county, city, town or village councils, planning commissions, review boards or commissions.

5. Nothing in this section limits or prohibits the exercise of a right or remedy of a party granted pursuant to another constitutional, statutory, common law or administrative provision, including civil actions for defamation.

6. If any provision of this section or the application of any provision of this section to a person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this section that can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

7. The provisions of this section shall apply to all causes of actions.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Oxford, **House Amendment No. 6** was adopted.

Representative Barnes offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 111, Page 6, Section 221.105, Line 46, by deleting all of said line and inserting in lieu thereof the following:

**“reimburse the county for any costs associated with electronic monitoring not to exceed twelve dollars per day per individual, subject to appropriations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 7** was adopted.

Representative Schneider offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 111, Page 26, Section 475.555, Line 5, by inserting after said line the following:

“479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality.

The method of selection of municipal judges shall be provided by charter or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless the person is licensed to practice law in this state unless, prior to January 2, 1979, such person has served as municipal judge of that same municipality for at least two years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which the municipal judge serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit.

6. No municipal judge shall hold any other office in the municipality which the municipal judge serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after that person has reached that person's [seventy-fifth] **seventy-eighth** birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to practice law in this state shall satisfactorily complete the course of instruction for municipal judges prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after the municipal judge's selection as municipal judge, the municipal judge's office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 8** was adopted.

Representative Ruzicka offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for House Bill No. 111, Page 26, Section 488.432, Line 11, by inserting immediately after said section and line the following:

“488.5026. 1. [Upon approval of the governing body of a city, county, or a city not within a county,] A surcharge of two dollars shall be assessed **and collected** as costs in each court proceeding filed in any court in any city, county, or city not within a county [adopting such a surcharge,] in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the "Inmate Security Fund". Funds deposited shall be utilized to develop **information sharing and** biometric verification systems to ensure that inmates can be properly identified **upon booking** and tracked within the local jail **and criminal justice** system. Upon the installation of the **information sharing and** biometric verification system, funds in the inmate security fund may be used for the maintenance of the **information sharing and** biometric verification system, and to pay for any expenses related to custody and housing and other expenses for prisoners.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 9** was adopted.

Representative Kander offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Committee Substitute for House Bill No. 111, Page 1, In the Title, Lines 3 and 4, by deleting the word and number "and 557.011" and inserting in lieu thereof the word and numbers "557.011, and 574.105"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-seven"; and

Further amend said bill, Page 1, Section A, Lines 2 and 3, by deleting the word and number "and 557.011" and inserting in lieu thereof the word and numbers "557.011, and 574.105"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-seven"; and

Further amend said bill, Page 1, Section A, Line 8, by deleting the word and number "and 557.011" and inserting in lieu thereof the word and numbers "557.011, and 574.105"; and

Further amend said bill, Page 31, Section 571.092, Line 56, by inserting after all of said line the following:

"574.105. 1. As used in this section, the following terms mean:

- (1) "Conducts", initiating, concluding or participating in initiating or concluding a transaction;
- (2) "Criminal activity", any act or activity constituting an offense punishable as a felony pursuant to the laws of Missouri or the United States;

(3) "[Currency] **Monetary instrument**", currency and coin of the United States **or any other country, travelers' checks, personal checks, bank checks, money orders, investment securities, and any other type or form of negotiable instrument**;

(4) "[Currency] **Monetary instrument** transaction", a transaction involving the physical transfer of [currency] **monetary instrument** from one person to another[. A transaction which is a transfer of funds by means of] **by any means, including but not limited to** bank check, bank draft, wire transfer or other written order[, and which does not include the physical transfer of currency is not a currency transaction];

(5) "Person", natural persons, partnerships, trusts, estates, associations, corporations and all entities cognizable as legal personalities.

2. A person commits the crime of money laundering if he:

(1) Conducts or attempts to conduct a [currency] **monetary instrument** transaction with the purpose to promote or aid the carrying on of criminal activity; or

(2) Conducts or attempts to conduct a [currency] **monetary instrument** transaction with the purpose to conceal or disguise in whole or in part the nature, location, source, ownership or control of the proceeds of criminal activity; or

(3) Conducts or attempts to conduct a [currency] **monetary instrument** transaction with the purpose to avoid [currency] **monetary instrument** transaction reporting requirements under federal law; or

(4) Conducts or attempts to conduct a [currency] **monetary instrument** transaction with the purpose to promote or aid the carrying on of criminal activity for the purpose of furthering or making a terrorist threat or act.

3. The crime of money laundering is a class B felony and in addition to penalties otherwise provided by law, a fine of not more than five hundred thousand dollars or twice the amount involved in the transaction, whichever is greater, may be assessed."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Parkinson assumed the Chair.

On motion of Representative Kander, **House Amendment No. 10** was adopted.

On motion of Representative Cox, **HCS HB 111, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 111, as amended**, was ordered perfected and printed.

**HCS HBs 223 & 231**, relating to higher education financial programs, was taken up by Representative Wallingford.

Representative McNeil offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 223 & 231, Page 1, Section A, Line 3, by inserting after all of said line the following:

"172.803. 1. The board of curators, with the recommendations of the advisory board, shall award funds to selected investigators in accordance with the following provisions:

(1) Individual awards shall not exceed [thirty] **fifty** thousand dollars per year and shall expire at the end of one or two years, depending on the recommendation of the advisory board for each award;

(2) Costs for overhead of the grantee individual or institution shall not be allowed;

(3) Investigators shall be employees or staff members of public or private educational, health care, voluntary health association or research institutions which shall specify the institutional official responsible for administration of the award;

(4) Subject to the provisions of subsection 3 of section 172.801, preference shall be given to investigators new to the field of Alzheimer's disease and related disorders and to those experienced in the field but departing in a research



direction different from their previous work. Lesser preference shall be given to proposals to sustain meritorious research in progress;

(5) Awards shall be used to obtain preliminary data to test hypotheses and to enable investigators to develop subsequent competitive applications for long-term funding from other sources; and

(6) The research project shall be conducted in Missouri.

2. Funds appropriated for but not awarded to research projects in any given year shall be included in the board of curators' appropriations request for research projects in the succeeding year."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Cox raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Parkinson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative McNeil moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Wallingford, **HCS HBs 223 & 231** was adopted.

On motion of Representative Wallingford, **HCS HBs 223 & 231** was ordered perfected and printed.

**HCS HB 430**, relating to transportation, was taken up by Representative Burlison.

Representative Denison offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 430, Page 3, Section 304.289, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 1** was adopted.

Representative Jones (63) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 430, Pages 1 and 2, Section 301.3084, Lines 1 to 33, by deleting all of said lines and inserting in lieu thereof the following:

"301.3084. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight[, after an annual contribution of an emblem-use authorization fee to the Friends of the Missouri Women's Council. Any contribution to the Friends of the Missouri Women's Council pursuant to this section, except reasonable administrative costs, shall be designated for the sole

purpose of providing breast cancer services, including but not limited to screening, treatment, staging, and follow-up services. The Friends of the Missouri Women's Council hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any person may annually apply for the use of the emblem]. **Upon making a twenty-five dollar annual contribution to the breast cancer awareness fund, established in this section, the vehicle owner may apply for a "Breast Cancer Awareness" license plate. If the contribution is made directly to the state treasurer, the state treasurer shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the "Breast Cancer Awareness" license plate. If the contribution is made directly to the director of revenue, the director shall note the contribution and the owner may then apply for the "Breast Cancer Awareness" plate. The applicant for such plate must pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of "Breast Cancer Awareness" plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

2. [Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Friends of the Missouri Women's Council, the organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized] **The "Breast Cancer Awareness" license plate [which] shall bear a graphic design depicting the breast cancer awareness pink ribbon symbol [with the words "Breast Cancer Awareness" forming an oval around the symbol.] and shall bear the words ["MISSOURI WOMEN'S COUNCIL "] BREAST CANCER AWARENESS** in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with a breast cancer awareness emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

**4. There is hereby created in the state treasury the "Breast Cancer Awareness Fund" which shall consist of all gifts, donations, transfers, and moneys appropriated by the general assembly, and bequests to the fund. The fund shall be administered by the department of health and senior services.**

**5. The state treasurer or the director of revenue shall deposit the twenty-five dollar annual contribution in the breast cancer awareness fund. Funds deposited pursuant to subsection 1 of this section shall be used to support breast cancer awareness activities conducted by the department of health and senior services.**

**6. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (63), **House Amendment No. 2** was adopted.

Representative Houghton offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 430, Page 2, Section 301.3084, Line 33, by inserting after all of said section and line the following:

**“301.4036. 1. Notwithstanding any other provision of law, any member of the National Wild Turkey Federation, after an annual payment of an emblem-use fee to the National Wild Turkey Federation, may receive personalized specialty license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Wild Turkey Federation hereby authorizes the use of its official emblem to be affixed on multiyear personalized specialty license plates as provided in this section. Any contribution to the National Wild Turkey Federation derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Wild Turkey Federation. Any member of the National Wild Turkey Federation may annually apply for the use of the emblem.**

**2. Upon annual application and payment of a fifteen dollar emblem-use contribution to the National Wild Turkey Federation, the National Wild Turkey Federation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a fifteen-dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a personalized specialty license plate which shall bear the emblem of the National Wild Turkey Federation. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, and prescribed by section 301.130. In addition, upon each set of license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the words "National Wild Turkey Federation". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalized specialty plates issued under this section.**

**3. A vehicle owner who was previously issued a plate with the National Wild Turkey Federation's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the National Wild Turkey Federation's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.**

**4. Prior to the issuance of a National Wild Turkey Federation specialty plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such personalized specialty license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schatz offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1  
to  
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 430, Page 1, Line 4, by inserting immediately before **“301.4036”** the following:

**“301.3145. 1. Any member of the National Rifle Association, after an annual payment of an emblem-use authorization fee to the National Rifle Association, may receive special license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Rifle Association hereby authorizes the use of**

its official emblem to be affixed on multi-year personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the National Rifle Association derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Rifle Association. Any member of the National Rifle Association may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the National Rifle Association, that organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special license plate which shall bear the emblem of the National Rifle Association and the words "National Rifle Association" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner who was previously issued a plate with the National Rifle Association emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 1 to House Amendment No. 3** was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McDonald
McGeoghegan	McManus	McNary	Molendorp	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Peters-Baker	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Taylor	Thomson

Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 019

Carlson	Carter	Colona	Hughes	Jones 63
Kirkton	May	McCann Beatty	Montecillo	Newman
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Cross	Day	Dieckhaus	Franklin	Funderburk
Holsman	Leara	McGhee	McNeil	Meadows
Still	Zimmerman			

VACANCIES: 001

On motion of Representative Houghton, **House Amendment No. 3, as amended**, was adopted by the following vote:

AYES: 132

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 017

Carlson	Carter	Colona	Hughes	Kirkton
May	Montecillo	Newman	Oxford	Pace
Rizzo	Schupp	Sifton	Smith 71	Spreng
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 013

Anders	Cross	Day	Dieckhaus	Franklin
Franz	Funderburk	Holsman	Leara	McGhee
Meadows	Schad	Zimmerman		

VACANCIES: 001

## Representative Riddle offered **House Amendment No. 4.**

### *House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 430, Page 2, Section 301.3084, Line 33, by inserting after all of said section and line the following:

“302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph or digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240 the name and address of the person designated pursuant to sections 404.800 to 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social Security number shall serve as the applicant's license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial or noncommercial driver's license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

5. The director of revenue shall not issue a license without a facial photograph or digital image of the license applicant, except as provided pursuant to subsection 8 of this section. A photograph or digital image of the applicant's full facial features shall be taken in a manner prescribed by the director. No photograph or digital image will be taken wearing anything which cloaks the facial features of the individual.

6. The department of revenue may issue a temporary license or a full license without the photograph or with the last photograph or digital image in the department's records to members of the armed forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. **Notwithstanding any other provision of this chapter, a nondriver's license containing a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to section 571.101. The fee for nondriver's licenses issued for a period exceeding three years is six dollars or three dollars for nondriver's licenses issued for a period of three years or less.** The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license without a photograph or digital image of the applicant's full facial features except that such applicant's photograph or digital image shall be taken and maintained by the director and not printed on such license.

In order to qualify for a license without a photograph or digital image pursuant to this section the applicant must:

(1) Present a form provided by the department of revenue requesting the applicant's photograph be omitted from the license or nondriver's license due to religious affiliations. The form shall be signed by the applicant and another member of the religious tenant verifying the photograph or digital image exemption on the license or nondriver's license is required as part of their religious affiliation. The required signatures on the prescribed form shall be properly notarized;

(2) Provide satisfactory proof to the director that the applicant has been a U.S. citizen for at least five years and a resident of this state for at least one year, except that an applicant moving to this state possessing a valid driver's license from another state without a photograph, shall be exempt from the one-year state residency requirement. The director may establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

(3) Applications for a driver's license or nondriver's license without a photograph or digital image must be made in person at a license office determined by the director. The director is authorized to limit the number of offices that may issue a driver's or nondriver's license without a photograph or digital image pursuant to this section.

9. The department of revenue shall make available, at one or more locations within the state, an opportunity for individuals to have their full facial photograph taken by an employee of the department of revenue, or their designee, who is of the same sex as the individual being photographed, in a segregated location.

10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's license for a period that exceeds an applicant's lawful presence in the United States. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license or nondriver's license issued under this section.

11. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it is promulgated pursuant to the provisions of chapter 536.”; and

Further amend said bill, Page 13, Section 537.293, Line 13, by inserting after all of said section and line the following:

“571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, canceled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

- (1) Is at least twenty-three years of age, is a citizen of the United States and either:
  - (a) Has assumed residency in this state; or
  - (b) Is a member of the armed forces stationed in Missouri, or the spouse of such member of the military;
- (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
- (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;
- (4) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
- (5) Has not been discharged under dishonorable conditions from the United States armed forces;
- (6) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;
- (7) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;
- (8) Submits a completed application for a certificate of qualification as defined in subsection 3 of this section;
- (9) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;
- (10) Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:

- (1) The applicant's name, address, telephone number, gender, and date and place of birth;
- (2) An affirmation that the applicant has assumed residency in Missouri or is a member of the armed forces stationed in Missouri or the spouse of such a member of the armed forces and is a citizen of the United States;
- (3) An affirmation that the applicant is at least twenty-three years of age;
- (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
- (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;
- (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
- (7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States armed forces;
- (8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state



pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration.

The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. **Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section.** The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of

revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Tilley assumed the Chair.

Representative Hughes raised a point of order that **House Amendment No. 4** amends previously amended material.

The Chair ruled the point of order untimely.

On motion of Representative Riddle, **House Amendment No. 4** was adopted.

On motion of Representative Burlison, **HCS HB 430, as amended**, was adopted.

On motion of Representative Burlison, **HCS HB 430, as amended**, was ordered perfected and printed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 17** - Budget

**HB 18** - Budget

**HB 21** - Budget

**HB 22** - Budget

**HB 785** - Judiciary

**HB 994** - Elementary and Secondary Education

## **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SB 165** - Judiciary

## **COMMITTEE REPORTS**

**Committee on Rural Community Development**, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 742**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS#2 SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Special Standing Committee on Renewable Energy**, Chairman Holsman reporting:

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 716**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 300, 334 & 387**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 466**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 523**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 643**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 708**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1008**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SBs 113 & 95**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 188**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 163**, entitled:

An act to repeal sections 288.040, 288.062, and 288.398, RSMo, and to enact in lieu thereof three new sections relating to unemployment compensation, with an emergency clause.

With Senate Amendment No. 2 and Senate Amendment No. 3.

#### *Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163, Page 11, Section 288.040, Line 16 of said page, by inserting after all of said line the following:

"288.060. 1. All benefits shall be paid through employment offices in accordance with such regulations as the division may prescribe.

2. Each eligible insured worker who is totally unemployed in any week shall be paid for such week a sum equal to his or her weekly benefit amount.

3. Each eligible insured worker who is partially unemployed in any week shall be paid for such week a partial benefit. Such partial benefit shall be an amount equal to the difference between his or her weekly benefit amount and that part of his or her wages for such week in excess of twenty dollars, and, if such partial benefit amount is not a multiple of one dollar, such amount shall be reduced to the nearest lower full dollar amount. For calendar year 2007 and each year thereafter, such partial benefit shall be an amount equal to the difference between his or her weekly benefit amount and that part of his or her wages for such week in excess of twenty dollars or twenty percent of his or her weekly benefit amount, whichever is greater, and, if such partial benefit amount is not a multiple of one dollar, such amount shall be reduced to the nearest lower full dollar amount. Termination pay, severance pay or pay received by an eligible insured worker who is a member of the organized militia for training or duty authorized by Section 502(a)(1) of Title 32, United States Code, shall not be considered wages for the purpose of this subsection.

4. The division shall compute the wage credits for each individual by crediting him or her with the wages paid to him or her for insured work during each quarter of his or her base period or twenty-six times his or her weekly benefit amount, whichever is the lesser. In addition, if a claimant receives wages in the form of termination pay or severance pay and such payment appears in a base period established by the filing of an initial claim, the claimant may, at his or her option, choose to have such payment included in the calendar quarter in which it was paid or choose to have it prorated equally among the quarters comprising the base period of the claim. The maximum total amount of benefits payable to any insured worker during any benefit year shall not exceed [twenty-six] **twenty** times his or her weekly benefit amount, or thirty-three and one-third percent of his or her wage credits, whichever is the lesser. For the purpose

of this section, wages shall be counted as wage credits for any benefit year, only if such benefit year begins subsequent to the date on which the employing unit by whom such wages were paid has become an employer. The wage credits of an individual earned during the period commencing with the end of a prior base period and ending on the date on which he or she filed an allowed initial claim shall not be available for benefit purposes in a subsequent benefit year unless, in addition thereto, such individual has subsequently earned either wages for insured work in an amount equal to at least five times his or her current weekly benefit amount or wages in an amount equal to at least ten times his or her current weekly benefit amount.

5. In the event that benefits are due a deceased person and no petition has been filed for the probate of the will or for the administration of the estate of such person within thirty days after his or her death, the division may by regulation provide for the payment of such benefits to such person or persons as the division finds entitled thereto and every such payment shall be a valid payment to the same extent as if made to the legal representatives of the deceased.

6. The division is authorized to cancel any benefit warrant remaining outstanding and unpaid one year after the date of its issuance and there shall be no liability for the payment of any such benefit warrant thereafter.

7. The division may establish an electronic funds transfer system to transfer directly to claimants' accounts in financial institutions benefits payable to them pursuant to this chapter. To receive benefits by electronic funds transfer, a claimant shall satisfactorily complete a direct deposit application form authorizing the division to deposit benefit payments into a designated checking or savings account. Any electronic funds transfer system created pursuant to this subsection shall be administered in accordance with regulations prescribed by the division.

8. The division may issue a benefit warrant covering more than one week of benefits.

9. Prior to January 1, 2005, the division shall institute procedures including, but not limited to, name, date of birth, and Social Security verification matches for remote claims filing via the use of telephone or the Internet in accordance with such regulations as the division shall prescribe. At a minimum, the division shall verify the Social Security number and date of birth when an individual claimant initially files for unemployment insurance benefits. If verification information does not match what is on file in division databases to what the individual is stating, the division shall require the claimant to submit a division-approved form requesting an affidavit of eligibility prior to the payment of additional future benefits. The division of employment security shall cross-check unemployment compensation applicants and recipients with Social Security Administration data maintained by the federal government at least weekly. The division of employment security shall cross-check at least monthly unemployment compensation applicants and recipients with department of revenue drivers license databases."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163, Page 22, Section 288.398, Line 12, by striking the opening and closing brackets on said line; and

Further amend Line 13, by striking the word "shall".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 36**, entitled:

An act to repeal section 41.1000, RSMo, and to enact in lieu thereof one new section relating to leave for members of the civil air patrol, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 213**, entitled:

An act to repeal sections 475.060 and 475.061, RSMo, and to enact in lieu thereof twenty-six new sections relating to guardianship.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 241**, entitled:

An act to repeal sections 144.010, 144.020, 144.030, and 144.070, RSMo, and to enact in lieu thereof four new sections relating to sales tax exemptions for captive wildlife.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 268**, entitled:

An act to repeal section 172.803, RSMo, and to enact in lieu thereof one new section relating to funding for research projects by the University of Missouri boards of curators.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Franklin.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 12, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 185

Executive session may be held on any matter referred to the committee.

We will also have a work session on an omnibus bill.

### **BUDGET**

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup: Capital Improvements, Maintenance & Repairs, and Reappropriations.

#### BUDGET

Thursday, April 14, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of markup of Capital Improvements, Maintenance & Repairs, and Reappropriations.

#### CHILDREN AND FAMILIES

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 509, HB 793, HB 816, HCR 45

Executive session may be held on any matter referred to the committee.

#### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 999

Executive session may be held on any matter referred to the committee.

#### ECONOMIC DEVELOPMENT

Tuesday, April 12, 2011, House Hearing Room 7 upon afternoon adjournment.

Public hearing will be held: HB 949, HB 943

Executive session may be held on any matter referred to the committee.

#### ELECTIONS

Tuesday, April 12, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: SB 282

Executive session will be held: HCS SJR 2, HCS SB 3

Executive session may be held on any matter referred to the committee.

Breakfast will not be provided this week.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 763, SS SCS SB 13, SB 243, HB 994

Executive session may be held on any matter referred to the committee.

Hearing will be continued upon afternoon adjournment in House Hearing Room 2.

#### AMENDED

#### EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, April 12, 2011, House Hearing Room 1 upon afternoon adjournment.

Public hearing will be held: HB 1003

Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Thursday, April 14, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### GENERAL LAWS

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: SB 61, SB 174, SS SB 226

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 57, SB 38

Executive session will be held: SCS SB 17, SB 284, SS#2 SCS SB 62

Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 5.

Executive session will be held: HB 552

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, April 12, 2011, 8:30 AM House Hearing Room 6.

Public hearing will be held: HB 971

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SB 96, SB 97, HB 917

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 13, 2011, House Hearing Room 5,

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 863, HB 367, HB 769, HB 553

Executive session may be held on any matter referred to the committee.

#### RULES

Wednesday, April 13, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee dinner - upon afternoon adjournment.

#### TAX REFORM

Wednesday, April 13, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 880

Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 945, HB 961

Executive session may be held on any matter referred to the committee.



## UTILITIES

Tuesday, April 12, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 750, HB 722

Executive session may be held on any matter referred to the committee.

Executive session to be held first; public hearings to follow.

## WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 13, 2011, House Hearing Room 5 upon afternoon adjournment.

Executive session will be held: HB 893

Executive session may be held on any matter referred to the committee.

## HOUSE CALENDAR

FIFTY-THIRD DAY, TUESDAY, APRIL 12, 2011

### HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended, HA 2, pending - Koenig
- 3 HCS HJR 5 - Pollock

### HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HCS HB 407 - Wieland
- 8 HCS HB 464 - McNary
- 9 HCS HB 555 - Grisamore
- 10 HB 591 - Lichtenegger
- 11 HB 655 - Lampe
- 12 HCS HB 657 - Allen
- 13 HCS HB 697 - Smith (150)
- 14 HCS HB 121 - Dugger
- 15 HCS HB 161 - Cox
- 16 HB 211 - Koenig
- 17 HB 257 - Cox
- 18 HCS HBs 303 & 239 - Davis
- 19 HB 305 - Gatschenberger
- 20 HB 357 - Leara
- 21 HCS HB 366 - Silvey
- 22 HCS HB 562 - Grisamore
- 23 HCS HB 579 - Frederick
- 24 HB 656 - Brandom

1212 *Journal of the House*

- 25 HB 661 - Wells
- 26 HCS HB 664 - Leara
- 27 HCS HBs 300, 334 & 387 - Gatschenberger
- 28 HB 466 - Schoeller
- 29 HCS HB 523 - Molendorp
- 30 HCS HB 643 - May
- 31 HB 708 - Curtman
- 32 HCS HB 773 - Gosen
- 33 HB 1008 - Long

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

**SENATE BILLS FOR SECOND READING**

- 1 SB 36
- 2 SCS SB 213
- 3 SB 241
- 4 SB 268

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCS HCR 23, (3-9-11, Pages 570-572) - Faith
- 2 HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

**SENATE BILLS FOR THIRD READING**

- 1 SS SCS SBs 113 & 95 - Loehner
- 2 SCS SB 188 - Elmer

**HOUSE BILLS WITH SENATE AMENDMENTS**

SS SCS HCS HB 163, as amended, E.C. - Fisher

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTY-THIRD DAY, TUESDAY, APRIL 12, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Let Thy mercy, O Lord, be upon us, according as we hope in Thee. (Psalm 33:22)*

Eternal and Almighty God of our spirits, we pause in Your presence with heads bowed in prayer as we begin the demanding duties of this long day. Make Your Spirit real to us, for we need You, every hour we need You. Temptations and evil lose their powers when You are near us.

We come concerned by the spirit of our times, weighted down by economic worry, concerned by our failure to do what really needs to be done, tempted at times to give up - yet here we are. Give us the faith we need for this hour, the courage to do what is best for our state and the confidence to leave the results with You.

We recall our Missouri history today when Harry S Truman became the President of the United States in 1945. May his legacy and Missouri influence continue to have an impact in our world. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Meghan Baumer, Greg Mannino, Stephanie Kim, Arianna O'Shea, Morgan Jensen, Abby Schmitt and Luke Valtow.

The Journal of the fifty-second day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1983 through House Resolution No. 2019

## SECOND READING OF SENATE BILLS

**SB 36, SCS SB 213, SB 241 and SB 268** were read the second time.

**PERFECTION OF HOUSE BILLS**

**HB 591**, relating to a limited dental teaching license, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, **HB 591** was ordered perfected and printed.

**HCS HB 697**, relating to state agency administrative rules, was taken up by Representative Smith (150).

Representative Leara assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 010

Dieckhaus	Franz	Funderburk	Guernsey	Lampe
Loehner	May	Meadows	Zimmerman	Mr Speaker

VACANCIES: 001

On motion of Representative Smith (150), **HCS HB 697** was adopted.

On motion of Representative Smith (150), **HCS HB 697** was ordered perfected and printed.

### **HOUSE CONCURRENT RESOLUTION**

**HCS HCR 23**, relating to complete streets, was taken up by Representative Faith.

On motion of Representative Faith, **HCS HCR 23** was adopted.

### **PERFECTION OF HOUSE BILLS**

**HCS HB 407**, relating to certificates of insurance, was taken up by Representative Wieland.

On motion of Representative Wieland, **HCS HB 407** was adopted.

On motion of Representative Wieland, **HCS HB 407** was ordered perfected and printed.

**HB 211**, relating to lead abatement rules and regulations, was taken up by Representative Koenig.

Representative Sifton offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 211, Page 1, Section 701.321, Line 1, by inserting the number “**1.**” after the section number, “**701.321.**” and further amending said line, by deleting the word, “**not**”; and

Further amend said bill, section, page, Lines 2-4, by deleting all of said lines and inserting in lieu thereof the words, “**or enact rules or regulations relating to safe lead abatement practices.**”

**2. A licensed lead abatement supervisor is required for each abatement project. The licensed lead abatement supervisor shall not be absent from the work site during all work site preparation, abatement activities and during post abatement cleanup of work areas, in excess of one hour in a work period of less than four hours or in excess of two hours in a work period of more than four hours.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Day	Dieckhaus	Funderburk	Holsman
Kander	Meadows	Scharnhorst	Schneider	Stream
Webber	Zimmerman			

VACANCIES: 001

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Faith
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Day	Dieckhaus	Fisher	Funderburk
McDonald	McNary	Meadows	Nasheed	Stream
Zimmerman	Mr Speaker			

VACANCIES: 001

On motion of Representative Koenig, **HB 211** was ordered perfected and printed.

**HB 656**, relating to payday loans, was taken up by Representative Brandom.

**HB 656** was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Tilley.

### **PERFECTION OF HOUSE BILL**

**HB 257**, relating to the Sentencing Advisory Commission, was taken up by Representative Cox.

On motion of Representative Cox, **HB 257** was ordered perfected and printed.

### **PERFECTION OF HOUSE JOINT RESOLUTION**

**HCS HJR 5**, relating to the right to hunt and fish, was taken up by Representative Pollock.

Representative Pollock offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 5, Page 1, Section 35, Line 1, by inserting immediately after the word “**fish**,” the word “**trap**,”; and

Further amend said bill, page and section, Lines 6-7, by deleting all of said lines and inserting in lieu thereof the following:

“**article IV of the Constitution of Missouri. Laws, rules, and**”; and

Further amend said bill, page and section, Line 9, by inserting immediately after the word “**fishing**” the following:

“**by traditionally approved devices and methods**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Smith (150) assumed the Chair.

On motion of Representative Pollock, **HCS HJR 5, as amended**, was adopted.

On motion of Representative Pollock, **HCS HJR 5, as amended**, was ordered perfected and printed.



## PERFECTION OF HOUSE BILL

**HB 305**, relating to a state employee retirement incentive, was taken up by Representative Gatschenberger.

Representative Lampe offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 305, Page 3, Section 104.406, Line 51, by inserting after all of said line the following:

**“104.1095. Notwithstanding any provision of this chapter to the contrary, beginning January 1, 2013, no member of the general assembly shall otherwise be eligible to receive a retirement benefit as a member of the general assembly provided under this chapter. This section shall not apply to any member who is receiving or eligible to receive benefits under the retirement system under this chapter or any other state retirement system as an employee of the state.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Allen	Anders	Asbury	Aull	Black
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cookson	Curtman	Ellinger
Fallert	Fuhr	Grisamore	Harris	Hodges
Hoskins	Hughes	Jones 63	Kelley 126	Kirkton
Koenig	Kratky	Lampe	Largent	Lichtenegger
McCaherty	McCann Beatty	McDonald	McManus	McNeil
Molendorp	Montecillo	Neth	Newman	Nichols
Oxford	Peters-Baker	Pierson	Quinn	Riddle
Rizzo	Scharnhorst	Schieber	Schieffer	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Spreng	Stream	Swearingen	Talboy
Torpey	Wyatt	Zimmerman		

NOES: 087

Atkins	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 116	Cauthorn	Cierpiot	Conway 14
Conway 27	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelly 24	Klippenstein	Korman	Lair	Lant
Lasater	Lauer	Leach	Loehner	Long
Marshall	May	McGeoghegan	McGhee	Nance
Pace	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater

1220 *Journal of the House*

Schad	Schatz	Shumake	Solon	Still
Swinger	Thomson	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Dieckhaus	Funderburk	Holsman	Leara
McNary	Meadows	Nasheed	Nolte	Schneider
Taylor	Mr Speaker			

VACANCIES: 001

Representative Bernskoetter offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 305, Page 1, Section 104.405, Line 11, by deleting all of said line and inserting in lieu thereof the following:

**“beginning in January of 2012 and each January thereafter until all five equal”**; and

Further amend said bill, Page 2, Section 104.406, Lines 6 and 13, by deleting the word, **“September”** and inserting in lieu thereof the word, **“December”**; and

Further amend said section, Page 3, Line 44, by deleting the word, **“October”** and inserting in lieu thereof the word, **“December”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bernskoetter, **House Amendment No. 2** was adopted.

On motion of Representative Gatschenberger, **HB 305, as amended**, was ordered perfected and printed.

**HOUSE BILL WITH SENATE AMENDMENTS**

**SS SCS HCS HB 163, as amended**, relating to unemployment compensation, was taken up by Representative Fisher.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dugger	Elmer	Entlicher	Faith

Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Denison	Dieckhaus	Diehl	Funderburk
Holsman	Leara	Meadows	Nasheed	Schneider
Still	Mr Speaker			

VACANCIES: 001

On motion of Representative Fisher, **SS SCS HCS HB 163, as amended**, was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Diehl	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander

## 1222 *Journal of the House*

Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 015

Bahr	Brattin	Conway 14	Dugger	Franz
Gatschenberger	Guernsey	Koenig	Lasater	Marshall
Parkinson	Pollock	Sater	Schieber	Wells

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Denison	Dieckhaus	Funderburk	Leara
Meadows	Nasheed	Schneider	Mr Speaker	

VACANCIES: 001

On motion of Representative Fisher, **SS SCS HCS HB 163, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Diehl	Ellinger
Elmer	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt

Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 013

Bahr	Brattin	Dugger	Entlicher	Gatschenberger
Guernsey	Koenig	Lasater	Marshall	Parkinson
Pollock	Sater	Schieber		

PRESENT: 000

ABSENT WITH LEAVE: 011

Colona	Denison	Dieckhaus	Franz	Funderburk
Leara	Meadows	Nasheed	Schneider	Wells
Mr Speaker				

VACANCIES: 001

Representative Smith (150) declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Ellinger
Elmer	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively

Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 013

Bahr	Brattin	Dugger	Entlicher	Franz
Gatschenberger	Guernsey	Koenig	Lasater	Marshall
Pollock	Schieber	Wells		

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Dieckhaus	Diehl	Funderburk	Leara
Meadows	Parkinson	Mr Speaker		

VACANCIES: 001

## PERFECTION OF HOUSE BILL

**HB 656**, relating to payday loans, was again taken up by Representative Brandom.

Representative Still offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 656, Page 2, Section 408.500, Lines 36 through 43, by deleting all of said lines and inserting in lieu thereof the following:

“6. [The lender shall renew the loan upon the borrower's written request and the payment of any interest and fees due at the time of such renewal; however, upon the first renewal of the loan agreement, and each subsequent renewal thereafter, the borrower shall reduce the principal amount of the loan by not less than five percent of the original amount of the loan until such loan is paid in full. However, no loan may be renewed more than six times.] **If a borrower has not paid the entire balance of the loan at the end of the original loan term a lender shall allow such borrower to pay any outstanding unsecured loan of five hundred dollars or less by means of an extended payment plan containing, at a minimum,**”; and

Further amend said section, Page 3, Lines 52 through 54, by deleting all of said lines and inserting in lieu thereof the words, “**without penalty**”; and

Further amend said section by renumbering accordingly; and

Further amend said bill, Page 4, Section 408.505, Lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following:

“term of fourteen days and a maximum term of thirty-one days[, regardless of whether the loan is an original loan or renewed loan].”; and

Further amend said page and section, Lines 15 through 17, by deleting all of said lines and inserting in lieu thereof the following:

“in excess of [seventy-five] **a simple annual rate not to exceed ninety-nine** percent [of the initial loan amount] on any single loan authorized pursuant to this section for the entire term of that loan [and all renewals] authorized by section 408.500 and this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Franz offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Bill No. 656, Page 6, Section 408.506, Line 9, by inserting after all of said line the following:

**"408.507. 1. There is hereby established a pilot program within the division of finance within the department of insurance, financial institutions and professional registration which shall be administered by the division to develop a real-time statewide compliance system for payday lenders licensed under section 408.500 to record each payday loan transaction.**

**2. The division shall be charged with the following:**

**(1) Adopting rules governing the creation, structure, and use of the compliance system which shall include a real-time customer eligibility verification charge as necessary to maintain the system;**

**(2) Establishing requirements for the retention, archiving and purging of information entered into and stored by the system;**

**(3) Fully implementing the system by September 1, 2011; and**

**(4) Issuing a preliminary report to the general assembly by March 1, 2012, and a final report by June 1, 2012, documenting the usefulness of the system and the general compliance of licensees.**

**3. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**4. The provisions of this program authorized under this section shall sunset on August 31, 2012.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wells offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Bill No. 656, Page 2, Line 8, by deleting all of said line and inserting in lieu thereof the following:

**“section shall sunset on August 31, 2012.**

**5. No fee exceeding ten cents per transaction shall be charged for the administration of the provisions of this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Franz, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

**HB 656, as amended**, was laid over.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HCS HJR 8, as amended, with House Amendment No 2, pending**, relating to the Missouri Jobs and Prosperity Act, was taken up by Representative Koenig.

Representative Davis offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Joint Resolution No. 8, Page 1, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the following:

“Shall the Constitution of the State of Missouri be amended to phase-out the individual and corporate income tax; and enact a single, revenue-neutral sales and use tax on new purchases of goods and services; capped at seven percent; and exempt business purchases or investments, and to allow each Missouri citizen a sales tax rebate?”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Davis moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Barnes	Bernskoetter	Berry	Brown 50	Brown 85
Burlison	Cauthorn	Cookson	Crawford	Curtman
Davis	Day	Elmer	Faith	Fisher
Fitzwater	Franz	Frederick	Fuhr	Gatschenberger
Hampton	Hoskins	Houghton	Jones 89	Keeney
Kelley 126	Koenig	Lair	Lant	Leach
Lichtenegger	Long	Marshall	McCaherty	McGhee
McNary	Neth	Nolte	Parkinson	Pollock
Reiboldt	Richardson	Riddle	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Stream	Thomson	White	Wieland
Wright				



NOES: 094

Allen	Anders	Asbury	Atkins	Aull
Black	Brandom	Carlson	Carter	Casey
Cierpiot	Conway 27	Cox	Cross	Denison
Dugger	Ellinger	Entlicher	Fallert	Flanigan
Fraker	Franklin	Gosen	Grisamore	Harris
Higdon	Hinson	Hodges	Holsman	Hough
Hubbard	Hughes	Hummel	Johnson	Jones 63
Kander	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lampe	Largent	Lasater	Lauer
Leara	Loehner	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Rizzo	Rowland	Ruzicka
Sater	Schieffer	Schneider	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	Wyatt	Zerr	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bahr	Brattin	Brown 116	Colona	Conway 14
Dieckhaus	Diehl	Funderburk	Guernsey	Haefner
Jones 117	Mr Speaker			

VACANCIES: 001

Representative Koenig moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Allen	Barnes	Berry	Brandom	Brown 85
Burlison	Cookson	Crawford	Curtman	Davis
Day	Elmer	Faith	Fitzwater	Flanigan
Frederick	Gatschenberger	Hoskins	Houghton	Jones 89
Keeney	Kelley 126	Koenig	Lair	Lant
Leach	Lichtenegger	Long	Marshall	McCaherty
McNary	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Thomson	White
Wieland				

NOES: 098

Anders	Asbury	Atkins	Aull	Bernskoetter
Black	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Conway 27	Cox	Cross
Denison	Dugger	Ellinger	Entlicher	Fallert
Fisher	Fraker	Franklin	Franz	Fuhr

## 1228 *Journal of the House*

Gosen	Grisamore	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hough	Hubbard
Hughes	Hummel	Johnson	Jones 63	Kander
Kelly 24	Kirkton	Klippenstein	Korman	Kratky
Lampe	Largent	Lasater	Lauer	Leara
Loehner	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Phillips	Pierson	Quinn	Rizzo
Rowland	Ruzicka	Sater	Schieffer	Schneider
Schupp	Shively	Sifton	Smith 71	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	Wright
Wyatt	Zerr	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 013

Bahr	Brattin	Brown 50	Colona	Conway 14
Dieckhaus	Diehl	Funderburk	Guernsey	Haefner
Jones 117	McGhee	Mr Speaker		

VACANCIES: 001

### Representative McNeil offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Committee Substitute for House Joint Resolution No. 8, Section 4(d), Page 1, Lines 8-9, by deleting all of said lines and inserting in lieu thereof the following:

**“2. For all tax years beginning on or after January 1,”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Hampton
Higdon	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips

Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 014

Bahr	Brattin	Colona	Conway 14	Dieckhaus
Diehl	Funderburk	Guernsey	Haefner	Hinson
Holsman	Jones 117	McGhee	Mr Speaker	

VACANCIES: 001

Representative McNeil moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	Zimmerman

NOES: 095

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick

## 1230 *Journal of the House*

Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 012

Bahr	Brattin	Colona	Conway 14	Dieckhaus
Diehl	Guernsey	Haefner	Hinson	Jones 117
McGhee	Mr Speaker			

VACANCIES: 001

**HCS HJR 8, as amended**, was laid over.

### **PERFECTION OF HOUSE BILL**

**HB 357**, relating to enhanced enterprise zones, was taken up by Representative Leara.

On motion of Representative Leara, **HB 357** was ordered perfected and printed.

### **REFERRAL OF HOUSE RESOLUTIONS**

The following House Resolutions were referred to the Committee indicated:

**HR 1452** - Health Care Policy

**HR 1826** - Health Care Policy

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 10** - Downsizing State Government

**HCR 14** - Tourism and Natural Resources

**HCR 40** - Judiciary

**HCR 41** - General Laws

**HCR 44** - General Laws

**HCR 49** - Financial Institutions

**HCR 50** - Health Care Policy  
**HCR 51** - Health Insurance  
**HCR 52** - General Laws

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 1** - Downsizing State Government  
**HJR 4** - Downsizing State Government  
**HJR 19** - Special Standing Committee on Redistricting  
**HJR 20** - Elections  
**HJR 24** - General Laws  
**HJR 25** - Elementary and Secondary Education  
**HJR 28** - Elections  
**HJR 34** - Elections  
**HJR 35** - General Laws  
**HJR 36** - Downsizing State Government  
**HJR 37** - Downsizing State Government  
**HJR 38** - Elementary and Secondary Education

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HBs 223 & 231** - Fiscal Review (Fiscal Note)  
**HB 49** - Transportation  
**HB 117** - Special Standing Committee on Renewable Energy  
**HB 150** - Veterans  
**HB 164** - Judiciary  
**HB 165** - Children and Families  
**HB 166** - Tourism and Natural Resources  
**HB 178** - Judiciary  
**HB 181** - Ways and Means  
**HB 195** - Elementary and Secondary Education  
**HB 206** - International Trade and Job Creation  
**HB 230** - Judiciary  
**HB 237** - Elections  
**HB 261** - Elementary and Secondary Education  
**HB 288** - Local Government  
**HB 289** - Elections  
**HB 296** - Judiciary  
**HB 308** - Corrections  
**HB 309** - Crime Prevention and Public Safety  
**HB 342** - Ways and Means  
**HB 343** - Ways and Means  
**HB 351** - Elections

**HB 355** - Transportation Funding and Public Institutions  
**HB 365** - General Laws  
**HB 370** - Health Care Policy  
**HB 373** - Local Government  
**HB 376** - Utilities  
**HB 378** - General Laws  
**HB 379** - Elections  
**HB 380** - Tax Reform  
**HB 381** - Elections  
**HB 389** - Elementary and Secondary Education  
**HB 390** - Health Care Policy  
**HB 391** - Health Insurance  
**HB 422** - Crime Prevention and Public Safety  
**HB 424** - Tourism and Natural Resources  
**HB 435** - Rural Community Development  
**HB 439** - Health Care Policy  
**HB 452** - Health Insurance  
**HB 453** - Local Government  
**HB 454** - Judiciary  
**HB 455** - Elementary and Secondary Education  
**HB 456** - Crime Prevention and Public Safety  
**HB 457** - Crime Prevention and Public Safety  
**HB 469** - Judiciary  
**HB 479** - Economic Development  
**HB 480** - Economic Development  
**HB 481** - Crime Prevention and Public Safety  
**HB 485** - Judiciary  
**HB 486** - Judiciary  
**HB 487** - Judiciary  
**HB 497** - Local Government  
**HB 510** - Judiciary  
**HB 512** - Crime Prevention and Public Safety  
**HB 517** - Crime Prevention and Public Safety  
**HB 519** - Economic Development  
**HB 524** - Insurance Policy  
**HB 529** - Transportation  
**HB 533** - Ways and Means  
**HB 569** - Utilities  
**HB 574** - Health Insurance  
**HB 575** - Elementary and Secondary Education  
**HB 576** - Elementary and Secondary Education  
**HB 577** - Elementary and Secondary Education  
**HB 587** - Judiciary  
**HB 594** - General Laws  
**HB 612** - Elementary and Secondary Education  
**HB 614** - Higher Education  
**HB 615** - General Laws

**HB 616** - Economic Development  
**HB 618** - Tax Reform  
**HB 619** - General Laws  
**HB 620** - General Laws  
**HB 621** - Elementary and Secondary Education  
**HB 622** - Special Standing Committee on Renewable Energy  
**HB 627** - Elections  
**HB 640** - Elections  
**HB 646** - General Laws  
**HB 651** - General Laws  
**HB 668** - Professional Registration and Licensing  
**HB 672** - Elections  
**HB 681** - Elections  
**HB 685** - Health Care Policy  
**HB 694** - Elections  
**HB 704** - Judiciary  
**HB 705** - Economic Development  
**HB 756** - Elementary and Secondary Education  
**HB 759** - Local Government  
**HB 760** - General Laws  
**HB 768** - Judiciary  
**HB 771** - Children and Families  
**HB 775** - Crime Prevention and Public Safety  
**HB 779** - Economic Development  
**HB 784** - Judiciary  
**HB 789** - Agri-Business  
**HB 815** - Local Government  
**HB 819** - Transportation Funding and Public Institutions  
**HB 822** - Financial Institutions  
**HB 826** - Tourism and Natural Resources  
**HB 830** - Agri-Business  
**HB 833** - Small Business  
**HB 841** - General Laws  
**HB 845** - Workforce Development and Workplace Safety  
**HB 849** - Elementary and Secondary Education  
**HB 850** - Judiciary  
**HB 853** - Local Government  
**HB 855** - Elementary and Secondary Education  
**HB 859** - Ways and Means  
**HB 866** - Crime Prevention and Public Safety  
**HB 867** - Higher Education  
**HB 873** - Agri-Business  
**HB 879** - Retirement  
**HB 884** - Judiciary  
**HB 886** - General Laws  
**HB 887** - Professional Registration and Licensing  
**HB 888** - Transportation

**HB 892** - Professional Registration and Licensing  
**HB 897** - Elementary and Secondary Education  
**HB 898** - Elementary and Secondary Education  
**HB 900** - Transportation  
**HB 902** - Judiciary  
**HB 905** - Economic Development  
**HB 907** - Local Government  
**HB 911** - Ways and Means  
**HB 916** - Transportation  
**HB 919** - Local Government  
**HB 920** - Financial Institutions  
**HB 921** - Elementary and Secondary Education  
**HB 922** - Financial Institutions  
**HB 923** - Judiciary  
**HB 925** - Judiciary  
**HB 928** - Judiciary  
**HB 930** - Tax Reform  
**HB 933** - Small Business  
**HB 934** - Insurance Policy  
**HB 936** - Elementary and Secondary Education  
**HB 937** - Professional Registration and Licensing  
**HB 938** - Local Government  
**HB 939** - Elementary and Secondary Education  
**HB 941** - Crime Prevention and Public Safety  
**HB 942** - Economic Development  
**HB 944** - Ways and Means  
**HB 946** - Agri-Business  
**HB 947** - Elections  
**HB 952** - Elections  
**HB 954** - Retirement  
**HB 955** - Ways and Means  
**HB 956** - Crime Prevention and Public Safety  
**HB 958** - Economic Development  
**HB 959** - Elections  
**HB 960** - Judiciary  
**HB 962** - Economic Development  
**HB 963** - Transportation  
**HB 964** - Elementary and Secondary Education  
**HB 966** - Tax Reform  
**HB 969** - Local Government  
**HB 970** - Tax Reform  
**HB 973** - International Trade and Job Creation  
**HB 975** - Small Business  
**HB 976** - Tax Reform  
**HB 977** - Transportation  
**HB 978** - Health Care Policy  
**HB 982** - Health Care Policy



**HB 983** - International Trade and Job Creation  
**HB 984** - Agri-Business  
**HB 986** - Workforce Development and Workplace Safety  
**HB 989** - Workforce Development and Workplace Safety  
**HB 991** - Judiciary  
**HB 993** - Local Government  
**HB 995** - Crime Prevention and Public Safety  
**HB 997** - Judiciary  
**HB 998** - Elections  
**HB 1000** - Special Standing Committee on Redistricting  
**HB 1001** - Special Standing Committee on Redistricting  
**HB 1004** - Downsizing State Government  
**HB 1005** - Downsizing State Government  
**HB 1007** - Workforce Development and Workplace Safety  
**HB 1009** - Transportation Funding and Public Institutions  
**HB 1010** - Health Care Policy  
**HB 1012** - Elections  
**HB 1013** - Agri-Business  
**HB 1014** - Judiciary  
**HB 1015** - Agri-Business  
**HB 1016** - Tax Reform  
**HB 1017** - Elementary and Secondary Education  
**HB 1019** - Local Government  
**HB 1020** - Health Insurance  
**HB 1021** - Utilities  
**HB 1022** - International Trade and Job Creation  
**HB 1023** - Ways and Means  
**HB 1024** - Judiciary  
**HB 1025** - Judiciary  
**HB 1026** - Health Insurance  
**HB 1028** - Economic Development

#### **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SS SCR 8** - Agri-Business

#### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SCS SB 29** - Professional Registration and Licensing  
**SCS SB 54** - Elementary and Secondary Education  
**SB 59** - Judiciary  
**SCS SB 60** - Judiciary  
**SS SCS SB 65** - Health Care Policy

**SS SCS SB 70** - Judiciary  
**SCS SB 81** - Elementary and Secondary Education  
**SB 90** - Health Insurance  
**SB 116** - Judiciary  
**SCS SB 117** - Local Government  
**SB 147** - Elementary and Secondary Education  
**SCS SB 177** - Health Care Policy  
**SB 237** - Judiciary  
**SS SCS SB 351** - Judiciary  
**SCS SB 356** - Agriculture Policy

### **COMMITTEE REPORTS**

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HCR 38**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

#### HOUSE CONCURRENT RESOLUTION NO. 38

WHEREAS, the ABC Heart of America Education Trust's trade and technical school, currently located in Mission Kansas, is seeking to relocate to Kansas City, Missouri; and

WHEREAS, the ABC Heart of America Education Trust's trade and technical school would provide postsecondary higher education and vocational training programs for veterans, displaced workers, and those underemployed persons looking for vocational career training; and

WHEREAS, the relocation of the ABC Heart of America Education Trust's trade and technical school would bring 25 new full-time and part-time jobs to Kansas City, and would represent a total reinvestment in excess of one million dollars; and

WHEREAS, Resolution No. 100978 has been filed in the City Council of Kansas City expressing the support of the Mayor and City Council of Kansas City for the relocation of the ABC Heart of America Education Trust's trade and technical school to Kansas City:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby express our support for the relocation of the ABC Heart of America Education Trust's trade and technical school to Kansas City; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Mayor and City Council of Kansas City and the ABC Heart of America Education Trust's trade and technical school in Mission, Kansas.

**Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was returned **HCS SJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was returned **HCS SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 552**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 711**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 174**, entitled:

An act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education governing boards, with an existing penalty provision.

With Senate Amendment No. 1.

#### *Senate Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 174, Page 1, Section 172.030, Line 7, by inserting at the end of said line the following:

**"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011 from completing his or her term.";** and

Further amend said bill, Page 2, Section 173.005, Line 19, by inserting after "expenses." the following:

**"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011 from completing his or her term.";** and

Further amend said bill, Page 7, Section 174.450, Line 30, by inserting at the end of said line the following:

**"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011 from completing his or her term.".**

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 209**, entitled:

An act to repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 209, Page 2, Section 67.402, Line 12, by inserting after the word "inhabitants" the following:

**"(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;**

**(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;**

**(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; and**

**(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants".**

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 209, Page 8, Section 537.296, Line 10, by striking the opening bracket "[" from said line; and

Further amend Line 11, by striking the closing bracket "]" from said line.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 358**.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 13, 2011.

## **COMMITTEE MEETINGS**

### **BUDGET**

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup: Capital Improvements, Maintenance & Repairs, and Reappropriations.

### **BUDGET**

Thursday, April 14, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of Markup of Capital Improvements, Maintenance & Repairs, and Reappropriations.

#### CHILDREN AND FAMILIES

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 509, HB 793, HB 816, HCR 45  
Executive session may be held on any matter referred to the committee.

#### CORRECTIONS

Wednesday, April 13, 2011, North Gallery upon morning recess.  
Executive session will be held: HB 837, HB 539  
Executive session may be held on any matter referred to the committee.

#### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 4.  
Public hearing will be held: HB 999  
Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 763, SS SCS SB 13, SB 243, HB 994  
Executive session may be held on any matter referred to the committee.  
Hearing will be continued upon afternoon adjournment in House Hearing Room 2.  
AMENDED

#### FISCAL REVIEW

Thursday, April 14, 2011, 8:30 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
All bills referred to the committee.

#### GENERAL LAWS

Wednesday, April 13, 2011, 12:30 PM North Gallery.  
Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: HB 57, SB 38  
Executive session will be held: SCS SB 17, SB 284, SS#2 SCS SB 62  
Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 13, 2011, House Hearing Room 7, 5:00 PM or upon afternoon adjournment.  
Public hearing will be held: HB 901, HB 924  
Executive session may be held on any matter referred to the committee.

#### JUDICIARY

Wednesday, April 13, 2011, 12:00 PM House Hearing Room 1.  
Public hearing will be held: SCS SB 57, SB 165, HB 785, HB 909  
Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, April 13, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SB 96, SB 97, HB 917

Executive session may be held on any matter referred to the committee.

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 13, 2011, House Hearing Room 5,

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 863, HB 367, HB 769, HB 553

Executive session may be held on any matter referred to the committee.

#### RULES

Wednesday, April 13, 2011, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.

Rules Committee dinner - upon afternoon adjournment.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, April 13, 2011, 1:00 PM House Hearing Room 7.

Executive session will be held: HCS#2 SJR 2, HCS#2 SB 3

Executive session may be held on any matter referred to the committee.

Executive session may also include HCS for SB 68.

#### AMENDED

#### SMALL BUSINESS

Wednesday, April 13, 2011, South Gallery upon morning recess.

Executive session will be held: HB 741

Executive session may be held on any matter referred to the committee.

#### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Wednesday, April 13, 2011, 9:00 AM House Hearing Room 3.

Public hearing will be held: HB 1006

Executive session may be held on any matter referred to the committee.

#### CANCELLED

#### TAX REFORM

Wednesday, April 13, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 880

Executive session may be held on any matter referred to the committee.

#### TOURISM AND NATURAL RESOURCES

Thursday, April 14, 2011, 9:00 AM House Hearing Room 7.

Executive session will be held: HB 597, SB 180, SS SB 135

Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION

Wednesday, April 13, 2011, South Gallery upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, April 14, 2011, 8:00 AM House Hearing Room 6.

Executive session will be held: SCR 7, SB 173

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, April 14, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 843, HB 953, HB 885, HB 175

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, April 13, 2011, House Hearing Room 5 upon afternoon adjournment.

Executive session will be held: HB 893

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 13, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HCS HB 464 - McNary
- 8 HCS HB 555 - Grisamore
- 9 HB 655 - Lampe
- 10 HCS HB 657 - Allen
- 11 HCS HB 121 - Dugger
- 12 HCS HB 161 - Cox
- 13 HCS HBs 303 & 239 - Davis
- 14 HCS HB 366 - Silvey
- 15 HCS HB 562 - Grisamore
- 16 HCS HB 579 - Frederick
- 17 HB 656, as amended - Brandom
- 18 HB 661 - Wells
- 19 HCS HB 664 - Leara
- 20 HCS HBs 300, 334 & 387 - Gatschenberger
- 21 HB 466 - Schoeller

1242 *Journal of the House*

- 22 HCS HB 523 - Molendorp
- 23 HCS HB 643 - May
- 24 HB 708 - Curtman
- 25 HCS HB 773 - Gosen
- 26 HB 1008 - Long

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger
- 3 HCR 37, (3-16-11, Pages 670-671) - Franklin

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 111 - Cox
- 2 HCS HBs 223 & 231, (Fiscal Review 4-12-11) - Wallingford
- 3 HCS HB 430 - Burlison

#### **HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE**

HCS#2 HB 609 - Molendorp

#### **HOUSE CONCURRENT RESOLUTIONS**

HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

#### **SENATE BILLS FOR THIRD READING**

- 1 SS SCS SBs 113 & 95 - Loehner
- 2 SCS SB 188 - Elmer

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

SS SCS HB 209, as amended - Guernsey



# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 13, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Now, O God, strengthen Thou my hands. (Nehemiah 6:9)*

Almighty God, our Heavenly Host, the source of all that is beautiful and good in life, again we come to You, restless, seeking rest in You; weak, seeking strength from You; uncertain, seeking certainty in Your presence. Lesser things have laid their hands upon us, we have majored in minors, we have triumphed with trifles - yet You are always with us endeavoring to lead us along the better way to life and to a greater life together.

Strengthen us with Your Spirit and help us to deal wisely and well with the high business before us this day. May we go from this moment of prayer to be true children of Yours, serving You and our fellow citizens with all our hearts. Because we have lived this hour and thought and prayed, may the world become a better place in which all people can live together in peace. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ally Webb, Katie Wilson, Andrew Bexten, Reagan Taggart and Abby Davis.

The Journal of the fifty-third day was approved as printed.

## **SPECIAL RECOGNITION**

The Marion County Lady Mustang Basketball Team was introduced by Representatives Redmon and Shumake and recognized for attaining the 2011 Class 1A Missouri State Championship.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2020 through House Resolution No. 2064

Speaker Tilley assumed the Chair.

**SIGNING OF HOUSE BILL**

All other business of the House was suspended while **SS SCS HCS HB 163** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS SCS HCS HB 163** was delivered to the Governor by the Chief Clerk of the House.

**PERFECTION OF HOUSE BILLS**

**HB 656, as amended**, relating to payday loans, was taken up by Representative Brandom.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Brandom, **HB 656, as amended**, was ordered perfected and printed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Faith	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Fitzwater	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Marshall	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively

Shumake	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 116	Lasater	Long	Nasheed	Wallingford
Webb				

VACANCIES: 001

Speaker Tilley resumed the Chair.

**HCS HB 555**, relating to individuals with disabilities, was taken up by Representative Grisamore.

Representative Grisamore offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 555, Page 3, Section 143.1017, Line 26, by inserting after the word “**health.**” the following:

**“The moneys in the developmental disabilities waiting list equity trust fund established in this subsection shall not be appropriated in lieu of general state revenues.”; and**

Further amend said bill, Page 32, Section 210.496, Line 23, by inserting after the word “**child**” the following:

**“or an inability to perform the duties of a foster parent”;** and

Further amend said bill, Section 210.900, Page 33, Line 41, by inserting after all of said section the following:

“211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190 shall have exclusive original jurisdiction in proceedings:

(1) Involving any child or person seventeen years of age who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child or person seventeen years of age, neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child or person seventeen years of age shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child or person seventeen years of age is otherwise without proper care, custody or support; or

(c) The child or person seventeen years of age was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130;

(d) The child or person seventeen years of age is a child in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification; or

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of seventeen years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child or person seventeen years of age to the guardianship of the department of social services as provided by law.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child or person seventeen years of age who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child or person seventeen years of age may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person seventeen years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age, or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child or person seventeen years of age under the supervision of another juvenile court within or without the state pursuant to section 210.570 with the consent of the receiving court;

(5) Upon motion of any child or person seventeen years of age or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri Supreme Court Rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child or person seventeen years of age, certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child or person seventeen years of age taken into custody in a county other than the county of the child's residence or the residence of a person seventeen years of age, the juvenile court of the county of the child's residence or the residence of a person seventeen years of age shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031 involving a child who alleges to be home schooled, the juvenile officer shall contact a parent or parents of such child to verify that the child is being home schooled and not in violation of section 167.031 before making a report of such a violation. Any report of a violation of section 167.031 made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.

**5. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care or for the removal of custody of a child from the parent without a specific showing that there is a causal relation between the disability or disease and harm to the child.**

**6. In cases involving a parent with a disability or disease, determinations made under this section shall consider the availability and use of accommodations for the disability or disease, including assistive technology and support services.";** and

Further amend said bill, Section 211.447, Page 42, Lines 146-148, by deleting the words "**determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 1** was adopted.

Representative Grisamore offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 555, Page 21, Section 208.152, Line 206, by inserting after the number "(24)" the following:

**"Prescribed medically necessary hearing aids. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;"** and renumber subsequent subdivisions accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted.

Representative Wyatt offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 555, Page 86, Section 632.120, Line 17, by inserting after all of said section and line the following:

**"632.312. Notwithstanding the provisions of section 105.452 to the contrary, a sheriff may receive reimbursement for the actual costs of transporting a person to and from a mental health facility pursuant to chapter 632 from a public or private hospital, not-for-profit charitable organization, the state, or a political subdivision.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wyatt, **House Amendment No. 3** was adopted.

Representative Nance offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 555, Page 24, Section 208.152, Line 311, by inserting after all of said section and line the following:

**“208.184. 1. Subject to appropriation, for the renewal of a child's eligibility for MO HealthNet benefits under this chapter or the state children's health insurance program benefits under sections 208.631 to 208.659, the department of social services shall provide a prepopulated form completed by the department based on all information available to the department and notice to the parent or caretaker relative of the child that eligibility of the child will be renewed and continued based on such information unless the department is provided other information from such parent or caretaker relative. Nothing in this subsection shall be construed as preventing the state from verifying, through electronic and other means, the information so provided.**

**2. If there are no changes in information, such as income or family composition, relating to eligibility of the child for the benefits listed in subsection 1 of this section, the parent or caretaker relative of the child shall not be required to send back the prepopulated form referenced in subsection 1 of this section. The department shall renew the child's eligibility for MO HealthNet benefits or the state children's health insurance program benefits based on information available to the department through electronic or other means, unless sufficient information is not in the state's possession and cannot be acquired from other sources, including other state agencies, without the participation of the applicant or the applicant's parent or caretaker relative.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 4** was adopted.

On motion of Representative Grisamore, **HCS HB 555, as amended**, was adopted.

On motion of Representative Grisamore, **HCS HB 555, as amended**, was ordered perfected and printed.

**THIRD READING OF SENATE BILLS**

**SS SCS SBs 113 & 95**, relating to dog breeders, was taken up by Representative Loehner.

Representative Sifton offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 113 & 95, Page 4, Section 273.345, Line 85, by inserting immediately following the word **“agriculture.”** the following:

**“The animal’s enclosure shall be cleaned of waste at least once a day.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 040

Anders	Atkins	Carlson	Colona	Conway 27
Ellinger	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe

May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

NOES: 098

Allen	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Crawford	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lasater	Lauer
Leach	Lichtenegger	Lochner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 024

Bahr	Brown 50	Carter	Cox	Cross
Curtman	Day	Funderburk	Gatschenberger	Gosen
Hodges	Hoskins	Korman	Lant	Largent
Leara	Molendorp	Nasheed	Phillips	Riddle
Schneider	Torpey	Webb	Zimmerman	

VACANCIES: 001

Representative Schupp offered **House Amendment No. 2.**

Representative Richardson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative McNeil offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 113 & 95, Page 3, Section 273.345, Line 48, by deleting the bracket “[“ after the word “means”; and

Further amend said bill, page, and section, Lines 52-57, by deleting all of said lines and inserting in lieu thereof the following:

“provided to the dog;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McNeil moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative McGeoghegan offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 113 & 95, Page 2, Section 273.345, Lines 25-27, by deleting all of said lines and inserting in lieu thereof the following:

“that dogs are not bred to produce more than two litters in any eighteen-month period;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McGeoghegan moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Loehner, **SS SCS SBs 113 & 95** was truly agreed to and finally passed by the following vote:

AYES: 085

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cookson	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Guernsey	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 117	Keeney	Kelley 126	Klippenstein	Korman
Lair	Lant	Largent	Leach	Lichtenegger
Loehner	Long	McCaherty	McGhee	Nance
Nasheed	Nolte	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieffer
Schoeller	Shively	Shumake	Smith 150	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker



NOES: 071

Allen	Anders	Atkins	Brown 85	Carlson
Carter	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cross	Ellinger	Faith	Fuhr
Gosen	Haefner	Hampton	Harris	Holsman
Hubbard	Hughes	Hummel	Jones 63	Jones 89
Kander	Kelly 24	Kirkton	Koenig	Kratky
Lampe	Lasater	Lauer	Leara	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Peters-Baker	Pierson	Rizzo	Schieber
Schneider	Schupp	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Walton Gray	Webber	Zerr
Zimmerman				

PRESENT: 001

Black

ABSENT WITH LEAVE: 005

Brown 50	Gatschenberger	Grisamore	Scharnhorst	Webb
----------	----------------	-----------	-------------	------

VACANCIES: 001

Speaker Tilley declared the bill passed.

**SCS SB 188**, relating to unlawful discriminatory practices, was taken up by Representative Elmer.

Representative Webber requested a division of the question on **SCS SB 188**.

Representative Webber offered **House Amendment No. 1 to Part I**.

*House Amendment No. 1*

AMEND Part I of Senate Committee Substitute for Senate Bill No. 188, Page 2, Section 213.010, Line 35, by inserting after the word “sex,” the phrase “**sexual orientation as defined in section 557.035**,”; and

Further amend said bill, Page 5, Section 213.070, Line 11, by inserting after the word “sex,” the phrase “**sexual orientation as defined in section 557.035**,”; and

Further amend said page, Section 213.101, Line 5, by inserting after the word “sex,” the phrase “**sexual orientation as defined in section 557.035**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fallert offered **House Amendment No. 1 to House Amendment No. 1 to Part I**.

Representative Elmer raised a point of order that **House Amendment No. 1 to House Amendment No. 1** is in violation of Rule 75.

The Chair ruled the point of order well taken.

Representative Webber moved that **House Amendment No. 1 to Part I** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Anders	Atkins	Aull	Carlson	Carter
Colona	Conway 27	Ellinger	Fallert	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Rizzo	Schneider	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webber	Weter	Zerr		

NOES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shively	Shumake	Smith 150	Stream	Swinger
Thomson	Wallingford	Wells	White	Wieland
Wright	Wyatt	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Fisher	Leara	Meadows	Nasheed
Nolte	Pollock	Schieffer	Silvey	Webb
Zimmerman				

VACANCIES: 001

On motion of Representative Elmer, **Part I of SCS SB 188** was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Molendorp	Nance
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shumake
Smith 150	Stream	Thomson	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 061

Anders	Atkins	Aull	Barnes	Berry
Black	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	Lasater
Leach	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Smith 71
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Weter				

PRESENT: 001

Kander

ABSENT WITH LEAVE: 009

Brown 50	Fisher	Leara	Meadows	Nolte
Pollock	Silvey	Webb	Zimmerman	

VACANCIES: 001

Representative Taylor offered **House Amendment No. 1 to Part II.***House Amendment No. 1*

AMEND Part II of Senate Committee Substitute for Senate Bill No. 188, Page 8, Section 213.111, Line 60, by deleting the word “**dollars.**” and inserting in lieu thereof the following:

**“dollars, except under the condition that said respondent has revenue during the twenty or more calendar weeks of four billion dollars or more or that during this period has been included on the Fortune 500 list of companies. For this respondent the sum of actual damages, including damages for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses, and punitive damages awarded shall be determined by a court of law or a jury.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Taylor moved that **House Amendment No. 1 to Part II** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Anders	Atkins	Aull	Barnes	Black
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Leach	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber	Weter			

NOES: 094

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Lichtenegger	Loehner
Long	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Stream	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Faith	Fisher	Franz	Kander
Leara	Meadows	Pollock	Silvey	Webb
Zimmerman				

VACANCIES: 001

Representative McManus offered **House Amendment No. 2 to Part II.**

*House Amendment No. 2*

AMEND Part II of Senate Committee Substitute for Senate Bill No. 188, Page 5, Section 213.101, Line 10, by inserting after the word “**Commission.**” the following:

**“If, notwithstanding the intent of this section, federal funds to the Missouri Human Rights Commission or any other state or local department, agency or public entity currently receiving funds for the purpose of monitoring, tracking, preventing or punishing discrimination shall lose funds or are ineligible for funding as the result of a federal grant making or funding agency, entity or department finding or determining that Missouri’s Human Rights Act is no longer compliant with federal civil rights law, the provisions of this section shall revert to the provisions of the law in effect December 31, 2010 and shall be enforced as such.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McManus moved that **House Amendment No. 2 to Part II** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Anders	Atkins	Aull	Bahr	Barnes
Berry	Black	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Fallert	Harris
Hodges	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	Leach
Marshall	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber	Weter		

NOES: 093

Allen	Asbury	Bernskoetter	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89

## 1256 *Journal of the House*

Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schoeller
Shumake	Solon	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Dieckhaus	Faith	Holsman	Kander
Pollock	Schneider	Silvey	Smith 150	Webb
Zimmerman				

VACANCIES: 001

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCaherty
McCann Beatty	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Cierpiot	Curtman	Dieckhaus	Faith
Holsman	Loehner	McDonald	McGeoghegan	Nolte
Schneider	Silvey	Webb	Wright	Zimmerman

VACANCIES: 001

On motion of Representative Elmer, **Part II of SCS SB 188** was adopted by the following vote:

AYES: 094

Asbury	Aull	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Long	McCaherty	McNary	Molendorp	Nance
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schneider	Schoeller
Shively	Shumake	Smith 150	Stream	Swinger
Thomson	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 057

Anders	Atkins	Barnes	Berry	Black
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schieber	Schieffer	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webber	Weter			

PRESENT: 001

Kander

ABSENT WITH LEAVE: 010

Allen	Brown 50	Cierpiot	Loehner	McGhee
Nolte	Schad	Silvey	Webb	Zimmerman

VACANCIES: 001

## Representative May offered **House Amendment No. 1 to Part III.**

### *House Amendment No. 1*

AMEND Part III of Senate Committee Substitute for Senate Bill No. 188, Page 8, Section 1, Line 8, by deleting all of said line and inserting in lieu thereof the following:

**“employed by the employer or the employee’s supervisor or corporate or company official who could reasonably be capable or expected to be capable of responding, addressing or reporting a whistleblower’s complaint;”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative May moved that **House Amendment No. 1 to Part III** be adopted.

Which motion was defeated.

On motion of Representative Elmer, **Part III of SCS SB 188** was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Smith 150	Stream	Thomson	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			



NOES: 061

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Smith 71
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Weter				

PRESENT: 001

Kander

ABSENT WITH LEAVE: 008

Brattin	Brown 116	Colona	Reiboldt	Shumake
Silvey	Webb	Zimmerman		

VACANCIES: 001

On motion of Representative Elmer, **SCS SB 188** was truly agreed to and finally passed by the following vote:

AYES: 093

Allen	Asbury	Aull	Bahr	Bernskoetter
Brattin	Brown 85	Burlison	Cauthorn	Cierpiot
Conway 14	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shively
Shumake	Smith 150	Stream	Swinger	Thomson
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 063

Anders	Atkins	Barnes	Berry	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Cookson	Ellinger	Fallert	Harris

1260 *Journal of the House*

Hodges	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Leach	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieber	Schieffer	Schupp
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webber	Weter	Zimmerman		

PRESENT: 001

Kander

ABSENT WITH LEAVE: 005

Brandom	Brown 116	Reiboldt	Silvey	Webb
---------	-----------	----------	--------	------

VACANCIES: 001

Speaker Tilley declared the bill passed.

On motion of Representative Jones (89), the House recessed until 3:15 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

### **COMMITTEE REPORTS**

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 68**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 68**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## SUPPLEMENTAL CALENDAR APRIL 13, 2011

### SENATE BILL FOR THIRD READING

HCS SCS SB 68, E.C. - Diehl

### THIRD READING OF HOUSE CONCURRENT RESOLUTION

**HCR 37**, relating to Diabetic Peripheral Neuropathy Week, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCR 37** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 001

Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50

Day

Flanigan

Parkinson

Silvey

Webb

Mr Speaker

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

### PERFECTION OF HOUSE BILLS

**HCS HB 464**, relating to boards, commissions and committees, was taken up by Representative McNary.

Representative Colona offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 464, Page 5, Section 37.745, Line 3, by inserting after all of said line the following:

**“90.101. 1. Notwithstanding any law to the contrary, the board of commissioners of Tower Grove Park shall have the authority to adjust the size of its membership, provided that any such adjustment shall be approved by a majority vote of the board members.**

**2. Notwithstanding any law to the contrary, in case of any vacancy occurring in the membership of the board of commissioners of Tower Grove Park from death, resignation, or disqualification to act, the vacancy shall be filled by appointment from the remaining members of the board, or a majority of them, for the balance of the term then vacant, and all vacancies caused by the expiration of the term of office shall be filled by appointment from the judges of the supreme court of the state of Missouri, or a majority of them or if said judges are unable or unwilling to so act, which shall be presumed by their failure to act within thirty days following delivery to the court of a slate of appointees, by the majority vote of the remaining board members.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Colona, **House Amendment No. 1** was adopted.

Representative Grisamore offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 464, Page 28, Section 210.101, Line 8, by inserting after the word **"departments:"** the following:

**"labor and industrial relations,"; and**

Further amend said bill, Page 29, Section 210.101, Line 20, by deleting the words "**who represent one**" and inserting in lieu thereof the words "**with one member representing each**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 2** was adopted.

On motion of Representative McNary, **HCS HB 464, as amended**, was adopted.

On motion of Representative McNary, **HCS HB 464, as amended**, was ordered perfected and printed.

**HCS HBs 300, 334 & 387**, relating to youth sports brain injuries, was taken up by Representative Gatschenberger.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Faith	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer

Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Diehl	Holsman	Jones 63	Jones 89
Nolte	Parkinson	Webb	Zimmerman	Mr Speaker

VACANCIES: 001

On motion of Representative Gatschenberger, **HCS HBs 300, 334 & 387** was adopted.

On motion of Representative Gatschenberger, **HCS HBs 300, 334 & 387** was ordered perfected and printed.

### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HCS HJR 5** - Fiscal Review (Fiscal Note)

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HCS HB 555** - Fiscal Review (Fiscal Note)

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SCS SB 366** - General Laws

### **COMMITTEE REPORTS**

**Committee on Budget**, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 18**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 21**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 22**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 649**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was returned **HB 364**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 686**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 17**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 38**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 57**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 165**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 220**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 889**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 96**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 97**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 145**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Small Business**, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 741**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 77**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 131**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.



**Committee on Utilities**, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 688**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 207**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, Missouri's 57,000 state employees rank 50th out of the 50 states in their annual compensation, according to the most recent figures available from the United States Census Bureau; and

WHEREAS, with an average salary of \$38,184, the average state employee in Missouri earned 26% less than the United States average of \$51,507; and

WHEREAS, the three poorest states in the nation - West Virginia, Mississippi, and Arkansas - all rank ahead of Missouri in state employee annual compensation; and

WHEREAS, according to the United States Census Bureau, Missouri's full-time equivalent employment dropped 1.09%, and Missouri part-time employment dropped 8.47% from 2008 to 2009; and

WHEREAS, for December 2010, the Bureau of Labor Statistics of the United States Department of Labor reported an unemployment rate of 9.5%, the 15th highest percentage in the nation; and

WHEREAS, in his State of the State Address on January 19, 2011, Governor Nixon said that he has "cut state payroll by over 3,300 positions" since he took office in January 2009 and is recommending another 863 state employee positions be eliminated this year; and

WHEREAS, Governor Nixon acknowledged that "All across state government, a leaner workforce is doing more with less."; and

WHEREAS, if the recommended cuts are enacted in the 2012 fiscal year budget, Missouri's full-time employee payroll will drop to approximately 56,500 positions, with the largest reductions in the departments of Mental Health and Social Services;

WHEREAS, in asking state employees to "do more with less", it is vitally important that the State of Missouri attract and maintain a talented and dedicated workforce in order to best serve the needs of our citizens; and

WHEREAS, one of the keys to attracting and maintaining a talented and dedicated workforce will be to raise the annual compensation of our state workforce so we are no longer ranked 50th among the 50 states in state employee compensation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby establish a Joint Interim Committee on State Employee Wages; and

BE IT FURTHER RESOLVED that the Committee shall:

- (1) Compare the wages of Missouri state employees to the wages for state employees in other states;
- (2) Study and develop strategies for increasing the wages of Missouri's state employees so Missouri will no longer rank 50th among states regarding state worker wages;
- (3) Report its recommendations to the House Budget Committee and the Senate Appropriations Committee by December 31, 2011; and
- (4) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Committee shall be composed of the following ten members:

- (1) Two majority party members and one minority party member of the House of Representatives, to be appointed by the Speaker of the House and Minority Leader of the House;
- (2) Two majority party members and one minority party member of the Senate, to be appointed by the President Pro Tem of the Senate;
- (3) One representative from the Governor's Office;
- (4) One representative from the State Personnel Advisory Board; and
- (5) Two members of the public, with one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the First Regular Session of the Ninety-sixth General Assembly through December 31, 2011; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, and the general public; and

BE IT FURTHER RESOLVED that the staffs of Senate Appropriations, Senate Research, House Appropriations, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingent Fund.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 893**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 491**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SJR 2**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 322**, entitled:

An act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to certain provider taxes.

In which the concurrence of the House is respectfully requested.

**MESSAGE FROM THE GOVERNOR**

EXECUTIVE OFFICE

April 13, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96<sup>th</sup> GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163** entitled:

"AN ACT"

To repeal sections 288.040, 288.060, and 288.062, RSMo, and to enact in lieu thereof three new sections relating to unemployment compensation, with an emergency clause.

On April 13, 2011, I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 163**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

**ADJOURNMENT**

On motion of Representative Riddle, the House adjourned until 9:30 a.m., Thursday, April 14, 2011.

## COMMITTEE MEETINGS

### AGRICULTURE POLICY

Tuesday, April 19, 2011, 12:15 PM House Hearing Room 6.

Public hearing will be held: SCS SB 356, HB 990

Executive session may be held on any matter referred to the committee.

Lunch will not be provided.

### BUDGET

Thursday, April 14, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of Markup of Capital Improvements, Maintenance & Repairs, and Reappropriations.

CANCELLED

### ELECTIONS

Thursday, April 14, 2011, 8:30 AM House Hearing Room 1.

Executive session will be held: SB 282

Executive session may be held on any matter referred to the committee.

### FISCAL REVIEW

Thursday, April 14, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

### RULES

Thursday, April 14, 2011, House Hearing Room 5 upon morning adjournment.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

### RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, April 14, 2011, House Hearing Room 5 upon morning adjournment.

Executive session will be held: HB 364, HCS HBs 600, 337 & 413, HCS HB 742, HCS HB 787, HCS SCS SB 162

Executive session may be held on any matter referred to the committee.

### SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY

Thursday, April 14, 2011, 9:00 AM House Hearing Room 4.

Public hearing will be held: HB 1006

Executive session may be held on any matter referred to the committee.

### TOURISM AND NATURAL RESOURCES

Thursday, April 14, 2011, 9:00 AM House Hearing Room 7.

Executive session will be held: HB 597, SB 180, SS SB 135

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, April 14, 2011, 8:00 AM House Hearing Room 6.

Executive session will be held: SCR 7, SB 173

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, April 14, 2011, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 843, HB 953, HB 885, HB 175

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FIFTY-FIFTH DAY, THURSDAY, APRIL 14, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HB 655 - Lampe
- 8 HCS HB 657 - Allen
- 9 HCS HB 121 - Dugger
- 10 HCS HB 161 - Cox
- 11 HCS HBs 303 & 239 - Davis
- 12 HCS HB 366 - Silvey
- 13 HCS HB 562 - Grisamore
- 14 HCS HB 579 - Frederick
- 15 HB 661 - Wells
- 16 HCS HB 664 - Leara
- 17 HB 466 - Schoeller
- 18 HCS HB 523 - Molendorp
- 19 HCS HB 643 - May
- 20 HB 708 - Curtman
- 21 HCS HB 773 - Gosen
- 22 HB 1008 - Long
- 23 HB 138 - Thomson
- 24 HB 491 - Diehl
- 25 HCS HB 828 - Fisher

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 5, (Fiscal Review 4-13-11) - Pollock

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 111 - Cox
- 2 HCS HBs 223 & 231, (Fiscal Review 4-12-11) - Wallingford
- 3 HCS HB 430 - Burlison
- 4 HB 591 - Lichtenegger
- 5 HCS HB 697 - Smith (150)
- 6 HCS HB 407 - Wieland
- 7 HB 211 - Koenig
- 8 HB 257 - Cox
- 9 HB 305, E.C. - Gatschenberger
- 10 HB 357 - Leara
- 11 HB 656 - Brandom
- 12 HCS HB 555, (Fiscal Review 4-13-11) - Grisamore
- 13 HCS HB 464 - McNary
- 14 HCS HBs 300, 334 & 387 - Gatschenberger

**HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE**

HCS#2 HB 609 - Molendorp

**SENATE BILLS FOR SECOND READING**

SB 322

**HOUSE CONCURRENT RESOLUTIONS**

HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

**SENATE BILLS FOR THIRD READING**

HCS SCS SB 68, E.C. - Diehl

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HB 209, as amended - Guernsey
- 2 HCS HB 174, SA 1 - Thomson

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTY-FIFTH DAY, THURSDAY, APRIL 14, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*God is Spirit: and they that worship Him must worship Him in spirit and in truth. (John 4:24)*

O God of truth and love, without You our world drifts into the valley of darkness and despair, let the light of Your Spirit glow within us as we worship You this moment. Deliver us from greed and bitterness, from misunderstanding and ill will - which are the seeds of contention and confusion. By the might of Your presence and by the strength of Your Spirit in our hearts make us one in You. With this oneness may we launch out into an adventurous cooperation among each other which shall be a pattern of life for our own state and for all the people of Missouri.

Underneath all differences of political parties help us to see human life struggling to be free and to find satisfaction on higher levels of daily life. We believe You are showing us the way in Your Word - help us to walk in it to the glory of Your name and for the good of our citizens.

We recall our Missouri history today when on this date in 1841 the University of Missouri, the first state university west of the Mississippi River, was opened. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hannah Eileen Kratky, Cecilia Patience Fugaro, Antonio Michael Fugaro, Victoria Joy Fugaro, Adeline Thessen, Carter Kane, Sophia Council, Maggie Peak and Luke Dougherty.

The Journal of the fifty-fourth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2065 through House Resolution No. 2149

## SECOND READING OF SENATE BILL

**SB 322** was read the second time.

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 5** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 223 & 231** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 555** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF HOUSE BILL

**HCS HB 430**, relating to transportation, was taken up by Representative Burlison.

Representative Burlison offered **House Perfecting Amendment No. 1**.

### *House Perfecting Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 430, Page 3, Section 301.3145, Line 1, by deleting the number "**301.3145**" and inserting in lieu thereof the words "**Section 1**"; and

Further amend said bill by moving said section to the appropriate place in said bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Burlison, **HCS HB 430, as amended**, was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach



Leara	Lichtenegger	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 116	Loehner	May	Pollock
-----------	---------	-----	---------

VACANCIES: 001

Speaker Tilley declared the bill passed.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 193**, entitled:

An act to repeal sections 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof eleven new sections relating to the composition of congressional districts.

In which the concurrence of the House is respectfully requested.

### HOUSE BILL WITH SENATE AMENDMENTS

**SS HCS HB 193**, relating to congressional districts, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to adopt **SS HCS HB 193** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

### THIRD READING OF HOUSE BILL - FEDERAL MANDATE

**HCS#2 HB 609**, relating to the Show-me Health Insurance Exchange, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS#2 HB 609** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116	Funderburk	May	Pollock	Zimmerman
-----------	------------	-----	---------	-----------

VACANCIES: 001

Speaker Tilley declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HCS HB 111**, relating to judicial procedures, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 111** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Sarnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Zimmerman	Mr Speaker		

NOES: 002

Hughes	Nasheed
--------	---------

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 116	Diehl	Funderburk	Jones 117	May
Pollock	Schad			

VACANCIES: 001

Speaker Tilley declared the bill passed.

**HCS HBs 223 & 231**, relating to higher education financial programs, was taken up by Representative Wallingford.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Wallingford, **HCS HBs 223 & 231** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Atkins	Brown 116	Funderburk	May	Pollock
Quinn	Schad			

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 591**, relating to a limited dental teaching license, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, **HB 591** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Berry	Brown 116	Funderburk	Jones 117	May
Pollock	Quinn	Schad		

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 407**, relating to certificates of insurance, was taken up by Representative Wieland.

On motion of Representative Wieland, **HCS HB 407** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Zimmerman	Mr Speaker		

NOES: 001

Loehner

PRESENT: 002

Gosen Molendorp

ABSENT WITH LEAVE: 006

Brown 116	Funderburk	May	Pollock	Thomson
White				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 211**, relating to lead abatement rules and regulations, was taken up by Representative Koenig.

On motion of Representative Koenig, **HB 211** was read the third time and passed by the following vote:

AYES: 094

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Faith	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 059

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Denison	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Silvey	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	Weter	Zimmerman	

PRESENT: 003

Bahr	McCaherty	Molendorp
------	-----------	-----------

ABSENT WITH LEAVE: 006

Brown 116	Curtman	Funderburk	McGhee	Pollock
Schneider				

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 697**, relating to state agency administrative rules, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 697** was read the third time and passed by the following vote:

AYES: 109

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Faith	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Fallert	Harris	Hodges	Holsman	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 003

Brown 116	Funderburk	Pollock
-----------	------------	---------

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.



**HB 257**, relating to the Sentencing Advisory Commission, was taken up by Representative Cox.

On motion of Representative Cox, **HB 257** was read the third time and passed by the following vote:

AYES: 100

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Faith
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 057

Anders	Atkins	Aull	Barnes	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 001

Day

ABSENT WITH LEAVE: 004

Brown 116	Funderburk	Meadows	Pollock
-----------	------------	---------	---------

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 305**, relating to a state employee retirement incentive, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 305** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Faith
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 011

Brattin	Conway 14	Hubbard	Hughes	Montecillo
Oxford	Pace	Schupp	Smith 71	Spreng
Webb				

PRESENT: 002

Conway 27	Walton Gray
-----------	-------------

ABSENT WITH LEAVE: 005

Brown 116	Funderburk	McGhee	Meadows	Pollock
-----------	------------	--------	---------	---------

VACANCIES: 001

Speaker Pro Tem Schoeller declared the bill passed.

**HB 305, with emergency clause pending**, was laid over.

**HCS HB 555**, relating to individuals with disabilities, was taken up by Representative Grisamore.

Representative Faith assumed the Chair.

On motion of Representative Grisamore, **HCS HB 555** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Dieckhaus	Funderburk	Parkinson	Pollock	Wells
-----------	------------	-----------	---------	-------

VACANCIES: 001

Representative Faith declared the bill passed.

Representative Keeney assumed the Chair.

**HB 357**, relating to enhanced enterprise zones, was taken up by Representative Leara.

On motion of Representative Leara, **HB 357** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Ellinger	Elmer	Entlicher	Faith	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lauer	Leara	Lichtenegger	Loehner
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 005

Bahr	Brattin	Dugger	Leach	Marshall
------	---------	--------	-------	----------

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 008

Dieckhaus	Diehl	Funderburk	Largent	Lasater
Long	Pollock	Mr Speaker		

VACANCIES: 001

Representative Keeney declared the bill passed.

**HCS HB 464**, relating to boards, commissions and committees, was taken up by Representative McNary.

On motion of Representative McNary, **HCS HB 464** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Ellinger	Elmer
Entlicher	Faith	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Dieckhaus	Diehl	Funderburk	Largent	Lasater
Pollock	Mr Speaker			

VACANCIES: 001

Representative Keeney declared the bill passed.

**HCS HBs 300, 334 & 387**, relating to youth sports brain injuries, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HCS HBs 300, 334 & 387** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Elmer	Entlicher	Faith	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman		

NOES: 010

Burlison	Carlson	Dugger	Ellinger	Franz
Guernsey	Hughes	Newman	Oxford	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 14	Dieckhaus	Funderburk	Largent	Lasater
Nasheed	Pollock	Scharnhorst	Mr Speaker	

VACANCIES: 001

Representative Keeney declared the bill passed.

## HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HB 209, as amended**, relating to private nuisance actions, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **SS SCS HB 209, as amended**, was adopted by the following vote:

AYES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 045

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Ellinger	Harris	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb	Webber	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 008

Cox	Diehl	Faith	Franz	Funderburk
Lasater	Pollock	Sater		

VACANCIES: 001

On motion of Representative Guernsey, **SS SCS HB 209, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 045

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Ellinger	Harris	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb	Webber	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 007

Cox	Faith	Franz	Funderburk	Lasater
Pollock	Sater			

VACANCIES: 001

Representative Keeney declared the bill passed.

**HCS HB 174, with Senate Amendment No. 1**, relating to higher education governing boards, was taken up by Representative Thomson.



On motion of Representative Thomson, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Berry	Cox	Dieckhaus	Faith	Franz
Funderburk	Hummel	Lasater	Pollock	Sater
Mr Speaker				

VACANCIES: 001

On motion of Representative Thomson, **HCS HB 174, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Zimmerman
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Berry	Colona	Cox	Faith	Franz
Funderburk	Klippenstein	Lasater	Pollock	Sater
Stream				

VACANCIES: 001

Representative Keeney declared the bill passed.

Speaker Tilley resumed the Chair.

## COMMITTEE REPORTS

### **Committee on Crime Prevention and Public Safety**, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 658**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SB 282**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 284**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Higher Education**, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 163**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on International Trade and Job Creation**, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## HOUSE CONCURRENT RESOLUTION NO. 46

WHEREAS, a three-day event, FUTURALLIA, will take place from Wednesday, May 18, 2011, to Friday, May 20, 2011, at the Kansas City Convention Center; and

WHEREAS, FUTURALLIA is a unique and globally recognized event which offers small and medium size businesses from various industry sectors and business leaders to have personalized, prescheduled, face-to-face meetings with partners of their choice; and

WHEREAS, FUTURALLIA is a springboard toward making new international partnerships, in addition to informal meetings in a professional and friendly environment; and

WHEREAS, since the first FUTURALLIA event was held in 1990, the event is designed for owners, directors, and managers of small and medium size businesses from all industry sectors wishing to develop business partnerships; and

WHEREAS, FUTURALLIA KC 2011 is the 16th edition of the event, and the first time in 20 years that the event will be held in the United States; and

WHEREAS, more than 92 delegation leaders from 38 countries will be participating, with more than 800 entrepreneurs in attendance; and

WHEREAS, as host of such a internationally recognized business event, Missouri will be a showcase for business leaders and entrepreneurs involved in foreign trade; and

WHEREAS, David Kerr, Director of the Department of Economic Development has frequently discussed the importance of international trade for the economic future of the State of Missouri; and

WHEREAS, from its early trading post beginnings, Kansas City has grown to be a metropolitan area of 2.2 million people and has maintained a reputation as a crossroads of transportation and as an international trade hub; and

WHEREAS, *Fortune* magazine ranks Kansas City as one of the 20 best cities in the United States for international business; and

WHEREAS, *Entrepreneur* magazine rates Kansas City as the No. 1 city in the Midwest in which to start and grow a business and No. 11 nationally; and

WHEREAS, Kansas City's economy is a nearly exact reflection of the United States economy, with a diversity of industries that protect its employers and workforce from dramatic peaks and valleys experienced in other markets; and

WHEREAS, FUTURALLIA KC 2011 will allow the State of Missouri to become recognized as a great place for foreign trade and international business:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize Kansas City as host of FUTURALLIA KC 2011 and urge the Department of Economic Development to take every advantage of this opportunity to encourage participation and to showcase Missouri as an ideal location for foreign trade and international business; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for David Kerr, Director of the Department of Economic Development.

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 908**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 924**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Tourism and Natural Resources**, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 597**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SS SB 135**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SB 180**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SCS SB 58**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 133**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation Funding and Public Institutions**, Chairman Faith reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **SCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **SB 173**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 364**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 600, 337 & 413**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 742**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 787**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 162**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 162**.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 26 & 106**, entitled:

An act to amend chapter 301, RSMo, by adding thereto two new sections relating to specialized license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 100**, entitled:

An act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 132**, entitled:

An act to repeal sections 385.200, 385.206, and 385.208, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle extended service contracts, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 230**, entitled:

An act to amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of tires.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 238**, entitled:

An act to repeal sections 87.005 and 87.006, RSMo, and to enact in lieu thereof two new sections relating to diseases presumed incurred in the line of duty by firefighters.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 254**, entitled:

An act to repeal sections 302.309, 558.021, and 577.023, RSMo, and to enact in lieu thereof three new sections relating to intoxicated-related traffic offenses, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 286**, entitled:

An act to repeal sections 37.710, 160.261, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037, RSMo, and to enact in lieu thereof eighteen new sections relating to protecting children from sex offenders.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 300**, entitled:

An act to amend chapter 252, RSMo, by adding thereto one new section relating to deer season.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 323**, entitled:

An act to amend chapter 29, RSMo, by adding thereto one new section relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 325**, entitled:

An act to amend chapter 324, RSMo, by adding thereto one new section relating to notifying employers regarding the licensing status of employees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 337**, entitled:

An act to repeal sections 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, and 268.121, RSMo, and to enact in lieu thereof five new sections relating to agriculture, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 360**, entitled:

An act to amend chapter 67, RSMo, by adding thereto five new sections relating to a county drinking water supply lake authority.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 387**, entitled:

An act to repeal sections 544.455, 544.470, and 557.011, RSMo, and to enact in lieu thereof four new sections relating to electronic monitoring of certain offenders.

In which the concurrence of the House is respectfully requested.

### **LETTER OF RESIGNATION**

April 14, 2011

Mr. D. Adam Crumbliss  
Chief Clerk and House Administrator  
Missouri House of Representatives  
Capitol Building, Room 306C  
Jefferson City, MO 65101

Subject: Resignation

Dear Mr. Crumbliss:

Please accept this letter as notification of my resignation as Representative of District 15 of the State of Missouri House of Representatives effective midnight on April 18, 2011.

I am blessed to have had the opportunity to serve the citizens in District 15.

Sincerely,

/s/ Sally Faith  
State Representative  
Proudly serving the people of the 15<sup>th</sup> District



**COMMUNICATION**

April 14, 2011

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Chief Crumbliss:

This is to advise you that I serve as a fixed income partner with the law firm of Husch Blackwell, LLP. I have no ownership interest in the firm. Fees earned by others in the firm do not impact my compensation.

There are well over five hundred attorneys at Husch Blackwell. The firm serves thousands of clients based in numerous states, with changes in clients occurring on a daily basis. Some members of the firm may represent parties with an interest in proposed legislation. In the overwhelming majority of these instances, I will not even be aware of such representation.

To the extent a piece of legislation would directly impact an entity I know to be a client of my firm in a manner that is materially different than its impact on other similarly situated entities in the industry, I will vote "present" on the proposal.

Should you have any questions, please feel free to contact me.

Very truly yours,

/s/ Scott Sifton  
District 96

**ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 5:00 p.m., Monday, April 18, 2011.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-fourth Day, Wednesday, April 13, 2011, Page 1243, by inserting after Line 25, the following:

**HOUSE CONCURRENT RESOLUTION**

Representative Rowland, et al., offered House Concurrent Resolution No. 53.

Page 1266, Line 10, by inserting after the words "**Do Pass**", the words "**by Consent**".

## COMMITTEE MEETINGS

### AGRICULTURE POLICY

Tuesday, April 19, 2011, 12:15 PM House Hearing Room 6.

Public hearing will be held: SCS SB 356, HB 990

Executive session may be held on any matter referred to the committee.

Lunch will not be provided.

### BUDGET

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of Tax Credits - Public Hearing.

### BUDGET

Thursday, April 21, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of Tax Credits - Public Hearing.

### CRIME PREVENTION AND PUBLIC SAFETY

Monday, April 18, 2011, 3:00 PM House Hearing Room 4.

Public hearing will be held: HB 730, HB 869

Executive session may be held on any matter referred to the committee.

HB 999 work session, no public testimony.

### ECONOMIC DEVELOPMENT

Tuesday, April 19, 2011, House Hearing Room 7 upon afternoon adjournment.

Public hearing will be held: HB 905, HB 962, HB 479, HB 480, HB 779

Executive session may be held on any matter referred to the committee.

### ELECTIONS

Tuesday, April 19, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 959, HB 640, HB 974, HJR 34

Executive session may be held on any matter referred to the committee.

### ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 19, 2011, 8:00 AM House Hearing Room 3.

Executive session will be held: SS SCS SB 13, SB 243

Executive session may be held on any matter referred to the committee.

### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 54, SCS SB 81, SB 147, HB 752

Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Tuesday, April 19, 2011, South Gallery upon morning recess.  
Executive session may be held on any matter referred to the committee.  
All bills referred to the committee.

#### HEALTH INSURANCE

Tuesday, April 19, 2011, 12:00 PM House Hearing Room 5.  
Public hearing will be held: SB 90, HB 547, HB 573  
Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, April 19, 2011, 8:00 AM House Hearing Room 6.  
Public hearing will be held: HB 614, HB 867  
Executive session may be held on any matter referred to the committee.

#### INSURANCE POLICY

Monday, April 18, 2011, 5:30 PM House Hearing Room 1.  
Executive session will be held: HB 899, HB 696, HB 531  
Executive session may be held on any matter referred to the committee.  
Other bills may be reviewed in executive session.

#### INTERNATIONAL TRADE AND JOB CREATION

Monday, April 18, 2011, 2:00 PM House Hearing Room 3.  
Executive session will be held: HB 707  
Executive session may be held on any matter referred to the committee.  
CANCELLED

#### TOURISM AND NATURAL RESOURCES

Monday, April 18, 2011, 7:30 PM, 1436 Southridge Dr., Jefferson City, MO.  
Committee dinner.

#### VETERANS

Tuesday, April 19, 2011, 8:30 AM House Hearing Room 1.  
Executive session may be held on any matter referred to the committee.  
This will be an informational meeting only.  
There will be two presentations: Dr. Charles Ambrose of the University of Central Missouri;  
Mr. Jeremy Amick of the Silver Star Families of America program.

#### WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, April 18, 2011, 12:00 PM House Hearing Room 6.  
Public hearing will be held: HB 871, HB 845  
Executive session may be held on any matter referred to the committee.  
CANCELLED

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 871, HB 845

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FIFTY-SIXTH DAY, MONDAY, APRIL 18, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HB 655 - Lampe
- 8 HCS HB 657 - Allen
- 9 HCS HB 121 - Dugger
- 10 HCS HB 161 - Cox
- 11 HCS HBs 303 & 239 - Davis
- 12 HCS HB 366 - Silvey
- 13 HCS HB 562 - Grisamore
- 14 HCS HB 579 - Frederick
- 15 HB 661 - Wells
- 16 HCS HB 664 - Leara
- 17 HB 466 - Schoeller
- 18 HCS HB 523 - Molendorp
- 19 HCS HB 643 - May
- 20 HB 708 - Curtman
- 21 HCS HB 773 - Gosen
- 22 HB 1008 - Long
- 23 HB 138 - Thomson
- 24 HB 491 - Diehl
- 25 HCS HB 828 - Fisher
- 26 HB 364 - Parkinson
- 27 HCS HBs 600, 337 & 413 - Schad
- 28 HCS HB 742 - Wyatt
- 29 HCS HB 787 - Wells

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 5 - Pollock

**HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 656 - Brandom

**SENATE BILLS FOR SECOND READING**

- 1 SCS SBs 26 & 106
- 2 SCS SB 100
- 3 SS SCS SB 132
- 4 SCS SB 230
- 5 SS SB 238
- 6 SS SCS SB 254
- 7 SS SB 286
- 8 SCS SB 300
- 9 SCS SB 323
- 10 SB 325
- 11 SCS SB 337
- 12 SS SB 360
- 13 SCS SB 387

**HOUSE CONCURRENT RESOLUTIONS**

HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

**SENATE BILLS FOR THIRD READING**

HCS SCS SB 68, E.C. - Diehl

**BILLS CARRYING REQUEST MESSAGES**

SS HCS HB 193, (request Senate recede/grant conference) - Diehl

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTY-SIXTH DAY, MONDAY, APRIL 18, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Marilyn Seaton, Senior Docket Clerk.

Everyday under the sun is a gift. Receive it with eagerness. Treat it kindly. Share it with joy. Each night return it to the Giver Who will make it bright and shiny again before the next sunrise. Amen.

The Pledge of Allegiance to the flag was recited.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2150 through House Resolution No. 2254

## SECOND READING OF SENATE BILLS

**SCS SBs 26 & 106, SCS SB 100, SS SCS SB 132, SCS SB 230, SS SB 238, SS SCS SB 254, SS SB 286, SCS SB 300, SCS SB 323, SB 325, SCS SB 337, SS SB 360 and SCS SB 387** were read the second time.

## SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCS SB 19, SS SCS SBs 113 & 95, SCS SB 108 and SCS SB 188** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

## SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HCS HB 174, SS SCS HB 209 and HB 358** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 174, SS SCS HB 209 and HB 358** were delivered to the Governor by the Chief Clerk of the House.

## REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

**SB 322** - Budget

## COMMITTEE REPORT

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 33**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 14**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 15**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 45**, entitled:

An act to repeal Section 1.310, RSMo, and to enact in lieu thereof two new sections relating to small businesses.

With Senate Amendment No. 1.

### *Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 45, Page 3, Section 143.173, Lines 11-12 of said page, by striking "twenty-six" and inserting in lieu thereof the following:

"**fifty-two**"; and

Further amend Lines 12-19 of said page, by striking all of said lines and inserting in lieu thereof the following:

"**week period**"; and

Further amend Line 22 of said page, by striking the word "average".

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Allen, Anders, Atkins, Bahr, Barnes, Bernskoetter, Berry, Brandom, Brown (85), Brown (116), Burlison, Carter, Casey, Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Curtman, Davis, Day, Denison, Dieckhaus, Dugger, Elmer, Fallert, Fisher, Fitzwater, Flanigan, Franklin, Franz, Frederick, Fuhr, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Hampton, Harris, Higdon, Hinson, Hodges, Holsman, Hough, Houghton, Hubbard, Hummel, Jones (63), Jones (89), Jones (117), Kelly (126), Kelly (24), Koenig, Korman, Kratky, Lair, Lant, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, Marshall, McCann Beatty, McDonald, McGeoghegan, McGhee, McManus, Meadows, Molendorp, Montecillo, Nance, Nasheed, Neth, Oxford, Pace, Phillips, Pierson, Pollock, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieffer, Shumake, Silvey, Smith (71), Solon, Spreng, Still, Stream, Swearingen, Swinger, Talboy, Taylor, Thomson, Wallingford, Walton Gray, Webb, Wells, Weter, White, Wieland, Wright and Zerr.

## **ADJOURNMENT**

On motion of Representative Smith (150), the House adjourned until 10:00 a.m., Tuesday, April 19, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, April 19, 2011, 12:15 PM House Hearing Room 6.

Public hearing will be held: SCS SB 356, HB 990

Executive session may be held on any matter referred to the committee.

Lunch will not be provided.

### **BUDGET**

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 3.

Public hearing will be held: SB 322, HB 774

Executive session will be held: SB 322, HB 774

Executive session may be held on any matter referred to the committee.

Review of Tax Credits - Public Hearing.

### **AMENDED**

### **BUDGET**

Thursday, April 21, 2011, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of Tax Credits - Public Hearing.



#### ECONOMIC DEVELOPMENT

Tuesday, April 19, 2011, House Hearing Room 7 upon afternoon adjournment.

Public hearing will be held: HB 905, HB 962, HB 479, HB 480, HB 779

Executive session may be held on any matter referred to the committee.

#### ELECTIONS

Tuesday, April 19, 2011, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 959, HB 640, HB 974, HJR 34

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 19, 2011, 8:00 AM House Hearing Room 3.

Executive session will be held: SS SCS SB 13, SB 243

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 54, SCS SB 81, SB 147, HB 752

Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 21, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Tuesday, April 19, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### GENERAL LAWS

Tuesday, April 19, 2011, House Hearing Room 4 upon morning recess or 12:00 PM.

Public hearing will be held: SCS SB 366, HB 720, HCR 41

Executive session may be held on any matter referred to the committee.

#### CORRECTED

#### HEALTH INSURANCE

Tuesday, April 19, 2011, 12:00 PM House Hearing Room 5.

Public hearing will be held: SB 90, HB 547, HB 573

Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, April 19, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 614, HB 867

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, April 19, 2011, 8:30 AM Legislative Library.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Oversight reports.

LOCAL GOVERNMENT

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 117, HB 288, HB 497, HB 759, HB 907, HB 969, HB 1019

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 19, 2011, 12:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

UTILITIES

Tuesday, April 19, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 877, HB 1021

Executive session will be held: HB 598, SB 63, HCR 48, HB 210

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, April 19, 2011, 8:30 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

This will be an informational meeting only.

There will be two presentations: Dr. Charles Ambrose of the University of Central Missouri;  
Mr. Jeremy Amick of the Silver Star Families of America program.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 871, HB 845

Executive session may be held on any matter referred to the committee.

## **HOUSE CALENDAR**

FIFTY-SEVENTH DAY, TUESDAY, APRIL 19, 2011

### **HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 14 - Cox

HCS HJR 8, as amended - Koenig

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 473, HA 1 for HA1, HA 1, pending - Jones (63)
- 6 HCS HB 401 - Diehl
- 7 HB 655 - Lampe
- 8 HCS HB 657 - Allen
- 9 HCS HB 121 - Dugger
- 10 HCS HB 161 - Cox
- 11 HCS HBs 303 & 239 - Davis
- 12 HCS HB 366 - Silvey
- 13 HCS HB 562 - Grisamore
- 14 HCS HB 579 - Frederick
- 15 HB 661 - Wells
- 16 HCS HB 664 - Leara
- 17 HB 466 - Schoeller
- 18 HCS HB 523 - Molendorp
- 19 HCS HB 643 - May
- 20 HB 708 - Curtman
- 21 HCS HB 773 - Gosen
- 22 HB 1008 - Long
- 23 HB 138 - Thomson
- 24 HB 491 - Diehl
- 25 HCS HB 828 - Fisher
- 26 HB 364 - Parkinson
- 27 HCS HBs 600, 337 & 413 - Schad
- 28 HCS HB 742 - Wyatt
- 29 HCS HB 787 - Wells

### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 5 - Pollock

**HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 656 - Brandom

**HOUSE CONCURRENT RESOLUTIONS**

HCR 42, (4-6-11, Pages 1148-1149) - Funderburk

**SENATE BILLS FOR THIRD READING**

HCS SCS SB 68, E.C. - Diehl

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HCS HB 14 - Silvey
- 2 SS SCS HCS HB 45, as amended - Hoskins

**BILLS CARRYING REQUEST MESSAGES**

SS HCS HB 193, (request Senate recede/grant conference) - Diehl

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTY-SEVENTH DAY, TUESDAY, APRIL 19, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The Lord is my helper, and I will not fear what man shall do unto me. (Hebrews 13:6)*

Eternal God, our Father, in Whom we live and move and have our being, we are Your children, creatures of Your hands, sustained by Your Spirit, redeemed by Your love and guided by Your wisdom. Steady us, we pray to You, and give us strength to do what we ought to do.

Save us from accepting too easy answers to the problems that confront us. Save us from yielding to the temptation to accept the second best when the best can be ours. By the power of an inner spiritual triumph may we conquer all pettiness, all narrowness, and all unworthy desires. May we put first that which is first, second that which is second, and last that which is last. May Your Spirit rule our hearts, and together may we serve our state to the limit of our faith and our ability.

Finally, we pray for the repose of former Congressman Harold L. Volkmer of Hannibal, who served in the House from 1967 to 1976. May he rest in peace. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-fifth day was approved as printed.

The Journal of the fifty-sixth day was approved as printed.

## **SPECIAL RECOGNITION**

Mayor-elect Sylvester "Sly" James of Kansas City, Missouri, was introduced by Representative Silvey and Speaker Tilley.

Mayor-elect James addressed the House.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2255 through House Resolution No. 2309

**HOUSE CONCURRENT RESOLUTION**

**HCR 42**, relating to the Environmental Protection Agency, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HCR 42** was adopted by the following vote:

AYES: 113

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 037

Anders	Atkins	Carlson	Carter	Ellinger
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Brown 50	Brown 116	Colona	Hughes
Loehner	May	Meadows	Schneider	Shively
Webber				

VACANCIES: 002

### THIRD READING OF HOUSE BILL

**HB 656**, relating to payday loans, was taken up by Representative Brandom.

Representative Smith (150) assumed the Chair.

On motion of Representative Brandom, **HB 656** was read the third time and passed by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wells	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 058

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Marshall	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Shumake	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Wallingford	Walton Gray	Webb	Webber
Weter	Wieland	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Brown 116	Hughes	May	Meadows
Nolte	Schneider			

VACANCIES: 002

Representative Smith (150) declared the bill passed.

### THIRD READING OF HOUSE JOINT RESOLUTION

**HCS HJR 5**, relating to the right to hunt and fish, was taken up by Representative Pollock.

On motion of Representative Pollock, **HCS HJR 5** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Zimmerman	Mr Speaker			

NOES: 010

Atkins	Carlson	Ellinger	Kirkton	Montecillo
Newman	Oxford	Schupp	Spreng	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Brown 116	Hough	Hughes	Leara
May	Meadows	Schneider	Still	

VACANCIES: 002



Representative Smith (150) declared the bill passed.

### HOUSE BILL WITH SENATE AMENDMENTS

**SS SCS HCS HB 14**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SS SCS HCS HB 14** was adopted by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Brown 116	Hughes	Marshall	May
Pollock	Schneider			

VACANCIES: 002

On motion of Representative Silvey, **SS SCS HCS HB 14** was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Brown 116	Diehl	Franklin	Hughes
Marshall	May	Newman	Quinn	Scharnhorst
Schneider				

VACANCIES: 002

Representative Smith (150) declared the bill passed.

**PERFECTION OF HOUSE BILL**

**HCS HB 473, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending**, relating to charter schools, was taken up by Representative Jones (63).

On motion of Representative Dieckhaus, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Speaker Tilley resumed the Chair.

Representative Aull offered **House Amendment No. 2 to House Amendment No. 1**.

*House Amendment No. 2*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 473, Page 1, Line 11, by inserting after the word, “**status**” the words, “**after August 28, 2011**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 2 to House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Zimmerman assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells

1318 *Journal of the House*

Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kirkton	Kratky
Lampe	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Brown 116	Cierpiot	Cross	Diehl
Hampton	Hughes	Kelly 24	Leara	May
Scharnhorst	Schneider			

VACANCIES: 002

On motion of Representative Thomson, **House Amendment No. 1, as amended**, was adopted.

**HCS HB 473, as amended**, was laid over.

Speaker Tilley resumed the Chair.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Representative Silvey.

### **PERFECTION OF HOUSE BILLS**

**HB 491**, relating to the Tobacco Master Settlement Agreement, was taken up by Representative Diehl.

**HB 491** was laid over.

**HB 661**, relating to debt adjusters, was taken up by Representative Wells.

On motion of Representative Wells, **HB 661** was ordered perfected and printed.

**HB 708**, relating to choice of law, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 708** was ordered perfected and printed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	White		

PRESENT: 000

ABSENT WITH LEAVE: 009

Day	Diehl	Fraker	Hughes	May
Meadows	Nolte	Pollock	Zimmerman	

VACANCIES: 002

**HB 1008**, relating to highway infrastructure improvements, was taken up by Representative Long.

On motion of Representative Long, **HB 1008** was ordered perfected and printed.

**HCS HB 473, as amended**, relating to charter schools, was again taken up by Representative Jones (63).

Representative Jones (63) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 473, Section 160.400, Page 3, Line 82, by deleting the words “**general assembly**” and inserting in lieu thereof the following:

“**joint committee on education**”; and

Further amend said section, Page 5, Line 130, by placing an opening bracket “[“ immediately before the word “for” and a closing bracket “]” immediately after the word “year”; and

Further amend said bill, page and section, Line 132, by inserting immediately after the first instance of the word “school” the following:

“**until the sponsor is reauthorized by the department pursuant to section 160.403**”; and

Further amend said bill, Page 7, Section 160.405, Line 34, by inserting immediately after the word “settlements” the following:

“**and procedures that ensure admission of students with disabilities in a nondiscriminatory manner**”; and

Further amend said bill, page and section, Line 39, by deleting the second instance of the word “**and**”; and

Further amend said bill, page and section, Line 41, by inserting immediately after the figure “**160.400**” the following:

“; and

**(10) A description of the special education and related services that will be available to meet the needs of students with disabilities**”; and

Further amend said bill, page and section, Line 45, by deleting “**March thirty-first**” and inserting in lieu thereof the following:

“**December first of the year**”; and

Further amend said bill and section, Page 8, Line 76, by deleting the word “**disorders**” and inserting in lieu thereof the following:

“**problems**”; and

Further amend said bill, section and page, Lines 79 and 80, by deleting the following:

“**is in need of low incident special education services,**”; and

Further amend said bill and section, Page 10, Lines 159 and 160, by deleting all of said lines and inserting in lieu thereof the following:

“(7) [Assure that the needs of special education children are met in compliance] **Comply** with all applicable federal and state laws and regulations **regarding students with disabilities including sections 162.670 to 162.710, the Individuals with Disabilities Education Act (20 U.S. C. 1400) and Section 504 of the Rehabilitation Act of 1973 (20 U.S.C. 794) or successor legislation**”; and

Further amend said bill and section, Page 12, Line 226, by deleting the words “**January 1, 2012,**” and inserting in lieu thereof the following:

“**August first**”; and

Further amend said bill, section and page, Lines 236 and 237, by deleting all of said lines and inserting in lieu thereof the following:

“**the persistently lowest achieving five percent of schools by using three years of Missouri assessment program for communication arts and mathematics data; and**”; and

Further amend said bill, page and section, Lines 239 to 248, and Page 13, Lines 249 to 254, by deleting all of said lines and inserting in lieu thereof the following:

“**Missouri assessment program scores three out of the last four years.**

(b) **Along with data reflecting the academic performance standards indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the state board of education for review.**

(c) **Using the data requested and the revised charter application under paragraphs (a) and (b) of this subdivision, the state board of education shall determine if compliance with all standards enumerated in this subdivision has been achieved. The state board of education at its next regularly scheduled meeting shall vote on the revised charter application.**

(d) **If compliance with all standards has not been achieved, the charter school and its sponsor may file a statement no later than October thirty-first, stating the reasons why the charter school should not be closed. If no such statement is filed, the charter school shall cease operation at the end of the current academic year. If a statement is timely filed, the department of elementary and secondary education shall hold a public hearing no later than January tenth to determine if the charter should be renewed. The state board of education shall review the findings from the hearing and shall vote no later than February twenty-eighth to continue the operation of the charter school and may impose conditions on its continuing operation as specified in subdivision (1) of subsection 8 of this section, or to close the charter school at the end of the current academic year.**

**10. A charter school shall close at the end of the current academic year if any of the following events takes place:”; and**

Further amend said bill, Section 160.415, Page 19, Line 83, by deleting all of said line; and

Further amend said bill, page and section, Line 85, by inserting immediately after the word “**years**” the following:

“**;**

(5) **Ensure that the lead administrator and the legal counsel of the charter school shall be direct employees of the charter school governing board; and**

(6) **Provide a process to ensure that the expenditures that the educational service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee”; and**

Further amend said bill, Section 160.415, Page 20, Line 118, by inserting after all of said line the following:

“**160.417. 1. By October 1, 2011, and by each October first thereafter, the department of elementary and secondary education shall review the information submitted on the report required by section 162.821 to identify charter schools experiencing financial stress. The department shall be authorized to obtain such additional information from a charter school as may be necessary to determine the financial condition of the charter school. Annually, a listing of charter schools identified as experiencing financial stress according to the provisions of this section shall be provided to the governor, speaker of the house, and president pro tem of the senate by the department of elementary and secondary education.**

**2. For the purposes of this section, a charter school shall be identified as experiencing financial stress if it:**

(1) **At the end of its most recently completed fiscal year:**

(a) **Has a negative balance in its operating funds; or**

(b) Has a combined balance of less than three percent of the amount expended from such funds during the previous fiscal year; or

(2) For the most recently completed fiscal year expenditures, exceeded receipts for any of its funds because of recurring costs.

3. The department shall notify by November first the charter sponsor and the board of directors of the charter school of any charter school identified as experiencing financial stress. Upon receiving the notification, the charter sponsor shall develop, or cause to have developed, and shall approve a budget and education plan on forms provided by the department. The budget and education plan shall be submitted to the department, signed by the officers of the charter school, within forty-five calendar days of notification that the charter school has been identified as experiencing financial stress. Minimally, the budget and education plan shall:

(1) Give assurances that adequate educational services to students of the charter school shall continue uninterrupted for the remainder of the current school year and that the charter school can provide a minimum school term required by section 163.021;

(2) Outline a procedure to be followed by the charter school to report to charter school patrons about the financial condition of the charter school; and

(3) Detail the expenditure reduction measures, revenue increases, or other actions to be taken by the charter school to address its condition of financial stress.

4. Upon receipt and following review of any budget and education plan, the department may make suggestions to improve the plan. Nothing in the law shall exempt a charter school from submitting a budget and education plan to the department according to the provisions of the section following each such notification that a charter school has been identified as experiencing financial stress, except that the commissioner of elementary and secondary education may permit a charter board to make amendments to or update a budget and education plan previously submitted to the department.

5. The department may withhold any payment of financial aid otherwise due to the charter school until such time as the charter school has fully complied with this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (63), **House Amendment No. 2** was adopted.

Representative Stream offered **House Amendment No. 3**.

Representative Long raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

**House Amendment No. 3** was withdrawn.

Representative Carter offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 473, Page 5, Section 160.400, Line 137, by inserting after all of said line the following:

"19. During any time in which powers granted to the board of education of a metropolitan school district are vested in a special administrative board, the special administrative board in equal partnership with the cooperating school districts of St. Louis County or its successor organization, hereinafter referred to as "cooperating school districts", may sponsor a charter school and the special administrative board may declare itself as the local education agency of the charter school for school funding purposes. If the special administrative



**board is dissolved at any time, the charter school may continue to operate provided it seeks and obtains a new sponsorship under the new governing board of a metropolitan school district and the cooperating school districts.";** and

Further amend said bill, Page 6, Section 160.405, Lines 23 and 24, by deleting all of said lines and inserting in lieu thereof the following:

"(3) The term of the charter, which:

(a) Shall be [not less than] five years[, nor greater than ten years] and shall be renewable; **or**

**(b) For any charter school sponsored by the special administrative board of a metropolitan school district in equal partnership with the cooperating school districts of St. Louis County or its successor organization, hereinafter referred to as "cooperating school districts", may be for a period of three years and may be renewable. Should a charter school sponsored by the special administrative board and cooperating school districts not perform to the academic standards initially set out in the charter agreement with the sponsor, the special administrative board and cooperating school districts, at the end of a three-year term, may close the charter school and incorporate the charter school into the metropolitan school district;"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Carter, **House Amendment No. 4** was adopted.

Representative Colona offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 473, Page 2, Section 160.400, Line 22, by deleting the word "**or**"; and

Further amend said page and section, Line 26, by deleting "**355.011.**" and inserting in lieu thereof the following:

**"355.011; or**

**(8) The mayor of a city not within a county, only for a metropolitan district, beginning August 28, 2011, and ending June 30, 2016.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp

## 1324 *Journal of the House*

Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Berry	Day	Diehl	Ellinger	Elmer
Hughes	Jones 117	May	Meadows	Nolte
Quinn	Scharnhorst	Zimmerman		

VACANCIES: 002

Representative Colona moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson

Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Berry	Day	Diehl	Hughes	Jones 117
Kelly 24	May	Meadows	Nolte	Quinn
Scharnhorst	Wright	Zimmerman		

VACANCIES: 002

On motion of Representative Jones (63), **HCS HB 473, as amended**, was adopted.

Representative Jones (89) assumed the Chair.

On motion of Representative Jones (63), **HCS HB 473, as amended**, was ordered perfected and printed.

**HCS HB 828**, relating to prevailing wages, was taken up by Representative Fisher.

Representative Fisher offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 828, Page 1, Section 290.210, Line 13, by deleting the words “, but not the replacement,” and inserting in lieu thereof the following:

“[, but not the replacement,] **or restoration of the material condition or operation, or the painting or repainting**”; and

Further amend said bill, page and section, Line 14, by inserting after all of said line the following:

“(5) “**Major Alteration**” means an alteration or structural change to an existing facility which increases the size, type, or extent of the facility;”; and

Further amend said section by renumbering accordingly; and

Further amend said house committee substitute, Page 2, Section 290.220, by inserting after all of said section the following:

“Section B. Because localities are delaying public works projects in light of recent judicial rulings that have made the law regarding prevailing wage unclear this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fisher, **House Amendment No. 1** was adopted by the following vote:

AYES: 085

Asbury	Aull	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Long	Marshall	McNary	Nance
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Smith 150	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Mr Speaker

NOES: 060

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Curtman	Ellinger
Fallert	Funderburk	Haefner	Harris	Hinson
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kirkton	Korman	Kratky	Lampe
Lasater	Loehner	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Molendorp
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schieffer
Schupp	Sifton	Silvey	Smith 71	Solon
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber	Wieland	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Berry	Brown 50	Day	Diehl
Dugger	Flanigan	Hughes	Kelly 24	Leara
May	Meadows	Pollock	Quinn	Shively
Zimmerman				

VACANCIES: 002

On motion of Representative Fisher, **HCS HB 828, as amended**, was adopted.

On motion of Representative Fisher, **HCS HB 828, as amended**, was ordered perfected and printed.

**HCS HB 562**, relating to children's services, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 562** was adopted.

On motion of Representative Grisamore, **HCS HB 562** was ordered perfected and printed.

**HCS HB 579**, relating to health care, was taken up by Representative Frederick.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Frederick offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 579, Section 191.227, Pages 1-2, Lines 12-20, by deleting all of said lines and inserting in lieu thereof the following:

“(1) (a) Copying, in an amount not more than [seventeen] **twenty-one** dollars and [five] **thirty-six** cents plus [forty] **fifty** cents per page for the cost of supplies and labor **plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or**

(b) **If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less;**

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.”; and

Further amend said bill, Section 191.305, Page 3, Line 20, by deleting the word “**general**” and inserting in lieu thereof the word “**genetic**”; and

Further amend said bill, Section 191.310, Page 3, Line 19, by deleting the word “**general**” and inserting in lieu thereof the word “**genetic**”; and

Further amend said bill, section and page, Line 21, by inserting before the word “**standing**” the words “**permanent sickle cell disease**”; and

Further amend said bill, section and page, Line 26, by inserting the before the word “**sickle**” the word “**permanent**”; and

Further amend said bill and section, Page 4, Lines 34, 46, 49 and 52, by inserting before the word “**sickle**” the word “**permanent**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Lampe offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 579, Page 1, Section A, Line 4, by inserting after all of said section the following:

“172.803. 1. The board of curators, with the recommendations of the advisory board, shall award funds to selected investigators in accordance with the following provisions:

(1) Individual awards shall not exceed [thirty] **fifty** thousand dollars per year and shall expire at the end of one or two years, depending on the recommendation of the advisory board for each award;

(2) Costs for overhead of the grantee individual or institution shall not be allowed;

(3) Investigators shall be employees or staff members of public or private educational, health care, voluntary health association or research institutions which shall specify the institutional official responsible for administration of the award;

(4) Subject to the provisions of subsection 3 of section 172.801, preference shall be given to investigators new to the field of Alzheimer's disease and related disorders and to those experienced in the field but departing in a research direction different from their previous work. Lesser preference shall be given to proposals to sustain meritorious research in progress;

(5) Awards shall be used to obtain preliminary data to test hypotheses and to enable investigators to develop subsequent competitive applications for long-term funding from other sources; and

(6) The research project shall be conducted in Missouri.

2. Funds appropriated for but not awarded to research projects in any given year shall be included in the board of curators' appropriations request for research projects in the succeeding year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lampe, **House Amendment No. 2** was adopted.

Representative Brattin offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 579, Section 191.310, Page 4, Line 57, by inserting after all of said line the following:

“191.334. 1. This section shall be known and may be cited as “Chloe's Law”.

2. By January 1, 2012, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include pulse oximetry screening prior to discharge of the newborn from the health care facility.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 3** was adopted.

Representative Fitzwater offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 579, Section A, Page 1, Line 4, by inserting after all of said section the following:

“144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729, **or any hospital district imposing a sales tax under the provisions of section 205.205**, may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city [or], county, **or hospital district** sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.”; and

Further amend said bill, Section 197.100, Page 7, Line 31, by inserting after all of said section the following:

**“205.205. 1. The governing body of any hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.**

**3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

**4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.**

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.”; and

Further amend said bill, Section 536.031, Page 8, Line 35, by inserting after all of said section the following:

“Section B. Because of the need to adequately fund hospital districts in the state, sections 144.032 and 205.205 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 144.032 and 205.205 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 4** was adopted.

Representative Montecillo offered **House Amendment No. 5**.

#### *House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 579, Section A, Page 1, Line 4, by inserting after all of said section and line the following:

“8.241. 1. In addition to other provisions of law relating to title to and conveyance of real property by the state, and notwithstanding any provisions of chapter 8 to the contrary, if the state should ever purchase or otherwise acquire ownership of real property located in a city not within a county as described in subsection 2 of this section, the state shall:

(1) Use, operate and maintain such property in full compliance with all applicable deed restrictions encumbering the property;

(2) Operate, maintain and use the property exclusively by the department of mental health for the purpose of housing no more than six employed and employable [mentally retarded or] developmentally disabled adults, and for no other purpose and by no other state agency, in whole or in part;

(3) Not sell or otherwise transfer ownership of the property, unless such property is sold or transferred solely for private, single-family residential use, which shall not be deemed to include, without limitation, any sale, transfer or conveyance of ownership of the property to any other state agency or department or program.

2. The property subject to the provisions of this section is more particularly described as follows: A parcel of real estate situated in Lot 20 in Block A of Compton Heights and in Block No. 1365 of the City of St. Louis, fronting



100 feet 0-3/8 inches on the North line of Longfellow Boulevard by a depth Northwardly on the east line of a 160 square foot and 159 feet 5 inches on the West line to the North line of said lot on which there is a frontage of 100 feet bounded East by Compton Avenue together with all improvements thereon, known as and numbered 3205 Longfellow Boulevard.

178.900. For the purposes of sections 178.900 to [178.970] **178.960** the following words mean:

- (1) "Department", the department of elementary and secondary education;
- (2) "[Handicapped] **Disabled** persons", a lower range educable or upper range trainable [mentally retarded] **developmentally disabled** or other [handicapped] **disabled** person sixteen years of age or over who has had school training and has a productive work capacity in a sheltered environment adapted to the abilities of the [mentally retarded] **developmentally disabled** but whose limited capabilities make him nonemployable in competitive business and industry and unsuited for vocational rehabilitation training;
- (3) "Sheltered workshop", an occupation-oriented facility operated by a not-for-profit corporation, which, except for its staff, employs only [handicapped] **disabled** persons and has a minimum enrollment of at least fifteen employable [handicapped] **disabled** persons;
- (4) "Staff", employees of a sheltered workshop engaged in management, work procurement, purchasing, supervision, sales, bookkeeping, and secretarial and clerical functions.

189.010. 1. As used in sections 189.010 to 189.085, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Approved provider", hospitals, clinics, laboratories, or other health personnel or facilities meeting standards to be established under the provisions of sections 189.010 to 189.085;
- (2) "Department", the department of social services of the state of Missouri;
- (3) "Director", the director of the department of social services of the state of Missouri or his duly authorized representative;
- (4) "High risk patient", a woman of childbearing age who has any condition, or is at risk of developing some condition, medically or otherwise known to predispose to premature birth or to produce [mental retardation] **developmental disability**; or any infant or child who has any condition, or is at risk of developing some condition, medically known to predispose to [mental retardation] **developmental disability**;
- (5) "Person", any individual, firm, partnership, association, corporation, company, group of individuals acting together for a common purpose or organization of any kind, including any governmental agency other than the United States or the state of Missouri;
- (6) "Region", contiguous geographic areas of the state larger than single counties where health programs including special services for high risk patients can be developed efficiently and economically;
- (7) "Service", any medical, surgical, corrective, diagnostic procedure, or hospitalization, and related activity to correct high risk conditions including all things reasonably incident and necessary to make the service available to the high risk patient;
- (8) "Special services", diagnostic and treatment services which may not be efficiently or economically developed as a regular component of a hospital or clinic either because of high cost or infrequent demand but which may be required for high risk patients; such services would include, but not be limited to, intensive care units for the care of premature infants and intra-uterine fetal monitoring.

2. Expenditures for the operation of a hospital include, but are not limited to, amounts paid in connection with inpatient care in the hospital; ambulatory or emergency care provided by the hospital; ambulance services used in the transportation of patients to the hospital or among hospitals; administration of the hospital; maintenance and repairs of the hospital; depreciation of hospital capital assets; food, drugs, equipment and other supplies used by the hospital; and recruitment, selection and training of physician, nursing, allied health and other hospital personnel.

3. Funds approved under the provisions of sections 189.010 to 189.085 are not restricted for paying certain operating costs, or groups of costs, but are intended to supplement the appropriations from the local governmental agency for poor patients. Patients eligible for Medicare, Medicaid and other third party insurance are not eligible under this chapter.

189.065. The department is authorized and directed to work with public and private institutions and agencies or persons to insure that special services will be available in all regions of the state, both rural and metropolitan. Whenever services or special services required for the purposes of sections 189.010 to 189.085 are not available, the department is authorized to use up to ten percent of the funds appropriated for the purposes of sections 189.010 to 189.085 to assist in establishing the facilities and professional staff required. For the purposes of implementing this section, the department and the advisory committees shall give special consideration to those areas of the state or

population groups which demonstrate the highest incidence of [mental retardation] **developmental disability** or where accessibility to services or special services may be limited because of distance.”; and

Further amend said bill, Section 191.310, Page 4, Line 57, by inserting after all of said section and line the following:

“192.005. There is hereby created and established as a department of state government the "Department of Health and Senior Services". The department of health and senior services shall supervise and manage all public health functions and programs. The department shall be governed by the provisions of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo, unless otherwise provided in sections 192.005 to 192.014. The division of health of the department of social services, chapter 191, this chapter, and others, including, but not limited to, such agencies and functions as the state health planning and development agency, the crippled children's service, chapter 201, the bureau and the program for the prevention of [mental retardation] **developmental disability**, the hospital subsidy program, chapter 189, the state board of health, section 191.400, the student loan program, sections 191.500 to 191.550, the family practice residency program, [sections 191.575 to 191.590.] the licensure and certification of hospitals, chapter 197, the Missouri chest hospital, sections 199.010 to 199.070, are hereby transferred to the department of health and senior services by a type I transfer, and the state cancer center and cancer commission, chapter 200, is hereby transferred to the department of health and senior services by a type III transfer as such transfers are defined in section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984. The provisions of section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984, relating to the manner and procedures for transfers of state agencies shall apply to the transfers provided in this section. The division of health of the department of social services is abolished.”; and

Further amend said bill, Section 197.100, Page 7, Line 31, by inserting after all of said section and line the following:

“198.012. 1. The provisions of sections 198.003 to 198.136 shall not apply to any of the following entities:

- (1) Any hospital, facility or other entity operated by the state or the United States;
- (2) Any facility or other entity otherwise licensed by the state and operating exclusively under such license and within the limits of such license, unless the activities and services are or are held out as being activities or services normally provided by a licensed facility under sections 198.003 to 198.186, 198.200, 208.030, and 208.159, except hospitals licensed under the provisions of chapter 197;

- (3) Any hospital licensed under the provisions of chapter 197, provided that the assisted living facility, intermediate care facility or skilled nursing facility are physically attached to the acute care hospital; and provided further that the department of health and senior services in promulgating rules, regulations and standards pursuant to section 197.080, with respect to such facilities, shall establish requirements and standards for such hospitals consistent with the intent of this chapter, and sections 198.067, 198.070, 198.090, 198.093 and 198.139 to 198.180 shall apply to every assisted living facility, intermediate care facility or skilled nursing facility regardless of physical proximity to any other health care facility;

- (4) Any facility licensed pursuant to sections 630.705 to 630.760 which provides care, treatment, habilitation and rehabilitation exclusively to persons who have a primary diagnosis of mental disorder, mental illness, [mental retardation or] **developmental disabilities**, as defined in section 630.005;

- (5) Any provider of care under a life care contract, except to any portion of the provider's premises on which the provider offers services provided by an intermediate care facility or skilled nursing facility as defined in section 198.006. For the purposes of this section, "provider of care under a life care contract" means any person contracting with any individual to furnish specified care and treatment to the individual for the life of the individual, with significant prepayment for such care and treatment.

2. Nothing in this section shall prohibit any of these entities from applying for a license under sections 198.003 to 198.136.

205.968. 1. As set forth in section 205.971, when a levy is approved by the voters, the governing body of any county or city not within a county of this state shall establish a board of directors. The board of directors shall be a legal entity empowered to establish and/or operate a sheltered workshop as defined in section 178.900, residence facilities, or related services, for the care or employment, or both, of [handicapped] **disabled** persons. The facility may operate at one or more locations in the county or city not within a county. Once established, the board may, in its own name engage in and contract for any and all types of services, actions or endeavors, not contrary to the law, necessary to the

successful and efficient prosecution and continuation of the business and purposes for which it is created, and may purchase, receive, lease or otherwise acquire, own, hold, improve, use, sell, convey, exchange, transfer, and otherwise dispose of real and personal property, or any interest therein, or other assets wherever situated and may incur liability and may borrow money at rates of interest up to the market rate published by the Missouri division of finance. The board shall be taken and considered as a "political subdivision" as the term is defined in section 70.600 for the purposes of sections 70.600 to 70.755.

2. Services may only be provided for those persons defined as [handicapped] **disabled** persons in section 178.900 and those persons defined as [handicapped persons] **disabled** in this section whether or not employed at the facility or in the community, and for persons who are [handicapped] **disabled** due to developmental disability. Persons having substantial functional limitations due to a mental illness as defined in section 630.005 shall not be eligible for services under the provisions of sections 205.968 to 205.972 except that those persons may participate in services under the provisions of sections 205.968 to 205.972. All persons otherwise eligible for facilities or services under this section shall be eligible regardless of their age; except that, individuals employed in sheltered workshops must be at least sixteen years of age. The board may, in its discretion, impose limitations with respect to individuals to be served and services to be provided. Such limitations shall be reasonable in the light of available funds, needs of the persons and community to be served as assessed by the board, and the appropriateness and efficiency of combining services to persons with various types of [handicaps or] disabilities.

3. For the purposes of sections 205.968 to 205.972, the term

(1) "Developmental disability" shall mean either or both paragraph (a) or (b) of this subsection:

(a) A disability which is attributable to mental retardation, cerebral palsy, autism, epilepsy, a learning disability related to a brain dysfunction or a similar condition found by comprehensive evaluation to be closely related to such conditions, or to require habilitation similar to that required for mentally retarded persons; and

a. Which originated before age eighteen; and

b. Which can be expected to continue indefinitely;

(b) A developmental disability as defined in section 630.005;

(2) "[Handicapped] **Disabled** person" shall mean a person who is lower range educable or upper range trainable mentally retarded or a person who has a developmental disability.

208.151. 1. Medical assistance on behalf of needy persons shall be known as "MO HealthNet". For the purpose of paying MO HealthNet benefits and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.) as amended, the following needy persons shall be eligible to receive MO HealthNet benefits to the extent and in the manner hereinafter provided:

(1) All participants receiving state supplemental payments for the aged, blind and disabled;

(2) All participants receiving aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of section 208.040. Participants eligible under this subdivision who are participating in drug court, as defined in section 478.001, shall have their eligibility automatically extended sixty days from the time their dependent child is removed from the custody of the participant, subject to approval of the Centers for Medicare and Medicaid Services;

(3) All participants receiving blind pension benefits;

(4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the family support division, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;

(5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. 1396d, as amended;

(6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(7) All persons eligible to receive nursing care benefits;

(8) All participants receiving family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;

(9) All persons who were participants receiving old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements,

except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;

(10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;

(11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989). The family support division shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the family support division shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide MO HealthNet coverage under this subdivision, the department of social services may revise the state MO HealthNet plan to extend coverage under 42 U.S.C. 1396a (a)(10)(A)(i)(III) to children who have attained six years of age but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. 1396a;

(15) The family support division shall not establish a resource eligibility standard in assessing eligibility for persons under subdivision (12), (13) or (14) of this subsection. The MO HealthNet division shall define the amount and scope of benefits which are available to individuals eligible under each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder;

(16) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. Section 1396r-1, as amended;

(17) A child born to a woman eligible for and receiving MO HealthNet benefits under this section on the date of the child's birth shall be deemed to have applied for MO HealthNet benefits and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the family support division shall assign a MO HealthNet eligibility identification number to the child so that claims may be submitted and paid under such child's identification number;

(18) Pregnant women and children eligible for MO HealthNet benefits pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for MO HealthNet benefits be required to apply for aid to families with dependent children. The family support division shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for MO HealthNet benefits. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for MO HealthNet benefits under subdivision (12), (13) or (14) **of this subsection** shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the family support division for assessing eligibility under this chapter shall be as simple as practicable;

(19) Subject to appropriations necessary to recruit and train such staff, the family support division shall provide one or more full-time, permanent eligibility specialists to process applications for MO HealthNet benefits at the site of a health care provider, if the health care provider requests the placement of such eligibility specialists and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment, of such eligibility specialists. The division may provide a health care provider with a part-time or temporary eligibility specialist at the site of a health care provider if the health care provider requests the placement of such an eligibility specialist and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such an eligibility specialist. The division may seek to employ such

eligibility specialists who are otherwise qualified for such positions and who are current or former welfare participants. The division may consider training such current or former welfare participants as eligibility specialists for this program;

(20) Pregnant women who are eligible for, have applied for and have received MO HealthNet benefits under subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum MO HealthNet benefits provided under section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy;

(21) Case management services for pregnant women and young children at risk shall be a covered service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health and senior services shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized under the provisions of chapter 192 or chapter 205 or a city health department operated under a city charter or a combined city-county health department or other department of health and senior services designees. To the greatest extent possible the department of social services and the department of health and senior services shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of [mental retardation] **developmental disability** program and the prenatal care program administered by the department of health and senior services. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health and senior services. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective MO HealthNet-eligible high-risk mothers and enroll them in the state's MO HealthNet program, refer them to local physicians or local health departments who provide prenatal care under physician protocol and who participate in the MO HealthNet program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any MO HealthNet prepaid, case-managed programs;

(22) By January 1, 1988, the department of social services and the department of health and senior services shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207;

(23) All participants who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(24) (a) All persons who would be determined to be eligible for old age assistance benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriation;

(b) All persons who would be determined to be eligible for aid to the blind benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005, except that less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to one hundred percent of the federal poverty level;

(c) All persons who would be determined to be eligible for permanent and total disability benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. 1396a(f); or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriations. Eligibility standards for permanent and total disability benefits shall not be limited by age;

(25) Persons who have been diagnosed with breast or cervical cancer and who are eligible for coverage pursuant to 42 U.S.C. 1396a (a)(10)(A)(ii)(XVIII). Such persons shall be eligible during a period of presumptive eligibility in accordance with 42 U.S.C. 1396r-1;

(26) Persons who are independent foster care adolescents, as defined in 42 U.S.C. Section 1396d, or who are within reasonable categories of such adolescents who are under twenty-one years of age as specified by the state, are eligible for coverage under 42 U.S.C. Section 1396a (a)(10)(A)(ii)(XVII) without regard to income or assets.

2. Rules and regulations to implement this section shall be promulgated in accordance with section 431.064 and chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove

and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such family is employed, remain eligible for MO HealthNet benefits for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation. After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for MO HealthNet benefits for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. 1396r-6 shall receive MO HealthNet benefits without fee for an additional six months. The MO HealthNet division may provide by rule and as authorized by annual appropriation the scope of MO HealthNet coverage to be granted to such families.

4. When any individual has been determined to be eligible for MO HealthNet benefits, such medical assistance will be made available to him or her for care and services furnished in or after the third month before the month in which he made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.

5. The department of social services may apply to the federal Department of Health and Human Services for a MO HealthNet waiver amendment to the Section 1115 demonstration waiver or for any additional MO HealthNet waivers necessary not to exceed one million dollars in additional costs to the state, unless subject to appropriation or directed by statute, but in no event shall such waiver applications or amendments seek to waive the services of a rural health clinic or a federally qualified health center as defined in 42 U.S.C. 1396d(l)(1) and (2) or the payment requirements for such clinics and centers as provided in 42 U.S.C. 1396a(a)(15) and 1396a(bb) unless such waiver application is approved by the oversight committee created in section 208.955.

A request for such a waiver so submitted shall only become effective by executive order not sooner than ninety days after the final adjournment of the session of the general assembly to which it is submitted, unless it is disapproved within sixty days of its submission to a regular session by a senate or house resolution adopted by a majority vote of the respective elected members thereof, unless the request for such a waiver is made subject to appropriation or directed by statute.

6. Notwithstanding any other provision of law to the contrary, in any given fiscal year, any persons made eligible for MO HealthNet benefits under subdivisions (1) to (22) of subsection 1 of this section shall only be eligible if annual appropriations are made for such eligibility. This subsection shall not apply to classes of individuals listed in 42 U.S.C. Section 1396a(a)(10)(A)(I)."; and

Further amend said bill, Section 208.240, Page 7, Line 5, by inserting after all of said section and line the following:

"208.275. 1. As used in this section, unless the context otherwise indicates, the following terms mean:

(1) "Elderly", any person who is sixty years of age or older;

(2) "[Handicapped] **Disabled**", any person having a physical or mental condition, either permanent or temporary, which would substantially impair ability to operate or utilize available transportation.

2. There is hereby created the "Coordinating Council on Special Transportation" within the Missouri department of transportation. The members of the council shall be: two members of the senate appointed by the president pro tem, who shall be from different political parties; two members of the house of representatives appointed by the speaker, who shall be from different political parties; the assistant for transportation of the Missouri department of transportation, or his designee; the assistant commissioner of the department of elementary and secondary education, responsible for special transportation, or his designee; the director of the division of aging of the department of social services, or his designee; the deputy director for [mental retardation/] developmental disabilities and the deputy director for administration of the department of mental health, or their designees; the executive secretary of the governor's committee on the employment of the [handicapped] **disabled**; and seven consumer representatives appointed by the governor by and with the advice and consent of the senate, four of the consumer representatives shall represent the elderly and three shall represent the [handicapped] **disabled**. Two of such three members representing [handicapped]

**disabled** persons shall represent those with physical [handicaps] **disabilities**. Consumer representatives appointed by the governor shall serve for terms of three years or until a successor is appointed and qualified. Of the members first selected, two shall be selected for a term of three years, two shall be selected for a term of two years, and three shall be selected for a term of one year. In the event of the death or resignation of any member, his successor shall be appointed to serve for the unexpired period of the term for which such member had been appointed.

3. State agency personnel shall serve on the council without additional appropriations or compensation. The consumer representatives shall serve without compensation except for receiving reimbursement for the reasonable and necessary expenses incurred in the performance of their duties on the council from funds appropriated to the department of transportation. Legislative members shall be reimbursed by their respective appointing bodies out of the contingency fund for such body for necessary expenses incurred in the performance of their duties.

4. Staff for the council shall be provided by the Missouri department of transportation. The department shall designate a special transportation coordinator who shall have had experience in the area of special transportation, as well as such other staff as needed to enable the council to perform its duties.

5. The council shall meet at least quarterly each year and shall elect from its members a chairman and a vice chairman.

6. The coordinating council on special transportation shall:

(1) Recommend and periodically review policies for the coordinated planning and delivery of special transportation when appropriate;

(2) Identify special transportation needs and recommend agency funding allocations and resources to meet these needs when appropriate;

(3) Identify legal and administrative barriers to effective service delivery;

(4) Review agency methods for distributing funds within the state and make recommendations when appropriate;

(5) Review agency funding criteria and make recommendations when appropriate;

(6) Review area transportation plans and make recommendations for plan format and content;

(7) Establish measurable objectives for the delivery of transportation services;

(8) Review annual performance data and make recommendations for improved service delivery, operating procedures or funding when appropriate;

(9) Review local disputes and conflicts on special transportation and recommend solutions.”; and

Further amend said bill, Section 208.798, Page 7, Line 6, by inserting after all of said section and line the following:

“210.900. 1. Sections 210.900 to 210.936 shall be known and may be cited as the "Family Care Safety Act".

2. As used in sections 210.900 to 210.936, the following terms shall mean:

(1) "Child-care provider", any licensed or license-exempt child-care home, any licensed or license-exempt child-care center, child-placing agency, residential care facility for children, group home, foster family group home, foster family home, employment agency that refers a child-care worker to parents or guardians as defined in section 289.005. The term "child-care provider" does not include summer camps or voluntary associations designed primarily for recreational or educational purposes;

(2) "Child-care worker", any person who is employed by a child-care provider, or receives state or federal funds, either by direct payment, reimbursement or voucher payment, as remuneration for child-care services;

(3) "Department", the department of health and senior services;

(4) "Elder-care provider", any operator licensed pursuant to chapter 198 or any person, corporation, or association who provides in-home services under contract with the division of aging, or any employer of nurses or nursing assistants of home health agencies licensed pursuant to sections 197.400 to 197.477, or any nursing assistants employed by a hospice pursuant to sections 197.250 to 197.280, or that portion of a hospital for which subdivision (3) of subsection 1 of section 198.012 applies;

(5) "Elder-care worker", any person who is employed by an elder-care provider, or who receives state or federal funds, either by direct payment, reimbursement or voucher payment, as remuneration for elder-care services;

(6) "Employer", any child-care provider, elder-care provider, or personal-care provider as defined in this section;

(7) "Mental health provider", any [mental retardation] **developmental disability** facility or group home as defined in section 633.005;

(8) "Mental health worker", any person employed by a mental health provider to provide personal care services and supports;

- (9) "Patrol", the Missouri state highway patrol;
- (10) "Personal-care attendant" or "personal-care worker", a person who performs routine services or supports necessary for a person with a physical or mental disability to enter and maintain employment or to live independently;
- (11) "Personal-care provider", any person, corporation, or association who provides personal-care services or supports under contract with the department of mental health, the division of aging, the department of health and senior services or the department of elementary and secondary education;
- (12) "Related child care", child care provided only to a child or children by such child's or children's grandparents, great-grandparents, aunts or uncles, or siblings living in a residence separate from the child or children;
- (13) "Related elder care", care provided only to an elder by an adult child, a spouse, a grandchild, a great-grandchild or a sibling of such elder.

211.202. 1. If a child under the jurisdiction of the juvenile court appears to be mentally disordered, other than [mentally retarded or] developmentally disabled, the court, on its own motion or on the motion or petition of any interested party, may order the department of mental health to evaluate the child.

2. A mental health facility designated by the department of mental health shall perform within twenty days an evaluation of the child, on an outpatient basis if practicable, for the purpose of determining whether inpatient admission is appropriate because the following criteria are met:

- (1) The child has a mental disorder other than mental retardation or developmental disability, as all these terms are defined in chapter 630;
- (2) The child requires inpatient care and treatment for the protection of himself or others;
- (3) A mental health facility offers a program suitable for the child's needs;
- (4) A mental health facility is the least restrictive environment as the term "least restrictive environment" is defined in chapter 630.

3. If the facility determines, as a result of the evaluation, that it is appropriate to admit the child as an inpatient, the head of the mental health facility, or his designee, shall recommend the child for admission, subject to the availability of suitable accommodations, and send the juvenile court notice of the recommendation and a copy of the evaluation. Should the department evaluation recommend inpatient care, the child, his parent, guardian or counsel shall have the right to request an independent evaluation of the child. Within twenty days of the receipt of the notice and evaluation by the facility, or within twenty days of the receipt of the notice and evaluation from the independent examiner, the court may order, pursuant to a hearing, the child committed to the custody of the department of mental health for inpatient care and treatment, or may otherwise dispose of the matter; except, that no child shall be committed to a mental health facility under this section for other than care and treatment.

4. If the facility determines, as a result of the evaluation, that inpatient admission is not appropriate, the head of the mental health facility, or his designee, shall not recommend the child for admission as an inpatient. The head of the facility, or his designee, shall send to the court a notice that inpatient admission is not appropriate, along with a copy of the evaluation, within twenty days of completing the evaluation. If the child was evaluated on an inpatient basis, the juvenile court shall transfer the child from the department of mental health within twenty days of receipt of the notice and evaluation or set the matter for hearing within twenty days, giving notice of the hearing to the director of the facility as well as all others required by law.

5. If at any time the facility determines that it is no longer appropriate to provide inpatient care and treatment for the child committed by the juvenile court, but that such child appears to qualify for placement under section 630.610, the head of the facility shall refer such child for placement. Subject to the availability of an appropriate placement, the department of mental health shall place any child who qualifies for placement under section 630.610. If no appropriate placement is available, the department of mental health shall discharge the child or make such other arrangements as it may deem appropriate and consistent with the child's welfare and safety. Notice of the placement or discharge shall be sent to the juvenile court which first ordered the child's detention.

6. The committing juvenile court shall conduct an annual review of the child's need for continued placement in the mental health facility.

211.203. 1. If a child under the jurisdiction of the juvenile court appears to be mentally retarded or developmentally disabled, as these terms are defined in chapter 630, the court, on its own motion or on the motion or petition of any interested party, may order the department of mental health to evaluate the child.

2. A regional center designated by the department of mental health shall perform within twenty days a comprehensive evaluation, as defined in chapter 633, on an outpatient basis if practicable, for the purpose of determining the appropriateness of a referral to a [mental retardation] **developmental disability** facility operated or funded by the department of mental health. If it is determined by the regional center, as a result of the evaluation, to be appropriate



to refer such child to a department [mental retardation] **developmental disability** facility under section 633.120 or a private [mental retardation] **developmental disability** facility under section 630.610, the regional center shall refer the evaluation to the appropriate [mental retardation] **developmental disability** facility.

3. If, as a result of reviewing the evaluation, the head of the [mental retardation] **developmental disability** facility, or his designee, determines that it is appropriate to admit such child as a resident, the head of the [mental retardation] **developmental disability** facility, or his **or her** designee, shall recommend the child for admission, subject to availability of suitable accommodations. The head of the regional center, or his designee, shall send the juvenile court notice of the recommendation for admission by the [mental retardation] **developmental disability** facility and a copy of the evaluation. Should the department evaluation recommend residential care and habilitation, the child, his parent, guardian or counsel shall have the right to request an independent evaluation of the child. Within twenty days of receipt of the notice and evaluation from the facility, or within twenty days of the receipt of the notice and evaluation from the independent examiner, the court may order, pursuant to a hearing, the child committed to the custody of the department of mental health for residential care and habilitation, or may otherwise dispose of the matter; except, that no child shall be committed to the department of mental health for other than residential care and habilitation. If the department proposes placement at, or transferring the child to, a department facility other than that designated in the order of the juvenile court, the department shall conduct a due process hearing within six days of such placement or transfer during which the head of the initiating facility shall have the burden to show that the placement or transfer is appropriate for the medical needs of the child. The head of the facility shall notify the court ordering detention or commitment and the child's last known attorney of record of such placement or transfer.

4. If, as a result of the evaluation, the regional center determines that it is not appropriate to admit such child as a resident in a [mental retardation] **developmental disability** facility, the regional center shall send a notice to the court that it is inappropriate to admit such child, along with a copy of the evaluation. If the child was evaluated on a residential basis, the juvenile court shall transfer the child from the department within five days of receiving the notice and evaluation or set the matter for hearing within twenty days, giving notice of the hearing to the director of the facility as well as all others required by law.

5. If at any time the [mental retardation] **developmental disability** facility determines that it is no longer appropriate to provide residential habilitation for the child committed by the juvenile court, but that such child appears to qualify for placement under section 630.610, the head of the facility shall refer such child for placement. Subject to the availability of an appropriate placement, the department shall place any child who qualifies for placement under section 630.610. If no appropriate placement is available, the department shall discharge the child or make such other arrangements as it may deem appropriate and consistent with the child's welfare and safety. Notice of the placement or discharge shall be sent to the juvenile court which first ordered the child's detention.

6. The committing court shall conduct an annual review of the child's need for continued placement at the [mental retardation] **developmental disability** facility.

211.206. 1. For each child committed to the department of mental health by the juvenile court, the director of the department of mental health, or his designee, shall prepare an individualized treatment or habilitation plan, as defined in chapter 630, within thirty days of the admission for treatment or habilitation. The status of each child shall be reviewed at least once every thirty days. Copies of all individualized treatment plans, habilitation plans, and periodic reviews shall be sent to the committing juvenile court.

2. The department of mental health shall discharge a child committed to it by the juvenile court pursuant to sections 211.202 and 211.203 if the head of a mental health facility or [mental retardation] **developmental disability** facility, or his designee, determines, in an evaluation or a periodic review, that any of the following conditions are true:

(1) A child committed to a mental health facility no longer has a mental disorder other than [mental retardation or] **developmental disability**;

(2) A child committed to a [mental retardation] **developmental disability** facility is not [mentally retarded or] **developmentally disabled**;

(3) The condition of the child is no longer such that, for the protection of the child or others, the child requires inpatient hospitalization or residential habilitation;

(4) The mental health facility or [mental retardation] **developmental disability** facility does not offer a program which best meets the child's needs;

(5) The mental health facility or [mental retardation] **developmental disability** facility does not provide the least restrictive environment, as defined in section 630.005, which is consistent with the child's welfare and safety.

3. If the committing court specifically retained jurisdiction of the child by the terms of its order committing the child to the department of mental health, notice of the discharge, accompanied by a diagnosis and recommendations for placement of the child, shall be forwarded to the court at least twenty days before such discharge date. Unless within

twenty days of receipt of notice of discharge the juvenile court orders the child to be brought before it for appropriate proceedings, jurisdiction of that court over the child shall terminate at the end of such twenty days.

211.207. 1. If a child is committed to the division of youth services and subsequently appears to be mentally disordered, as defined in chapter 630, the division shall refer the child to the department of mental health for evaluation. The evaluation shall be performed within twenty days by a mental health facility or regional center operated by the department of mental health and, if practicable, on an outpatient basis, for the purpose of determining whether inpatient care at a mental health facility or residential habilitation in a [mental retardation] **developmental disability** facility is appropriate because the child meets the criteria specified in subsection 2 of section 211.202 or in section 633.120, respectively.

2. If, as a result of the evaluation, the director of the department of mental health, or his designee, determines that the child is not mentally disordered so as to require inpatient care and treatment in a mental health facility or residential habilitation in a [mental retardation] **developmental disability** facility, the director, or his designee, shall so notify the director of the division of youth services. If the child was evaluated on an inpatient or residential basis, the child shall be returned to the division of youth services.

3. If the director of the department of mental health, or his designee, determines that the child requires inpatient care and treatment at a mental health facility operated by the department of mental health or residential habilitation in a [mental retardation] **developmental disability** facility operated by the department of mental health, the director, or his designee, shall notify the director of the division of youth services that admission is appropriate. The director of the division may transfer the physical custody of the child to the department of mental health for admission to a department of mental health facility and the department of mental health shall accept the transfer subject to the availability of suitable accommodations.

4. The director of the department of mental health, or his designee, shall cause an individualized treatment or habilitation plan to be prepared by the mental health facility or [mental retardation] **developmental disability** facility for each child. The mental health facility or [mental retardation] **developmental disability** facility shall review the status of the child at least once every thirty days. If, as a result of any such review, it is determined that inpatient care and treatment at a mental health facility or residential habilitation in a [mental retardation] **developmental disability** facility is no longer appropriate for the child because the child does not meet the criteria specified in subsection 2 of section 211.202 or in section 633.120, respectively, the director of the department of mental health, or his designee, shall so notify the director of the division of youth services and shall return the child to the custody of the division.

5. If a child for any reason ceases to come under the jurisdiction of the division of youth services, he may be retained in a mental health facility or [mental retardation] **developmental disability** facility only as otherwise provided by law.

402.210. 1. There is hereby created the "Missouri Family Trust Board of Trustees", which shall be a body corporate and an instrumentality of the state. The board of trustees shall consist of nine persons appointed by the governor with the advice and consent of the senate. The members' terms of office shall be three years and until their successors are appointed and qualified. The trustees shall be persons who are not prohibited from serving by sections 105.450 to 105.482 and who are not otherwise employed by the department of mental health. The board of trustees shall be composed of the following:

(1) Three members of the immediate family of persons who have a disability or are the recipients of services provided by the department in the treatment of mental illness. The advisory council for comprehensive psychiatric services, created pursuant to section 632.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for a term of one year, one for two years, and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council for comprehensive psychiatric services shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(2) Three members of the immediate family of persons who are recipients of services provided by the department in the habilitation of the [mentally retarded or] developmentally disabled. The Missouri advisory council on [mental retardation and] developmental disabilities, created pursuant to section 633.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council on [mental retardation and] developmental disabilities shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(3) Three persons who are recognized for their expertise in general business matters and procedures. Of the three business people to be appointed by the governor, one shall be appointed for one year, one for two years and one

for three years. Thereafter, as the term of a trustee expires each year, the governor shall appoint one business person as trustee for a term of three years.

2. The trustees shall receive no compensation for their services. The trust shall reimburse the trustees for necessary expenses actually incurred in the performance of their duties.

3. As used in this section, the term "immediate family" includes spouse, parents, parents of spouse, children, spouses of children and siblings.

4. The board of trustees shall be subject to the provisions of sections 610.010 to 610.120.

5. The board of trustees shall annually prepare or cause to be prepared an accounting of the trust funds and shall transmit a copy of the accounting to the governor, the president pro tempore of the senate and the speaker of the house of representatives.

6. The board of trustees shall establish policies, procedures and other rules and regulations necessary to implement the provisions of sections 402.199 to 402.220.

475.121. 1. Pursuant to an application alleging that the admission of the ward to a particular mental health or [mental retardation] **developmental disability** facility is appropriate and in the best interest of the ward, the court may authorize the guardian or limited guardian to admit the ward to such facility. Such application shall be accompanied by a physician's statement setting forth the factual basis for the need for continued admission including a statement of the ward's current diagnosis, plan of care, treatment or habilitation and the probable duration of the admission.

2. If the court finds that the application establishes the need for inpatient care, habilitation or treatment of the ward in a mental health or [mental retardation] **developmental disability** facility without the adduction of further evidence, it shall issue an order authorizing the guardian to admit the ward to such facility in accordance with the provisions of section 632.120 or section 633.120.

3. The court may, in its discretion, appoint an attorney to represent the ward. The attorney shall meet with the ward and may request a hearing on the application. If a hearing is requested, the court shall set the application for hearing. If there is no request for hearing, the court may rule on the application without a hearing. The attorney for the ward shall be allowed a reasonable fee for his services rendered to be assessed as costs under section 475.085.

4. Proceedings under this section may be combined with adjudication proceedings under section 475.075.

475.355. 1. If, upon the filing of a petition for the adjudication of incapacity or disability it appears that the respondent, by reason of a mental disorder or [mental retardation] **developmental disability**, presents a likelihood of serious physical harm to himself or others, he may be detained in accordance with the provisions of chapter 632 if suffering from a mental disorder, or chapter 633 if [mentally retarded] **developmentally disabled**, pending a hearing on the petition for adjudication.

2. As used in this section, the terms "mental disorder" and "mental retardation" shall be as defined in chapter 630 and the term "likelihood of serious physical harm to himself or others" shall be as defined in chapter 632.

3. The procedure for obtaining an order of temporary emergency detention shall be as prescribed by chapter 632, relating to prehearing detention of mentally disordered persons.

476.537. In the event that any judge leaving no surviving spouse or any surviving spouse receiving benefits under section 476.535 as a beneficiary dies leaving dependents who are unable to care for or support themselves because of any [mental retardation] **developmental disability**, disease or disability, or any physical [handicap or] disability, the benefits that would be received by a surviving spouse on the judge's death if there were a surviving spouse or the benefits received by such surviving spouse, as the case may be, shall be paid to such surviving dependent for the remainder of such dependent's life. If the judge or such surviving spouse leaves more than one dependent who would be eligible for benefits under this section, then each eligible dependent shall receive a pro rata share of the amount that would be paid to a surviving spouse under section 476.535."; and

Further amend said bill, Section 536.031, Page 8, Line 35, by inserting after all of said section and line the following:

"552.015. 1. Evidence that the defendant did or did not suffer mental disease or defect shall not be admissible in a criminal prosecution except as provided in this section.

2. Evidence that the defendant did or did not suffer from a mental disease or defect shall be admissible in a criminal proceeding:

(1) To determine whether the defendant lacks capacity to understand the proceedings against him or to assist in his own defense as provided in section 552.020;

- (2) To determine whether the defendant is criminally responsible as provided in section 552.030;
- (3) To determine whether a person committed to the director of the department of mental health pursuant to this chapter shall be released as provided in section 552.040;
- (4) To determine if a person in the custody of any correctional institution needs care in a mental hospital as provided in section 552.050;
- (5) To determine whether a person condemned to death shall be executed as provided in sections 552.060 and 552.070;
- (6) To determine whether or not the defendant, if found guilty, should be sentenced to death as provided in chapter 558;
- (7) To determine the appropriate disposition of a defendant, if guilty, as provided in sections 557.011 and 557.031;
- (8) To prove that the defendant did or did not have a state of mind which is an element of the offense;
- (9) To determine if the defendant, if found not guilty by reason of mental disease or defect, should be immediately conditionally released by the court under the provisions of section 552.040 to the community or committed to a mental health or [mental retardation] **developmental disability** facility. This question shall not be asked regarding defendants charged with any of the dangerous felonies as defined in section 556.061, or with those crimes set forth in subsection 11 of section 552.040, or the attempts thereof.

552.020. 1. No person who as a result of mental disease or defect lacks capacity to understand the proceedings against him or to assist in his own defense shall be tried, convicted or sentenced for the commission of an offense so long as the incapacity endures.

2. Whenever any judge has reasonable cause to believe that the accused lacks mental fitness to proceed, he shall, upon his own motion or upon motion filed by the state or by or on behalf of the accused, by order of record, appoint one or more private psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals, who are neither employees nor contractors of the department of mental health for purposes of performing the examination in question, to examine the accused; or shall direct the director to have the accused so examined by one or more psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals. The order shall direct that a written report or reports of such examination be filed with the clerk of the court. No private physician, psychiatrist, or psychologist shall be appointed by the court unless he has consented to act. The examinations ordered shall be made at such time and place and under such conditions as the court deems proper; except that, if the order directs the director of the department to have the accused examined, the director, or his designee, shall determine the time, place and conditions under which the examination shall be conducted. The order may include provisions for the interview of witnesses and may require the provision of police reports to the department for use in evaluations. The department shall establish standards and provide training for those individuals performing examinations pursuant to this section and section 552.030. No individual who is employed by or contracts with the department shall be designated to perform an examination pursuant to this chapter unless the individual meets the qualifications so established by the department. Any examination performed pursuant to this subsection shall be completed and filed with the court within sixty days of the order unless the court for good cause orders otherwise. Nothing in this section or section 552.030 shall be construed to permit psychologists to engage in any activity not authorized by chapter 337. One pretrial evaluation shall be provided at no charge to the defendant by the department. All costs of subsequent evaluations shall be assessed to the party requesting the evaluation.

3. A report of the examination made under this section shall include:

- (1) Detailed findings;
- (2) An opinion as to whether the accused has a mental disease or defect;
- (3) An opinion based upon a reasonable degree of medical or psychological certainty as to whether the accused, as a result of a mental disease or defect, lacks capacity to understand the proceedings against him or to assist in his own defense;
- (4) A recommendation as to whether the accused should be held in custody in a suitable hospital facility for treatment pending determination, by the court, of mental fitness to proceed; and
- (5) A recommendation as to whether the accused, if found by the court to be mentally fit to proceed, should be detained in such hospital facility pending further proceedings.

4. If the accused has pleaded lack of responsibility due to mental disease or defect or has given the written notice provided in subsection 2 of section 552.030, the court shall order the report of the examination conducted pursuant to this section to include, in addition to the information required in subsection 3 of this section, an opinion as to whether

at the time of the alleged criminal conduct the accused, as a result of mental disease or defect, did not know or appreciate the nature, quality, or wrongfulness of his conduct or as a result of mental disease or defect was incapable of conforming his conduct to the requirements of law. A plea of not guilty by reason of mental disease or defect shall not be accepted by the court in the absence of any such pretrial evaluation which supports such a defense. In addition, if the accused has pleaded not guilty by reason of mental disease or defect, and the alleged crime is not a dangerous felony as defined in section 556.061, or those crimes set forth in subsection 11 of section 552.040, or the attempts thereof, the court shall order the report of the examination to include an opinion as to whether or not the accused should be immediately conditionally released by the court pursuant to the provisions of section 552.040 or should be committed to a mental health or [mental retardation] **developmental disability** facility. If such an evaluation is conducted at the direction of the director of the department of mental health, the court shall also order the report of the examination to include an opinion as to the conditions of release which are consistent with the needs of the accused and the interest of public safety, including, but not limited to, the following factors:

- (1) Location and degree of necessary supervision of housing;
- (2) Location of and responsibilities for appropriate psychiatric, rehabilitation and aftercare services, including the frequency of such services;

- (3) Medication follow-up, including necessary testing to monitor medication compliance;

- (4) At least monthly contact with the department's forensic case monitor;

- (5) Any other conditions or supervision as may be warranted by the circumstances of the case.

5. If the report contains the recommendation that the accused should be committed to or held in a suitable hospital facility pending determination of the issue of mental fitness to proceed, and if the accused is not admitted to bail or released on other conditions, the court may order that the accused be committed to or held in a suitable hospital facility pending determination of the issue of mental fitness to proceed.

6. The clerk of the court shall deliver copies of the report to the prosecuting or circuit attorney and to the accused or his counsel. The report shall not be a public record or open to the public. Within ten days after the filing of the report, both the defendant and the state shall, upon written request, be entitled to an order granting them an examination of the accused by a psychiatrist or psychologist, as defined in section 632.005, or a physician with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals, of their own choosing and at their own expense. An examination performed pursuant to this subsection shall be completed and a report filed with the court within sixty days of the date it is received by the department or private psychiatrist, psychologist or physician unless the court, for good cause, orders otherwise. A copy shall be furnished the opposing party.

7. If neither the state nor the accused nor his counsel requests a second examination relative to fitness to proceed or contests the findings of the report referred to in subsections 2 and 3 of this section, the court may make a determination and finding on the basis of the report filed or may hold a hearing on its own motion. If any such opinion is contested, the court shall hold a hearing on the issue. The court shall determine the issue of mental fitness to proceed and may impanel a jury of six persons to assist in making the determination. The report or reports may be received in evidence at any hearing on the issue but the party contesting any opinion therein shall have the right to summon and to cross-examine the examiner who rendered such opinion and to offer evidence upon the issue.

8. At a hearing on the issue pursuant to subsection 7 of this section, the accused is presumed to have the mental fitness to proceed. The burden of proving that the accused does not have the mental fitness to proceed is by a preponderance of the evidence and the burden of going forward with the evidence is on the party raising the issue. The burden of going forward shall be on the state if the court raises the issue.

9. If the court determines that the accused lacks mental fitness to proceed, the criminal proceedings shall be suspended and the court shall commit him to the director of the department of mental health.

10. Any person committed pursuant to subsection 9 of this section shall be entitled to the writ of habeas corpus upon proper petition to the court that committed him. The issue of the mental fitness to proceed after commitment under subsection 9 of this section may also be raised by a motion filed by the director of the department of mental health or by the state, alleging the mental fitness of the accused to proceed. A report relating to the issue of the accused's mental fitness to proceed may be attached thereto. If the motion is not contested by the accused or his counsel or if after a hearing on a motion the court finds the accused mentally fit to proceed, or if he is ordered discharged from the director's custody upon a habeas corpus hearing, the criminal proceedings shall be resumed.

11. The following provisions shall apply after a commitment as provided in this section:

- (1) Six months after such commitment, the court which ordered the accused committed shall order an examination by the head of the facility in which the accused is committed, or a qualified designee, to ascertain whether the accused is mentally fit to proceed and if not, whether there is a substantial probability that the accused will attain the mental fitness to proceed to trial in the foreseeable future. The order shall direct that written report or reports of the

examination be filed with the clerk of the court within thirty days and the clerk shall deliver copies to the prosecuting attorney or circuit attorney and to the accused or his counsel. The report required by this subsection shall conform to the requirements under subsection 3 of this section with the additional requirement that it include an opinion, if the accused lacks mental fitness to proceed, as to whether there is a substantial probability that the accused will attain the mental fitness to proceed in the foreseeable future;

(2) Within ten days after the filing of the report, both the accused and the state shall, upon written request, be entitled to an order granting them an examination of the accused by a psychiatrist or psychologist, as defined in section 632.005, or a physician with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals, of their own choosing and at their own expense. An examination performed pursuant to this subdivision shall be completed and filed with the court within thirty days unless the court, for good cause, orders otherwise. A copy shall be furnished to the opposing party;

(3) If neither the state nor the accused nor his counsel requests a second examination relative to fitness to proceed or contests the findings of the report referred to in subdivision (1) of this subsection, the court may make a determination and finding on the basis of the report filed, or may hold a hearing on its own motion. If any such opinion is contested, the court shall hold a hearing on the issue. The report or reports may be received in evidence at any hearing on the issue but the party contesting any opinion therein relative to fitness to proceed shall have the right to summon and to cross-examine the examiner who rendered such opinion and to offer evidence upon the issue;

(4) If the accused is found mentally fit to proceed, the criminal proceedings shall be resumed;

(5) If it is found that the accused lacks mental fitness to proceed but there is a substantial probability the accused will be mentally fit to proceed in the reasonably foreseeable future, the court shall continue such commitment for a period not longer than six months, after which the court shall reinstitute the proceedings required under subdivision (1) of this subsection;

(6) If it is found that the accused lacks mental fitness to proceed and there is no substantial probability that the accused will be mentally fit to proceed in the reasonably foreseeable future, the court shall dismiss the charges without prejudice and the accused shall be discharged, but only if proper proceedings have been filed under chapter 632 or chapter 475, in which case those sections and no others will be applicable. The probate division of the circuit court shall have concurrent jurisdiction over the accused upon the filing of a proper pleading to determine if the accused shall be involuntarily detained under chapter 632, or to determine if the accused shall be declared incapacitated under chapter 475, and approved for admission by the guardian under section 632.120 or 633.120, to a mental health or retardation facility. When such proceedings are filed, the criminal charges shall be dismissed without prejudice if the court finds that the accused is mentally ill and should be committed or that he is incapacitated and should have a guardian appointed. The period of limitation on prosecuting any criminal offense shall be tolled during the period that the accused lacks mental fitness to proceed.

12. If the question of the accused's mental fitness to proceed was raised after a jury was impaneled to try the issues raised by a plea of not guilty and the court determines that the accused lacks the mental fitness to proceed or orders the accused committed for an examination pursuant to this section, the court may declare a mistrial. Declaration of a mistrial under these circumstances, or dismissal of the charges pursuant to subsection 11 of this section, does not constitute jeopardy, nor does it prohibit the trial, sentencing or execution of the accused for the same offense after he has been found restored to competency.

13. The result of any examinations made pursuant to this section shall not be a public record or open to the public.

14. No statement made by the accused in the course of any examination or treatment pursuant to this section and no information received by any examiner or other person in the course thereof, whether such examination or treatment was made with or without the consent of the accused or upon his motion or upon that of others, shall be admitted in evidence against the accused on the issue of guilt in any criminal proceeding then or thereafter pending in any court, state or federal. A finding by the court that the accused is mentally fit to proceed shall in no way prejudice the accused in a defense to the crime charged on the ground that at the time thereof he was afflicted with a mental disease or defect excluding responsibility, nor shall such finding by the court be introduced in evidence on that issue nor otherwise be brought to the notice of the jury.

552.030. 1. A person is not responsible for criminal conduct if, at the time of such conduct, as a result of mental disease or defect such person was incapable of knowing and appreciating the nature, quality, or wrongfulness of such person's conduct.

2. Evidence of mental disease or defect excluding responsibility shall not be admissible at trial of the accused unless the accused, at the time of entering such accused's plea to the charge, pleads not guilty by reason of mental disease or defect excluding responsibility, or unless within ten days after a plea of not guilty, or at such later date as the court

may for good cause permit, the accused files a written notice of such accused's purpose to rely on such defense. Such a plea or notice shall not deprive the accused of other defenses. The state may accept a defense of mental disease or defect excluding responsibility, whether raised by plea or written notice, if the accused has no other defense and files a written notice to that effect. The state shall not accept a defense of mental disease or defect excluding responsibility in the absence of any pretrial evaluation as described in this section or section 552.020. Upon the state's acceptance of the defense of mental disease or defect excluding responsibility, the court shall proceed to order the commitment of the accused as provided in section 552.040 in cases of persons acquitted on the ground of mental disease or defect excluding responsibility, and further proceedings shall be had regarding the confinement and release of the accused as provided in section 552.040.

3. Whenever the accused has pleaded mental disease or defect excluding responsibility or has given the written notice provided in subsection 2 of this section, and such defense has not been accepted as provided in subsection 2 of this section, the court shall, after notice and upon motion of either the state or the accused, by order of record, appoint one or more private psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals, who are neither employees nor contractors of the department of mental health for purposes of performing the examination in question, to examine the accused, or shall direct the director of the department of mental health, or the director's designee, to have the accused so examined by one or more psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to [mentally retarded] **developmentally disabled** or mentally ill individuals designated by the director, or the director's designee, as qualified to perform examinations pursuant to this chapter. The order shall direct that written report or reports of such examination be filed with the clerk of the court. No private psychiatrist, psychologist, or physician shall be appointed by the court unless such psychiatrist, psychologist or physician has consented to act. The examinations ordered shall be made at such time and place and under such conditions as the court deems proper; except that, if the order directs the director of the department of mental health to have the accused examined, the director, or the director's designee, shall determine the time, place and conditions under which the examination shall be conducted. The order may include provisions for the interview of witnesses and may require the provision of police reports to the department for use in evaluation. If an examination provided in section 552.020 was made and the report of such examination included an opinion as to whether, at the time of the alleged criminal conduct, the accused, as a result of mental disease or defect, did not know or appreciate the nature, quality or wrongfulness of such accused's conduct or as a result of mental disease or defect was incapable of conforming such accused's conduct to the requirements of law, such report may be received in evidence, and no new examination shall be required by the court unless, in the discretion of the court, another examination is necessary. If an examination is ordered pursuant to this section, the report shall contain the information required in subsections 3 and 4 of section 552.020. Within ten days after receiving a copy of such report, both the accused and the state shall, upon written request, be entitled to an order granting them an examination of the accused by an examiner of such accused's or its own choosing and at such accused's or its expense. The clerk of the court shall deliver copies of the report or reports to the prosecuting or circuit attorney and to the accused or his counsel. No reports required by this subsection shall be public records or be open to the public. Any examination performed pursuant to this subsection shall be completed and the results shall be filed with the court within sixty days of the date it is received by the department or private psychiatrist, psychologist or physician unless the court, for good cause, orders otherwise.

4. If the report contains the recommendation that the accused should be held in custody in a suitable hospital facility pending trial, and if the accused is not admitted to bail, or released on other conditions, the court may order that the accused be committed to or held in a suitable hospital facility pending trial.

5. No statement made by the accused in the course of any such examination and no information received by any physician or other person in the course thereof, whether such examination was made with or without the consent of the accused or upon the accused's motion or upon that of others, shall be admitted in evidence against the accused on the issue of whether the accused committed the act charged against the accused in any criminal proceeding then or thereafter pending in any court, state or federal. The statement or information shall be admissible in evidence for or against the accused only on the issue of the accused's mental condition, whether or not it would otherwise be deemed to be a privileged communication. If the statement or information is admitted for or against the accused on the issue of the accused's mental condition, the court shall, both orally at the time of its admission and later by instruction, inform the jury that it must not consider such statement or information as any evidence of whether the accused committed the act charged against the accused.

6. All persons are presumed to be free of mental disease or defect excluding responsibility for their conduct, whether or not previously adjudicated in this or any other state to be or to have been sexual or social psychopaths, or incompetent; provided, however, the court may admit evidence presented at such adjudication based on its probative

value. The issue of whether any person had a mental disease or defect excluding responsibility for such person's conduct is one for the trier of fact to decide upon the introduction of substantial evidence of lack of such responsibility. But, in the absence of such evidence, the presumption shall be conclusive. Upon the introduction of substantial evidence of lack of such responsibility, the presumption shall not disappear and shall alone be sufficient to take that issue to the trier of fact. The jury shall be instructed as to the existence and nature of such presumption when requested by the state and, where the issue of such responsibility is one for the jury to decide, the jury shall be told that the burden rests upon the accused to show by a preponderance or greater weight of the credible evidence that the defendant was suffering from a mental disease or defect excluding responsibility at the time of the conduct charged against the defendant. At the request of the defense the jury shall be instructed by the court as to the contents of subsection 2 of section 552.040.

7. When the accused is acquitted on the ground of mental disease or defect excluding responsibility, the verdict and the judgment shall so state as well as state the offense for which the accused was acquitted. The clerk of the court shall furnish a copy of any judgment or order of commitment to the department of mental health pursuant to this section to the criminal records central repository pursuant to section 43.503.

552.040. 1. For the purposes of this section, the following words mean:

(1) "Prosecutor of the jurisdiction", the prosecuting attorney in a county or the circuit attorney of a city not within a county;

(2) "Secure facility", a state mental health facility, state [mental retardation] **developmental disability** facility, private facility under contract with the department of mental health, or a section within any of these facilities, in which persons committed to the department of mental health pursuant to this chapter, shall not be permitted to move about the facility or section of the facility, nor to leave the facility or section of the facility, without approval by the head of the facility or such head's designee and adequate supervision consistent with the safety of the public and the person's treatment, habilitation or rehabilitation plan;

(3) "Tried and acquitted" includes both pleas of mental disease or defect excluding responsibility that are accepted by the court and acquittals on the ground of mental disease or defect excluding responsibility following the proceedings set forth in section 552.030.

2. When an accused is tried and acquitted on the ground of mental disease or defect excluding responsibility, the court shall order such person committed to the director of the department of mental health for custody. The court shall also order custody and care in a state mental health or retardation facility unless an immediate conditional release is granted pursuant to this section. If the accused has not been charged with a dangerous felony as defined in section 556.061, or with murder in the first degree pursuant to section 565.020, or sexual assault pursuant to section 566.040, or the attempts thereof, and the examination contains an opinion that the accused should be immediately conditionally released to the community by the court, the court shall hold a hearing to determine if an immediate conditional release is appropriate pursuant to the procedures for conditional release set out in subsections 10 to 14 of this section. Prior to the hearing, the court shall direct the director of the department of mental health, or the director's designee, to have the accused examined to determine conditions of confinement in accordance with subsection 4 of section 552.020. The provisions of subsection 16 of this section shall be applicable to defendants granted an immediate conditional release and the director shall honor the immediate conditional release as granted by the court. If the court determines that an immediate conditional release is warranted, the court shall order the person committed to the director of the department of mental health before ordering such a release. The court granting the immediate conditional release shall retain jurisdiction over the case for the duration of the conditional release. This shall not limit the authority of the director of the department of mental health or the director's designee to revoke the conditional release or the trial release of any committed person pursuant to subsection 17 of this section. If the accused is committed to a mental health or [mental retardation] **developmental disability** facility, the director of the department of mental health, or the director's designee, shall determine the time, place and conditions of confinement.

3. The provisions of sections 630.110, 630.115, 630.130, 630.133, 630.135, 630.140, 630.145, 630.150, 630.180, 630.183, 630.192, 630.194, 630.196, 630.198, 630.805, 632.370, 632.395, and 632.435 shall apply to persons committed pursuant to subsection 2 of this section. If the department does not have a treatment or rehabilitation program for a mental disease or defect of an individual, that fact may not be the basis for a release from commitment. Notwithstanding any other provision of law to the contrary, no person committed to the department of mental health who has been tried and acquitted by reason of mental disease or defect as provided in section 552.030 shall be conditionally or unconditionally released unless the procedures set out in this section are followed. Upon request by an indigent committed person, the appropriate court may appoint the office of the public defender to represent such person in any conditional or unconditional release proceeding under this section.



4. Notwithstanding section 630.115, any person committed pursuant to subsection 2 of this section shall be kept in a secure facility until such time as a court of competent jurisdiction enters an order granting a conditional or unconditional release to a nonsecure facility.

5. The committed person or the head of the facility where the person is committed may file an application in the court that committed the person seeking an order releasing the committed person unconditionally; except that any person who has been denied an application for a conditional release pursuant to subsection 13 of this section shall not be eligible to file for an unconditional release until the expiration of one year from such denial. In the case of a person who was immediately conditionally released after being committed to the department of mental health, the released person or the director of the department of mental health, or the director's designee, may file an application in the same court that released the committed person seeking an order releasing the committed person unconditionally. Copies of the application shall be served personally or by certified mail upon the head of the facility unless the head of the facility files the application, the committed person unless the committed person files the application, or unless the committed person was immediately conditionally released, the director of the department of mental health, and the prosecutor of the jurisdiction where the committed person was tried and acquitted. Any party objecting to the proposed release must do so in writing within thirty days after service. Within a reasonable period of time after any written objection is filed, which period shall not exceed sixty days unless otherwise agreed upon by the parties, the court shall hold a hearing upon notice to the committed person, the head of the facility, if necessary, the director of the department of mental health, and the prosecutor of the jurisdiction where the person was tried. Prior to the hearing any of the parties, upon written application, shall be entitled to an examination of the committed person, by a psychiatrist or psychologist, as defined in section 632.005, or a physician with a minimum of one year training or experience in providing treatment or services to mentally retarded or mentally ill individuals of its own choosing and at its expense. The report of the mental condition of the committed person shall accompany the application. By agreement of all parties to the proceeding any report of the mental condition of the committed person which may accompany the application for release or which is filed in objection thereto may be received by evidence, but the party contesting any opinion therein shall have the right to summon and to cross-examine the examiner who rendered such opinion and to offer evidence upon the issue.

6. By agreement of all the parties and leave of court, the hearing may be waived, in which case an order granting an unconditional release shall be entered in accordance with subsection 8 of this section.

7. At a hearing to determine if the committed person should be unconditionally released, the court shall consider the following factors in addition to any other relevant evidence:

- (1) Whether or not the committed person presently has a mental disease or defect;
- (2) The nature of the offense for which the committed person was committed;
- (3) The committed person's behavior while confined in a mental health facility;
- (4) The elapsed time between the hearing and the last reported unlawful or dangerous act;
- (5) Whether the person has had conditional releases without incident; and

(6) Whether the determination that the committed person is not dangerous to himself or others is dependent on the person's taking drugs, medicine or narcotics. The burden of persuasion for any person committed to a mental health facility under the provisions of this section upon acquittal on the grounds of mental disease or defect excluding responsibility shall be on the party seeking unconditional release to prove by clear and convincing evidence that the person for whom unconditional release is sought does not have, and in the reasonable future is not likely to have, a mental disease or defect rendering the person dangerous to the safety of himself or others.

8. The court shall enter an order either denying the application for unconditional release or granting an unconditional release. An order denying the application shall be without prejudice to the filing of another application after the expiration of one year from the denial of the last application.

9. No committed person shall be unconditionally released unless it is determined through the procedures in this section that the person does not have, and in the reasonable future is not likely to have, a mental disease or defect rendering the person dangerous to the safety of himself or others.

10. The committed person or the head of the facility where the person is committed may file an application in the court having probate jurisdiction over the facility where the person is detained for a hearing to determine whether the committed person shall be released conditionally. In the case of a person committed to a mental health facility upon acquittal on the grounds of mental disease or defect excluding responsibility for a dangerous felony as defined in section 556.061, murder in the first degree pursuant to section 565.020, or sexual assault pursuant to section 566.040, any such application shall be filed in the court that committed the person. In such cases, jurisdiction over the application for conditional release shall be in the committing court. In the case of a person who was immediately conditionally released after being committed to the department of mental health, the released person or the director of the department of mental health, or the director's designee, may file an application in the same court that released the person seeking to amend

or modify the existing release. The procedures for application for unconditional releases set out in subsection 5 of this section shall apply, with the following additional requirements:

(1) A copy of the application shall also be served upon the prosecutor of the jurisdiction where the person is being detained, unless the released person was immediately conditionally released after being committed to the department of mental health, or unless the application was required to be filed in the court that committed the person in which case a copy of the application shall be served upon the prosecutor of the jurisdiction where the person was tried and acquitted and the prosecutor of the jurisdiction into which the committed person is to be released;

(2) The prosecutor of the jurisdiction where the person was tried and acquitted shall use their best efforts to notify the victims of dangerous felonies. Notification by the appropriate person or agency by certified mail to the most current address provided by the victim shall constitute compliance with the victim notification requirement of this section;

(3) The application shall specify the conditions and duration of the proposed release;

(4) The prosecutor of the jurisdiction where the person is being detained shall represent the public safety interest at the hearing unless the prosecutor of the jurisdiction where the person was tried and acquitted decides to appear to represent the public safety interest. If the application for release was required to be filed in the committing court, the prosecutor of the jurisdiction where the person was tried and acquitted shall represent the public safety interest. In the case of a person who was immediately conditionally released after being committed to the department of mental health, the prosecutor of the jurisdiction where the person was tried and acquitted shall appear and represent the public safety interest.

11. By agreement of all the parties, the hearing may be waived, in which case an order granting a conditional release, stating the conditions and duration agreed upon by all the parties and the court, shall be entered in accordance with subsection 13 of this section.

12. At a hearing to determine if the committed person should be conditionally released, the court shall consider the following factors in addition to any other relevant evidence:

(1) The nature of the offense for which the committed person was committed;

(2) The person's behavior while confined in a mental health facility;

(3) The elapsed time between the hearing and the last reported unlawful or dangerous act;

(4) The nature of the person's proposed release plan;

(5) The presence or absence in the community of family or others willing to take responsibility to help the defendant adhere to the conditions of the release; and

(6) Whether the person has had previous conditional releases without incident. The burden of persuasion for any person committed to a mental health facility under the provisions of this section upon acquittal on the grounds of mental disease or defect excluding responsibility shall be on the party seeking release to prove by clear and convincing evidence that the person for whom release is sought is not likely to be dangerous to others while on conditional release.

13. The court shall enter an order either denying the application for a conditional release or granting conditional release. An order denying the application shall be without prejudice to the filing of another application after the expiration of one year from the denial of the last application.

14. No committed person shall be conditionally released until it is determined that the committed person is not likely to be dangerous to others while on conditional release.

15. If, in the opinion of the head of a facility where a committed person is being detained, that person can be released without danger to others, that person may be released from the facility for a trial release of up to ninety-six hours under the following procedure:

(1) The head of the facility where the person is committed shall notify the prosecutor of the jurisdiction where the committed person was tried and acquitted and the prosecutor of the jurisdiction into which the committed person is to be released at least thirty days before the date of the proposed trial release;

(2) The notice shall specify the conditions and duration of the release;

(3) If no prosecutor to whom notice is required objects to the trial release, the committed person shall be released according to conditions and duration specified in the notice;

(4) If any prosecutor objects to the trial release, the head of the facility may file an application with the court having probate jurisdiction over the facility where the person is detained for a hearing under the procedures set out in subsections 5 and 10 of this section with the following additional requirements:

(a) A copy of the application shall also be served upon the prosecutor of the jurisdiction into which the committed person is to be released; and

(b) The prosecutor or prosecutors who objected to the trial release shall represent the public safety interest at the hearing; and

(5) The release criteria of subsections 12 to 14 of this section shall apply at such a hearing.

16. The department shall provide or shall arrange for follow-up care and monitoring for all persons conditionally released under this section and shall make or arrange for reviews and visits with the client at least monthly, or more frequently as set out in the release plan, and whether the client is receiving care, treatment, habilitation or rehabilitation consistent with his needs, condition and public safety. The department shall identify the facilities, programs or specialized services operated or funded by the department which shall provide necessary levels of follow-up care, aftercare, rehabilitation or treatment to the persons in geographical areas where they are released.

17. The director of the department of mental health, or the director's designee, may revoke the conditional release or the trial release and request the return of the committed person if such director or coordinator has reasonable cause to believe that the person has violated the conditions of such release. If requested to do so by the director or coordinator, a peace officer of a jurisdiction in which a patient on conditional release is found shall apprehend and return such patient to the facility. No peace officer responsible for apprehending and returning the committed person to the facility upon the request of the director or coordinator shall be civilly liable for apprehending or transporting such patient to the facility so long as such duties were performed in good faith and without negligence. If a person on conditional release is returned to a facility under the provisions of this subsection, a hearing shall be held within ninety-six hours, excluding Saturdays, Sundays and state holidays, to determine whether the person violated the conditions of the release or whether resumption of full-time hospitalization is the least restrictive alternative consistent with the person's needs and public safety. The director of the department of mental health, or the director's designee, shall conduct the hearing. The person shall be given notice at least twenty-four hours in advance of the hearing and shall have the right to have an advocate present.

18. At any time during the period of a conditional release or trial release, the court which ordered the release may issue a notice to the released person to appear to answer a charge of a violation of the terms of the release and the court may issue a warrant of arrest for the violation. Such notice shall be personally served upon the released person. The warrant shall authorize the return of the released person to the custody of the court or to the custody of the director of mental health or the director's designee.

19. The head of a mental health facility, upon any notice that a committed person has escaped confinement, or left the facility or its grounds without authorization, shall immediately notify the prosecutor and sheriff of the county wherein the committed person is detained of the escape or unauthorized leaving of grounds and the prosecutor and sheriff of the county where the person was tried and acquitted.

20. Any person committed to a mental health facility under the provisions of this section upon acquittal on the grounds of mental disease or defect excluding responsibility for a dangerous felony as defined in section 556.061, murder in the first degree pursuant to section 565.020, or sexual assault pursuant to section 566.040 shall not be eligible for conditional or unconditional release under the provisions of this section unless, in addition to the requirements of this section, the court finds that the following criteria are met:

(1) Such person is not now and is not likely in the reasonable future to commit another violent crime against another person because of such person's mental illness; and

(2) Such person is aware of the nature of the violent crime committed against another person and presently possesses the capacity to appreciate the criminality of the violent crime against another person and the capacity to conform such person's conduct to the requirements of law in the future.

630.003. 1. There is hereby created a department of mental health to be headed by a mental health commission who shall appoint a director, by and with the advice and consent of the senate. The director shall be the administrative head of the department and shall serve at the pleasure of the commission and be compensated as provided by law for the director, division of mental health. All employees of the department shall be selected in accordance with chapter 36.

2. (1) The "State Mental Health Commission", composed of seven members, is the successor to the former state mental health commission and it has all the powers, duties and responsibilities of the former commission. All members of the commission shall be appointed by the governor, by and with the advice and consent of the senate. None of the members shall otherwise be employed by the state of Missouri.

(2) Three of the commission members first appointed shall be appointed for terms of four years, and two shall be appointed for terms of three years, and two shall be appointed for a term of two years. The governor shall designate, at the time the appointments are made, the length of the term of each member so appointed. Thereafter all terms shall be for four years.

(3) At least two of the members of the commission shall be physicians, one of whom shall be recognized as an expert in the field of the treatment of nervous and mental diseases, and one of whom shall be recognized as an expert in the field of [mental retardation or of other] developmental disabilities. At least two of the members of the commission shall be representative of persons or groups who are consumers having substantial interest in the services provided by

the division, one of whom shall represent the [mentally retarded or] developmentally disabled and one of whom shall represent those persons being treated for nervous and mental diseases. Of the other three members at least one must be recognized for his expertise in general business management procedures, and two shall be recognized for their interest and expertise in dealing with alcohol/drug abuse problems, or community mental health services.

3. The provisions of sections 191.120, 191.125, 191.130, 191.140, 191.150, 191.160, 191.170, 191.180, 191.190, 191.200, 191.210 and others as they relate to the division of mental health not previously reassigned by executive reorganization plan number 2 of 1973 as submitted by the governor under chapter 26 are transferred by specific type transfer from the department of public health and welfare to the department of mental health. The division of mental health, department of health and welfare, chapter 202 and others are abolished and all powers, duties and functions now assigned by law to the division, the director of the divisions of mental health or any of the institutions or officials of the division are transferred by type I transfer to the department of mental health.

4. The Missouri institute of psychiatry, which is under the board of curators of the University of Missouri is hereafter to be known as the "Missouri Institute of Mental Health". The purpose of the institute will be that of conducting research into improving services for persons served by the department of mental health for fostering the training of psychiatric residents in public psychiatry and for fostering excellence in mental health services through employee training and the study of mental health policy and ethics. To assist in this training, hospitals operated by and providers contracting with the department of mental health may be used for the same purposes and under the same arrangements as the board of curators of the University of Missouri utilizes with other hospitals in the state in supervising residency training for medical doctors. Appropriations requests for the Missouri institute of mental health shall be jointly developed by the University of Missouri and the department of mental health. All appropriations for the Missouri institute of mental health shall be made to the curators of the University of Missouri but shall be submitted separately from the appropriations of the curators of the University of Missouri.

5. There is hereby established within the department of mental health a division of [mental retardation and] developmental disabilities. The director of the division shall be appointed by the director of the department. The division shall administer all state facilities under the direction and authority of the department director. The Marshall Habilitation Center, the Higginsville Habilitation Center, the Bellefontaine Habilitation Center, the Nevada Habilitation Center, the St. Louis Developmental Disabilities Treatment Centers, and the regional centers located at Albany, Columbia, Hannibal, Joplin, Kansas City, Kirksville, Poplar Bluff, Rolla, St. Louis, Sikeston and Springfield and other similar facilities as may be established, are transferred by type I transfer to the division of [mental retardation and] developmental disabilities.

6. All the duties, powers and functions of the advisory council on mental retardation and community health centers, sections 202.664 to 202.666, are hereby transferred by type I transfer to the division of mental retardation and developmental disabilities of the department of mental health. The advisory council on mental retardation and community health centers shall be appointed by the division director.

7. The advisory council on mental retardation and developmental disabilities heretofore established by executive order and all of the duties, powers and functions of the advisory council including the responsibilities of the provision of the council in regard to the Federal Development Disabilities Law (P.L. 91-517) and all amendments thereto are transferred by type I transfer to the division of mental retardation and developmental disabilities. The advisory council on mental retardation and developmental disabilities shall be appointed by the director of the division of mental retardation and developmental disabilities.

8. The advisory council on alcoholism and drug abuse, chapter 202, is transferred by type II transfer to the department of mental health and the members of the advisory council shall be appointed by the mental health director.

630.005. As used in this chapter and chapters 631, 632, and 633, unless the context clearly requires otherwise, the following terms shall mean:

- (1) "Administrative entity", a provider of specialized services other than transportation to clients of the department on behalf of a division of the department;
- (2) "Alcohol abuse", the use of any alcoholic beverage, which use results in intoxication or in a psychological or physiological dependency from continued use, which dependency induces a mental, emotional or physical impairment and which causes socially dysfunctional behavior;
- (3) "Chemical restraint", medication administered with the primary intent of restraining a patient who presents a likelihood of serious physical injury to himself or others, and not prescribed to treat a person's medical condition;
- (4) "Client", any person who is placed by the department in a facility or program licensed and funded by the department or who is a recipient of services from a regional center, as defined in section 633.005;
- (5) "Commission", the state mental health commission;
- (6) "Consumer", a person:

- (a) Who qualifies to receive department services; or
- (b) Who is a parent, child or sibling of a person who receives department services; or
- (c) Who has a personal interest in services provided by the department. A person who provides services to persons affected by [mental retardation,] developmental disabilities, mental disorders, mental illness, or alcohol or drug abuse shall not be considered a consumer;
- (7) "Day program", a place conducted or maintained by any person who advertises or holds himself out as providing prevention, evaluation, treatment, habilitation or rehabilitation for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse for less than the full twenty-four hours comprising each daily period;
- (8) "Department", the department of mental health of the state of Missouri;
- (9) "Developmental disability", a disability:
  - (a) Which is attributable to:
    - a. Mental retardation, cerebral palsy, epilepsy, head injury or autism, or a learning disability related to a brain dysfunction; or
    - b. Any other mental or physical impairment or combination of mental or physical impairments; and
  - (b) Is manifested before the person attains age twenty- two; and
  - (c) Is likely to continue indefinitely; and
  - (d) Results in substantial functional limitations in two or more of the following areas of major life activities:
    - a. Self-care;
    - b. Receptive and expressive language development and use;
    - c. Learning;
    - d. Self-direction;
    - e. Capacity for independent living or economic self- sufficiency;
    - f. Mobility; and
  - (e) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, habilitation or other services which may be of lifelong or extended duration and are individually planned and coordinated;
- (10) "Director", the director of the department of mental health, or his designee;
- (11) "Domiciled in Missouri", a permanent connection between an individual and the state of Missouri, which is more than mere residence in the state; it may be established by the individual being physically present in Missouri with the intention to abandon his previous domicile and to remain in Missouri permanently or indefinitely;
- (12) "Drug abuse", the use of any drug without compelling medical reason, which use results in a temporary mental, emotional or physical impairment and causes socially dysfunctional behavior, or in psychological or physiological dependency resulting from continued use, which dependency induces a mental, emotional or physical impairment and causes socially dysfunctional behavior;
- (13) "Habilitation", a process of treatment, training, care or specialized attention which seeks to enhance and maximize the [mentally retarded or] developmentally disabled person's abilities to cope with the environment and to live as normally as possible;
- (14) "Habilitation center", a residential facility operated by the department and serving only persons who are [mentally retarded, including] developmentally disabled;
- (15) "Head of the facility", the chief administrative officer, or his designee, of any residential facility;
- (16) "Head of the program", the chief administrative officer, or his designee, of any day program;
- (17) "Individualized habilitation plan", a document which sets forth habilitation goals and objectives for [mentally retarded or] developmentally disabled residents and clients, and which details the habilitation program as required by law, rules and funding sources;
- (18) "Individualized rehabilitation plan", a document which sets forth the care, treatment and rehabilitation goals and objectives for patients and clients affected by alcohol or drug abuse, and which details the rehabilitation program as required by law, rules and funding sources;
- (19) "Individualized treatment plan", a document which sets forth the care, treatment and rehabilitation goals and objectives for mentally disordered or mentally ill patients and clients, and which details the treatment program as required by law, rules and funding sources;
- (20) "Investigator", an employee or contract agent of the department of mental health who is performing an investigation regarding an allegation of abuse or neglect or an investigation at the request of the director of the department of mental health or his designee;
- (21) "Least restrictive environment", a reasonably available setting or mental health program where care, treatment, habilitation or rehabilitation is particularly suited to the level and quality of services necessary to implement

a person's individualized treatment, habilitation or rehabilitation plan and to enable the person to maximize his functioning potential to participate as freely as feasible in normal living activities, giving due consideration to potentially harmful effects on the person and the safety of other facility or program clients and public safety. For some mentally disordered or [mentally retarded] **developmentally disabled** persons, the least restrictive environment may be a facility operated by the department, a private facility, a supported community living situation, or an alternative community program designed for persons who are civilly detained for outpatient treatment or who are conditionally released pursuant to chapter 632;

(22) "Mental disorder", any organic, mental or emotional impairment which has substantial adverse effects on a person's cognitive, volitional or emotional function and which constitutes a substantial impairment in a person's ability to participate in activities of normal living;

(23) "Mental illness", a state of impaired mental processes, which impairment results in a distortion of a person's capacity to recognize reality due to hallucinations, delusions, faulty perceptions or alterations of mood, and interferes with an individual's ability to reason, understand or exercise conscious control over his actions. The term "mental illness" does not include the following conditions unless they are accompanied by a mental illness as otherwise defined in this subdivision:

- (a) Mental retardation, developmental disability or narcolepsy;
- (b) Simple intoxication caused by substances such as alcohol or drugs;
- (c) Dependence upon or addiction to any substances such as alcohol or drugs;
- (d) Any other disorders such as senility, which are not of an actively psychotic nature;
- (24) "Mental retardation", significantly subaverage general intellectual functioning which:
- (a) Originates before age eighteen; and
- (b) Is associated with a significant impairment in adaptive behavior;

- (25) "Minor", any person under the age of eighteen years;
- (26) "Patient", an individual under observation, care, treatment or rehabilitation by any hospital or other mental

health facility or mental health program pursuant to the provisions of chapter 632;

- (27) "Psychosurgery",

(a) Surgery on the normal brain tissue of an individual not suffering from physical disease for the purpose of changing or controlling behavior; or

(b) Surgery on diseased brain tissue of an individual if the sole object of the surgery is to control, change or affect behavioral disturbances, except seizure disorders;

(28) "Rehabilitation", a process of restoration of a person's ability to attain or maintain normal or optimum health or constructive activity through care, treatment, training, counseling or specialized attention;

(29) "Residence", the place where the patient has last generally lodged prior to admission or, in case of a minor, where his family has so lodged; except, that admission or detention in any facility of the department shall not be deemed an absence from the place of residence and shall not constitute a change in residence;

(30) "Resident", a person receiving residential services from a facility, other than mental health facility, operated, funded or licensed by the department;

(31) "Residential facility", any premises where residential prevention, evaluation, care, treatment, habilitation or rehabilitation is provided for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse; except the person's dwelling;

(32) "Specialized service", an entity which provides prevention, evaluation, transportation, care, treatment, habilitation or rehabilitation services to persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse;

(33) "Vendor", a person or entity under contract with the department, other than as a department employee, who provides services to patients, residents or clients;

(34) "Vulnerable person", any person in the custody, care, or control of the department that is receiving services from an operated, funded, licensed, or certified program.

630.010. 1. The state mental health commission, established by the omnibus reorganization act of 1974, section 9, appendix B, RSMo, shall be composed of seven members appointed by the governor, by and with the advice and consent of the senate. The terms of members appointed under the reorganization act before August 13, 1980, shall continue until the terms under which the members were regularly appointed expire. The terms shall be for four years. Each commissioner shall hold office until his successor has been appointed and qualified.

2. The commission shall be comprised of members who are not prohibited from serving by sections 105.450 to 105.482, as amended, and who are not otherwise employed by the state. The commission shall be composed of the following:

- (1) A physician recognized as an expert in the treatment of mental illness;
  - (2) A physician recognized as an expert in the evaluation or habilitation of the [mentally retarded and] developmentally disabled;
  - (3) A representative of groups who are consumers or families of consumers interested in the services provided by the department in the treatment of mental illness;
  - (4) A representative of groups who are consumers or families of consumers interested in the services provided by the department in the habilitation of the [mentally retarded] **developmentally disabled**;
  - (5) A person recognized for his expertise in general business matters and procedures;
  - (6) A person recognized for his interest and expertise in dealing with alcohol or drug abuse; and
  - (7) A person recognized for his interest or expertise in community mental health services.
3. Vacancies occurring on the commission shall be filled by appointment by the governor, by and with the advice and consent of the senate, for the unexpired terms. In case of a vacancy when the senate is not in session, the governor shall make a temporary appointment until the next session of the general assembly, when he shall nominate someone to fill the office.
4. The commission shall elect from its members a chairman and a secretary. Meetings shall be held at least once a month, and special meetings may be held at the call of the chairman.
5. The department shall pay the commission members one hundred dollars per day for each day, or portion thereof, they actually spend in transacting the business of the commission and shall reimburse the commission members for necessary expenses actually incurred in the performance of their official duties.

630.097. 1. The department of mental health shall develop, in partnership with all departments represented on the children's services commission, a unified accountable comprehensive children's mental health service system. The department of mental health shall establish a state interagency comprehensive children's mental health service system team comprised of representation from:

- (1) Family-run organizations and family members;
- (2) Child advocate organizations;
- (3) The department of health and senior services;
- (4) The department of social services' children's division, division of youth services, and the division of medical services;
- (5) The department of elementary and secondary education;
- (6) The department of mental health's division of alcohol and drug abuse, division of [mental retardation and] developmental disabilities, and the division of comprehensive psychiatric services;
- (7) The department of public safety;
- (8) The office of state courts administrator;
- (9) The juvenile justice system; and
- (10) Local representatives of the member organizations of the state team to serve children with emotional and behavioral disturbance problems, developmental disabilities, and substance abuse problems. The team shall be called "The Comprehensive System Management Team". There shall be a stakeholder advisory committee to provide input to the comprehensive system management team to assist the departments in developing strategies and to ensure positive outcomes for children are being achieved. The department of mental health shall obtain input from appropriate consumer and family advocates when selecting family members for the comprehensive system management team, in consultation with the departments that serve on the children's services commission. The implementation of a comprehensive system shall include all state agencies and system partner organizations involved in the lives of the children served. These system partners may include private and not-for-profit organizations and representatives from local system of care teams and these partners may serve on the stakeholder advisory committee. The department of mental health shall promulgate rules for the implementation of this section in consultation with all of the departments represented on the children's services commission.

2. The department of mental health shall, in partnership with the departments serving on the children's services commission and the stakeholder advisory committee, develop a state comprehensive children's mental health service system plan. This plan shall be developed and submitted to the governor, the general assembly, and children's services commission by December, 2004. There shall be subsequent annual reports that include progress toward outcomes, monitoring, changes in populations and services, and emerging issues. The plan shall:

- (1) Describe the mental health service and support needs of Missouri's children and their families, including the specialized needs of specific segments of the population;
- (2) Define the comprehensive array of services including services such as intensive home-based services, early intervention services, family support services, respite services, and behavioral assistance services;

- (3) Establish short- and long-term goals, objectives, and outcomes;
- (4) Describe and define the parameters for local implementation of comprehensive children's mental health system teams;
- (5) Describe and emphasize the importance of family involvement in all levels of the system;
- (6) Describe the mechanisms for financing, and the cost of implementing the comprehensive array of services;
- (7) Describe the coordination of services across child- serving agencies and at critical transition points, with emphasis on the involvement of local schools;
- (8) Describe methods for service, program, and system evaluation;
- (9) Describe the need for, and approaches to, training and technical assistance; and
- (10) Describe the roles and responsibilities of the state and local child-serving agencies in implementing the comprehensive children's mental health care system.

3. The comprehensive system management team shall collaborate to develop uniform language to be used in intake and throughout the provision of services.

4. The comprehensive children's mental health services system shall:

(1) Be child centered, family focused, strength based, and family driven, with the needs of the child and family dictating the types and mix of services provided, and shall include the families as full participants in all aspects of the planning and delivery of services;

(2) Provide community-based mental health services to children and their families in the context in which the children live and attend school;

(3) Respond in a culturally competent and responsive manner;

(4) Emphasize prevention, early identification, and intervention;

(5) Assure access to a continuum of services that:

(a) Educate the community about the mental health needs of children;

(b) Address the unique physical, behavioral, emotional, social, developmental, and educational needs of children;

(c) Are coordinated with the range of social and human services provided to children and their families by local school districts, **the departments of** social services, health and senior services, **and** public safety, juvenile offices, and the juvenile and family courts;

(d) Provide a comprehensive array of services through an integrated service plan;

(e) Provide services in the least restrictive most appropriate environment that meets the needs of the child; and

(f) Are appropriate to the developmental needs of children;

(6) Include early screening and prompt intervention to:

(a) Identify and treat the mental health needs of children in the least restrictive environment appropriate to their needs; and

(b) Prevent further deterioration;

(7) Address the unique problems of paying for mental health services for children, including:

(a) Access to private insurance coverage;

(b) Public funding, including:

a. Assuring that funding follows children across departments; and

b. Maximizing federal financial participation;

(c) Private funding and services;

(8) Assure a smooth transition from child to adult mental health services when needed;

(9) Coordinate a service delivery system inclusive of services, providers, and schools that serve children and youth with emotional and behavioral disturbance problems, and their families through state agencies that serve on the state comprehensive children's management team; and

(10) Be outcome based.

5. By August 28, 2007, and periodically thereafter, the children's services commission shall conduct and distribute to the general assembly an evaluation of the implementation and effectiveness of the comprehensive children's mental health care system, including an assessment of family satisfaction and the progress of achieving outcomes.

630.120. No patient or resident, either voluntary or involuntary, shall be presumed to be incompetent, to forfeit any legal right, responsibility or obligation or to suffer any legal disability as a citizen, unless otherwise prescribed by law, as a consequence of receiving evaluation, care, treatment, habilitation or rehabilitation for a mental disorder, mental illness, [mental retardation,] developmental disability, alcohol problem or drug problem.



630.165. 1. When any physician, physician assistant, dentist, chiropractor, optometrist, podiatrist, intern, resident, nurse, nurse practitioner, medical examiner, social worker, licensed professional counselor, certified substance abuse counselor, psychologist, other health practitioner, minister, Christian Science practitioner, peace officer, pharmacist, physical therapist, facility administrator, nurse's aide, orderly or any other direct-care staff in a residential facility, day program, group home or [mental retardation] **developmental disability** facility as defined in section 633.005, or specialized service operated, licensed, certified, or funded by the department or in a mental health facility or mental health program in which people may be admitted on a voluntary basis or are civilly detained pursuant to chapter 632, or employee of the departments of social services, mental health, or health and senior services; or home health agency or home health agency employee; hospital and clinic personnel engaged in examination, care, or treatment of persons; in-home services owner, provider, operator, or employee; law enforcement officer, long-term care facility administrator or employee; mental health professional, probation or parole officer, or other nonfamilial person with responsibility for the care of a patient, resident, or client of a facility, program, or service has reasonable cause to suspect that a patient, resident or client of a facility, program or service has been subjected to abuse or neglect or observes such person being subjected to conditions or circumstances that would reasonably result in abuse or neglect, he or she shall immediately report or cause a report to be made to the department in accordance with section 630.163.

2. Any person who knowingly fails to make a report as required in subsection 1 of this section is guilty of a class A misdemeanor and shall be subject to a fine up to one thousand dollars. Penalties collected for violations of this section shall be transferred to the state school moneys fund as established in section 166.051 and distributed to the public schools of this state in the manner provided in section 163.031. Such penalties shall not considered charitable for tax purposes.

3. Every person who has been previously convicted of or pled guilty to failing to make a report as required in subsection 1 of this section and who is subsequently convicted of failing to make a report under subsection 2 of this section is guilty of a class D felony and shall be subject to a fine up to five thousand dollars. Penalties collected for violation of this subsection shall be transferred to the state school moneys fund as established in section 166.051 and distributed to the public schools of this state in the manner provided in section 163.031. Such penalties shall not considered charitable for tax purposes.

4. Any person who knowingly files a false report of vulnerable person abuse or neglect is guilty of a class A misdemeanor and shall be subject to a fine up to one thousand dollars. Penalties collected for violations of this subsection shall be transferred to the state school moneys fund as established in section 166.051 and distributed to the public schools of this state in the manner provided in section 163.031. Such penalties shall not considered charitable for tax purposes.

5. Every person who has been previously convicted of or pled guilty to making a false report to the department and who is subsequently convicted of making a false report under subsection 4 of this section is guilty of a class D felony and shall be subject to a fine up to five thousand dollars. Penalties collected for violations of this subsection shall be transferred to the state school moneys fund as established in section 166.051 and distributed to the public schools of this state in the manner provided in section 163.031. Such penalties shall not considered charitable for tax purposes.

6. Evidence of prior convictions of false reporting shall be heard by the court, out of the hearing of the jury, prior to the submission of the case to the jury, and the court shall determine the existence of the prior convictions.

7. Any residential facility, day program, or specialized service operated, funded, or licensed by the department that prevents or discourages a patient, resident, [or] client, employee, or other person from reporting that a patient, resident, or client of a facility, program, or service has been abused or neglected shall be subject to loss of their license issued pursuant to sections 630.705 to 630.760 and civil fines of up to five thousand dollars for each attempt to prevent or discourage reporting.

630.183. Subject to other provisions of this chapter, the head of a mental health or [mental retardation] **developmental disability** facility may authorize the medical and surgical treatment of a patient or resident under the following circumstances:

- (1) Upon consent of a patient or resident who is competent;
- (2) Upon consent of a parent or legal guardian of a patient or resident who is a minor or legally incapacitated;
- (3) Pursuant to the provisions of chapter 431;
- (4) Pursuant to an order of a court of competent jurisdiction.

630.192. No biomedical or pharmacological research shall be conducted in any mental health facility or mental health program in which people may be civilly detained pursuant to chapter 632 or in any public or private residential facilities or day programs operated, funded or licensed by the department for persons affected by [mental retardation.] developmental disabilities, mental illness, mental disorders or alcohol or drug abuse unless such research is intended to alleviate or prevent the disabling conditions or is reasonably expected to be of direct therapeutic benefit to the

participants. Without a specific court order, no involuntary patient shall consent to participate in any biomedical or pharmacological research. The application for the order shall be filed in the court having probate jurisdiction in the county in which the mental health facility is located, provided, however, that if the patient requests that the hearing be held by the court which has committed the patient, or if the court having probate jurisdiction deems it appropriate, the hearing on the application shall be transferred to the committing court.

630.210. 1. The director shall determine the maximum amount for services which shall be charged in each of the residential facilities, day programs or specialized services operated or funded by the department for full-time or part-time inpatient, resident or outpatient evaluation, care, treatment, habilitation, rehabilitation or other service rendered to persons affected by mental disorder, mental illness, [mental retardation,] developmental disability or drug or alcohol abuse. The maximum charge shall be related to the per capita inpatient cost or actual outpatient evaluation or other service costs of each facility, program or service, which may vary from one locality to another. The director shall promulgate rules setting forth a reasonable standard means test which shall be applied by all facilities, programs and services operated or funded by the department in determining the amount to be charged to persons receiving services. The department shall pay, out of funds appropriated to it for such purpose, all or part of the costs for the evaluation, care, treatment, habilitation, rehabilitation or room and board provided or arranged by the department for any patient, resident or client who is domiciled in Missouri and who is unable to pay fully for services.

2. The director shall apply the standard means test annually and may make application of the test upon his own initiative or upon request of an interested party whenever evidence is offered tending to show that the current support status of any patient, resident or client is no longer proper. Any change of support status shall be retroactive to the date of application or request for review. If the persons responsible to pay under section 630.205 or 552.080 refuse to cooperate in providing information necessary to properly apply the test or if retroactive benefits are paid on behalf of the patient, resident or client, the charges may be retroactive to a date prior to the date of application or request for review. The decision of the director in determining the amount to be charged for services to a patient, resident or client shall be final. Appeals from the determination may be taken to the circuit court of Cole County or the county where the person responsible for payment resides in the manner provided by chapter 536.

3. The department shall not pay for services provided to a patient, resident or client who is not domiciled in Missouri unless the state is fully reimbursed for the services; except that the department may pay for services provided to a transient person for up to thirty days pending verification of his domiciliary state, and for services provided for up to thirty days in an emergency situation. The director shall promulgate rules for determination of the domiciliary state of any patient, resident or client receiving services from a facility, program or service operated or funded by the department.

4. Whenever a patient, resident or client is receiving services from a residential facility, day program or specialized service operated or funded by the department, and the state, county, municipality, parent, guardian or other person responsible for support of the patient, resident or client fails to pay any installment required to be paid for support, the department or the residential facility, day program or specialized service may discharge the patient, resident or client as provided by chapter 31. The patient, resident or client shall not be discharged under this subsection until the final disposition of any appeal filed under subsection 2 of this section.

5. The standard means test may be waived for a child in need of mental health services to avoid inappropriate custody transfers to the children's division. The department of mental health shall notify the child's parent or custodian that the standard means test may be waived. The department of mental health shall promulgate rules for waiving the standard means test. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

630.335. 1. With the approval of the director, the head of any of the department's mental health or [mental retardation] **developmental disability** facilities or regional centers may establish and operate a canteen or commissary for the use and benefit of patients, residents and employees.

2. Each facility or center shall keep revenues received from the canteen or commissary established and operated by the head of the facility in a separate account. The acquisition cost of goods sold and other expenses shall be paid from this account. A minimum amount of money necessary to meet cash flow needs and current operating expenses may be kept in this account. The remaining funds from sales of each commissary or canteen shall be deposited monthly in the state treasury to the credit of the mental health trust fund. The money in the fund shall be expended, upon appropriation,

for the benefit of the patients in the improvement of the recreation, habilitation or treatment services or equipment of the facility or center from which derived. The provisions of section 33.080 to the contrary notwithstanding, the money in the mental health trust fund shall be retained for the purposes specified in this section and shall not revert or be transferred to general revenue. The department of mental health shall keep accurate records of the source of money deposited in the mental health trust fund and shall allocate appropriations from the fund to the appropriate institution, facility or center.

630.405. 1. The department may purchase services for patients, residents or clients from private and public vendors in this state with funds appropriated for this purpose.

2. Services that may be purchased may include prevention, diagnosis, evaluation, treatment, habilitation, rehabilitation, transportation and other special services for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse.

3. The commissioner of administration, in consultation with the director, shall promulgate rules establishing procedures consistent with the usual state purchasing procedures pursuant to chapter 34 for the purchase of services pursuant to this section. The commissioner may authorize the department to purchase any technical service which, in his judgment, can best be purchased direct pursuant to chapter 34. The commissioner shall cooperate with the department to purchase timely services appropriate to the needs of the patients, residents or clients of the department.

4. The commissioner of administration may promulgate rules authorizing the department to review, suspend, terminate, or otherwise take remedial measures with respect to contracts with vendors as defined in subsection 1 of this section that fail to comply with the requirements of section 210.906.

5. The commissioner of administration may promulgate rules for a waiver of chapter 34 bidding procedures for the purchase of services for patients, residents and clients with funds appropriated for that purpose if, in the commissioner's judgment, such services can best be purchased directly by the department.

6. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

630.425. 1. The department may make incentive grants from funds specifically appropriated for this purpose to private and public entities seeking to establish a residential facility, day program or specialized service for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities or alcohol or drug abuse in unserved, underserved or inappropriately served areas of the state.

2. The department shall promulgate rules establishing procedures for monitoring and auditing such grants.

3. The grants shall be of limited duration of one year and renewable for only one additional year if the funds are appropriated for this purpose.

630.510. At least once every three years, the department shall conduct a complete statewide inventory of its existing facilities and a survey of needs for persons affected by mental disorders, mental illness, [mental retardation,] developmental disabilities and alcohol or drug abuse, and shall make a public report of its inventory and survey and recommend a state plan for the construction of additional facilities.

630.605. The department shall establish a placement program for persons affected by a mental disorder, mental illness, [mental retardation,] developmental disability or alcohol or drug abuse. The department may utilize residential facilities, day programs and specialized services which are designed to maintain a person who is accepted in the placement program in the least restrictive environment in accordance with the person's individualized treatment, habilitation or rehabilitation plan. The department shall license, certify and fund, subject to appropriations, a continuum of facilities, programs and services short of admission to a department facility to accomplish this purpose.

630.610. 1. If the head of a facility operated by the department determines that placement out of the facility would be appropriate for any patient or resident, the head of the facility shall refer the patient or resident for placement according to the department's rules. If a patient or resident is accepted and placed under this chapter, then the patient or resident shall be considered as discharged as a patient or resident of the facility and reclassified as a client of the department.

2. Any person, his authorized representative, his parent, if the person is a minor, his guardian, a court of competent jurisdiction or a state or private facility or agency having custody of the person may apply for placement of the person under this chapter.

3. If the department finds the application to be appropriate after review, it shall provide for or arrange for a comprehensive evaluation, and the preparation of an individualized treatment, habilitation or rehabilitation plan of the

person seeking to be placed, whether from a department facility or directly, to determine if he meets the following criteria:

(1) The person is affected by a mental disorder, mental illness, [mental retardation,] developmental disability or alcohol or drug abuse; and

(2) The person is in need of special care, treatment, habilitation or rehabilitation services as described in this chapter, including room or board, or both; provided, however, that no person shall be accepted for placement if the sole reason for the application or referral is that residential placement is necessary for a school-aged child, as defined in chapter 162, to receive an appropriate special education.

630.635. 1. If a resident in a [mental retardation] **developmental disability** facility, or his parent if he is a minor, or his legal guardian refuses to consent to the proposed placement, the head of the [mental retardation] **developmental disability** facility may petition, under the procedures in section 633.135, the director of the division of [mental retardation and] developmental disabilities to determine whether the proposed placement is appropriate under chapter 633.

2. If a patient in a mental health facility, or his parent if he is a minor, or his legal guardian refuses to consent to the proposed placement, the head of the mental health facility may petition the director of the division of comprehensive psychiatric services to determine whether the proposed placement is appropriate under sections 630.610, 630.615 and 630.620.

3. The director of the division of comprehensive psychiatric services shall refer the petition to the chairman of the state advisory council for his division who shall appoint and convene a review panel composed of three members. At least one member of the panel shall be a family member or guardian of a patient who resides in a mental health facility operated by the department. The remaining members of the panel shall be persons who are from nongovernmental organizations or groups concerned with the prevention of mental disorders, evaluation, care, treatment or rehabilitation of persons affected by the same conditions as the patient the department seeks to place and who are familiar with services and service needs of persons in mental health facilities operated by the department. No member of the panel shall be an officer or employee of the department.

4. After prompt notice and hearing, the panel shall determine whether the proposed placement is appropriate under sections 630.610, 630.615 and 630.620. The hearing shall be electronically recorded for purposes of obtaining a transcript. The council shall forward the tape recording, recommended findings of fact, conclusions of law, and decision to the director who shall enter findings of fact, conclusions of law, and the final decision. Notice of the director's decision shall be sent to the patient, or his parent if he is a minor, or his guardian by registered mail, return receipt requested. The director shall expedite this review in all respects.

5. If the patient, or his parent if he is a minor, or his guardian disagrees with the decision of the director, he may appeal the decision, within thirty days after notice of the decision is sent, to the circuit court of the county where the patient or resident, or his parent if he is a minor, or his guardian resides. The court shall review the record, proceedings and decision of the director not only under the provisions of chapter 536, but also as to whether or not the head of the facility or the department sustained its burden of proof that the proposed placement is appropriate under sections 630.110, 630.115 and 630.120. The court shall expedite this review in all respects. Notwithstanding the provisions of section 536.140, a court may, for good cause shown, hear and consider additional competent and material evidence.

6. The notice and procedure for the hearing by the panel shall be in accordance with chapter 536.

7. In all proceedings either before the panel or before the circuit court, the burden of proof shall be upon the head of the facility to demonstrate by a preponderance of evidence that the proposed placement is appropriate under the criteria set forth in sections 630.610, 630.615 and 630.120.

8. Pending the convening of the hearing panel and the final decision of the director or the court if the director's decision is appealed, the department shall not place or discharge the patient from a facility except that the department may temporarily transfer such patient in the case of a medical emergency.

9. There shall be no retaliation against any state employee as the result of a good faith decision to place the patient which is appealed and who testifies during a hearing or otherwise provides information or evidence in regard to a proposed placement.

630.705. 1. The department shall promulgate rules setting forth reasonable standards for residential facilities and day programs for persons who are affected by a mental disorder, mental illness, [mental retardation] or developmental disability.

2. The rules shall provide for the facilities and programs to be reasonably classified as to resident or client population, size, type of services or other reasonable classification. The department shall design the rules to promote

and regulate safe, humane and adequate facilities and programs for the care, treatment, habilitation and rehabilitation of persons described in subsection 1 of this section.

3. The following residential facilities and day programs shall not be licensed by the department:
  - (1) Any facility or program which relies solely upon the use of prayer or spiritual healing;
  - (2) Any educational, special educational or vocational program operated, certified or approved by the state board of education pursuant to chapters 161, 162 and 178, and regulations promulgated by the board;
  - (3) Any hospital, facility, program or entity operated by this state or the United States; except that facilities operated by the department shall meet these standards;
  - (4) Any hospital, facility or other entity, excluding those with persons who are [mentally retarded and] developmentally disabled as defined in section 630.005 otherwise licensed by the state and operating under such license and within the limits of such license, unless the majority of the persons served receive activities and services normally provided by a licensed facility pursuant to this chapter;
  - (5) Any hospital licensed by the department of social services as a psychiatric hospital pursuant to chapter 197;
  - (6) Any facility or program accredited by the Joint Commission on Accreditation of Hospitals, the American Osteopathic Association, Accreditation Council for Services for Mentally Retarded or other Developmentally Disabled Persons, Council on Accreditation of Services for Children and Families, Inc., or the Commission on Accreditation of Rehabilitation Facilities;
  - (7) Any facility or program caring for less than four persons whose care is not funded by the department.

630.715. 1. The department shall establish a procedure for the licensing of residential facilities and day programs for persons described in section 630.705, which procedure shall provide for the acceptance of a license, a temporary operating permit or a probationary license issued by the department of social services under sections 198.006 to 198.096 as regards the licensing requirements in the following areas:

- (1) General medical and health care;
- (2) Adequate physical plant facilities including fire safety, housekeeping and maintenance standards;
- (3) Food service facilities;
- (4) Safety precautions;
- (5) Drugs and medications;
- (6) Uniform system of record keeping;
- (7) Resident and client rights and grievance procedures.

However, the department shall require annually that any facilities and programs already licensed by the department of social services under chapter 198 which desire to provide services to persons diagnosed as mentally disordered, mentally ill, [mentally retarded] or developmentally disabled in accordance with sections 630.705 to 630.760 meet the department's requirements in excess of those required for licensure or certification under chapter 198, which are appropriate to admission criteria and care, treatment, habilitation and rehabilitation needs of such persons.

2. Applications for licenses shall be made to the department upon forms provided by it and shall contain such information and documents as the department requires, including, but not limited to, affirmative evidence of ability to comply with the rules adopted by the department. Each application for a license, except applications from a governmental unit or a facility caring for less than four persons, which shall not pay any fee, shall be accompanied by a license fee of ten dollars for establishments which accept more than three but less than ten persons and fifty dollars from establishments which accept ten or more. The license fee shall be paid to the director of revenue for deposit to the general revenue fund of the state treasury.

3. An applicant for a license shall submit an affidavit under oath that all documents required by the department to be filed pursuant to this section are true and correct to the best of his knowledge and belief, that the statements contained in the application are true and correct to the best of his knowledge and belief and that all required documents are either included with the application or are currently on file with the department.

630.735. 1. No person or governmental unit, acting separately or jointly with any other person or governmental unit, shall establish, conduct or maintain any residential facility in this state for the care, treatment, habilitation or rehabilitation of [mentally retarded or] developmentally disabled persons without a valid license issued by the department. Licenses in effect on August 13, 1982, shall continue in effect until they regularly expire unless sooner revoked; except that in no case shall a license continue in effect beyond one year after August 13, 1982.

2. After October 1, 1983, no person or governmental unit, acting separately or jointly with any other person or governmental unit, shall establish, conduct or maintain any residential facility or day program in this state for care,

treatment, habilitation or rehabilitation of persons diagnosed as mentally disordered or mentally ill or day program for [mentally retarded or] developmentally disabled persons unless the facilities or programs are licensed by the department.

632.005. As used in chapter 631 and this chapter, unless the context clearly requires otherwise, the following terms shall mean:

- (1) "Comprehensive psychiatric services", any one, or any combination of two or more, of the following services to persons affected by mental disorders other than [mental retardation or] developmental disabilities: inpatient, outpatient, day program or other partial hospitalization, emergency, diagnostic, treatment, liaison, follow-up, consultation, education, rehabilitation, prevention, screening, transitional living, medical prevention and treatment for alcohol abuse, and medical prevention and treatment for drug abuse;
- (2) "Council", the Missouri advisory council for comprehensive psychiatric services;
- (3) "Court", the court which has jurisdiction over the respondent or patient;
- (4) "Division", the division of comprehensive psychiatric services of the department of mental health;
- (5) "Division director", director of the division of comprehensive psychiatric services of the department of mental health, or his designee;
- (6) "Head of mental health facility", superintendent or other chief administrative officer of a mental health facility, or his designee;
- (7) "Judicial day", any Monday, Tuesday, Wednesday, Thursday or Friday when the court is open for business, but excluding Saturdays, Sundays and legal holidays;
- (8) "Licensed physician", a physician licensed pursuant to the provisions of chapter 334 or a person authorized to practice medicine in this state pursuant to the provisions of section 334.150;
- (9) "Licensed professional counselor", a person licensed as a professional counselor under chapter 337 and with a minimum of one year training or experience in providing psychiatric care, treatment, or services in a psychiatric setting to individuals suffering from a mental disorder;
- (10) "Likelihood of serious harm" means any one or more of the following but does not require actual physical injury to have occurred:
  - (a) A substantial risk that serious physical harm will be inflicted by a person upon his own person, as evidenced by recent threats, including verbal threats, or attempts to commit suicide or inflict physical harm on himself. Evidence of substantial risk may also include information about patterns of behavior that historically have resulted in serious harm previously being inflicted by a person upon himself;
  - (b) A substantial risk that serious physical harm to a person will result or is occurring because of an impairment in his capacity to make decisions with respect to his hospitalization and need for treatment as evidenced by his current mental disorder or mental illness which results in an inability to provide for his own basic necessities of food, clothing, shelter, safety or medical care or his inability to provide for his own mental health care which may result in a substantial risk of serious physical harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in serious harm to the person previously taking place because of a mental disorder or mental illness which resulted in his inability to provide for his basic necessities of food, clothing, shelter, safety or medical or mental health care; or
  - (c) A substantial risk that serious physical harm will be inflicted by a person upon another as evidenced by recent overt acts, behavior or threats, including verbal threats, which have caused such harm or which would place a reasonable person in reasonable fear of sustaining such harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in physical harm previously being inflicted by a person upon another person;
- (11) "Mental health coordinator", a mental health professional who has knowledge of the laws relating to hospital admissions and civil commitment and who is authorized by the director of the department, or his designee, to serve a designated geographic area or mental health facility and who has the powers, duties and responsibilities provided in this chapter;
- (12) "Mental health facility", any residential facility, public or private, or any public or private hospital, which can provide evaluation, treatment and, inpatient care to persons suffering from a mental disorder or mental illness and which is recognized as such by the department or any outpatient treatment program certified by the department of mental health. No correctional institution or facility, jail, regional center or [mental retardation] **developmental disability** facility shall be a mental health facility within the meaning of this chapter;
- (13) "Mental health professional", a psychiatrist, resident in psychiatry, psychologist, psychiatric nurse, licensed professional counselor, or psychiatric social worker;
- (14) "Mental health program", any public or private residential facility, public or private hospital, public or private specialized service or public or private day program that can provide care, treatment, rehabilitation or services,

either through its own staff or through contracted providers, in an inpatient or outpatient setting to persons with a mental disorder or mental illness or with a diagnosis of alcohol abuse or drug abuse which is recognized as such by the department. No correctional institution or facility or jail may be a mental health program within the meaning of this chapter;

(15) "Ninety-six hours" shall be construed and computed to exclude Saturdays, Sundays and legal holidays which are observed either by the court or by the mental health facility where the respondent is detained;

(16) "Peace officer", a sheriff, deputy sheriff, county or municipal police officer or highway patrolman;

(17) "Psychiatric nurse", a registered professional nurse who is licensed under chapter 335 and who has had at least two years of experience as a registered professional nurse in providing psychiatric nursing treatment to individuals suffering from mental disorders;

(18) "Psychiatric social worker", a person with a master's or further advanced degree from an accredited school of social work, practicing pursuant to chapter 337, and with a minimum of one year training or experience in providing psychiatric care, treatment or services in a psychiatric setting to individuals suffering from a mental disorder;

(19) "Psychiatrist", a licensed physician who in addition has successfully completed a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

(20) "Psychologist", a person licensed to practice psychology under chapter 337 with a minimum of one year training or experience in providing treatment or services to mentally disordered or mentally ill individuals;

(21) "Resident in psychiatry", a licensed physician who is in a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

(22) "Respondent", an individual against whom involuntary civil detention proceedings are instituted pursuant to this chapter;

(23) "Treatment", any effort to accomplish a significant change in the mental or emotional conditions or the behavior of the patient consistent with generally recognized principles or standards in the mental health professions.

632.105. 1. The head of a private mental health facility may, and the head of a department mental health facility shall, except in the case of a medical emergency and subject to the availability of suitable programs and accommodations, accept for evaluation, on an outpatient basis if practicable, any person eighteen years of age or over who applies for his admission. The department may require that a community-based service where the person resides perform the evaluation pursuant to an affiliation agreement and contract with the department.

2. If a person is diagnosed as having a mental disorder, other than [mental retardation or] developmental disability without another accompanying mental disorder, and is determined to be in need of inpatient treatment, the person may be admitted by a private mental health facility and shall be admitted by a department mental health facility, if suitable accommodations are available, for care and treatment as an inpatient for such periods and under such conditions as authorized by law. The department may require that a community-based service where the patient resides admit the person for inpatient care and treatment pursuant to an affiliation agreement and contract with the department.

3. A person who is admitted under this section is a voluntary patient and shall have the right to consent to evaluation, care, treatment and rehabilitation and shall not be medicated without his prior voluntary and informed consent; except that medication may be given in emergency situations.

632.110. 1. The head of a private mental health facility may, and the head of a department mental health facility shall, except in the case of a medical emergency and subject to the availability of suitable programs and accommodations, accept for evaluation, on an outpatient basis if practicable, any minor for whom an application for voluntary admission is made by his parent or other legal custodian. The department may require that a community-based service where the minor resides perform the evaluation pursuant to an affiliation agreement or contract with the department.

2. If the minor is diagnosed as having a mental disorder, other than [mental retardation or] developmental disability without another accompanying mental disorder, and found suitable for inpatient treatment as a result of the evaluation, the minor may be admitted by a private mental health facility or shall be admitted by a department mental health facility, if suitable accommodations are available, for care, treatment and rehabilitation as an inpatient for such periods and under such conditions as authorized by law. The department may require that a community-based service where the patient resides admit the person for inpatient care, treatment and rehabilitation pursuant to an affiliation agreement and contract with the department.

3. The parent or legal custodian who applied for the admission of the minor shall have the right to authorize his evaluation, care, treatment and rehabilitation and the right to refuse permission to medicate the minor; except that medication may be given in emergency situations.

4. The parent or legal custodian may request a peace officer to take a minor into custody and transport him to the mental health facility for evaluation if the parent or legal custodian applies for such evaluation under subsection 1 of this section.

632.115. The head of a private mental health facility may, and the head of a public mental health facility shall, except in the case of medical emergency and subject to the availability of suitable programs and accommodations, admit any minor who has symptoms of mental disorder other than [mental retardation or] developmental disability, who is under the jurisdiction of a juvenile court and who is committed to a facility not operated by the state of Missouri under section 211.181 or to the custody of the director pursuant to sections 211.201 to 211.207 for assignment by the director to an appropriate facility.

632.120. 1. The head of a private mental health facility may, and the head of a department facility shall, except in the case of a medical emergency and subject to the availability of suitable programs and accommodations, accept for evaluation and treatment, on an outpatient basis if practicable, any person who has been declared incapacitated by a court of competent jurisdiction and for whom an application for voluntary admission is made by his guardian. The department may require that a community-based service where the person resides perform the evaluation pursuant to an affiliation agreement and contract with the department.

2. If the person is diagnosed as having a mental disorder, other than [mental retardation or] developmental disability without another accompanying mental disorder, and the person is found suitable for inpatient treatment as a result of the evaluation, the person may be admitted by a private mental health facility or shall be admitted by a public mental health facility, if suitable accommodations are available, for care, treatment and rehabilitation as an inpatient for up to thirty days after admission for evaluation and treatment.

3. If further inpatient services are recommended, the person may remain in the facility only if his guardian is authorized by the court to continue the inpatient hospitalization. The court may authorize the guardian to consent to evaluation, care, treatment, including medication, and rehabilitation on an inpatient basis.

632.370. 1. The department may transfer, or authorize the transfer of, an involuntary patient detained under this chapter, chapter 211, chapter 475, or chapter 552 from one mental health program to another if the department determines that it would be consistent with the medical needs of the patient to do so. If a minor is transferred from a ward for minors to an adult ward, the department shall conduct a due process hearing within six days of such transfer during which hearing the head of the program shall have the burden to show that the transfer is appropriate for the medical needs of the minor. Whenever a patient is transferred, written notice thereof shall be given after obtaining the consent of the patient, his parent if he is a minor or his legal guardian to his legal guardian, parents and spouse, or, if none be known, his nearest known relative or friend. In all such transfers, due consideration shall be given to the relationship of the patient to his family, legal guardian or friends, so as to maintain relationships and encourage visits beneficial to the patient. The head of the mental health program shall notify the court ordering detention or commitment, the patient's last known attorney of record and the mental health coordinator for the region, and if the person was committed pursuant to chapter 552, to the prosecuting attorney of the jurisdiction where the person was tried and acquitted, of any transfer from one mental health facility to another. The prosecutor of the jurisdiction where the person was tried and acquitted shall use their best efforts to notify the victims of dangerous felonies. Notification by the appropriate person or agency by certified mail to the most current address provided by the victim shall constitute compliance with the victim notification requirement of this section. In the case of a patient committed under chapter 211, the court, on its own motion, may hold a hearing on the transfer to determine whether such transfer is appropriate to the medical needs of the patient.

2. Upon receipt of a certificate of an agency of the United States that facilities are available for the care or treatment of any individual heretofore ordered involuntarily detained, treated and evaluated pursuant to this chapter in any facility for the care or treatment of the mentally ill, [mentally retarded or] developmentally disabled and that such individual is eligible for care or treatment in a hospital or institution of such agency, the department may cause his transfer to such agency of the United States for hospitalization. Upon effecting any such transfer, the court ordering hospitalization, the legal guardian, spouse and parents, or, if none be known, his nearest known relative or friend shall be notified thereof immediately by the department. No person shall be transferred to an agency of the United States if he is confined pursuant to a conviction for any felony or misdemeanor or if he has been acquitted of any felony or misdemeanor solely on the ground of mental illness, unless prior to transfer the court originally ordering confinement



of such person enters an order for the transfer after appropriate motion and hearing. Any person transferred to an agency of the United States shall be deemed to be hospitalized by such agency pursuant to the original order of hospitalization.

632.380. Persons who are [mentally retarded,] developmentally disabled, senile or impaired by alcoholism or drug abuse shall not be detained judicially under this chapter, unless they are also mentally ill and as a result present likelihood of serious harm to themselves or to others. Such persons may, however, be committed upon court order under this chapter and the provisions of chapter 475 relating to incapacitated persons, pursuant to chapter 211 relating to juveniles, or may be admitted as voluntary patients under section 632.105 or 632.120.

633.005. As used in this chapter, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Comprehensive evaluation", a study, including a sequence of observations and examinations, of an individual leading to conclusions and recommendations formulated jointly by an interdisciplinary team of persons with special training and experience in the diagnosis and habilitation of the [mentally retarded and] developmentally disabled;

(2) "Division", the division of [mental retardation and] developmental disabilities of the department of mental health;

(3) "Division director", the director of the division of [mental retardation and] developmental disabilities of the department of mental health, or his designee;

(4) "Group home", a residential facility serving nine or fewer residents, similar in appearance to a single-family dwelling and providing basic health supervision, habilitation training in skills of daily and independent living and community integration, and social support. Group homes do not include a family living arrangement or individualized supported living;

(5) "[Mental retardation] **Developmental disability** facility", a private or department facility, other than a regional center, which admits persons who are [mentally retarded or] developmentally disabled for residential habilitation and other services and which is qualified or licensed as such by the department pursuant to chapter 630. Such terms shall include, but shall not be limited to, habilitation centers and private or public residential facilities for persons who are developmentally disabled;

(6) "Regional center", an entity so designated by the department to provide, directly or indirectly, for comprehensive [mental retardation and] developmental disability services under this chapter in a particular region;

(7) "Respite care", temporary and short-term residential care, sustenance and supervision of a [mentally retarded or] developmentally disabled person who otherwise resides in a family home;

(8) "State advisory council", the Missouri advisory council on [mental retardation and] developmental disabilities as created in section 633.020.

633.010. 1. The division of [mental retardation and] developmental disabilities, created by the omnibus reorganization act of 1974, section 9, appendix B, RSMo, shall be a division of the department. The division shall have the responsibility of insuring that [mental retardation and] developmental disabilities prevention, evaluation, care, habilitation and rehabilitation services are accessible, wherever possible. The division shall have and exercise supervision of division residential facilities, day programs and other specialized services operated by the department, and oversight over facilities, programs and services funded or licensed by the department.

2. The powers, functions and duties of the division shall include the following:

(1) Provision of funds for the planning and implementation of accessible programs to serve persons affected by [mental retardation or] developmental disabilities;

(2) Review of [mental retardation and] developmental disabilities plans submitted to receive state and federal funds allocated by the department;

(3) Provision of technical assistance and training to community-based programs to assist in the planning and implementation of quality services;

(4) Assurance of program quality in compliance with such appropriate standards as may be established by the department;

(5) Sponsorship and encouragement of research into the causes, effects, prevention, habilitation and rehabilitation of [mental retardation and] developmental disabilities;

(6) Provision of public information relating to [mental retardation and] developmental disabilities and their habilitation;

(7) Cooperation with nonstate governmental agencies and the private sector in establishing, conducting, integrating and coordinating [mental retardation and] developmental disabilities programs and projects;

(8) Cooperation with other state agencies to encourage appropriate health facilities to serve, without discrimination, persons who are [mentally retarded or] developmentally disabled who require medical care and to provide them with adequate and appropriate services;

(9) Participation in developing and implementing a statewide plan to alleviate problems relating to [mental retardation and] developmental disabilities and to overcome the barriers to their solutions;

(10) Encouragement of coordination of division services with other divisions of the department and other state agencies;

(11) Encouragement of the utilization, support, assistance and dedication of volunteers to assist persons affected by [mental retardation and] developmental disabilities to be accepted and integrated into normal community activities;

(12) Evaluation, or the requirement of the evaluation, including the collection of appropriate necessary information, of [mental retardation or] developmental disabilities programs to determine their cost-and-benefit effectiveness;

(13) Participation in developing standards for residential facilities, day programs and specialized services operated, funded or licensed by the department for persons affected by [mental retardation or] developmental disabilities.

633.020. 1. The "Missouri Advisory Council on [Mental Retardation and] Developmental Disabilities", consisting of up to twenty-five members, the number to be determined under the council bylaws, is hereby created to advise the division and the division director.

2. The members of the Missouri planning council for developmental disabilities, created by executive order of the governor on October 26, 1979, for the remainder of their appointed terms, and up to five persons to be appointed by the director, for staggered terms of three years each, shall act as such advisory body. At the expiration of the term of each member, the director shall appoint an individual who shall hold office for a term of three years. At least one-half of the members shall be consumers. Other members shall have professional, research or personal interest in [mental retardation and] developmental disabilities. At least one member shall be a manager of or a member of the board of directors of a sheltered workshop as defined in section 178.900. No more than one-fourth of the members shall be vendors or members of boards of directors, employees or officers of vendors, or any of their spouses, if such vendors receive more than fifteen hundred dollars under contract with the department; except that members of boards of directors of not-for-profit corporations shall not be considered members of board of directors of vendors under this subsection.

3. Meetings shall be held at least every ninety days or at the call of the division director or the council chairman, who shall be elected by the council.

4. Each member shall be reimbursed for reasonable and necessary expenses, including travel expenses, pursuant to department travel regulations, actually incurred in the performance of his official duties.

5. The council may be divided into subcouncils in accordance with its bylaws.

6. The council shall collaborate with the department in developing and administering a state plan for [mental retardation and] developmental disabilities services.

7. No member of a state advisory council may participate in or seek to influence a decision or vote of the council if the member would be directly involved with the matter or if he would derive income from it. A violation of the prohibition contained herein shall be grounds for a person to be removed as a member of the council by the director.

8. The council shall be advisory and shall:

(1) Promote meetings and programs for the discussion of reducing the debilitating effects of [mental retardation and] developmental disabilities and disseminate information in cooperation with any other department, agency or entity on the prevention, evaluation, care, treatment and habilitation for persons affected by [mental retardation or] developmental disabilities;

(2) Study and review current prevention, evaluation, care, treatment and rehabilitation technologies and recommend appropriate preparation, training, retraining and distribution of manpower and resources in the provision of services to [mentally retarded or] developmentally disabled persons through private and public residential facilities, day programs and other specialized services;

(3) Recommend what specific methods, means and procedures should be adopted to improve and upgrade the department's [mental retardation and] developmental disabilities service delivery system for citizens of this state;

(4) Participate in developing and disseminating criteria and standards to qualify [mental retardation or] developmental disability residential facilities, day programs and other specialized services in this state for funding or licensing, or both, by the department.

633.029. All persons determined eligible for services provided by the division of [mental retardation and] developmental disabilities prior to January 1, 1991, shall be eligible for services on the basis of their earlier determination of eligibility without regard to their eligibility status under the definition of developmental disability contained in section 630.005.

633.030. 1. The department shall prepare a state plan to secure coordinated [mental retardation and] developmental disabilities habilitation services accessible to persons in need of them in defined geographic areas, which plan shall be reviewed and revised annually.

2. The state plan shall include, but not be limited to, the following:

(1) A needs-assessment of the state to determine underserved, unserved and inappropriately served populations and areas;

(2) Statements of short-term and long-term goals for meeting the needs of currently served, underserved, unserved or inappropriately served populations and areas of the state;

(3) An inventory of existing private and public residential facilities, day programs and other service providers offering [mental retardation or] developmental disability evaluation and habilitation services;

(4) Evaluations of the effects of habilitation programs;

(5) Descriptions of the following:

(a) Methods for assuring active consumer-oriented citizen participation throughout the system;

(b) Strategies and procedures for encouraging, coordinating and integrating community-based services, wherever practicable, to avoid duplication by private, not-for-profit and public state and community-based providers of services;

(c) Methods for monitoring the quality of evaluation and habilitation services funded by the state;

(d) Rules which set standards for construction, staffing, operations and programs, as appropriate, for any public or private entity to meet for receiving state licensing, certification or funding; and

(e) Plans for addressing the particular [mental retardation and] developmental disability service needs of each region, including special strategies for rural and urban unserved, underserved or inappropriately served populations in areas of the state.

3. In preparing the state plan, the department shall take into consideration its regional plans.

633.045. 1. Any regional advisory councils established under section 633.040 shall participate in the preparation of regional plans and annually review, advise on and recommend them before they are transmitted to the state advisory council and the division director. The plans shall include at least the following:

(1) An inventory of existing residential facilities, day programs and specialized services for the [mentally retarded and] developmentally disabled;

(2) An assessment of needs, including any special target populations, of unserved, underserved or inappropriately served persons;

(3) A statement of specific goals for the region.

2. Any staff of such regional advisory councils shall be provided only from funds appropriated specifically for that purpose. This subsection shall become effective July 1, 1981.

633.050. 1. In addition to such other advisory functions as may be agreed upon with the division, the regional advisory councils shall review and advise on programs and policies of the regional centers. The councils shall review, advise on, and recommend regional program budgets and shall report to the division director their findings as to their conformity with the regional plans before they are transmitted to the department to be considered for inclusion in the department budget request.

2. The regional councils may advise the department, the division and the regional centers on methods of operation and service delivery which will assure comprehensive services with the minimum amount of duplication, fragmentation and unnecessary expenditures. In making such proposals, the councils shall consider the most appropriate use of existing agencies and professional personnel providing residential facilities, day programs and other specialized services for the [mentally retarded and] developmentally disabled in their regions.

3. The duties of the regional advisory councils shall include:

(1) Determining the disbursement of the cash stipend as established in section 633.180 and the family support loan as established in section 633.185;

(2) Providing direction and assistance to the regional center in the development of a family support plan based upon the needs in the region;

(3) Approval of the regional family support plan;

- (4) Monitoring the implementation of the family support plan;
- (5) Providing an annual written report to the department of mental health regarding the activities of the family support council.

633.110. 1. Any person suspected to be [mentally retarded or] developmentally disabled shall be eligible for initial diagnostic and counseling services through the regional centers.

2. If it is determined by a regional center through a comprehensive evaluation that a person is [mentally retarded or] developmentally disabled so as to require the provision of services, and if such person, such person's parent, if the person is a minor, or legal guardian, requests that he be registered as a client of a regional center, the regional center shall, within the limits of available resources, secure a comprehensive program of any necessary services for such person. Such services may include, but need not be limited to, the following:

- (1) Diagnosis and evaluation;
- (2) Counseling;
- (3) Respite care;
- (4) Recreation;
- (5) Habilitation;
- (6) Training;
- (7) Vocational habilitation;
- (8) Residential care;
- (9) Homemaker services;
- (10) Developmental day care;
- (11) Sheltered workshops;
- (12) Referral to appropriate services;
- (13) Placement;
- (14) Transportation.

3. In securing the comprehensive program of services, the regional centers shall involve the client, his family or his legal guardian in decisions affecting his care, habilitation, placement or referral. Nothing in this chapter shall be construed as authorizing the care, treatment, habilitation, referral or placement of any [mentally retarded or] developmentally disabled person to any residential facility, day program or other specialized service without the written consent of the client, his parent, if he is a minor, or his legal guardian, unless such care, treatment, habilitation, referral, or placement is authorized pursuant to an order of the court under the provisions of chapter 475.

633.115. The regional center shall secure services for its clients in the least restrictive environment consistent with individualized habilitation plans. As a result of its comprehensive evaluation, the regional center shall utilize the following entities to secure services:

- (1) Agencies serving persons not diagnosed as [mentally retarded or] developmentally disabled in which the client would be eligible to receive available services or in which the services could be made available to the client through the purchase of assistive or supportive services;
- (2) Agencies serving [mentally retarded or] developmentally disabled persons in which the client would be eligible to receive available services or in which services could be made available to the client through the purchase of assistive or supportive services;
- (3) The regional center on a day-program basis;
- (4) The regional center for short-term residential services, not to exceed six months, unless expressly authorized for a longer period by the division director;
- (5) A residential facility licensed through the department placement program, but not operated by the department;
- (6) A [mental retardation] **developmental disability** facility operated by the department for clients who are developmentally disabled [or mentally retarded].

633.120. 1. A regional center may refer a client for admission to a [mental retardation] **developmental disability** facility only if determined by a comprehensive evaluation that:

- (1) The person has a developmental disability;
- (2) Protective services are required to guarantee the health, safety or mental well-being of the person;
- (3) Placement in a [mental retardation] **developmental disability** facility is in the best interests of the person;

and

(4) All other less restrictive services, including but not limited to family support and supported living, have been explored and found inadequate to prevent placement in a [mental retardation] **developmental disability** facility.

2. The regional center shall forward its comprehensive evaluation containing the determination under subsection 1 of this section and such other records as are necessary to enable the [mental retardation] **developmental disability** facility to determine whether to accept or reject the referral.

3. The head of a private [mental retardation] **developmental disability** facility may, and the head of a department [mental retardation] **developmental disability** facility shall, admit the person if, as a result of reviewing the evaluation, the head of the [mental retardation] **developmental disability** facility determines that the client is appropriate for admission as a resident and suitable accommodations are available. If the head of a department [mental retardation] **developmental disability** facility rejects the referral, the regional center may appeal the rejection to the division director. After consulting with the head of the referring regional center and the head of the department [mental retardation] **developmental disability** facility, the division director shall determine the appropriate disposition of the client.

4. The person to be admitted, if competent, his parent or legal custodian, if he is a minor, or his guardian, as authorized by a court, shall consent to the admission unless otherwise ordered by a court.

5. The head of a [mental retardation] **developmental disability** facility shall have an individualized habilitation plan for each resident within thirty days of the resident's admission. Such plan shall include a statement regarding the resident's anticipated length of stay in the facility and the feasibility of least restrictive alternatives.

6. If procedures are initiated under chapter 475 for the appointment of a guardian for a resident of a department [mental retardation] **developmental disability** facility, the referral procedure under this section shall not apply.

633.125. 1. A resident admitted to a [mental retardation] **developmental disability** facility pursuant to section 633.120 shall be discharged immediately when the person who applied for his admission requests the release orally, in writing or otherwise from the head of the [mental retardation] **developmental disability** facility; except, that if the head of the [mental retardation] **developmental disability** facility regards the resident as presenting a likelihood of serious harm to himself or others, the head of the facility may initiate involuntary detention procedures pursuant to chapter 632, if appropriate, or any individual, including the head of the facility or the mental health coordinator may initiate guardianship proceedings and, if appropriate, obtain an emergency commitment order pursuant to chapter 475.

2. A resident shall be discharged from a department [mental retardation] **developmental disability** facility if it is determined in a comprehensive evaluation or periodic review that the person is not [mentally retarded or] developmentally disabled, and if the resident, parent, if a minor, or guardian consents to the discharge. If consent is not obtained, the head of the facility shall initiate appeal proceedings under section 633.135, before a resident can be discharged.

3. A resident shall either be discharged from a department [mental retardation] **developmental disability** facility or shall be referred to a regional center for placement in a least restrictive environment pursuant to section 630.610, if it is determined in a comprehensive evaluation or periodic review that the following criteria exist:

(1) The resident's condition is not of such a nature that for the protection or adequate care of the resident or others the resident needs department residential habilitation or other services;

(2) The [mental retardation] **developmental disability** facility does not offer a program which best meets the resident's needs; or

(3) The [mental retardation] **developmental disability** facility does not provide the least restrictive environment feasible. A resident may not be discharged without his consent or the consent of his parent, if he is a minor, or guardian unless proceedings have been completed under section 633.135.

4. After a resident's discharge pursuant to subsection 3 of this section, the resident shall be referred to an appropriate regional center for assistance in obtaining any necessary services.

633.130. 1. At least once every one hundred eighty days, the head of each [mental retardation] **developmental disability** facility shall cause the condition and status of each resident to be reviewed and evaluated for the purpose of determining whether the resident needs further residential habilitation, placement in the least restrictive environment or discharge.

2. The head of the facility shall initiate proceedings to discharge any resident whose continued residential habilitation is no longer appropriate; except, that the head of the facility may refer the resident to the appropriate regional center for placement pursuant to section 630.610.

3. A copy of the evaluation and individualized habilitation plan shall be sent to any court having jurisdiction over the resident.

633.135. 1. If a resident, or his parent if he is a minor, or his legal guardian refuses to consent to the proposed placement or to discharge from the facility, the head of the [mental retardation] **developmental disability** facility may petition the director of the division to determine whether the proposed placement is appropriate under sections 630.610, 630.615 and 630.620 or whether the proposed discharge is appropriate under sections 633.120, 633.125 and 633.130.

2. The division director shall refer the petition to the chairman of the state advisory council who shall appoint and convene a review panel composed of three members. At least one member of the panel shall be a parent or guardian of a resident who resides in a department [mental retardation] **developmental disability** facility. The remaining members of the panel shall be persons who are from nongovernmental organizations or groups concerned with the prevention of [mental retardation] **developmental disability**, evaluation, care and habilitation of [mentally retarded] **developmentally disabled** persons and who are familiar with services and service needs of [mentally retarded] **developmentally disabled** persons in facilities operated by the department. No member of the panel shall be an officer or employee of the department.

3. After prompt notice and hearing, the panel shall determine whether the proposed placement is appropriate under sections 630.610, 630.615 and 630.620 or whether the proposed discharge is appropriate under sections 633.120, 633.125 and 633.130. The hearing shall be electronically recorded for purposes of obtaining a transcript. The council shall forward the tape recording, recommended findings of fact, conclusions of law and decision to the director who shall enter findings of fact, conclusions of law and the final decision. Notice of the director's decision shall be sent to the resident, or his parent if he is a minor, or his guardian, by registered mail, return receipt requested. The director shall expedite this review in all respects.

4. If the resident, or his parent if he is a minor, or his guardian disagrees with the decision of the director, he may appeal the decision, within thirty days after notice of the decision is sent, to the circuit court of the county where the resident, or his parent if he is a minor, or his guardian resides. The court shall review the record, proceedings and decision of the director not only under the provisions of chapter 536, but also as to whether or not the head of the facility sustained his burden of proof that the proposed placement is appropriate under sections 630.110, 630.115 and 630.120, or the proposed discharge is appropriate under sections 633.120, 633.125 and 633.130. The court shall expedite this review in all respects. Notwithstanding the provisions of section 536.140, a court may, for good cause shown, hear and consider additional competent and material evidence.

5. Any resident of a [mental retardation] **developmental disability** facility who is age eighteen or older and who does not have a legal guardian shall not be discharged unless probate division of the circuit court approval is obtained to confirm that the resident is not in need of the care, treatment or programs now being received in the [mental retardation] **developmental disability** facility.

6. The notice and procedure for the hearing by the panel shall be in accordance with chapter 536.

7. In all proceedings either before the panel or before the circuit court, the burden of proof shall be upon the head of the facility to demonstrate by preponderance of evidence that the proposed placement is appropriate under the criteria set forth in sections 630.610, 630.615, and 630.120, or that the proposed discharge is appropriate under the criteria set forth in sections 633.120, 633.125 and 633.130.

8. Pending a convening of the hearing panel and the final decision of the director or the court, if the director's decision is appealed, the department shall not place or discharge the resident from a facility except that the department may temporarily transfer such resident in the case of a medical emergency.

9. There shall be no disciplinary action against any state employee who in good faith testifies or otherwise provides information or evidence in regard to a proposed placement or discharge.

633.140. 1. If any resident leaves a [mental retardation] **developmental disability** facility without authorization, the sheriff of the county where the resident is found shall apprehend and return him to the center if requested to do so by the head of the facility.

2. The head of the facility may request the return of an absent resident pursuant to subsection 1 of this section only when one of the following circumstances exists:

(1) The resident is a minor whose admission was applied for by his parent or legal custodian, and such parent or guardian has not requested the resident's release;

(2) The resident is a minor under the jurisdiction of the juvenile court;

(3) The resident has been declared legally incapacitated and his guardian has not requested his release; or

(4) The resident's condition is of such a nature that, for the protection of the resident or others, the head of the facility determines that the resident's return to the facility is necessary. Such determination shall be noted in the resident's records.

633.145. 1. The department may transfer a resident from one department [mental retardation] **developmental disability** facility to another if the division director determines that such transfer is desirable to provide the resident improved habilitation or other services, to better insure his safety and welfare, or to locate him in closer proximity to his family and friends.

2. Transfers may only be made to a private [mental retardation] **developmental disability** facility pursuant to section 630.610.

3. Determinations by the division director pursuant to this section shall be written and noted in the resident's records. The division director shall notify the resident, his guardian or next of kin of such determination.

The department shall not transfer any resident unless it receives the consent of the resident, his guardian or his parent, if the resident is a minor.

633.150. The head of a [mental retardation] **developmental disability** facility may transfer a resident to a mental health facility only under the provisions of chapter 632. The director shall order that such resident be returned to the [mental retardation] **developmental disability** facility when the resident is no longer in need of psychiatric care and treatment.

633.155. 1. The division may provide or obtain respite care for a [mentally retarded] **developmentally disabled** or developmentally disabled person for respite care of up to twenty-one days which may be extended up to an additional twenty-one days for good cause shown. Any additional respite care beyond forty-two days within a one-year period shall be expressly approved by the director of the division.

2. Notwithstanding the provisions of section 633.120 and section 475.120, a regional center may admit a [mentally retarded] **developmentally disabled** or developmentally disabled person who has been declared legally incapacitated for respite care without a court order authorizing the guardian of such person to obtain such care of up to twenty-one days for good cause shown.

633.160. If a person presents himself, or is presented, to a regional center or department [mental retardation] **developmental disability** facility and is determined to be [mentally retarded or] developmentally disabled and, as a result, presents an imminent likelihood of serious harm to himself or others as defined in chapter 632, the regional center or [mental retardation] **developmental disability** facility may accept the person for detention for evaluation and treatment for a period not to exceed ninety-six hours under the same procedures contained in chapter 632. The head of the regional center or [mental retardation] **developmental disability** facility may initiate guardianship proceedings to have the person detained beyond the ninety-six hours under chapter 475, or may refer the person to a mental health facility, if the person is mentally ill, for further detention under the procedures in chapter 632.

633.180. 1. A family with an annual income of sixty thousand dollars or less which has a child with a developmental disability residing in the family home shall be eligible to apply for a cash stipend from the division of [mental retardation and] developmental disabilities in an amount to be determined by the regional advisory council. Such cash stipend amount shall not exceed the maximum monthly federal Supplemental Security Income payment for an individual with a developmental disability who resides alone. Such stipend shall be paid on a monthly basis and shall be considered a benefit and not income to the family. The stipend shall be used to purchase goods and services for the benefit of the family member with a developmental disability. Such goods and services may include, but are not limited to:

- (1) Respite care;
- (2) Personal and attendant care;
- (3) Architectural and vehicular modifications;
- (4) Health- and mental health-related costs not otherwise covered;
- (5) Equipment and supplies;
- (6) Specialized nutrition and clothing;
- (7) Homemaker services;
- (8) Transportation;
- (9) Integrated community activities;
- (10) Training and technical assistance; and
- (11) Individual, family and group counseling.

2. Application for such stipend shall be made to the appropriate regional center. The regional center shall determine the eligibility of the individual to receive services from the division and the division shall forward the

application to the regional advisory council to determine the amount of the stipend which may be approved by the council.

3. The family support program shall be funded by moneys appropriated by the general assembly; however, the family support program shall not supplant other programs funded through the division of [mental retardation and] developmental disabilities.

633.185. 1. The division of [mental retardation and] developmental disabilities, subject to appropriation by the general assembly, is authorized to implement and administer, as part of the family support program, a family support loan program, which shall provide a family with an annual income of sixty thousand dollars or less which has an individual with a developmental disability residing in the home, with low-interest, short-term loans to purchase goods and services for the family member with a developmental disability.

2. Interest rates on loans made pursuant to the provisions of this section shall be no more than one percent above the prime interest rate as determined by the federal reserve system on the date the loan is approved. Loans may be for a maximum period of sixty months and the outstanding loan amount to any family may be no more than ten thousand dollars.

3. Applications for loans shall be made to the appropriate regional center. The regional center shall determine the eligibility of the individual to receive services from the division and the division shall forward the application to the regional advisory council to determine the amount of the loan which may be approved by the council.

4. There is hereby created in the state treasury for use by the department of mental health a fund to be known as the "Family Support Loan Program Fund". Moneys deposited in the fund shall be appropriated to the director of the department of mental health to be used for loans pursuant to this section. The fund shall consist of moneys appropriated by the general assembly for starting the fund and money otherwise deposited according to law. Any unexpended balance in the fund at the end of any biennium, not to exceed twice the annual loans made pursuant to this act in the previous fiscal year, is exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the ordinary revenue fund.

633.190. 1. The division of [mental retardation and] developmental disabilities, in cooperation with the Missouri planning council for developmental disabilities, shall adopt policies and procedures and, when necessary, shall promulgate rules and regulations regarding:

- (1) Program guidelines and specifications;
- (2) Additional duties of the regional advisory councils;
- (3) Annual evaluation of services provided by each regional center, including an assessment of consumer satisfaction;
- (4) Coordination of the family support program and the use of its funds throughout the state and within each region, with other publicly funded programs, including Medicaid;
- (5) Methodology for allocating resources to families with the funds available;
- (6) Resolution of grievances filed by families pertaining to actions of the family support program;
- (7) Methodology for outreach and education.

2. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

633.210. 1. There is hereby established in the department of mental health within the division of [mental retardation and] developmental disabilities, an "Office of Autism Services". The office of autism services, under the supervision of the director of the division of [mental retardation and] developmental disabilities, shall provide leadership in program development for children and adults with autism spectrum disorders, to include establishment of program standards and coordination of program capacity.

2. For purposes of this section, the term "autism spectrum disorder" shall be defined as in standard diagnostic criteria for pervasive developmental disorder, to include: autistic disorder; Asperger's syndrome; pervasive developmental disorder-not otherwise specified; childhood disintegrative disorder; and Rett's syndrome.

633.300. 1. All group homes and [mental retardation] **developmental disability** facilities as defined in section 633.005 shall be subject to all applicable federal and state laws, regulations, and monitoring, including but not limited to sections 630.705 to 630.805.

2. All mental health workers, as defined in subdivision (8) of section 210.900, shall be subject to the same training requirements established for state mental health workers with comparable positions in public group homes and mental health facilities. Such required training shall be paid for by the employer.



3. Group homes and [mental retardation] **developmental disability** facilities shall be subject to the same medical errors reporting requirements of other mental health facilities and group homes.

4. The department shall promulgate rules or amend existing rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

633.303. Any employee, including supervisory personnel, of a group home or [mental retardation] **developmental disability** facility who has been placed on the disqualification registry pursuant to section 630.170 shall be terminated. Such requirements shall be specified in contracts between the department and providers pursuant to this section.

633.309. The department of mental health shall not transfer any person to any group home or [mental retardation] **developmental disability** facility that has received a notice of noncompliance, until there is an approved plan of correction pursuant to sections 630.745 and 630.750.

660.405. 1. The provisions of sections 199.025 and 660.403 to 660.420 shall not apply to the following:

(1) Any adult day care program operated by a person in which care is offered for no more than two hours per day;

(2) Any adult day care program maintained or operated by the federal government except where care is provided through a management contract;

(3) Any person who cares solely for persons related to the provider or who has been designated as guardian of that person;

(4) Any adult day care program which cares for no more than four persons unrelated to the provider;

(5) Any adult day care program licensed by the department of mental health under chapter 630 which provides care, treatment and habilitation exclusively to adults who have a primary diagnosis of mental disorder, mental illness, [mental retardation or] developmental disability as defined;

(6) Any adult day care program administered or maintained by a religious not-for-profit organization serving a social or religious function if the adult day care program does not hold itself out as providing the prescription or usage of physical or medical therapeutic activities or as providing or administering medicines or drugs.

2. Nothing in this section shall prohibit any person listed in subsection 1 of this section from applying for a license or receiving a license if the adult day care program owned or operated by such person conforms to the provisions of sections 199.025 and 660.403 to 660.420 and all applicable rules promulgated pursuant thereto.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Montecillo, **House Amendment No. 5** was adopted.

On motion of Representative Frederick, **HCS HB 579, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 579, as amended**, was ordered perfected and printed.

**HCS HB 664**, relating to the St. Louis Firemen's Retirement System, was taken up by Representative Leara.

Representative Hinson offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 664, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"87.005. 1. Notwithstanding the provisions of any law to the contrary, after five years' service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. This section shall apply only to the provisions of chapter 87, RSMo 1959.

3. As used in this section, the term "**infectious disease**" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome.

87.006. 1. Notwithstanding the provisions of any law to the contrary, and only for the purpose of computing retirement benefits provided by an established retirement plan, after five years' service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. Any condition of cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, breast, testicular, genitourinary, liver or prostate systems, as well as any condition of cancer which may result from exposure to heat or radiation or to a known or suspected carcinogen as determined by the International Agency for Research on Cancer, which results in the total or partial disability or death to a uniformed member of a paid fire department who successfully passed a physical examination within five years prior to the time a claim is made for disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty unless the contrary be shown by competent evidence and it can be proven to a reasonable degree of medical certainty that the condition did not result nor was contributed to by the voluntary use of tobacco.

3. This section shall apply to paid members of all fire departments of all counties, cities, towns, fire districts, and other governmental units.

4. As used in this section, the term "**infectious disease**" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

On motion of Representative Leara, **HCS HB 664, as amended**, was adopted.

On motion of Representative Leara, **HCS HB 664, as amended**, was ordered perfected and printed.

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SCS SB 100** - Economic Development

**SS SB 202** - Workforce Development and Workplace Safety

**SCS SB 300** - General Laws

**SB 325** - Professional Registration and Licensing

### **COMMITTEE REPORT**

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 504, HB 505** and **HB 874**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 108**, entitled:

An act to repeal sections 130.031 and 130.036, RSMo, and to enact in lieu thereof two new sections relating to campaign finance, with an existing penalty provision.

With Senate Committee Amendment No. 1 and Senate Amendment No. 1.

#### *Senate Committee Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 108, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"115.305. **With the exception of section 115.342**, this subchapter shall not apply to candidates for special district offices, township offices in township organization counties, or city, town and village offices; provided that, cities of the fourth class, except those in a county of the first class with a charter form of government and which adjoins a city not within a county, may elect, only by ordinance, to hold primary elections in accordance with the provisions of sections 115.305 to 115.405 or in accordance with the provisions of sections 78.470, 78.480 and 78.510, and the ordinance shall state which of these provisions of law are being adopted.

115.342. 1. Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, **city taxes, municipal user fees**, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

2. Each potential candidate for election to a public office shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form: "AFFIRMATION OF TAX PAYMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, **city taxes, municipal user fees**, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute.

..... Candidate's Signature ..... Printed Name of Candidate."

3. Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, **city taxes, municipal user fees**, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The department shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint."; and

Further amend said bill, Page 7, Section 130.036, Line 63, by inserting immediately after said line the following:

"[115.346. Notwithstanding any other provisions of law to the contrary, no person shall be certified as a candidate for a municipal office, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid city taxes or municipal user fees on the last day to file a declaration of candidacy for the office.]"'; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 108, Page 5, Section 130.031, Lines 143-145, by striking all of said lines and inserting in lieu thereof, the following:

"**advertising, and other similar items from a political action committee.**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 182**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 307 & HB 812**, entitled:

An act to amend chapter 301, RSMo, by adding thereto four new sections relating to special license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 354**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 388**, entitled:

An act to repeal section 376.1250, RSMo, and to enact in lieu thereof one new section relating to patient information provided in advance of certain surgical procedures.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 557**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 631**, entitled:

An act to amend chapter 143, RSMo, by adding thereto two new sections relating to designation of tax refunds to certain funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 749**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 795**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813**, entitled:

An act to repeal section 227.297, RSMo, and to enact in lieu thereof eight new sections relating to the designation of the highway infrastructure system.

In which the concurrence of the House is respectfully requested.

## **COMMITTEE APPOINTMENT**

April 19, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Mike Cierpiot as chairman of the Transportation Funding and Public Institutions Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

## **LETTER OF RESIGNATION**

April 19, 2011

The Honorable Steven Tilley  
Office of the Speaker  
201 W. Capitol Ave., Room 308  
Jefferson City, MO 65101

Dear Mr. Speaker:

Pursuant to my recent election to the position of St. Louis County Assessor, please accept my resignation as State Representative of the 83<sup>rd</sup> District, effective at 11:59 p.m. on April 19, 2011.

It has been a pleasure to join you in serving our fellow Missourians. I wish you and all of my House colleagues the best in your continued public service.

Sincerely,

/s/ Jake Zimmerman  
State Representative  
District 83

## **ADJOURNMENT**

On motion of Representative Silvey, the House adjourned until 10:00 a.m., Wednesday, April 20, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, April 21, 2011, 8:00 AM House Hearing Room 4.  
Executive session may be held on any matter referred to the committee.  
Work session on omnibus bill.

### **BUDGET**

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 3.  
Public hearing will be held: SB 322, HB 774  
Executive session will be held: SB 322, HB 774  
Executive session may be held on any matter referred to the committee.  
Review of Tax Credits - Public Hearing.

**AMENDED**

#### BUDGET

Thursday, April 21, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Review of Tax Credits - Public Hearing.

#### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 20, 2011, 12:00 PM House Hearing Room 4.  
Public hearing will be held: HB 913  
Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 6.  
Public hearing will be held: SCS SB 54, SCS SB 81, SB 147, HB 752  
Executive session may be held on any matter referred to the committee.

#### ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 21, 2011, 8:00 AM House Hearing Room 7.  
Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Thursday, April 21, 2011, 8:30 AM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
All bills referred to the committee.

#### HEALTH CARE POLICY

Wednesday, April 20, 2011, House Hearing Room 6 upon morning recess or 12:00 PM.  
Public hearing will be held: SCS SB 177, SS SCS SB 65, HR 1826  
Executive session will be held: SS#2 SCS SB 62  
Executive session may be held on any matter referred to the committee.

#### INSURANCE POLICY

Thursday, April 21, 2011, 9:15 AM South Gallery.  
Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 20, 2011, House Hearing Room 7, 5:00 PM or upon afternoon adjournment.  
Public hearing will be held: HB 806, HB 973  
Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 20, 2011, 12:00 PM Room 315.  
Lunch.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, April 26, 2011, 11:00 AM House Hearing Room 7.

Highway namings.

License plates.

Director of MoDOT Kevin Keith

JUDICIARY

Wednesday, April 20, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: HB 587, SB 59, SCS SB 60, SS SCS SB 70, SB 116

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 117, HB 288, HB 497, HB 759, HB 907, HB 969, HB 1019

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 20, 2011, House Hearing Room 5,

12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: HB 668, HB 937, SCS SB 29, HB 831

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 21, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, April 20, 2011, House Hearing Room 7 upon morning recess.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, April 20, 2011, House Hearing Room 7 upon morning recess.

Executive session will be held: HJR 15, HCS HJR 16, HCS HB 17, HCS HB 18, HCS HB 21, HCS HB 22, HJR 27, HCR 32, HCR 38, HCR 46, HCS HB 212, HCS HB 552, HCS HB 597, HCS HB 613, HB 686, HCS HB 688, HCS HB 716, HCS HB 732, HB 741, HCS HB 811, HCS HB 893, HB 924, HCS SB 96, HCS SB 97, SB 101, HCS SS SB 135, HCS SB 161, HCS SCS SB 163, HCS SB 173, HCS SB 207, HCS SCS SB 219, HCS SB 220, HCS SB 282, SS SB 306

Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.



**WAYS AND MEANS**

Thursday, April 21, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 891, HB 1023

Executive session will be held: HB 979, HB 885

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, April 20, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 871, HB 845

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 20, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HB 161 - Cox
- 10 HCS HBs 303 & 239 - Davis
- 11 HCS HB 366 - Silvey
- 12 HB 466 - Schoeller
- 13 HCS HB 523 - Molendorp
- 14 HCS HB 643 - May
- 15 HCS HB 773 - Gosen
- 16 HB 138 - Thomson
- 17 HB 491 - Diehl
- 18 HB 364 - Parkinson
- 19 HCS HBs 600, 337 & 413 - Schad
- 20 HCS HB 742 - Wyatt
- 21 HCS HB 787 - Wells

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING**

HB 305, with E.C. pending - Gatschenberger

**SENATE BILLS FOR THIRD READING**

HCS SCS SB 68, E.C. - Diehl

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HBs 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore

**BILLS CARRYING REQUEST MESSAGES**

SS HCS HB 193, (request Senate recede/grant conference) - Diehl

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 20, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*For thus saith the Lord God, in returning and rest shall ye be saved; in quietness and in confidence shall be your strength. (Isaiah 30:15)*

O Almighty God, eternal source of wisdom, power, and love, Whose mercy is over all Your works and Whose will is ever directed to Your children's good - in quietness and in confidence we lift our hearts unto You. In the assurance of your presence we face the responsibilities of this day.

May the brightness and the glory of goodwill dwell in our hearts and may all ill will die. Fill us with kindness, compassion, and understanding - with all those moral qualities which make our life together a happy and enduring experience. May we lead our people away from the treacherous road of deceit, hypocrisy, and pretense and along the pathway of justice, freedom, and peace. Thus, may we follow You all the days of our lives. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Eric Shultz, Brenden Hay and Anna Lillig.

The Journal of the fifty-seventh day was approved as printed.

## SPECIAL RECOGNITION

Dr. Chris Daniels of Chouteau Elementary, North Kansas City School District, was introduced by Representative Berry and recognized as the Missouri 2011 National Distinguished Principal.

Families of Max Starkloff and Jim Tuscher were introduced by Representative Hubbard and presented resolutions.

The McCluer North High School Basketball Team was introduced by Representative Taylor and recognized for attaining the 2011 Class 5A State Championship.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2310 through House Resolution No. 2427

Representative Smith (150) assumed the Chair.

## PERFECTION OF HOUSE BILLS

**HB 466**, relating to payroll deductions for contributions, was taken up by Representative Schoeller.

Representative Schoeller offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 466, Page 2, Section 130.028, Line 38, by inserting immediately after the word “**writing.**” the following:

**“Nothing in this section shall be interpreted as denying a labor organization the right to receive and use dues monies for any legal purpose.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative White offered **House Amendment No. 1 to House Amendment No. 1**.

### *House Amendment No. 1*

*to*

### *House Amendment No. 1*

AMEND House Amendment No. 1 to House Bill No. 466, Page 1, Line 4, by deleting all of said line and insert in lieu thereof the following:

**“annually. Nothing in this section shall be interpreted as denying a labor organization the right to receive”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative White, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer

Leach	Lichtenegger	Loehner	Long	Marshall
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Stream	Thomson
Wells	Weter	White	Wyatt	Mr Speaker

NOES: 061

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Ellinger	Fallert
Grisamore	Harris	Higdon	Hinson	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	Leara	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Silvey
Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webb	Webber	Wieland	Wright
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Conway 27	Funderburk	Hughes	Kander
Lasater	May	Nasheed	Quinn	

VACANCIES: 003

Representative Hummel offered **House Substitute Amendment No. 1 for House Amendment No. 1, as amended.**

**House Substitute Amendment No. 1 for House Amendment No. 1, as amended,** was withdrawn.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig

Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 011

Berry	Brown 50	Diehl	Funderburk	Haefner
Hughes	Kander	May	Nasheed	Quinn
Schad				

VACANCIES: 003

On motion of Representative Schoeller, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Schoeller, **HB 466, as amended**, was ordered perfected and printed.

**HCS HB 366**, relating to technology business facilities, was taken up by Representative Silvey.

Speaker Tilley resumed the Chair.

Representative Nolte offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 366, Page 7, Section 144.810, Line 158, by inserting after all of said section and line the following:

“620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

(1) "Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;

(2) "Average wage", the new payroll divided by the number of new jobs;

(3) "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the approval;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) "Department", the Missouri department of economic development;

(6) "Director", the director of the department of economic development;

(7) "Employee", a person employed by a qualified company;

(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) "High-impact project", a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) **"High-risk metropolitan statistical area", a metropolitan statistical area as identified by the United States Bureau of Census:**

**(a) Which is comprised of two or more states including the state of Missouri which include at least one county with an average household income equal to two hundred percent of the national average household income as determined by the most recent data available from the Bureau of Labor Statistics within the United States Department of Labor as of the date the qualified business submits its notice of intent; and**

**(b) From which at least five businesses have relocated outside of this state in the ten calendar years immediately preceding the date of the notice of intent and resulting in the loss of at least three thousand of such companies' employees from this state;**

(11) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

[(11)] (12) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

[(12)] (13) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

[(13)] (14) "New investment"[:];

**(a) For a qualified company not located within a high-risk metropolitan statistical area, the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;**

**(b) For a qualified company located within a high-risk metropolitan statistical area, funds spent at the project facility after the approval of the notice of intent for real or personal property and which may include the present value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after approval of the notice of intent;**

[(14)] (15) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

[(15)] (16) "New payroll", the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;

[(16)] (17) "Notice of intent", a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company's intent to hire new jobs and request benefits under this program;

[(17)] (18) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

[(18)] (19) "Program", the Missouri quality jobs program provided in sections 620.1875 to 620.1890;

[(19)] (20) "Project facility", the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within fifteen miles of each other or within the same county such that their purpose and operations are interrelated;

[(20)] (21) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

[(21)] (22) "Project facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(22)] (23) "Project period", the time period that the benefits are provided to a qualified company;

[(23)] (24) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.1875 to 620.1890, the term "qualified company" shall not include:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Retail trade establishments (NAICS sectors 44 and 45);
- (c) Food and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy between January 1, 2009, and December 31, 2009, may be a qualified company provided that such company:

- a. Certifies to the department that it plans to reorganize and not to liquidate; and
- b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);



(j) Ethanol distillation or production; or  
 (k) Biodiesel production. Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

[(24)] **(25)** "Qualified renewable energy sources" shall not be construed to include ethanol distillation or production or biodiesel production; however, it shall include:

- (a) Open-looped biomass;
- (b) Close-looped biomass;
- (c) Solar;
- (d) Wind;
- (e) Geothermal; and
- (f) Hydropower;

[(25)] **(26)** "Related company" means:

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
- (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

[(26)] **(27)** "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;

[(27)] **(28)** "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

[(28)] **(29)** "Related facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(29)] **(30)** "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

[(30)] **(31)** "Small and expanding business project", a qualified company that within two years of the date of the approval creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty new jobs if the project facility is not located in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(31)] **(32)** "Tax credits", tax credits issued by the department to offset the state income taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

[(32)] **(33)** "Technology business project", a qualified company that within two years of the date of the approval creates a minimum of ten new jobs involved in the operations of a company:

- (a) Which is a technology company, as determined by a regulation promulgated by the department under the provisions of section 620.1884 or classified by NAICS codes;

- (b) Which owns or leases a facility which produces electricity derived from qualified renewable energy sources, or produces fuel for the generation of electricity from qualified renewable energy sources, but does not include any company that has received the alcohol mixture credit, alcohol credit, or small ethanol producer credit pursuant to 26 U.S.C. Section 40 of the tax code in the previous tax year;

- (c) Which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices; or

(d) Which is a clinical molecular diagnostic laboratory focused on detecting and monitoring infections in immunocompromised patient populations;

[(33)] **(34)** "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government **or in a high-risk metropolitan statistical area**. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision [(19)] **(20)** of section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this [subdivision] **subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision [(33)] **(34)** of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director [of the department of economic development];

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs

advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, [2013] **2015**;

**(5) Job retention projects within a high-risk metropolitan statistical area: a qualified company may retain ninety-five percent of the company's withholding tax from full-time jobs located at the high-risk metropolitan statistical area facility for a period of ten years for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:**

**(a) For the thirty-day period preceding the qualified company's notice of intent, the qualified company must have maintained at least one hundred fifty full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees shall meet or exceed the county or state average wage, whichever is less;**

**(b) The qualified company is considered to have a significant statewide effect on the economy and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887;**

**(c) The qualified company in the project facility will cause to be invested a minimum of ten million dollars in new investment prior to the end of three years or will cause to be invested a minimum of five million dollars in new investment prior to the end of three years and maintain an annual payroll of at least six million dollars during each of the years for which the qualified company retains withholding tax under this program;**

**(d) Within six months of approval of the qualified company's notice of intent, the qualified company shall enter into an agreement with the department that memorializes the content of the notice of intent, the requirements of this section, and the consequences for failing to meet such requirements provided in paragraph (e) of this subdivision;**

**(e) No later than six months following the expiration of the three-year investment period described in paragraph (c) of subdivision (5) of subsection 3 of this section, the department shall determine whether the qualified company made the investment as required under this paragraph and shall notify the qualified company in writing of such determination. If the qualified company failed to make the requisite investment, the municipality in which the qualified company is located and the director shall jointly determine whether such investment shortfall occurred for reasons outside the qualified company's control, including without limitation, as a result of economic conditions. If it is determined that the investment shortfall did not occur as a result of reasons beyond the control of the qualified company, the director shall provide a written notice of suspension to the qualified company and the municipality providing that the qualified company shall repay all withholding taxes retained under this program and that within six months of the date of suspension notice the director and municipality shall meet with the qualified company to determine a revised schedule of investment and the terms of suspension of withholding tax retention rights; and**

**(6) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:**

**(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;**

**(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;**

**(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;**

**(d) All of the qualified company's and related companies' facilities are located in this state;**

**(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;**

**(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;**

**(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and**

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or

penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. **Notwithstanding any other provision of law to the contrary, a qualified company in a high risk metropolitan statistical area that is awarded benefits under this section shall not receive any tax credit or exemption or be entitled to retain withholding taxes under section 620.1910.**

14. In addition to any other benefits available under subdivision (5) of subsection 3 of this section, a qualified company within a high-risk metropolitan statistical area that satisfies provisions in subdivision (5) of subsection 3 of this section shall be entitled to tax credits issued each year for a period of ten years from the date of the approval of the department in an amount equal to three percent of the retained payroll from the retained jobs; provided that in no event shall the total amount of the benefits provided to a qualified company in a high-risk metropolitan statistical area under this section exceed six percent of the retained payroll in any calendar year.

15. Upon approval of a notice of intent to request withholding tax benefits under subdivision (5) of subsection 3 of this section or to request tax credits under subdivision (5) of subsection 3 of this section, the department and the qualified company in a high-risk metropolitan statistical area shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of retained jobs, payroll, and new capital investment for each year during the project period;

(2) The date or time period during which withholding taxes will be retained or the tax credits shall be issued, which may be immediately or over a period not to exceed ten years from the date of the approval;

(c) Clawback provisions provided in paragraph (e) of subdivision (5) of subsection 3 of this section.

16. In lieu of all other benefits under subdivision (5) of subsection 3 of this section or subsection 14 of this section, the department may award a qualified company within a high-risk metropolitan statistical area meeting the requirements of subdivision (5) of subsection 3 of this section tax credits in an amount not to exceed ninety percent of the amount the qualified company within a high-risk metropolitan statistical area may otherwise be eligible to retain for a period of five years under subdivision (5) of subsection 3 of this section.

17. Beginning August 28, 2011, in addition to the exemptions granted under chapter 144, the department may approve a qualified company in a high-risk metropolitan statistical area for an exemption of up to one hundred percent of the state sales and use taxes defined, levied, or calculated under sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235 for a period not to exceed three years from the date of approval of sales and leases of tangible personal property purchased for use in the project facility and of sales and leases of tangible personal property and materials for the purpose of constructing, repairing, or remodeling the project facility. To qualify for the exemption provided in this subsection, the qualified company shall:

(1) Retain at least one hundred fifty retained jobs at the project facility in which the average wage meets or exceeds the county of state average wage, whichever is less;

(2) Commit to making at least ten million dollars in new capital investment at a project facility within a period of three years from the date of approval, or cause to be invested at least five million dollars in new capital investment within a period of three years from the date of approval and maintain an annual payroll of at least six million dollars during each of the years for which the qualified company receives a benefit under this section.

18. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect

without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Leara offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 366, Page 3, Section 67.2050, Line 69, by inserting after all of said line the following:

**“9. The provisions of this section shall not be construed to allow political subdivisions to provide telecommunications services or telecommunications facilities to the extent that they are prohibited from doing so by section 392.410.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 2** was adopted.

Representative Molendorp offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 366, Page 1, Section A, Line 2, by inserting after all of said line the following:

“67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

- (10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;
  - (11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:
    - (a) The district's real property, except for public rights-of-way for utilities;
    - (b) The district's personal property, except in a city not within a county; or
    - (c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;
  - (12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;
  - (13) To loan money as provided in sections 67.1401 to 67.1571;
  - (14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;
  - (15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;
  - (16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:
    - (a) Pedestrian or shopping malls and plazas;
    - (b) Parks, lawns, trees, and any other landscape;
    - (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;
    - (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;
    - (e) Parking lots, garages, or other facilities;
    - (f) Lakes, dams, and waterways;
    - (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;
    - (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;
    - (i) Paintings, murals, display cases, sculptures, and fountains;
    - (j) Music, news, and child-care facilities; [and]
    - (k) **Any property, device, structure, or equipment necessary for the acquisition, installation, equipping, and improvement of any real or personal property used for the purpose of creating a solar photovoltaic project or a solar thermal energy project, whether such real or personal property is publicly or privately owned; and**
    - (l) Any other useful, necessary, or desired improvement;
  - (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;
  - (18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;
  - (19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;
  - (20) Within its boundaries, to lease space for sidewalk café tables and chairs;
  - (21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;
  - (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property, **including, but not limited to, real or personal property installed as part of a special energy improvement project;**
  - (23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;
  - (24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;
  - (25) To provide or support training programs for employees of businesses within the district;
  - (26) To provide refuse collection and disposal services within the district;
  - (27) To contract for or conduct economic, planning, marketing or other studies;
  - (28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and
  - (29) To carry out any other powers set forth in sections 67.1401 to 67.1571.
2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:



(1) Within its blighted area, to contract with any private property owner to demolish [and], remove, renovate, reconstruct, **construct**, or rehabilitate any building [or], structure, **or improvement** owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 3** was adopted.

Representative Schupp offered **House Amendment No. 4**.

Representative Burlison raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

**HCS HB 366, as amended**, was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

### **PERFECTION OF HOUSE BILLS**

**HCS HB 366, as amended**, relating to technology business facilities, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 366, as amended**, was adopted.

On motion of Representative Silvey, **HCS HB 366, as amended**, was ordered perfected and printed.

**HCS HBs 600, 337 & 413**, relating to public safety, was taken up by Representative Schad.

Representative Schad offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 3, Section 87.006, Line 26, by inserting after all of said section and line the following:

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. . . . . 2 points

(except any violation of municipal stop sign ordinance where no accident is involved. . . . . 1 point)

(2) Speeding In violation of a state law. . . . . 3 points  
In violation of a county or municipal ordinance. . . . . 2 points

(3) Leaving the scene of an accident in violation of section 577.060. . . . . 12 points  
In violation of any county or municipal ordinance. . . . . 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. . . . . 4 points  
In violation of a county or municipal ordinance. . . . . 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction. . . . . 2 points

(b) For the second conviction. . . . . 4 points

(c) For the third conviction. . . . . 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges. . . . 12 points

(7) Obtaining a license by misrepresentation. . . . . 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. . . . . 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. . . . . 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight In violation of state law. . . . . 8 points

In violation of a county or municipal ordinance or federal law or regulation. . . . . 8 points

(11) Any felony involving the use of a motor vehicle. . . . . 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle. . . . . 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. . . . . 4 points

(14) Endangerment of a highway worker in violation of section 304.585. . . . . 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585. . . . . 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. . . . . 4 points

**(17) Endangerment of emergency personnel or emergency responder in violation of section 304.894. . . . . 4 points**

**(18) Aggravated endangerment of emergency personnel or emergency responder in violation of section 304.894. . . . . 12 points**

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill, Page 4, Section 302.309, Line 14, by inserting brackets "[ ]" around the phrase "A business, occupation, or", and inserting before the word "employment" the phrase "**Driving to and from the operator's places of**"; and

Further amend said bill, Page 5, Section 302.309, Line 70, by deleting the phrase "[thirty] **forty-five** days of a suspension or", and inserting in lieu thereof the phrase "thirty days of a suspension or **forty-five days of a**"; and

Further amend said bill, Page 6, Section 302.309, Line 97, by inserting after the phrase "subdivision (9)" the phrase "**of subsection 1**"; and

Further amend said page and section, Line 108, by inserting after the phrase "subdivision (10)" the phrase "**of subsection 1**"; and

Further amend said bill, Page 9, Section 304.892, Line 2, by inserting after the phrase "**section 302.302**," the phrase "**other than those listed in subsection 2 of this section**,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Riddle offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No.1 to House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 1, Line 14, by deleting all of said line from the amendment and inserting in lieu thereof the following:

“(4) Careless and imprudent driving in violation of subsection [4] **1** of section [304.016] **304.012**..... 4”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Schad, **House Amendment No. 1, as amended**, was adopted.

Representative Schad offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 2, Section 43.265, Line 12, by deleting all of said line and inserting in lieu thereof the following:

“flown on their behalf by the highway patrol; shall be credited to the fund. The state treasurer is”; and

Further amend said bill, Page 9, Section 304.890, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“**response or an area where an active emergency or incident removal is temporarily**”; and

Further amend said bill, Page 11, Section 304.894, Line 29, by inserting after the phrase “**sections 577.010 and 577.012;**”, the word “**or**”; and

Further amend said bill, Page 16, Section 306.118, Lines 38 and 40, by placing brackets “[ ]” around the comma “,” on said lines and inserting in lieu thereof a semicolon “;”; and

Further amend said bill, Page 20, Section 565.081, Line 14, by inserting after the “**employee**” the phrase “**while in performance of their job duties**”; and

Further amend said bill, Page 22, Section 565.082, Line 37, by inserting after the “**employee**” the phrase “**while in performance of their job duties**”; and

Further amend said bill, Page 23, Section 565.083, Line 22, by inserting after the “**employee**” the phrase “**while in performance of their job duties**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 2** was adopted.

Representative Marshall offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 18, Section 306.130, Line 20, by inserting after all of said section and line the following:

- “565.024. 1. A person commits the crime of involuntary manslaughter in the first degree if he or she:
- (1) Recklessly causes the death of another person; or
  - (2) While in an intoxicated condition operates a motor vehicle or vessel in this state and, when so operating, acts with criminal negligence to cause the death of any person; or
  - (3) While in an intoxicated condition operates a motor vehicle or vessel in this state, and, when so operating, acts with criminal negligence to:
    - (a) Cause the death of any person not a passenger in the vehicle or vessel operated by the defendant, including the death of an individual that results from the defendant's vehicle leaving a highway, as defined by section 301.010, or the highway's right-of-way; or vessel leaving the water; or
    - (b) Cause the death of two or more persons; or
    - (c) Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood; or
  - (4) Operates a motor vehicle in violation of subsection 2 of section 304.022, and when so operating, acts with criminal negligence to cause the death of any person authorized to operate an emergency vehicle, as defined in section 304.022, while such person is in the performance of official duties; **or**
  - (5) Operates a vessel in violation of subsections 1 and 2 of section 306.132, and when so operating acts with criminal negligence to cause the death of any person authorized to operate an emergency watercraft, as defined in section 306.132, while such person is in the performance of official duties.
2. Involuntary manslaughter in the first degree under subdivision (1) or (2) of subsection 1 of this section is a class C felony. Involuntary manslaughter in the first degree under subdivision (3) of subsection 1 of this section is a class B felony; **except that, any person who has a prior conviction or plea of guilty to driving while intoxicated who violates subdivision (3) of this section is guilty of a class A felony.** A second or subsequent violation of subdivision (3) of subsection 1 of this section is a class A felony. For any violation of subdivision (3) of subsection 1 of this section, the minimum prison term which the defendant must serve shall be eighty-five percent of his or her sentence. Any violation of subdivisions (4) and (5) of subsection 1 of this section is a class B felony.
3. A person commits the crime of involuntary manslaughter in the second degree if he acts with criminal negligence to cause the death of any person.
4. Involuntary manslaughter in the second degree is a class D felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 3** was adopted.

Representative Cross offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 1, In the Title, Line 9, by deleting the word "twenty-six" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 8, by deleting the word "twenty-six" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 11, by deleting the word and number "and 577.023" and inserting in lieu thereof the following:

"577.023, and 577.665"; and

Further amend said bill, Page 30, Section 577.023, Line 135, by inserting after all of said line the following:

**"577.665. 1. As used in this section, the following terms shall mean:**

**(1) "Tanning device", any equipment that emits electromagnetic radiation with wavelengths in the air between two hundred and four hundred nanometers used for tanning of the skin, including but not limited to a sunlamp, tanning booth or tanning bed;**

**(2) "Tanning facility", any location, place, area, structure, or business which provides persons access to any tanning device for a fee, membership dues, or any other form of compensation.**

**2. Prior to any person less than eighteen years of age using a tanning device in a tanning facility, a parent or guardian of such person shall appear in person at the tanning facility and sign a written statement acknowledging that the parent or guardian has read and understands the warnings given by the tanning facility and consents to the person's use of a tanning device at the tanning facility.**

**3. The department of health and senior services shall, by rule, develop a standard consent form to be used by all tanning facilities operating in this state. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**4. Any person who violates the provisions of this section is guilty of a class C misdemeanor. Any tanning facility that violates the provisions of this section shall be subject to a fine of one thousand dollars for each violation. Every use of a tanning device in a tanning facility in violation of this section is a separate offense.**

**5. The enforcement of the provisions of this section shall be provided by existing personnel and resources of law enforcement and the department of health and senior services."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cross, **House Amendment No. 4** was adopted.

Representative Pace offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 20, Section 565.081, Lines 1 to 20, by deleting all of said lines and inserting in lieu thereof the following:

**"565.081. 1. A person commits the crime of assault of a transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer.**

**2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.**

**3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.**

**4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.**

**5. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the first degree is a class A felony.**"; and

Further amend said bill, Pages 21 to 23, Section 565.082, Lines 1 to 46, by deleting all of said lines and inserting in lieu thereof the following:

"565.082. 1. A person commits the crime of assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the second degree if such person:**

(1) **Knowingly causes or attempts to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer by means of a deadly weapon or dangerous instrument;**

(2) **Knowingly causes or attempts to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer by means other than a deadly weapon or dangerous instrument;**

(3) **Recklessly causes serious physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer; or**

(4) **While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer;**

(5) **Acts with criminal negligence to cause physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer by means of a deadly weapon or dangerous instrument;**

(6) **Purposely or recklessly places a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in apprehension of immediate serious physical injury; or**

(7) **Acts with criminal negligence to create a substantial risk of death or serious physical injury to a transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer.**

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the second degree** is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence."; and

Further amend said bill, Page 23, Section 565.083, Lines 1 to 28, by deleting all of said lines and inserting in lieu thereof the following:

"565.083. 1. A person commits the crime of assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the third degree** if:

(1) Such person recklessly causes physical injury to a **transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer;**

(2) Such person purposely places a **transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in apprehension of immediate physical injury;**

(3) Such person knowingly causes or attempts to cause physical contact with a **transit operator who is on duty or in operation of their official vehicle at the time the assault occurs, an employee of a mass transit system who is on duty or in operation of their official vehicle at the time the assault occurs, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer without the consent of the transit operator, the employee of a mass transit system, the law enforcement officer, the corrections officer, emergency personnel, the highway worker in a construction zone or work zone, utility worker, or the probation and parole officer.**

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a **transit operator, an employee of a mass transit system, a law enforcement officer, a corrections officer, emergency personnel, a highway worker in a construction zone or work zone, utility worker, or a probation and parole officer in the third degree** is a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Pace moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Cox	Ellinger	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24



Kirkton	Kratky	Lampe	Leach	Marshall
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Scharnhorst	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

NOES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Franklin	Franz	Hughes	Johnson	Kander
May	McNeil	Riddle	Mr Speaker	

VACANCIES: 003

## Representative Hinson offered **House Amendment No. 6.**

### *House Amendment No. 6*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 2, Section 87.005, Line 7, by inserting at the end of said line the following:

**“In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 6** was adopted.

Speaker Tilley resumed the Chair.

**HCS HBs 600, 337 & 413, as amended**, was laid over.

### **SPECIAL RECOGNITION**

Members of the Grand National Assembly of Turkey were introduced by Speaker Tilley and presented resolutions.

### **PERFECTION OF HOUSE BILLS**

**HCS HBs 600, 337 & 413, as amended**, relating to public safety, was again taken up by Representative Schad.

Representative Smith (150) resumed the Chair.

Representative Leara offered **House Amendment No. 7**.

#### *House Amendment No. 7*

AMEND House Committee Substitute for House Bill Nos. 600, 337 & 413, Page 2, Section 43.265, Line 19, by inserting after all of said line the following:

“70.695. The right of a person to an allowance, to the return of accumulated contributions, the allowance itself, any allowance option, and any other right accrued or accruing under the provisions of sections 70.600 to 70.755, and all moneys belonging to the system shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or to any other process of law whatsoever, and shall be unassignable, except as is specifically provided in sections 70.600 to 70.755; except that:

(1) Any political subdivision shall have the right of setoff for any claim arising from embezzlement by or fraud of a member, retirant, or beneficiary; [and]

(2) Such rights shall not be exempt from attachment or execution in a proceeding instituted for the support and maintenance of children. In all such actions described in this subdivision, the system shall be entitled to collect a fee of up to twenty dollars chargeable against the person for each delinquent attachment, execution, sequestration or garnishment payment; **and**

(3) **A retirant may authorize the board to have deducted from his or her allowance the payments required of him or her to provide for health insurance or long-term care insurance premiums in accordance with Section 402 of the Internal Revenue Code of 1986, as amended.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 7** was adopted.

On motion of Representative Schad, **HCS HBs 600, 337 & 413, as amended**, was adopted.

On motion of Representative Schad, **HCS HBs 600, 337 & 413, as amended**, was ordered perfected and printed.

**HCS HB 161**, relating to transient guest taxes, was taken up by Representative Cox.

Representative Diehl offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 161, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.1000. 1. The governing body of **the following cities and counties may impose a tax as provided in this section:**

- (1) Any county [or of];
- (2) Any city which is the county seat of any county or which now or hereafter has a population of more than three thousand five hundred inhabitants and which has heretofore been authorized by the general assembly[, or of];
- (3) Any other city which has a population of more than eighteen thousand and less than forty-five thousand inhabitants located in a county of the first classification with a population over two hundred thousand adjacent to a county of the first classification with a population over nine hundred thousand[.].

**2. The governing body of any city or county listed in subsection 1 of this section** may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under the provisions of this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

**[2.]3. As used in this section and section 67.1002, the term "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter, except that** in any county of the third classification without a township form of government and with more than forty-one thousand one hundred but fewer than forty-one thousand two hundred inhabitants, "transient guests"[, as used in this section and section 67.1002.] means a person or persons who occupy a room or rooms in a hotel or motel for ninety days or less during any calendar quarter.

**[3.]4.** Provisions of this section to the contrary notwithstanding, the governing body of any home rule city with more than thirty-nine thousand six hundred but fewer than thirty-nine thousand seven hundred inhabitants and partially located in any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than seven percent per occupied room per night, except that such tax shall not become effective unless the governing body of such city submits to the voters of the city at an election permitted under section 115.123 a proposal to authorize the governing body of the city to impose a tax under the provisions of this [section] **subsection** and section 67.1002. The tax authorized by this [section] **subsection** and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city has contracted, and which is established for the purpose of promoting the city as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.

**5. Notwithstanding any other provision of this section to the contrary, the governing body of any city or county with more than three hundred fifty hotel and motel rooms within the boundaries of such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under this subsection and section 67.1002. The tax authorized by this subsection and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau. Such convention and visitors bureau shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.**

**6. Notwithstanding any other provision of law to the contrary, the taxes authorized in this section and section 67.1002 shall not be imposed by the following cities or counties:**

**(1) Any city or any county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such city or county or a portion thereof under this section and section 67.1002 or any other law of this state; or**

**(2) Any city not already imposing a tax under this section and section 67.1002 and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section and section 67.1002 or any other law of this state, except that cities of the third classification with more than two thousand five hundred hotel and motel rooms and located in a county of the first classification where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in subsection 5 of this section of not more than one-half percent per occupied room per night.**

**7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011.**

67.1002. 1. The question shall be submitted in substantially the following form:

Shall the ..... (City or County) levy a tax of ..... percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city or county, where the proceeds of which shall be expended for promotion of tourism **or funding a convention and visitors bureau?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city or county shall have no power to impose the tax authorized by this section unless and until the governing body of the city or county again submits the question to the qualified voters of the city or county and such question is approved by a majority of the qualified voters voting on the question.

2. On and after the effective date of any tax authorized under the provisions of this section and section 67.1000, the city or county which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city or county which levied the tax may adopt rules and regulations for the internal collection of such tax by the city or county officers usually responsible for collection and administration of city or county taxes; or

(2) The city or county may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section and section 67.1000. In the event any city or county enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section and section 67.1000, the director of revenue shall perform all functions incident to the administration, collection, enforcement and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section and section 67.1000. The tax authorized under the provisions of this section and section 67.1000 shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not less than one percent nor more than three percent for cost of collection.

3. If a tax is imposed by a city or county under this section and section 67.1000, the city or county may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter.

67.1003. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) Any city or county[, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state,] having more than three hundred fifty hotel and motel rooms inside such city or county;

(2) A county of the third classification with a population of more than seven thousand but less than seven thousand four hundred inhabitants;

(3) A third class city with a population of greater than ten thousand but less than eleven thousand located in a county of the third classification with a township form of government with a population of more than thirty thousand;

(4) A county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-one thousand;

(5) Any third class city with a population of more than eleven thousand but less than thirteen thousand which is located in a county of the third classification with a population of more than twenty-three thousand but less than twenty-six thousand;

(6) Any city of the third classification with more than ten thousand five hundred but fewer than ten thousand six hundred inhabitants;

(7) Any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants;

(8) Any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

3. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed [in any city or county already imposing such tax pursuant to any other law of this state, except that] **by the following cities or counties:**

**(1) Any city or county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in any such city or county or a portion thereof under this section or any other law of this state; or**

**(2) Any city not already imposing a tax under this section and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section or any other law of this state.**

4. Cities of the third class having more than two thousand five hundred hotel and motel rooms, and located in a county of the first classification in which and where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed, may impose the tax authorized by this section of not more than one-half of one percent per occupied room per night.

[4.] 5. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

[5.] 6. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

**7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011."; and**

Further amend said bill, Page 3, Section 67.1008, Line 13, by inserting after all of said line the following:

"[67.1005. 1. The governing body of any city or county, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state, having more than three hundred fifty hotel and motel rooms inside such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or

county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

2. The tax authorized in this section shall not be imposed in any city or county where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof is imposed pursuant to any other law of this state, except that cities of the third class having more than two thousand five hundred hotel and motel rooms and located in a county of the first class where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in this section of not more than one-half percent per occupied room per night.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent?

☐ YES

☐ NO

4. As used in this section, "transient guests" shall mean a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Schupp offered **House Amendment No. 2**.

Representative Parkinson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Cox, **HCS HB 161, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 161, as amended**, was ordered perfected and printed.

**HCS HB 523**, relating to certain insurance products, was taken up by Representative Molendorp.

Representative Molendorp offered **House Amendment No. 1**.

Representative Gosen raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Molendorp, **HCS HB 523** was adopted.

On motion of Representative Molendorp, **HCS HB 523** was ordered perfected and printed.

## SUPPLEMENTAL CALENDAR APRIL 20, 2011

### HOUSE BILLS FOR THIRD READING

- 1 HB 661 - Wells
- 2 HB 708 - Curtman
- 3 HB 1008 - Long
- 4 HCS HB 828, E.C. - Fisher
- 5 HCS HB 562 - Grisamore
- 6 HCS HB 664 - Leara

### THIRD READING OF HOUSE BILLS

**HB 661**, relating to debt adjusters, was taken up by Representative Wells.

On motion of Representative Wells, **HB 661** was read the third time and passed by the following vote:

AYES: 120

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McDonald
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Quinn	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller

## 1410 *Journal of the House*

Shively	Shumake	Silvey	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Zerr	Mr Speaker

NOES: 022

Atkins	Carlson	Colona	Ellinger	Hummel
Jones 63	Kirkton	McCann Beatty	McGeoghegan	Montecillo
Newman	Pace	Peters-Baker	Pierson	Rizzo
Schieffer	Schupp	Sifton	Smith 71	Talboy
Walton Gray	Webb			

PRESENT: 002

Anders	Oxford
--------	--------

ABSENT WITH LEAVE: 016

Carter	Dieckhaus	Franklin	Grisamore	Guernsey
Holsman	Hughes	Jones 117	Kander	May
McNeil	Pollock	Redmon	Spreng	Wright
Wyatt				

VACANCIES: 003

Representative Smith (150) declared the bill passed.

Speaker Tilley resumed the Chair.

**HB 1008**, relating to highway infrastructure, was taken up by Representative Long.

On motion of Representative Long, **HB 1008** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary



Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 012

Carter	Conway 27	Dieckhaus	Holsman	Kander
Lasater	May	McNeil	Meadows	Pollock
Redmon	Webber			

VACANCIES: 003

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

**HB 708**, relating to choice of law, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 708** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Reiboldt

## 1412 *Journal of the House*

Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McGeoghegan
McManus	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Colona	Diehl	Kander	May	McNeil
Nolte	Redmon			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HB 193** and grants the House a conference thereon.

Speaker Tilley resumed the Chair.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**SS HCS HB 193:** Representatives Diehl, Cox, Loehner, Hubbard and Nasheed

Speaker Pro Tem Schoeller resumed the Chair.

### THIRD READING OF HOUSE BILL

**HCS HB 828**, relating to prevailing wages, was taken up by Representative Fisher.

Speaker Tilley resumed the Chair.

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 111

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Cross	Davis
Day	Denison	Dieckhaus	Ellinger	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hoskins	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCann Beatty	McGeoghegan	McManus
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nolte	Oxford	Pace
Peters-Baker	Phillips	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 026

Atkins	Carlson	Colona	Conway 27	Cox
Frederick	Hodges	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	McCaherty	McDonald	McNary
Nichols	Parkinson	Pierson	Schupp	Smith 71
Spreng	Swearingen	Talboy	Taylor	White
Wieland				

ABSENT WITH LEAVE: 023

Bahr	Brown 116	Cookson	Crawford	Curtman
Diehl	Dugger	Entlicher	Guernsey	Hinson
Holsman	Hough	Kander	Klippenstein	Korman

# 1414 *Journal of the House*

Loehner	May	McGhee	McNeil	Pollock
Redmon	Schieffer	Webber		

VACANCIES: 003

On motion of Representative Fisher, **HCS HB 828** was read the third time and passed by the following vote:

AYES: 085

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Cross	Davis	Day	Denison
Dieckhaus	Elmer	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Smith 150
Solon	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wyatt	Mr Speaker

NOES: 058

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Funderburk	Gatschenberger	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Korman	Kratky	Lampe
Lasater	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	Meadows	Molendorp	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Silvey	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Wieland	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Crawford	Curtman	Diehl	Dugger
Entlicher	Hinson	Kander	Loehner	May
McGhee	McNeil	Pollock	Redmon	Schieffer
Stream	Webber			

VACANCIES: 003

Speaker Tilley declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 082

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Cross
Davis	Day	Denison	Dugger	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Long	McNary	Nance
Nolte	Parkinson	Phillips	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Smith 150	Solon	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wright
Wyatt	Mr Speaker			

NOES: 056

Anders	Atkins	Berry	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	Lasater	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
Molendorp	Montecillo	Neth	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Silvey
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	Wieland
Zerr				

PRESENT: 001

Meadows

ABSENT WITH LEAVE: 021

Aull	Cierpiot	Crawford	Curtman	Dieckhaus
Diehl	Entlicher	Funderburk	Gatschenberger	Hinson
Kander	Loehner	May	McGhee	McNeil
Nasheed	Pollock	Redmon	Riddle	Schieffer
Stream				

VACANCIES: 003

## RECESS

On motion of Representative Jones (89), the House recessed until 9:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

## THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 9** and **HCR 19** were placed on the Informal Calendar.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HCS HB 366** - Fiscal Review (Fiscal Note)

**HCS HB 473** - Fiscal Review (Fiscal Note)

**HCS HB 579** - Fiscal Review (Fiscal Note)

**HCS HBs 600, 337 & 413** - Fiscal Review (Fiscal Note)

## COMMITTEE REPORTS

**Committee on Budget**, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 322**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Corrections**, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 200**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SB 226**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 366**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS#2 SCS SB 62**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 669**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Professional Registration and Licensing**, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 29**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 38**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 212**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 552**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 597**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 613**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 686**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 688**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 716**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 732**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 741**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 811**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 893**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 924**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 96**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SB 96**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 97**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SB 97**.



Mr. Speaker: Your Committee on Rules, to which was referred **SB 101**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 135**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 163**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 173**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 207**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 219**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 220**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 282**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 3**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 6**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 7**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 11, Section 7.410, Lines 1-4, by deleting said section from the bill; and

Further amend bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 8**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 9**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 10**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing

for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 11**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 12**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2011 and ending June 30, 2012.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 13**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS HCS HB 193**: Senators Rupp, Crowell, Lager, Callahan and Wright-Jones.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, April 21, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, April 21, 2011, 8:00 AM House Hearing Room 4.  
Executive session may be held on any matter referred to the committee.  
Work session on omnibus bill.

### **BUDGET**

Thursday, April 21, 2011, 8:00 AM House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Review of Tax Credits - Public Hearing.

### **CHILDREN AND FAMILIES**

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 1.  
Public hearing will be held: HB 771  
Executive session may be held on any matter referred to the committee.

### **CONFERENCE COMMITTEE**

Thursday, April 21, 2011, 6:45 PM House Lounge.  
SS HCS HB 193

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, April 21, 2011, South Gallery upon morning adjournment.  
Executive session will be held: SB 250  
Executive session may be held on any matter referred to the committee.

### **ELEMENTARY AND SECONDARY EDUCATION**

Thursday, April 21, 2011, 8:00 AM House Hearing Room 7.  
Executive session may be held on any matter referred to the committee.

### **FISCAL REVIEW**

Thursday, April 21, 2011, 8:30 AM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
All bills referred to the committee.

### **INSURANCE POLICY**

Thursday, April 21, 2011, 9:15 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
Executive session.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.

2<sup>nd</sup> Quarter Meeting.

**JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Tuesday, April 26, 2011, 11:00 AM House Hearing Room 7.

Highway namings.

License plates.

Director of MoDOT Kevin Keith.

**LOCAL GOVERNMENT**

Thursday, April 21, 2011, House Hearing Room 6 upon morning adjournment.

Executive session may be held on any matter referred to the committee.

Hearing Room change to 6.

CORRECTED

**PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, April 21, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

CANCELLED

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Thursday, April 21, 2011, House Hearing Room 7, 11:30 AM or upon morning adjournment.

Executive session will be held: HCS HB 403, HCS HB 504, 505 & 874, HB 658, HCS HB 889, HCS SS#2 SCS SB 8, SS SB 55, HCS SS SCS SB 58, HCS SCS SB 366

Executive session may be held on any matter referred to the committee.

CANCELLED

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Thursday, April 21, 2011, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 891, HB 1023

Executive session will be held: HB 979, HB 885

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Tuesday, April 26, 2011, 10:00 AM House Hearing Room 6.

Public hearing will be held: HB 349, SS SB 202

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FIFTY-NINTH DAY, THURSDAY, APRIL 21, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HCS HB 773 - Gosen
- 12 HB 138 - Thomson
- 13 HB 491 - Diehl
- 14 HB 364 - Parkinson
- 15 HCS HB 742 - Wyatt
- 16 HCS HB 787 - Wells

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL CALENDAR**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HCS HB 562 - Grisamore
- 3 HCS HB 664 - Leara
- 4 HCS HB 473, (Fiscal Review 4-20-11) - Jones (63)
- 5 HCS HB 579, (Fiscal Review 4-20-11), E.C. - Frederick
- 6 HB 466 - Schoeller
- 7 HCS HB 366, (Fiscal Review 4-20-11) - Silvey
- 8 HCS HBs 600, 337 & 413, (Fiscal Review 4-20-11) - Schad
- 9 HCS HB 161 - Cox
- 10 HCS HB 523 - Molendorp

**SENATE BILLS FOR THIRD READING**

HCS SCS SB 68, E.C. - Diehl

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HB 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore
- 7 SCS HCS HB 2 - Silvey
- 8 SCS HCS HB 3 - Silvey
- 9 SCS HCS HB 4 - Silvey
- 10 SCS HCS HB 5 - Silvey
- 11 SCS HCS HB 6 - Silvey
- 12 SCS HCS HB 7, as amended - Silvey
- 13 SCS HCS HB 8 - Silvey
- 14 SCS HCS HB 9 - Silvey
- 15 SCS HCS HB 10 - Silvey
- 16 SCS HCS HB 11 - Silvey
- 17 SCS HCS HB 12 - Silvey
- 18 SCS HCS HB 13 - Silvey

**BILLS IN CONFERENCE**

SS HCS HB 193 - Diehl



# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

FIFTY-NINTH DAY, THURSDAY, APRIL 21, 2011

The House met pursuant to adjournment.

Representative Schad in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*You are the light of the world. (Matthew 5:14)*

Eternal God, spirit of light and life, in this day, in this world of sometime suffering and sorrow we would purify our hearts as we face the unique responsibilities and demands committed to our care and to our attention this day. Let our littleness be swallowed up in Your greatness, our pettiness in Your pursuing presence, and our trite criticisms in Your triumphant spirit.

Before the altar of prayer we bow, confessing our faults, asking Your forgiveness, and praying that You will give us strength and wisdom that in these days we fail neither our citizens nor You. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2428 through House Resolution No. 2537

## RECESS

Representative Jones (89) moved that the House stand in recess until the Conference Committee Report on **SS HCS HB 193** has been distributed or until 11:00 p.m., whichever comes first, and then stand adjourned until 10:00 a.m., Friday, April 22, 2011.

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**SS SB 118** - Health Care Policy

**SS SB 360** - Rural Community Development

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 473** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Crime Prevention and Public Safety**, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 999**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 250**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on International Trade and Job Creation**, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 707**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **SB 96**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was returned **SB 97**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 117**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 59**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 60**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 70**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 116**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Utilities**, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HCR 48**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 48

WHEREAS, the United States and the world find themselves dependent upon China for a group of minerals and metals known as "Rare Earth Elements" that are critical to many commercial, environmental, and defense applications; and

WHEREAS, rare earth elements represent the only known bridge to the next level of improved performance in the material properties for many metallurgical alloys, electrical conductivity, radio active shielding, and instrument sensitivity; and

WHEREAS, thorium is a naturally occurring companion element to the rare earth elements which can be extracted as a byproduct of rare earth mining at no additional expense and without creating additional mining waste; and

WHEREAS, thorium can be used as fuel in a nuclear power plant because it is a slightly radioactive metal and is 550 times more abundant than Uranium 235 needed for nuclear power; and

WHEREAS, thorium is generally considered harmless except through extreme long-term exposure or unless it is inhaled as a very fine dust; and

WHEREAS, thorium emits alpha rays which have no penetrating strength and cannot pass through human skin or thin plastic film; and

WHEREAS, thorium emits less radiation than sun light, radon from a gas stove top, potassium in a banana, X-rays, frequent air travel, and TSA full body scans; and

WHEREAS, the United States has two permitted world class rare earth mines - the Pea Ridge Mine in Washington County, Missouri, and the Mountain Pass Mine in California; and

WHEREAS, Missouri's Pea Ridge Mine has all 17 of the recoverable rare earth elements and is the only permitted heavy rare earth mine outside of China. The Mountain Pass Mine only has 8 of the 17 recoverable rare earth elements and cannot produce rare earths; and

WHEREAS, the United States has no refining facilities to process the rare earths from the Pea Ridge Mine or manage the thorium byproduct; and

WHEREAS, a thorium-fueled nuclear reactor generates hundreds of times the power as a uranium or coal plant, but produces essentially no waste. A thorium plant would produce less than 1% of the waste that a uranium plant produces and produces no carbon or greenhouse gases, unlike coal plants; and

WHEREAS, while the waste of a uranium power plant is toxic for more than 10,000 years, the little waste that is produced by a thorium power plant is benign in less than 200 years; and

WHEREAS, a thorium power plant can be used to burn our current stockpile of nuclear waste. In addition, thorium power plants cannot "melt down", thorium cannot practically be used to make nuclear weapons, thorium does not require any enrichment for energy use, and there is enough thorium in the United States alone to power the country at its current energy level for more than 10,000 years; and

WHEREAS, a thorium power plant can tap right in at the source of a current coal or uranium power plant without the need for laying a new grid; and

WHEREAS, through the development of a centralized rare earth-thorium facility, all thorium waste products can be managed and controlled in an environmentally safe manner; and

WHEREAS, China's monopoly on production of rare earth elements is posed to capture emerging technologies and manufacturing facilities from around the world, in exchange for supply contracts; and

WHEREAS, absent any new production, Asia will soon consume 100% of the world's production of rare earth elements; and

WHEREAS, China's National Industrial Policy of Rare Earth Dominance cannot be challenged by private investment. The United States must develop a National Domestic Rare Earth Refinery to survive; and

WHEREAS, unless the United States Congress makes changes, our rare earths will be sent to China for processing and they will not come back for use in the United States; and

WHEREAS, with its Pea Ridge Mine, Missouri can become the exclusive producer of heavy rare earths in the United States and attract new high tech companies from around the world:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby:

(1) Strongly support the development of thorium energy and the Pea Ridge Mine in Washington County, Missouri, in its efforts to extract thorium as a byproduct of rare earth element mining; and

(2) Strongly urge the United States Congress to support the use of thorium as a safe, efficient fuel source by taking the necessary steps to allow the Pea Ridge Mine in Missouri to extract thorium as a byproduct of rare earth elements mining and for the development of the refineries necessary to support thorium power plants; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Congress and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 63**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 979** and **HB 885**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 11**, entitled:

Relating to the recognition of every third week in June a Diabetic Peripheral Neuropathy Week.

#### **SENATE CONCURRENT RESOLUTION NO. 11**

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week

WHEREAS, Diabetic Peripheral Neuropathy (DPN) is a serious condition that results from damage to nerves due to prolonged exposure to high amounts of glucose in the bloodstream as a result of diabetes; and

WHEREAS, more than half of all diabetics suffer from DPN, and the areas of the body most commonly affected by DPN are the feet and legs; and

WHEREAS, nerve damage in the feet can result in the loss of foot sensation, increasing risk of foot problems and which manifests itself in intense pain often described as aching, tingling, burning, and numbness; and

WHEREAS, in 2009, 364,000 Missourians were diagnosed with diabetes; and

WHEREAS, DPN is the leading cause of amputations, and as many as 40 to 60 percent of lower extremity amputations are due to severe forms of DPN; and

WHEREAS, DPN is preventable only to the extent that the underlying cause is preventable, requiring the individual patient's alert awareness of bodily deficiency, illness, infection or injury that can cause DPN, and the individual's willingness to seek early diagnosis and treatment; and

WHEREAS, it is absolutely fitting and proper to designate a special week to raise public awareness of DPN and its symptoms:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize the third week of June of each year as Diabetic Peripheral Neuropathy (DPN) Week in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate and the House of Representatives encourage citizens throughout Missouri to observe this week by raising public awareness regarding the symptoms and treatment of this painful and dangerous neuropathy; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 10**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 9 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to members of the House of Representatives.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 48**, entitled:

An act to amend chapter 393, RSMo, by adding thereto one new section relating to deposits required by public utilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 270**, entitled:

An act to repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to dates for conducting elections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 320**, entitled:

An act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.020, 455.027, 455.035, 455.038, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.505, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, 589.683, 595.100, and 595.220, RSMo, and to enact in lieu thereof twenty-seven new sections relating to domestic violence, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 340**, entitled:

An act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 436.405, 436.412, 436.445, 436.450, 436.455, and 436.456, RSMo, and to enact in lieu thereof thirteen new sections relating to the board of embalmers and funeral directors.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Allen, Anders, Asbury, Atkins, Aull, Bahr, Barnes, Bernskoetter, Berry, Black, Brandom, Brattin, Brown (50), Brown (85), Brown (116), Burlison, Carlson, Carter, Casey, Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Curtman, Davis, Day, Denison, Dieckhaus, Diehl, Dugger, Elmer, Entlicher, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franklin, Franz, Frederick, Fuhr, Funderburk, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Hampton, Harris, Higdon, Hinson, Hodges, Holsman, Hough, Houghton, Hubbard, Hughes, Hummel, Johnson, Jones (63), Jones (117), Keeney, Kelley (126), Kelly (24), Kirkton, Klippenstein, Koenig, Korman, Kratky, Lair, Lampe, Lant, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, Marshall, McCaherty, McCann Beatty, McDonald, McGeoghegan, McGhee, McManus, McNary, Meadows, Molendorp, Montecillo, Nance, Nasheed, Newman, Nolte, Oxford, Pace, Parkinson, Peters-Baker, Phillips, Pierson, Pollock, Quinn, Redmon, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Sater, Scharnhorst, Schatz, Schieber, Schieffer, Schneider, Schoeller, Schupp, Shively, Shumake, Sifton, Silvey, Smith (71), Smith (150), Solon, Spreng, Still, Stream, Swearingen, Swinger, Talboy, Taylor, Thomson, Torpey, Wallingford, Walton Gray, Webb, Webber, Wells, Weter, White, Wieland, Wright and Zerr.

### **ADJOURNMENT**

Pursuant to the motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, April 22, 2011.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 6.

Executive session will be held: SCS SB 356

Executive session may be held on any matter referred to the committee.

We will also have a presentation by Farm Credit Services.

#### **CHILDREN AND FAMILIES**

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 771

Executive session may be held on any matter referred to the committee.

#### **FISCAL REVIEW**

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 3.

Executive session will be held: HCS HBs 600, 337 & 413, HCS HB 579, HCS HB 366

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

#### **GENERAL LAWS**

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 300

Executive session will be held: SCS SB 300

Executive session may be held on any matter referred to the committee.

#### HEALTH CARE POLICY

Wednesday, April 27, 2011, House Hearing Room 6 upon morning recess.

Public hearing will be held: SS SB 118, HB 821

Executive session will be held: SS SCS SB 65, SCS SB 177, HR 1826

Executive session may be held on any matter referred to the committee.

#### JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, April 27, 2011, 9:45 AM Bingham Gallery.

Executive session may be held on any matter referred to the committee.

I. Election of chair and vice chair

II. Other business coming before the committee

#### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.

2<sup>nd</sup> Quarter Meeting

#### JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, April 26, 2011, 11:00 AM House Hearing Room 7.

Highway namings

License plates

Director of MoDOT Kevin Keith

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Friday, April 22, 2011, House Hearing Room 7 upon morning adjournment.

Executive session will be held: HCS HB 403, HB 658, HCS HBs 504, 505 & 874,

HCS HB 889, HCS SS#2 SCS SB 8, SS SB 55, HCS SS SCS SB 58, HCS SCS SB 366

Executive session may be held on any matter referred to the committee.

#### TAX REFORM

Wednesday, April 27, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 968

Executive session may be held on any matter referred to the committee.

#### TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

#### WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, April 26, 2011, 10:00 AM House Hearing Room 6.

Public hearing will be held: HB 349, SS SB 202

Executive session may be held on any matter referred to the committee.



**HOUSE CALENDAR**

SIXTIETH DAY, FRIDAY, APRIL 22, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka
- 4 HCS HJR 16 - Dugger
- 5 HJR 27 - Brattin

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 17 - Silvey
- 2 HCS HB 18 - Silvey
- 3 HCS HB 21 - Silvey
- 4 HCS HB 22 - Silvey

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HCS HB 773 - Gosen
- 12 HB 138 - Thomson
- 13 HB 491 - Diehl
- 14 HB 364 - Parkinson
- 15 HCS HB 742 - Wyatt
- 16 HCS HB 787 - Wells
- 17 HCS HB 212 - Thomson
- 18 HCS HB 552 - Molendorp
- 19 HCS HB 597 - Pollock
- 20 HCS HB 613 - Holsman
- 21 HB 686 - Richardson
- 22 HCS HB 688 - Pollock
- 23 HCS HB 716 - Wyatt
- 24 HCS HB 732 - Brandom

1436 *Journal of the House*

- 25 HB 741 - Bernskoetter
- 26 HCS HB 811 - Talboy
- 27 HCS HB 893 - Richardson
- 28 HB 924 - Nolte

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HCS HB 562 - Grisamore
- 3 HCS HB 664 - Leara
- 4 HCS HB 473 - Jones (63)
- 5 HCS HB 579, (Fiscal Review 4-20-11), E.C. - Frederick
- 6 HB 466 - Schoeller
- 7 HCS HB 366, (Fiscal Review 4-20-11) - Silvey
- 8 HCS HBs 600, 337 & 413, (Fiscal Review 4-20-11) - Schad
- 9 HCS HB 161 - Cox
- 10 HCS HB 523 - Molendorp

#### **SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

SCR 11

#### **SENATE JOINT RESOLUTIONS FOR SECOND READING**

SJR 10

#### **SENATE BILLS FOR SECOND READING**

- 1 SB 48
- 2 SCS SB 270
- 3 SS#2 SCS SB 320
- 4 SCS SB 340

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 32, (4-13-11, Pages 1267-1268) - Bernskoetter
- 2 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 3 HCR 46, (4-14-11, Pages 1293-1294) - Nolte

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 68, E.C. - Diehl
- 2 HCS SB 161 - Guernsey

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HB 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore
- 7 SCS HCS HB 2 - Silvey
- 8 SCS HCS HB 3 - Silvey
- 9 SCS HCS HB 4 - Silvey
- 10 SCS HCS HB 5 - Silvey
- 11 SCS HCS HB 6 - Silvey
- 12 SCS HCS HB 7, as amended - Silvey
- 13 SCS HCS HB 8 - Silvey
- 14 SCS HCS HB 9 - Silvey
- 15 SCS HCS HB 10 - Silvey
- 16 SCS HCS HB 11 - Silvey
- 17 SCS HCS HB 12 - Silvey
- 18 SCS HCS HB 13 - Silvey

**BILLS IN CONFERENCE**

- SS HCS HB 193 - Diehl

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTIETH DAY, FRIDAY, APRIL 22, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Rodney Schad.

Our Father, in Heaven, as we humbly bow our heads we reach out to You today first of all to thank You for our opportunity to serve You and Your people here in the State of Missouri. We thank You also for Your love, Your grace and the mercy You show us each and every day.

As we begin our day, we would ask You, Father, to give us guidance and insight into what You desire for us and Your people. We admit to our weaknesses and our desperate need for You and the strength You provide. We are weak and we are nothing without You. We seek Your wisdom today and every day as we ponder the tasks before us and the problems that arise here in this building as we make our feeble attempt to be what You want us to be. Help us to put aside self and always focus on others.

Please, Father, mold our will to be Your will in every thing that we say and do. Finally, Father, we are reminded this morning of Micah 6:8 and ask that You remind us daily of the scripture that says, "He has shown thee, O man, what is good and what does the LORD require of thee? But to do justly and to love mercy and to walk humbly with thy God."

We pray today in the name of Your son Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emily Morgan Giddings Crumbliss, Rose Marie Lant and Stephen Lant.

The Journal of the fifty-eighth day was approved as printed.

The Journal of the fifty-ninth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2538 through House Resolution No. 2561

## SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 11 was read the second time.

## SECOND READING OF SENATE JOINT RESOLUTION

**SJR 10** was read the second time.

## SECOND READING OF SENATE BILLS

**SB 48, SCS SB 270, SS#2 SCS SB 320 and SCS SB 340** were read the second time.

## THIRD READING OF SENATE BILL

**HCS SCS SB 68**, relating to powers of the general assembly, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 68, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 21.400, 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof thirteen new"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"Section A. Sections 21.400, 128.345, 128.346, and 128.348, RSMo, are repealed and thirteen new"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "128.346," the number "128.348,"; and

Further amend said bill, Page 2, Section 128.346, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"128.346. The districts established by the provisions of sections 128.400 to 128.440 for the election of representatives to the Congress of the United States shall be effective beginning with election to the 108th Congress **and through the election of the 112th Congress. The districts established by sections 128.451 to 128.458 for the election of representatives to the Congress of the United States shall be effective beginning with the election to the 113th Congress.**

128.348. The state of Missouri is hereby divided into nine congressional districts. **Effective with the election for the 113th Congress, the state of Missouri shall consist of eight congressional districts.** The legal voters of each district shall elect one member of Congress of the United States."; and

Further amend said bill, Pages 2 to 22, Section 128.451, Lines 2 to 879, by deleting all of said lines and inserting in lieu thereof the following:

**"St. Louis City MO County  
St. Louis MO County (part)  
VTD: AP001  
VTD: AP002  
VTD: AP003  
VTD: AP004**

VTD: AP005  
VTD: AP006  
VTD: AP007  
VTD: AP008  
VTD: AP009  
VTD: AP010  
VTD: AP011  
VTD: AP012  
VTD: AP013  
VTD: AP014  
VTD: AP015  
VTD: AP016  
VTD: AP017  
VTD: AP018  
VTD: AP019  
VTD: AP020  
VTD: AP021  
VTD: AP022  
VTD: AP023  
VTD: AP024  
VTD: AP025  
VTD: AP026  
VTD: AP027  
VTD: AP028  
VTD: AP029  
VTD: AP030  
VTD: AP031  
VTD: AP032  
VTD: AP033  
VTD: AP034  
VTD: AP035  
VTD: AP036  
VTD: AP037  
VTD: AP038  
VTD: AP039  
VTD: AP040  
VTD: AP041  
VTD: AP042  
VTD: AP043  
VTD: AP044  
VTD: AP045  
VTD: AP046  
VTD: AP047  
VTD: AP048  
VTD: AP049  
VTD: AP050  
VTD: AP051  
VTD: AP052  
VTD: AP053  
VTD: AP054  
VTD: AP055  
VTD: AP056  
VTD: AP200  
VTD: AP203  
VTD: AP206  
VTD: AP207

VTD: AP208  
VTD: AP210  
VTD: AP211  
VTD: AP213  
VTD: AP214  
VTD: AP215  
VTD: AP216  
VTD: AP217  
VTD: AP218  
VTD: AP221  
VTD: AP225  
VTD: AP227  
VTD: AP228  
VTD: AP230  
VTD: AP232  
VTD: AP233  
VTD: AP237  
VTD: CC012 (part)  
Block: 291892155001004  
Block: 291892155001011  
Block: 291892155001012  
Block: 291892155001036  
Block: 291892155004008  
Block: 291892155004011  
Block: 291892155004014  
Block: 291892155004015  
VTD: CC013  
VTD: CC015  
VTD: CC018 (part)  
Block: 291892150041013  
Block: 291892150042002  
Block: 291892150042003  
Block: 291892150042006  
Block: 291892150042007  
Block: 291892150042025  
VTD: CC019  
VTD: CC020  
VTD: CC021  
VTD: CC022  
VTD: CC025  
VTD: CC026  
VTD: CC027  
VTD: CC028  
VTD: CC029  
VTD: CC034  
VTD: CC038  
VTD: CC039  
VTD: CC040  
VTD: CC042  
VTD: CC043  
VTD: CC046  
VTD: CC048  
VTD: CC053 (part)  
Block: 291892150041000  
Block: 291892150041001  
Block: 291892150041002

Block: 291892150041003  
Block: 291892150041004  
Block: 291892150041005  
Block: 291892150041006  
Block: 291892150041007  
Block: 291892150041008  
Block: 291892150041009  
Block: 291892150041010  
Block: 291892150041011  
Block: 291892150041012  
Block: 291892150042005  
VTD: CC054  
VTD: CC057  
VTD: CC058 (part)  
Block: 291892156001056  
VTD: CC060  
VTD: CC061 (part)  
Block: 291892155004010  
VTD: CC062 (part)  
Block: 291892155001013  
Block: 291892155004009  
VTD: CC063  
VTD: CC064  
VTD: CC065  
VTD: CC066  
VTD: CC067  
VTD: CC068  
VTD: CC069  
VTD: CC201  
VTD: CC202  
VTD: CC203 (part)  
Block: 291892156001019  
Block: 291892156001020  
VTD: CC205  
VTD: CC207  
VTD: CC221  
VTD: CC224  
VTD: CC225  
VTD: CC227  
VTD: CLA001  
VTD: CLA003 (part)  
Block: 291892164001005  
Block: 291892164001006  
VTD: CLA005  
VTD: CLA011 (part)  
Block: 291892158002018  
Block: 291892158006012  
Block: 291892158006015  
Block: 291892158006016  
Block: 291892165001005  
VTD: CLA015 (part)  
Block: 291892155004026  
VTD: CLA021  
VTD: CLA022  
VTD: CLA050 (part)  
Block: 291892189004019



**Block: 291892189004023**

**VTD: CLA051**

**VTD: CLA052**

**VTD: CLA054**

**VTD: CLA056**

**VTD: FER001**

**VTD: FER002**

**VTD: FER003**

**VTD: FER004**

**VTD: FER005**

**VTD: FER006**

**VTD: FER007**

**VTD: FER008**

**VTD: FER009**

**VTD: FER010**

**VTD: FER011**

**VTD: FER012**

**VTD: FER013**

**VTD: FER014**

**VTD: FER015**

**VTD: FER016**

**VTD: FER017**

**VTD: FER018**

**VTD: FER019**

**VTD: FER020**

**VTD: FER021**

**VTD: FER022**

**VTD: FER023**

**VTD: FER024**

**VTD: FER025**

**VTD: FER026**

**VTD: FER027**

**VTD: FER028**

**VTD: FER029**

**VTD: FER030**

**VTD: FER031**

**VTD: FER032**

**VTD: FER033**

**VTD: FER034**

**VTD: FER035**

**VTD: FER036**

**VTD: FER037**

**VTD: FER038**

**VTD: FER039**

**VTD: FER040**

**VTD: FER041**

**VTD: FER042**

**VTD: FER043**

**VTD: FER044**

**VTD: FER045**

**VTD: FER046**

**VTD: FER047**

**VTD: FER048**

**VTD: FER049**

**VTD: FER050**

**VTD: FER051**

VTD: FER201  
VTD: FER208  
VTD: FLO001  
VTD: FLO002  
VTD: FLO003  
VTD: FLO004  
VTD: FLO005  
VTD: FLO006  
VTD: FLO007  
VTD: FLO008  
VTD: FLO009  
VTD: FLO010  
VTD: FLO011  
VTD: FLO012  
VTD: FLO013  
VTD: FLO014  
VTD: FLO015  
VTD: FLO016  
VTD: FLO017  
VTD: FLO018  
VTD: FLO019  
VTD: FLO020  
VTD: FLO021  
VTD: FLO022  
VTD: FLO023  
VTD: FLO024  
VTD: FLO025  
VTD: FLO026  
VTD: FLO027  
VTD: FLO028  
VTD: FLO029  
VTD: FLO030  
VTD: FLO031  
VTD: FLO032  
VTD: FLO033  
VTD: FLO034  
VTD: FLO035  
VTD: FLO036  
VTD: FLO037  
VTD: FLO038  
VTD: FLO039  
VTD: FLO040  
VTD: FLO041  
VTD: FLO042  
VTD: FLO200  
VTD: FLO201  
VTD: FLO202  
VTD: FLO203  
VTD: FLO205  
VTD: FLO207  
VTD: HAD001  
VTD: HAD002  
VTD: HAD003  
VTD: HAD004  
VTD: HAD005  
VTD: HAD006

VTD: HAD007  
VTD: HAD008  
VTD: HAD009  
VTD: HAD010  
VTD: HAD011  
VTD: HAD012  
VTD: HAD013  
VTD: HAD014  
VTD: HAD015  
VTD: HAD016  
VTD: HAD017  
VTD: HAD018  
VTD: HAD019  
VTD: HAD020  
VTD: HAD021  
VTD: HAD022  
VTD: HAD023  
VTD: HAD024  
VTD: HAD025  
VTD: HAD026  
VTD: HAD027  
VTD: HAD028  
VTD: HAD029  
VTD: HAD030  
VTD: HAD031  
VTD: HAD032  
VTD: HAD033  
VTD: HAD034  
VTD: HAD035  
VTD: HAD036  
VTD: HAD037  
VTD: HAD038  
VTD: JEF013  
VTD: JEF014  
VTD: JEF017 (part)  
Block: 291892196001006  
Block: 291892196001008  
Block: 291892196001009  
Block: 291892196001010  
Block: 291892196001011  
Block: 291892196001012  
Block: 291892196001013  
VTD: JEF018 (part)  
Block: 291892191003014  
Block: 291892191003015  
Block: 291892191003016  
Block: 291892191004010  
Block: 291892191004011  
Block: 291892191004012  
Block: 291892191004013  
Block: 291892192002007  
Block: 291892192002008  
Block: 291892192002009  
Block: 291892192002011  
Block: 291892192002012  
Block: 291892192002015

Block: 291892192002016  
Block: 291892192002017  
Block: 291892192002018  
Block: 291892192002019  
Block: 291892192002020  
Block: 291892192002023  
VTD: JEF019  
VTD: JEF020  
VTD: JEF023 (part)  
Block: 291892193003008  
VTD: JEF024  
VTD: JEF028  
VTD: JEF030 (part)  
Block: 291892195001000  
Block: 291892195001002  
Block: 291892195001010  
VTD: JEF047  
VTD: JEF048 (part)  
Block: 291892193003000  
Block: 291892193003001  
Block: 291892193003002  
Block: 291892193003003  
Block: 291892193003004  
Block: 291892193003005  
Block: 291892193003006  
Block: 291892193003007  
Block: 291892193003009  
Block: 291892193003010  
VTD: JEF200 (part)  
Block: 291892196001000  
VTD: LC001  
VTD: LC002  
VTD: LC003  
VTD: LC004  
VTD: LC005  
VTD: LC006  
VTD: LC007  
VTD: LC008  
VTD: LC009  
VTD: LC010  
VTD: LC011  
VTD: LC012  
VTD: LC013  
VTD: LC014  
VTD: LC015  
VTD: LC016  
VTD: LC017  
VTD: LC018  
VTD: LC019  
VTD: LC020  
VTD: LC021  
VTD: LC022  
VTD: LC023  
VTD: LC024  
VTD: LC025  
VTD: LC026

VTD: LC027  
VTD: LC028  
VTD: LC029  
VTD: LC030  
VTD: LC031  
VTD: LC032  
VTD: LC033  
VTD: LC034  
VTD: LC035  
VTD: LC036  
VTD: LC037  
VTD: LC038  
VTD: LC039  
VTD: LC040  
VTD: LC200  
VTD: LC202  
VTD: LC203  
VTD: MHT016  
VTD: MHT018 (part)  
Block: 291892132022000  
Block: 291892132022001  
Block: 291892132022005  
VTD: MID001 (part)  
Block: 291892150011000  
Block: 291892150011001  
Block: 291892150011002  
Block: 291892150011058  
Block: 291892150011059  
Block: 291892150011060  
Block: 291892150011061  
Block: 291892150011062  
Block: 291892150011083  
Block: 291892150011084  
Block: 291892150011086  
VTD: MID002  
VTD: MID003  
VTD: MID004  
VTD: MID005  
VTD: MID006  
VTD: MID007  
VTD: MID008  
VTD: MID009  
VTD: MID010  
VTD: MID011  
VTD: MID012  
VTD: MID013  
VTD: MID014  
VTD: MID015  
VTD: MID016  
VTD: MID017  
VTD: MID018  
VTD: MID019  
VTD: MID020  
VTD: MID021  
VTD: MID022  
VTD: MID023

VTD: MID024  
VTD: MID025  
VTD: MID026  
VTD: MID027  
VTD: MID028  
VTD: MID029  
VTD: MID030  
VTD: MID031  
VTD: MID032  
VTD: MID033  
VTD: MID034  
VTD: MID035  
VTD: MID036  
VTD: MID037  
VTD: MID038  
VTD: MID039  
VTD: MID040  
VTD: MID041  
VTD: MID042  
VTD: MID043  
VTD: MID044  
VTD: MID045  
VTD: MID046  
VTD: MID047  
VTD: MID048  
VTD: MID049  
VTD: MID050  
VTD: MID051  
VTD: MID052  
VTD: MID053  
VTD: MID054  
VTD: MID055  
VTD: MID056  
VTD: MID058  
VTD: MID059  
VTD: MID060  
VTD: MID061  
VTD: MID202  
VTD: MID207 (part)  
Block: 291892150011053  
Block: 291892150011057  
Block: 291892150011063  
Block: 291892150011064  
Block: 291892150011065  
Block: 291892150011066  
Block: 291892150011071  
Block: 291892150042008  
VTD: MID208  
VTD: MID209  
VTD: MID213  
VTD: MID215  
VTD: NOR001  
VTD: NOR002  
VTD: NOR003  
VTD: NOR004  
VTD: NOR005

VTD: NOR006  
VTD: NOR007  
VTD: NOR008  
VTD: NOR009  
VTD: NOR010  
VTD: NOR011  
VTD: NOR012  
VTD: NOR013  
VTD: NOR014  
VTD: NOR015  
VTD: NOR016  
VTD: NOR017  
VTD: NOR018  
VTD: NOR019  
VTD: NOR020  
VTD: NOR021  
VTD: NOR022  
VTD: NOR023  
VTD: NOR024  
VTD: NOR025  
VTD: NOR026  
VTD: NOR027  
VTD: NOR028  
VTD: NOR029  
VTD: NOR030  
VTD: NOR031  
VTD: NOR032  
VTD: NOR033  
VTD: NOR034  
VTD: NOR035  
VTD: NOR036  
VTD: NOR037  
VTD: NOR038  
VTD: NOR039  
VTD: NOR040  
VTD: NOR041  
VTD: NOR042  
VTD: NOR043  
VTD: NOR044  
VTD: NOR045  
VTD: NOR046  
VTD: NOR047  
VTD: NOR048  
VTD: NOR049  
VTD: NOR050  
VTD: NOR051  
VTD: NOR052  
VTD: NOR053  
VTD: NOR054  
VTD: NOR055  
VTD: NOR056  
VTD: NOR201  
VTD: NOR202  
VTD: NOR203  
VTD: NOR205  
VTD: NOR206

VTD: NOR207  
VTD: NOR208  
VTD: NOR213  
VTD: NOR214  
VTD: NOR215  
VTD: NOR219  
VTD: NOR220  
VTD: NOR222  
VTD: NRW001  
VTD: NRW002  
VTD: NRW003  
VTD: NRW004  
VTD: NRW005  
VTD: NRW006  
VTD: NRW007  
VTD: NRW008  
VTD: NRW009  
VTD: NRW010  
VTD: NRW011  
VTD: NRW012  
VTD: NRW013  
VTD: NRW014  
VTD: NRW015  
VTD: NRW016  
VTD: NRW017  
VTD: NRW018  
VTD: NRW019  
VTD: NRW020  
VTD: NRW021  
VTD: NRW022  
VTD: NRW023  
VTD: NRW024  
VTD: NRW025  
VTD: NRW026  
VTD: NRW027  
VTD: NRW028  
VTD: NRW029  
VTD: NRW031  
VTD: NRW032  
VTD: NRW033  
VTD: NRW034  
VTD: NRW035  
VTD: NRW036  
VTD: NRW037  
VTD: NRW038  
VTD: NRW039  
VTD: NRW040  
VTD: NRW041  
VTD: NRW042  
VTD: NRW043  
VTD: NRW044  
VTD: NRW045  
VTD: NRW046  
VTD: NRW047  
VTD: NRW048  
VTD: NRW200



**VTD: NRW201**  
**VTD: NW001**  
**VTD: NW002**  
**VTD: NW003**  
**VTD: NW004**  
**VTD: NW005**  
**VTD: NW008 (part)**  
**Block: 291892113013005**  
**Block: 291892113013006**  
**Block: 291892113341024**  
**Block: 291892113341025**  
**Block: 291892113341026**  
**Block: 291892113341027**  
**Block: 291892113341030**  
**Block: 291892113341031**  
**Block: 291892113343009**  
**Block: 291892113343011**  
**Block: 291892113343012**  
**Block: 291892113343013**  
**Block: 291892113343014**  
**Block: 291892113343015**  
**Block: 291892113343016**  
**Block: 291892113343017**  
**VTD: NW010**  
**VTD: NW011**  
**VTD: NW012**  
**VTD: NW013 (part)**  
**Block: 291892151431053**  
**VTD: NW014**  
**VTD: NW016**  
**VTD: NW017**  
**VTD: NW019 (part)**  
**Block: 291892132023006**  
**VTD: NW020**  
**VTD: NW025 (part)**  
**Block: 291892113321023**  
**Block: 291892113321024**  
**Block: 291892114013000**  
**Block: 291892114013001**  
**Block: 291892114013007**  
**Block: 291892114013008**  
**VTD: NW026**  
**VTD: NW028**  
**VTD: NW030 (part)**  
**Block: 291892114013011**  
**VTD: NW031**  
**VTD: NW032 (part)**  
**Block: 291892131014025**  
**Block: 291892131014026**  
**Block: 291892131014027**  
**Block: 291892131014028**  
**Block: 291892131014029**  
**Block: 291892131014030**  
**Block: 291892131014031**  
**Block: 291892131014032**  
**Block: 291892131014033**

Block: 291892131014034  
Block: 291892131014035  
Block: 291892131014036  
Block: 291892131021104  
Block: 291892131021105  
Block: 291892131021109  
Block: 291892131021114  
Block: 291892132031005  
Block: 291892151431000  
VTD: NW034  
VTD: NW037  
VTD: NW042 (part)  
Block: 291892131014014  
Block: 291892131014015  
Block: 291892131014016  
Block: 291892131014017  
Block: 291892131014018  
Block: 291892131014019  
Block: 291892131014020  
Block: 291892131014023  
Block: 291892131014024  
Block: 291892131021106  
Block: 291892131021107  
Block: 291892131021108  
VTD: NW043  
VTD: NW045  
VTD: NW047  
VTD: NW048 (part)  
Block: 291892114013010  
VTD: NW049  
VTD: NW050  
VTD: NW051  
VTD: NW200  
VTD: NW202  
VTD: NW203  
VTD: NW204  
VTD: NW205  
VTD: NW206 (part)  
Block: 291892132031019  
VTD: NW207  
VTD: NW219  
VTD: NW220  
VTD: NW222  
VTD: NW223  
VTD: NW224  
VTD: NW225  
VTD: NW226  
VTD: NW227  
VTD: NW229  
VTD: SF001  
VTD: SF002  
VTD: SF003  
VTD: SF004  
VTD: SF005  
VTD: SF006  
VTD: SF007

VTD: SF008  
VTD: SF009  
VTD: SF010  
VTD: SF011  
VTD: SF012  
VTD: SF013  
VTD: SF014  
VTD: SF015  
VTD: SF016  
VTD: SF017  
VTD: SF018  
VTD: SF019  
VTD: SF020  
VTD: SF021  
VTD: SF022  
VTD: SF023  
VTD: SF024  
VTD: SF025  
VTD: SF026  
VTD: SF027  
VTD: SF028  
VTD: SF029  
VTD: SF030  
VTD: SF031  
VTD: SF032  
VTD: SF033  
VTD: SF034  
VTD: SF035  
VTD: SF036  
VTD: SF037  
VTD: SF038  
VTD: SF039  
VTD: SF040  
VTD: SF200  
VTD: SF204  
VTD: SF206  
VTD: SPL001  
VTD: SPL002  
VTD: SPL003  
VTD: SPL004  
VTD: SPL005  
VTD: SPL006  
VTD: SPL007  
VTD: SPL008  
VTD: SPL009  
VTD: SPL010  
VTD: SPL011  
VTD: SPL012  
VTD: SPL013  
VTD: SPL014  
VTD: SPL015  
VTD: SPL016  
VTD: SPL017  
VTD: SPL018  
VTD: SPL019  
VTD: SPL020

**VTD: SPL021**  
**VTD: SPL022**  
**VTD: SPL023**  
**VTD: SPL024**  
**VTD: SPL025**  
**VTD: SPL026**  
**VTD: SPL027**  
**VTD: SPL028**  
**VTD: SPL029**  
**VTD: SPL030**  
**VTD: SPL201**  
**VTD: SPL202**  
**VTD: SPL207**  
**VTD: SPL208**  
**VTD: UNV001**  
**VTD: UNV002**  
**VTD: UNV003**  
**VTD: UNV004**  
**VTD: UNV005**  
**VTD: UNV006**  
**VTD: UNV007**  
**VTD: UNV008**  
**VTD: UNV009**  
**VTD: UNV010**  
**VTD: UNV011**  
**VTD: UNV012**  
**VTD: UNV013**  
**VTD: UNV014**  
**VTD: UNV015**  
**VTD: UNV016**  
**VTD: UNV017**  
**VTD: UNV018**  
**VTD: UNV019**  
**VTD: UNV020**  
**VTD: UNV021**  
**VTD: UNV022**  
**VTD: UNV023**  
**VTD: UNV024**  
**VTD: UNV025**  
**VTD: UNV026**  
**VTD: UNV027**  
**VTD: UNV028**  
**VTD: UNV029**  
**VTD: UNV030**  
**VTD: UNV031 (part)**  
**Block: 291892158002000**  
**Block: 291892158002009**  
**Block: 291892158002017**  
**Block: 291892158005031**  
**Block: 291892158005032**  
**Block: 291892158005033**  
**Block: 291892158005034**  
**Block: 291892158005035**  
**Block: 291892158005037**  
**Block: 291892158005038**  
**Block: 291892158005039**

**Block: 291892158005040**  
**Block: 291892158006008**  
**Block: 291892158006009**  
**Block: 291892158006010**  
**Block: 291892158006011**  
**Block: 291892158006013**  
**Block: 291892158006014**  
**Block: 291892158006017**  
**VTD: UNV032**  
**VTD: UNV033**  
**VTD: UNV034**  
**VTD: UNV035**  
**VTD: UNV036**  
**VTD: UNV037**  
**VTD: UNV038**  
**VTD: UNV039**  
**VTD: UNV040**  
**VTD: UNV041**  
**VTD: UNV042**  
**VTD: UNV043**  
**VTD: UNV044**  
**VTD: UNV045**  
**VTD: UNV046**  
**VTD: UNV047**  
**VTD: UNV048**  
**VTD: UNV049**  
**VTD: UNV200**  
**VTD: UNV201**  
**VTD: UNV205**  
**VTD: UNV206**  
**VTD: UNV208"; and**

Further amend said bill, Pages 22 to 65, Section 128.452, Lines 2 to 1842, by deleting all of said lines and inserting in lieu thereof the following:

**"Jefferson MO County (part)**  
**VTD: Arnold No. 1**  
**VTD: Arnold No. 2 (part)**  
**Block: 290997001101038**  
**Block: 290997001101039**  
**Block: 290997001101040**  
**Block: 290997001101041**  
**Block: 290997001101043**  
**Block: 290997001101044**  
**Block: 290997001101045**  
**Block: 290997001101046**  
**Block: 290997001101047**  
**Block: 290997001101048**  
**Block: 290997001101049**  
**Block: 290997001101053**  
**Block: 290997001103015**  
**Block: 290997001103016**  
**Block: 290997001103018**  
**Block: 290997001103019**  
**Block: 290997001103020**  
**Block: 290997001103021**

Block: 290997001103024  
Block: 290997001103025  
Block: 290997001103026  
Block: 290997001103027  
Block: 290997001103030  
Block: 290997001103031  
Block: 290997001132000  
Block: 290997001132001  
Block: 290997001132004  
Block: 290997001132005  
Block: 290997001132006  
Block: 290997001132029  
Block: 290997001141000  
Block: 290997001141001  
Block: 290997001141002  
Block: 290997001141003  
Block: 290997001141006  
Block: 290997001141007  
Block: 290997001141008  
Block: 290997001141009  
Block: 290997001141010  
Block: 290997001141011  
Block: 290997001141012  
Block: 290997001141013  
Block: 290997001141018  
Block: 290997001141092  
Block: 290997001151000  
Block: 290997001151001  
Block: 290997001151002  
Block: 290997001151003  
Block: 290997001151004  
Block: 290997001151006  
Block: 290997001151007  
Block: 290997001151008  
Block: 290997001151009  
Block: 290997001151010  
Block: 290997001151011  
Block: 290997001151012  
Block: 290997001151013  
Block: 290997001151014  
Block: 290997001151015  
Block: 290997001151016  
Block: 290997001151017  
Block: 290997001151018  
Block: 290997001152000  
Block: 290997001152001  
Block: 290997001152002  
Block: 290997001152003  
Block: 290997001152008  
Block: 290997001152009  
Block: 290997001152010  
Block: 290997001152030  
Block: 290997001152031  
Block: 290997001153000  
Block: 290997001153001  
Block: 290997001153005

Block: 290997001153013  
Block: 290997001153028  
Block: 290997001153029  
Block: 290997001153031  
Block: 290997001172000  
Block: 290997001172003  
Block: 290997001172004  
Block: 290997001172011  
Block: 290997001172012  
Block: 290997001172013  
Block: 290997001172014  
Block: 290997001172015  
Block: 290997001172016  
Block: 290997001172017  
Block: 290997001172018  
Block: 290997001172019  
Block: 290997001172020  
Block: 290997001172021  
Block: 290997001172022  
Block: 290997001172023  
Block: 290997001172026  
Block: 290997001172027  
Block: 290997001172028  
Block: 290997001172029  
Block: 290997001172030  
Block: 290997001172031  
Block: 290997001172032  
Block: 290997001172033  
Block: 290997001172034  
Block: 290997001172035  
Block: 290997001172036  
Block: 290997001172051  
Block: 290997001172052  
Block: 290997001172053  
Block: 290997001173009  
Block: 290997001183000  
Block: 290997001183001  
Block: 290997001183002  
Block: 290997001183003  
Block: 290997001183005  
Block: 290997001183006  
Block: 290997001183007  
Block: 290997001183008  
Block: 290997001183009  
Block: 290997001183010  
Block: 290997001183011  
Block: 290997001183012  
Block: 290997001184002  
Block: 290997001184009  
Block: 290997001184010  
Block: 290997001184011  
VTD: Arnold No. 3  
VTD: Arnold No. 4  
VTD: High Ridge 3-2  
VTD: High Ridge No. 1  
VTD: Maxville No. 1

**VTD: Maxville No. 2 (part)**

**Block: 290997001132002**

**Block: 290997001132003**

**Block: 290997001132007**

**Block: 290997001132008**

**Block: 290997001132009**

**Block: 290997001132014**

**Block: 290997001132015**

**Block: 290997001132016**

**Block: 290997001132017**

**Block: 290997001132018**

**Block: 290997001132026**

**Block: 290997001132027**

**Block: 290997001132028**

**Block: 290997001132030**

**Block: 290997001172001**

**VTD: Meramec Heights**

**VTD: Murphy No. 1**

**VTD: Murphy No. 2**

**VTD: Murphy No. 3**

**VTD: Parkdale**

**VTD: Rock Creek No. 1 (part)**

**Block: 290997002091000**

**Block: 290997002091001**

**Block: 290997002091002**

**Block: 290997002091003**

**Block: 290997002091004**

**Block: 290997002091005**

**Block: 290997002091006**

**Block: 290997002091007**

**Block: 290997002091008**

**Block: 290997002091009**

**Block: 290997002091010**

**Block: 290997002091011**

**Block: 290997002091012**

**Block: 290997002091013**

**Block: 290997002091014**

**Block: 290997002091015**

**Block: 290997002091020**

**Block: 290997002091021**

**Block: 290997002091022**

**Block: 290997002091023**

**Block: 290997002091024**

**Block: 290997002091025**

**Block: 290997002091026**

**Block: 290997002091030**

**Block: 290997002091031**

**Block: 290997002091032**

**Block: 290997002091033**

**Block: 290997002091034**

**Block: 290997002091035**

**Block: 290997002091036**

**Block: 290997002091037**

**Block: 290997002091038**

**Block: 290997002091039**

**Block: 290997002111044**



Block: 290997002111045  
Block: 290997002111046  
VTD: Rock Creek No. 2 (part)  
Block: 290997002063008  
Block: 290997002091016  
Block: 290997002091017  
Block: 290997002091018  
Block: 290997002091019  
Block: 290997002091027  
Block: 290997002091028  
Block: 290997002091029  
Block: 290997002091040  
VTD: Romaine Creek  
VTD: Saline  
VTD: Springdale  
St. Charles MO County (part)  
VTD: 083-Woodcliff  
VTD: 084-Harvester  
VTD: 085-Sycamore  
VTD: 086-Arlington  
VTD: 091-Katy Trail  
VTD: 101-Graybridge  
VTD: 111-Woodstream  
VTD: 124-Rabbit Run  
VTD: 129-Parkwood  
VTD: 130-Lakes  
VTD: 139-Discovery  
VTD: 143-All Saints  
VTD: 144-Fox  
VTD: 146-St. Jude  
VTD: 147-Cottleville  
VTD: 150-Timberwood  
VTD: 152-Woodglen  
VTD: 154-Wheatfield  
VTD: 155-Green Forest  
VTD: 156-Oaks  
VTD: 170-Starbuck  
VTD: 206-Monticello  
VTD: 207-Carriage Hills  
VTD: 208-Twin Chimneys  
VTD: 211-Summerset  
VTD: 212-Canvas Cove  
VTD: 215-Coachman  
VTD: 218-DuVall  
VTD: 219-Westfield  
VTD: 220-Pitman  
VTD: 221-Weldon Spring  
VTD: 222-New Melle  
VTD: 225-Augusta  
VTD: 227-Whitmoor  
VTD: 228-Shoshone  
VTD: 229-Callaway  
VTD: 230-Claybrook  
VTD: 231-Wolfrum  
VTD: 234-Windcastle  
St. Louis MO County (part)

VTD: BON001  
VTD: BON002  
VTD: BON003  
VTD: BON004  
VTD: BON005  
VTD: BON006  
VTD: BON007  
VTD: BON008  
VTD: BON009  
VTD: BON010  
VTD: BON011  
VTD: BON012  
VTD: BON013  
VTD: BON014  
VTD: BON015  
VTD: BON016  
VTD: BON017  
VTD: BON018  
VTD: BON019  
VTD: BON020  
VTD: BON021  
VTD: BON022  
VTD: BON023  
VTD: BON024  
VTD: BON025  
VTD: BON026  
VTD: BON027  
VTD: BON028  
VTD: BON029  
VTD: BON030  
VTD: BON031  
VTD: BON032  
VTD: BON033  
VTD: BON034  
VTD: BON035  
VTD: BON036  
VTD: BON037  
VTD: BON038  
VTD: BON039  
VTD: BON040  
VTD: BON041  
VTD: BON042  
VTD: BON043  
VTD: BON044  
VTD: BON045  
VTD: BON046  
VTD: BON047  
VTD: BON048  
VTD: BON202  
VTD: BON203  
VTD: BON206  
VTD: BON207  
VTD: BON210  
VTD: BON211  
VTD: CC001  
VTD: CC002

VTD: CC003  
VTD: CC004  
VTD: CC005  
VTD: CC006  
VTD: CC007  
VTD: CC008  
VTD: CC009  
VTD: CC010  
VTD: CC011  
VTD: CC012 (part)  
Block: 291892155004012  
Block: 291892155004016  
Block: 291892155004017  
Block: 291892155004021  
Block: 291892155004023  
VTD: CC014  
VTD: CC016  
VTD: CC017  
VTD: CC018 (part)  
Block: 291892150031011  
Block: 291892150031016  
Block: 291892150031017  
Block: 291892150031019  
Block: 291892150031025  
VTD: CC023  
VTD: CC024  
VTD: CC030  
VTD: CC031  
VTD: CC032  
VTD: CC033  
VTD: CC035  
VTD: CC036  
VTD: CC037  
VTD: CC041  
VTD: CC044  
VTD: CC045  
VTD: CC047  
VTD: CC049  
VTD: CC050  
VTD: CC051  
VTD: CC052  
VTD: CC053 (part)  
Block: 291892150031042  
Block: 291892150041015  
Block: 291892150041016  
Block: 291892150052005  
Block: 291892150052006  
Block: 291892150052007  
Block: 291892150052008  
Block: 291892150052010  
Block: 291892150052011  
Block: 291892150053000  
Block: 291892150053001  
Block: 291892150053010  
Block: 291892150053011  
Block: 291892150053012

VTD: CC055  
VTD: CC056  
VTD: CC058 (part)  
Block: 291892150051010  
Block: 291892150051013  
Block: 291892150051014  
Block: 291892150052017  
Block: 291892150052018  
Block: 291892150052020  
Block: 291892150052021  
Block: 291892150052022  
Block: 291892150052023  
Block: 291892150052024  
Block: 291892150052025  
Block: 291892150052026  
Block: 291892150053021  
Block: 291892150053028  
Block: 291892150053029  
Block: 291892150053030  
Block: 291892150054012  
Block: 291892150054013  
Block: 291892153011000  
Block: 291892153011001  
Block: 291892153011002  
Block: 291892153011003  
Block: 291892155001016  
Block: 291892155001017  
Block: 291892156001048  
Block: 291892156001049  
Block: 291892156001054  
VTD: CC059  
VTD: CC061 (part)  
Block: 291892155004020  
VTD: CC062 (part)  
Block: 291892155004013  
Block: 291892155004018  
Block: 291892155004019  
Block: 291892155004022  
Block: 291892155004024  
VTD: CC203 (part)  
Block: 291892156001022  
Block: 291892156001023  
Block: 291892156001026  
Block: 291892156001027  
VTD: CC206  
VTD: CC208  
VTD: CC214  
VTD: CC216  
VTD: CHE001  
VTD: CHE002  
VTD: CHE003  
VTD: CHE004  
VTD: CHE005  
VTD: CHE006  
VTD: CHE007  
VTD: CHE008

VTD: CHE009  
VTD: CHE010  
VTD: CHE011  
VTD: CHE012  
VTD: CHE013  
VTD: CHE014  
VTD: CHE015  
VTD: CHE016  
VTD: CHE017  
VTD: CHE018  
VTD: CHE019  
VTD: CHE020  
VTD: CHE021  
VTD: CHE022  
VTD: CHE023  
VTD: CHE024  
VTD: CHE025  
VTD: CHE026  
VTD: CHE027  
VTD: CHE028  
VTD: CHE029  
VTD: CHE030  
VTD: CHE031  
VTD: CHE032  
VTD: CHE033  
VTD: CHE035  
VTD: CHE036  
VTD: CHE037  
VTD: CHE038  
VTD: CHE039  
VTD: CHE040  
VTD: CHE041  
VTD: CHE042  
VTD: CHE043  
VTD: CHE044  
VTD: CHE045  
VTD: CHE046  
VTD: CHE047  
VTD: CHE048  
VTD: CHE049  
VTD: CHE050  
VTD: CHE051  
VTD: CHE052  
VTD: CHE053  
VTD: CHE054  
VTD: CHE055  
VTD: CHE056  
VTD: CHE200  
VTD: CHE203  
VTD: CHE204  
VTD: CHE209  
VTD: CHE212  
VTD: CHE214  
VTD: CHE215  
VTD: CLA002  
VTD: CLA003 (part)

Block: 291892164001000  
Block: 291892164001001  
Block: 291892164001003  
Block: 291892164001004  
Block: 291892164001007  
Block: 291892164001008  
Block: 291892164001014  
Block: 291892164002014  
Block: 291892164002015  
VTD: CLA004  
VTD: CLA006  
VTD: CLA007  
VTD: CLA008  
VTD: CLA009  
VTD: CLA010  
VTD: CLA011 (part)  
Block: 291892165001000  
Block: 291892165001001  
Block: 291892165001002  
Block: 291892165001003  
Block: 291892165001004  
Block: 291892165001006  
Block: 291892165001007  
Block: 291892165001008  
Block: 291892165001009  
Block: 291892165001010  
Block: 291892165001011  
Block: 291892165001012  
Block: 291892165001013  
Block: 291892165001014  
Block: 291892165001015  
Block: 291892165001016  
Block: 291892165001017  
Block: 291892165001018  
Block: 291892165001019  
Block: 291892165002003  
Block: 291892165002004  
Block: 291892165002016  
Block: 291892165002017  
Block: 291892165002018  
VTD: CLA012  
VTD: CLA013  
VTD: CLA014  
VTD: CLA015 (part)  
Block: 291892154002002  
Block: 291892154002003  
Block: 291892154002004  
Block: 291892154002005  
Block: 291892154002006  
Block: 291892154002007  
Block: 291892154002008  
Block: 291892154002009  
Block: 291892154002010  
Block: 291892154002011  
Block: 291892154002013  
Block: 291892154002014

Block: 291892154002015  
Block: 291892154002016  
Block: 291892154002017  
Block: 291892155004025  
VTD: CLA016  
VTD: CLA017  
VTD: CLA018  
VTD: CLA019  
VTD: CLA020  
VTD: CLA024  
VTD: CLA025  
VTD: CLA026  
VTD: CLA027  
VTD: CLA028  
VTD: CLA029  
VTD: CLA030  
VTD: CLA031  
VTD: CLA032  
VTD: CLA033  
VTD: CLA034  
VTD: CLA035  
VTD: CLA036  
VTD: CLA037  
VTD: CLA038  
VTD: CLA039  
VTD: CLA040  
VTD: CLA041  
VTD: CLA042  
VTD: CLA043  
VTD: CLA044  
VTD: CLA045  
VTD: CLA046  
VTD: CLA047  
VTD: CLA048  
VTD: CLA049  
VTD: CLA050 (part)  
Block: 291892189004000  
Block: 291892189004001  
Block: 291892189004002  
Block: 291892189004003  
Block: 291892189004004  
Block: 291892189004005  
Block: 291892189004006  
Block: 291892189004007  
Block: 291892189004008  
Block: 291892189004010  
Block: 291892189004011  
Block: 291892189004012  
Block: 291892189004013  
Block: 291892189004014  
Block: 291892189004015  
Block: 291892189004016  
Block: 291892189004017  
Block: 291892189004018  
Block: 291892189004020  
Block: 291892189004021

**Block: 291892189004022**

**VTD: CLA053**

**VTD: CLA055**

**VTD: CLA057**

**VTD: CLA058**

**VTD: CLA059**

**VTD: CLA200**

**VTD: CLA204**

**VTD: CLA206**

**VTD: CLA207**

**VTD: CLA208**

**VTD: CLA209**

**VTD: CLA212**

**VTD: CLA213**

**VTD: CLA214**

**VTD: CON001**

**VTD: CON002**

**VTD: CON003**

**VTD: CON004**

**VTD: CON005**

**VTD: CON006**

**VTD: CON007**

**VTD: CON008**

**VTD: CON009**

**VTD: CON010**

**VTD: CON011**

**VTD: CON012**

**VTD: CON013**

**VTD: CON014**

**VTD: CON015**

**VTD: CON016**

**VTD: CON017**

**VTD: CON018**

**VTD: CON019**

**VTD: CON020**

**VTD: CON021**

**VTD: CON022**

**VTD: CON023**

**VTD: CON024**

**VTD: CON025**

**VTD: CON026**

**VTD: CON027**

**VTD: CON028**

**VTD: CON029**

**VTD: CON030**

**VTD: CON031**

**VTD: CON032**

**VTD: CON033**

**VTD: CON034**

**VTD: CON035**

**VTD: CON036**

**VTD: CON037**

**VTD: CON038**

**VTD: CON039**

**VTD: CON040**

**VTD: CON041**



VTD: CON042  
VTD: CON043  
VTD: CON044  
VTD: CON045  
VTD: CON046  
VTD: CON047  
VTD: CON048  
VTD: CON049  
VTD: CON050  
VTD: CON051  
VTD: CON052  
VTD: CON200  
VTD: CON201  
VTD: CON203  
VTD: CON204  
VTD: CON205  
VTD: GRA001  
VTD: GRA002  
VTD: GRA003  
VTD: GRA004  
VTD: GRA005  
VTD: GRA006  
VTD: GRA007  
VTD: GRA008  
VTD: GRA009  
VTD: GRA010  
VTD: GRA011  
VTD: GRA012  
VTD: GRA013  
VTD: GRA014  
VTD: GRA015  
VTD: GRA016  
VTD: GRA017  
VTD: GRA018  
VTD: GRA019  
VTD: GRA020  
VTD: GRA021  
VTD: GRA022  
VTD: GRA023  
VTD: GRA024  
VTD: GRA025  
VTD: GRA026  
VTD: GRA028  
VTD: GRA029  
VTD: GRA030  
VTD: GRA031  
VTD: GRA032  
VTD: GRA033  
VTD: GRA034  
VTD: GRA035  
VTD: GRA036  
VTD: GRA037  
VTD: GRA038  
VTD: GRA039  
VTD: GRA040  
VTD: GRA041

VTD: GRA042  
VTD: GRA043  
VTD: GRA044  
VTD: GRA045  
VTD: GRA046  
VTD: GRA047  
VTD: GRA048  
VTD: GRA049  
VTD: GRA050  
VTD: GRA051  
VTD: GRA052  
VTD: GRA053  
VTD: GRA054  
VTD: GRA055  
VTD: GRA056  
VTD: GRA202  
VTD: GRA203  
VTD: GRA204  
VTD: GRA205  
VTD: GRA206  
VTD: GRA209  
VTD: GRA210  
VTD: JEF001  
VTD: JEF002  
VTD: JEF003  
VTD: JEF004  
VTD: JEF005  
VTD: JEF006  
VTD: JEF007  
VTD: JEF008  
VTD: JEF009  
VTD: JEF010  
VTD: JEF011  
VTD: JEF012  
VTD: JEF015  
VTD: JEF016  
VTD: JEF017 (part)  
Block: 291892196001016  
Block: 291892196001017  
VTD: JEF018 (part)  
Block: 291892191004014  
Block: 291892191004015  
Block: 291892191004016  
Block: 291892191004017  
Block: 291892192002013  
Block: 291892192002014  
Block: 291892195003000  
Block: 291892196003002  
Block: 291892196003013  
Block: 291892196003014  
Block: 291892196003018  
VTD: JEF021  
VTD: JEF022  
VTD: JEF023 (part)  
Block: 291892193002000  
Block: 291892193002005

Block: 291892193002006  
Block: 291892193002007  
Block: 291892193002008  
Block: 291892193002009  
Block: 291892193002010  
Block: 291892193002011  
Block: 291892193002012  
Block: 291892193002013  
Block: 291892193002014  
VTD: JEF025  
VTD: JEF026  
VTD: JEF027  
VTD: JEF029  
VTD: JEF030 (part)  
Block: 291892195001001  
Block: 291892195003001  
Block: 291892195003002  
Block: 291892195003003  
Block: 291892195003004  
Block: 291892195003005  
Block: 291892195003006  
Block: 291892195003007  
Block: 291892195003008  
Block: 291892195003009  
Block: 291892195003010  
Block: 291892195003011  
Block: 291892195003012  
Block: 291892195003013  
Block: 291892195003014  
Block: 291892195003015  
Block: 291892195003016  
Block: 291892195003017  
Block: 291892195004000  
Block: 291892195004002  
Block: 291892195004003  
VTD: JEF031  
VTD: JEF032  
VTD: JEF033  
VTD: JEF034  
VTD: JEF035  
VTD: JEF036  
VTD: JEF037  
VTD: JEF038  
VTD: JEF039  
VTD: JEF040  
VTD: JEF041  
VTD: JEF042  
VTD: JEF043  
VTD: JEF044  
VTD: JEF045  
VTD: JEF046  
VTD: JEF048 (part)  
Block: 291892188003002  
Block: 291892188003008  
Block: 291892193002001  
Block: 291892193002002

Block: 291892193002003  
Block: 291892193002004  
Block: 291892193002018  
VTD: JEF049  
VTD: JEF050  
VTD: JEF200 (part)  
Block: 291892196001014  
Block: 291892196001015  
Block: 291892196001018  
Block: 291892196001019  
VTD: JEF201  
VTD: LAF001  
VTD: LAF002  
VTD: LAF003  
VTD: LAF004  
VTD: LAF005  
VTD: LAF006  
VTD: LAF007  
VTD: LAF008  
VTD: LAF009  
VTD: LAF010  
VTD: LAF011  
VTD: LAF012  
VTD: LAF013  
VTD: LAF014  
VTD: LAF015  
VTD: LAF016  
VTD: LAF017  
VTD: LAF018  
VTD: LAF019  
VTD: LAF020  
VTD: LAF021  
VTD: LAF022  
VTD: LAF023  
VTD: LAF024  
VTD: LAF025  
VTD: LAF026  
VTD: LAF027  
VTD: LAF028  
VTD: LAF029  
VTD: LAF030  
VTD: LAF031  
VTD: LAF032  
VTD: LAF033  
VTD: LAF034  
VTD: LAF035  
VTD: LAF036  
VTD: LAF037  
VTD: LAF038  
VTD: LAF039  
VTD: LAF040  
VTD: LAF041  
VTD: LAF042  
VTD: LAF043  
VTD: LAF044  
VTD: LAF201

VTD: LAF205  
VTD: LAF207  
VTD: LEM001  
VTD: LEM002  
VTD: LEM003  
VTD: LEM004  
VTD: LEM005  
VTD: LEM006  
VTD: LEM007  
VTD: LEM008  
VTD: LEM009  
VTD: LEM010  
VTD: LEM011  
VTD: LEM012  
VTD: LEM013  
VTD: LEM014  
VTD: LEM015  
VTD: LEM016  
VTD: LEM017  
VTD: LEM018  
VTD: LEM019  
VTD: LEM020  
VTD: LEM021  
VTD: LEM022  
VTD: LEM023  
VTD: LEM024  
VTD: LEM025  
VTD: LEM026  
VTD: LEM027  
VTD: LEM028  
VTD: LEM029  
VTD: LEM030  
VTD: LEM031  
VTD: LEM032  
VTD: LEM033  
VTD: LEM034  
VTD: LEM035  
VTD: LEM036  
VTD: LEM037  
VTD: LEM038  
VTD: LEM039  
VTD: LEM040  
VTD: LEM041  
VTD: LEM042  
VTD: LEM043  
VTD: LEM044  
VTD: LEM045  
VTD: LEM046  
VTD: LEM200  
VTD: LEM201  
VTD: LEM202  
VTD: LEM203  
VTD: LEM204  
VTD: LEM205  
VTD: LEM206  
VTD: LEM207

VTD: MER001  
VTD: MER002  
VTD: MER003  
VTD: MER004  
VTD: MER005  
VTD: MER006  
VTD: MER007  
VTD: MER008  
VTD: MER009  
VTD: MER010  
VTD: MER011  
VTD: MER012  
VTD: MER013  
VTD: MER014  
VTD: MER015  
VTD: MER016  
VTD: MER017  
VTD: MER018  
VTD: MER019  
VTD: MER020  
VTD: MER021  
VTD: MER022  
VTD: MER023  
VTD: MER024  
VTD: MER025  
VTD: MER026  
VTD: MER027  
VTD: MER028  
VTD: MER029  
VTD: MER030  
VTD: MER031  
VTD: MER032  
VTD: MER033  
VTD: MER034  
VTD: MER035  
VTD: MER036  
VTD: MER037  
VTD: MER038  
VTD: MER039  
VTD: MER040  
VTD: MER041  
VTD: MER042  
VTD: MER043  
VTD: MER044  
VTD: MER045  
VTD: MER046  
VTD: MER047  
VTD: MER048  
VTD: MER049  
VTD: MER050  
VTD: MER051  
VTD: MER052  
VTD: MER053  
VTD: MER203  
VTD: MER207  
VTD: MER209

VTD: MER210  
VTD: MER211  
VTD: MER212  
VTD: MER214  
VTD: MER218  
VTD: MER219  
VTD: MHT001  
VTD: MHT002  
VTD: MHT003  
VTD: MHT004  
VTD: MHT005  
VTD: MHT006  
VTD: MHT007  
VTD: MHT008  
VTD: MHT009  
VTD: MHT010  
VTD: MHT011  
VTD: MHT012  
VTD: MHT013  
VTD: MHT014  
VTD: MHT015  
VTD: MHT017  
VTD: MHT018 (part)  
Block: 291892132022002  
Block: 291892132022003  
Block: 291892132022004  
Block: 291892132022006  
Block: 291892132022007  
Block: 291892132022008  
Block: 291892132022009  
Block: 291892132022014  
Block: 291892132022015  
Block: 291892132022016  
Block: 291892132022017  
Block: 291892132022018  
VTD: MHT019  
VTD: MHT020  
VTD: MHT021  
VTD: MHT022  
VTD: MHT023  
VTD: MHT024  
VTD: MHT025  
VTD: MHT026  
VTD: MHT027  
VTD: MHT028  
VTD: MHT029  
VTD: MHT030  
VTD: MHT031  
VTD: MHT032  
VTD: MHT033  
VTD: MHT034  
VTD: MHT035  
VTD: MHT036  
VTD: MHT037  
VTD: MHT038  
VTD: MHT039

VTD: MHT040  
VTD: MHT041  
VTD: MHT042  
VTD: MHT043  
VTD: MHT044  
VTD: MHT045  
VTD: MHT046  
VTD: MHT047  
VTD: MHT048  
VTD: MHT049  
VTD: MHT200  
VTD: MHT201  
VTD: MHT202  
VTD: MHT203  
VTD: MHT209  
VTD: MHT211  
VTD: MHT212  
VTD: MHT213  
VTD: MHT214  
VTD: MHT216  
VTD: MHT218  
VTD: MHT219  
VTD: MID001 (part)  
Block: 291892150011003  
Block: 291892150011004  
Block: 291892150011005  
Block: 291892150011048  
Block: 291892150011049  
VTD: MID057  
VTD: MID200  
VTD: MID201  
VTD: MID207 (part)  
Block: 291892150011047  
Block: 291892150011098  
VTD: MR001  
VTD: MR002  
VTD: MR003  
VTD: MR004  
VTD: MR005  
VTD: MR006  
VTD: MR007  
VTD: MR008  
VTD: MR009  
VTD: MR010  
VTD: MR011  
VTD: MR012  
VTD: MR013  
VTD: MR014  
VTD: MR015  
VTD: MR016  
VTD: MR017  
VTD: MR018  
VTD: MR019  
VTD: MR020  
VTD: MR021  
VTD: MR022



VTD: MR023  
VTD: MR024  
VTD: MR025  
VTD: MR026  
VTD: MR027  
VTD: MR028  
VTD: MR029  
VTD: MR030  
VTD: MR031  
VTD: MR032  
VTD: MR033  
VTD: MR034  
VTD: MR035  
VTD: MR036  
VTD: MR037  
VTD: MR038  
VTD: MR039  
VTD: MR040  
VTD: MR041  
VTD: MR042  
VTD: MR043  
VTD: MR044  
VTD: MR045  
VTD: MR046  
VTD: MR047  
VTD: MR048  
VTD: MR049  
VTD: MR050  
VTD: MR051  
VTD: MR052  
VTD: MR053  
VTD: MR054  
VTD: MR055  
VTD: MR056  
VTD: MR057  
VTD: MR058  
VTD: MR059  
VTD: MR060  
VTD: MR061  
VTD: MR062  
VTD: MR063  
VTD: MR064  
VTD: MR065  
VTD: MR066  
VTD: MR067  
VTD: MR068  
VTD: MR069  
VTD: MR070  
VTD: MR071  
VTD: MR072  
VTD: MR073  
VTD: MR074  
VTD: MR075  
VTD: MR076  
VTD: MR077  
VTD: MR078

**VTD: MR079**  
**VTD: MR080**  
**VTD: MR200**  
**VTD: MR202**  
**VTD: MR203**  
**VTD: MR206**  
**VTD: MR209**  
**VTD: NW006**  
**VTD: NW007**  
**VTD: NW008 (part)**  
**Block: 291892113332000**  
**Block: 291892113341003**  
**Block: 291892113341016**  
**Block: 291892113341017**  
**Block: 291892113341018**  
**Block: 291892113341032**  
**VTD: NW009**  
**VTD: NW013 (part)**  
**Block: 291892151431006**  
**Block: 291892151431007**  
**Block: 291892151431008**  
**Block: 291892151431009**  
**Block: 291892151431010**  
**Block: 291892151431011**  
**Block: 291892151431012**  
**Block: 291892151431013**  
**Block: 291892151431014**  
**Block: 291892151431015**  
**Block: 291892151431016**  
**Block: 291892151431017**  
**Block: 291892151431018**  
**Block: 291892151431019**  
**Block: 291892151431020**  
**Block: 291892151431021**  
**Block: 291892151431022**  
**Block: 291892151431023**  
**Block: 291892151431024**  
**Block: 291892151431025**  
**Block: 291892151431026**  
**Block: 291892151431033**  
**Block: 291892151431034**  
**Block: 291892151431035**  
**Block: 291892151431037**  
**Block: 291892151431038**  
**Block: 291892151431040**  
**Block: 291892151431042**  
**Block: 291892151431054**  
**Block: 291892151431055**  
**Block: 291892151431056**  
**Block: 291892151431057**  
**Block: 291892151431058**  
**Block: 291892151431059**  
**Block: 291892151431061**  
**Block: 291892151431063**  
**Block: 291892151431064**  
**Block: 291892151431065**

Block: 291892151431066  
Block: 291892151431067  
Block: 291892151431068  
Block: 291892151431069  
Block: 291892151431070  
Block: 291892151431071  
Block: 291892151431072  
Block: 291892151431073  
Block: 291892151431074  
Block: 291892151431075  
Block: 291892151431076  
Block: 291892151431077  
Block: 291892151431078  
Block: 291892151431079  
Block: 291892151431080  
Block: 291892151431081  
Block: 291892151431087  
Block: 291892151431089  
Block: 291892151431091  
Block: 291892151431092  
VTD: NW015  
VTD: NW018  
VTD: NW019 (part)  
Block: 291892132025000  
Block: 291892132025019  
Block: 291892132025021  
Block: 291892151432024  
VTD: NW021  
VTD: NW022  
VTD: NW023  
VTD: NW024  
VTD: NW025 (part)  
Block: 291892114013002  
Block: 291892114013003  
Block: 291892114013040  
VTD: NW027  
VTD: NW029  
VTD: NW030 (part)  
Block: 291892114013012  
Block: 291892114013013  
Block: 291892114013030  
VTD: NW032 (part)  
Block: 291892131021049  
Block: 291892131021050  
Block: 291892131021052  
Block: 291892131021053  
Block: 291892131021054  
Block: 291892131021059  
Block: 291892131021090  
Block: 291892131021091  
Block: 291892131021092  
Block: 291892131021093  
Block: 291892131021102  
Block: 291892131021103  
Block: 291892131021112  
Block: 291892131021113

Block: 291892131021115  
Block: 291892151431002  
Block: 291892151431005  
VTD: NW033  
VTD: NW035  
VTD: NW036  
VTD: NW038  
VTD: NW039  
VTD: NW040  
VTD: NW041  
VTD: NW042 (part)  
Block: 291892131021048  
Block: 291892131021094  
Block: 291892131021095  
Block: 291892131021096  
Block: 291892131021097  
Block: 291892131021098  
Block: 291892131021099  
Block: 291892131021100  
Block: 291892131022041  
Block: 291892131022049  
Block: 291892131022050  
Block: 291892131022051  
Block: 291892131022052  
Block: 291892131022053  
Block: 291892131022054  
Block: 291892131022057  
VTD: NW044  
VTD: NW046  
VTD: NW048 (part)  
Block: 291892114013004  
Block: 291892114013005  
Block: 291892114013006  
Block: 291892114013014  
Block: 291892114013015  
Block: 291892114013016  
Block: 291892114013017  
Block: 291892114013018  
Block: 291892114013019  
Block: 291892114013020  
Block: 291892114013021  
Block: 291892114013022  
Block: 291892114013023  
Block: 291892114013024  
Block: 291892114013025  
Block: 291892114013026  
Block: 291892114013027  
Block: 291892114013031  
Block: 291892114013032  
Block: 291892114013033  
Block: 291892114013039  
VTD: NW052  
VTD: NW206 (part)  
Block: 291892151431052  
VTD: NW208  
VTD: NW209

VTD: NW210  
VTD: NW213  
VTD: NW215  
VTD: NW231  
VTD: OAK001  
VTD: OAK002  
VTD: OAK003  
VTD: OAK004  
VTD: OAK005  
VTD: OAK006  
VTD: OAK007  
VTD: OAK008  
VTD: OAK009  
VTD: OAK010  
VTD: OAK011  
VTD: OAK012  
VTD: OAK013  
VTD: OAK014  
VTD: OAK015  
VTD: OAK016  
VTD: OAK017  
VTD: OAK018  
VTD: OAK019  
VTD: OAK020  
VTD: OAK021  
VTD: OAK022  
VTD: OAK023  
VTD: OAK024  
VTD: OAK025  
VTD: OAK026  
VTD: OAK027  
VTD: OAK028  
VTD: OAK029  
VTD: OAK030  
VTD: OAK031  
VTD: OAK032  
VTD: OAK033  
VTD: OAK034  
VTD: OAK035  
VTD: OAK036  
VTD: OAK037  
VTD: QUE001  
VTD: QUE002  
VTD: QUE003  
VTD: QUE004  
VTD: QUE005  
VTD: QUE006  
VTD: QUE007  
VTD: QUE008  
VTD: QUE009  
VTD: QUE010  
VTD: QUE011  
VTD: QUE012  
VTD: QUE013  
VTD: QUE014  
VTD: QUE015

VTD: QUE016  
VTD: QUE017  
VTD: QUE018  
VTD: QUE019  
VTD: QUE020  
VTD: QUE021  
VTD: QUE022  
VTD: QUE023  
VTD: QUE024  
VTD: QUE025  
VTD: QUE026  
VTD: QUE027  
VTD: QUE028  
VTD: QUE029  
VTD: QUE030  
VTD: QUE031  
VTD: QUE032  
VTD: QUE033  
VTD: QUE034  
VTD: QUE035  
VTD: QUE036  
VTD: QUE037  
VTD: QUE038  
VTD: QUE039  
VTD: QUE040  
VTD: QUE041  
VTD: QUE042  
VTD: QUE043  
VTD: QUE044  
VTD: QUE045  
VTD: QUE046  
VTD: QUE047  
VTD: QUE048  
VTD: QUE049  
VTD: QUE050  
VTD: QUE051  
VTD: QUE201  
VTD: QUE202  
VTD: QUE204  
VTD: QUE209  
VTD: QUE210  
VTD: QUE211  
VTD: QUE212  
VTD: QUE215  
VTD: QUE216  
VTD: QUE217  
VTD: TSF001  
VTD: TSF002  
VTD: TSF003  
VTD: TSF004  
VTD: TSF005  
VTD: TSF006  
VTD: TSF007  
VTD: TSF008  
VTD: TSF009  
VTD: TSF010

VTD: TSF011  
VTD: TSF012  
VTD: TSF013  
VTD: TSF014  
VTD: TSF015  
VTD: TSF016  
VTD: TSF017  
VTD: TSF018  
VTD: TSF019  
VTD: TSF020  
VTD: TSF021  
VTD: TSF022  
VTD: TSF023  
VTD: TSF024  
VTD: TSF025  
VTD: TSF026  
VTD: TSF027  
VTD: TSF028  
VTD: TSF029  
VTD: TSF030  
VTD: TSF031  
VTD: TSF032  
VTD: TSF207  
VTD: TSF208  
VTD: UNV031 (part)  
Block: 291892158005036  
VTD: WH001  
VTD: WH002  
VTD: WH003  
VTD: WH004  
VTD: WH005  
VTD: WH006  
VTD: WH007  
VTD: WH008  
VTD: WH009  
VTD: WH010  
VTD: WH011  
VTD: WH012  
VTD: WH013  
VTD: WH014  
VTD: WH015  
VTD: WH016  
VTD: WH017  
VTD: WH018  
VTD: WH019  
VTD: WH020  
VTD: WH021  
VTD: WH022  
VTD: WH023  
VTD: WH024  
VTD: WH025  
VTD: WH026  
VTD: WH027  
VTD: WH028  
VTD: WH029  
VTD: WH030

VTD: WH031  
VTD: WH032  
VTD: WH033  
VTD: WH034  
VTD: WH035  
VTD: WH036  
VTD: WH037  
VTD: WH038  
VTD: WH039  
VTD: WH040  
VTD: WH041  
VTD: WH042  
VTD: WH043  
VTD: WH044  
VTD: WH045  
VTD: WH046  
VTD: WH047  
VTD: WH048  
VTD: WH049  
VTD: WH050  
VTD: WH051  
VTD: WH205  
VTD: WH208  
VTD: WH209  
VTD: WH212  
Warren MO County (part)  
VTD: Concord Hill  
VTD: Dutzow  
VTD: Holstein  
VTD: Hopewell  
VTD: Innsbrook  
VTD: Lake Sherwood  
VTD: Marthasville  
VTD: North Hickory Grove (part)  
Block: 292198201032077  
Block: 292198201032078  
Block: 292198201032086  
Block: 292198201032101  
Block: 292198201033013  
Block: 292198201033014  
Block: 292198201033015  
Block: 292198201033016  
Block: 292198201033017  
Block: 292198201033018  
Block: 292198201033019  
Block: 292198201033020  
Block: 292198201033021  
Block: 292198201033022  
Block: 292198201033023  
Block: 292198201033024  
Block: 292198201033025  
Block: 292198201033026  
Block: 292198201033027  
Block: 292198201033028  
Block: 292198201033029  
Block: 292198201033030



**Block: 292198201033031**  
**Block: 292198201033032**  
**Block: 292198201033033**  
**Block: 292198201033037**  
**Block: 292198201033038**  
**Block: 292198201033041**  
**Block: 292198201033044**  
**Block: 292198201033045**  
**Block: 292198201033097**  
**Block: 292198201033098**  
**Block: 292198201033099**  
**Block: 292198201033100**  
**Block: 292198201033101**  
**Block: 292198201033102**  
**Block: 292198201033103**  
**Block: 292198201033104**  
**Block: 292198201033105**  
**Block: 292198201033106**  
**Block: 292198201033107**  
**Block: 292198201033108**  
**Block: 292198201033109**  
**Block: 292198201033110**  
**Block: 292198201033111**  
**Block: 292198201033112**  
**Block: 292198201033113**  
**Block: 292198201033114**  
**Block: 292198201033117**  
**Block: 292198201033118**  
**Block: 292198201033125**  
**Block: 292198201033126**  
**Block: 292198201033127**  
**Block: 292198201033128**  
**VTD: Smith Creek**  
**VTD: South Hickory Grove**  
**VTD: Wright City Ward 1 (part)**  
**Block: 292198201032062**  
**Block: 292198201032063**  
**VTD: Wright City Ward 2 (part)**  
**Block: 292198201032072**  
**Block: 292198201033040"; and**

Further amend said bill, Pages 65 to 74, Section 128.453, Lines 2 to 385, by deleting all of said lines and inserting in lieu thereof the following:

**"Audrain MO County**  
**Callaway MO County**  
**Camden MO County (part)**  
**VTD: Barnumton**  
**VTD: Camdenton 1**  
**VTD: Camdenton 2**  
**VTD: Camdenton 3**  
**VTD: Climax Springs (part)**  
**Block: 290299507001000**  
**Block: 290299507001002**  
**Block: 290299507001004**  
**Block: 290299507001006**

Block: 290299507001007  
Block: 290299507001008  
Block: 290299507001009  
Block: 290299507001010  
Block: 290299507001011  
Block: 290299507001012  
Block: 290299507001013  
Block: 290299507001014  
Block: 290299507001015  
Block: 290299507001016  
Block: 290299507001017  
Block: 290299507001018  
Block: 290299507001019  
Block: 290299507001020  
Block: 290299507001021  
Block: 290299507001022  
Block: 290299507001023  
Block: 290299507001024  
Block: 290299507001025  
Block: 290299507001026  
Block: 290299507001027  
Block: 290299507001028  
Block: 290299507001029  
Block: 290299507001030  
Block: 290299507001031  
Block: 290299507001032  
Block: 290299507001033  
Block: 290299507001034  
Block: 290299507001035  
Block: 290299507001036  
Block: 290299507001037  
Block: 290299507001038  
Block: 290299507001040  
Block: 290299507001079  
Block: 290299507001080  
Block: 290299507001082  
Block: 290299507001083  
Block: 290299507001085  
Block: 290299507001087  
Block: 290299507001088  
Block: 290299507001115  
Block: 290299507001116  
Block: 290299507001117  
Block: 290299507001118  
Block: 290299507001119  
Block: 290299507001125  
Block: 290299507001128  
Block: 290299507001130  
Block: 290299507001131  
Block: 290299507001132  
Block: 290299507001135  
Block: 290299507001136  
Block: 290299507001139  
Block: 290299507001140  
Block: 290299507001141  
Block: 290299507001146

Block: 290299507001147  
Block: 290299507001148  
Block: 290299507001149  
Block: 290299507001151  
Block: 290299507001152  
Block: 290299507001153  
Block: 290299507001154  
Block: 290299507001155  
Block: 290299507001156  
Block: 290299507001157  
Block: 290299507001158  
Block: 290299507001159  
Block: 290299507001160  
Block: 290299507001161  
Block: 290299507001162  
Block: 290299507001163  
Block: 290299507001164  
Block: 290299507001165  
Block: 290299507001166  
Block: 290299507001167  
Block: 290299507001168  
Block: 290299507001169  
Block: 290299507001170  
Block: 290299507001171  
Block: 290299507001172  
Block: 290299507001173  
Block: 290299507001174  
Block: 290299507002006  
Block: 290299507002007  
Block: 290299507002008  
Block: 290299507002009  
Block: 290299507002010  
Block: 290299507002011  
Block: 290299507002012  
Block: 290299507002022  
Block: 290299507002023  
Block: 290299507002026  
Block: 290299507002027  
Block: 290299507002054  
Block: 290299507002055  
Block: 290299507002058  
Block: 290299507002122  
Block: 290299507002124  
Block: 290299507002127  
Block: 290299507002128  
Block: 290299508002041  
Block: 290299508002042  
Block: 290299508002043  
Block: 290299508002048  
Block: 290299508002049  
Block: 290299508002050  
Block: 290299508002051  
VTD: Decaturville  
VTD: Freedom  
VTD: Greenview  
VTD: Ha Ha Tonka

**VTD: Hillhouse**  
**VTD: Horseshoe Bend**  
**VTD: Linn Creek**  
**VTD: Macks Creek**  
**VTD: Montreal**  
**VTD: Osage Beach 1**  
**VTD: Osage Beach 2**  
**VTD: Osage Beach 3**  
**VTD: Roach**  
**VTD: Stoutland**  
**VTD: Sunny Slope**  
**VTD: Sunrise Beach 1**  
**VTD: Sunrise Beach 2**  
**VTD: Sunrise Beach 3**  
**VTD: Wilson Bend**  
**Cole MO County**  
**Franklin MO County (part)**  
**VTD: BEAUFORT- LYON**  
**VTD: BERGER OUT OF TOWN**  
**VTD: BERGER WARD 1**  
**VTD: BERGER WARD 2**  
**VTD: CATAWISSA**  
**VTD: CLOVER BOTTOM EAST**  
**VTD: CLOVER BOTTOM WEST**  
**VTD: DETMOLD**  
**VTD: EXCELSIOR**  
**VTD: GILDEHAUS**  
**VTD: GRAY SUMMIT**  
**VTD: JAEGER'S SHOP**  
**VTD: KRAKOW**  
**VTD: LABADIE**  
**VTD: LYON**  
**VTD: NEW HAVEN WARD 1**  
**VTD: NEW HAVEN WARD 2**  
**VTD: PACIFIC OUT OF TOWN**  
**VTD: PACIFIC WARD 1**  
**VTD: PACIFIC WARD 2**  
**VTD: PACIFIC WARD 3**  
**VTD: PRAIRIE DELL (part)**  
**Block: 290718006023000**  
**Block: 290718006023001**  
**Block: 290718006023002**  
**Block: 290718006023003**  
**Block: 290718006023004**  
**Block: 290718006023005**  
**Block: 290718006023006**  
**Block: 290718006023018**  
**Block: 290718006023021**  
**Block: 290718006023023**  
**Block: 290718006023025**  
**Block: 290718006023029**  
**Block: 290718006023035**  
**Block: 290718006023038**  
**Block: 290718006023039**  
**Block: 290718006023040**  
**Block: 290718006023051**

Block: 290718006023052  
Block: 290718006023053  
Block: 290718006023058  
Block: 290718006023059  
Block: 290718006023060  
Block: 290718006023061  
Block: 290718006023062  
Block: 290718006023063  
Block: 290718006023064  
Block: 290718006023065  
Block: 290718006023066  
Block: 290718006023067  
Block: 290718006023068  
Block: 290718006023069  
Block: 290718006023070  
Block: 290718006023072  
Block: 290718006023073  
Block: 290718006023076  
Block: 290718006023077  
Block: 290718006023078  
Block: 290718006023082  
Block: 290718006023083  
Block: 290718006023084  
Block: 290718006023088  
Block: 290718006023097  
Block: 290718006023098  
Block: 290718006023099  
Block: 290718006023100  
Block: 290718006023101  
Block: 290718006023102  
Block: 290718006023103  
Block: 290718006023104  
Block: 290718006023105  
Block: 290718006024000  
Block: 290718006024001  
Block: 290718006024002  
Block: 290718006024003  
Block: 290718006024004  
Block: 290718006024005  
Block: 290718006024006  
Block: 290718006024007  
Block: 290718006024008  
Block: 290718006024009  
Block: 290718006024013  
Block: 290718006024014  
Block: 290718006024020  
Block: 290718006024021  
Block: 290718006024022  
Block: 290718006024023  
Block: 290718006024024  
Block: 290718006024028  
Block: 290718006024029  
Block: 290718006024030  
Block: 290718006024032  
Block: 290718006024034  
Block: 290718006024035

Block: 290718006024037  
Block: 290718006024045  
Block: 290718006024046  
Block: 290718006024047  
Block: 290718006024048  
Block: 290718006024049  
Block: 290718006024050  
Block: 290718006024051  
Block: 290718006024053  
Block: 290718006024054  
Block: 290718006024055  
Block: 290718006024059  
Block: 290718006024060  
Block: 290718006024061  
Block: 290718006024068  
Block: 290718006024071  
Block: 290718006024072  
Block: 290718006024074  
Block: 290718006024075  
Block: 290718006024076  
Block: 290718006024085  
Block: 290718008001026  
Block: 290718008001027  
Block: 290718008001029  
Block: 290718008001030  
Block: 290718008001031  
Block: 290718008001032  
Block: 290718008001033  
Block: 290718008001034  
Block: 290718008001035  
Block: 290718008001036  
Block: 290718008001037  
Block: 290718008001038  
Block: 290718008001039  
Block: 290718008001040  
Block: 290718008001041  
Block: 290718008001042  
Block: 290718008001044  
Block: 290718008001045  
Block: 290718008002012  
Block: 290718008002036  
Block: 290718008002037  
Block: 290718008002038  
Block: 290718008002039  
Block: 290718008002040  
Block: 290718008002041  
Block: 290718008002042  
Block: 290718008002051  
Block: 290718008002062  
Block: 290718008002066  
VTD: ROBERTSVILLE  
VTD: SOUTH POINT  
VTD: ST ALBANS  
VTD: UNION OUT OF TOWN (part)  
Block: 290718001004069  
Block: 290718001004071

Block: 290718004024058  
Block: 290718004024059  
Block: 290718004024060  
Block: 290718005005058  
Block: 290718005005073  
Block: 290718006011008  
Block: 290718006011018  
Block: 290718006011020  
Block: 290718006011021  
Block: 290718006011028  
Block: 290718006011029  
Block: 290718006011030  
Block: 290718006011031  
Block: 290718006011032  
Block: 290718006011033  
Block: 290718006011034  
Block: 290718006011035  
Block: 290718006011037  
Block: 290718006012006  
Block: 290718006012010  
Block: 290718006012011  
Block: 290718006012012  
Block: 290718006012013  
Block: 290718006012014  
Block: 290718006012015  
Block: 290718006012016  
Block: 290718006012032  
Block: 290718006012033  
Block: 290718006012034  
Block: 290718006012035  
Block: 290718006012037  
Block: 290718006012052  
Block: 290718006012063  
Block: 290718006012064  
Block: 290718006012065  
Block: 290718006014090  
Block: 290718006021000  
Block: 290718006021001  
Block: 290718006021002  
Block: 290718006021003  
Block: 290718006021004  
Block: 290718006021005  
Block: 290718006021006  
Block: 290718006021009  
Block: 290718006021012  
Block: 290718006021013  
Block: 290718006021014  
Block: 290718006021018  
Block: 290718006021019  
Block: 290718006021020  
Block: 290718006021021  
Block: 290718006021025  
Block: 290718006021035  
Block: 290718006021036  
Block: 290718006021037  
Block: 290718006021038

Block: 290718006021039  
Block: 290718006021040  
Block: 290718006021043  
Block: 290718006021044  
Block: 290718006021047  
Block: 290718006021051  
Block: 290718006021066  
Block: 290718006021068  
Block: 290718006021069  
Block: 290718006021070  
Block: 290718006021076  
Block: 290718006022012  
Block: 290718006022013  
Block: 290718006022016  
Block: 290718006022017  
VTD: UNION WARD 1  
VTD: UNION WARD 2  
VTD: UNION WARD 3  
VTD: UNION WARD 4  
VTD: VILLA RIDGE  
VTD: WASHINGTON WARD 1  
VTD: WASHINGTON WARD 2  
VTD: WASHINGTON WARD 3  
VTD: WASHINGTON WARD 4  
VTD: YEATES  
VTD: ZIEGENMEYER  
Gasconade MO County  
Jefferson MO County (part)  
VTD: Antonia No. 1  
VTD: Antonia No. 2  
VTD: Arnold No. 2 (part)  
Block: 290997001103017  
Block: 290997001103022  
Block: 290997001103023  
Block: 290997001152032  
Block: 290997001172037  
VTD: Barnhart No. 1  
VTD: Barnhart No. 2  
VTD: Byrnes Mill Ward 1  
VTD: Byrnes Mill Ward 2  
VTD: Byrnes Mill Ward 3  
VTD: Byrnesville  
VTD: Cedar Hill Lakes  
VTD: Cedar Hill No. 1  
VTD: Cedar Hill No. 2  
VTD: Flamm City  
VTD: Goldman No. 1  
VTD: Grubville No. 1  
VTD: Grubville No. 2  
VTD: High Ridge 3-1  
VTD: High Ridge No. 2  
VTD: Hillsboro P-1 (part)  
Block: 290997005024002  
Block: 290997005024004  
Block: 290997005024005  
Block: 290997005024006



Block: 290997005024007  
Block: 290997005024008  
Block: 290997005024009  
Block: 290997005024010  
Block: 290997005024011  
Block: 290997005024012  
Block: 290997005024013  
Block: 290997005024014  
Block: 290997005024015  
Block: 290997005024016  
Block: 290997005024017  
Block: 290997005024018  
Block: 290997005024019  
Block: 290997005024020  
Block: 290997005024021  
Block: 290997005024022  
Block: 290997005024023  
Block: 290997005024024  
Block: 290997005024025  
Block: 290997005024026  
Block: 290997005024027  
Block: 290997005024028  
Block: 290997005024030  
Block: 290997005024031  
Block: 290997005024032  
Block: 290997005024033  
Block: 290997005024034  
Block: 290997005024035  
Block: 290997005024036  
Block: 290997005024037  
Block: 290997005024038  
Block: 290997005024039  
Block: 290997005024041  
Block: 290997005024046  
Block: 290997005024047  
Block: 290997005024048  
Block: 290997005024050  
Block: 290997005024051  
Block: 290997005024052  
Block: 290997005024053  
Block: 290997005024054  
Block: 290997005024055  
Block: 290997005024056  
Block: 290997005024057  
Block: 290997005024058  
Block: 290997005024059  
Block: 290997005024060  
Block: 290997005024061  
Block: 290997005024062  
Block: 290997005024063  
Block: 290997005024064  
Block: 290997005024065  
Block: 290997005024066  
Block: 290997005024067  
Block: 290997005024068  
Block: 290997005024069

Block: 290997005024070  
Block: 290997005024071  
Block: 290997005024072  
Block: 290997005024073  
Block: 290997005024074  
Block: 290997005024075  
Block: 290997005024076  
Block: 290997005024077  
Block: 290997005024078  
Block: 290997005024079  
Block: 290997005024080  
Block: 290997005024081  
Block: 290997005024114  
Block: 290997005024115  
Block: 290997005024116  
Block: 290997005024119  
Block: 290997005024120  
Block: 290997005024121  
Block: 290997011011001  
Block: 290997011011003  
Block: 290997011011004  
VTD: Hoene Springs  
VTD: House Springs 1-1  
VTD: House Springs 1-2  
VTD: House Springs No. 2  
VTD: Imperial No. 1  
VTD: Imperial No. 2  
VTD: Imperial No. 3  
VTD: Jefferson Heights  
VTD: Kimmswick  
VTD: Lake Tishomingo (part)  
Block: 290997005021009  
Block: 290997005021010  
Block: 290997005021011  
Block: 290997005021012  
Block: 290997005021013  
Block: 290997005021014  
Block: 290997005021015  
Block: 290997005021016  
Block: 290997005021017  
Block: 290997005021018  
Block: 290997005021019  
Block: 290997005021020  
Block: 290997005021021  
Block: 290997005021022  
Block: 290997005021025  
Block: 290997005021026  
Block: 290997005021027  
Block: 290997005021028  
Block: 290997005021029  
Block: 290997005021030  
Block: 290997005021031  
Block: 290997005021032  
Block: 290997005021039  
Block: 290997005021040  
Block: 290997005023010

Block: 290997005023011  
 Block: 290997005023012  
 Block: 290997005023013  
 Block: 290997005023014  
 Block: 290997005023016  
 Block: 290997005023018  
 Block: 290997005023020  
 Block: 290997005023021  
 Block: 290997005023022  
 Block: 290997005023023  
 Block: 290997005023024  
 Block: 290997005023025  
 Block: 290997005023026  
 Block: 290997005023027  
 Block: 290997005023028  
 Block: 290997005023029  
 Block: 290997005023048  
 Block: 290997005024000  
 Block: 290997005024001  
 Block: 290997005024003  
 Block: 290997005043016  
 Block: 290997005043017  
 Block: 290997011021030  
 Block: 290997011021031  
 VTD: Mapaville (part)  
 Block: 290997006041052  
 Block: 290997006041053  
 Block: 290997006041054  
 Block: 290997006041055  
 Block: 290997006041099  
 Block: 290997006041100  
 Block: 290997006042000  
 Block: 290997006042001  
 Block: 290997006042002  
 Block: 290997006042003  
 Block: 290997006042004  
 Block: 290997006042010  
 Block: 290997006042011  
 Block: 290997006042012  
 Block: 290997006042013  
 Block: 290997006042014  
 Block: 290997006042015  
 Block: 290997006042016  
 Block: 290997006042017  
 Block: 290997006042022  
 Block: 290997006042023  
 Block: 290997006042024  
 Block: 290997006042025  
 Block: 290997006042026  
 Block: 290997006042027  
 Block: 290997006042028  
 Block: 290997006042029  
 Block: 290997006042030  
 Block: 290997006042031  
 Block: 290997006042033  
 Block: 290997006042036

Block: 290997006042038  
Block: 290997006052006  
Block: 290997006052007  
Block: 290997006052008  
Block: 290997006052009  
Block: 290997006052010  
Block: 290997006052011  
Block: 290997006052012  
Block: 290997006052013  
Block: 290997006052014  
Block: 290997006052020  
Block: 290997006052021  
Block: 290997006052023  
Block: 290997006052024  
Block: 290997006052036  
VTD: Maxville No. 2 (part)  
Block: 290997001132010  
Block: 290997001132011  
Block: 290997001132012  
Block: 290997001132013  
Block: 290997001132019  
Block: 290997001132020  
Block: 290997001132021  
Block: 290997001132022  
Block: 290997001132023  
Block: 290997001132024  
Block: 290997001132025  
Block: 290997001161000  
Block: 290997001161001  
Block: 290997001161002  
Block: 290997001161003  
Block: 290997001161004  
Block: 290997001161005  
Block: 290997001161006  
Block: 290997001161007  
Block: 290997001161008  
Block: 290997001161009  
Block: 290997001161010  
Block: 290997001161011  
Block: 290997001161012  
Block: 290997001161013  
Block: 290997001161014  
Block: 290997001161015  
Block: 290997001161016  
Block: 290997001161017  
Block: 290997001161018  
Block: 290997001162000  
Block: 290997001162001  
Block: 290997001162002  
Block: 290997001162003  
Block: 290997001162004  
Block: 290997001162005  
Block: 290997001162006  
Block: 290997001162007  
Block: 290997001172002  
Block: 290997001172005

**Block: 290997001172006**

**Block: 290997001172007**

**Block: 290997001172008**

**Block: 290997001172009**

**Block: 290997001172010**

**Block: 290997001172024**

**Block: 290997001172025**

**Block: 290997001172038**

**Block: 290997001172039**

**Block: 290997001172040**

**Block: 290997001172041**

**Block: 290997001172042**

**Block: 290997001172043**

**Block: 290997001172044**

**Block: 290997001172045**

**Block: 290997001172046**

**Block: 290997001172047**

**Block: 290997001172048**

**Block: 290997001172049**

**Block: 290997001172050**

**Block: 290997001172054**

**Block: 290997001172055**

**Block: 290997001172056**

**Block: 290997001172057**

**VTD: McNamee R-1**

**VTD: Meramec Valley/McNamee**

**VTD: Miller**

**VTD: Rock Creek No. 1 (part)**

**Block: 290997002062004**

**Block: 290997002111047**

**VTD: Rock Creek No. 2 (part)**

**Block: 290997002061000**

**Block: 290997002061001**

**Block: 290997002061002**

**Block: 290997002061003**

**Block: 290997002061004**

**Block: 290997002061005**

**Block: 290997002061006**

**Block: 290997002061007**

**Block: 290997002061008**

**Block: 290997002061009**

**Block: 290997002061010**

**Block: 290997002061019**

**Block: 290997002061020**

**Block: 290997002061021**

**Block: 290997002061022**

**Block: 290997002061023**

**Block: 290997002061026**

**Block: 290997002061034**

**Block: 290997002061035**

**Block: 290997002061036**

**Block: 290997002061037**

**Block: 290997002061057**

**Block: 290997002062000**

**Block: 290997002062001**

**Block: 290997002062005**

**Block: 290997002062006**

**Block: 290997002062008**

**Block: 290997002062009**

**Block: 290997002062010**

**Block: 290997002063000**

**Block: 290997002063001**

**Block: 290997002063002**

**Block: 290997002063003**

**Block: 290997002063004**

**Block: 290997002063005**

**Block: 290997002063006**

**Block: 290997002063007**

**Block: 290997002063009**

**Block: 290997002063010**

**Block: 290997002063011**

**Block: 290997002063012**

**Block: 290997002063013**

**Block: 290997002063014**

**Block: 290997002063015**

**Block: 290997002063016**

**Block: 290997002063017**

**Block: 290997002063018**

**Block: 290997002063019**

**VTD: Rock Creek No. 3**

**VTD: Rockwood-6/Hoene Springs**

**VTD: Rockwood-6/McNamee**

**VTD: Scotsdale**

**VTD: Ware (part)**

**Block: 290997005021033**

**Block: 290997005021034**

**Block: 290997005021035**

**Block: 290997005021036**

**Block: 290997005021041**

**Block: 290997005021042**

**Block: 290997005021043**

**Block: 290997005024042**

**Block: 290997005024043**

**Block: 290997005024044**

**Block: 290997005024045**

**Block: 290997011011000**

**Block: 290997011011002**

**Block: 290997011011006**

**Block: 290997011011012**

**Block: 290997011021023**

**Block: 290997011021024**

**Block: 290997011021025**

**Block: 290997011021026**

**Block: 290997011021032**

**Block: 290997011021033**

**Block: 290997011021034**

**Block: 290997011021035**

**Block: 290997011021036**

**Block: 290997011021037**

**Block: 290997011021038**

**Block: 290997011021039**

**Block: 290997011021041**

Block: 290997011021042  
Block: 290997011021044  
Block: 290997011021054  
Block: 290997011021055  
Block: 290997011021056  
Block: 290997011021057  
Block: 290997011021058  
Block: 290997011021066  
Block: 290997011021067  
Block: 290997011021068  
Block: 290997011022000  
Block: 290997011022001  
Block: 290997011022002  
Block: 290997011022003  
Block: 290997011022004  
Block: 290997011022005  
Block: 290997011022006  
Block: 290997011022007  
Block: 290997011022008  
Block: 290997011022009  
Block: 290997011022010  
Block: 290997011022011  
Block: 290997011022012  
Block: 290997011022013  
Block: 290997011022014  
Block: 290997011022015  
Block: 290997011022016  
Block: 290997011022017  
Block: 290997011022018  
Block: 290997011022019  
Block: 290997011022020  
Block: 290997011023000  
Block: 290997011023001  
Block: 290997011023002  
Block: 290997011023003  
Block: 290997011023004  
Block: 290997011023005  
Block: 290997011023006  
Block: 290997011023007  
Block: 290997011023011  
Block: 290997011023036  
Block: 290997011023037  
Block: 290997011023038  
Block: 290997011023039  
Block: 290997011023040  
Block: 290997011023041  
Block: 290997011023042  
Block: 290997011023043  
Block: 290997011023044  
Block: 290997011023046  
Block: 290997011023048  
Block: 290997011023049  
Block: 290997011024000  
Block: 290997011024001  
Block: 290997011024002  
Block: 290997011024003

Block: 290997011024004  
Block: 290997011024005  
Block: 290997011024006  
Block: 290997011024007  
Block: 290997011024008  
Block: 290997011024009  
Block: 290997011024010  
Block: 290997011024011  
Block: 290997011024012  
Block: 290997011024013  
Block: 290997011024014  
Block: 290997011024015  
Block: 290997011024016  
Block: 290997011024017  
Block: 290997011024018  
Block: 290997011024019  
Block: 290997011024020  
Block: 290997011024021  
Block: 290997011024026  
Block: 290997011024027  
Block: 290997011024028  
Block: 290997011024030  
VTD: Windsor  
Lincoln MO County  
Maries MO County  
Miller MO County  
Montgomery MO County  
Osage MO County  
St. Charles MO County (part)  
VTD: 001-Kampville  
VTD: 004-Orchard Farm  
VTD: 005-Rivers  
VTD: 014-Lincoln  
VTD: 015-Washington  
VTD: 016-Montclair  
VTD: 021-Truman  
VTD: 022-Cheshire  
VTD: 024-Wilshire  
VTD: 025-Shirewood  
VTD: 028-Treetop  
VTD: 031-Sibley  
VTD: 033-Canary  
VTD: 034-McNair  
VTD: 036-Sun Lake  
VTD: 041-Government  
VTD: 043-Marina  
VTD: 045-Mamelle  
VTD: 047-Covilli  
VTD: 051-St. Cletus  
VTD: 054-Coverdell  
VTD: 056-Edgewood  
VTD: 057-Hanover  
VTD: 062-Adams  
VTD: 063-St. Andrews  
VTD: 071-Fairways  
VTD: 080-Heritage



VTD: 100-McClay  
VTD: 102-Tanglewood  
VTD: 103-Cave Springs  
VTD: 104-Hi Point  
VTD: 106-Spencer  
VTD: 107-Oak Creek  
VTD: 113-Briarhill  
VTD: 121-St. Marys  
VTD: 122-Mid Rivers  
VTD: 126-Meadow Valley  
VTD: 128-Fairmount  
VTD: 131-Shadow Creek  
VTD: 132-Country Hill  
VTD: 140-Laura Hill  
VTD: 145-Salt Lick  
VTD: 148-Winds  
VTD: 149-Sunny Hill  
VTD: 151-Glengate  
VTD: 153-Aspen  
VTD: 157-Patriot  
VTD: 159-Hillcrest  
VTD: 160-Harmony  
VTD: 161-Montbrook  
VTD: 162-Elks  
VTD: 163-Civic  
VTD: 165-St. Paul  
VTD: 166-Mount Hope  
VTD: 167-Morningside  
VTD: 169-Highgrove  
VTD: 173-Turtle Creek  
VTD: 181-Community  
VTD: 182-Evergreen  
VTD: 183-Foristell  
VTD: 184-Flint Hill  
VTD: 185-Josephville  
VTD: 186-Twin Oaks  
VTD: 187-Fairview  
VTD: 189-Pioneer  
VTD: 190-Peine  
VTD: 193-Delmar  
VTD: 194-Amber Meadows  
VTD: 196-Phoenix  
VTD: 197-Feise  
VTD: 198-Cedar  
VTD: 199-Regatta Bay  
VTD: 200-Normandy  
VTD: 202-Ridgepoint  
VTD: 203-Fieldcrest  
VTD: 205-Bayfield  
VTD: 210-Freymuth  
VTD: 213-Bryan  
VTD: 214-Hawk Ridge  
VTD: 217-Keystone  
VTD: 226-Hopewell  
Warren MO County (part)  
VTD: Elkhorn North

**VTD: Elkhorn South**  
**VTD: Gore - Case**  
**VTD: Macedonia**  
**VTD: North Hickory Grove (part)**  
**Block: 292198201031000**  
**Block: 292198201031001**  
**Block: 292198201031002**  
**Block: 292198201031003**  
**Block: 292198201031004**  
**Block: 292198201031005**  
**Block: 292198201031006**  
**Block: 292198201031007**  
**Block: 292198201031008**  
**Block: 292198201031009**  
**Block: 292198201031010**  
**Block: 292198201031011**  
**Block: 292198201031012**  
**Block: 292198201031013**  
**Block: 292198201031014**  
**Block: 292198201031015**  
**Block: 292198201031016**  
**Block: 292198201031017**  
**Block: 292198201031018**  
**Block: 292198201031019**  
**Block: 292198201031020**  
**Block: 292198201031021**  
**Block: 292198201031022**  
**Block: 292198201031023**  
**Block: 292198201031024**  
**Block: 292198201031025**  
**Block: 292198201031026**  
**Block: 292198201031027**  
**Block: 292198201031029**  
**Block: 292198201031030**  
**Block: 292198201031031**  
**Block: 292198201031032**  
**Block: 292198201031033**  
**Block: 292198201031034**  
**Block: 292198201031035**  
**Block: 292198201031036**  
**Block: 292198201031037**  
**Block: 292198201031038**  
**Block: 292198201031039**  
**Block: 292198201031040**  
**Block: 292198201031041**  
**Block: 292198201031042**  
**Block: 292198201031043**  
**Block: 292198201031044**  
**Block: 292198201031045**  
**Block: 292198201031046**  
**Block: 292198201031047**  
**Block: 292198201031048**  
**Block: 292198201031049**  
**Block: 292198201031050**  
**Block: 292198201031051**  
**Block: 292198201031052**

Block: 292198201031053  
Block: 292198201031054  
Block: 292198201031055  
Block: 292198201031056  
Block: 292198201031057  
Block: 292198201031058  
Block: 292198201031059  
Block: 292198201031060  
Block: 292198201031061  
Block: 292198201031062  
Block: 292198201031063  
Block: 292198201031064  
Block: 292198201031065  
Block: 292198201031066  
Block: 292198201031067  
Block: 292198201031068  
Block: 292198201031069  
Block: 292198201031071  
Block: 292198201031073  
Block: 292198201031074  
Block: 292198201031075  
Block: 292198201031076  
Block: 292198201031077  
Block: 292198201031096  
Block: 292198201031097  
Block: 292198201031098  
Block: 292198201031099  
Block: 292198201031100  
Block: 292198201031101  
Block: 292198201031102  
Block: 292198201031103  
Block: 292198201031104  
Block: 292198201031105  
Block: 292198201031106  
Block: 292198201031107  
Block: 292198201031108  
Block: 292198201031109  
Block: 292198201031110  
Block: 292198201031111  
Block: 292198201031112  
Block: 292198201031113  
Block: 292198201031114  
Block: 292198201031115  
Block: 292198201031116  
Block: 292198201031117  
Block: 292198201031118  
Block: 292198201031119  
Block: 292198201031120  
Block: 292198201031121  
Block: 292198201031122  
Block: 292198201031123  
Block: 292198201031124  
Block: 292198201031125  
Block: 292198201031126  
Block: 292198201031127  
Block: 292198201031128

Block: 292198201031129  
Block: 292198201031130  
Block: 292198201031131  
Block: 292198201031132  
Block: 292198201031133  
Block: 292198201031134  
Block: 292198201031135  
Block: 292198201031136  
Block: 292198201031137  
Block: 292198201031138  
Block: 292198201031139  
Block: 292198201031140  
Block: 292198201031141  
Block: 292198201031142  
Block: 292198201031143  
Block: 292198201031144  
Block: 292198201031145  
Block: 292198201031146  
Block: 292198201031147  
Block: 292198201031148  
Block: 292198201031149  
Block: 292198201031150  
Block: 292198201031151  
Block: 292198201031152  
Block: 292198201031153  
Block: 292198201031154  
Block: 292198201031155  
Block: 292198201031156  
Block: 292198201031157  
Block: 292198201031158  
Block: 292198201031159  
Block: 292198201031160  
Block: 292198201031161  
Block: 292198201031162  
Block: 292198201031163  
Block: 292198201031164  
Block: 292198201031165  
Block: 292198201031166  
Block: 292198201031167  
Block: 292198201031168  
Block: 292198201031169  
Block: 292198201031170  
Block: 292198201031171  
Block: 292198201031172  
Block: 292198201031173  
Block: 292198201031174  
Block: 292198201031175  
Block: 292198201031176  
Block: 292198201031177  
Block: 292198201031178  
Block: 292198201031179  
Block: 292198201031180  
Block: 292198201031181  
Block: 292198201031182  
Block: 292198201031183  
Block: 292198201031184

Block: 292198201031185  
Block: 292198201031186  
Block: 292198201031187  
Block: 292198201031188  
Block: 292198201031189  
Block: 292198201031190  
Block: 292198201031191  
Block: 292198201031192  
Block: 292198201031193  
Block: 292198201031194  
Block: 292198201031195  
Block: 292198201031199  
Block: 292198201031200  
Block: 292198201031201  
Block: 292198201031202  
Block: 292198201031203  
Block: 292198201031204  
Block: 292198201031205  
Block: 292198201031206  
Block: 292198201031207  
Block: 292198201031208  
Block: 292198201031209  
Block: 292198201031210  
Block: 292198201031211  
Block: 292198201031212  
Block: 292198201031213  
Block: 292198201031214  
Block: 292198201031215  
Block: 292198201031216  
Block: 292198201031217  
Block: 292198201031220  
Block: 292198201031221  
Block: 292198201031222  
Block: 292198201031223  
Block: 292198201031224  
Block: 292198201031225  
Block: 292198201031226  
Block: 292198201031227  
Block: 292198201031228  
Block: 292198201031229  
Block: 292198201031230  
Block: 292198201031231  
Block: 292198201031232  
Block: 292198201031233  
Block: 292198201031234  
Block: 292198201031235  
Block: 292198201031236  
Block: 292198201031237  
Block: 292198201031238  
Block: 292198201031239  
Block: 292198201031240  
Block: 292198201031241  
Block: 292198201031242  
Block: 292198201031243  
Block: 292198201031246  
Block: 292198201031247

Block: 292198201031250  
Block: 292198201031251  
Block: 292198201031252  
Block: 292198201031253  
Block: 292198201031266  
Block: 292198201031267  
Block: 292198201032066  
Block: 292198201032098  
Block: 292198201032099  
Block: 292198201033000  
Block: 292198201033001  
Block: 292198201033002  
Block: 292198201033006  
Block: 292198201033007  
Block: 292198201033008  
Block: 292198201033009  
Block: 292198201033010  
Block: 292198201033011  
Block: 292198201033012  
Block: 292198201033035  
Block: 292198201033042  
Block: 292198201033043  
Block: 292198201033046  
Block: 292198201033047  
Block: 292198201033048  
Block: 292198201033049  
Block: 292198201033050  
Block: 292198201033053  
Block: 292198201033054  
Block: 292198201033055  
Block: 292198201033056  
Block: 292198201033057  
Block: 292198201033058  
Block: 292198201033059  
Block: 292198201033060  
Block: 292198201033061  
Block: 292198201033062  
Block: 292198201033063  
Block: 292198201033064  
Block: 292198201033065  
Block: 292198201033066  
Block: 292198201033067  
Block: 292198201033068  
Block: 292198201033069  
Block: 292198201033070  
Block: 292198201033071  
Block: 292198201033072  
Block: 292198201033073  
Block: 292198201033074  
Block: 292198201033075  
Block: 292198201033076  
Block: 292198201033077  
Block: 292198201033078  
Block: 292198201033079  
Block: 292198201033080  
Block: 292198201033081

Block: 292198201033082  
Block: 292198201033083  
Block: 292198201033084  
Block: 292198201033085  
Block: 292198201033086  
Block: 292198201033087  
Block: 292198201033088  
Block: 292198201033089  
Block: 292198201033090  
Block: 292198201033091  
Block: 292198201033092  
Block: 292198201033093  
Block: 292198201033094  
Block: 292198201033095  
Block: 292198201033096  
Block: 292198201033119  
Block: 292198201033120  
Block: 292198201033121  
Block: 292198201033122  
Block: 292198201033123  
Block: 292198201033124  
Block: 292198201033130  
Block: 292198201033131  
VTD: Pendleton  
VTD: Truesdale  
VTD: Walnut Grove  
VTD: Warrenton Ward 1  
VTD: Warrenton Ward 2  
VTD: Warrenton Ward 3  
VTD: Weeks  
VTD: Wright City Ward 1 (part)  
Block: 292198201031070  
Block: 292198201031072  
Block: 292198201031078  
Block: 292198201031079  
Block: 292198201031080  
Block: 292198201031081  
Block: 292198201031082  
Block: 292198201031083  
Block: 292198201031084  
Block: 292198201031085  
Block: 292198201031086  
Block: 292198201031087  
Block: 292198201031088  
Block: 292198201031089  
Block: 292198201031090  
Block: 292198201031091  
Block: 292198201031092  
Block: 292198201031093  
Block: 292198201031094  
Block: 292198201031095  
Block: 292198201031196  
Block: 292198201031197  
Block: 292198201031198  
Block: 292198201031218  
Block: 292198201031219

Block: 292198201031244  
Block: 292198201031245  
Block: 292198201031248  
Block: 292198201031249  
Block: 292198201031254  
Block: 292198201031255  
Block: 292198201031256  
Block: 292198201031257  
Block: 292198201031258  
Block: 292198201031259  
Block: 292198201031260  
Block: 292198201031261  
Block: 292198201031262  
Block: 292198201031263  
Block: 292198201031264  
Block: 292198201031265  
Block: 292198201032000  
Block: 292198201032001  
Block: 292198201032002  
Block: 292198201032003  
Block: 292198201032004  
Block: 292198201032005  
Block: 292198201032006  
Block: 292198201032007  
Block: 292198201032008  
Block: 292198201032009  
Block: 292198201032010  
Block: 292198201032011  
Block: 292198201032012  
Block: 292198201032013  
Block: 292198201032014  
Block: 292198201032015  
Block: 292198201032016  
Block: 292198201032017  
Block: 292198201032018  
Block: 292198201032019  
Block: 292198201032020  
Block: 292198201032021  
Block: 292198201032022  
Block: 292198201032023  
Block: 292198201032024  
Block: 292198201032025  
Block: 292198201032026  
Block: 292198201032027  
Block: 292198201032028  
Block: 292198201032029  
Block: 292198201032030  
Block: 292198201032031  
Block: 292198201032032  
Block: 292198201032033  
Block: 292198201032034  
Block: 292198201032035  
Block: 292198201032036  
Block: 292198201032037  
Block: 292198201032038  
Block: 292198201032039



Block: 292198201032040  
Block: 292198201032041  
Block: 292198201032042  
Block: 292198201032043  
Block: 292198201032044  
Block: 292198201032045  
Block: 292198201032046  
Block: 292198201032047  
Block: 292198201032048  
Block: 292198201032049  
Block: 292198201032050  
Block: 292198201032051  
Block: 292198201032052  
Block: 292198201032053  
Block: 292198201032054  
Block: 292198201032055  
Block: 292198201032056  
Block: 292198201032057  
Block: 292198201032058  
Block: 292198201032059  
Block: 292198201032060  
Block: 292198201032061  
Block: 292198201032064  
Block: 292198201032065  
Block: 292198201032067  
Block: 292198201032068  
Block: 292198201032069  
Block: 292198201032070  
Block: 292198201032071  
Block: 292198201033003  
Block: 292198201033004  
Block: 292198201033005  
VTD: Wright City Ward 2 (part)  
Block: 292198201032073  
Block: 292198201032074  
Block: 292198201032075  
Block: 292198201032076  
Block: 292198201032079  
Block: 292198201032080  
Block: 292198201032081  
Block: 292198201032082  
Block: 292198201032083  
Block: 292198201032084  
Block: 292198201032085  
Block: 292198201032087  
Block: 292198201032088  
Block: 292198201032089  
Block: 292198201032090  
Block: 292198201032091  
Block: 292198201032092  
Block: 292198201032093  
Block: 292198201032094  
Block: 292198201032095  
Block: 292198201032096  
Block: 292198201032097  
Block: 292198201032100

**Block: 292198201033034**  
**Block: 292198201033036**  
**Block: 292198201033039**  
**Block: 292198201033051**  
**Block: 292198201033052**  
**Block: 292198201033129"; and**

Further amend said bill, Pages 74 to 93, Section 128.454, Lines 2 to 824, by deleting all of said lines and inserting in lieu thereof the following:

**"Barton MO County**  
**Bates MO County**  
**Benton MO County**  
**Boone MO County**  
**Camden MO County (part)**  
**VTD: Climax Springs (part)**  
**Block: 290299507001001**  
**Block: 290299507001003**  
**Block: 290299507001005**  
**Block: 290299507001039**  
**Block: 290299507001041**  
**Block: 290299507001042**  
**Block: 290299507001043**  
**Block: 290299507001044**  
**Block: 290299507001045**  
**Block: 290299507001046**  
**Block: 290299507001047**  
**Block: 290299507001048**  
**Block: 290299507001049**  
**Block: 290299507001050**  
**Block: 290299507001051**  
**Block: 290299507001052**  
**Block: 290299507001053**  
**Block: 290299507001054**  
**Block: 290299507001055**  
**Block: 290299507001056**  
**Block: 290299507001057**  
**Block: 290299507001058**  
**Block: 290299507001059**  
**Block: 290299507001060**  
**Block: 290299507001061**  
**Block: 290299507001062**  
**Block: 290299507001063**  
**Block: 290299507001064**  
**Block: 290299507001065**  
**Block: 290299507001066**  
**Block: 290299507001067**  
**Block: 290299507001068**  
**Block: 290299507001069**  
**Block: 290299507001070**  
**Block: 290299507001071**  
**Block: 290299507001072**  
**Block: 290299507001073**  
**Block: 290299507001074**  
**Block: 290299507001075**  
**Block: 290299507001076**

Block: 290299507001077  
Block: 290299507001078  
Block: 290299507001081  
Block: 290299507001084  
Block: 290299507001086  
Block: 290299507001089  
Block: 290299507001090  
Block: 290299507001091  
Block: 290299507001092  
Block: 290299507001093  
Block: 290299507001094  
Block: 290299507001095  
Block: 290299507001096  
Block: 290299507001097  
Block: 290299507001098  
Block: 290299507001099  
Block: 290299507001100  
Block: 290299507001101  
Block: 290299507001102  
Block: 290299507001103  
Block: 290299507001104  
Block: 290299507001105  
Block: 290299507001106  
Block: 290299507001107  
Block: 290299507001108  
Block: 290299507001109  
Block: 290299507001110  
Block: 290299507001111  
Block: 290299507001112  
Block: 290299507001113  
Block: 290299507001114  
Block: 290299507001120  
Block: 290299507001121  
Block: 290299507001122  
Block: 290299507001123  
Block: 290299507001124  
Block: 290299507001126  
Block: 290299507001127  
Block: 290299507001129  
Block: 290299507001133  
Block: 290299507001134  
Block: 290299507001137  
Block: 290299507001138  
Block: 290299507001142  
Block: 290299507001143  
Block: 290299507001144  
Block: 290299507001145  
Block: 290299507001150  
Block: 290299507002123  
Cass MO County  
Cedar MO County  
Cooper MO County  
Dade MO County  
Dallas MO County  
Henry MO County  
Hickory MO County

Howard MO County  
Johnson MO County  
Laclede MO County  
Moniteau MO County  
Morgan MO County  
Pettis MO County  
Polk MO County (part)  
VTD: Campbell  
VTD: Cliquot  
VTD: East Madison  
VTD: Flemington  
VTD: Jefferson  
VTD: Johnson  
VTD: McKinley  
VTD: Mooney  
VTD: North Benton  
VTD: North Greene  
VTD: Northeast Marion (part)  
Block: 291679602001188  
Block: 291679602001189  
Block: 291679602001190  
Block: 291679602001198  
Block: 291679602001199  
Block: 291679602001200  
Block: 291679602001201  
Block: 291679602001202  
Block: 291679602001203  
Block: 291679602001204  
Block: 291679602001211  
Block: 291679602001214  
Block: 291679602001215  
Block: 291679602001223  
Block: 291679602002173  
Block: 291679602002174  
Block: 291679602002175  
Block: 291679602002176  
Block: 291679602002177  
Block: 291679602002178  
Block: 291679602003004  
Block: 291679602003005  
Block: 291679602003006  
Block: 291679602003007  
Block: 291679602003008  
Block: 291679602003009  
Block: 291679602003010  
Block: 291679602003011  
Block: 291679602003012  
Block: 291679602003013  
Block: 291679602003014  
Block: 291679602003015  
Block: 291679602003016  
Block: 291679602003017  
Block: 291679602003018  
Block: 291679602003019  
Block: 291679602003020  
Block: 291679602003021

Block: 291679602003022  
Block: 291679602003023  
Block: 291679602003024  
Block: 291679602003025  
Block: 291679602003026  
Block: 291679602003027  
Block: 291679602003028  
Block: 291679602003029  
Block: 291679602003030  
Block: 291679602003031  
Block: 291679602003032  
Block: 291679602003033  
Block: 291679602003034  
Block: 291679602003035  
Block: 291679602003036  
Block: 291679602003037  
Block: 291679602003038  
Block: 291679602003039  
Block: 291679602003040  
Block: 291679602003041  
Block: 291679602003042  
Block: 291679602003046  
Block: 291679602003047  
Block: 291679602003049  
Block: 291679602003050  
Block: 291679602003051  
Block: 291679602003052  
Block: 291679602003053  
Block: 291679602003056  
Block: 291679602003057  
Block: 291679602003058  
Block: 291679602003059  
Block: 291679602003060  
Block: 291679602003061  
Block: 291679602003062  
Block: 291679602003063  
Block: 291679602003064  
Block: 291679602003065  
Block: 291679602003066  
Block: 291679602003067  
Block: 291679602003068  
Block: 291679602003069  
Block: 291679602003070  
Block: 291679602003071  
Block: 291679602003072  
Block: 291679602003073  
Block: 291679602003074  
Block: 291679602003075  
Block: 291679602003076  
Block: 291679602003077  
Block: 291679602003078  
Block: 291679602003079  
Block: 291679602003080  
Block: 291679602003081  
Block: 291679602003082  
Block: 291679602003083

Block: 291679602003097  
Block: 291679602003108  
Block: 291679602003109  
Block: 291679602003110  
Block: 291679602003111  
Block: 291679602003113  
Block: 291679602003114  
Block: 291679602003115  
Block: 291679602003116  
Block: 291679602003117  
Block: 291679602003123  
Block: 291679602003126  
Block: 291679602003127  
Block: 291679602004000  
Block: 291679602004001  
Block: 291679602004002  
Block: 291679602004003  
Block: 291679602004004  
Block: 291679602004007  
Block: 291679602004008  
Block: 291679602004009  
Block: 291679602004010  
Block: 291679602005000  
Block: 291679602005001  
Block: 291679602005002  
Block: 291679602005003  
Block: 291679602005005  
Block: 291679602005006  
Block: 291679602005007  
Block: 291679602005016  
Block: 291679602005033  
Block: 291679602005034  
VTD: Northwest Marion (part)  
Block: 291679601002118  
Block: 291679601002119  
Block: 291679601002121  
Block: 291679601002136  
Block: 291679601002138  
Block: 291679601002139  
Block: 291679601002140  
Block: 291679601002144  
Block: 291679601005000  
Block: 291679601005001  
Block: 291679601005002  
Block: 291679601005003  
Block: 291679601005004  
Block: 291679601005005  
Block: 291679601005006  
Block: 291679601005007  
Block: 291679601005013  
Block: 291679601005014  
Block: 291679601005015  
Block: 291679601005016  
Block: 291679601005017  
Block: 291679601005018  
Block: 291679601005019

Block: 291679601005020  
Block: 291679601005021  
Block: 291679601005022  
Block: 291679601005023  
Block: 291679601005024  
Block: 291679601005025  
Block: 291679601005026  
Block: 291679601005027  
Block: 291679601005028  
Block: 291679601005029  
Block: 291679601005030  
Block: 291679601005031  
Block: 291679601005032  
Block: 291679601005033  
Block: 291679601005034  
Block: 291679601005035  
Block: 291679601005036  
Block: 291679601005037  
Block: 291679601005038  
Block: 291679601005039  
Block: 291679601005041  
Block: 291679601005042  
Block: 291679601005043  
Block: 291679601005044  
Block: 291679601005045  
Block: 291679601005046  
Block: 291679601005047  
Block: 291679601005048  
Block: 291679601005049  
Block: 291679601005050  
Block: 291679601005051  
Block: 291679601005053  
Block: 291679601005054  
Block: 291679601005056  
Block: 291679601005057  
Block: 291679601005058  
Block: 291679601005059  
Block: 291679601005076  
Block: 291679601005077  
Block: 291679601005078  
Block: 291679601005079  
Block: 291679601005088  
Block: 291679601005089  
Block: 291679601005090  
Block: 291679601005091  
Block: 291679601005117  
Block: 291679601005118  
Block: 291679602003098  
Block: 291679602003099  
Block: 291679602003100  
Block: 291679602003104  
Block: 291679602003105  
Block: 291679602003106  
Block: 291679602003107  
Block: 291679602003125  
VTD: South Benton

**VTD: South Greene**  
**VTD: Southeast Marion (part)**  
**Block: 291679603002000**  
**Block: 291679603003003**  
**Block: 291679603003004**  
**Block: 291679603003005**  
**Block: 291679603003006**  
**Block: 291679603003007**  
**Block: 291679603003008**  
**Block: 291679603003009**  
**Block: 291679603003010**  
**Block: 291679603003011**  
**Block: 291679603003043**  
**Block: 291679603003044**  
**Block: 291679603003045**  
**Block: 291679603003046**  
**Block: 291679603003050**  
**Block: 291679603003051**  
**Block: 291679603003052**  
**Block: 291679603003053**  
**Block: 291679603003063**  
**Block: 291679603003064**  
**Block: 291679603003065**  
**Block: 291679603003066**  
**Block: 291679603003067**  
**Block: 291679603003068**  
**Block: 291679603003069**  
**Block: 291679603003070**  
**Block: 291679603003071**  
**Block: 291679603003072**  
**Block: 291679603003073**  
**Block: 291679603003074**  
**Block: 291679603003079**  
**Block: 291679603003081**  
**Block: 291679603003082**  
**Block: 291679603003083**  
**Block: 291679603003084**  
**Block: 291679603003085**  
**Block: 291679603003086**  
**Block: 291679603003087**  
**Block: 291679603003088**  
**Block: 291679603003089**  
**Block: 291679603003090**  
**Block: 291679603003091**  
**Block: 291679603003092**  
**Block: 291679603003093**  
**Block: 291679603003094**  
**Block: 291679603003095**  
**Block: 291679603003098**  
**Block: 291679603003099**  
**Block: 291679603003100**  
**Block: 291679603003101**  
**Block: 291679603003102**  
**Block: 291679603003114**  
**VTD: West Madison**  
**Pulaski MO County**



**Randolph MO County (part)**

**VTD: Clark**

**VTD: Higbee**

**VTD: Mt. Airy (part)**

**Block: 291754902002093**

**Block: 291754906002036**

**Block: 291754906002037**

**Block: 291754906002038**

**Block: 291754906002040**

**Block: 291754906002041**

**Block: 291754906002042**

**Block: 291754906002043**

**Block: 291754906002044**

**Block: 291754906002045**

**Block: 291754906002046**

**Block: 291754906002047**

**Block: 291754906002056**

**Block: 291754906002057**

**Block: 291754906002063**

**Block: 291754906002064**

**Block: 291754906002065**

**Block: 291754906002067**

**Block: 291754906002068**

**Block: 291754906002069**

**Block: 291754906002070**

**Block: 291754906002071**

**Block: 291754906002076**

**Block: 291754906002078**

**Block: 291754906002079**

**Block: 291754906002080**

**Block: 291754906002082**

**Block: 291754906002083**

**Block: 291754906002084**

**Block: 291754906002091**

**Block: 291754906002092**

**Block: 291754906002093**

**Block: 291754906002094**

**Block: 291754906002096**

**VTD: North Sugar Creek (part)**

**Block: 291754901002058**

**Block: 291754901002059**

**Block: 291754901002060**

**Block: 291754901002061**

**Block: 291754901002062**

**Block: 291754901002063**

**Block: 291754901002064**

**Block: 291754901002065**

**Block: 291754901002068**

**Block: 291754901002069**

**Block: 291754901002070**

**Block: 291754901002071**

**Block: 291754901002075**

**Block: 291754901002076**

**Block: 291754901002077**

**Block: 291754901002156**

**Block: 291754901002157**

Block: 291754901003120  
Block: 291754901003121  
Block: 291754901003122  
Block: 291754901003128  
Block: 291754901003129  
Block: 291754901003130  
Block: 291754901003131  
Block: 291754901003132  
Block: 291754901003133  
Block: 291754901003134  
Block: 291754901003135  
Block: 291754901003136  
Block: 291754901003137  
Block: 291754901003138  
Block: 291754901003139  
Block: 291754901003140  
Block: 291754901003141  
Block: 291754901003142  
Block: 291754901003143  
Block: 291754901003144  
Block: 291754901003145  
Block: 291754901003146  
Block: 291754901003151  
Block: 291754901003156  
Block: 291754901003157  
Block: 291754901003158  
Block: 291754901003165  
Block: 291754901003166  
Block: 291754901003167  
Block: 291754901003168  
Block: 291754901003171  
Block: 291754902002034  
Block: 291754902002035  
Block: 291754902002036  
Block: 291754903001000  
Block: 291754903001001  
Block: 291754903001002  
Block: 291754903001003  
Block: 291754903001004  
Block: 291754903001005  
Block: 291754903001006  
Block: 291754903001007  
Block: 291754903001008  
Block: 291754903001009  
Block: 291754903001010  
Block: 291754903001011  
Block: 291754903001012  
Block: 291754903001013  
Block: 291754903001014  
Block: 291754903001015  
Block: 291754903001016  
Block: 291754903001017  
Block: 291754903001018  
Block: 291754903001019  
Block: 291754903001020  
Block: 291754903001021

Block: 291754903001022  
Block: 291754903001023  
Block: 291754903001024  
Block: 291754903001025  
Block: 291754903001026  
Block: 291754903001027  
Block: 291754903001028  
Block: 291754903001029  
Block: 291754903001030  
Block: 291754903001031  
Block: 291754903001032  
Block: 291754903001033  
Block: 291754903001034  
Block: 291754903001035  
Block: 291754903001036  
Block: 291754903001037  
Block: 291754903001038  
Block: 291754903001039  
Block: 291754903001040  
Block: 291754903001041  
Block: 291754903001042  
Block: 291754903001043  
Block: 291754903001044  
Block: 291754903001045  
Block: 291754903001046  
Block: 291754903001047  
Block: 291754903001048  
Block: 291754903002000  
Block: 291754903002001  
Block: 291754903002002  
Block: 291754903002003  
Block: 291754903002004  
Block: 291754903002005  
Block: 291754903002006  
Block: 291754903002007  
Block: 291754903002008  
Block: 291754903002009  
Block: 291754903002010  
Block: 291754903002011  
Block: 291754903002012  
Block: 291754903002013  
Block: 291754903002014  
Block: 291754903002015  
Block: 291754903002016  
Block: 291754903002017  
Block: 291754903002018  
Block: 291754903002019  
Block: 291754903002020  
Block: 291754903002021  
Block: 291754903002022  
Block: 291754903002023  
Block: 291754903002024  
Block: 291754903002025  
Block: 291754903002026  
Block: 291754903002027  
Block: 291754903002028

Block: 291754903002029  
Block: 291754903002030  
Block: 291754903002031  
Block: 291754903002032  
Block: 291754903002033  
Block: 291754903002034  
Block: 291754903002035  
Block: 291754903002036  
Block: 291754903002037  
Block: 291754903002038  
Block: 291754903002039  
Block: 291754903002040  
Block: 291754903002041  
Block: 291754903002042  
Block: 291754903002043  
Block: 291754903002044  
Block: 291754903002045  
Block: 291754903002046  
Block: 291754903002047  
Block: 291754903002048  
Block: 291754903002049  
Block: 291754903002050  
Block: 291754903002051  
Block: 291754903002052  
Block: 291754903002053  
Block: 291754903002054  
Block: 291754903002055  
Block: 291754903002056  
Block: 291754903002057  
Block: 291754903002058  
Block: 291754903002059  
Block: 291754903002060  
Block: 291754903002061  
Block: 291754903002062  
Block: 291754903002063  
Block: 291754903002064  
Block: 291754903002065  
Block: 291754903002066  
Block: 291754903002067  
Block: 291754903002068  
Block: 291754903002069  
Block: 291754903002070  
Block: 291754903002071  
Block: 291754903002072  
Block: 291754903002073  
Block: 291754903002074  
Block: 291754903002075  
Block: 291754903002076  
Block: 291754903002077  
Block: 291754903002078  
Block: 291754903002079  
Block: 291754903002080  
Block: 291754903002081  
Block: 291754903002082  
Block: 291754903002083  
Block: 291754903002084

Block: 291754903002085  
Block: 291754903002086  
Block: 291754903002087  
Block: 291754903002088  
Block: 291754903002089  
Block: 291754903002090  
Block: 291754903002091  
Block: 291754903002092  
Block: 291754903002093  
Block: 291754903002094  
Block: 291754903002095  
Block: 291754903002096  
Block: 291754903002097  
Block: 291754903002098  
Block: 291754903002099  
Block: 291754903002100  
Block: 291754903002101  
Block: 291754903002102  
Block: 291754903002103  
Block: 291754903002104  
Block: 291754903002105  
Block: 291754903002106  
Block: 291754903002107  
Block: 291754903002108  
Block: 291754903002109  
Block: 291754903002110  
Block: 291754903002111  
Block: 291754903002112  
Block: 291754903002113  
Block: 291754903002114  
Block: 291754903002115  
Block: 291754903002116  
Block: 291754903002117  
Block: 291754903002118  
Block: 291754903002119  
Block: 291754903002120  
Block: 291754903002121  
Block: 291754903002124  
Block: 291754903002125  
Block: 291754903002126  
Block: 291754903002127  
Block: 291754903002128  
Block: 291754903002129  
Block: 291754903002130  
Block: 291754903002131  
Block: 291754903002132  
Block: 291754903003000  
Block: 291754903003001  
Block: 291754903003002  
Block: 291754903003003  
Block: 291754903003004  
Block: 291754903003005  
Block: 291754903003006  
Block: 291754903003007  
Block: 291754903003008  
Block: 291754903003009

Block: 291754903003010  
Block: 291754903003011  
Block: 291754903003012  
Block: 291754903003013  
Block: 291754903003014  
Block: 291754903003015  
Block: 291754903003016  
Block: 291754903003017  
Block: 291754903003018  
Block: 291754903003019  
Block: 291754903003025  
Block: 291754903003026  
Block: 291754903003037  
Block: 291754903003038  
Block: 291754903003039  
Block: 291754903003040  
Block: 291754903003041  
Block: 291754903003048  
Block: 291754903003049  
Block: 291754903003050  
Block: 291754903003051  
Block: 291754903003052  
Block: 291754903003053  
Block: 291754903003054  
Block: 291754903003055  
Block: 291754903003056  
Block: 291754903003057  
Block: 291754903003058  
Block: 291754903003059  
Block: 291754903003060  
Block: 291754903003061  
Block: 291754903003062  
Block: 291754903003063  
Block: 291754903003064  
Block: 291754903003065  
Block: 291754903003066  
Block: 291754903003067  
Block: 291754903003068  
Block: 291754903003069  
Block: 291754903003070  
Block: 291754903003071  
Block: 291754903003072  
Block: 291754903003073  
Block: 291754903003074  
Block: 291754903003075  
Block: 291754903003076  
Block: 291754903003077  
Block: 291754903003078  
Block: 291754903003079  
Block: 291754903003080  
Block: 291754903003081  
Block: 291754903003082  
Block: 291754903003083  
Block: 291754903003084  
Block: 291754903003087  
Block: 291754903003088

Block: 291754903003089  
Block: 291754903003090  
Block: 291754903003091  
Block: 291754903003092  
Block: 291754903003093  
Block: 291754903003094  
Block: 291754903003095  
Block: 291754903003096  
Block: 291754903003097  
Block: 291754903003098  
Block: 291754903003099  
Block: 291754903003100  
Block: 291754903003101  
Block: 291754903003102  
Block: 291754903003103  
Block: 291754903003104  
Block: 291754903003105  
Block: 291754903003106  
Block: 291754903003108  
Block: 291754903003109  
Block: 291754903004000  
Block: 291754903004001  
Block: 291754903004002  
Block: 291754903004003  
Block: 291754903004004  
Block: 291754903004005  
Block: 291754903004006  
Block: 291754903004007  
Block: 291754903004008  
Block: 291754903004009  
Block: 291754903004010  
Block: 291754903004011  
Block: 291754903004012  
Block: 291754903004013  
Block: 291754903004014  
Block: 291754903004015  
Block: 291754903004016  
Block: 291754903004017  
Block: 291754903004018  
Block: 291754903004019  
Block: 291754903004020  
Block: 291754903004021  
Block: 291754903004022  
Block: 291754903004023  
Block: 291754903004024  
Block: 291754903004025  
Block: 291754903004026  
Block: 291754903004027  
Block: 291754903004028  
Block: 291754903004029  
Block: 291754903004030  
Block: 291754903004031  
Block: 291754903004032  
Block: 291754903004033  
Block: 291754903005000  
Block: 291754903005001

Block: 291754903005002  
Block: 291754903005003  
Block: 291754903005004  
Block: 291754903005005  
Block: 291754903005006  
Block: 291754903005007  
Block: 291754903005008  
Block: 291754903005009  
Block: 291754903005010  
Block: 291754903005011  
Block: 291754903005012  
Block: 291754903005013  
Block: 291754903005014  
Block: 291754903005015  
Block: 291754903005016  
Block: 291754903005017  
Block: 291754903005018  
Block: 291754903005019  
Block: 291754903005020  
Block: 291754903005021  
Block: 291754903005022  
Block: 291754903005023  
Block: 291754903005024  
Block: 291754903005025  
Block: 291754903005026  
Block: 291754903005027  
Block: 291754903005028  
Block: 291754903005029  
Block: 291754903005030  
Block: 291754903005031  
Block: 291754903005032  
Block: 291754903005033  
Block: 291754903005034  
Block: 291754903005035  
Block: 291754903005036  
Block: 291754903005037  
Block: 291754903005038  
Block: 291754903005039  
Block: 291754903005040  
Block: 291754903005041  
Block: 291754903005042  
Block: 291754903005043  
Block: 291754903005044  
Block: 291754903005045  
Block: 291754903005046  
Block: 291754903005047  
Block: 291754903005048  
Block: 291754903005049  
Block: 291754903005050  
Block: 291754903005051  
Block: 291754903005052  
Block: 291754903005053  
Block: 291754903005054  
Block: 291754903005055  
Block: 291754903005056  
Block: 291754903005057



Block: 291754903005058  
Block: 291754903005059  
Block: 291754903005060  
Block: 291754903005061  
Block: 291754903005062  
Block: 291754903005063  
Block: 291754903005064  
Block: 291754903005065  
Block: 291754903005066  
Block: 291754903005067  
Block: 291754903005068  
Block: 291754903005069  
Block: 291754903005070  
Block: 291754903005071  
Block: 291754903005072  
Block: 291754903005073  
Block: 291754903005074  
Block: 291754903005075  
Block: 291754903005076  
Block: 291754903005077  
Block: 291754903005078  
Block: 291754903005079  
Block: 291754903005080  
Block: 291754903005081  
Block: 291754903005082  
Block: 291754903005083  
Block: 291754903005084  
Block: 291754904002000  
Block: 291754904002001  
Block: 291754904002002  
Block: 291754904002003  
Block: 291754904002004  
Block: 291754904002005  
Block: 291754904002006  
Block: 291754904002007  
Block: 291754904002008  
Block: 291754904002009  
Block: 291754904002010  
Block: 291754904002011  
Block: 291754904002012  
Block: 291754904002013  
Block: 291754904002022  
Block: 291754904002023  
Block: 291754904002031  
Block: 291754904002077  
Block: 291754904002078  
Block: 291754904002079  
Block: 291754904002080  
Block: 291754904002081  
Block: 291754904002082  
Block: 291754904002083  
Block: 291754904002084  
Block: 291754904002085  
Block: 291754904002086  
Block: 291754904002087  
Block: 291754904002092

Block: 291754904002093  
Block: 291754904002094  
Block: 291754905003000  
Block: 291754905003001  
Block: 291754905003002  
Block: 291754905003003  
Block: 291754905003004  
Block: 291754905003005  
Block: 291754905003006  
Block: 291754905003007  
Block: 291754905003008  
Block: 291754905003009  
Block: 291754905003010  
Block: 291754905003011  
Block: 291754905003012  
Block: 291754905003013  
Block: 291754905003014  
Block: 291754905003015  
Block: 291754905003016  
Block: 291754905003017  
Block: 291754905003022  
Block: 291754905003023  
Block: 291754905003024  
Block: 291754905003028  
Block: 291754905003030  
Block: 291754905003031  
Block: 291754905003032  
Block: 291754905003033  
Block: 291754905003034  
Block: 291754905003035  
Block: 291754905003036  
Block: 291754905003037  
Block: 291754905003038  
Block: 291754905003039  
Block: 291754905003040  
Block: 291754905003041  
Block: 291754905003042  
Block: 291754905003090  
Block: 291754905003093  
Block: 291754905003094  
Block: 291754905003095  
Block: 291754905003096  
Block: 291754905003097  
Block: 291754905003098  
Block: 291754905003099  
Block: 291754905003100  
Block: 291754905003101  
Block: 291754905003102  
Block: 291754905003103  
Block: 291754905003104  
Block: 291754905003105  
Block: 291754905003106  
Block: 291754905003107  
Block: 291754905003108  
Block: 291754905003109  
Block: 291754905003110

**Block: 291754905003111**

**VTD: Renick**

**VTD: Salt Springs (part)**

**Block: 291754902002090**

**Block: 291754902002091**

**Block: 291754902002092**

**Block: 291754906002010**

**Block: 291754906002011**

**Block: 291754906002013**

**Block: 291754906002014**

**Block: 291754906002015**

**Block: 291754906002016**

**Block: 291754906002017**

**Block: 291754906002035**

**Block: 291754906002199**

**Block: 291754906002200**

**Block: 291754906002201**

**Block: 291754906002217**

**VTD: South Sugar Creek (part)**

**Block: 291754901002097**

**Block: 291754901002098**

**Block: 291754901002100**

**Block: 291754901002101**

**Block: 291754901002102**

**Block: 291754901002103**

**Block: 291754901002104**

**Block: 291754901002105**

**Block: 291754901002106**

**Block: 291754901002107**

**Block: 291754901002108**

**Block: 291754901002109**

**Block: 291754901002110**

**Block: 291754901002111**

**Block: 291754901002112**

**Block: 291754901002113**

**Block: 291754901002114**

**Block: 291754901002115**

**Block: 291754901002118**

**Block: 291754901002119**

**Block: 291754901002120**

**Block: 291754901002121**

**Block: 291754901002122**

**Block: 291754901002123**

**Block: 291754901002124**

**Block: 291754901002125**

**Block: 291754901002126**

**Block: 291754901002127**

**Block: 291754901002128**

**Block: 291754901002129**

**Block: 291754901002130**

**Block: 291754901002131**

**Block: 291754901002132**

**Block: 291754901002133**

**Block: 291754901002134**

**Block: 291754901002135**

**Block: 291754901002136**

Block: 291754901002137  
Block: 291754901002138  
Block: 291754901002139  
Block: 291754901002140  
Block: 291754901002141  
Block: 291754901002142  
Block: 291754901002143  
Block: 291754901002144  
Block: 291754901002145  
Block: 291754901002146  
Block: 291754901002147  
Block: 291754901002148  
Block: 291754901002149  
Block: 291754901002150  
Block: 291754901002151  
Block: 291754901002152  
Block: 291754901002153  
Block: 291754901002154  
Block: 291754901002155  
Block: 291754901002160  
Block: 291754901002161  
Block: 291754902002029  
Block: 291754902002030  
Block: 291754902002037  
Block: 291754902002038  
Block: 291754902002039  
Block: 291754902002040  
Block: 291754902002041  
Block: 291754902002043  
Block: 291754902002044  
Block: 291754902002045  
Block: 291754902002046  
Block: 291754902002047  
Block: 291754902002048  
Block: 291754902002049  
Block: 291754902002050  
Block: 291754902002051  
Block: 291754902002052  
Block: 291754902002053  
Block: 291754902002054  
Block: 291754902002055  
Block: 291754902002063  
Block: 291754902002072  
Block: 291754902002086  
Block: 291754903002122  
Block: 291754903002123  
Block: 291754904001000  
Block: 291754904001001  
Block: 291754904001002  
Block: 291754904001003  
Block: 291754904001004  
Block: 291754904001005  
Block: 291754904001006  
Block: 291754904001007  
Block: 291754904001008  
Block: 291754904001009

Block: 291754904001010  
Block: 291754904001011  
Block: 291754904001012  
Block: 291754904001013  
Block: 291754904001014  
Block: 291754904001015  
Block: 291754904001016  
Block: 291754904001017  
Block: 291754904001018  
Block: 291754904001019  
Block: 291754904001020  
Block: 291754904001021  
Block: 291754904001022  
Block: 291754904001023  
Block: 291754904001024  
Block: 291754904001025  
Block: 291754904001026  
Block: 291754904001027  
Block: 291754904001028  
Block: 291754904001029  
Block: 291754904001030  
Block: 291754904001031  
Block: 291754904001032  
Block: 291754904001033  
Block: 291754904002014  
Block: 291754904002015  
Block: 291754904002016  
Block: 291754904002017  
Block: 291754904002018  
Block: 291754904002019  
Block: 291754904002020  
Block: 291754904002021  
Block: 291754904002024  
Block: 291754904002025  
Block: 291754904002026  
Block: 291754904002027  
Block: 291754904002028  
Block: 291754904002029  
Block: 291754904002030  
Block: 291754904002032  
Block: 291754904002033  
Block: 291754904002034  
Block: 291754904002035  
Block: 291754904002036  
Block: 291754904002037  
Block: 291754904002038  
Block: 291754904002039  
Block: 291754904002040  
Block: 291754904002041  
Block: 291754904002042  
Block: 291754904002043  
Block: 291754904002044  
Block: 291754904002045  
Block: 291754904002046  
Block: 291754904002047  
Block: 291754904002048

Block: 291754904002049  
Block: 291754904002050  
Block: 291754904002051  
Block: 291754904002052  
Block: 291754904002053  
Block: 291754904002054  
Block: 291754904002055  
Block: 291754904002056  
Block: 291754904002057  
Block: 291754904002058  
Block: 291754904002059  
Block: 291754904002060  
Block: 291754904002061  
Block: 291754904002062  
Block: 291754904002063  
Block: 291754904002064  
Block: 291754904002065  
Block: 291754904002066  
Block: 291754904002067  
Block: 291754904002068  
Block: 291754904002069  
Block: 291754904002070  
Block: 291754904002071  
Block: 291754904002072  
Block: 291754904002073  
Block: 291754904002074  
Block: 291754904002075  
Block: 291754904002076  
Block: 291754904002088  
Block: 291754904002089  
Block: 291754904002090  
Block: 291754904002091  
Block: 291754904002095  
Block: 291754904002096  
Block: 291754904002097  
Block: 291754904002098  
Block: 291754904002099  
Block: 291754904002100  
Block: 291754904002101  
Block: 291754904002102  
Block: 291754904002103  
Block: 291754905001000  
Block: 291754905001001  
Block: 291754905001002  
Block: 291754905001003  
Block: 291754905001004  
Block: 291754905001005  
Block: 291754905001006  
Block: 291754905001007  
Block: 291754905001008  
Block: 291754905001009  
Block: 291754905001010  
Block: 291754905001011  
Block: 291754905001012  
Block: 291754905001013  
Block: 291754905001014

Block: 291754905001015  
Block: 291754905001016  
Block: 291754905001017  
Block: 291754905001018  
Block: 291754905001019  
Block: 291754905001020  
Block: 291754905001021  
Block: 291754905001022  
Block: 291754905001023  
Block: 291754905001024  
Block: 291754905001025  
Block: 291754905001026  
Block: 291754905001027  
Block: 291754905001032  
Block: 291754905001033  
Block: 291754905001034  
Block: 291754905001035  
Block: 291754905001036  
Block: 291754905001037  
Block: 291754905001038  
Block: 291754905001039  
Block: 291754905001040  
Block: 291754905001048  
Block: 291754905001054  
Block: 291754905001055  
Block: 291754905002000  
Block: 291754905002001  
Block: 291754905002002  
Block: 291754905002003  
Block: 291754905002004  
Block: 291754905002005  
Block: 291754905002006  
Block: 291754905002007  
Block: 291754905002008  
Block: 291754905002009  
Block: 291754905002010  
Block: 291754905002011  
Block: 291754905002012  
Block: 291754905002013  
Block: 291754905002014  
Block: 291754905002015  
Block: 291754905002016  
Block: 291754905002017  
Block: 291754905002018  
Block: 291754905002019  
Block: 291754905002020  
Block: 291754905002021  
Block: 291754905002022  
Block: 291754905002023  
Block: 291754905002024  
Block: 291754905002025  
Block: 291754905002026  
Block: 291754905002027  
Block: 291754905002028  
Block: 291754905002029  
Block: 291754905002030

Block: 291754905002031  
Block: 291754905002032  
Block: 291754905002033  
Block: 291754905002034  
Block: 291754905002035  
Block: 291754905002036  
Block: 291754905002037  
Block: 291754905002038  
Block: 291754905002039  
Block: 291754905002040  
Block: 291754905002041  
Block: 291754905002042  
Block: 291754905002043  
Block: 291754905002044  
Block: 291754905002045  
Block: 291754905002046  
Block: 291754905002047  
Block: 291754905002048  
Block: 291754905002049  
Block: 291754905002050  
Block: 291754905002051  
Block: 291754905002052  
Block: 291754905002053  
Block: 291754905002054  
Block: 291754905002055  
Block: 291754905002056  
Block: 291754905002057  
Block: 291754905002058  
Block: 291754905002059  
Block: 291754905003018  
Block: 291754905003019  
Block: 291754905003020  
Block: 291754905003021  
Block: 291754905003025  
Block: 291754905003026  
Block: 291754905003027  
Block: 291754905003029  
Block: 291754905003043  
Block: 291754905003044  
Block: 291754905003045  
Block: 291754905003046  
Block: 291754905003047  
Block: 291754905003048  
Block: 291754905003049  
Block: 291754905003050  
Block: 291754905003051  
Block: 291754905003052  
Block: 291754905003053  
Block: 291754905003054  
Block: 291754905003055  
Block: 291754905003056  
Block: 291754905003057  
Block: 291754905003058  
Block: 291754905003059  
Block: 291754905003060  
Block: 291754905003061



Block: 291754905003062  
Block: 291754905003063  
Block: 291754905003064  
Block: 291754905003065  
Block: 291754905003066  
Block: 291754905003067  
Block: 291754905003068  
Block: 291754905003069  
Block: 291754905003070  
Block: 291754905003071  
Block: 291754905003072  
Block: 291754905003073  
Block: 291754905003074  
Block: 291754905003075  
Block: 291754905003076  
Block: 291754905003077  
Block: 291754905003078  
Block: 291754905003079  
Block: 291754905003080  
Block: 291754905003081  
Block: 291754905003082  
Block: 291754905003083  
Block: 291754905003084  
Block: 291754905003085  
Block: 291754905003086  
Block: 291754905003087  
Block: 291754905003088  
Block: 291754905003089  
Block: 291754905003091  
Block: 291754905003092  
Block: 291754906001009  
Block: 291754906001010  
Block: 291754906001011  
Block: 291754906001012  
Block: 291754906001013  
Block: 291754906001014  
Block: 291754906001015  
Block: 291754906001016  
Block: 291754906001017  
Block: 291754906001031  
Block: 291754906001070  
Block: 291754906001071  
Block: 291754906001072  
Block: 291754906001073  
Block: 291754906001074  
Block: 291754906001075  
Block: 291754906001076  
Block: 291754906001077  
VTD: Union (part)  
Block: 291754901002029  
Block: 291754901002040  
Block: 291754901002041  
Block: 291754901002042  
Block: 291754901002043  
Block: 291754901002044  
Block: 291754901002045

Block: 291754901002046  
Block: 291754901002047  
Block: 291754901002051  
Block: 291754901002052  
Block: 291754901002053  
Block: 291754901002056  
Block: 291754901002057  
Block: 291754901002066  
Block: 291754901002067  
Block: 291754901002072  
Block: 291754901002073  
Block: 291754901002074  
Block: 291754901002116  
Block: 291754901002117  
Block: 291754901002158  
Block: 291754901002159  
Block: 291754901002163  
Block: 291754901003172  
Block: 291754901003173  
Block: 291754903003020  
Block: 291754903003021  
Block: 291754903003022  
Block: 291754903003023  
Block: 291754903003024  
Block: 291754903003027  
Block: 291754903003028  
Block: 291754903003029  
Block: 291754903003030  
Block: 291754903003031  
Block: 291754903003032  
Block: 291754903003033  
Block: 291754903003034  
Block: 291754903003035  
Block: 291754903003036  
Block: 291754903003042  
Block: 291754903003043  
Block: 291754903003044  
Block: 291754903003045  
Block: 291754903003046  
Block: 291754903003047  
Block: 291754903003085  
Block: 291754903003086  
Block: 291754903003107  
VTD: Yates  
St. Clair MO County  
Vernon MO County  
Webster MO County  
Wright MO County"; and

Further amend said bill, Pages 93 to 127, Section 128.455, Lines 2 to 1463, by deleting all of said lines and inserting in lieu thereof the following:

"Clay MO County (part)  
VTD: Chou 8 (part)  
Block: 290470208012009  
Block: 290470208012013

Block: 290470208012014  
Block: 290470208012015  
Block: 290470208012021  
Block: 290470208012022  
Block: 290470208012023  
Block: 290470208012024  
Block: 290470208012025  
Block: 290470208012026  
Block: 290470208012027  
Block: 290470208012028  
Block: 290470208012029  
Block: 290470208012030  
Block: 290470208013004  
Block: 290470208013005  
Block: 290470208013006  
Block: 290470208013007  
Block: 290470208013008  
Block: 290470208013009  
Block: 290470208013010  
Block: 290470208013011  
Block: 290470208013012  
Block: 290470208013013  
Block: 290470208013014  
Block: 290470208013015  
Block: 290470208013016  
Block: 290470208013017  
Block: 290470208013018  
Block: 290470208013019  
Block: 290470208013020  
Block: 290470208013021  
Block: 290470208013022  
Block: 290470208013023  
Block: 290470208013024  
Block: 290470208013025  
Block: 290470208013026  
Block: 290470208013027  
Block: 290470208013028  
Block: 290470208013029  
Block: 290470208013030  
Block: 290470208013031  
Block: 290470208013032  
Block: 290470223021026  
Block: 290470223021028  
Block: 290470223021030  
Block: 290470223021031  
Block: 290470223021032  
Block: 290470223021033  
Block: 290470223021034  
Block: 290470223021035  
Block: 290470223021036  
Block: 290470223021037  
Block: 290470223021038  
Block: 290470223021039  
Block: 290470223021040  
Block: 290470223021041  
Block: 290470223021042

Block: 290470223021043  
Block: 290470223021044  
Block: 290470223021045  
Block: 290470223021046  
Block: 290470223021047  
Block: 290470223021049  
Block: 290470223021051  
Block: 290470223021052  
Block: 290470223021053  
Block: 290470223021054  
Block: 290470223021055  
Block: 290470223021056  
VTD: Gal 1  
VTD: Gal 10  
VTD: Gal 11  
VTD: Gal 12  
VTD: Gal 13  
VTD: Gal 14  
VTD: Gal 15  
VTD: Gal 16  
VTD: Gal 18  
VTD: Gal 2  
VTD: Gal 3  
VTD: Gal 4  
VTD: Gal 5  
VTD: Gal 6  
VTD: Gal 7  
VTD: Gal 9  
VTD: KC 21-10  
VTD: KC 21-11  
VTD: KC 21-12 (part)  
Block: 290470212053030  
Block: 290470212062000  
Block: 290470212062001  
Block: 290470212062002  
Block: 290470212062003  
Block: 290470212062004  
Block: 290470212062005  
Block: 290470212062006  
Block: 290470212062007  
Block: 290470212062008  
Block: 290470212062009  
Block: 290470212062010  
Block: 290470212062011  
Block: 290470212062012  
Block: 290470212062013  
Block: 290470212062014  
Block: 290470212062015  
Block: 290470212062016  
Block: 290470212062017  
Block: 290470212062018  
Block: 290470212062019  
Block: 290470212062020  
Block: 290470212062021  
Block: 290470212062022  
Block: 290470212062023

Block: 290470212062024  
Block: 290470212062025  
Block: 290470212062026  
Block: 290470212062027  
Block: 290470212062028  
Block: 290470212062029  
Block: 290470212062030  
Block: 290470212062031  
Block: 290470212062032  
Block: 290470212062033  
Block: 290470212062034  
Block: 290470212062035  
Block: 290470212062036  
Block: 290470212062037  
Block: 290470212062038  
Block: 290470212062039  
Block: 290470212062040  
Block: 290470212062041  
Block: 290470212062042  
Block: 290470212062043  
Block: 290470212062044  
Block: 290470212062045  
Block: 290470212063001  
Block: 290470212063002  
Block: 290470212063003  
Block: 290470212063004  
Block: 290470212063005  
Block: 290470212063006  
Block: 290470212063007  
Block: 290470212063008  
Block: 290470212063009  
Block: 290470212063012  
Block: 290470212063013  
Block: 290470212063014  
Block: 290470212063015  
Block: 290470212063016  
Block: 290470212063017  
Block: 290470212063018  
Block: 290470212063019  
Block: 290470212063020  
Block: 290470212063021  
Block: 290470212063024  
Block: 290470212063025  
Block: 290470212063026  
Block: 290470212063027  
VTD: KC 21-14  
VTD: KC 21-16 (part)  
Block: 290470212051000  
Block: 290470212051001  
Block: 290470212051002  
Block: 290470212051003  
Block: 290470212051004  
Block: 290470212051005  
Block: 290470212051006  
Block: 290470212051007  
Block: 290470212051008

Block: 290470212051009  
Block: 290470212051010  
Block: 290470212051011  
Block: 290470212051012  
Block: 290470212051013  
Block: 290470212051014  
Block: 290470212051015  
Block: 290470212051016  
Block: 290470212051017  
Block: 290470212051018  
Block: 290470212051019  
Block: 290470212051020  
Block: 290470212051021  
Block: 290470212051022  
Block: 290470212051023  
Block: 290470212051024  
Block: 290470212051025  
Block: 290470212051026  
Block: 290470212051027  
Block: 290470212051028  
Block: 290470212051029  
Block: 290470212051030  
Block: 290470212051032  
Block: 290470212052011  
Block: 290470212052021  
Block: 290470212052022  
Block: 290470212052023  
Block: 290470212052024  
Block: 290470212052026  
Block: 290470212052027  
Block: 290470212052028  
Block: 290470212052029  
Block: 290470212052030  
Block: 290470212052034  
Block: 290470212071014  
Block: 290470212071015  
Block: 290470212071016  
Block: 290470212071017  
Block: 290470212071018  
Block: 290470212071019  
Block: 290470212071020  
Block: 290470212071021  
Block: 290470212071022  
Block: 290470212071023  
Block: 290470212071024  
Block: 290470212071025  
Block: 290470212071026  
Block: 290470212071027  
Block: 290470212071029  
Block: 290470212071030  
Block: 290470212071031  
Block: 290470212071032  
Block: 290470212071033  
Block: 290470212071034  
Block: 290470212071035  
Block: 290470212071036

Block: 290470212071037  
Block: 290470212071038  
Block: 290470212071039  
Block: 290470212071040  
Block: 290470212071041  
Block: 290470212071042  
Block: 290470212071043  
Block: 290470212071044  
Block: 290470212071045  
Block: 290470212071046  
Block: 290470212071047  
Block: 290470212071048  
Block: 290470212071049  
Block: 290470212071050  
Block: 290470212071051  
Block: 290470212071053  
Block: 290470212071054  
Block: 290470212071055  
Block: 290470212072030  
Block: 290470212072040  
Block: 290470212072041  
VTD: KC 21-18  
VTD: KC 21-19  
VTD: KC 21-2 (part)  
Block: 290470221002069  
VTD: KC 21-20  
VTD: KC 21-21  
VTD: KC 21-22  
VTD: KC 21-23  
VTD: KC 21-24  
VTD: KC 21-25  
VTD: KC 21-3  
VTD: KC 21-4  
VTD: KC 21-5  
VTD: KC 21-6  
VTD: KC 21-7  
VTD: KC 21-8  
VTD: KC 21-9  
VTD: Lib 13 (part)  
Block: 290470222002030  
VTD: Lib 5 (part)  
Block: 290470208012016  
Jackson MO County (part)  
VTD: Blue Sub 1 No. 1  
VTD: Blue Sub 1 No. 10  
VTD: Blue Sub 1 No. 11 & 11A  
VTD: Blue Sub 1 No. 12  
VTD: Blue Sub 1 No. 13  
VTD: Blue Sub 1 No. 14  
VTD: Blue Sub 1 No. 18  
VTD: Blue Sub 1 No. 2  
VTD: Blue Sub 1 No. 4 & 4A  
VTD: Blue Sub 1 No. 5  
VTD: Blue Sub 1 No. 6 & 6B  
VTD: Blue Sub 1 No. 6A  
VTD: Blue Sub 1 No. 7

**VTD: Blue Sub 1 No. 8,15,& 16**  
**VTD: Blue Sub 1 No. 9**  
**VTD: Blue Sub 2 No. 1**  
**VTD: Blue Sub 2 No. 10**  
**VTD: Blue Sub 2 No. 2**  
**VTD: Blue Sub 2 No. 3**  
**VTD: Blue Sub 2 No. 3A**  
**VTD: Blue Sub 2 No. 4**  
**VTD: Blue Sub 2 No. 5**  
**VTD: Blue Sub 2 No. 6**  
**VTD: Blue Sub 2 No. 7**  
**VTD: Blue Sub 2 No. 8**  
**VTD: Blue Sub 2 No. 9**  
**VTD: Blue Sub 3 No. 1**  
**VTD: Blue Sub 3 No. 11 (part)**  
**Block: 290950147021001**  
**Block: 290950147021003**  
**Block: 290950148041013**  
**Block: 290950148041023**  
**VTD: Blue Sub 3 No. 14,15,15N,17N,& 18N**  
**VTD: Blue Sub 3 No. 15A**  
**VTD: Blue Sub 3 No. 16 & 16A**  
**VTD: Blue Sub 3 No. 2**  
**VTD: Blue Sub 3 No. 3**  
**VTD: Blue Sub 3 No. 4**  
**VTD: Blue Sub 3 No. 5**  
**VTD: Blue Sub 3 No. 5A**  
**VTD: Blue Sub 3 No. 9**  
**VTD: Blue Sub 4 No. 1**  
**VTD: Blue Sub 4 No. 10**  
**VTD: Blue Sub 4 No. 11**  
**VTD: Blue Sub 4 No. 12**  
**VTD: Blue Sub 4 No. 2**  
**VTD: Blue Sub 4 No. 3**  
**VTD: Blue Sub 4 No. 4**  
**VTD: Blue Sub 4 No. 5**  
**VTD: Blue Sub 4 No. 6**  
**VTD: Blue Sub 4 No. 7**  
**VTD: Blue Sub 4 No. 8**  
**VTD: Blue Sub 4 No. 9**  
**VTD: Blue Sub 5 No. 1**  
**VTD: Blue Sub 5 No. 11**  
**VTD: Blue Sub 5 No. 13**  
**VTD: Blue Sub 5 No. 14**  
**VTD: Blue Sub 5 No. 15**  
**VTD: Blue Sub 5 No. 2**  
**VTD: Blue Sub 5 No. 3**  
**VTD: Blue Sub 5 No. 4**  
**VTD: Blue Sub 5 No. 5 & 12**  
**VTD: Blue Sub 5 No. 6**  
**VTD: Blue Sub 5 No. 7**  
**VTD: Blue Sub 5 No. 8**  
**VTD: Blue Sub 5 No. 9**  
**VTD: Blue Sub 6 No. 1**  
**VTD: Blue Sub 6 No. 10**  
**VTD: Blue Sub 6 No. 11**



**VTD: Blue Sub 6 No. 12**  
**VTD: Blue Sub 6 No. 2**  
**VTD: Blue Sub 6 No. 3**  
**VTD: Blue Sub 6 No. 4**  
**VTD: Blue Sub 6 No. 5**  
**VTD: Blue Sub 6 No. 5A**  
**VTD: Blue Sub 6 No. 6**  
**VTD: Blue Sub 6 No. 6A**  
**VTD: Blue Sub 6 No. 7 & 7N**  
**VTD: Blue Sub 6 No. 8**  
**VTD: Blue Sub 6 No. 8A**  
**VTD: Blue Sub 6 No. 9**  
**VTD: Blue Sub 7 No. 1**  
**VTD: Blue Sub 7 No. 10**  
**VTD: Blue Sub 7 No. 11**  
**VTD: Blue Sub 7 No. 12**  
**VTD: Blue Sub 7 No. 13**  
**VTD: Blue Sub 7 No. 14**  
**VTD: Blue Sub 7 No. 2**  
**VTD: Blue Sub 7 No. 2A**  
**VTD: Blue Sub 7 No. 3**  
**VTD: Blue Sub 7 No. 4**  
**VTD: Blue Sub 7 No. 5 & 5A**  
**VTD: Blue Sub 7 No. 6**  
**VTD: Blue Sub 7 No. 7**  
**VTD: Blue Sub 7 No. 8**  
**VTD: Blue Sub 7 No. 9**  
**VTD: Blue Sub 8 No. 1**  
**VTD: Blue Sub 8 No. 10 & 10A**  
**VTD: Blue Sub 8 No. 11 (part)**  
**Block: 290950145012022**  
**Block: 290950145012027**  
**Block: 290950145021000**  
**Block: 290950145021001**  
**Block: 290950145021002**  
**Block: 290950145021005**  
**Block: 290950145021008**  
**Block: 290950145021009**  
**Block: 290950145021012**  
**Block: 290950145021013**  
**Block: 290950145021015**  
**Block: 290950145021016**  
**Block: 290950145021017**  
**Block: 290950145021018**  
**Block: 290950145022035**  
**Block: 290950145022036**  
**Block: 290950145022037**  
**Block: 290950145022038**  
**Block: 290950145022039**  
**Block: 290950145022040**  
**Block: 290950145022041**  
**Block: 290950145022071**  
**VTD: Blue Sub 8 No. 12,12A,& 12B (part)**  
**Block: 290950145012000**  
**Block: 290950145012001**  
**Block: 290950145012002**

Block: 290950145012003  
Block: 290950145012004  
Block: 290950145012005  
Block: 290950145012006  
Block: 290950145012007  
Block: 290950145012008  
Block: 290950145012009  
Block: 290950145012010  
Block: 290950145012011  
Block: 290950145012012  
Block: 290950145012013  
Block: 290950145012014  
Block: 290950145012015  
Block: 290950145012018  
Block: 290950145012019  
Block: 290950145012020  
Block: 290950145012021  
Block: 290950145012034  
Block: 290950145012035  
Block: 290950145022028  
Block: 290950145022029  
Block: 290950145022030  
Block: 290950145022031  
Block: 290950145022032  
Block: 290950145022033  
Block: 290950145022034  
Block: 290950146032029  
Block: 290950146043026  
Block: 290950146043027  
VTD: Blue Sub 8 No. 13 & 13N  
VTD: Blue Sub 8 No. 2  
VTD: Blue Sub 8 No. 2A  
VTD: Blue Sub 8 No. 3  
VTD: Blue Sub 8 No. 5 & 5A  
VTD: Blue Sub 8 No. 6  
VTD: Blue Sub 8 No. 7  
VTD: Blue Sub 8 No. 8  
VTD: Blue Sub 8 No. 9  
VTD: Blue Sub 8 No. 9A  
VTD: Brooking No. 1  
VTD: Brooking No. 10  
VTD: Brooking No. 11  
VTD: Brooking No. 12  
VTD: Brooking No. 13  
VTD: Brooking No. 14  
VTD: Brooking No. 15  
VTD: Brooking No. 16  
VTD: Brooking No. 17  
VTD: Brooking No. 18  
VTD: Brooking No. 19  
VTD: Brooking No. 2 & 2A  
VTD: Brooking No. 20  
VTD: Brooking No. 21  
VTD: Brooking No. 22 & 22A  
VTD: Brooking No. 23  
VTD: Brooking No. 24

VTD: Brooking No. 25  
 VTD: Brooking No. 26  
 VTD: Brooking No. 27  
 VTD: Brooking No. 28  
 VTD: Brooking No. 3  
 VTD: Brooking No. 4  
 VTD: Brooking No. 5  
 VTD: Brooking No. 6  
 VTD: Brooking No. 7  
 VTD: Brooking No. 8  
 VTD: Brooking No. 9  
 VTD: Brooking No. 9A  
 VTD: Fort Osage No. 1,1A,2,& 3 (part)  
 Block: 290950177003027  
 Block: 290950177003028  
 Block: 290950177003063  
 Block: 290950177003064  
 Block: 290950177003071  
 Block: 290950177003078  
 VTD: KC WD1 PCT101  
 VTD: KC WD1 PCT102  
 VTD: KC WD1 PCT103  
 VTD: KC WD1 PCT104  
 VTD: KC WD1 PCT105  
 VTD: KC WD1 PCT106  
 VTD: KC WD1 PCT107  
 VTD: KC WD1 PCT108  
 VTD: KC WD1 PCT109  
 VTD: KC WD1 PCT110  
 VTD: KC WD1 PCT111  
 VTD: KC WD1 PCT511  
 VTD: KC WD10 PCT1001  
 VTD: KC WD10 PCT1002  
 VTD: KC WD10 PCT1003  
 VTD: KC WD10 PCT1004  
 VTD: KC WD10 PCT1005  
 VTD: KC WD10 PCT1006  
 VTD: KC WD10 PCT1008  
 VTD: KC WD10 PCT1009  
 VTD: KC WD10 PCT1010  
 VTD: KC WD10 PCT1011  
 VTD: KC WD10 PCT1012  
 VTD: KC WD10 PCT1013  
 VTD: KC WD10 PCT1014  
 VTD: KC WD10 PCT1015  
 VTD: KC WD10 PCT2201  
 VTD: KC WD11 PCT1101  
 VTD: KC WD11 PCT1102  
 VTD: KC WD11 PCT1103  
 VTD: KC WD11 PCT1104  
 VTD: KC WD11 PCT1105  
 VTD: KC WD11 PCT1106  
 VTD: KC WD11 PCT1107  
 VTD: KC WD11 PCT1108  
 VTD: KC WD11 PCT1109  
 VTD: KC WD11 PCT1110

VTD: KC WD11 PCT1209  
VTD: KC WD12 PCT1201  
VTD: KC WD12 PCT1202  
VTD: KC WD12 PCT1203  
VTD: KC WD12 PCT1204  
VTD: KC WD12 PCT1205  
VTD: KC WD12 PCT1206  
VTD: KC WD12 PCT1207  
VTD: KC WD12 PCT1208  
VTD: KC WD12 PCT1210  
VTD: KC WD12 PCT1305  
VTD: KC WD12 PCT1306  
VTD: KC WD12 PCT1307  
VTD: KC WD12 PCT1308  
VTD: KC WD12 PCT1309  
VTD: KC WD12 PCT1310  
VTD: KC WD13 PCT1301  
VTD: KC WD13 PCT1302  
VTD: KC WD13 PCT1303  
VTD: KC WD13 PCT1304  
VTD: KC WD13 PCT1501  
VTD: KC WD13 PCT1502  
VTD: KC WD14 PCT1401  
VTD: KC WD14 PCT1402  
VTD: KC WD14 PCT1403  
VTD: KC WD14 PCT1404  
VTD: KC WD14 PCT1405  
VTD: KC WD14 PCT1406  
VTD: KC WD14 PCT1407  
VTD: KC WD14 PCT1408  
VTD: KC WD14 PCT1409  
VTD: KC WD14 PCT1410  
VTD: KC WD14 PCT1411  
VTD: KC WD14 PCT1412  
VTD: KC WD14 PCT1413  
VTD: KC WD15 PCT1414  
VTD: KC WD15 PCT1503  
VTD: KC WD15 PCT1504  
VTD: KC WD15 PCT1505  
VTD: KC WD15 PCT1506  
VTD: KC WD15 PCT1507  
VTD: KC WD15 PCT1508  
VTD: KC WD15 PCT1509  
VTD: KC WD15 PCT1512  
VTD: KC WD15 PCT1513  
VTD: KC WD15 PCT1514  
VTD: KC WD15 PCT311  
VTD: KC WD15 PCT314  
VTD: KC WD15 PCT718  
VTD: KC WD16 PCT1511  
VTD: KC WD16 PCT1601  
VTD: KC WD16 PCT1602  
VTD: KC WD16 PCT1603  
VTD: KC WD16 PCT1604  
VTD: KC WD16 PCT1605  
VTD: KC WD16 PCT1607

VTD: KC WD16 PCT1608  
VTD: KC WD16 PCT1609  
VTD: KC WD16 PCT1610  
VTD: KC WD16 PCT1611  
VTD: KC WD16 PCT1612  
VTD: KC WD16 PCT1613  
VTD: KC WD16 PCT1614  
VTD: KC WD16 PCT1615  
VTD: KC WD16 PCT1616  
VTD: KC WD16 PCT717  
VTD: KC WD17 PCT1606  
VTD: KC WD17 PCT1617  
VTD: KC WD17 PCT1618  
VTD: KC WD17 PCT1701  
VTD: KC WD17 PCT1702  
VTD: KC WD17 PCT1703  
VTD: KC WD17 PCT1704  
VTD: KC WD17 PCT1705  
VTD: KC WD17 PCT1706  
VTD: KC WD17 PCT1707  
VTD: KC WD17 PCT1708  
VTD: KC WD17 PCT1712  
VTD: KC WD17 PCT1814  
VTD: KC WD18 PCT1801  
VTD: KC WD18 PCT1802  
VTD: KC WD18 PCT1803  
VTD: KC WD18 PCT1804  
VTD: KC WD18 PCT1805  
VTD: KC WD18 PCT1806  
VTD: KC WD18 PCT1807  
VTD: KC WD18 PCT1808  
VTD: KC WD18 PCT1809  
VTD: KC WD18 PCT1810  
VTD: KC WD18 PCT1812  
VTD: KC WD18 PCT1813  
VTD: KC WD18 PCT1816  
VTD: KC WD19 PCT1709  
VTD: KC WD19 PCT1710  
VTD: KC WD19 PCT1815  
VTD: KC WD19 PCT1817  
VTD: KC WD19 PCT1903  
VTD: KC WD19 PCT1905  
VTD: KC WD19 PCT1906  
VTD: KC WD19 PCT1907  
VTD: KC WD19 PCT1908  
VTD: KC WD19 PCT1909  
VTD: KC WD19 PCT1910  
VTD: KC WD19 PCT1911  
VTD: KC WD19 PCT1912  
VTD: KC WD19 PCT1913  
VTD: KC WD19 PCT1914  
VTD: KC WD19 PCT1916  
VTD: KC WD19 PCT1917  
VTD: KC WD19 PCT1918  
VTD: KC WD19 PCT1919  
VTD: KC WD19 PCT903

VTD: KC WD19 PCT912  
VTD: KC WD2 PCT201  
VTD: KC WD2 PCT202  
VTD: KC WD2 PCT203  
VTD: KC WD2 PCT204  
VTD: KC WD2 PCT205  
VTD: KC WD2 PCT206  
VTD: KC WD2 PCT207  
VTD: KC WD2 PCT208  
VTD: KC WD2 PCT209  
VTD: KC WD2 PCT210  
VTD: KC WD2 PCT211  
VTD: KC WD2 PCT212  
VTD: KC WD2 PCT213  
VTD: KC WD2 PCT214  
VTD: KC WD2 PCT215  
VTD: KC WD2 PCT216  
VTD: KC WD20 PCT1901  
VTD: KC WD20 PCT2002  
VTD: KC WD20 PCT2003  
VTD: KC WD20 PCT2004  
VTD: KC WD20 PCT2005  
VTD: KC WD20 PCT2006  
VTD: KC WD20 PCT2007  
VTD: KC WD20 PCT2008  
VTD: KC WD20 PCT2009  
VTD: KC WD20 PCT2010  
VTD: KC WD22 PCT1007  
VTD: KC WD22 PCT2202  
VTD: KC WD22 PCT2203  
VTD: KC WD22 PCT2204  
VTD: KC WD22 PCT2205  
VTD: KC WD22 PCT2206  
VTD: KC WD22 PCT2207  
VTD: KC WD22 PCT2208  
VTD: KC WD22 PCT2209  
VTD: KC WD22 PCT2210  
VTD: KC WD22 PCT2211  
VTD: KC WD22 PCT2212  
VTD: KC WD22 PCT2213  
VTD: KC WD23 PCT2301  
VTD: KC WD23 PCT2302  
VTD: KC WD23 PCT2303  
VTD: KC WD23 PCT2304  
VTD: KC WD23 PCT2305  
VTD: KC WD23 PCT2306  
VTD: KC WD23 PCT2307  
VTD: KC WD23 PCT2308  
VTD: KC WD23 PCT2309  
VTD: KC WD23 PCT2310  
VTD: KC WD23 PCT2311  
VTD: KC WD23 PCT2312  
VTD: KC WD23 PCT2313  
VTD: KC WD23 PCT2314  
VTD: KC WD23 PCT2315  
VTD: KC WD23 PCT2316

VTD: KC WD23 PCT2317  
VTD: KC WD23 PCT2318  
VTD: KC WD24 PCT2401  
VTD: KC WD24 PCT2402  
VTD: KC WD24 PCT2403  
VTD: KC WD24 PCT2404  
VTD: KC WD24 PCT2405  
VTD: KC WD24 PCT2407 (part)  
Block: 290950142032014  
Block: 290950142042013  
Block: 290950143002029  
Block: 290950143002030  
VTD: KC WD24 PCT2408 (part)  
Block: 290950142042014  
Block: 290950142042050  
Block: 290950142043043  
Block: 290950143003000  
Block: 290950143003001  
Block: 290950143003006  
Block: 290950143003007  
Block: 290950143003008  
Block: 290950143003009  
Block: 290950143003010  
Block: 290950143003011  
Block: 290950143003012  
Block: 290950143003013  
Block: 290950143003015  
Block: 290950143003016  
Block: 290950143003017  
Block: 290950143003018  
Block: 290950143003019  
Block: 290950143003020  
Block: 290950143003021  
Block: 290950143003035  
Block: 290950143003036  
Block: 290950143003037  
Block: 290950143003038  
Block: 290950143003039  
Block: 290950143003040  
Block: 290950143003054  
Block: 290950143003055  
Block: 290950176004028  
VTD: KC WD24 PCT2409  
VTD: KC WD24 PCT2410  
VTD: KC WD24 PCT2412  
VTD: KC WD24 PCT2413  
VTD: KC WD24 PCT2414  
VTD: KC WD24 PCT2415  
VTD: KC WD24 PCT2416  
VTD: KC WD24 PCT2417  
VTD: KC WD24 PCT2418  
VTD: KC WD24 PCT2419  
VTD: KC WD24 PCT2420  
VTD: KC WD24 PCT2421  
VTD: KC WD24 PCT2422  
VTD: KC WD24 PCT2424

VTD: KC WD24 PCT2425  
VTD: KC WD24 PCT2426  
VTD: KC WD24 PCT2427  
VTD: KC WD24 PCT2428  
VTD: KC WD24 PCT2429  
VTD: KC WD24 PCT2430  
VTD: KC WD24 PCT2431  
VTD: KC WD24 PCT2432  
VTD: KC WD24 PCT2601  
VTD: KC WD25 PCT2001  
VTD: KC WD25 PCT2501  
VTD: KC WD25 PCT2503  
VTD: KC WD25 PCT2504  
VTD: KC WD25 PCT2505  
VTD: KC WD25 PCT2506  
VTD: KC WD25 PCT2507  
VTD: KC WD25 PCT2508  
VTD: KC WD25 PCT2509  
VTD: KC WD25 PCT2510  
VTD: KC WD25 PCT2511  
VTD: KC WD25 PCT2602  
VTD: KC WD26 PCT1711  
VTD: KC WD26 PCT1902  
VTD: KC WD26 PCT2502  
VTD: KC WD26 PCT2603  
VTD: KC WD26 PCT2604  
VTD: KC WD26 PCT2605  
VTD: KC WD26 PCT2606  
VTD: KC WD26 PCT2607  
VTD: KC WD26 PCT2608  
VTD: KC WD26 PCT2609  
VTD: KC WD26 PCT2610  
VTD: KC WD26 PCT2611  
VTD: KC WD26 PCT2612  
VTD: KC WD3 PCT301  
VTD: KC WD3 PCT302  
VTD: KC WD3 PCT303  
VTD: KC WD3 PCT304  
VTD: KC WD3 PCT305  
VTD: KC WD3 PCT306  
VTD: KC WD3 PCT307  
VTD: KC WD3 PCT308  
VTD: KC WD3 PCT309  
VTD: KC WD3 PCT310  
VTD: KC WD3 PCT312  
VTD: KC WD3 PCT313  
VTD: KC WD3 PCT716  
VTD: KC WD4 PCT401  
VTD: KC WD4 PCT402  
VTD: KC WD4 PCT403  
VTD: KC WD4 PCT404  
VTD: KC WD4 PCT405  
VTD: KC WD4 PCT406  
VTD: KC WD4 PCT407  
VTD: KC WD4 PCT408  
VTD: KC WD4 PCT409



VTD: KC WD5 PCT410  
VTD: KC WD5 PCT502  
VTD: KC WD5 PCT503  
VTD: KC WD5 PCT504  
VTD: KC WD5 PCT505  
VTD: KC WD5 PCT506  
VTD: KC WD5 PCT507  
VTD: KC WD5 PCT508  
VTD: KC WD5 PCT509  
VTD: KC WD5 PCT510  
VTD: KC WD6 PCT501  
VTD: KC WD6 PCT601  
VTD: KC WD6 PCT602  
VTD: KC WD6 PCT603  
VTD: KC WD6 PCT604  
VTD: KC WD6 PCT605  
VTD: KC WD6 PCT606  
VTD: KC WD6 PCT607  
VTD: KC WD6 PCT608  
VTD: KC WD6 PCT609  
VTD: KC WD6 PCT610  
VTD: KC WD6 PCT611  
VTD: KC WD6 PCT612  
VTD: KC WD6 PCT801  
VTD: KC WD7 PCT701  
VTD: KC WD7 PCT702  
VTD: KC WD7 PCT703  
VTD: KC WD7 PCT704  
VTD: KC WD7 PCT705  
VTD: KC WD7 PCT706  
VTD: KC WD7 PCT707  
VTD: KC WD7 PCT708  
VTD: KC WD7 PCT709  
VTD: KC WD7 PCT710  
VTD: KC WD7 PCT711  
VTD: KC WD7 PCT712  
VTD: KC WD7 PCT713  
VTD: KC WD7 PCT714  
VTD: KC WD7 PCT715  
VTD: KC WD7 PCT719  
VTD: KC WD8 PCT613  
VTD: KC WD8 PCT802  
VTD: KC WD8 PCT803  
VTD: KC WD8 PCT804  
VTD: KC WD8 PCT805  
VTD: KC WD8 PCT806  
VTD: KC WD8 PCT807  
VTD: KC WD8 PCT808  
VTD: KC WD8 PCT809  
VTD: KC WD8 PCT810  
VTD: KC WD8 PCT811  
VTD: KC WD8 PCT813  
VTD: KC WD9 PCT1904  
VTD: KC WD9 PCT812  
VTD: KC WD9 PCT901  
VTD: KC WD9 PCT902

**VTD: KC WD9 PCT904**  
**VTD: KC WD9 PCT905**  
**VTD: KC WD9 PCT906**  
**VTD: KC WD9 PCT907**  
**VTD: KC WD9 PCT908**  
**VTD: KC WD9 PCT909**  
**VTD: KC WD9 PCT910**  
**VTD: KC WD9 PCT911**  
**VTD: Prairie No. 1**  
**VTD: Prairie No. 10,11,& 12**  
**VTD: Prairie No. 13**  
**VTD: Prairie No. 13A**  
**VTD: Prairie No. 14**  
**VTD: Prairie No. 15**  
**VTD: Prairie No. 16**  
**VTD: Prairie No. 17**  
**VTD: Prairie No. 18 & 19**  
**VTD: Prairie No. 2**  
**VTD: Prairie No. 20**  
**VTD: Prairie No. 20A & 20B**  
**VTD: Prairie No. 20C**  
**VTD: Prairie No. 21**  
**VTD: Prairie No. 22**  
**VTD: Prairie No. 23**  
**VTD: Prairie No. 24,24B,25A,68**  
**VTD: Prairie No. 24A**  
**VTD: Prairie No. 24C**  
**VTD: Prairie No. 25**  
**VTD: Prairie No. 3**  
**VTD: Prairie No. 37**  
**VTD: Prairie No. 37A**  
**VTD: Prairie No. 38**  
**VTD: Prairie No. 39**  
**VTD: Prairie No. 39A**  
**VTD: Prairie No. 4**  
**VTD: Prairie No. 40**  
**VTD: Prairie No. 40A & 44A (part)**  
**Block: 290950179003002**  
**VTD: Prairie No. 43 & 79 (part)**  
**Block: 290950142043051**  
**Block: 290950142043052**  
**Block: 290950142043054**  
**Block: 290950142043056**  
**Block: 290950143003028**  
**Block: 290950179003004**  
**VTD: Prairie No. 45 (part)**  
**Block: 290950137031000**  
**Block: 290950137031001**  
**Block: 290950137031002**  
**Block: 290950137031003**  
**Block: 290950137031004**  
**Block: 290950137031005**  
**Block: 290950137031006**  
**Block: 290950137031007**  
**Block: 290950137031008**  
**Block: 290950137031009**

Block: 290950137031010  
Block: 290950137032013  
Block: 290950137032017  
Block: 290950137032018  
Block: 290950137033006  
Block: 290950137033007  
Block: 290950137033012  
Block: 290950137033013  
Block: 290950137033014  
Block: 290950137033015  
Block: 290950137033016  
Block: 290950137033030  
Block: 290950137033031  
Block: 290950137033032  
Block: 290950137033033  
Block: 290950137033034  
Block: 290950137033035  
Block: 290950137033036  
Block: 290950137033037  
Block: 290950137033038  
Block: 290950137033047  
Block: 290950137033048  
Block: 290950137033051  
VTD: Prairie No. 5  
VTD: Prairie No. 50  
VTD: Prairie No. 50A  
VTD: Prairie No. 50B  
VTD: Prairie No. 50C,58,58A,58B,58C,58D,58E,58F,& 76  
VTD: Prairie No. 50D  
VTD: Prairie No. 51  
VTD: Prairie No. 51A  
VTD: Prairie No. 51B,51N,63,63A,63C,65,65A,65N,77,77A,77B,& 77N  
VTD: Prairie No. 52  
VTD: Prairie No. 52A  
VTD: Prairie No. 53  
VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)  
Block: 290950139011031  
Block: 290950139011032  
Block: 290950139011033  
Block: 290950139011034  
Block: 290950139011035  
Block: 290950139011036  
Block: 290950139011042  
Block: 290950141121045  
Block: 290950141121059  
VTD: Prairie No. 6  
VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)  
Block: 290950139011044  
Block: 290950139011045  
Block: 290950139011065  
VTD: Prairie No. 7  
VTD: Prairie No. 8 & 8B  
VTD: Prairie No. 8A  
VTD: Prairie No. 9  
VTD: Sni-A-Bar No. 1,1B,& 1C (part)  
Block: 290950145022002

Block: 290950145022010  
Block: 290950145022011  
Block: 290950145022020  
Block: 290950145022044  
VTD: Sni-A-Bar No. 10 (part)  
Block: 290950141011005  
VTD: Sni-A-Bar No. 14,75N,& 75X (part)  
Block: 290950141011003  
Block: 290950141011004  
Block: 290950141011006  
Block: 290950141011007  
Block: 290950141011008  
Block: 290950141011009  
Block: 290950141011010  
Block: 290950141011011  
Block: 290950141011012  
Block: 290950141011013  
Block: 290950141011014  
Block: 290950141011030  
Block: 290950141011032  
Block: 290950141011033  
Block: 290950141011034  
Block: 290950141011035  
VTD: Sni-A-Bar No. 14A & 75A (part)  
Block: 290950141011019  
Block: 290950141011027  
Block: 290950141011028  
Block: 290950141011029  
Block: 290950141011059  
Block: 290950141013000  
Block: 290950141013001  
Block: 290950141013002  
Block: 290950141013003  
Block: 290950141013009  
Block: 290950141013010  
Block: 290950141013013  
Block: 290950141013014  
Block: 290950141013015  
Block: 290950141055012  
Block: 290950141055013  
VTD: Sni-A-Bar No. 15 & 15A  
VTD: Sni-A-Bar No. 15B  
VTD: Sni-A-Bar No. 16,83,& 93  
VTD: Sni-A-Bar No. 22 (part)  
Block: 290950141012002  
Block: 290950141012003  
Block: 290950141012007  
Block: 290950141012008  
Block: 290950141012009  
Block: 290950141012010  
Block: 290950141012011  
Block: 290950141012012  
Block: 290950141012013  
Block: 290950141012014  
Block: 290950141012015  
Block: 290950141012016

**Block: 290950141014000**

**Block: 290950141014001**

**Block: 290950141014002**

**Block: 290950141014004**

**Block: 290950141014005**

**Block: 290950141014006**

**Block: 290950141014009**

**Block: 290950141014010**

**Block: 290950141014024**

**Block: 290950141014025**

**VTD: Sni-A-Bar No. 23 (part)**

**Block: 290950141014035**

**Block: 290950141014036**

**Block: 290950141014037**

**Block: 290950141014040**

**Block: 290950141014041**

**Block: 290950141014042**

**Block: 290950141014043**

**Block: 290950141014044**

**Block: 290950141014045**

**Block: 290950141014046**

**Block: 290950141014050**

**VTD: Sni-A-Bar No. 23A**

**VTD: Sni-A-Bar No. 24 (part)**

**Block: 290950141014007**

**Block: 290950141014008**

**Block: 290950141014011**

**Block: 290950141014012**

**Block: 290950141014017**

**Block: 290950141014018**

**Block: 290950141014019**

**Block: 290950141014020**

**Block: 290950141014021**

**Block: 290950141014022**

**Block: 290950141014023**

**Block: 290950141014026**

**Block: 290950141014027**

**Block: 290950141014028**

**Block: 290950141014029**

**Block: 290950141014030**

**Block: 290950141014031**

**Block: 290950141014032**

**Block: 290950141014033**

**Block: 290950141014038**

**Block: 290950141014039**

**VTD: Sni-A-Bar No. 27 (part)**

**Block: 290950141014048**

**Block: 290950141014049**

**Block: 290950141144000**

**Block: 290950141144001**

**Block: 290950141144002**

**Block: 290950141144006**

**Block: 290950141144009**

**Block: 290950141144015**

**Block: 290950141144016**

**Block: 290950141144017**

Block: 290950141144018  
Block: 290950141144019  
Block: 290950141144020  
Block: 290950141144021  
Block: 290950141144022  
VTD: Sni-A-Bar No. 31  
VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)  
Block: 290950141051011  
Block: 290950141051012  
Block: 290950141051013  
Block: 290950141051022  
Block: 290950141053001  
Block: 290950141053002  
Block: 290950141054000  
Block: 290950141054001  
Block: 290950141054003  
Block: 290950141054004  
Block: 290950141054005  
Block: 290950141054013  
Block: 290950141054014  
Block: 290950141054015  
Block: 290950141054016  
Block: 290950141054017  
Block: 290950141055018  
Block: 290950141055020  
Block: 290950141055022  
Block: 290950141055026  
Block: 290950141055027  
Block: 290950141055030  
Block: 290950141055035  
Block: 290950141055036  
Block: 290950141055037  
Block: 290950141055038  
Block: 290950141055039  
Block: 290950141055040  
Block: 290950141055042  
Block: 290950141055046  
Block: 290950141055057  
Block: 290950141055058  
Block: 290950141055059  
Block: 290950141055068  
Block: 290950141055069  
VTD: Sni-A-Bar No. 31B  
VTD: Sni-A-Bar No. 32 & 78N (part)  
Block: 290950141054028  
VTD: Sni-A-Bar No. 35 (part)  
Block: 290950141055070  
VTD: Sni-A-Bar No. 36,36A,& 79A (part)  
Block: 290950141111004  
Block: 290950141111015  
VTD: Sni-A-Bar No. 40 & 40B  
VTD: Sni-A-Bar No. 40A & 41  
VTD: Sni-A-Bar No. 40D & 40E  
VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C (part)  
Block: 290950140021003  
Block: 290950140021010

**Block: 290950140021022**

**Block: 290950140021023**

**Block: 290950140071048**

**Block: 290950140071049**

**Block: 290950140071050**

**Block: 290950140071051**

**Block: 290950140071052**

**Block: 290950140071053**

**Block: 290950140071058**

**Block: 290950140071059**

**Block: 290950140071060**

**Block: 290950140071061**

**Block: 290950140071062**

**Block: 290950140071063**

**Block: 290950140071064**

**Block: 290950140071066**

**Block: 290950140071067**

**Block: 290950140071068**

**Block: 290950140071069**

**Block: 290950140071070**

**Block: 290950140071082**

**Block: 290950140071083**

**Block: 290950140071085**

**Block: 290950140071086**

**Block: 290950140071088**

**Block: 290950140071093**

**Block: 290950140071094**

**Block: 290950140071095**

**Block: 290950141011017**

**Block: 290950141011018**

**Block: 290950141011021**

**VTD: Sni-A-Bar No. 50 & 91 (part)**

**Block: 290950140042006**

**Block: 290950140042007**

**Block: 290950140042008**

**Block: 290950140042009**

**Block: 290950140042010**

**Block: 290950140042011**

**Block: 290950140042012**

**Block: 290950140042013**

**Block: 290950140042014**

**Block: 290950140042024**

**Block: 290950140042025**

**Block: 290950140042026**

**Block: 290950140042027**

**Block: 290950140042028**

**Block: 290950140042029**

**Block: 290950140042030**

**Block: 290950140042031**

**Block: 290950140042032**

**Block: 290950140042033**

**Block: 290950140042034**

**Block: 290950140042038**

**Block: 290950140042039**

**Block: 290950140042040**

**Block: 290950140042041**

Block: 290950140042044  
Block: 290950140051001  
Block: 290950140051002  
Block: 290950140051003  
Block: 290950140051004  
Block: 290950140051006  
Block: 290950140051007  
Block: 290950140051008  
Block: 290950140051009  
Block: 290950140051010  
Block: 290950140051018  
Block: 290950140051019  
Block: 290950140051022  
VTD: Sni-A-Bar No. 51,51A,& 94A  
VTD: Sni-A-Bar No. 53 & 92 (part)  
Block: 290950140041024  
Block: 290950140041025  
Block: 290950140041026  
Block: 290950140041027  
Block: 290950140041028  
Block: 290950140041029  
Block: 290950140041030  
Block: 290950140041031  
Block: 290950140041033  
Block: 290950140041034  
Block: 290950140041035  
Block: 290950140041036  
Block: 290950140041037  
Block: 290950140041038  
Block: 290950140041039  
Block: 290950140042035  
Block: 290950140042036  
Block: 290950140042037  
Block: 290950140042042  
Block: 290950140042043  
Block: 290950140051000  
Block: 290950140052000  
Block: 290950140052004  
VTD: Sni-A-Bar No. 55  
VTD: Sni-A-Bar No. 57  
VTD: Sni-A-Bar No. 76 & 76A  
VTD: Sni-A-Bar No. 77  
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)  
Block: 290950141055014  
Block: 290950141055021  
Block: 290950141055023  
Block: 290950141055024  
Block: 290950141055025  
Block: 290950141055028  
Block: 290950141055029  
Block: 290950141055041  
Block: 290950141055043  
Block: 290950141055044  
Block: 290950141055045  
Block: 290950141055047  
Block: 290950141055048



**Block: 290950141055049**

**Block: 290950141055053**

**Block: 290950141055054**

**Block: 290950141055055**

**Block: 290950141055056**

**Block: 290950141055064**

**Block: 290950141055066**

**Block: 290950141055067**

**Block: 290950141111000**

**Block: 290950141111001**

**Block: 290950141111002**

**Block: 290950141111003**

**Block: 290950141111005**

**Block: 290950141111009**

**Block: 290950141111010**

**Block: 290950141111013**

**Block: 290950141111014**

**Block: 290950141111029**

**Block: 290950141111051**

**Block: 290950141121004**

**Block: 290950141121005**

**Block: 290950141121006**

**Block: 290950141121010**

**Block: 290950141121017**

**VTD: Sni-A-Bar No. 86,87,88,88A,88B,& 88C**

**VTD: Sni-A-Bar No. 94,94B,95,& 96**

**VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)**

**Block: 290950139011003**

**Block: 290950139011004**

**Block: 290950139011005**

**Block: 290950139011006**

**Block: 290950139011007**

**Block: 290950139011012**

**Block: 290950139011022**

**Block: 290950139011023**

**Block: 290950140022047**

**Block: 290950140022048**

**Block: 290950140022049**

**Block: 290950140022050**

**Block: 290950140022051**

**Block: 290950140022052**

**Block: 290950140022053**

**Block: 290950140022054**

**Block: 290950140022055**

**Block: 290950140022056**

**Block: 290950140022057**

**Block: 290950140022058**

**Block: 290950140022059**

**Block: 290950140022060**

**Block: 290950140022061**

**Block: 290950140022062**

**Block: 290950140022063**

**Block: 290950140022064**

**Block: 290950140022065**

**Block: 290950141121011**

**Block: 290950141121013**

**Block: 290950141121014**

**Block: 290950141121015**

**Block: 290950141121016**

**Block: 290950141121018**

**Block: 290950141121019**

**Block: 290950141121031**

**Block: 290950141121032**

**Block: 290950141121033**

**Block: 290950141121034**

**Block: 290950141121035**

**Block: 290950141121036**

**Block: 290950141121037**

**Block: 290950141121040**

**Block: 290950141121041**

**Block: 290950141121049**

**Block: 290950141121051**

**VTD: Van Buren No. 11N,19,19A,19B,19C,19D,20N,21,21N,23,& 24**

**VTD: Van Buren No. 25,26,27,28,29,30,& 32**

**VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)**

**Block: 290950139011001**

**Block: 290950139011009**

**Block: 290950139011010**

**Block: 290950139011011**

**Block: 290950139011013**

**Block: 290950139011014**

**Block: 290950139011015**

**Block: 290950139011016**

**Block: 290950139011017**

**Block: 290950139011018**

**Block: 290950139011019**

**Block: 290950139011020**

**Block: 290950139011021**

**Block: 290950139011024**

**Block: 290950139011025**

**Block: 290950139011026**

**Block: 290950139011027**

**Block: 290950139011028**

**Block: 290950139011029**

**Block: 290950139011030**

**Block: 290950139011037**

**Block: 290950139011038**

**Block: 290950139011039**

**Block: 290950139011040**

**Block: 290950139011041**

**Block: 290950139011043**

**Block: 290950139011046**

**Block: 290950139011047**

**Block: 290950139011048**

**Block: 290950139011049**

**Block: 290950139011050**

**Block: 290950139011052**

**Block: 290950139011053**

**Block: 290950139011054**

**Block: 290950139011055**

**Block: 290950139011056**

**Block: 290950139011058**

**Block: 290950139011059**  
**Block: 290950139011060**  
**Block: 290950139011069**  
**Block: 290950139011070**  
**Block: 290950139011074**  
**Block: 290950139011075**  
**Block: 290950141121050**  
**Block: 290950141121052**  
**Block: 290950141121060**  
**Block: 290950141121062**  
**VTD: Van Buren No. 31 & 33**  
**VTD: Van Buren No. 34,35,36,& 37**  
**VTD: Van Buren No. 38,39,40,40A,40B,40C,40D,40N,& 43**  
**VTD: Van Buren No. 41 & 42**  
**VTD: Van Buren No. 9,10,10A,11,11A,12,13,14,15,17,18,& 20**  
**VTD: Washington No. 1**  
**VTD: Washington No. 10 & 10N**  
**VTD: Washington No. 11**  
**VTD: Washington No. 12**  
**VTD: Washington No. 13**  
**VTD: Washington No. 14**  
**VTD: Washington No. 15**  
**VTD: Washington No. 16**  
**VTD: Washington No. 17**  
**VTD: Washington No. 2**  
**VTD: Washington No. 3**  
**VTD: Washington No. 4**  
**VTD: Washington No. 5**  
**VTD: Washington No. 6**  
**VTD: Washington No. 7**  
**VTD: Washington No. 8**  
**VTD: Washington No. 9**  
**Lafayette MO County**  
**Ray MO County**  
**Saline MO County"; and**

Further amend said bill, Pages 127 to 159, Section 128.456, Lines 2 to 1368, by deleting all of said lines and inserting in lieu thereof the following:

**"Adair MO County**  
**Andrew MO County**  
**Atchison MO County**  
**Buchanan MO County**  
**Caldwell MO County**  
**Carroll MO County**  
**Chariton MO County**  
**Clark MO County**  
**Clay MO County (part)**  
**VTD: Chou 8 (part)**  
**Block: 290470223021029**  
**VTD: FR 1**  
**VTD: FR 2**  
**VTD: FR 3**  
**VTD: FR 4**  
**VTD: FR 5**  
**VTD: Gal 17**

VTD: KC 21 Lib 1  
VTD: KC 21 Lib 2  
VTD: KC 21 Lib 3  
VTD: KC 21 Pl 1  
VTD: KC 21-1  
VTD: KC 21-12 (part)  
Block: 290470212052031  
Block: 290470212052032  
Block: 290470212052033  
Block: 290470212053000  
Block: 290470212053001  
Block: 290470212053002  
Block: 290470212053003  
Block: 290470212053004  
Block: 290470212053005  
Block: 290470212053006  
Block: 290470212053007  
Block: 290470212053008  
Block: 290470212053009  
Block: 290470212053010  
Block: 290470212053011  
Block: 290470212053012  
Block: 290470212053013  
Block: 290470212053014  
Block: 290470212053015  
Block: 290470212053016  
Block: 290470212053017  
Block: 290470212053018  
Block: 290470212053019  
Block: 290470212053020  
Block: 290470212053021  
Block: 290470212053022  
Block: 290470212053023  
Block: 290470212053024  
Block: 290470212053025  
Block: 290470212053026  
Block: 290470212053027  
Block: 290470212053028  
Block: 290470212053029  
Block: 290470212053031  
Block: 290470212053032  
Block: 290470212053033  
Block: 290470212053034  
Block: 290470212053035  
Block: 290470212053036  
Block: 290470212053037  
Block: 290470212053038  
Block: 290470212053039  
Block: 290470212053040  
Block: 290470212053041  
Block: 290470212053042  
Block: 290470212053043  
Block: 290470212053044  
Block: 290470212063000  
Block: 290470212063010  
Block: 290470212063011

Block: 290470212063022  
Block: 290470212063023  
Block: 290470213031010  
Block: 290470213031011  
Block: 290470213031012  
Block: 290470213031013  
Block: 290470213031014  
Block: 290470213031015  
Block: 290470213031016  
Block: 290470213031017  
Block: 290470213031018  
Block: 290470213031019  
Block: 290470213031020  
Block: 290470213031021  
Block: 290470213031022  
Block: 290470213031023  
Block: 290470213031024  
Block: 290470213031025  
Block: 290470213031026  
Block: 290470213031030  
Block: 290470213032010  
Block: 290470213032011  
Block: 290470213032012  
Block: 290470213032013  
Block: 290470213032014  
Block: 290470213032015  
Block: 290470213032016  
Block: 290470213072021  
Block: 290470213072022  
Block: 290470213072023  
Block: 290470213072024  
Block: 290470213072025  
Block: 290470213072026  
Block: 290470213072034  
Block: 290470213072035  
Block: 290470213072038  
Block: 290470213072039  
Block: 290470213073007  
Block: 290470213073018  
Block: 290470213073019  
Block: 290470213073020  
Block: 290470213073021  
Block: 290470213073040  
Block: 290470213073041  
Block: 290470213073042  
Block: 290470213073043  
Block: 290470213073044  
Block: 290470213073045  
Block: 290470213073046  
Block: 290470213073047  
Block: 290470213073048  
Block: 290470213073049  
Block: 290470213073050  
Block: 290470213073051  
Block: 290470213073052  
Block: 290470213073053

Block: 290470213073054  
Block: 290470213073055  
Block: 290470213073056  
Block: 290470213073057  
Block: 290470213091039  
Block: 290470213091040  
Block: 290470213091041  
Block: 290470213091042  
Block: 290470213091043  
Block: 290470213091044  
Block: 290470213091045  
Block: 290470213091046  
Block: 290470213091054  
Block: 290470213091079  
Block: 290470213091080  
Block: 290470213091081  
Block: 290470213091082  
Block: 290470213101006  
Block: 290470213101007  
Block: 290470213101008  
Block: 290470213101013  
Block: 290470213101014  
Block: 290470213101015  
Block: 290470213102025  
Block: 290470213102026  
Block: 290470213102027  
Block: 290470213102028  
Block: 290470213102029  
Block: 290470213102030  
VTD: KC 21-13  
VTD: KC 21-15  
VTD: KC 21-16 (part)  
Block: 290470212052001  
Block: 290470212052002  
VTD: KC 21-17  
VTD: KC 21-2 (part)  
Block: 290470202021000  
Block: 290470202021001  
Block: 290470202021002  
Block: 290470202021003  
Block: 290470202021004  
Block: 290470202021005  
Block: 290470202021006  
Block: 290470202021007  
Block: 290470202021012  
Block: 290470202021013  
Block: 290470202021015  
Block: 290470202021016  
Block: 290470202021017  
Block: 290470202021018  
Block: 290470202021019  
Block: 290470202021020  
Block: 290470202021021  
Block: 290470202021022  
Block: 290470202021023  
Block: 290470202021024

Block: 290470202021025  
Block: 290470202021026  
Block: 290470202021027  
Block: 290470202021028  
Block: 290470202021029  
Block: 290470202021030  
Block: 290470202021036  
Block: 290470202021037  
Block: 290470202021042  
Block: 290470202021043  
Block: 290470202021044  
Block: 290470202021045  
Block: 290470202021046  
Block: 290470202021047  
Block: 290470202021048  
Block: 290470202021049  
Block: 290470202021050  
Block: 290470202021051  
Block: 290470202021052  
Block: 290470202021053  
Block: 290470202021055  
Block: 290470202021056  
Block: 290470202021057  
Block: 290470202021058  
Block: 290470202021059  
Block: 290470202021060  
Block: 290470202021062  
Block: 290470202021063  
Block: 290470202021064  
Block: 290470202021065  
Block: 290470202021067  
Block: 290470202021068  
Block: 290470202021069  
Block: 290470202021070  
Block: 290470202021071  
Block: 290470202021072  
Block: 290470202021073  
Block: 290470202022000  
Block: 290470202022001  
Block: 290470202022002  
Block: 290470202022003  
Block: 290470202022004  
Block: 290470202022005  
Block: 290470202022006  
Block: 290470202022007  
Block: 290470202022008  
Block: 290470202022009  
Block: 290470202022010  
Block: 290470202022011  
Block: 290470202022012  
Block: 290470202022013  
Block: 290470202022014  
Block: 290470202022015  
Block: 290470202022016  
Block: 290470202022017  
Block: 290470202022018

Block: 290470202022019  
Block: 290470202022020  
Block: 290470202022021  
Block: 290470202022022  
Block: 290470202022023  
Block: 290470202022024  
Block: 290470202022025  
Block: 290470202023000  
Block: 290470202023001  
Block: 290470202023002  
Block: 290470202023003  
Block: 290470202023004  
Block: 290470202023005  
Block: 290470202023006  
Block: 290470202023007  
Block: 290470202023008  
Block: 290470202023009  
Block: 290470202023010  
Block: 290470202023011  
Block: 290470202023012  
Block: 290470202023013  
Block: 290470202023014  
Block: 290470202023015  
Block: 290470202023016  
Block: 290470202023017  
Block: 290470202023018  
Block: 290470202023019  
Block: 290470202023020  
Block: 290470202023021  
Block: 290470202023022  
Block: 290470202023023  
Block: 290470202023024  
Block: 290470202023025  
Block: 290470202023026  
Block: 290470202023027  
Block: 290470202023028  
Block: 290470202023029  
Block: 290470202023030  
Block: 290470202023031  
Block: 290470202023032  
Block: 290470202023033  
Block: 290470202023034  
Block: 290470202023035  
Block: 290470202023036  
Block: 290470202023037  
Block: 290470202023038  
Block: 290470202023039  
Block: 290470202023040  
Block: 290470203005009  
Block: 290470203005010  
Block: 290470203005011  
Block: 290470203005012  
Block: 290470203005013  
Block: 290470203005014  
Block: 290470203005015  
Block: 290470203005016



Block: 290470203005026  
Block: 290470203005028  
Block: 290470203005029  
Block: 290470203005030  
Block: 290470203005031  
Block: 290470203005034  
Block: 290470203005035  
Block: 290470203005036  
Block: 290470203005037  
Block: 290470203005038  
Block: 290470203005039  
Block: 290470203005040  
Block: 290470203005043  
Block: 290470203005056  
Block: 290470203005057  
Block: 290470203005058  
Block: 290470203005059  
Block: 290470203005060  
Block: 290470203005061  
Block: 290470204002019  
Block: 290470204002022  
Block: 290470212043019  
Block: 290470221002070  
Block: 290470221002071  
Block: 290470221002072  
Block: 290470221002073  
Block: 290470221002074  
Block: 290470221002075  
Block: 290470221002076  
Block: 290470221002077  
Block: 290470221002078  
Block: 290470221002079  
Block: 290470221002080  
Block: 290470221002081  
Block: 290470221002082  
Block: 290470221002083  
Block: 290470221002084  
Block: 290470221002085  
Block: 290470221002086  
Block: 290470221002087  
Block: 290470221002088  
Block: 290470221002093  
Block: 290470221002095  
Block: 290470221002096  
Block: 290470221002097  
Block: 290470221002098  
Block: 290470221002099  
Block: 290470221002100  
Block: 290470221002101  
Block: 290470221002102  
Block: 290470221002103  
Block: 290470221002104  
Block: 290470221002105  
Block: 290470221002106  
Block: 290470221002107  
Block: 290470221002108

Block: 290470221002109  
Block: 290470221002110  
Block: 290470221002111  
Block: 290470221002118  
Block: 290470221002119  
Block: 290470221002120  
Block: 290470221002121  
Block: 290470221002122  
Block: 290470221002194  
Block: 290470221002195  
Block: 290470221002196  
Block: 290470221002197  
Block: 290470221002239  
Block: 290470221002240  
Block: 290470221002241  
Block: 290470221002244  
Block: 290470221002245  
Block: 290470221002246  
Block: 290470221002247  
Block: 290470221002248  
Block: 290470221002249  
Block: 290470221002250  
Block: 290470221002251  
Block: 290470221002252  
Block: 290470221002256  
Block: 290470221002258  
Block: 290470221002260  
Block: 290470221002262  
Block: 290470221002263  
Block: 290470221002264  
Block: 290470221002265  
Block: 290470221002266  
Block: 290470221002267  
Block: 290470221002268  
Block: 290470221002274  
Block: 290470221002275  
Block: 290470221002276  
VTD: KC 21-26  
VTD: Kry 1  
VTD: Kry 2  
VTD: Kry 3  
VTD: Kry 4  
VTD: Lib 1  
VTD: Lib 10  
VTD: Lib 11  
VTD: Lib 12  
VTD: Lib 13 (part)  
Block: 290470222002035  
Block: 290470222002036  
Block: 290470222002147  
Block: 290470223012024  
Block: 290470223012025  
Block: 290470223012026  
Block: 290470223021006  
Block: 290470223021016  
Block: 290470223021017

Block: 290470223021018  
Block: 290470223021019  
Block: 290470223021020  
Block: 290470223021024  
Block: 290470223021025  
Block: 290470223021048  
Block: 290470223021050  
Block: 290470223021057  
Block: 290470223021058  
Block: 290470223021059  
Block: 290470223021060  
Block: 290470223023050  
Block: 290470223023052  
Block: 290470223023058  
Block: 290470223023059  
VTD: Lib 14  
VTD: Lib 2  
VTD: Lib 3  
VTD: Lib 4  
VTD: Lib 5 (part)  
Block: 290470208011005  
Block: 290470208011006  
Block: 290470208011007  
Block: 290470208011038  
Block: 290470208011039  
Block: 290470208011040  
Block: 290470208011046  
Block: 290470208011047  
Block: 290470208011048  
Block: 290470208011049  
Block: 290470208011050  
Block: 290470208011051  
Block: 290470208011056  
Block: 290470208011057  
Block: 290470208011058  
Block: 290470208012000  
Block: 290470208012001  
Block: 290470208012002  
Block: 290470208012003  
Block: 290470208012004  
Block: 290470208012005  
Block: 290470208012006  
Block: 290470208012007  
Block: 290470208012008  
Block: 290470208012010  
Block: 290470208012011  
Block: 290470208012012  
Block: 290470208012017  
Block: 290470208012018  
Block: 290470208012019  
Block: 290470208012020  
Block: 290470208013000  
Block: 290470208013001  
Block: 290470208013002  
Block: 290470208013003  
Block: 290470208015000

Block: 290470208015001  
Block: 290470208015002  
Block: 290470208015003  
Block: 290470208015004  
Block: 290470208015005  
Block: 290470208015006  
Block: 290470208015007  
Block: 290470208015008  
Block: 290470208015009  
Block: 290470208015010  
Block: 290470208015011  
Block: 290470208015012  
Block: 290470208015013  
Block: 290470208015014  
Block: 290470208015015  
Block: 290470208015016  
Block: 290470208015017  
Block: 290470208015018  
Block: 290470208015019  
Block: 290470208015020  
Block: 290470208015021  
Block: 290470208015022  
Block: 290470208015023  
Block: 290470208015024  
Block: 290470208015025  
Block: 290470208015026  
Block: 290470223021005  
Block: 290470223021007  
Block: 290470223021010  
Block: 290470223021011  
Block: 290470223021012  
Block: 290470223021013  
Block: 290470223021015  
Block: 290470223021021  
Block: 290470223021022  
Block: 290470223021023  
Block: 290470223021027  
Block: 290470223021061  
Block: 290470223021062  
Block: 290470223021063  
VTD: Lib 6  
VTD: Lib 7  
VTD: Lib 8  
VTD: Lib 9  
VTD: Pl 1  
VTD: Pl 2  
VTD: Pl 3  
VTD: Wash 1  
VTD: Wash 2  
VTD: Wash 3  
Clinton MO County  
Daviess MO County  
DeKalb MO County  
Gentry MO County  
Grundy MO County  
Harrison MO County

**Holt MO County**

**Jackson MO County (part)**

**VTD: Blue Sub 3 No. 11 (part)**

**Block: 290950147021004**

**Block: 290950148041006**

**Block: 290950148041009**

**Block: 290950148041010**

**Block: 290950148041014**

**VTD: Blue Sub 3 No. 12 & 13**

**VTD: Blue Sub 8 No. 11 (part)**

**Block: 290950145021006**

**Block: 290950145021014**

**Block: 290950145021026**

**VTD: Blue Sub 8 No. 12,12A,& 12B (part)**

**Block: 290950145022054**

**Block: 290950145022055**

**VTD: Fort Osage No. 1,1A,2,& 3 (part)**

**Block: 290950147021002**

**Block: 290950148041000**

**Block: 290950148041001**

**Block: 290950148041002**

**Block: 290950148041003**

**Block: 290950148041004**

**Block: 290950148041005**

**Block: 290950148041007**

**Block: 290950148041039**

**Block: 290950150001071**

**Block: 290950150001072**

**Block: 290950150001076**

**Block: 290950150001077**

**Block: 290950177001000**

**Block: 290950177001001**

**Block: 290950177001002**

**Block: 290950177001003**

**Block: 290950177001004**

**Block: 290950177001005**

**Block: 290950177001006**

**Block: 290950177001008**

**Block: 290950177001009**

**Block: 290950177001010**

**Block: 290950177001011**

**Block: 290950177001012**

**Block: 290950177001013**

**Block: 290950177001014**

**Block: 290950177001015**

**Block: 290950177001016**

**Block: 290950177001017**

**Block: 290950177001018**

**Block: 290950177001019**

**Block: 290950177001020**

**Block: 290950177001021**

**Block: 290950177001022**

**Block: 290950177001023**

**Block: 290950177001026**

**Block: 290950177001027**

**Block: 290950177001028**

Block: 290950177001035  
Block: 290950177001036  
Block: 290950177003000  
Block: 290950177003001  
Block: 290950177003002  
Block: 290950177003003  
Block: 290950177003004  
Block: 290950177003005  
Block: 290950177003006  
Block: 290950177003007  
Block: 290950177003008  
Block: 290950177003009  
Block: 290950177003010  
Block: 290950177003011  
Block: 290950177003012  
Block: 290950177003013  
Block: 290950177003014  
Block: 290950177003015  
Block: 290950177003016  
Block: 290950177003017  
Block: 290950177003018  
Block: 290950177003019  
Block: 290950177003020  
Block: 290950177003021  
Block: 290950177003024  
Block: 290950177003025  
Block: 290950177003026  
Block: 290950177003029  
Block: 290950177003072  
Block: 290950177003073  
Block: 290950177003074  
Block: 290950177003075  
Block: 290950177003076  
Block: 290950177003077  
VTD: Fort Osage No. 11,12,& 15N  
VTD: Fort Osage No. 16,17,17A,19,& 20  
VTD: Fort Osage No. 21  
VTD: Fort Osage No. 27 & 28  
VTD: Fort Osage No. 4  
VTD: Fort Osage No. 5 & 30  
VTD: Fort Osage No. 6  
VTD: Fort Osage No. 7,8,25,& 26  
VTD: Fort Osage No. 9  
VTD: KC WD24 PCT2406  
VTD: KC WD24 PCT2407 (part)  
Block: 290950142032009  
Block: 290950142032013  
VTD: KC WD24 PCT2408 (part)  
Block: 290950142043041  
Block: 290950142043042  
Block: 290950142043044  
VTD: KC WD24 PCT2423  
VTD: Prairie No. 26,27,28,& 78  
VTD: Prairie No. 29 & 30C  
VTD: Prairie No. 30  
VTD: Prairie No. 30A

**VTD: Prairie No. 30B,82,& 82A**  
**VTD: Prairie No. 31**  
**VTD: Prairie No. 33**  
**VTD: Prairie No. 34**  
**VTD: Prairie No. 35**  
**VTD: Prairie No. 40A & 44A (part)**  
**Block: 290950179003000**  
**Block: 290950179003005**  
**Block: 290950179003006**  
**Block: 290950185001051**  
**Block: 290950186001019**  
**Block: 290950186001023**  
**Block: 290950186001025**  
**Block: 290950186001026**  
**Block: 290950186001027**  
**Block: 290950186001028**  
**Block: 290950186001033**  
**Block: 290950186002004**  
**Block: 290950186002005**  
**Block: 290950186002006**  
**Block: 290950186002014**  
**Block: 290950186002015**  
**Block: 290950186002016**  
**VTD: Prairie No. 41,42,& 81**  
**VTD: Prairie No. 43 & 79 (part)**  
**Block: 290950142042033**  
**Block: 290950142042034**  
**Block: 290950142042051**  
**Block: 290950142042052**  
**Block: 290950142042053**  
**Block: 290950142042054**  
**Block: 290950142042055**  
**Block: 290950142042056**  
**Block: 290950142042057**  
**Block: 290950142042058**  
**Block: 290950142043030**  
**Block: 290950142043037**  
**Block: 290950142043038**  
**Block: 290950142043039**  
**Block: 290950142043040**  
**Block: 290950142043049**  
**Block: 290950142043050**  
**Block: 290950142043053**  
**Block: 290950142043055**  
**Block: 290950143003027**  
**Block: 290950185001048**  
**Block: 290950185001049**  
**Block: 290950185001050**  
**Block: 290959891001038**  
**Block: 290959891001039**  
**Block: 290959891001040**  
**Block: 290959891001043**  
**Block: 290959891001044**  
**VTD: Prairie No. 45 (part)**  
**Block: 290950137032016**  
**Block: 290950137032020**

**VTD: Prairie No. 46,67,67A,& 67B**  
**VTD: Prairie No. 47**  
**VTD: Prairie No. 48**  
**VTD: Prairie No. 49**  
**VTD: Prairie No. 55 & 56**  
**VTD: Prairie No. 57,72,73,73A,73B,73C,73N,73W,& 73X**  
**VTD: Prairie No. 59,59N,60,61,75B,75D,75E,75F,& 75G (part)**  
**Block: 290950141121020**  
**Block: 290950141121021**  
**Block: 290950141121022**  
**Block: 290950141121023**  
**Block: 290950141121024**  
**Block: 290950141121025**  
**Block: 290950141121026**  
**Block: 290950141121027**  
**Block: 290950141121028**  
**Block: 290950141121029**  
**Block: 290950141121030**  
**Block: 290950141121042**  
**Block: 290950141121043**  
**Block: 290950141121044**  
**Block: 290950141121047**  
**Block: 290950141121048**  
**Block: 290950141121056**  
**Block: 290950141121057**  
**Block: 290950141201046**  
**Block: 290950141201054**  
**Block: 290950141201055**  
**Block: 290950141201056**  
**Block: 290950141201057**  
**Block: 290950141201058**  
**Block: 290950141201060**  
**Block: 290950141201067**  
**VTD: Prairie No. 62,71,74,75,75A,75C,& 75N (part)**  
**Block: 290950139013000**  
**Block: 290950139013001**  
**Block: 290950139013002**  
**Block: 290950139013003**  
**Block: 290950139013004**  
**Block: 290950139013005**  
**Block: 290950139013006**  
**Block: 290950139013008**  
**Block: 290950139013013**  
**Block: 290950139013015**  
**Block: 290950139013016**  
**Block: 290950139013019**  
**Block: 290950139013020**  
**Block: 290950139013021**  
**Block: 290950139161000**  
**Block: 290950139161001**  
**Block: 290950139161002**  
**Block: 290950139161003**  
**Block: 290950141121046**  
**Block: 290950141121058**  
**Block: 290950141201045**  
**Block: 290950141201047**



Block: 290950141201048  
 Block: 290950141201049  
 Block: 290950141201050  
 Block: 290950141201053  
 Block: 290950141201059  
 Block: 290950141201061  
 Block: 290950141201062  
 Block: 290950141201063  
 Block: 290950141201064  
 Block: 290950141201065  
 Block: 290950141201066  
 Block: 290950141201068  
 Block: 290950141201069  
 Block: 290959891001045  
 Block: 290959891001046  
 Block: 290959891001047  
 Block: 290959891001057  
 Block: 290959891001058  
 Block: 290959891001059  
 Block: 290959891001060  
 Block: 290959891001063  
 Block: 290959891001066  
 Block: 290959891001069  
 VTD: Prairie No. 66 & 66F  
 VTD: Prairie No. 66A,66B,66C,& 66G  
 VTD: Prairie No. 66D & 66E  
 VTD: Prairie No. 69  
 VTD: Prairie No. 70,70A,70B,70C,& 70D  
 VTD: Sni-A-Bar No. 1,1B,& 1C (part)  
 Block: 290950145022007  
 Block: 290950145022008  
 Block: 290950145022009  
 Block: 290950145022017  
 Block: 290950145022018  
 Block: 290950145022019  
 Block: 290950145022042  
 Block: 290950145022043  
 Block: 290950145022045  
 Block: 290950145022046  
 Block: 290950145022047  
 Block: 290950145022048  
 Block: 290950145022049  
 Block: 290950145022050  
 Block: 290950145022051  
 Block: 290950145022052  
 Block: 290950145022053  
 Block: 290950145022060  
 Block: 290950145022061  
 Block: 290950145022062  
 Block: 290950145022063  
 Block: 290950145022064  
 Block: 290950145022065  
 Block: 290950145022066  
 Block: 290950145022068  
 Block: 290950145022070  
 Block: 290950193001005

Block: 290950193001006  
Block: 290950193001007  
Block: 290950193001008  
VTD: Sni-A-Bar No. 10 (part)  
Block: 290950149042003  
Block: 290950149042004  
Block: 290950149042005  
Block: 290950149042006  
Block: 290950149042007  
Block: 290950149042008  
Block: 290950149042009  
Block: 290950149042010  
Block: 290950149042011  
Block: 290950149042012  
Block: 290950149042013  
Block: 290950149042014  
Block: 290950149042018  
Block: 290950149042019  
Block: 290950149042020  
Block: 290950149042021  
Block: 290950149042022  
VTD: Sni-A-Bar No. 11  
VTD: Sni-A-Bar No. 11A  
VTD: Sni-A-Bar No. 14,75N,& 75X (part)  
Block: 290950149052013  
Block: 290950149052014  
Block: 290950149052015  
Block: 290950149052016  
Block: 290950149052017  
VTD: Sni-A-Bar No. 14A & 75A (part)  
Block: 290950141011015  
VTD: Sni-A-Bar No. 17,17N,17X,17Z,& 69  
VTD: Sni-A-Bar No. 18,68N,& 68X  
VTD: Sni-A-Bar No. 19  
VTD: Sni-A-Bar No. 1A  
VTD: Sni-A-Bar No. 2 & 3A  
VTD: Sni-A-Bar No. 20 & 70A  
VTD: Sni-A-Bar No. 21,21B,70,& 71  
VTD: Sni-A-Bar No. 22 (part)  
Block: 290950141012001  
Block: 290950141012004  
Block: 290950141012005  
Block: 290950141012006  
Block: 290950141012017  
Block: 290950141014003  
Block: 290950141081014  
Block: 290950141081018  
VTD: Sni-A-Bar No. 23 (part)  
Block: 290950141083003  
Block: 290950141083004  
Block: 290950141083005  
Block: 290950141083006  
Block: 290950141083007  
Block: 290950141083008  
Block: 290950141083009  
Block: 290950141083010

**Block: 290950141083011**

**Block: 290950141083012**

**Block: 290950141083013**

**Block: 290950141083014**

**Block: 290950141083015**

**Block: 290950141083016**

**Block: 290950141083017**

**Block: 290950141083018**

**Block: 290950141083019**

**Block: 290950141083024**

**Block: 290950141083025**

**Block: 290950141083026**

**Block: 290950141083027**

**Block: 290950141083028**

**Block: 290950141083029**

**Block: 290950141083030**

**Block: 290950141083031**

**Block: 290950141083032**

**Block: 290950141083033**

**Block: 290950141083036**

**Block: 290950141083037**

**Block: 290950141083040**

**VTD: Sni-A-Bar No. 24 (part)**

**Block: 290950141014013**

**Block: 290950141014014**

**Block: 290950141014015**

**Block: 290950141014016**

**Block: 290950141014034**

**Block: 290950141014047**

**Block: 290950141082019**

**Block: 290950141082020**

**Block: 290950141082021**

**Block: 290950141082022**

**Block: 290950141082023**

**Block: 290950141082024**

**Block: 290950141082026**

**Block: 290950141082027**

**Block: 290950141082028**

**Block: 290950141082029**

**Block: 290950141082030**

**Block: 290950141082031**

**Block: 290950141082032**

**Block: 290950141082033**

**Block: 290950141082034**

**Block: 290950141083000**

**Block: 290950141083001**

**Block: 290950141083002**

**Block: 290950141083020**

**Block: 290950141083021**

**Block: 290950141083022**

**Block: 290950141083023**

**VTD: Sni-A-Bar No. 25,72A,& 72B**

**VTD: Sni-A-Bar No. 26 & 26N**

**VTD: Sni-A-Bar No. 27 (part)**

**Block: 290950141083039**

**Block: 290950141144003**

Block: 290950141144004  
Block: 290950141144005  
Block: 290950141144007  
Block: 290950141144008  
Block: 290950141144010  
Block: 290950141144011  
Block: 290950141144012  
Block: 290950141144013  
Block: 290950141144014  
VTD: Sni-A-Bar No. 29 & 73  
VTD: Sni-A-Bar No. 3 & 3B  
VTD: Sni-A-Bar No. 30  
VTD: Sni-A-Bar No. 30A,30B,30C,& 30D  
VTD: Sni-A-Bar No. 31A,67,78A,& 78B (part)  
Block: 290950141054002  
Block: 290950141054010  
Block: 290950141054011  
Block: 290950141054012  
VTD: Sni-A-Bar No. 32 & 78N (part)  
Block: 290950141052000  
Block: 290950141052001  
Block: 290950141052002  
Block: 290950141052003  
Block: 290950141052004  
Block: 290950141052005  
Block: 290950141052006  
Block: 290950141052007  
Block: 290950141052008  
Block: 290950141052009  
Block: 290950141052010  
Block: 290950141052013  
Block: 290950141052014  
Block: 290950141052015  
Block: 290950141052016  
Block: 290950141052017  
Block: 290950141052018  
Block: 290950141052028  
Block: 290950141053000  
Block: 290950141053004  
Block: 290950141053005  
Block: 290950141053006  
Block: 290950141053007  
Block: 290950141053008  
Block: 290950141053015  
Block: 290950141053016  
Block: 290950141053017  
Block: 290950141053018  
Block: 290950141053023  
Block: 290950141053024  
Block: 290950141054019  
Block: 290950141054020  
Block: 290950141054021  
Block: 290950141054022  
Block: 290950141054023  
Block: 290950141054024  
Block: 290950141054025

**Block: 290950141054026**

**Block: 290950141054027**

**VTD: Sni-A-Bar No. 33**

**VTD: Sni-A-Bar No. 34,34A,& 74**

**VTD: Sni-A-Bar No. 35 (part)**

**Block: 290950141052026**

**Block: 290950141052027**

**Block: 290950141052029**

**Block: 290950141052031**

**Block: 290950141052032**

**Block: 290950141052033**

**Block: 290950141052034**

**Block: 290950141111017**

**Block: 290950141111018**

**Block: 290950141111019**

**Block: 290950141111020**

**Block: 290950141111024**

**Block: 290950141111025**

**Block: 290950141111026**

**Block: 290950141111028**

**Block: 290950141111047**

**Block: 290950141111048**

**VTD: Sni-A-Bar No. 35A**

**VTD: Sni-A-Bar No. 36,36A,& 79A (part)**

**Block: 290950141111012**

**Block: 290950141111016**

**Block: 290950141111049**

**Block: 290950141111050**

**VTD: Sni-A-Bar No. 37,38,& 39**

**VTD: Sni-A-Bar No. 4 & 4N**

**VTD: Sni-A-Bar No. 42,42N,42X,42Y,42Z,44,44X,44Z,45,45A,45B,47,48,& 81C4 (part)**

**Block: 290950140071002**

**Block: 290950140071003**

**Block: 290950140071004**

**Block: 290950140071005**

**Block: 290950140071006**

**Block: 290950140071011**

**Block: 290950140071012**

**Block: 290950140071013**

**Block: 290950140071014**

**Block: 290950140071018**

**Block: 290950140071025**

**Block: 290950140071026**

**Block: 290950140071027**

**Block: 290950140071028**

**Block: 290950140071029**

**Block: 290950140071030**

**Block: 290950140071031**

**Block: 290950140071032**

**Block: 290950140071038**

**Block: 290950140071041**

**Block: 290950140071044**

**Block: 290950140071045**

**Block: 290950140071046**

**Block: 290950140071047**

**Block: 290950140071054**

Block: 290950140071055  
Block: 290950140071056  
Block: 290950140071057  
Block: 290950140071080  
Block: 290950140071081  
Block: 290950140071096  
Block: 290950140071097  
Block: 290950149032075  
Block: 290950149032076  
Block: 290950149032077  
Block: 290950149032106  
Block: 290950149032135  
VTD: Sni-A-Bar No. 49  
VTD: Sni-A-Bar No. 4X,59,59N,59X,60,60A,60N,& 60X  
VTD: Sni-A-Bar No. 5 & 5N  
VTD: Sni-A-Bar No. 50 & 91 (part)  
Block: 290950140042000  
Block: 290950140042001  
VTD: Sni-A-Bar No. 52 & 52A  
VTD: Sni-A-Bar No. 53 & 92 (part)  
Block: 290950140041022  
VTD: Sni-A-Bar No. 5A,5B,61,62,62A,& 97  
VTD: Sni-A-Bar No. 6 & 6B  
VTD: Sni-A-Bar No. 65,65N,& 65X  
VTD: Sni-A-Bar No. 68 & 68Z  
VTD: Sni-A-Bar No. 6A & 66  
VTD: Sni-A-Bar No. 6C,6D,6E,& 6F  
VTD: Sni-A-Bar No. 7,13,13A,13N,81,81A,81D,81Y,& 99N  
VTD: Sni-A-Bar No. 78,78X,79,79N,84,84A,84B,84C,& 85 (part)  
Block: 290950141111006  
Block: 290950141111011  
VTD: Sni-A-Bar No. 8  
VTD: Sni-A-Bar No. 80  
VTD: Sni-A-Bar No. 81B  
VTD: Sni-A-Bar No. 82,82A,82N,& 82X  
VTD: Sni-A-Bar No. 89  
VTD: Sni-A-Bar No. 9  
VTD: Sni-A-Bar No. 90,90A,90B,& 90N  
VTD: Van Buren No. 1,1A,1B,1C,2,2A,2N,& 2X (part)  
Block: 290950141121038  
Block: 290950141121039  
Block: 290950141121053  
Block: 290950141121054  
Block: 290950141121055  
VTD: Van Buren No. 3,4,5,6,6A,7,& 8 (part)  
Block: 290950139013007  
Block: 290950139013009  
Block: 290950139013010  
Block: 290950139013011  
Block: 290950139013012  
Block: 290950139013014  
Block: 290950139013017  
Block: 290950139013018  
Block: 290950139013022  
Knox MO County  
Lewis MO County

Linn MO County  
Livingston MO County  
Macon MO County  
Marion MO County  
Mercer MO County  
Monroe MO County  
Nodaway MO County  
Pike MO County  
Platte MO County  
Putnam MO County  
Ralls MO County  
Randolph MO County (part)  
VTD: Cairo  
VTD: Clifton Hill  
VTD: Darksville  
VTD: Huntsville  
VTD: Jacksonville  
VTD: Levicks Mill  
VTD: Mt. Airy (part)  
Block: 291754902001169  
Block: 291754902001170  
Block: 291754902001172  
Block: 291754902001173  
Block: 291754902002079  
Block: 291754902002080  
Block: 291754902002094  
Block: 291754906002048  
Block: 291754906002049  
Block: 291754906002053  
Block: 291754906002058  
Block: 291754906002059  
Block: 291754906002060  
Block: 291754906002062  
Block: 291754906002194  
VTD: North Sugar Creek (part)  
Block: 291754901003147  
Block: 291754901003152  
Block: 291754901003153  
Block: 291754901003154  
Block: 291754901003155  
Block: 291754901003159  
Block: 291754901003160  
Block: 291754901003161  
Block: 291754901003162  
Block: 291754901003163  
Block: 291754901003180  
Block: 291754902001183  
Block: 291754902001187  
Block: 291754902002008  
Block: 291754902002009  
Block: 291754902002010  
Block: 291754902002011  
Block: 291754902002012  
Block: 291754902002013  
Block: 291754902002014  
Block: 291754902002015

Block: 291754902002016  
Block: 291754902002031  
Block: 291754902002032  
Block: 291754902002033  
Block: 291754902002095  
Block: 291754902002096  
Block: 291754902002099  
VTD: Salt Springs (part)  
Block: 291754902001115  
Block: 291754902001116  
Block: 291754902001123  
Block: 291754902001124  
Block: 291754902001125  
Block: 291754902001130  
Block: 291754902001131  
Block: 291754902001155  
Block: 291754902001156  
Block: 291754902001157  
Block: 291754902001158  
Block: 291754902001159  
Block: 291754902001160  
Block: 291754902001161  
Block: 291754902001162  
Block: 291754902001163  
Block: 291754902001164  
Block: 291754902001165  
Block: 291754902001168  
Block: 291754902001171  
Block: 291754902001174  
Block: 291754902002056  
Block: 291754902002057  
Block: 291754902002058  
Block: 291754902002062  
Block: 291754902002064  
Block: 291754902002065  
Block: 291754902002066  
Block: 291754902002067  
Block: 291754902002068  
Block: 291754902002069  
Block: 291754902002070  
Block: 291754902002071  
Block: 291754902002073  
Block: 291754902002074  
Block: 291754902002075  
Block: 291754902002076  
Block: 291754902002077  
Block: 291754902002078  
Block: 291754902002081  
Block: 291754902002082  
Block: 291754902002083  
Block: 291754902002084  
Block: 291754902002085  
Block: 291754902002087  
Block: 291754902002088  
Block: 291754902002089  
Block: 291754902004062



**Block: 291754902004063**

**Block: 291754902004064**

**Block: 291754902004065**

**Block: 291754902004066**

**Block: 291754906002000**

**Block: 291754906002001**

**Block: 291754906002002**

**Block: 291754906002003**

**Block: 291754906002004**

**Block: 291754906002005**

**Block: 291754906002006**

**Block: 291754906002007**

**Block: 291754906002012**

**Block: 291754906002025**

**Block: 291754906002050**

**Block: 291754906002051**

**Block: 291754906002052**

**Block: 291754906002204**

**Block: 291754906002205**

**Block: 291754906002218**

**Block: 291754906002219**

**VTD: South Sugar Creek (part)**

**Block: 291754902002028**

**Block: 291754902002042**

**Block: 291754902002100**

**VTD: Thomas Hill**

**VTD: Union (part)**

**Block: 291754901002002**

**Block: 291754901002003**

**Block: 291754901002004**

**Block: 291754901002005**

**Block: 291754901002006**

**Block: 291754901002007**

**Block: 291754901002008**

**Block: 291754901002009**

**Block: 291754901002010**

**Block: 291754901002011**

**Block: 291754901002012**

**Block: 291754901002015**

**Block: 291754901002016**

**Block: 291754901002017**

**Block: 291754901002018**

**Block: 291754901002019**

**Block: 291754901002020**

**Block: 291754901002021**

**Block: 291754901002022**

**Block: 291754901002023**

**Block: 291754901002026**

**Block: 291754901002027**

**Block: 291754901002028**

**Block: 291754901002030**

**Block: 291754901002031**

**Block: 291754901002032**

**Block: 291754901002033**

**Block: 291754901002034**

**Block: 291754901002035**

**Block: 291754901002036**  
**Block: 291754901002037**  
**Block: 291754901002038**  
**Block: 291754901002039**  
**Block: 291754901002048**  
**Block: 291754901002049**  
**Block: 291754901002050**  
**Block: 291754901002054**  
**Block: 291754901002055**  
**Block: 291754901002078**  
**Block: 291754901002079**  
**Block: 291754901002080**  
**Block: 291754901002081**  
**Block: 291754901002082**  
**Block: 291754901002083**  
**Block: 291754901002084**  
**Block: 291754901002085**  
**Block: 291754901002086**  
**Block: 291754901002087**  
**Block: 291754901002088**  
**Block: 291754901002089**  
**Block: 291754901002090**  
**Block: 291754901002091**  
**Block: 291754901002092**  
**Block: 291754901002093**  
**Block: 291754901002094**  
**Block: 291754901002095**  
**Block: 291754901002096**  
**Block: 291754901002099**  
**Block: 291754901002162**  
**Block: 291754901003063**  
**Block: 291754901003064**  
**Block: 291754901003065**  
**Block: 291754901003066**  
**Block: 291754901003178**  
**Block: 291754901003179**  
**Block: 291754901003182**  
**Block: 291754901003195**  
**Schuyler MO County**  
**Scotland MO County**  
**Shelby MO County**  
**Sullivan MO County**  
**Worth MO County"; and**

Further amend said bill, Pages 159 to 167, Section 128.457, Lines 2 to 359, by deleting all of said lines and inserting in lieu thereof the following:

**"Barry MO County**  
**Christian MO County**  
**Douglas MO County**  
**Greene MO County**  
**Jasper MO County**  
**Lawrence MO County**  
**McDonald MO County**  
**Newton MO County**  
**Ozark MO County**

**Polk MO County (part)**

**VTD: East Looney**

**VTD: Jackson**

**VTD: Northeast Marion (part)**

**Block: 291679601005070**

**Block: 291679601005102**

**Block: 291679601005103**

**Block: 291679601006013**

**Block: 291679601006014**

**Block: 291679601006015**

**Block: 291679601006016**

**Block: 291679601006017**

**Block: 291679601006018**

**Block: 291679601006019**

**Block: 291679601006020**

**Block: 291679601006021**

**Block: 291679601006022**

**Block: 291679601006023**

**Block: 291679601006024**

**Block: 291679601006025**

**Block: 291679601006026**

**Block: 291679601006027**

**Block: 291679601006028**

**Block: 291679601006029**

**Block: 291679601006030**

**Block: 291679601006031**

**Block: 291679601006032**

**Block: 291679601006034**

**Block: 291679601006035**

**Block: 291679601006036**

**Block: 291679601006037**

**Block: 291679601006038**

**Block: 291679601006039**

**Block: 291679601006040**

**Block: 291679601006041**

**Block: 291679601006042**

**Block: 291679601006043**

**Block: 291679602004005**

**Block: 291679602004006**

**Block: 291679602004011**

**Block: 291679602004012**

**Block: 291679602004013**

**Block: 291679602004014**

**Block: 291679602004015**

**Block: 291679602004016**

**Block: 291679602004017**

**Block: 291679602004018**

**Block: 291679602004019**

**Block: 291679602004020**

**Block: 291679602004021**

**Block: 291679602004022**

**Block: 291679602004023**

**Block: 291679602004024**

**Block: 291679602004025**

**Block: 291679602004026**

**Block: 291679602004027**

Block: 291679602004028  
Block: 291679602004029  
Block: 291679602004030  
Block: 291679602004031  
Block: 291679602004032  
Block: 291679602004033  
Block: 291679602004034  
Block: 291679602004035  
Block: 291679602004036  
Block: 291679602004037  
Block: 291679602004038  
Block: 291679602004039  
Block: 291679602004040  
Block: 291679602004041  
Block: 291679602004042  
Block: 291679602004043  
Block: 291679602004044  
Block: 291679602004045  
Block: 291679602004046  
Block: 291679602004047  
Block: 291679602004048  
Block: 291679602004049  
Block: 291679602004050  
Block: 291679602004051  
Block: 291679602004052  
Block: 291679602004053  
Block: 291679602004054  
Block: 291679602004055  
Block: 291679602004056  
Block: 291679602004057  
Block: 291679602004058  
Block: 291679602004059  
Block: 291679602004060  
Block: 291679602004061  
Block: 291679602004062  
Block: 291679602004063  
Block: 291679602004064  
Block: 291679602004065  
Block: 291679602004066  
Block: 291679602004067  
Block: 291679602004068  
Block: 291679602005004  
Block: 291679602005008  
Block: 291679602005009  
Block: 291679602005010  
Block: 291679602005011  
Block: 291679602005012  
Block: 291679602005013  
Block: 291679602005014  
Block: 291679602005015  
Block: 291679602005017  
Block: 291679602005018  
Block: 291679602005019  
Block: 291679602005020  
Block: 291679602005021  
Block: 291679602005022

Block: 291679602005023  
Block: 291679602005024  
Block: 291679602005025  
Block: 291679602005026  
Block: 291679602005027  
Block: 291679602005028  
Block: 291679602005029  
Block: 291679602005030  
Block: 291679602005031  
Block: 291679602005032  
Block: 291679602005035  
Block: 291679602005036  
Block: 291679602005037  
Block: 291679602005038  
Block: 291679602005039  
Block: 291679602005040  
Block: 291679602005041  
VTD: Northwest Marion (part)  
Block: 291679601005040  
Block: 291679601005055  
Block: 291679601005060  
Block: 291679601005061  
Block: 291679601005062  
Block: 291679601005063  
Block: 291679601005064  
Block: 291679601005065  
Block: 291679601005066  
Block: 291679601005067  
Block: 291679601005068  
Block: 291679601005069  
Block: 291679601005071  
Block: 291679601005072  
Block: 291679601005073  
Block: 291679601005074  
Block: 291679601005075  
Block: 291679601005080  
Block: 291679601005081  
Block: 291679601005082  
Block: 291679601005083  
Block: 291679601005084  
Block: 291679601005085  
Block: 291679601005086  
Block: 291679601005087  
Block: 291679601005092  
Block: 291679601005093  
Block: 291679601005094  
Block: 291679601005095  
Block: 291679601005096  
Block: 291679601005097  
Block: 291679601005098  
Block: 291679601005099  
Block: 291679601005100  
Block: 291679601005101  
Block: 291679601005104  
Block: 291679601005105  
Block: 291679601005106

Block: 291679601005107  
Block: 291679601005108  
Block: 291679601005109  
Block: 291679601005110  
Block: 291679601005111  
Block: 291679601005112  
Block: 291679601005113  
Block: 291679601005114  
Block: 291679601005115  
Block: 291679601005116  
Block: 291679601006000  
Block: 291679601006001  
Block: 291679601006002  
Block: 291679601006003  
Block: 291679601006004  
Block: 291679601006005  
Block: 291679601006006  
Block: 291679601006007  
Block: 291679601006008  
Block: 291679601006009  
Block: 291679601006010  
Block: 291679601006011  
Block: 291679601006012  
Block: 291679601006033  
Block: 291679604003004  
Block: 291679604003005  
Block: 291679604003006  
Block: 291679604003007  
Block: 291679604003008  
Block: 291679604003009  
Block: 291679604003010  
Block: 291679604003011  
Block: 291679604003012  
Block: 291679604003013  
Block: 291679604003014  
Block: 291679604003015  
Block: 291679604003016  
Block: 291679604003017  
Block: 291679604003018  
Block: 291679604003019  
Block: 291679604003020  
Block: 291679604003021  
Block: 291679604003022  
Block: 291679604003023  
Block: 291679604003024  
Block: 291679604003025  
Block: 291679604003026  
Block: 291679604003027  
Block: 291679604003028  
Block: 291679604003029  
Block: 291679604003031  
Block: 291679604003032  
Block: 291679604003046  
Block: 291679604003060  
Block: 291679604003061  
Block: 291679604003068

Block: 291679604003069

Block: 291679604003070

Block: 291679604003071

Block: 291679604003072

Block: 291679604003073

Block: 291679604003074

Block: 291679604003075

Block: 291679604003076

Block: 291679604003077

Block: 291679604003078

Block: 291679604003083

Block: 291679604003084

Block: 291679604003085

Block: 291679604003086

Block: 291679604003087

Block: 291679604003088

Block: 291679604003089

Block: 291679604003090

Block: 291679604003091

Block: 291679604003092

VTD: Southeast Marion (part)

Block: 291679603002001

Block: 291679603002002

Block: 291679603002003

Block: 291679603002004

Block: 291679603002005

Block: 291679603002006

Block: 291679603002007

Block: 291679603002008

Block: 291679603002009

Block: 291679603002010

Block: 291679603002011

Block: 291679603002012

Block: 291679603002013

Block: 291679603002014

Block: 291679603002015

Block: 291679603002016

Block: 291679603002017

Block: 291679603002018

Block: 291679603002019

Block: 291679603002020

Block: 291679603002021

Block: 291679603002022

Block: 291679603002023

Block: 291679603002024

Block: 291679603002025

Block: 291679603002026

Block: 291679603002027

Block: 291679603002028

Block: 291679603002029

Block: 291679603002030

Block: 291679603002031

Block: 291679603002032

Block: 291679603002033

Block: 291679603002034

Block: 291679603002035

Block: 291679603002036  
Block: 291679603002037  
Block: 291679603002038  
Block: 291679603002039  
Block: 291679603002046  
Block: 291679603002052  
Block: 291679603002053  
Block: 291679603002054  
Block: 291679603002058  
Block: 291679603002059  
Block: 291679603002060  
Block: 291679603002061  
Block: 291679603002062  
Block: 291679603002063  
Block: 291679603003012  
Block: 291679603003013  
Block: 291679603003014  
Block: 291679603003015  
Block: 291679603003016  
Block: 291679603003017  
Block: 291679603003018  
Block: 291679603003019  
Block: 291679603003020  
Block: 291679603003021  
Block: 291679603003022  
Block: 291679603003023  
Block: 291679603003024  
Block: 291679603003025  
Block: 291679603003026  
Block: 291679603003027  
Block: 291679603003028  
Block: 291679603003029  
Block: 291679603003030  
Block: 291679603003031  
Block: 291679603003032  
Block: 291679603003033  
Block: 291679603003034  
Block: 291679603003035  
Block: 291679603003036  
Block: 291679603003037  
Block: 291679603003038  
Block: 291679603003039  
Block: 291679603003040  
Block: 291679603003041  
Block: 291679603003042  
Block: 291679603003075  
Block: 291679603003076  
Block: 291679603003077  
Block: 291679603003078  
Block: 291679603003080  
Block: 291679603003096  
Block: 291679603003097  
Block: 291679603003113  
Block: 291679603003120  
Block: 291679603003121  
Block: 291679603003122



**Block: 291679603003123**  
**Block: 291679603003124**  
**Block: 291679603003125**  
**Block: 291679603003126**  
**Block: 291679603003127**  
**Block: 291679603003128**  
**VTD: Southwest Marion**  
**VTD: Union**  
**VTD: West Looney**  
**VTD: Wishart**  
**Stone MO County**  
**Taney MO County"; and**

Further amend said bill, Pages 167 to 172, Section 128.458, Lines 2 to 205, by deleting all of said lines and inserting in lieu thereof the following:

**"Bollinger MO County**  
**Butler MO County**  
**Cape Girardeau MO County**  
**Carter MO County**  
**Crawford MO County**  
**Dent MO County**  
**Dunklin MO County**  
**Franklin MO County (part)**  
**VTD: BEAUFORT/ UNION**  
**VTD: DRY BRANCH**  
**VTD: DUEMLER**  
**VTD: ELMONT**  
**VTD: GERALD OUT OF TOWN**  
**VTD: GERALD WARD 1**  
**VTD: GERALD WARD 2**  
**VTD: JAPAN**  
**VTD: JEFFRIESBURG**  
**VTD: LESLIE OUT OF TOWN**  
**VTD: LESLIE VILLAGE**  
**VTD: LUEBBERING**  
**VTD: MIRAMIGUOA VILLAGE**  
**VTD: OAK GROVE VILLAGE**  
**VTD: PARKWAY VILLAGE**  
**VTD: PEA RIDGE**  
**VTD: PRAIRIE DELL (part)**  
**Block: 290718005005064**  
**Block: 290718005005066**  
**Block: 290718006023089**  
**Block: 290718006023090**  
**Block: 290718006023091**  
**Block: 290718006023092**  
**Block: 290718006023093**  
**Block: 290718006023094**  
**Block: 290718006023095**  
**Block: 290718006023096**  
**Block: 290718006024052**  
**Block: 290718008001043**  
**Block: 290718008002043**  
**Block: 290718008002044**  
**Block: 290718008002045**

Block: 290718008002046  
Block: 290718008002047  
Block: 290718008002048  
Block: 290718008002049  
Block: 290718008002052  
Block: 290718008002053  
Block: 290718008002054  
Block: 290718008002058  
Block: 290718008002067  
Block: 290718009024000  
Block: 290718009024001  
Block: 290718009024002  
Block: 290718009024004  
Block: 290718009024005  
Block: 290718009024015  
Block: 290718009024016  
Block: 290718009024017  
Block: 290718009024177  
Block: 290718009024178  
Block: 290718009024179  
Block: 290718009024188  
VTD: SPRING BLUFF  
VTD: ST CLAIR OUT OF TOWN  
VTD: ST CLAIR WARD 1  
VTD: ST CLAIR WARD 2  
VTD: STANTON  
VTD: SULLIVAN OUT OF TOWN  
VTD: SULLIVAN WARD 1  
VTD: SULLIVAN WARD 2  
VTD: SULLIVAN WARD 3  
VTD: UNION OUT OF TOWN (part)  
Block: 290718005005055  
Block: 290718005005056  
Block: 290718005005057  
Block: 290718005005062  
Block: 290718005005063  
Block: 290718005005065  
Block: 290718005005067  
Block: 290718005005068  
Howell MO County  
Iron MO County  
Jefferson MO County (part)  
VTD: Airport No. 1  
VTD: Airport No. 2  
VTD: Athena  
VTD: Crystal City  
VTD: DeSoto  
VTD: Festus  
VTD: Festus Outside  
VTD: Fletcher  
VTD: Goldman No. 2  
VTD: Hematite  
VTD: Herculaneum  
VTD: Hillsboro 1-2  
VTD: Hillsboro P-1 (part)  
Block: 290997005023051

Block: 290997005023052  
Block: 290997005023055  
Block: 290997005023056  
Block: 290997005024029  
Block: 290997005024082  
Block: 290997005024083  
Block: 290997005024084  
Block: 290997005024085  
Block: 290997005024092  
Block: 290997005024093  
Block: 290997010005017  
Block: 290997010005018  
Block: 290997010005019  
Block: 290997010005020  
Block: 290997010005021  
Block: 290997010005022  
Block: 290997010005023  
Block: 290997010005024  
Block: 290997010005025  
Block: 290997010005026  
Block: 290997010005027  
Block: 290997010005028  
Block: 290997010005029  
Block: 290997010005030  
Block: 290997010005035  
Block: 290997010005036  
Block: 290997010005037  
Block: 290997010005038  
Block: 290997010005043  
Block: 290997010005044  
Block: 290997010005048  
Block: 290997010005049  
Block: 290997010005050  
Block: 290997010005051  
Block: 290997011011007  
Block: 290997011011008  
Block: 290997011011009  
Block: 290997011011010  
Block: 290997011012001  
Block: 290997011012002  
Block: 290997011012003  
Block: 290997011012004  
Block: 290997011012006  
Block: 290997011012007  
Block: 290997011012008  
Block: 290997011012009  
Block: 290997011012010  
Block: 290997011012011  
Block: 290997011012012  
Block: 290997011012013  
Block: 290997011012014  
Block: 290997011012015  
Block: 290997011012016  
Block: 290997011012017  
Block: 290997011012018  
Block: 290997011012019

Block: 290997011012020  
Block: 290997011012021  
Block: 290997011012022  
Block: 290997011012023  
Block: 290997011012024  
Block: 290997011012025  
Block: 290997011012026  
Block: 290997011012038  
Block: 290997011012039  
Block: 290997011012040  
Block: 290997011012041  
Block: 290997011013000  
Block: 290997011013001  
Block: 290997011013002  
Block: 290997011013003  
Block: 290997011013004  
Block: 290997011013005  
Block: 290997011013006  
Block: 290997011013012  
Block: 290997011013013  
Block: 290997011013014  
VTD: Hillsboro P-2  
VTD: Horine  
VTD: Jefferson R7-1  
VTD: Jefferson R7-2  
VTD: Lake Tishomingo (part)  
Block: 290997005023037  
Block: 290997005023046  
Block: 290997005023047  
Block: 290997005023049  
Block: 290997005023050  
Block: 290997005023053  
Block: 290997005023054  
VTD: Mapaville (part)  
Block: 290997006042035  
Block: 290997006042037  
Block: 290997006042039  
Block: 290997006042040  
Block: 290997006042041  
Block: 290997006042042  
Block: 290997006042043  
Block: 290997006042044  
Block: 290997006042045  
Block: 290997006042046  
Block: 290997006042047  
Block: 290997006052022  
Block: 290997006052025  
Block: 290997006052026  
Block: 290997006052027  
Block: 290997006052028  
Block: 290997006052029  
Block: 290997006052030  
Block: 290997006052031  
Block: 290997006052032  
Block: 290997006052033  
Block: 290997006052034

Block: 290997006052035  
Block: 290997006052037  
Block: 290997006052038  
Block: 290997006052039  
Block: 290997006052040  
Block: 290997006052041  
Block: 290997006052042  
Block: 290997006052043  
Block: 290997006052044  
Block: 290997006052045  
Block: 290997006052046  
Block: 290997006052047  
Block: 290997006052048  
Block: 290997006052049  
Block: 290997006052050  
Block: 290997006052051  
Block: 290997006052052  
Block: 290997006052053  
Block: 290997006053034  
Block: 290997006053035  
Block: 290997006053036  
Block: 290997006053038  
Block: 290997006053039  
Block: 290997006053040  
Block: 290997006053041  
Block: 290997006053042  
Block: 290997006053043  
Block: 290997006053044  
Block: 290997006053045  
Block: 290997006053046  
Block: 290997006053047  
Block: 290997006053048  
Block: 290997006053049  
Block: 290997006053050  
Block: 290997006053051  
Block: 290997006053052  
Block: 290997006053053  
Block: 290997006053064  
Block: 290997006053065  
Block: 290997008021095  
Block: 290997010001002  
Block: 290997010001003  
Block: 290997010001004  
Block: 290997010001005  
Block: 290997010001006  
Block: 290997010001007  
Block: 290997010001008  
Block: 290997010001009  
Block: 290997010001010  
Block: 290997010001011  
Block: 290997010001012  
Block: 290997010001013  
Block: 290997010001014  
Block: 290997010001015  
Block: 290997010001016  
Block: 290997010001017

Block: 290997010001018  
Block: 290997010001019  
Block: 290997010001020  
Block: 290997010001027  
Block: 290997010001035  
Block: 290997010004000  
Block: 290997010004001  
Block: 290997010004023  
Block: 290997010004024  
Block: 290997010004025  
Block: 290997010004029  
VTD: Oakvale  
VTD: Olympian Village  
VTD: Pevely  
VTD: Pevely Outside No. 1  
VTD: Pevely Outside No. 2  
VTD: Plattin  
VTD: Riverview  
VTD: Rush Tower  
VTD: Sunrise  
VTD: Valle No. 1  
VTD: Valle No. 2  
VTD: Victoria  
VTD: Vineland No. 1  
VTD: Vineland No. 2  
VTD: Ware (part)  
Block: 290997011011005  
Block: 290997011012027  
Block: 290997011012028  
Block: 290997011012029  
Block: 290997011012030  
Block: 290997011012031  
Block: 290997011012032  
Block: 290997011012033  
Block: 290997011012034  
Block: 290997011012035  
Block: 290997011012036  
Block: 290997011012037  
Block: 290997011012047  
Block: 290997011012048  
Block: 290997011012051  
Block: 290997011012052  
Block: 290997011012053  
Block: 290997011012054  
Block: 290997011013007  
Block: 290997011013008  
Block: 290997011024022  
Block: 290997011024023  
Block: 290997011024024  
Block: 290997011024025  
Block: 290997011024029  
Block: 290997011025014  
Block: 290997011025015  
Block: 290997011025016  
Block: 290997011025018  
Block: 290997011026000

**Block: 290997011026001**  
**Block: 290997011026002**  
**Block: 290997011026003**  
**Block: 290997011026004**  
**Block: 290997011026005**  
**Block: 290997011026018**  
**Block: 290997011026019**  
**Block: 290997011026021**  
**Block: 290997011026069**  
**Madison MO County**  
**Mississippi MO County**  
**New Madrid MO County**  
**Oregon MO County**  
**Pemiscot MO County**  
**Perry MO County**  
**Phelps MO County**  
**Reynolds MO County**  
**Ripley MO County**  
**Scott MO County**  
**Shannon MO County**  
**St. Francois MO County**  
**Ste. Genevieve MO County**  
**Stoddard MO County**  
**Texas MO County**  
**Washington MO County**  
**Wayne MO County"; and**

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

On motion of Representative Diehl, **HCS SCS SB 68, as amended**, was adopted.

On motion of Representative Diehl, **HCS SCS SB 68, as amended**, was read the third time and passed by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Day
Diehl	Dugger	Elmer	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst

Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 047

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Curtman
Dieckhaus	Fallert	Grisamore	Harris	Hinson
Hodges	Hummel	Kander	Keeney	Kelly 24
Kirkton	Korman	Kratky	Lampe	Lasater
May	McDonald	McManus	Meadows	Montecillo
Oxford	Pierson	Quinn	Rizzo	Schatz
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 022

Brown 50	Denison	Ellinger	Entlicher	Frederick
Holsman	Hughes	Jones 63	McCaherty	McCann Beatty
McGeoghegan	McNeil	Newman	Nichols	Pace
Peters-Baker	Sater	Schneider	Stream	Swearingen
Talboy	Wieland			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 024

Burlison	Day	Fitzwater	Franklin	Franz
Funderburk	Hoskins	Hubbard	Kelley 126	Klippenstein
Korman	Lair	Largent	Leach	McGhee
Nasheed	Parkinson	Pollock	Schoeller	Wallingford
Wells	Wright	Wyatt	Mr Speaker	

NOES: 113

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Fallert	Fisher	Flanigan
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hough	Houghton	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelly 24
Kirkton	Koenig	Kratky	Lampe	Lant
Lasater	Lauer	Leara	Lichtenegger	Loehner



## 1595 *Journal of the House*

Long	Marshall	May	McDonald	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Neth	Nolte	Oxford	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Swinger	Taylor
Thomson	Torpey	Walton Gray	Webb	Webber
Weter	White	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 023

Brown 50	Denison	Ellinger	Entlicher	Fraker
Frederick	Holsman	Hughes	Jones 63	McCaherty
McCann Beatty	McGeoghegan	McNeil	Newman	Nichols
Pace	Peters-Baker	Sater	Schneider	Stream
Swearingen	Talboy	Wieland		

VACANCIES: 003

### SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HCS HB 354, HCS HB 557, HB 749** and **HB 795** were read at length and, there being no objection, were signed by the Speaker Pro Tem to the end that the same may become law.

Speaker Tilley resumed the Chair.

All other business of the House was suspended while **HCS HB 1, SS SCS HCS HB 14, HB 15** and **HB 182** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

### COMMITTEE REPORTS

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

#### HOUSE CONCURRENT RESOLUTION NO. 41

WHEREAS, the sport of trapshooting is one of the three major forms of competitive clay pigeon shooting and is growing in popularity throughout the United States and Missouri; and

WHEREAS, the trapshooting games were originally meant for the hunters to develop their skills, but these shooting games have obtained international recognition and are encouraged by sports associations; and

WHEREAS, trapshooting is a sport where flying clay targets are fired at with a shot gun. Trapshooting is considered to be an exciting and challenging sport where many people, young and old, compete in trapshooting events; and

WHEREAS, trapshooting has been a sport since at least 1793 when it used real birds, usually the Passenger Pigeon, which was extremely abundant at the time. Fake birds were introduced around the time of the American Civil War as the Passenger Pigeon was nearing extinction. Clay targets were introduced in the 1880's; and

WHEREAS, Olympic trap is one of the International Shooting Sport Federation (ISSF) shooting events, introduced to the Olympic program in 1900. The current version of the sport was introduced in 1950; and

WHEREAS, the Amateur Trapshooting Association (ATA) is the primary governing body of American trapshooting and has launched a major initiative to attract more youth shooters; and

WHEREAS, a great deal of coordination and discipline is needed for trapshooting. Trapshooting sports test a player's skill in marksmanship and strategy and improve confidence of youth who may not possess the physical attributes to compete in other competitive sports offered at their schools; and

WHEREAS, the goal of any program of youth trapshooting should be to provide instruction and promote gun safety, personal responsibility, and sportsmanship among primary and secondary students; and

WHEREAS, the ATA and many state organizations also award scholarships to college-bound trapshooters based on citizenship, scholarship, and need. Many youth trapshooters are now attending college with the help of those scholarships; and

WHEREAS, our youth should have the opportunity and be encouraged to participate in this extracurricular activity in the same manner as other youth extracurricular activities, such as football, baseball, softball, basketball, track, scouting, or band; and

WHEREAS, the boards of education of every Missouri school district is encouraged to promote and include trapshooting as a high school sport:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby encourage the school boards of every school district in the State of Missouri, in conjunction with the Missouri Youth Sport Shooting Alliance, to voluntarily promote and include trapshooting as a high school sport for the youth of our state; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Commissioner of Education Chris L. Nicastro, the Missouri Youth Sport Shooting Alliance, and each school district in Missouri.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 720**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 174**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following member's presence was noted: Holsman.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 2:00 p.m., Tuesday, April 26, 2011.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 6.

Executive session will be held: SCS SB 356

Executive session may be held on any matter referred to the committee.

We will also have a presentation by Farm Credit Services.

### **CHILDREN AND FAMILIES**

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 771

Executive session may be held on any matter referred to the committee.

### **ECONOMIC DEVELOPMENT**

Tuesday, April 26, 2011, House Hearing Room 7 upon afternoon adjournment.

Public hearing will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

### **FISCAL REVIEW**

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 3.

Executive session will be held: HCS HBs 600, 337 & 413, HCS HB 579, HCS HB 366

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

### **GENERAL LAWS**

Tuesday, April 26, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 300

Executive session will be held: SCS SB 300

Executive session may be held on any matter referred to the committee.

### **HEALTH CARE POLICY**

Wednesday, April 27, 2011, House Hearing Room 6 upon morning recess.

Public hearing will be held: SS SB 118, HB 821

Executive session will be held: SS SCS SB 65, SCS SB 177, HR 1826

Executive session may be held on any matter referred to the committee.

### **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Wednesday, April 27, 2011, 9:45 AM Bingham Gallery.

Executive session may be held on any matter referred to the committee.

I. Election of chair and vice chair

II. Other business coming before the committee

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.

2<sup>nd</sup> Quarter Meeting

**JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Tuesday, April 26, 2011, 11:00 AM House Hearing Room 7.

Highway namings

License plates

Director of MoDOT Kevin Keith

**JUDICIARY**

Wednesday, April 27, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: SB 237, SS SCS SB 351

Executive session may be held on any matter referred to the committee.

**RURAL COMMUNITY DEVELOPMENT**

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: SS SB 360

Executive session may be held on any matter referred to the committee.

**TAX REFORM**

Wednesday, April 27, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 968

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Tuesday, April 26, 2011, 10:00 AM House Hearing Room 6.

Public hearing will be held: HB 349, SS SB 202

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTY-FIRST DAY, TUESDAY, APRIL 26, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka
- 4 HCS HJR 16 - Dugger
- 5 HJR 27 - Brattin

## **HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 17 - Silvey
- 2 HCS HB 18 - Silvey
- 3 HCS HB 21 - Silvey
- 4 HCS HB 22 - Silvey

## **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HCS HB 773 - Gosen
- 12 HB 138 - Thomson
- 13 HB 491 - Diehl
- 14 HB 364 - Parkinson
- 15 HCS HB 742 - Wyatt
- 16 HCS HB 787 - Wells
- 17 HCS HB 212 - Thomson
- 18 HCS HB 552 - Molendorp
- 19 HCS HB 597 - Pollock
- 20 HCS HB 613 - Holsman
- 21 HB 686 - Richardson
- 22 HCS HB 688 - Pollock
- 23 HCS HB 716 - Wyatt
- 24 HCS HB 732 - Brandom
- 25 HB 741 - Bernskoetter
- 26 HCS HB 811 - Talboy
- 27 HCS HB 893 - Richardson
- 28 HB 924 - Nolte

## **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

## **HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HCS HB 562 - Grisamore

- 3 HCS HB 664 - Leara
- 4 HCS HB 473 - Jones (63)
- 5 HCS HB 579, (Fiscal Review 4-20-11), E.C. - Frederick
- 6 HB 466 - Schoeller
- 7 HCS HB 366, (Fiscal Review 4-20-11) - Silvey
- 8 HCS HBs 600, 337 & 413, (Fiscal Review 4-20-11) - Schad
- 9 HCS HB 161 - Cox
- 10 HCS HB 523 - Molendorp

### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 32, (4-13-11, Pages 1267-1268) - Bernskoetter
- 2 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 3 HCR 46, (4-14-11, Pages 1293-1294) - Nolte

### **SENATE BILLS FOR THIRD READING**

HCS SB 161 - Guernsey

### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HB 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore
- 7 SCS HCS HB 2 - Silvey
- 8 SCS HCS HB 3 - Silvey
- 9 SCS HCS HB 4 - Silvey
- 10 SCS HCS HB 5 - Silvey
- 11 SCS HCS HB 6 - Silvey
- 12 SCS HCS HB 7, as amended - Silvey
- 13 SCS HCS HB 8 - Silvey
- 14 SCS HCS HB 9 - Silvey
- 15 SCS HCS HB 10 - Silvey
- 16 SCS HCS HB 11 - Silvey
- 17 SCS HCS HB 12 - Silvey
- 18 SCS HCS HB 13 - Silvey

### **BILLS IN CONFERENCE**

SS HCS HB 193 - Diehl

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTY-FIRST DAY, TUESDAY, APRIL 26, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Representative Rodney Schad.

*Be very careful, then, how you live, not as unwise but as wise, making the most of every opportunity because the days are evil. Therefore, do not be foolish but understand what the Lord's will is. (Ephesians 5:15)*

Let's pray. Our Father in Heaven, You have placed us here not as important people but as people with important work to do. We need Your guidance today to stay focused on the work laid out before us. As we enter into the last weeks of this session, we ask, Father, that You be with us so that we will be careful in the way we live, in the way we interact with each other and in the way we deal with the pressures that may come our way. Guard us against any and all deception as we strive to do what You desire for Your people. Give us insight so that we may make the best of every opportunity that presents itself.

As we press on toward the end of session, we need Your wisdom to finalize the details of so many unresolved issues. Let our conversations be wholesome and beneficial to those who may hear us. Help us to be kind and compassionate and to put aside all anger and bitterness. We are reminded at this hour that many in our state are hurting and distraught from the impacts of the weather. Please bring them strength and comfort in the days ahead.

We thank You now for being our strength, our comforter, our provider, our counselor and our God. We pray in the name of Your son, Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyle Winkeler and Olivia Holley.

The Journal of the sixtieth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2562 through House Resolution No. 2672

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 366** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 579** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 600, 337 & 413** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

### THIRD READING OF HOUSE BILLS

**HCS HB 562**, relating to children's services, was taken up by Representative Grisamore.

Representative Smith (150) assumed the Chair.

On motion of Representative Grisamore, **HCS HB 562** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 010

Carter	Diehl	Hampton	Hughes	Keeney
McGhee	Molendorp	Richardson	Ruzicka	Webb

VACANCIES: 003

Representative Smith (150) declared the bill passed.

**HCS HB 664**, relating to firefighter benefits, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HB 664** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

## 1604 *Journal of the House*

ABSENT WITH LEAVE: 007

Hampton	Hughes	Keeney	McGhee	Richardson
Ruzicka	Webb			

VACANCIES: 003

Representative Smith (150) declared the bill passed.

**HCS HB 579**, relating to health care, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 579** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Hampton	Hughes	Keeney	Leara	Pollock
Richardson	Ruzicka	Webb	Wells	

VACANCIES: 003

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Guernsey	Haefner
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Peters-Baker	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 004

Gatschenberger	Kirkton	Schupp	Still
----------------	---------	--------	-------

PRESENT: 000

ABSENT WITH LEAVE: 014

Carter	Grisamore	Hampton	Hughes	Keeney
Leara	Parkinson	Phillips	Pollock	Richardson
Ruzicka	Webb	Wells	Mr Speaker	

VACANCIES: 003

**HCS HB 366**, relating to economic development, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 366** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Lichtenegger	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Peters-Baker	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 008

Bahr	Brattin	Dugger	Koenig	Lasater
Leach	Marshall	May		

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 015

Carter	Dieckhaus	Hampton	Hughes	Kander
Keeney	Leara	Loehner	Parkinson	Phillips
Richardson	Ruzicka	Shumake	Stream	Webb

VACANCIES: 003

Representative Smith (150) declared the bill passed.

**HCS HBs 600, 337 & 413**, relating to public safety, was taken up by Representative Schad.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Schad, **HCS HBs 600, 337 & 413** was read the third time and passed by the following vote:

AYES: 103

Allen	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Cross	Denison	Dieckhaus	Diehl	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Harris	Higdon	Hinson
Hodges	Holsman	Hough	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Klippenstein	Kratky	Lair	Lampe
Lant	Largent	Lauer	Loehner	Long
Marshall	McCaherty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Nance
Nasheed	Neth	Newman	Nolte	Peters-Baker
Phillips	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Smith 71	Solon	Still	Stream
Swinger	Thomson	Torpey	Webber	Weter
White	Wright	Zerr		

NOES: 044

Anders	Asbury	Brattin	Burlison	Colona
Crawford	Curtman	Davis	Dugger	Ellinger
Entlicher	Haefner	Hoskins	Houghton	Hubbard
Kirkton	Koenig	Korman	Lasater	Leach
Lichtenegger	May	McCann Beatty	McGeoghegan	Montecillo
Nichols	Oxford	Pace	Pierson	Pollock
Scharnhorst	Schoeller	Schupp	Silvey	Smith 150
Spreng	Swearingen	Talboy	Taylor	Wallingford
Walton Gray	Wells	Wieland	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 013

Carter	Day	Franz	Funderburk	Hampton
Hughes	Keeney	Leara	Parkinson	Richardson
Ruzicka	Webb	Mr Speaker		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 161**, relating to transient guest taxes, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 161** was read the third time and passed by the following vote:

AYES: 127

Anders	Atkins	Aull	Barnes	Bernskoetter
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Loehner	Long
May	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Sater	Schad
Scharnhorst	Schatz	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Mr Speaker			

NOES: 024

Allen	Asbury	Bahr	Berry	Burlison
Conway 14	Dugger	Flanigan	Haefner	Johnson
Lasater	Leach	Lichtenegger	Marshall	McCaherty
Nasheed	Parkinson	Schieber	Schneider	Smith 71
Smith 150	Spreng	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Funderburk	Hampton	Holsman	Hughes	Keeney
Leara	Richardson	Ruzicka	Webb	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 523**, relating to certain insurance products, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 523** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Day	Denison	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 008

Asbury	Curtman	Davis	Dugger	Houghton
Koenig	Marshall	McCaherty		

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 012

Dieckhaus	Funderburk	Hampton	Holsman	Hughes
Keeney	Leara	Parkinson	Richardson	Ruzicka
Webb	Wells			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HOUSE BILLS WITH SENATE AMENDMENTS**

**SCS HCS HB 2**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 2** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 3**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 3** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 4**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 4** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 5**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 5** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 6**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 6** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 7, as amended**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 7, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.



**SCS HCS HB 8**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 8** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 9**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 9** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 10**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 10** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 11**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 11** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Sifton made a substitute motion that the House refuse to adopt **SCS HCS HB 11** and request the Senate to recede from its position and, failing to do so, grant the House a conference and that the House conferees be bound to the House position on **HCS HB 11**, Page 18, Lines 28-31.

Which motion was defeated by the following vote:

AYES: 032

Aull	Carlson	Carter	Colona	Hodges
Holsman	Hummel	Jones 63	Kratky	May
McCann Beatty	McGeoghegan	McManus	McNeil	Newman
Nichols	Pace	Peters-Baker	Pierson	Quinn
Schieffer	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

NOES: 116

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis

1612 *Journal of the House*

Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Oxford
Parkinson	Phillips	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Cross	Hampton	Hughes	Kander	Keeney
McDonald	McNary	Nolte	Pollock	Richardson
Ruzicka	Webb			

VACANCIES: 003

Representative Silvey again moved that the House refuse to adopt **SCS HCS HB 11** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 12**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 12** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 13**, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SCS HCS HB 13** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**PERFECTION OF HOUSE BILLS - APPROPRIATIONS**

**HCS HB 17**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 17** was adopted.

On motion of Representative Silvey, **HCS HB 17** was ordered perfected and printed.

**HCS HB 18**, relating to appropriations, was taken up by Representative Silvey.

Representative Stream offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 18, Page 4, Section 18.045, Line 4, by deleting “including.”; and

Further amend said bill, said page, said section, Line 5 through and including Line 6, by deleting said lines in their entirety; and

Further amend said bill, said page, said section, Line 4, by inserting immediately after the word “Fund,” the following:

“for infrastructure improvements and preliminary engineering and environmental impact evaluations in preparation of infrastructure improvements on the existing rail corridor between St. Louis and Kansas City, including the following projects: second rail bridge over the Osage River (\$22,640,000), Webster universal crossover (\$3,520,000), crossing improvements projects (\$1,920,000), Bonnot’s Mill universal crossover (\$5,611,000), Hermann universal crossover (\$4,570,000), Knob Noster passing siding extension (\$10,235,000), Kingsville siding (\$12,558,000), Strasburg grade separation (\$5,850,000), double track Lee’s Summit to Pleasant Hill (\$49,818,000), three new train sets (\$107,500,000), Merchants Bridge replacement in St. Louis (\$90,000,000), new track from North Market Street to Biddle Street in St. Louis (\$4,800,000), Independence Street Bridge replacement in Kansas City (\$15,400,000), third mainline in Jefferson City (\$8,600,000), new Jefferson City station (\$11,000,000), double track Pleasant Hill to Jefferson City (\$10,000,000).”; and

Further amend said bill, said page, said section, Line 12, by deleting “33,322,000” and inserting “364,022,000.”.

Representative Stream moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Silvey, **HCS HB 18** was adopted.

On motion of Representative Silvey, **HCS HB 18** was ordered perfected and printed.

**HCS HB 21**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 21** was adopted.

On motion of Representative Silvey, **HCS HB 21** was ordered perfected and printed.

**HCS HB 22**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 22** was adopted.

On motion of Representative Silvey, **HCS HB 22** was ordered perfected and printed.

### PERFECTION OF HOUSE JOINT RESOLUTIONS

**HJR 27**, relating to the right to bear arms, was taken up by Representative Brattin.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCahty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Newman
Nichols	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 014

Anders	Day	Diehl	Hampton	Holsman
Long	Meadows	Nasheed	Oxford	Richardson
Ruzicka	Scharnhorst	Schupp	Webb	

VACANCIES: 003

On motion of Representative Brattin, **HJR 27** was ordered perfected and printed.

**HCS HJR 16**, relating to initiative and referendum petitions, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HJR 16** was adopted.

On motion of Representative Dugger, **HCS HJR 16** was ordered perfected and printed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 229**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 270**, entitled:

An act to repeal sections 103.080 and 103.089, RSMo, and to enact in lieu thereof two new sections relating to the state employee health insurance program.

With Senate Amendment No. 1.

#### SENATE AMENDMENT NO. 1

AMEND Senate Committee Substitute for House Bill No. 270, Page 2, Section 103.089, Line 28-30, by striking said lines and inserting in lieu thereof the following:

**"section shall have monthly subscriber premiums that are materially lower than non-high deductible health plan monthly subscriber premiums with a goal of monthly subscriber premiums being at least fifty percent lower than non-high deductible health plan premiums. The amount of the annual deductible"; and**

Further amend Line 32, by striking "one hundred and twenty-five" and inserting in lieu thereof the following:

**"two hundred"; and**

Further amend Lines 35 to 38, by striking said lines; and

Further amend Line 41, by striking "to" and inserting in lieu thereof the following:

**"or better than"; and**

Further amend Line 41, by inserting immediately before "coverage" the following:

**"average"; and**

Further amend Line 41, by striking "plan" and inserting in lieu thereof the following:

"**plans.**"; and

Further amend Line 42, by striking said line.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 3** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 4** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 5** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 6** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 7, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 8** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 9** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 10** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 11** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 12** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 13** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Pearce, Green and Curls.

Speaker Tilley assumed the Chair.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

**SCS HCS HB 2:** Representatives Silvey, Stream, Flanigan, Lampe and Nasheed  
**SCS HCS HB 3:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 4:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 5:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 6:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 7:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 8:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 9:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 10:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 11:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 12:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)  
**SCS HCS HB 13:** Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)

Speaker Pro Tem Schoeller resumed the Chair.

### **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 11** - Tourism and Natural Resources

### **REFERRAL OF SENATE JOINT RESOLUTIONS**

The following Senate Joint Resolutions were referred to the Committee indicated:

**HCS#2 SJR 2** - Fiscal Review (Fiscal Note)

**SJR 10** - Downsizing State Government



## **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**HCS SB 3** - Fiscal Review (Fiscal Note)  
**HCS SB 207** - Fiscal Review (Fiscal Note)  
**SS SB 9** - Elections  
**SCS SBs 26 & 106** - Transportation  
**SB 36** - Crime Prevention and Public Safety  
**SB 48** - Utilities  
**SS SCS SB 132** - Financial Institutions  
**SCS SB 213** - Judiciary  
**SCS SB 230** - Tourism and Natural Resources  
**SS SB 238** - Crime Prevention and Public Safety  
**SB 241** - Ways and Means  
**SS SCS SB 254** - Crime Prevention and Public Safety  
**SB 268** - Higher Education  
**SCS SB 270** - Elections  
**SS SB 286** - Crime Prevention and Public Safety  
**SS#2 SCS SB 320** - Crime Prevention and Public Safety  
**SCS SB 323** - Downsizing State Government  
**SCS SB 337** - Agriculture Policy  
**SCS SB 340** - Professional Registration and Licensing  
**SCS SB 387** - Crime Prevention and Public Safety  
**SCS SBs 394 & 331** - Crime Prevention and Public Safety

## **COMMITTEE REPORTS**

**Committee on Agriculture Policy**, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCS SB 356**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Workforce Development and Workplace Safety**, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SB 202**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 504, 505 & 874**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 658** begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 889**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 889**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 55**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 58**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 366**, begs leave to report it has examined the same and recommends that it **Do Pass**.

The following member's presence was noted: Keeney.

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 27, 2011.

### **COMMITTEE MEETINGS**

#### **CHILDREN AND FAMILIES**

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 771

Executive session may be held on any matter referred to the committee.

#### **CRIME PREVENTION AND PUBLIC SAFETY**

Wednesday, April 27, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 440, HB 203

Executive session may be held on any matter referred to the committee.

HB 927 will not be heard.

#### **AMENDED**

#### **ECONOMIC DEVELOPMENT**

Wednesday, April 27, 2011, South Gallery upon evening adjournment.

Executive session will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

#### FINANCIAL INSTITUTIONS

Wednesday, April 27, 2011, House Hearing Room 6 upon afternoon adjournment.

Public hearing will be held: SS SCS SB 132, HB 822, HB 279

Executive session may be held on any matter referred to the committee.

AMENDED

#### FISCAL REVIEW

Thursday, April 28, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee

#### HEALTH CARE POLICY

Wednesday, April 27, 2011, House Hearing Room 6 upon morning recess.

Public hearing will be held: SS SB 118, HB 821

Executive session will be held: SS SCS SB 65, SCS SB 177, HR 1826

Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Wednesday, April 27, 2011, 1:30 PM House Hearing Room 7.

Executive session will be held: SB 90, HB 547

Executive session may be held on any matter referred to the committee.

#### INTERNATIONAL TRADE AND JOB CREATION

Wednesday, April 27, 2011, 12:30 PM House Hearing Room 2.

Lunch

#### JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, April 27, 2011, 9:45 AM Bingham Gallery.

Executive session may be held on any matter referred to the committee.

I. Election of chair and vice chair.

II. Other business coming before the committee.

#### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.

2<sup>nd</sup> Quarter Meeting

#### JUDICIARY

Wednesday, April 27, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: SB 237, SS SCS SB 351

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, April 27, 2011, House Hearing Room 5 upon afternoon adjournment.

Executive session may be held on any matter referred to the committee.

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, April 27, 2011, House Hearing Room 5,  
12:00 PM or upon morning adjournment if after 12:00 PM.

Public hearing will be held: SB 325

Executive session may be held on any matter referred to the committee.

**RULES**

Wednesday, April 27, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Wednesday, April 27, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive session will be held: HCR 28, HCR 41, HCR 48, HCS HB 707, HCS HB 999,  
HCS SCS SB 57, SB 83, HCS#2 SB 96, HCS SB 145, SB 165

Executive session may be held on any matter referred to the committee.

HCS SB 59 will be heard in Executive session.

**RURAL COMMUNITY DEVELOPMENT**

Wednesday, April 27, 2011, 8:00 AM House Hearing Room 4.

Public hearing will be held: SS SB 360

Executive session may be held on any matter referred to the committee.

**TAX REFORM**

Wednesday, April 27, 2011, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 968

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTY-SECOND DAY, WEDNESDAY, APRIL 27, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox

- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HCS HB 773 - Gosen
- 12 HB 138 - Thomson
- 13 HB 491 - Diehl
- 14 HB 364 - Parkinson
- 15 HCS HB 742 - Wyatt
- 16 HCS HB 787 - Wells
- 17 HCS HB 212 - Thomson
- 18 HCS HB 552 - Molendorp
- 19 HCS HB 597 - Pollock
- 20 HCS HB 613 - Holsman
- 21 HB 686 - Richardson
- 22 HCS HB 688 - Pollock
- 23 HCS HB 716 - Wyatt
- 24 HCS HB 732 - Brandom
- 25 HB 741 - Bernskoetter
- 26 HCS HB 811 - Talboy
- 27 HCS HB 893 - Richardson
- 28 HB 924 - Nolte
- 29 HCS HBs 504, 505 & 874 - Kelly (24)
- 30 HB 658 - Schatz

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HCS HB 473 - Jones (63)
- 3 HB 466 - Schoeller

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 32, (4-13-11, Pages 1267-1268) - Bernskoetter
- 2 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 3 HCR 46, (4-14-11, Pages 1293-1294) - Nolte

## **SENATE JOINT RESOLUTIONS FOR THIRD READING**

HCS#2 SJR 2, (Fiscal Review 4-26-11) - Cox

## **SENATE BILLS FOR THIRD READING**

- 1 HCS SB 161 - Guernsey
- 2 HCS#2 SB 3, (Fiscal Review 4-26-11) - Diehl
- 3 HCS SS#2 SCS SB 8 - Fisher
- 4 SS SB 55 - Day
- 5 HCS SS SCS SB 58 - Denison
- 6 SB 101 - Cauthorn
- 7 HCS SS SB 135, E.C. - Jones (89)
- 8 HCS SCS SB 163 - Thomson
- 9 HCS SB 173 - Long
- 10 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 11 HCS SCS SB 219 - Wells
- 12 HCS SB 220 - Diehl
- 13 HCS SB 282 - Dugger
- 14 SS SB 306 - Wells
- 15 HCS SCS SB 366 - Diehl

## **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HCS HB 45, as amended - Hoskins
- 2 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 3 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 4 SCS HB 307 & HB 812 - Gatschenberger
- 5 SCS HB 388 - Burlison
- 6 SCS HCS HB 631 - Grisamore
- 7 SCS HB 270, as amended - Burlison

## **BILLS IN CONFERENCE**

- 1 SS HCS HB 193 - Diehl
- 2 SCS HCS HB 2 - Silvey
- 3 SCS HCS HB 3 - Silvey
- 4 SCS HCS HB 4 - Silvey
- 5 SCS HCS HB 5 - Silvey
- 6 SCS HCS HB 6 - Silvey
- 7 SCS HCS HB 7, as amended - Silvey
- 8 SCS HCS HB 8 - Silvey
- 9 SCS HCS HB 9 - Silvey
- 10 SCS HCS HB 10 - Silvey
- 11 SCS HCS HB 11 - Silvey
- 12 SCS HCS HB 12 - Silvey
- 13 SCS HCS HB 13 - Silvey

# **JOURNAL OF THE HOUSE**

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTY-SECOND DAY, WEDNESDAY, APRIL 27, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Walter Simpson, First Christian Church (Disciples of Christ), Eldon, Missouri.

Almighty God, Creator and Sustainer of all the earth, humbly we pause to lift our thoughts to You. We offer our praise and thanks for Your ever-present mercy and love which You have so generously bestowed upon us.

Today we seek Your guidance and direction. Grant Your wisdom upon these who have been chosen to have oversight and care of the life of our state. As they struggle with the difficult decisions that face them, may they do so with compassion and patience. Give them a spirit of cooperation. Keep them safe.

Hear our prayers we offer to You in a spirit of devotion and trust. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Matthew Jared.

The Journal of the sixty-first day was approved as printed.

## **SPECIAL RECOGNITION**

Bill Schroeder, Lowell Carpenter and Bill Dudley were introduced by Representative Fraker and presented with a resolution for their many years of service with Webster Electric Co-op.

Speaker Pro Tem Schoeller assumed the Chair.

The Climax Springs Cougar High School Basketball Team was introduced by Representative Franklin and recognized for attaining First Place in the Class I District Championship.

## **HOUSE RESOLUTION**

Representative Frederick offered House Resolution No. 2790.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2673 through House Resolution No. 2789

**THIRD READING OF HOUSE BILL**

**HCS HB 473**, relating to charter schools, was taken up by Representative Jones (63).

Representative Keeney assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 052

Anders	Aull	Black	Brown 50	Carlson
Carter	Casey	Conway 27	Ellinger	Fallert
Harris	Hodges	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000



ABSENT WITH LEAVE: 007

Atkins	Colona	Diehl	Hampton	Holsman
Riddle	Ruzicka			

VACANCIES: 003

On motion of Representative Jones (63), **HCS HB 473** was read the third time and passed by the following vote:

AYES: 086

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Cierpiot	Conway 14
Cookson	Cox	Crawford	Curtman	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Higdon
Hinson	Holsman	Hough	Hubbard	Hughes
Jones 63	Jones 89	Jones 117	Keeney	Koenig
Lair	Lasater	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McGhee	McNary
Nance	Nasheed	Neth	Nolte	Parkinson
Pollock	Redmon	Richardson	Riddle	Rowland
Sater	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Talboy	Taylor	Thomson	Torpey
Wallingford	Weter	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 070

Anders	Asbury	Aull	Black	Casey
Cauthorn	Conway 27	Cross	Davis	Ellinger
Elmer	Fallert	Fisher	Flanigan	Franklin
Grisamore	Haefner	Harris	Hodges	Hoskins
Houghton	Hummel	Johnson	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Korman	Kratky
Lampe	Lant	Largent	Lauer	Loehner
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Molendorp	Montecillo	Newman
Nichols	Oxford	Pace	Peters-Baker	Phillips
Pierson	Quinn	Reiboldt	Rizzo	Schatz
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Walton Gray
Webb	Webber	Wells	White	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Atkins	Colona	Hampton	Ruzicka
--------	--------	---------	---------

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### **HOUSE CONCURRENT RESOLUTIONS**

**HCR 32**, relating to state employee wages, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **HCR 32** was adopted.

**HCR 46**, relating to FUTURALLIA, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCR 46** was adopted.

Speaker Tilley resumed the Chair.

### **THIRD READING OF SENATE BILL**

**HCS SB 161**, relating to agriculture, was taken up by Representative Guernsey.

Representative Loehner offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 161, Page 1, In the Title, Line 3, by inserting after the number "268.121," the numbers "273.327, 273.345,"; and

Further amend said bill, Page 1, In the Title, Lines 11 and 12, by deleting all of said lines and inserting in lieu thereof the following:

"for senate bill no. 718, ninety-fourth general assembly, second regular session, and sections 273.327, 273.345, 273.347, and 1 as truly agreed to and finally passed by or as enacted by senate substitute for senate committee substitute for senate bills nos. 113 & 95, the ninety-sixth general assembly, first regular session, and to enact in lieu thereof nineteen new sections relating to agriculture, with penalty provisions and an emergency clause for certain sections."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "268.121," the numbers "273.327, 273.345,"; and

Further amend said bill, Page 1, Section A, Line 10, by deleting all of said line and inserting in lieu thereof the following:

"assembly, second regular session, and sections 273.327, 273.345, 273.347, and 1 as truly agreed to and finally passed by or as enacted by senate substitute for senate committee substitute for senate bills nos. 113 & 95, the ninety-sixth general assembly, first regular session, are repealed and nineteen new sections enacted in lieu thereof,"; and

Further amend said bill, Page 2, Section A, Line 12, by deleting all of said line and inserting in lieu thereof the following:

"268.121, 273.327, 273.345, 273.347, 276.421, 276.436, 276.441, 348.400, 348.407, 348.412, 411.280, and 1, to read as"; and

Further amend said bill, Page 15, Section 268.121, Line 11, by inserting after all of said line the following:

"273.327. No person shall operate an animal shelter, pound or dog pound, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer or commercial breeder, unless such person has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the license fee shall range from one hundred to **two thousand** five hundred dollars per year. **Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of twenty-five dollars to be used by the department of agriculture for the purpose of administering Operation Bark Alert or any successor program.** Pounds or dog pounds shall be exempt from payment of [such fee] **the fees under this section.** License fees shall be levied for each license issued or renewed on or after January 1, 1993.

273.345. 1. This section shall be known and may be cited as the "[Puppy Mill] **Canine** Cruelty Prevention Act."

2. The purpose of this act is to prohibit the cruel and inhumane treatment of dogs [in puppy mills] **bred in large operations** by requiring large-scale dog breeding operations to provide each dog under their care with basic food and water, adequate shelter from the elements, necessary veterinary care, adequate space to turn around and stretch his or her limbs, and regular exercise.

3. Notwithstanding any other provision of law, any person having custody or ownership of more than ten female covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet shall provide each covered dog:

- (1) Sufficient food and clean water;
- (2) Necessary veterinary care;
- (3) Sufficient housing, including protection from the elements;
- (4) Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs;
- (5) Regular exercise; and
- (6) Adequate rest between breeding cycles.

4. [Notwithstanding any other provision of law, no person may have custody of more than fifty covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet.

5.] For purposes of this section and notwithstanding the provisions of section 273.325, the following terms have the following meanings:

(1) "Adequate rest between breeding cycles" means, at minimum, ensuring that **female** dogs are not bred to produce more [than two] litters in any [eighteen-month] **given period than what is recommended by a licensed veterinarian as appropriate for the species, age, and health of the dog;**

(2) "Covered dog" means any individual of the species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids, that is over the age of six months and has intact sexual organs;

(3) "Necessary veterinary care" means, at minimum, examination at least once yearly by a licensed veterinarian, prompt treatment of any **serious** illness or injury by a licensed veterinarian, and where needed, humane euthanasia by a licensed veterinarian using lawful techniques deemed acceptable by the American Veterinary Medical Association;

(4) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate;

(5) "Pet" means any [domesticated animal] **species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids,** normally maintained in or near the household of the owner thereof;

(6) "Regular exercise" means [constant and unfettered access to an outdoor exercise area that is composed of a solid ground-level surface with adequate drainage, provides some protection against sun, wind, rain, and snow, and provides each dog at least twice the square footage of the indoor floor space provided to that dog] **the type and amount of exercise sufficient to comply with an exercise plan that has been approved by a licensed veterinarian, developed in accordance with regulations regarding exercise promulgated by the Missouri department of agriculture, and where such plan affords the dog maximum opportunity for outdoor exercise as weather permits;**

(7) "Retail pet store" means a person or retail establishment open to the public where dogs are bought, sold, exchanged, or offered for retail sale directly to the public to be kept as pets, but that does not engage in any breeding of dogs for the purpose of selling any offspring for use as a pet;

(8) "Sufficient food and clean water" means access to appropriate nutritious food at least [once] **twice** a day sufficient to maintain good health, and continuous access to potable water that is not frozen and is **generally** free of debris, feces, algae, and other contaminants;

(9) "Sufficient housing, including protection from the elements" means [constant and unfettered access to an indoor enclosure that has a solid floor, is not stacked or otherwise placed on top of or below another animal's enclosure, is cleaned of waste at least once a day while the dog is outside the enclosure, and does not fall below forty-five degrees Fahrenheit, or rise above eighty-five degrees Fahrenheit] **the continuous provision of a sanitary facility, the provision of a solid surface on which to lie in a recumbent position, protection from the extremes of weather conditions, proper ventilation, and appropriate space depending on the species of animal as required by regulations of the Missouri department of agriculture and in compliance with the provisions of subsection 7 of this section. No dog shall remain inside its enclosure while the enclosure is being cleaned. Dogs housed within the same enclosure shall be compatible, in accordance with regulations promulgated by the Missouri department of agriculture;**

(10) "Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs" means having:

(a) Sufficient indoor space **or shelter from the elements** for each dog to turn in a complete circle without any impediment (including a tether);

(b) Enough indoor space **or shelter from the elements** for each dog to lie down and fully extend his or her limbs and stretch freely without touching the side of an enclosure or another dog;

(c) [At least one foot of headroom above the head of the tallest dog in the enclosure; and

(d) At least twelve square feet of indoor floor space per each dog up to twenty-five inches long, at least twenty square feet of indoor floor space per each dog between twenty-five and thirty-five inches long, and at least thirty square feet of indoor floor space per each dog for dogs thirty-five inches and longer (with the length of the dog measured from the tip of the nose to the base of the tail)] **Appropriate space depending on the species of the animal, as specified in regulations by the Missouri department of agriculture, as revised, and in compliance with the provisions of subsection 7 of this section.**

[6. A person is guilty of the crime of puppy mill cruelty when he or she knowingly violates any provision of this section. The crime of puppy mill cruelty is a class C misdemeanor, unless the defendant has previously pled guilty to or been found guilty of a violation of this section, in which case each such violation is a class A misdemeanor. Each violation of this section shall constitute a separate offense. If any violation of this section meets the definition of animal abuse in section 578.012, the defendant may be charged and penalized under that section instead.

**7.] 5. Any person subject to the provisions of this section shall maintain all veterinary records and sales records for the most recent previous two years. These records shall be made available to the state veterinarian, a state or local animal welfare official, or a law enforcement agent upon request.**

**6.** The provisions of this section are in addition to, and not in lieu of, any other state and federal laws protecting animal welfare. This section shall not be construed to limit any state law or regulation protecting the welfare of animals, nor shall anything in this section prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations in addition to this section. This section shall not be construed to place any numerical limits on the number of dogs a person may own or control when such dogs are not used for breeding those animals and selling any offspring for use as a pet. This section shall not apply to a dog during examination, testing, operation, recuperation, or other individual treatment for veterinary purposes, during lawful scientific research, during transportation, during cleaning of a [dogs] **dog's** enclosure, during supervised outdoor exercise, or during any emergency that places a [dogs] **dog's** life in imminent danger. [This section shall not apply to any retail pet store, animal shelter as defined in section 273.325, hobby or show breeders who have custody of no more than ten female covered dogs for the purpose of breeding those dogs and selling any offspring for use as a pet, or dog trainer who does not breed and sell any dogs for use as a pet.] Nothing in this section shall be construed to limit hunting or the ability to breed, raise, [or] sell [hunting], **control, train, or possess dogs with the intention to use such dogs for hunting or other sporting purposes.**

**7. Notwithstanding any law to the contrary, the following space requirements shall apply under this section:**

**(1) From January 1, 2012, through December 31, 2015, for any enclosure existing prior to April 15, 2011, the minimum allowable space shall:**

**(a) Be two times the space allowable under the department of agriculture's regulation that was in effect on April 15, 2011;**

**(b) Except as prescribed by rule, provide constant and unfettered access to an attached outdoor run; and**

**(c) Meet all other requirements set forth by rule of the Missouri department of agriculture;**

**(2) For any enclosure newly constructed after April 15, 2011, and for all enclosures as of January 1, 2016, the minimum allowable space shall:**

(a) Be three times the space allowable under the department of agriculture's regulation that was in effect on April 15, 2011;

(b) Except as prescribed by rule, provide constant and unfettered access to an attached outdoor run; and

(c) Meet all other requirements set forth by rule of the Missouri department of agriculture;

(3) For any enclosure newly constructed after April 15, 2011, and for all enclosures as of January 1, 2016, wire strand flooring shall be prohibited and all enclosures shall meet the flooring standard set forth by rule of the Missouri department of agriculture.

8. If any provision of this section, or the application thereof to any person or circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not affect other provisions or applications of this section that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this section are severable.

[9. The provisions herewith shall become operative one year after passage of this act.]

**273.347. 1. Whenever the state veterinarian or a state animal welfare official finds past violations of sections 273.325 to 273.357 have occurred and have not been corrected or addressed, including operating without a valid license under section 273.327, the director may request the attorney general or the county prosecuting attorney or circuit attorney to bring an action in circuit court in the county where the violations have occurred for a temporary restraining order, preliminary injunction, permanent injunction, or a remedial order enforceable in a circuit court to correct such violations and, in addition, the court may assess a civil penalty in an amount not to exceed one thousand dollars for each violation. Each violation shall constitute a separate offense.**

**2. A person commits the crime of canine cruelty if such person repeatedly violates sections 273.325 to 273.357 so as to pose a substantial risk to the health and welfare of animals in such person's custody, or knowingly violates an agreed-to remedial order involving the safety and welfare of animals under this section. The crime of canine cruelty is a class C misdemeanor, unless the person has previously pled guilty or nolo contendere to or been found guilty of a violation of this subsection, in which case, each such violation is a class A misdemeanor.**

**3. The attorney general or the county prosecuting attorney or circuit attorney may bring an action under sections 273.325 to 273.357 in circuit court in the county where the crime has occurred for criminal punishment.**

**4. No action under this section shall prevent or preclude action taken under section 578.012 or under subsection 3 of section 273.329."; and**

Further amend said bill, Page 22, Section 411.280, Line 7, by inserting after all of said line the following:

**"Section 1. Any person required to have a license under sections 273.325 to 273.357 who houses animals in stacked cages without an impervious barrier between the levels of such cages, except when cleaning such cages, is guilty of a class A misdemeanor."; and**

Further amend said bill, Page 24, Section 263.450, Line 8, by inserting after all of said line the following:

**"[273.327. No person shall operate an animal shelter, pound or dog pound, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer or commercial breeder, unless such person has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the license fee shall range from one hundred to two thousand five hundred dollars per year. Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of twenty-five dollars to be used by the department of agriculture for the purpose of administering Operation Bark Alert or any successor program. Pounds or dog pounds shall be exempt from payment of [such fee] the fees under this section. License fees shall be levied for each license issued or renewed on or after January 1, 1993.]**

**[273.345. 1. This section shall be known and may be cited as the "[Puppy Mill] Canine Cruelty Prevention Act."**

2. The purpose of this act is to prohibit the cruel and inhumane treatment of dogs [in puppy mills] **bred in large operations** by requiring large-scale dog breeding operations to provide each dog under their care with basic food and water, adequate shelter from the elements, necessary veterinary care, adequate space to turn around and stretch his or her limbs, and regular exercise.

3. Notwithstanding any other provision of law, any person having custody or ownership of more than ten female covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet shall provide each covered dog:

- (1) Sufficient food and clean water;
- (2) Necessary veterinary care;
- (3) Sufficient housing, including protection from the elements;
- (4) Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs;
- (5) Regular exercise; and
- (6) Adequate rest between breeding cycles.

4. [Notwithstanding any other provision of law, no person may have custody of more than fifty covered dogs for the purpose of breeding those animals and selling any offspring for use as a pet.

5.] For purposes of this section and notwithstanding the provisions of section 273.325, the following terms have the following meanings:

(1) "Adequate rest between breeding cycles" means, at minimum, ensuring that **female** dogs are not bred to produce more [than two] litters in any [eighteen-month] **given** period **than what is recommended by a licensed veterinarian as appropriate for the species, age, and health of the dog**;

(2) "Covered dog" means any individual of the species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids, that is over the age of six months and has intact sexual organs;

(3) "Necessary veterinary care" means[, at minimum, examination at least once yearly] **at least two personal visual inspections annually** by a licensed veterinarian, **guidance from a licensed veterinarian on preventative care, an exercise plan that has been approved by a licensed veterinarian, normal and prudent attention to skin, coat, and nails**, prompt treatment of any illness or injury [by a licensed veterinarian], and where needed, humane euthanasia by a licensed veterinarian using lawful techniques deemed acceptable by the American Veterinary Medical Association. **If, during the course of a routine personal visual inspection, the licensed veterinarian detects signs of disease or injury, then a physical examination of any such afflicted dog shall be conducted by a licensed veterinarian**;

(4) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate;

(5) "Pet" means any [domesticated animal] **species of the domestic dog, *Canis lupus familiaris*, or resultant hybrids**, normally maintained in or near the household of the owner thereof;

(6) "Regular exercise" means [constant and unfettered access to an outdoor exercise area that is composed of a solid ground-level surface with adequate drainage, provides some protection against sun, wind, rain, and snow, and provides each dog at least twice the square footage of the indoor floor space provided to that dog] **the type and amount of exercise sufficient to comply with an exercise plan that has been approved by a licensed veterinarian, developed in accordance with regulations regarding exercise promulgated by the Missouri department of agriculture, and where such plan affords the dog maximum opportunity for outdoor exercise as weather permits**;

(7) "Retail pet store" means a person or retail establishment open to the public where dogs are bought, sold, exchanged, or offered for retail sale directly to the public to be kept as pets, but that does not engage in any breeding of dogs for the purpose of selling any offspring for use as a pet;

(8) "Sufficient food and clean water" means [access to appropriate nutritious food at least once a day sufficient to maintain good health, and continuous access to potable water that is not frozen and is free of debris, feces, algae, and other contaminants];

(a) **The provision, at suitable intervals of not more than twelve hours, unless the dietary requirements of the species requires a longer interval, of a quantity of wholesome foodstuff, suitable for the species and age, enough to maintain a reasonable level of nutrition in each animal. All foodstuffs shall be served in a safe receptacle, dish, or container; and**

(b) **The provision of a supply of potable water in a safe receptacle, dish, or container. Water shall be provided continuously or at intervals suitable to the species, with no interval to exceed eight hours;**

(9) "Sufficient housing, including protection from the elements" means [constant and unfettered access to an indoor enclosure that has a solid floor, is not stacked or otherwise placed on top of or below another animal's enclosure, is cleaned of waste at least once a day while the dog is outside the enclosure, and does not fall below forty-five degrees Fahrenheit, or rise above eighty-five degrees Fahrenheit] **the continuous provision of a sanitary facility, the provision of a solid surface on which to lie in a recumbent position, protection from the extremes of weather conditions, proper ventilation, and appropriate space depending on the species of animal as required by regulations of the Missouri department of agriculture. No dog shall remain inside its enclosure while the enclosure is being cleaned. Dogs housed within the same enclosure shall be compatible, in accordance with regulations promulgated by the Missouri department of agriculture;**

(10) "Sufficient space to turn and stretch freely, lie down, and fully extend his or her limbs" means [having:

(a) Sufficient indoor space for each dog to turn in a complete circle without any impediment (including a tether);

(b) Enough indoor space for each dog to lie down and fully extend his or her limbs and stretch freely without touching the side of an enclosure or another dog;

(c) At least one foot of headroom above the head of the tallest dog in the enclosure; and

(d) At least twelve square feet of indoor floor space per each dog up to twenty-five inches long, at least twenty square feet of indoor floor space per each dog between twenty-five and thirty-five inches long, and at least thirty square feet of indoor floor space per each dog for dogs thirty-five inches and longer (with the length of the dog measured from the tip of the nose to the base of the tail)] **appropriate space depending on the species of the animal, as specified in regulations by the Missouri department of agriculture, as revised.**

[6. A person is guilty of the crime of puppy mill cruelty when he or she knowingly violates any provision of this section. The crime of puppy mill cruelty is a class C misdemeanor, unless the defendant has previously pled guilty to or been found guilty of a violation of this section, in which case each such violation is a class A misdemeanor. Each violation of this section shall constitute a separate offense. If any violation of this section meets the definition of animal abuse in section 578.012, the defendant may be charged and penalized under that section instead.

**7.] 5. Any person subject to the provisions of this section shall maintain all veterinary records and sales records for the most recent previous two years. These records shall be made available to the state veterinarian, a state or local animal welfare official, or a law enforcement agent upon request.**

**6.** The provisions of this section are in addition to, and not in lieu of, any other state and federal laws protecting animal welfare. This section shall not be construed to limit any state law or regulation protecting the welfare of animals, nor shall anything in this section prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations in addition to this section. This section shall not be construed to place any numerical limits on the number of dogs a person may own or control when such dogs are not used for breeding those animals and selling any offspring for use as a pet. This section shall not apply to a dog during examination, testing, operation, recuperation, or other individual treatment for veterinary purposes, during lawful scientific research, during transportation, during cleaning of a [dogs] **dog's** enclosure, during supervised outdoor exercise, or during any emergency that places a [dogs] **dog's** life in imminent danger. [This section shall not apply to any retail pet store, animal shelter as defined in section 273.325, hobby or show breeders who have custody of no more than ten female covered dogs for the purpose of breeding those dogs and selling any offspring for use as a pet, or dog trainer who does not breed and sell any dogs for use as a pet.] Nothing in this section shall be construed to limit hunting or the ability to breed, raise, [or] sell [hunting], **control, train, or possess dogs with the intention to use such dogs for hunting or other sporting purposes.**

[8.] **7.** If any provision of this section, or the application thereof to any person or circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not affect other provisions or applications of this section that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this section are severable.

[9.] **8.** The provisions herewith shall become operative one year after passage of this act.]

[273.347. 1. Whenever the state veterinarian or a state animal welfare official finds past violations of sections 273.325 to 273.357 have occurred and have not been corrected or addressed, including operating without a valid license under section 273.327, the director may request the attorney general or the county prosecuting attorney or circuit attorney to bring an action in circuit court in the county where the violations have occurred for a temporary restraining order, preliminary injunction, permanent injunction, or a remedial order enforceable in a circuit court to correct such violations and, in addition, the court may assess a civil penalty in an amount not to exceed one thousand dollars for each violation. Each violation shall constitute a separate offense.

2. A person commits the crime of canine cruelty if such person repeatedly violates sections 273.325 to 273.357 so as to pose a substantial risk to the health and welfare of animals in such person's custody, or knowingly violates an agreed-to remedial order involving the safety and welfare of animals under this section. The crime of canine cruelty is a class C misdemeanor, unless the person has previously pled guilty or nolo contendere to or been found guilty of a violation of this subsection, in which case, each such violation is a class A misdemeanor.

3. The attorney general or the county prosecuting attorney or circuit attorney may bring an action under sections 273.325 to 273.357 in circuit court in the county where the crime has occurred for criminal punishment.

4. No action under this section shall prevent or preclude action taken under section 578.012 or under subsection 3 of section 273.329.]"; and

Further amend said bill, Page 24, Section 276.446, Line 8, by inserting after all of said line the following:

"[Section 1. Any person required to have a license under sections 273.325 to 273.357 who houses animals in stacked cages without an impervious barrier between the levels of such cages, except when cleaning such cages, is guilty of a class A misdemeanor.]

Section B. In order to improve the immediate health and welfare of dogs in this state and to provide sufficient time for businesses to comply with changes in the law, the repeal and reenactment of sections 273.327 and 273.345, the enactment of sections 273.347 and 1, and the repeal of sections 273.327, 273.345, 273.347, and 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 273.327 and 273.345, the enactment of sections 273.347 and 1, and the repeal of sections 273.327, 273.345, 273.347, and 1 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

**HCS SB 161, with House Amendment No. 1, pending,** was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

## AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

## THIRD READING OF SENATE BILL

**HCS SB 161, with House Amendment No. 1, pending,** relating to agriculture, was again taken up by Representative Guernsey.

On motion of Representative Loehner, **House Amendment No. 1** was adopted.



Representative Quinn offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 161, Page 2, Section 137.010, Lines 1-33, by deleting all of said section and lines; and

Further amend said bill, Page 3, Section 137.080, Lines 1-16, by deleting all of said section and lines; and

Further amend said bill, Pages 3-8, Section 137.115, Lines 1-172, by deleting all of said section and lines; and

Further amend said bill, Pages 8-12, Section 137.115, Lines 1-197, by deleting all of said section and lines; and

Further amend said bill, Pages 12-13, Section 263.190, Lines 1-40, by deleting all of said section and lines; and

Further amend said bill, Page 14, Section 263.200, Lines 1-27, by deleting all of said section and lines; and

Further amend said bill and page, Section 263.220, Lines 1-2, by deleting all of said section and lines; and

Further amend said bill and page, Section 263.240, Lines 1-3, by deleting all of said section and lines; and

Further amend said bill, Pages 14-15, Section 268.121, Lines 1-11, by deleting all of said section and lines; and

Further amend said bill, Pages 15-17, Section 276.421, Lines 1-74, by deleting all of said section and lines; and

Further amend said bill, Pages 17-18, Section 276.436, Lines 1-57, by deleting all of said section and lines; and

Further amend said bill, Pages 18-19, Section 276.441, Lines 1-12, by deleting all of said section and lines; and

Further amend said bill, Page 22, Section 411.280, Lines 1-7, by deleting all of said section and lines; and

Further amend said bill, Pages 22-23, Section 263.205, Lines 1-26, by deleting all of said section and lines; and

Further amend said bill, Page 23, Section 263.230, Lines 1-9, by deleting all of said section and lines; and

Further amend said bill, Pages 23-24, Section 263.232, Lines 1-20, by deleting all of said section and lines; and

Further amend said bill, Page 24, Section 263.241, Lines 1-7, by deleting all of said section and lines; and

Further amend said bill and page, Section 263.450, Lines 1-7, by deleting all of said section and lines; and

Further amend said bill and page, Section 276.416, Lines 1-10, by deleting all of said section and lines; and

Further amend said bill and page, Section 276.446, Lines 1-8, by deleting all of said section and lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Quinn, **House Amendment No. 2** was adopted.

On motion of Representative Guernsey, **HCS SB 161, as amended**, was adopted.

On motion of Representative Guernsey, **HCS SB 161, as amended**, was read the third time and passed by the following vote:

AYES: 108

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hughes	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Still
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 042

Anders	Atkins	Carlson	Casey	Ellinger
Funderburk	Grisamore	Harris	Hubbard	Hummel
Jones 63	Kirkton	Kratky	Lampe	Lasater
Lauer	Leara	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Solon	Spreng	Swearingen	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 001

Black

ABSENT WITH LEAVE: 009

Carter	Colona	Conway 27	Day	Hampton
Hodges	Kander	Ruzicka	Weter	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 040

Allen	Anders	Atkins	Carlson	Carter
Ellinger	Holsman	Hughes	Hummel	Jones 63
Kirkton	Lampe	Leara	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Torpey	Walton Gray	Webb	Webber	Zerr

PRESENT: 001

Black

ABSENT WITH LEAVE: 008

Colona	Conway 27	Hampton	Kander	Kelly 24
Lasater	Ruzicka	Scharnhorst		

VACANCIES: 003

## PERFECTION OF HOUSE BILLS

**HCS HB 773**, relating to surplus lines insurance regulations, was taken up by Representative Gosen.

On motion of Representative Gosen, **HCS HB 773** was adopted.

On motion of Representative Gosen, **HCS HB 773** was ordered perfected and printed.

**HCS HB 787**, relating to investment transactions, was taken up by Representative Wells.

Representative Wells offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 787, Page 11, Section 443.812, Line 25, by inserting after the words, “**modular homes**” the words, “**, mortgage loan brokers located in the Kansas City metropolitan area including the counties of Johnson, Leavenworth, and Wyandotte in the state of Kansas or mortgage loan brokers located in the Greater St. Louis metropolitan area including the counties of Madison, Monroe and St. Clair in the state of Illinois**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 1** was adopted.

On motion of Representative Wells, **HCS HB 787, as amended**, was adopted.

On motion of Representative Wells, **HCS HB 787, as amended**, was ordered perfected and printed.

**HCS HB 552**, relating to bleeding disorder therapies, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 552** was adopted.

On motion of Representative Molendorp, **HCS HB 552** was ordered perfected and printed.

**HCS HB 597**, relating to the Private Landowner Protection Act, was taken up by Representative Pollock.

Representative Smith (150) assumed the Chair.

On motion of Representative Pollock, **HCS HB 597** was adopted.

On motion of Representative Pollock, **HCS HB 597** was ordered perfected and printed.

**HCS HB 732**, relating to professional registration, was taken up by Representative Brandom.

Representative Frederick offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 732, Page 2, Section 195.453, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

**“of all schedule II, III, IV, and V controlled substances by all professionals”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 732, Pages 12-13, Section 334.099, Lines 1-58, by deleting all of said section and lines and inserting in lieu thereof the following:

**“334.099. 1. The board may initiate a hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances:**

**(1) The board shall serve notice pursuant to section 536.067 of the hearing at least fifteen days prior to the hearing. Such notice shall include a statement of the reasons the board believes there is reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances;**

**(2) For purposes of this section and prior to any hearing, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to the licensee or applicant without the licensee's or applicant's consent, upon issuance of a subpoena by the board. These data and records shall be admissible without further authentication by either board or licensee at any hearing held pursuant to this section.**

**(3) After a contested hearing before the board, and upon a showing of reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances, the board may require a licensee or applicant to submit to an examination. The board shall maintain a list of facilities approved to perform such examinations. The licensee or applicant may propose a facility not previously approved to the board and the board may accept such facility as an approved facility for such licensee or applicant by a majority vote;**

**(4) For purposes of this subsection, every licensee or applicant is deemed to have consented to an examination upon a showing of reasonable cause. The applicant or licensee shall be deemed to have waived all objections to the admissibility of testimony by the provider of the examination and to the admissibility of examination reports on the grounds that the provider of the examination's testimony or the examination is confidential or privileged;**

**(5) Written notice of the order for an examination shall be sent to the applicant or licensee by registered mail, addressed to the licensee or applicant at the licensee's or applicant's last known address on file with the board, or shall be personally served on the applicant or licensee. The order shall state the cause for the examination, how to obtain information about approved facilities, and a time limit for obtaining the examination. The licensee or applicant shall cause a report of the examination to be sent to the board;**

**(6) The licensee or applicant shall sign all necessary releases for the board to obtain and use the examination during a hearing and to disclose the recommendations of the examination as part of a disciplinary order;**

**(7) After receiving the report of the examination ordered in subdivision (3) of this subsection, the board may hold a hearing to determine if by a preponderance of the evidence the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason**

of mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances. If the board finds that the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or substance abuse, the board shall, after a hearing, enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of section 334.100; and

(8) The provisions of chapter 536 for a contested case, except those provisions or amendments which are in conflict with this section, shall apply to and govern the proceedings contained in this subsection and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence under chapter 536 relevant to the allegations.

2. Failure to submit to the examination when directed shall be cause for the revocation of the license of the licensee or denial of the application. No license may be reinstated or application granted until such time as the examination is completed and delivered to the board or the board withdraws its order.

3. Neither the record of proceedings nor the orders entered by the board shall be used against a licensee or applicant in any other proceeding, except for a proceeding in which the board or its members are a party or by any state or federal agency.

4. A licensee or applicant whose right to practice has been affected under this section shall, at reasonable intervals not to exceed twelve months, be afforded an opportunity to demonstrate that he or she can resume the competent practice of his or her profession or should be granted a license. The board may hear such motion more often upon good cause shown.

5. For purposes of this section, "examination" means a skills, multidisciplinary, or substance abuse evaluation."; and

Further amend said bill, Page 16, Section 334.100, Lines 103-106, by deleting all of said lines and inserting in lieu thereof the following:

**"(b) "Negligence", is:**

**a. The failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession, in the treatment of one or more patients where such failure causes damage to one or more patients; or**

**b. The failure, on one or more occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession, in the treatment of one or more patients where such failure causes serious and permanent injury;"**; and

Further amend said bill, Page 24, Section 334.102, Lines 93-94, by deleting all of said lines and inserting in lieu thereof the following:

**"2. The board shall hold a hearing to determine if probable cause exists.**

**(1) At least seven days but not more than fourteen days prior to the hearing, the board shall serve the licensee with notice of the hearing, including a statement of the facts alleged to give rise to the emergency suspension, the affidavits the board intends to rely on to prove such facts, the date of the hearing, and the licensee's right to present evidence via affidavit or by his or her own sworn testimony;**

**(2) Service may be by personal service or by leaving a copy of the notice at the last known address of the licensee on file with the board;**

**(3) At the hearing, the board shall receive into evidence and review any affidavits presented in proper form from either party and shall hear the sworn testimony of the licensee if offered;**

**(4) If the board determines that there is probable cause pursuant to subsection 1 of this section, the board may issue an emergency suspension or restriction.";** and

Further amend said page and section, Line 98, by deleting the semicolon ";" and inserting in lieu thereof a period "."; and

Further amend said page and section, Lines 99-101, by deleting all of said lines from the bill; and

Further amend said page and section, Lines 107-112, by deleting all of said lines and inserting in lieu thereof the following:

**“(3) The circuit court shall hear the appeal de novo and may modify or stay the emergency suspension or restriction.”; and**

Further amend said page and section, Line 117, by inserting after the word **“days”** the phrase **“of the effective date of the suspension issued pursuant to subsection 2 of this section”**; and

Further amend bill, Page 25, Section 334.102, Line 131, by deleting all of said line and inserting in lieu thereof the following:

**“8. If the court vacates the emergency suspension or in its final order the board rescinds the emergency suspension, the board shall remove all reference to such emergency suspension from its public records. Records relating to the suspension shall be maintained in the board files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written request of the licensee.**

**9. (1) The board may initiate a hearing before the board for discipline of any”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Frederick offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 732, Section 334.108, Page 26, Lines 16 to 20, and Page 27, Lines 21 and 22, by deleting all of said lines and inserting in lieu thereof the following:

**“2. The requirements of subsection 1 of this section may be satisfied by the prescribing physician’s designee when treatment is provided:**

- (1) In a hospital as defined in section 197.020;**
  - (2) In a hospice program as defined in section 197.250;**
  - (3) In a home health program as defined in section 197.400;**
  - (4) In accordance with a collaborative practice agreement as defined in section 334.104;**
  - (5) In conjunction with a physician assistant licensed pursuant to section 334.738;**
  - (6) In consultation with another physician who has an ongoing physician-patient relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications;**
- or**
- (7) In on-call or cross-coverage situations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Frederick, **House Amendment No. 3** was adopted.

**HCS HB 732, as amended,** was laid over.

**HOUSE BILL WITH SENATE AMENDMENTS**

**SS SCS HCS HB 45, as amended**, relating to small business tax relief, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **SS SCS HCS HB 45, as amended**, was adopted by the following vote:

AYES: 126

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Sater	Schad	Schatz	Schieber
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Swinger
Taylor	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 025

Anders	Atkins	Carlson	Carter	Ellinger
Hummel	Jones 63	Kirkton	May	McCann Beatty
McDonald	McGeoghegan	McNeil	Montecillo	Newman
Oxford	Pace	Pierson	Schupp	Smith 71
Still	Swearingen	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Conway 27	Kander	Ruzicka	Scharnhorst
Schneider	Stream	Talboy	Thomson	

VACANCIES: 003



On motion of Representative Hoskins, **SS SCS HCS HB 45, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Sater	Schad	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Swinger	Taylor	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 024

Atkins	Carlson	Carter	Ellinger	Hummel
Jones 63	Kirkton	May	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Oxford
Pace	Pierson	Schupp	Smith 71	Still
Swearingen	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Conway 27	Kander	Ruzicka	Scharnhorst
Schneider	Stream	Talboy	Thomson	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley resumed the Chair.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 423**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 161, as amended**, and has taken up and passed **HCS SB 161, as amended**.

### SIGNING OF SENATE BILL

All other business of the House was suspended while **HCS SB 161** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Jones (89), the House recessed until 6:45 p.m.

### EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

### CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 193

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Bill No. 193 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Bill No. 193;
2. That the House recede from its position on House Committee Substitute for House Bill No. 193;
3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ John Diehl  
/s/ Stanley Cox

FOR THE SENATE:

/s/ Scott Rupp  
/s/ Jason Crowell

/s/ Tom Loehner  
/s/ Penny Hubbard  
/s/ Jamilah Nasheed

/s/ Brad Lager  
/s/ Victor Callahan

Representative Jones (89) moved that Rule 57(c) be suspended for the purpose of taking up the Conference Committee Report on **SS HCS HB 193**.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCahterty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Sater	Schad	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Ellinger	Fallert
Harris	Hodges	Holsman	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Conway 27	Kander	Ruzicka	Scharnhorst
Schneider	Stream	Thomson		

VACANCIES: 003

**BILL IN CONFERENCE**

**CCR SS HCS HB 193**, relating to congressional districts, was taken up by Representative Diehl.

On motion of Representative Diehl, **CCR SS HCS HB 193** was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Sater	Schad
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Cauthorn	Ellinger	Fallert
Grisamore	Harris	Hodges	Holsman	Houghton
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	May	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Montecillo	Nance	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Conway 27	Kander	Ruzicka	Scharnhorst
Schneider	Stream	Thomson		

VACANCIES: 003

On motion of Representative Diehl, **CCS SS HCS HB 193** was read the third time and passed by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nasheed	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Sater	Schad	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 055

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Cauthorn	Ellinger	Fallert
Grisamore	Harris	Hodges	Holsman	Houghton
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	Lasater	May	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Montecillo	Nance	Newman	Nichols
Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Conway 27	Kander	Nolte	Ruzicka
Scharnhorst	Schneider	Stream	Thomson	

VACANCIES: 003

Speaker Tilley declared the bill passed.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HCS HB 193**, and has taken up and passed **CCS SS HCS HB 193**.

### RECESS

On motion of Representative Jones (89), the House recessed until such time as the Speaker signs **CCS SS HCS HB 193** or until 10:00 p.m., whichever comes first.

The hour of recess having expired, the House was called to order by Speaker Tilley.

### SIGNING OF HOUSE BILL

Representative Aull offered an objection to **CCS SS HCS HB 193** which was appended to the bill.

### LETTER OF OBJECTION

April 27, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
Missouri State Capitol  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Article III, Section 30, of the Missouri Constitution, I do hereby object to the constitutionality of **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193** on the grounds that the redrawn congressional districts, in particular the Fifth Congressional District, violate the compactness requirement of Article III, Section 45 of the Missouri Constitution.

Please note said objection in the House Journal and annex it to **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193** to be considered by the Governor in connection therewith as mandated by Article III, Section 30.

Sincerely,

/s/ Representative Joe Aull  
26th District

All other business of the House was suspended while **CCS SS HCS HB 193** was read at length and was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SS HCS HB 193** was delivered to the Governor by the Chief Clerk of the House.

## **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 53** - Transportation

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HCS HJR 16** - Fiscal Review (Fiscal Note)

**HJR 27** - Fiscal Review (Fiscal Note)

## **COMMITTEE REPORTS**

**Committee on Elementary and Secondary Education**, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 54**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on General Laws**, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 61**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HR 1826**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **HOUSE RESOLUTION NO. 1826**

WHEREAS, the life-affirming impact of pregnancy resource centers and maternity homes on women, families, and the communities they serve is considerable and growing, and pregnancy resource centers and maternity homes serve with integrity and compassion; and

WHEREAS, more than 65 pregnancy resource centers and maternity homes throughout Missouri provide care to women and their families facing unplanned pregnancies, including resources to meet their physical, psychological, emotional, and spiritual needs; and

WHEREAS, according to the Missouri Department of Social Services, in fiscal year 2010, Missouri's pregnancy resource centers and maternity homes served about 38,000 clients, with services which include free pregnancy tests; baby and maternity clothing; diapers; childbirth, parenting, GED, budgeting, and job training classes; housing; ultrasound services; and

WHEREAS, many pregnancy resource centers and maternity homes offer twenty-four hour telephone hotlines; information on adoption and adoption counseling; referrals to community, health care, and other support services, in addition to other prenatal services that lead to the birth of healthy infants; and

WHEREAS, pregnancy resource centers and maternity homes encourage pregnant women to make positive life choices by equipping them with complete and accurate information regarding their pregnancy options and the development of their unborn children; and

WHEREAS, pregnancy resource centers and maternity homes provide women with compassionate and confidential counseling in a nonjudgmental manner regardless of their pregnancy outcomes, as well as providing abstinence education, domestic violence information, and relationship counseling; and

WHEREAS, many pregnancy resource centers and maternity homes provide grief assistance for women who regret the loss of a child from past choices they made or the circumstances they were placed in; and

WHEREAS, pregnancy resource centers and maternity homes operate primarily through the voluntary donations and time of caring individuals, as well as the support of churches, who are committed to caring for the needs of women and their families and promoting and protecting life:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby support the work of pregnancy resource centers and maternity homes in this state and acknowledge their outstanding service to women and families in Missouri in providing holistic life changing services beyond the state's ability.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SB 65**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SB 118**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 177**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SB 90**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 237**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.



**Committee on Professional Registration and Licensing**, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 325**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 48**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 707**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 999**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 57**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 83**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 96**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 145**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 165**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 83**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 109**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 136**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 142**, entitled:

An act to repeal sections 55.030 and 475.115, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9 and Senate Amendment No. 10.

### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 142, Pages 2-3, Section 488.070, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

### *Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

**"67.319. 1. If approved by a majority of the voters voting on the proposal, any city, town, or village located within this state may, by ordinance, levy and impose annually, upon water service lines providing water service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, or village, a fee not to exceed one dollar per month or twelve dollars annually.**

**2. The ballot of submission shall be in substantially the following form:**

**For the purpose of repair or replacement of water lines extending from the water main to a residential dwelling due to failure of the line, shall ..... (city, town, or village) be authorized to impose a fee not to exceed one dollar per month or twelve dollars annually on residential property for each water service line providing water service within the (city, town, or village) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary water service line repairs or replacements?**

☐ YES

☐ NO

**3. For the purpose of this section, a water service line may be defined by local ordinance, but may not include the water meter or exceed that portion of water piping and related valves and connectors which extends from the water mains owned by the utility or municipality distributing public water supply to the first opportunity for a connection or joint beyond the point of entry into the premises receiving water service, and may not include facilities owned by the utility or municipality distributing public water supply. For purposes of this section, repair may be defined and limited by local ordinance, and may include replacement or repairs.**

**4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1 of this section, the governing body of the city, town, or village may enact an ordinance for the collection of such fee. The**

funds collected under such ordinance shall be deposited in a special account to be used solely for the purpose of paying for the reasonable costs associated with and necessary to administer and carry out the water service line repairs as defined in the ordinance and, if sufficient revenues are available, to reimburse the necessary costs of water service line repair or replacement. All interest generated on deposited funds shall be accrued to the special account established for the repair of water service lines.

5. The city, town, or village may establish, as provided in the ordinance, regulations necessary for the administration of collections, claims, repairs, replacements and all other activities necessary and convenient for the implementation of any ordinance adopted and approved under this section. The city, town, or village may administer the program or may contract with one or more persons, through a competitive process, to provide for administration of any portion of implementation activities of any ordinance adopted and approved under this section, and reasonable costs of administering the program may be paid from the special account established under this section.

6. Notwithstanding any other provision of law to the contrary, the collector in any city, town, village or county that adopts an ordinance pursuant to this section, who now or hereafter collects any fee to provide for, ensure or guarantee the repair of water service lines, may add such fee to the general tax levy bills of property owners within the city, town, village or unincorporated area of the county. All revenues received on such combined bill which are for the purpose of providing for, ensuring or guaranteeing the repair of water service lines, shall be separated from all other revenues so collected and credited to the appropriate fund or account of the city, town, village or county. The collector of the city, town, village or county may collect such fee in the same manner and to the same extent as the collector now or hereafter may collect delinquent real estate taxes and tax bills."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

**"67.451. Any city in which voters have approved fees to recover costs associated with enforcement of municipal housing, property maintenance, or nuisance ordinances may issue a special tax bill against the property where such ordinance violations existed. The officer in charge of finance shall cause the amount of unrecovered costs to be included in a special tax bill or added to the annual real estate tax bill for the property at the collecting official's option, and the costs shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by laws governing delinquent and back taxes. The tax bill shall be deemed a personal debt against the owner from the date of issuance, and shall also be a lien on the property until paid. Notwithstanding any provision of the city's charter to the contrary, the city may provide, by ordinance, that the city may discharge the special tax bill upon a determination by the city that a public benefit will be gained by such discharge, and such discharge shall include any costs of tax collection, accrued interest, or attorney fees related to the special tax bill.";** and

Further amend said bill and page, Section 475.115, Line 19, by inserting after all of said line the following:

**"479.011. 1. (1) The following cities may establish an administrative adjudication system under this section:**

- (a) Any city not within a county [or];**
- (b) Any home rule city with more than four hundred thousand inhabitants and located in more than one county;**

**and**

**(c) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.**

**(2) The cities listed in subdivision (1) of this subsection may establish, by order or ordinance, an administrative system for adjudicating housing, property maintenance, nuisance, parking, and other civil, nonmoving municipal code violations consistent with applicable state law. Such administrative adjudication system shall be subject to practice, procedure, and pleading rules established by the state supreme court, circuit court, or municipal court. This**

section shall not be construed to affect the validity of other administrative adjudication systems authorized by state law and created before August 28, 2004.

2. The order or ordinance creating the administrative adjudication system shall designate the administrative tribunal and its jurisdiction, including the code violations to be reviewed. The administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance and in a manner consistent with state law. The administrative tribunal shall adopt policies and procedures for administrative hearings, and filing and notification requirements for appeals to the municipal or circuit court, subject to the approval of the municipal or circuit court.

3. The administrative adjudication process authorized in this section shall ensure a fair and impartial review of contested municipal code violations, and shall afford the parties due process of law. The formal rules of evidence shall not apply in any administrative review or hearing authorized in this section. Evidence, including hearsay, may be admitted only if it is the type of evidence commonly relied upon by reasonably prudent persons in the conduct of their affairs. The code violation notice, property record, and related documentation in the proper form, or a copy thereof, shall be prima facie evidence of the municipal code violation. The officer who issued the code violation citation need not be present.

4. An administrative tribunal may not impose incarceration or any fine in excess of the amount allowed by law. Any sanction, fine or costs, or part of any fine, other sanction, or costs, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under chapter 536 shall be a debt due and owing the city, and may be collected in accordance with applicable law.

5. Any final decision or disposition of a code violation by an administrative tribunal shall constitute a final determination for purposes of judicial review. Such determination is subject to review under chapter 536 or, at the request of the defendant made within ten days, a trial de novo in the circuit court. After expiration of the judicial review period under chapter 536, unless stayed by a court of competent jurisdiction, the administrative tribunal's decisions, findings, rules, and orders may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Upon being recorded in the manner required by state law or the uniform commercial code, a lien may be imposed on the real or personal property of any defendant entering a plea of nolo contendere, pleading guilty to, or found guilty of a municipal code violation in the amount of any debt due the city under this section and enforced in the same manner as a judgment lien under a judgment of a court of competent jurisdiction. **The city may also issue a special tax bill to collect fines issued for housing, property maintenance, and nuisance code violations.**"; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

**"67.314. 1. The provisions of this section shall apply to contracts for construction awarded by political subdivisions of the state of Missouri and shall be known as the "Political Subdivision Construction Bidding Standards Act".**

**2. Any political subdivision of the state authorizing the construction of facilities which may exceed an expenditure of twenty-five thousand dollars shall publicly advertise:**

**(1) Through publication in a central repository developed by the office of administration, or a private firm under contract with the office of administration, at no cost to the state;**

**(2) On the political subdivision's website, so long as it has a link to the office of administration's central repository;**

**(3) In a newspaper of general circulation located within the same county as the political subdivision is located, or in an adjoining county if there is no newspaper in the same county, for once a week for two consecutive weeks; or**

**(4) Through publication, at no cost to the political subdivision, in a central repository developed by an organization representing political subdivisions. The organization may charge appropriate fees for access to bid solicitations.**

**3. The political subdivision may, in addition to advertising in the manner described in subsection 2 of this section, also advertise in business, trade, or minority newspapers.**

**4. For purposes of this section, the term "construction of facilities" shall mean the construction, alteration, or repair of any structure, including but not limited to buildings, highways, bridges, streets, viaducts,**

water or sewer lines or systems, or pipelines. The term shall include any demolition, moving, or excavation connected therewith, and the furnishing of surveying, construction engineering, planning or management services, or labor, material, or equipment, as required to perform work under the contract for construction.

5. Nothing in this section shall be construed to require the design or engineering of any project, as the term "project" is defined in section 8.287, to be awarded by competitive bidding if the contract for such services is under a separate contract from the contract for construction and is awarded under sections 8.285 to 8.291, or to construction management services governed by sections 8.675 to 8.687. Neither shall this section be construed to apply to contracts awarded for the "design/build" method of project delivery, if the political subdivision's procurement of "design/build" projects is otherwise authorized by law, local charter, ordinance, order, or resolution. The advertising requirements contained in this section shall not apply when a political subdivision has publicly stated, in writing, that because of the unique nature or limited availability of material, equipment, or skills for a construction project of the type described in subsection 2 of this section, the political subdivision is using a sole source method to award a construction contract. Nothing in this subsection shall be construed to relieve the political subdivision from the requirement to seek and obtain a bid from the company or firm to whom the contract will be awarded.

6. The provisions of this section shall not apply to any political subdivision required to advertise, solicit, award, and reject bids in compliance with:

(1) Other Missouri statutes, state rules, and federal and state funding requirements applicable to the specific political subdivision which are in effect on August 28, 2011, or as such requirements may be enacted or amended; or

(2) Any provision of a local charter, ordinance, order, resolution, or policy applicable to the specific political subdivision which is in effect or which is subsequently adopted by the political subdivision after August 28, 2011, as long as such state or local provisions require the political subdivision to meet equivalent or stricter competitive bidding requirements for construction as are contained in this section.

7. No bids shall be entertained by a political subdivision which are not made in accordance with the specifications furnished by the political subdivision and all contracts shall be awarded to the lowest and best bidder complying with the terms of the letting, provided that the political subdivision shall have the right to reject any and all bids.

8. All bidding shall conform to the following procedures:

(1) No bid shall be opened: in advance of the advertised deadline for submission of bids; or in a place other than that specified in the original solicitation of bids or in an amendment to the solicitation communicated in advance to all known bidders;

(2) No bid shall be accepted unless it is sealed and is in writing. If the letting of the project for which bids were solicited is cancelled, bids shall be returned to the bidders unopened;

(3) No bid shall be accepted after the advertised deadline for acceptance of bids;

(4) All bids received shall be held secure and confidential from all persons until the bids are opened pursuant to subdivision (1) of this subsection. Bids shall only be opened in public;

(5) Nothing in this section shall be construed to prohibit acceptance and processing of bids through an established program of electronic bidding by computer, provided bids accepted and processed electronically shall meet standards of confidentiality comparable to requirements for written bids established by this section.

9. Failure of the political subdivision to follow any of the procedures described in this section shall result in the contract being voided and the political subdivision shall rebid the contract in accordance with the provisions of this section.

10. Any person who would have submitted a bid except for failure of the political subdivision to advertise the contract pursuant to this section shall have standing to seek equitable relief in a court of competent jurisdiction within fifteen business days of the date the political subdivision opened the bids for the contract, but the only remedy that may be imposed by the court is ordering the contract to be rebid.

11. Nothing in this section shall be construed to require acceptance of a bid which exceeds the amount estimated by the political subdivision for the contract, nor shall anything in this section prohibit a political subdivision from awarding contracts without competitive bidding when the political subdivision deems it necessary to remove an immediate danger to the public health or safety, to prevent loss to public or private property which requires government action, or to prevent an interruption of or to restore an essential public service, however, the political subdivision shall produce a written public record documenting the need to contract for such services without competitive bidding."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND Senate Committee Substitute for House Bill No. 142, Page 1, Section A, Line 3, by inserting after all of said line the following:

"50.622. Any county may amend the annual budget during any fiscal year in which the county receives additional funds **or a decrease in funds**, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 8*

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

"67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 9*

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting after all of said line the following:

"162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. Except as otherwise provided in subsection 4 of this section, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

**5. In any school district in any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants, candidates for school board election in which more than one seat on the school board is open, shall declare their candidacy for a particular seat on the school board. When more than one seat is open, the election authority shall designate the open seats by letter so that the candidates for the school board are required to run for a particular seat that is so designated. The declaration of candidacy for a particular seat shall be made in accordance with the procedures of section 162.281. Candidates shall also be nominated for a designated seat by petition in accordance with section 162.491."; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 10*

AMEND Senate Committee Substitute for House Bill No. 142, Page 2, Section 55.030, Line 31, by inserting immediately after said line the following:

"90.101. **1. Notwithstanding any law to the contrary, the board of commissioners of Tower Grove Park shall have the authority to adjust the size of its membership, provided that any such adjustment shall be approved by a majority vote of the board members.**

**2. Notwithstanding any law to the contrary, in case of any vacancy occurring in the membership of the board of commissioners of Tower Grove Park from death, resignation, or disqualification to act, the vacancy shall be filled by appointment from the remaining members of the board, or a majority of them, for the balance of the term then vacant, and all vacancies caused by the expiration of the term of office shall be filled by appointment from the judges of the supreme court of the state of Missouri, or a majority of them or if said judges are unable or unwilling to so act, which shall be presumed by their failure to act within thirty days following delivery to the court of a slate of appointees, by the majority vote of the remaining board members.";** and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 149**, entitled:

An act to repeal section 143.1004, RSMo, and to enact in lieu thereof one new section relating to the Missouri military family relief fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 186**, entitled:

An act to repeal section 51.050, RSMo, and to enact in lieu thereof three new sections relating to county officers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 217**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 220**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 465**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 550**.



The following member's presence was noted: Colona.

### **ADJOURNMENT**

On motion of Speaker Tilley, the House adjourned until 10:00 a.m., Thursday, April 28, 2011.

### **COMMITTEE MEETINGS**

#### **CONFERENCE COMMITTEE**

Monday, May 2, 2011, 10:00 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

#### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, April 28, 2011, 12:00 PM House Hearing Room 3.

Public hearing will be held: SS SB 238, SS#2 SCS SB 320

Executive session may be held on any matter referred to the committee.

#### **DOWNSIZING STATE GOVERNMENT**

Thursday, April 28, 2011, House Hearing Room 4 upon afternoon adjournment.

Public hearing will be held: SJR 10, SCS SB 323

Executive session will be held: SJR 10, SCS SB 323

Executive session may be held on any matter referred to the committee.

#### **ELECTIONS**

Thursday, April 28, 2011, 9:30 AM House Hearing Room 7.

Public hearing will be held: SCS SB 270, SS SB 9

Executive session will be held: SCS SB 270

Executive session may be held on any matter referred to the committee.

#### **FISCAL REVIEW**

Thursday, April 28, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee

#### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 28, 2011, 9:00 AM House Hearing Room 1.

2<sup>nd</sup> Quarter Meeting

**LOCAL GOVERNMENT**

Monday, May 2, 2011, upon evening adjournment.

Committee dinner only

**RURAL COMMUNITY DEVELOPMENT**

Thursday, April 28, 2011, House Hearing Room 1 upon morning adjournment.

Executive session will be held: SS SB 360

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HCR 53, SCS SBs 26 & 106

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS**

Thursday, April 28, 2011, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 819, HB 1009

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTY-THIRD DAY, THURSDAY, APRIL 28, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 138 - Thomson
- 12 HB 491 - Diehl
- 13 HB 364 - Parkinson
- 14 HCS HB 742 - Wyatt

- 15 HCS HB 212 - Thomson
- 16 HCS HB 613 - Holsman
- 17 HB 686 - Richardson
- 18 HCS HB 688 - Pollock
- 19 HCS HB 716 - Wyatt
- 20 HCS HB 732, as amended - Brandom
- 21 HB 741 - Bernskoetter
- 22 HCS HB 811 - Talboy
- 23 HCS HB 893 - Richardson
- 24 HB 924 - Nolte
- 25 HCS HBs 504, 505 & 874 - Diehl
- 26 HB 658 - Schatz
- 27 HCS HB 707 - Brown (50)
- 28 HCS HB 999 - Schad

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HJR 27, (Fiscal Review 4-27-11) - Brattin
- 2 HCS HJR 16, (Fiscal Review 4-27-11) - Dugger

#### **HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HCS HB 17 - Silvey
- 2 HCS HB 18 - Silvey
- 3 HCS HB 21 - Silvey
- 4 HCS HB 22 - Silvey

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller
- 3 HCS HB 773, E.C. - Gosen
- 4 HCS HB 787 - Wells
- 5 HCS HB 552 - Molendorp
- 6 HCS HB 597 - Pollock

## **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Pollock

## **SENATE JOINT RESOLUTIONS FOR THIRD READING**

HCS#2 SJR 2, (Fiscal Review 4-26-11) - Cox

## **SENATE BILLS FOR THIRD READING**

- 1 HCS#2 SB 3, (Fiscal Review 4-26-11) - Diehl
- 2 HCS SS#2 SCS SB 8 - Fisher
- 3 SS SB 55 - Day
- 4 HCS SS SCS SB 58 - Denison
- 5 SB 101 - Nance
- 6 HCS SS SB 135, E.C. - Jones (89)
- 7 HCS SCS SB 163 - Thomson
- 8 HCS SB 173 - Cierpiot
- 9 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 10 HCS SCS SB 219 - Wells
- 11 HCS SB 220 - Diehl
- 12 HCS SB 282 - Dugger
- 13 SS SB 306 - Wells
- 14 HCS SCS SB 366 - Diehl
- 15 HCS SCS SB 57 - Gatschenberger
- 16 SB 83 - Wells
- 17 HCS#2 SB 96 - Fitzwater
- 18 HCS SB 145 - Gatschenberger
- 19 SB 165 - Cox

## **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HBs 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2 - Silvey
- 2 SCS HCS HB 3 - Silvey
- 3 SCS HCS HB 4 - Silvey
- 4 SCS HCS HB 5 - Silvey
- 5 SCS HCS HB 6 - Silvey
- 6 SCS HCS HB 7, as amended - Silvey
- 7 SCS HCS HB 8 - Silvey
- 8 SCS HCS HB 9 - Silvey
- 9 SCS HCS HB 10 - Silvey
- 10 SCS HCS HB 11 - Silvey
- 11 SCS HCS HB 12 - Silvey
- 12 SCS HCS HB 13 - Silvey

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTY-THIRD DAY, THURSDAY, APRIL 28, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Love bears all things, believes all things, hopes all things, endures all things. (I Corinthians 13:7)*

O God, fount of all that is good and true and beautiful, Whose love endures forever, we thank You for the reverence which lifts our hearts to what is real, and for the love of home that reflects Your gracious spirit. Bless, we pray You, those whom You have brought together. May our consecration be beautiful and everlasting.

We invoke Your blessing upon our labors this day that we may help to build a better world in which men and women can live together in peace and good will and in which their children may grow into fuller manhood and finer womanhood. Teach us that only through love can we begin to perceive the divine mysteries of life and the true glory of our relationships.

Blest be the tie that binds our hearts in steadfast love; the fellowship of kindred minds is like to that which is above. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelsey Lehmen and Nya Christina Brent.

The Journal of the sixty-second day was approved as corrected.

Speaker Pro Tem Schoeller assumed the Chair.

## SPECIAL RECOGNITION

The family of the late Lloyd Presley, founder of Presleys' Country Jubilee, Branson, Missouri, was introduced by Representative Denison. Mr. Presley was recognized as an Outstanding Missourian.

Speaker Tilley resumed the Chair.

Julie Mealy, Computer Information Technologist III, was introduced by Representative Riddle and presented a resolution acknowledging her retirement after 29 years of service to the Missouri House of Representatives.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2791 through House Resolution No. 2841

## SIGNING OF HOUSE BILLS

Having been duly signed in open session of the Senate, **HCS HB 1**, **SS SCS HCS HB 14**, **HB 15**, **HB 182**, **HCS HB 354**, **HCS HB 557**, **HB 749** and **HB 795** were delivered to the Governor by the Chief Clerk of the House on April 26, 2011.

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 16** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 27** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SJR 2** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 3** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF SENATE BILL

**HCS SCS SB 366**, relating to the Cooperative Associations Act, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 366, Page 4, Section 351.409, Line 19, by inserting after the words "**under the law**" the words "**of this state or**"; and

Further amend said bill, Page 5, Section 351.409, Line 61, by deleting the words "**to non-Missouri entity**"; and

Further amend said bill, Page 5, Section 351.409, Line 62, by deleting the words "**to non-Missouri entity**"; and

Further amend said bill, Page 5, Section 351.409, Line 68, by deleting the words "**out of the state of Missouri**"; and

Further amend said bill, Page 5, Section 351.409, Line 69, by deleting the words "**out of the state of Missouri**"; and

Further amend said bill, Page 5, Section 351.409, Line 71, by deleting the words "**to non-Missouri entity**"; and

Further amend said bill, Page 6, Section 351.409, Line 111, by inserting after all of said line the following:

- "351.658. Except as otherwise provided in this chapter, the secretary of state shall charge and collect for:
- (1) Filing application for reservation of a corporate name, twenty dollars;
  - (2) Filing amendment to articles of incorporation or certificate of authority and issuing a certificate of amendment or amended certificate of authority, twenty dollars;
  - (3) Filing articles of merger or consolidation, twenty-five dollars plus five dollars for each merging or consolidating Missouri corporation or foreign corporation authorized to do business in Missouri over two in number;
  - (4) Filing articles of dissolution, twenty dollars; filing articles of liquidation, twenty dollars;
  - (5) Filing of revocation of articles of dissolution, twenty dollars;
  - (6) Filing of restated articles of incorporation, twenty dollars;
  - (7) Filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal, twenty dollars;
  - (8) Filing statement of change of address of registered office or change of registered agent, or both, five dollars;
  - (9) Filing resignation of registered agent, five dollars;
  - (10) Certified copy of corporate record, in a written format fifty cents per page plus five dollars for certification, or in an electronic format five dollars for certification and copies;
  - (11) Furnishing certificate of corporate existence, five dollars;
  - (12) Furnishing certificate--others, twenty dollars;
  - (13) Filing evidence of merger by a foreign corporation, twenty dollars plus one dollar for each additional foreign corporation authorized to do business in Missouri over two;
  - (14) Filing evidence of dissolution by a foreign corporation, twenty dollars;
  - (15) **Filing certificate of conversion to a corporation under section 351.408, fifty-three dollars;**
  - (16) **Filing certificate of conversion from a corporation under section 351.409, fifty dollars."**; and

Further amend said bill, Page 11, Section 351.1021, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

**"351.1021. Upon notification that a filing by a cooperative has been made in error and receipt of a court order directing him or her to do so, the secretary of state shall revoke the erroneous filing and authorize a"; and**

Further amend said bill, Page 65, Section 351.1225, Line 3, by inserting after all of said line the following:

**"351.1227. The secretary of state shall have further power and authority as is reasonably necessary to enable the secretary of state to administer this chapter efficiently and to perform the duties therein imposed upon the secretary of state. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void."**; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson



## 1667 *Journal of the House*

Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Reiboldt	Richardson	Riddle	Rowland
Sater	Schad	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Jones 63	Kander	Redmon	Ruzicka
Scharnhorst				

VACANCIES: 003

On motion of Representative Diehl, **HCS SCS SB 366, as amended**, was adopted.

On motion of Representative Diehl, **HCS SCS SB 366, as amended**, was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher

Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Carlson	Kander	Oxford	Smith 71	Spreng
Still				

PRESENT: 000

ABSENT WITH LEAVE: 008

Cookson	Ellinger	Franklin	Funderburk	Jones 63
McGhee	Ruzicka	Scharnhorst		

VACANCIES: 003

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

### THIRD READING OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 17**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 17** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot

## 1669 *Journal of the House*

Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Sater	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 50	Cox	Dieckhaus	Funderburk	Holsman
Jones 63	Loehner	McGhee	Riddle	Ruzicka
Schad	Scharnhorst	Mr Speaker		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 18**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 18** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger

Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Hubbard	Hughes	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Sater	Schad
Schatz	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 015

Bahr	Brattin	Cookson	Curtman	Dugger
Fuhr	Hinson	Houghton	Koenig	Lasater
Marshall	Parkinson	Pollock	Schieber	Smith 150

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Dieckhaus	Funderburk	Jones 63	Loehner
McGhee	Ruzicka	Scharnhorst	Schneider	

VACANCIES: 003

**Speaker Pro Tem Schoeller** declared the bill passed.

**HCS HB 21**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 21** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Higdon	Hinson	Hodges

## 1671 *Journal of the House*

Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Dieckhaus	Funderburk	Haefner	Holsman	Jones 63
Loehner	McGhee	Nasheed	Ruzicka	Scharnhorst

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 22**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 22** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer

Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Dieckhaus	Funderburk	Holsman	Jones 63	McDonald
McGhee	Nasheed	Ruzicka	Scharnhorst	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HCS HB 773**, relating to surplus lines insurance regulations, was taken up by Representative Gosen.

On motion of Representative Gosen, **HCS HB 773** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer

## 1673 *Journal of the House*

Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 002

Molendorp	Wieland
-----------	---------

ABSENT WITH LEAVE: 007

Dieckhaus	Funderburk	Jones 63	Lant	McGhee
Ruzicka	Scharnhorst			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson

Riddle	Rizzo	Rowland	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 002

Molendorp                Wieland

ABSENT WITH LEAVE: 010

Barnes	Dieckhaus	Elmer	Funderburk	Jones 63
Lant	McGhee	McNary	Ruzicka	Scharnhorst

VACANCIES: 003

**HCS HB 787**, relating to investment transactions, was taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 787** was read the third time and passed by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Harris	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Riddle	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Spreng	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			



## 1675 *Journal of the House*

NOES: 032

Anders	Atkins	Carlson	Carter	Colona
Haefner	Higdon	Holsman	Hughes	Hummel
Kander	Lasater	Marshall	May	McCann Beatty
McGeoghegan	McManus	McNeil	Montecillo	Newman
Oxford	Peters-Baker	Pierson	Rizzo	Schupp
Smith 71	Solon	Still	Talboy	Walton Gray
Webb	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 011

Dieckhaus	Elmer	Funderburk	Jones 63	Lant
McGhee	Reiboldt	Richardson	Ruzicka	Scharnhorst
Schneider				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS HB 552**, relating to bleeding disorder therapies, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 552** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dugger	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Peters-Baker	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford

Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 005

Bahr	Burlison	Curtman	Koenig	Parkinson
------	----------	---------	--------	-----------

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 013

Conway 14	Dieckhaus	Diehl	Elmer	Funderburk
Hughes	Jones 63	Lant	McGhee	Pollock
Riddle	Ruzicka	Scharnhorst		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF HOUSE JOINT RESOLUTION

**HCS HJR 16**, relating to initiative and referendum petitions, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HJR 16** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Sater
Schad	Schatz	Schieber	Schieffer	Schneider

## 1677 *Journal of the House*

Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 004

Asbury	Cookson	Marshall	May
--------	---------	----------	-----

PRESENT: 000

ABSENT WITH LEAVE: 012

Cox	Dieckhaus	Funderburk	Hughes	Jones 63
Kander	Lant	McGhee	Parkinson	Ruzicka
Scharnhorst	Talboy			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF HOUSE BILL

**HCS HB 597**, relating to the Private Landowner Protection Act, was taken up by Representative Pollock.

On motion of Representative Pollock, **HCS HB 597** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Sater	Schad

Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Cauthorn	Fisher	Houghton	Hughes	Klippenstein
----------	--------	----------	--------	--------------

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Cox	Dieckhaus	Funderburk	Jones 63
Kander	Lant	McGhee	Parkinson	Ruzicka
Scharnhorst				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF HOUSE JOINT RESOLUTION

**HJR 27**, relating to the right to bear arms, was taken up by Representative Brattin.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Lair	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Sater	Schad	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

## 1679 *Journal of the House*

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Kander	Kelly 24
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 012

Cox	Dieckhaus	Frederick	Funderburk	Jones 63
Lant	Nolte	Phillips	Ruzicka	Scharnhorst
Schatz	Wright			

VACANCIES: 003

On motion of Representative Brattin, **HJR 27** was read the third time and passed by the following vote:

AYES: 114

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Lair
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Nichols	Parkinson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 035

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Nasheed	Newman	Oxford
Pace	Peters-Baker	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 011

Cox	Dieckhaus	Frederick	Funderburk	Jones 63
Lant	Nolte	Phillips	Ruzicka	Scharnhorst
Wright				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

Representative Stream assumed the Chair.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 204**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 339**, entitled:

An act to repeal section 392.460, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

With Senate Amendment No. 1.

#### *Senate Amendment No. 1*

AMEND Senate Substitute for House Bill No. 339, Page 4, Section 392.460, Lines 24-28 of said page, by striking all of said lines and inserting in lieu thereof the following:

**"providing local voice service there, and either:**

**(1) The owner or developer requests in writing that the local exchange carrier make local voice service available to occupants of the real property and the owner or developer confirms in writing that all conditions described in subsections 3 and 5 of this section have ceased to exist at the property; or**

**(2) A petition is submitted to the local exchange carrier by at least fifty percent plus one of the residents of the real property requesting that the local exchange carrier make local voice service available to the residents and the petition confirms in writing that all conditions described in subsections 3 and 5 of this section have ceased to exist at the property;**

**the carrier of last resort obligation under this section shall again"; and**

Further amend said bill and section, Page 5, Line 1 of said page, by striking all of said line; and

Further amend Lines 17-19 of said page, by striking all of said lines and inserting in lieu thereof the following:

**"carrier shall have a reasonable period of time, but not to exceed one hundred eighty days, following the request or petition under this subsection to provide local voice service.";** and

Further amend said bill and section, Page 7, Line 22 of said page, by inserting after the word "and" the following:

**"the portion of";** and

Further amend Line 24 of said page, by inserting after the word "county" the following:

**"that is located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants";** and

Further amend said bill and section, Page 8, Lines 1-8 of said page, by striking all of said lines; and renumbering the remaining subsection accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 68, as amended**, and requests the House to recede from its position and take up and pass **SCS SB 68**.

## HOUSE BILL WITH SENATE AMENDMENTS

**SS HB 339, as amended**, relating to telecommunications, was taken up by Representative Pollock.

On motion of Representative Pollock, **SS HB 339, as amended**, was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Carter	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Lair	Lampe	Largent	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Pace	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Schad	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon

Stream	Talboy	Thomson	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 041

Anders	Atkins	Aull	Black	Carlson
Casey	Conway 27	Ellinger	Fallert	Harris
Hodges	Hughes	Hummel	Kander	Kirkton
Kratky	Loehner	May	McCann Beatty	McDonald
McGeoghegan	McManus	Meadows	Montecillo	Newman
Nichols	Oxford	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Webber				

PRESENT: 001

Taylor

ABSENT WITH LEAVE: 015

Cox	Dieckhaus	Franz	Funderburk	Jones 63
Koenig	Lant	Lasater	McNeil	Phillips
Ruzicka	Sater	Scharnhorst	Torpey	Wright

VACANCIES: 003

On motion of Representative Pollock, **SS HB 339, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Carter	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Korman	Lair	Lampe
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Pace	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Schad	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Talboy	Thomson	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	



## 1683 *Journal of the House*

NOES: 039

Anders	Atkins	Aull	Black	Carlson
Casey	Ellinger	Fallert	Harris	Hodges
Hughes	Hummel	Kander	Kirkton	Kratky
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Webber	

PRESENT: 001

Taylor

ABSENT WITH LEAVE: 021

Conway 27	Cox	Dieckhaus	Franz	Funderburk
Hampton	Higdon	Jones 63	Kelly 24	Koenig
Lant	Lasater	Nolte	Phillips	Ruzicka
Sater	Scharnhorst	Schatz	Swinger	Torpey
Wright				

VACANCIES: 003

Representative Stream declared the bill passed.

### **BILL CARRYING REQUEST MESSAGE**

**HCS SCS SB 68, as amended**, relating to powers of the general assembly, was taken up by Representative Diehl.

Representative Diehl moved that the House recede from its position on **HCS SCS SB 68, as amended**, and truly agree to and finally pass **SCS SB 68**.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hinson	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Korman	Lair	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Schad	Schatz	Schieber	Schneider

Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Fallert	Harris	Hodges	Holsman	Hughes
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 116	Conway 27	Cox	Dieckhaus	Franz
Funderburk	Hampton	Higdon	Jones 63	Koenig
Lant	Lasater	Meadows	Phillips	Ruzicka
Sater	Scharnhorst	Wallingford		

VACANCIES: 003

Representative Stream declared the bill passed.

## COMMITTEE REPORTS

**Committee on Crime Prevention and Public Safety**, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SB 238**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS#2 SCS SB 320**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 270**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Elementary and Secondary Education**, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 147**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 243**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 290**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was returned **HB 889**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rural Community Development**, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **SS SB 360**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 70**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 73 & 47**, entitled:

An act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

With Senate Substitute Amendment No. 2 for Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 2 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, Senate Amendment No. 5 and Senate Amendment No. 6.

*Senate Substitute Amendment No. 2  
for  
Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Section 208.027, Lines 5-7, by striking all of said lines and inserting in lieu thereof the following:

**"develop a program to screen each applicant or recipient who is otherwise eligible for temporary assistance for needy families benefits under this chapter, and then test, using a urine dipstick five panel test, each one who the department has".**

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Section 208.027, Line 12 of said page, by inserting after the word "provider," the following:

**"or who refuses to submit to a test,".**

*Senate Amendment No. 1  
to  
Senate Amendment No. 3*

AMEND Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Line 5, by inserting after the word "recipient" the following:

**"and shall expire and be subject to renewal after a period of three years".**

*Senate Amendment No. 2  
to  
Senate Amendment No. 3*

AMEND Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Line 5, by inserting after the word "recipient" the following:

**"or protective payee authorized to use the card".**

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 2, Section 208.027, Line 21, by inserting after all of said line the following:

**"Section 1. All electronic benefits cards distributed to recipients of temporary assistance for needy families benefits shall have imprinted on the card a photograph of the recipient. The card shall not be accepted for use by a retail establishment if the photograph of the recipient does not match the person presenting the card."; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 2, Section 208.027, Line 8, by inserting after all of said line the following:

**"2. Case workers of applicants or recipients shall be required to report or cause a report to be made to the children's division in accordance with the provisions of sections 210.109 to 210.183 for suspected child abuse as a result of drug abuse in instances where the case worker has knowledge that:**

- (1) An applicant or recipient has tested positive for the illegal use of a controlled substance; or
- (2) An applicant or recipient has refused to be tested for the illegal use of a controlled substance.
3. Other members of a household which includes a person who has been declared ineligible for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive temporary assistance for needy families benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household."; and

Further renumber the remaining subsection accordingly.

*Senate Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 73 & 47, Page 2, Section 208.027, Line 3, by inserting after the word "decision" the following:

"unless such applicant or recipient, after having been referred by the department, enters and successfully completes a substance abuse treatment program and does not test positive for illegal use of a controlled substance in the six-month period beginning on the date of entry into such rehabilitation or treatment program. The applicant or recipient shall continue to receive benefits while participating in the treatment program. The department may test the applicant or recipient for illegal drug use at random or set intervals, at the department's discretion, after such period. If the applicant or recipient tests positive for the use of illegal drugs a second time, then such applicant or recipient shall be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 197**, entitled:

An act to amend chapter 191, RSMo, by adding thereto two new sections relating to cord blood banking.

With Senate Committee Amendment No. 1.

*Senate Committee Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 197, Page 2, Section 191.758, Lines 6-7, by striking said lines and inserting in lieu thereof the following: "**banking**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 199**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 214**, entitled:

An act to repeal sections 566.200, 566.203, 566.206, 556.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 256**, entitled:

An act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 260**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 499**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 12**, entitled:

#### JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 122**, entitled:

An act to repeal section 354.535, RSMo, and to enact in lieu thereof three new sections relating to health insurance.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Jones (63).

#### ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 3:00 p.m., Monday, May 2, 2011.

#### CORRECTION TO THE HOUSE JOURNAL

##### AFFIDAVIT

I, State Representative Chuck Gatschenberger, District 13, hereby state and affirm that my vote as recorded on Page 1636 of the Journal of the House for Wednesday, April 27, 2011, to third read and pass House Committee Substitute for Senate Bill No. 161, was incorrectly recorded as aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.  
Election of chair and vice-chair, interim assignments.

**LOCAL GOVERNMENT**

Monday, May 2, 2011, upon evening adjournment.  
Committee dinner only.

**TOURISM AND NATURAL RESOURCES**

Tuesday, May 3, 2011, 8:30 AM House Hearing Room 3.  
Public hearing will be held: SCS SB 230  
Executive session will be held: SCS SB 230  
Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 7.  
Public hearing will be held: HCR 53, SCS SBs 26 & 106  
Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTY-FOURTH DAY, MONDAY, MAY 2, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 138 - Thomson
- 12 HB 491 - Diehl
- 13 HB 364 - Parkinson
- 14 HCS HB 742 - Wyatt
- 15 HCS HB 212 - Thomson
- 16 HCS HB 613 - Holsman
- 17 HB 686 - Richardson
- 18 HCS HB 688 - Pollock
- 19 HCS HB 716 - Wyatt
- 20 HCS HB 732, as amended - Brandom



1691 *Journal of the House*

- 21 HB 741 - Bernskoetter
- 22 HCS HB 811 - Talboy
- 23 HCS HB 893 - Richardson
- 24 HB 924 - Nolte
- 25 HCS HBs 504, 505 & 874 - Diehl
- 26 HB 658 - Schatz
- 27 HCS HB 707 - Brown (50)
- 28 HCS HB 999 - Schad

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

**SENATE JOINT RESOLUTIONS FOR SECOND READING**

SJR 12

**SENATE BILLS FOR SECOND READING**

SCS SB 122

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz

**SENATE JOINT RESOLUTIONS FOR THIRD READING**

HCS#2 SJR 2 - Cox

**SENATE BILLS FOR THIRD READING**

- 1 HCS#2 SB 3 - Diehl
- 2 HCS SS#2 SCS SB 8 - Fisher
- 3 SS SB 55 - Day
- 4 HCS SS SCS SB 58 - Denison
- 5 SB 101 - Nance
- 6 HCS SS SB 135, E.C. - Jones (89)
- 7 HCS SCS SB 163 - Thomson

- 8 HCS SB 173 - Cierpiot
- 9 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 10 HCS SCS SB 219 - Wells
- 11 HCS SB 220 - Diehl
- 12 HCS SB 282 - Dugger
- 13 SS SB 306 - Wells
- 14 HCS SCS SB 57 - Gatschenberger
- 15 SB 83 - Wells
- 16 HCS#2 SB 96 - Fitzwater
- 17 HCS SB 145 - Gatschenberger
- 18 SB 165 - Cox

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 142, as amended - Gatschenberger
- 8 SCS HB 186 - Entlicher
- 9 SCS HB 149 - Day

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2 - Silvey
- 2 SCS HCS HB 3 - Silvey
- 3 SCS HCS HB 4 - Silvey
- 4 SCS HCS HB 5 - Silvey
- 5 SCS HCS HB 6 - Silvey
- 6 SCS HCS HB 7, as amended - Silvey
- 7 SCS HCS HB 8 - Silvey
- 8 SCS HCS HB 9 - Silvey
- 9 SCS HCS HB 10 - Silvey
- 10 SCS HCS HB 11 - Silvey
- 11 SCS HCS HB 12 - Silvey
- 12 SCS HCS HB 13 - Silvey

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTY-FOURTH DAY, MONDAY, MAY 2, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Sam J. Hinkle, Senior Pastor, River Church, Warsaw, Missouri.

*For I know the plans I have for you," declares the Lord, "plans to prosper you and not to harm you, plans to give you hope and a future. Then you will call upon me and come and pray to me, and I will listen to you. You will seek me and find me when you seek me with all your heart. (Jeremiah 29:11-13 NIV)*

Will you bow your heads with me now!

Gracious Heavenly Father, we thank You for Your mercy, grace and provision for this day. Thank You for all these great statesmen and stateswomen that have been placed in this place to help lead and direct the great state of Missouri. Thank You Lord for their willingness to serve our state and our nation! For truly, their decisions will impact not only our state, but our nation, and our world! So dear Lord, lead them and show them the plans that You have for this day and time. You said in Your Word that You have, "...plans to prosper you and not harm you, plans to give you hope and a future."

Father, we pray for Missourians to keep their hope and faith in You for the future. Lord, give them peace and patience as so many changes are happening all around us. We call upon You now and come to You seeking Your will and Your way for all Missourians this day!

Lord, thank You for protecting us from all those that are seeking to destroy this great nation and its freedom! Reveal their plans and may they be thwarted.

We ask You to bless and protect all of our military at home or abroad. Bless and protect their families that are at home waiting for their safe return. God bless and receive those that have given their lives serving this nation! Thank God for all our heroes!

Again, Heavenly Father, thank You for giving these great men and women today the wisdom, the understanding, the peace, the unity and the grace to make wise decisions for this day! In the name of Jesus, we pray! Amen and Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-third day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2842 through House Resolution No. 2937

## SECOND READING OF SENATE JOINT RESOLUTION

**SJR 12** was read the second time.

## SECOND READING OF SENATE BILL

**SCS SB 122** was read the second time.

## THIRD READING OF SENATE JOINT RESOLUTION

**HCS#2 SJR 2**, relating to elections, was taken up by Representative Cox.

Speaker Pro Tem Schoeller assumed the Chair.

Representative Nasheed moved that pursuant to Rule 78, **HCS#2 SJR 2** be recommitted to the committee of origin.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

NOES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150

Solon	Stream	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Funderburk	Hodges	McGeoghegan	Richardson
Wallingford				

VACANCIES: 003

On motion of Representative Cox, **HCS#2 SJR 2** was adopted.

On motion of Representative Cox, **HCS#2 SJR 2** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	Weter

PRESENT: 000

ABSENT WITH LEAVE: 003

Hodges                      McGeoghegan                      Wallingford

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

## PERFECTION OF HOUSE BILLS

**HB 138**, relating to the School Construction Act, was taken up by Representative Thomson.

Representative Smith (150) assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 050

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Montecillo	Nasheed	Newman	Nichols

Oxford	Pace	Peters-Baker	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Black	Hodges	Holsman	McGeoghegan	Meadows
Parkinson	Schneider	Wallingford	Mr Speaker	

VACANCIES: 003

On motion of Representative Thomson, **HB 138** was ordered perfected and printed.

**HCS HB 732, as amended**, relating to professional registration, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HB 732, as amended**, was adopted.

On motion of Representative Brandom, **HCS HB 732, as amended**, was ordered perfected and printed.

**HCS HBs 504, 505 & 874**, relating to domestic violence, was taken up by Representative Silvey.

Representative Newman offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 504, 505 & 874, Page 1, Section 43.545, Line 2, by striking the words “Missouri Crime Index” and inserting in lieu thereof the words “[Missouri Crime Index] **Crime in Missouri**”; and

Further amend said bill, Page 3, Section 211.031, Line 49, by inserting after the word “law” the following:

“;

**(6) Involving an order of protection pursuant to chapter 455 when the respondent is less than seventeen years of age**”; and

Further amend said bill, Page 9, Section 455.010, Line 46, by inserting after the closing bracket “]” the following:

**“who has been a victim of domestic violence”**; and

Further amend said bill, Page 9, Section 455.010, Line 52, by inserting immediately after the word “filed” the following:

**“or a person served on behalf of a child pursuant to section 455.503”**; and

Further amend said bill, Page 9, Section 455.010, Line 61, by inserting after all of said line the following:

“455.020. 1. Any adult who has been subject to [abuse] **domestic violence** by a present or former [adult] family or household member, or who has been the victim of stalking, may seek relief under sections 455.010 to 455.085 by filing a verified petition alleging such [abuse] **domestic violence** or stalking by the respondent.

2. An adult’s right to relief under sections 455.010 to 455.085 shall not be affected by his leaving the residence or household to avoid [abuse] **domestic violence**.

3. Any protection order issued pursuant to sections 455.010 to 455.085 shall be effective throughout the state in all cities and counties.”; and

Further amend said bill, Page 9, Section 455.027, Line 2, by inserting after all of said line the following:

“455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to 455.085 and for good cause shown in the petition, the court may immediately issue an ex parte order of protection. An immediate and present danger of abuse to the petitioner shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall take effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the motion.

2. Failure to serve an ex parte order of protection on the respondent shall not affect the validity or enforceability of such order. **If the respondent is less than seventeen years of age, unless otherwise emancipated, service of process shall be made upon a parent or guardian of the respondent, or upon a guardian ad litem appointed by the court.**

**3. If an ex parte order is entered and the allegations in the petition would give rise to jurisdiction under section 211.031 because the respondent is less than seventeen years of age, the court shall transfer the case to juvenile court for a hearing on a full order of protection. The court shall appoint a guardian ad litem for any such respondent in the absence of a parent or guardian.”; and**

Further amend said bill, Page 16, Section 455.085, Line 50, by inserting immediately after the word “the” the word “**circuit**”; and

Further amend said bill and section, Line 63, by striking the words “**state or municipal**” and inserting in lieu thereof the word “**circuit**”; and

Further amend said bill, Page 17, Section 455.200, Line 15, by inserting after all of said line the following:

“455.505. 1. An order of protection for a child who has been subject to [abuse] **domestic violence** by a present or former adult household member or person stalking the child may be sought under sections 455.500 to 455.538 by the filing of a verified petition alleging such [abuse] **domestic violence** by the respondent.

2. A child’s right to relief under sections 455.500 to 455.538 shall not be affected by his leaving the residence or household to avoid [abuse] **domestic violence**.

3. Any protection order issued pursuant to sections 455.500 to 455.538 shall be effective throughout the state in all cities and counties.”; and

Further amend said bill, Page 17, Section 455.513, Line 3, by inserting immediately after the word “made” the following:

“**or that the respondent is less than seventeen years of age**”; and

Further amend said section, Line 17, by inserting at the end of said line the following:

“**Service of process shall be made pursuant to section 455.035. The court shall appoint a guardian ad litem for any such respondent in the absence of a parent or guardian.**”; and



Further amend said bill, Page 22, Section 455.549, Line 11, by inserting after all of said line the following:

**“455.800. In all proceedings pursuant to subsection 3 of section 455.035 or subsection 4 of section 455.513, the records of the juvenile court shall be kept confidential and may be open to inspection without a court order only to:**

- (1) The juvenile officer;**
- (2) The officials at the child's school, law enforcement officials, prosecuting attorneys, or any person or agency having or proposed to provide care, custody, or control or to provide treatment of the child; and**
- (3) A parent or guardian of or court appointed guardian ad litem for the child.”; and**

Further amend said bill, Page 23, Section 565.074, Line 27, by inserting after all of said line the following:

**“589.683. [Pursuant to section 23.253 of the Missouri sunset act:**

**(1) Any new program authorized under sections 589.660 to 589.681 shall automatically sunset six years after August 28, 2007, unless reauthorized by an act of the general assembly; and**

**(2) If such program is reauthorized, the program authorized under sections 589.660 to 589.681 shall automatically sunset twelve years after the effective date of the reauthorization of sections 589.660 to 589.681; and**

**(3) Sections 589.660 to 589.681 shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under sections 589.660 to 589.681 is sunset.] Section 23.253 of the Missouri sunset act shall not apply to any program established pursuant to sections 589.660 to 589.681.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Newman, **House Amendment No. 1** was adopted.

Representative Kander offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 504, 505 & 874, Page 23, Section 565.074, Line 27, by inserting after all of said section and line the following:

**“589.683. [Pursuant to section 23.253 of the Missouri sunset act:**

**(1) Any new program authorized under sections 589.660 to 589.681 shall automatically sunset six years after August 28, 2007, unless reauthorized by an act of the general assembly; and**

**(2) If such program is reauthorized, the program authorized under sections 589.660 to 589.681 shall automatically sunset twelve years after the effective date of the reauthorization of sections 589.660 to 589.681; and**

**(3) Sections 589.660 to 589.681 shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under sections 589.660 to 589.681 is sunset] Section 23.253 of the Missouri sunset act shall not apply to any program established pursuant to sections 589.660 to 589.681.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kander, **House Amendment No. 2** was adopted.

On motion of Representative Silvey, **HCS HBs 504, 505 & 874, as amended**, was adopted.

On motion of Representative Silvey, **HCS HBs 504, 505 & 874, as amended**, was ordered perfected and printed.

**HB 658**, relating to the Meth Lab Elimination Act, was taken up by Representative Schatz.

Representative Hinson offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 658, Page 13, Section 195.017, Line 433, by deleting all of said line and inserting in lieu thereof the following:

**"(8) Any compound, mixture, or preparation, which is not in liquid or liquid-filled gel capsule form, containing any detectable quantity of"; and**

Further amend said bill, Page 14, Section 195.017, Line 442, by deleting all of said line and inserting in lieu thereof the following:

**", preparation, which is not in liquid or liquid-filled gel capsule form, containing any detectable quantity of ephedrine, phenylpropanolamine, or"; and**

Further amend said bill, Pages 18 to 20, Section 195.017, Lines 602 to 659, by deleting all of said lines and inserting in lieu thereof the following:

**"11. If any compound, mixture, or preparation [as specified in subdivision (3) of subsection 10 of this section], which is in liquid or liquid-filled gel capsule form, containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, is dispensed, sold, or distributed in a pharmacy without a prescription:**

**(1) All packages of any compound, mixture, or preparation, which is in liquid or liquid-filled gel capsule form, containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician; and**

**(2) Any person purchasing, receiving or otherwise acquiring any compound, mixture, or preparation, which is in liquid or liquid-filled gel capsule form, containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least eighteen years of age; and**

**(3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require any person, prior to their purchasing, receiving or otherwise acquiring such compound, mixture, or preparation, which is in liquid or liquid-filled gel capsule form, to furnish suitable photo identification that is issued by a state or the federal government or a document that, with respect to identification, is considered acceptable and showing the date of birth of the person;**

**(4) The seller shall deliver the product directly into the custody of the purchaser.**

**12. Pharmacists, intern pharmacists, and registered pharmacy technicians shall implement and maintain an electronic log of each transaction. Such log shall include the following information:**

**(1) The name, address, and signature of the purchaser;**

**(2) The amount of the compound, mixture, or preparation purchased;**

**(3) The date and time of each purchase; and**

**(4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy technician who dispensed the compound, mixture, or preparation to the purchaser.**

**13. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation [as specified in subdivision (3) of subsection 10 of this section], which is in liquid or liquid-filled gel capsule form, containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in accordance with transmission methods and frequency established by the department by regulation;**

**14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities greater than those specified in this chapter.**

**15. All persons who dispense or offer for sale pseudoephedrine and ephedrine products, which are in liquid or liquid filled gel capsule form, in a pharmacy shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.**

16. Any person who knowingly or recklessly violates the provisions of subsections 11 to 15 of this section is guilty of a class A misdemeanor.

17. The scheduling of substances specified in subdivision [(3) of subsection 10] **(8) of subsection 6** of this section and subsections 11, 12, 14, and 15 of this section shall not apply to [any compounds, mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to] any compound, mixture, or preparation specified in subdivision [(3) of subsection 10] **(8) of subsection 6** of this section which must be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

18. The manufacturer of a drug product or another interested party may apply with the department of health and senior services for an exemption from this section. The department of health and senior services may grant an exemption by rule from this section if the department finds the drug product is not used in the illegal manufacture of methamphetamine or other controlled or dangerous substances. The department of health and senior services shall rely on reports from law enforcement and law enforcement evidentiary laboratories in determining if the proposed product can be used to manufacture illicit controlled substances.

19. The department of health and senior services shall revise and republish the schedules annually.

20. The department of health and senior services shall promulgate rules under chapter 536 regarding the security and storage of Schedule V controlled substances, as described in subdivision [(3) of subsection 10] **(8) of subsection 6** of this section, for distributors as registered by the department of health and senior services.

21. Logs of transactions required to be kept and maintained by this section and section 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is the person whose transactions are recorded in the logs.

**22. This section shall be known as the "Meth Lab Elimination Act".;** and

Further amend said bill, Page 20, Section 195.417, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"195.417. 1. The limits specified in this section shall not apply to any"; and

Further amend said bill, Page 20, Section 195.417, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"of any drug product, **which is in liquid or liquid-filled gel capsule form**, containing any detectable amount of ephedrine,"; and

Further amend said bill, Page 20, Section 195.417, Line 18, by deleting all of said line and inserting in lieu thereof the following:

"than the following amount: any number of packages of any drug product, **which is in liquid or liquid-filled gel capsule form**,"; and

Further amend said bill, Page 20, Section 195.417, Line 27, by deleting all of said line and inserting in lieu thereof the following:

"4. All packages of any compound, mixture, or preparation, **which is in liquid or liquid-filled gel capsule form**, containing any"; and

Further amend said bill, Page 20, Section 195.417, Line 35, by deleting all of said line and inserting in lieu thereof the following:

"compound, mixture, or preparation, **which is in liquid or liquid-filled gel capsule form**, as specified in this section in accordance with"; and

Further amend said bill, Page 21, Section 195.417, Line 47, by deleting all of said line and inserting in lieu thereof the following:

"for sale pseudoephedrine and ephedrine products **which are in liquid or liquid-filled gel capsule form**, except those that are excluded"; and

Further amend said bill, Page 21, Section 195.417, Line 52, by deleting all of said line and inserting in lieu thereof the following:

"of a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Schad offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 658, Page 21, Section 195.417, Line 52, by inserting at the end of said section and line the following:

"Section B. The amendments to sections 195.017 and 195.417 of Section A of this act shall expire on August 28, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 2** was adopted.

**HB 658, as amended**, was laid over.

**HCS HB 613**, relating to the Renewable Energy Act, was taken up by Representative Holsman.

Representative Holsman offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 613, Page 1, Section 393.1405, Line 5, by deleting all of said line and inserting in lieu thereof the following: "**for Missouri customers**"; and

Further amend said bill, Page 2, Section 393.1405, Line 23, by inserting after all of said line the following:

**"(10) "Professional forester", any individual who holds a bachelor of science degree in forestry from a society of American Foresters accredited college or university with a minimum of two years of professional management experience;"**; and

Further amend said bill, Page 2, Section 393.1405, Line 24, deleting the number **"(10)"** and inserting in lieu thereof the number **"(11)"**; and

Further amend said bill, Page 2, Section 393.1405, Line 27, by deleting the number **"(11)"** and inserting in lieu thereof the number **"(12)"**; and

Further amend said bill, Page 3, Section 393.1405, Lines 52 and 53, by deleting all of said lines and inserting in lieu thereof the following:

**"(iv) Wood chips, pellets, briquettes, wood wastes, or woody energy crops;"**; and

Further amend said bill, Page 3, Section 393.1405, Line 84, by deleting the number "(12)" and inserting in lieu thereof the number "(13)"; and

Further amend said bill, Page 3, Section 393.1405, Line 85, by deleting all of said line and inserting in lieu thereof the following:

**"sections 393.1400 to 393.1445;**

**(14) "The annual value of any renewable energy purchased or produced by the electric utility", the annual value of any renewable energy purchased or produced by the electric utility's renewable energy resources used for compliance with sections 393.1400 to 393.1445 shall for each hour of the annual period be calculated by multiplying the energy produced from such resources in that hour by the actual wholesale price of energy in the electric utility's service territory as reflected by the regional transmission organization's real time hourly energy market prices within which the electric utility operates for that hour and totaling those products for the entire annual period. However, no such calculation or reduction shall be applied to dollars spent by utilities in meeting the requirement of sections 393.1415 and 393.1420."; and**

Further amend said bill, Page 4, Section 393.1410, Line 17, by deleting "\$2.29 billion" and inserting in lieu thereof "\$780 million"; and

Further amend said bill, Page 4, Section 393.1410, Line 20, by deleting all of said line and inserting in lieu thereof the following:

**"(c) By December 31, 2020: one hundred forty-five megawatts;**

**(4) An electric utility with total retail Missouri revenues as of December 31, 2010, of less than seven hundred eight million dollars that owns renewable generation providing delivered energy, or purchases delivered energy from renewable generation, or a combination thereof, totaling at least one hundred forty-five megawatts by December 31, 2011, shall not be required to provide additional renewable generation or purchase additional delivered energy to comply with this section."; and**

Further amend said bill, Page 4, Section 393.1410, Line 24, by deleting all of said line and inserting in lieu thereof the following:

**"index, for each of the separate time periods in subsection 1 of this section, then the megawatts of new renewable generation prescribed for that time period by subsection 1 of this"; and**

Further amend said bill, Pages 4 and 5, Section 393.1410, Lines 28 to 38, by deleting all of said lines and inserting in lieu thereof the following:

**"3. Notwithstanding any provision of law to the contrary, the following limitations on rate impact shall apply:**

**(1) Notwithstanding any provision of the law to the contrary, the annual net cost during any calendar year to any billing account that experienced a billing demand of five thousand kilowatts or more during the preceding calendar year, and to any interstate pipeline pumping station regardless of size, shall not be more than one percent higher than the cost would have been without the renewable energy mandates set forth in sections 393.1400 to 393.1445, where such impact is measured in accordance with subsection 5 of this section;**

**(2) In addition, the one percent limitation shall apply to any other billing account of an entity qualifying under subdivision (1) of this subsection where that account consumed five million kilowatts or more during the preceding calendar year, and also to any billing account consuming more than five million kilowatts per year that belongs to a parent, subsidiary, or affiliate of the entity responsible for paying the billings for the account qualifying in subdivision (1) of this subsection;**

**(3) To qualify for the limitation in subdivision (2) of this subsection, the entity responsible for the billing account shall establish the existence of the required corporate relationship to the satisfaction of the electric utility.**

**4. In addition, the net cost during any calendar year to any billing account as measured in accordance with subsection 5 of this section, of a utility's compliance with the renewable mandate shall not exceed one hundred thousand dollars."; and**

Further amend said bill, Page 5, Section 393.1410, Line 41, by inserting after the word "**determined**" the words "**on an annual basis**"; and

Further amend said bill, Page 5, Section 393.1410, Line 57, by inserting after "**393.1445**" the words "**(excluding sections 393.1415 and 393.1420)**"; and

Further amend said bill, Page 5, Section 393.1410, Line 61, by inserting after the word "**determined**" the words "**on an annual basis**"; and

Further amend said bill, Page 6, Section 393.1410, Line 77, by inserting after "**393.1445**" the words "**(excluding sections 393.1415 and 393.1420)**"; and

Further amend said bill, Page 6, Section 393.1410, Lines 79 to 85, by deleting all of said lines and inserting in lieu thereof the following:

**"6. An electric utility shall pay penalties of two thousand dollars per day for failure to meet the nameplate amounts specified in subsection 1 of this section. Any such monetary fine shall be distributed to the public schools under section 7, article IX of the Constitution of Missouri. An electric utility shall be excused from this subsection if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated.";** and

Further amend said bill, Page 6, Section 393.1410, Lines 86 to 90, by deleting all of said lines; and

Further amend said bill, Page 6, Section 393.1410, Line 91, by deleting the number "**8.**" and inserting the number "**7.**"; and

Further amend said bill, Page 6, Section 393.1410, Line 94, by deleting all of said line and inserting in lieu thereof the following:

**"8. In the event the federal government enacts by statute and/or rule any";** and

Further amend said bill, Page 6, Section 393.1410, Line 100, by inserting after all of said line the following:

**"9. For purposes of subsection 3 of this section, the electric utility shall make a good faith effort to adjust its billings to comply with the rate impact limitations in subsections 3 and 4 of this section. Within ninety days of the end of each calendar year, the electric utility shall calculate the actual rate impact and reimburse any excess collection by means of a bill credit, which credit is subject to subsection 1 of section 393.1430.";** and

Further amend said bill, Page 7, Section 393.1410, Line 110, by inserting after all of said line the following:

**"11. Any new renewable generation within the state of Missouri shall be given a ten percent credit for purposes of compliance with sections 393.1400 to 393.1445.";** and

Further amend said bill, Page 7, Section 393.1410, Line 111, by deleting the number "**11.**" and inserting the number "**12.**"; and

Further amend said bill, Page 7, Section 393.1410, Line 111, by inserting after the word "**biomass**" the words "**in Missouri**"; and

Further amend said bill, Page 7, Section 393.1410, Line 114, by inserting after the word "**biomass**" the words "**in Missouri**"; and

Further amend said bill, Page 7, Section 393.1410, Line 115, by inserting after the word "**biomass**" the words "**in Missouri**"; and

Further amend said bill, Page 7, Section 393.1410, Lines 117 to 121, by deleting all of said lines and inserting in lieu thereof the following:

**"(3) Harvest of woody biomass in Missouri shall be conducted to a site specific harvest plan prepared as part of a forest management plan for long-term forest sustainability developed by a professional forester.";** and

Further amend said bill, Page 7, Section 393.1410, Line 123, by deleting all of said line and inserting in lieu thereof the following:

**"third-party, professional foresters at the harvest site using a specified sampling intensity";** and

Further amend said bill, Page 7, Section 393.1415, Line 1, by deleting the words **"up to"** and inserting in lieu thereof the word **"of"**; and

Further amend said bill, Page 7, Section 393.1415, Line 4, by inserting after the word **"section"** the word **", provide"**; and

Further amend said bill, Page 7, Section 393.1415, Line 5, by deleting the words **"Provide up to a maximum of thirteen"** and inserting the word **"Thirteen"**; and

Further amend said bill, Page 7, Section 393.1415, Line 6, by inserting after the word **"its"** the words **"net-metered"**; and

Further amend said bill, Page 7, Section 393.1415, Line 9, by deleting the words **"Provide up to a maximum of seven"** and inserting the word **"Seven"**; and

Further amend said bill, Page 7, Section 393.1415, Line 13, by deleting the words **"Provide up to a maximum of two"** and inserting the word **"Two"**; and

Further amend said bill, Page 8, Section 393.1415, Line 19, by inserting after the word **"section"** the word **", provide"**; and

Further amend said bill, Page 8, Section 393.1415, Line 20, by deleting the words **"Provide up to a maximum of two"** and inserting the word **"Two"**; and

Further amend said bill, Page 8, Section 393.1415, Line 21, by inserting after the word **"its"** the words **"net-metered"**; and

Further amend said bill, Page 8, Section 393.1415, Line 24, by deleting the words **"Provide up to a maximum of two"** and inserting the word **"Two"**; and

Further amend said bill, Page 8, Section 393.1415, Line 28, by deleting the words **"Provide up to a maximum of one"** and inserting the word **"One"**; and

Further amend said bill, Page 8, Section 393.1415, Line 33, by deleting **"\$2.29 billion"** and inserting in lieu thereof **"\$780 million"**; and

Further amend said bill, Page 8, Section 393.1415, Line 34, by inserting after the word **"section"** the word **", provide"**; and

Further amend said bill, Page 8, Section 393.1415, Line 35, by deleting the words **"Provide up to a maximum of two"** and inserting the word **"Two"**; and

Further amend said bill, Page 8, Section 393.1415, Line 36, by inserting after the word **"its"** the words **"net-metered"**; and

Further amend said bill, Page 8, Section 393.1415, Line 39, by deleting the words "**Provide up to a maximum of two**" and inserting the word "**Two**"; and

Further amend said bill, Page 8, Section 393.1415, Line 43, by deleting the words "**Provide up to a maximum of one**" and inserting the word "**One**"; and

Further amend said bill, Page 8, Section 393.1415, Line 44, by inserting after the word "**its**" the words "**net-metered**"; and

Further amend said bill, Page 8, Section 393.1415, Line 49, by inserting after the word "**section**" the word "**,**" and inserting after the word "**provide**" the word "**;**" and

Further amend said bill, Page 8, Section 393.1415, Line 50, by deleting the words "**Provide up to a maximum of one**" and inserting the word "**One**"; and

Further amend said bill, Page 9, Section 393.1415, Line 54, by deleting the words "**Provide up to a maximum of one**" and inserting the word "**One**"; and

Further amend said bill, Page 9, Section 393.1415, Line 58, by deleting the words "**Provide up to a maximum of five**" and inserting the word "**Five**"; and

Further amend said bill, Page 9, Section 393.1415, Line 63, by deleting all of said line and inserting in lieu thereof the following:

**"at the discretion of the utility be treated as part of the electric utility's net capital investments in renewable energy resources for purposes of determining the appropriate RES rate under sections 393.1425 to 393.1443."**; and

Further amend said bill, Page 9, Section 393.1415, Line 64, by deleting all of said line and inserting in lieu thereof the following:

**"3. A net-metered customer shall be eligible for a financial incentive";** and

Further amend said bill, Page 9, Section 393.1415, Line 66, by inserting after "**installed,**" the word "**and**"; and

Further amend said bill, Page 9, Section 393.1415, Line 66, by deleting the words "**up to an**" and inserting the words "**the next**"; and

Further amend said bill, Page 9, Section 393.1415, Line 75, by deleting the word "**practice**" and inserting the word "**practices**"; and

Further amend said bill, Page 9, Section 393.1415, Line 81, by inserting after the word "**years**" the words "**but no amounts shall be carried forward beyond December 31, 2021**"; and

Further amend said bill, Page 10, Section 393.1415, Lines 94 to 99, by deleting all of said lines and inserting in lieu thereof the following:

**"6. Each electric utility shall make available to its retail customers a standard rebate offer of at least three dollars per installed watt for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, that become operational after August 28, 2011, and prior to January 1, 2012. All such amounts paid by an electric utility to a customer under this subsection shall be applied against the annual amount of financial incentive investments for calendar year 2012 as specified in subsection 1 of this section."**; and



Further amend said bill, Page 10, Section 393.1420, Line 8, by deleting all of said line and inserting in lieu thereof the following:

**"3. A net-metered customer shall be eligible for a financial incentive"; and**

Further amend said bill, Page 10, Section 393.1420, Line 19, by inserting after the word "**years**" the words "**but no amounts shall be carried forward beyond December 31, 2015**"; and

Further amend said bill, Page 10, Section 393.1425, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"393.1425. 1. As used in sections 393.1410 and 393.1425 to 393.1435, the following words and phrases"; and**

Further amend said bill, Page 11, Section 393.1425, Line 3, by deleting all of said line and inserting in lieu thereof the following:

**"(1) "Accumulation period", a period no greater than twelve months preceding a filing to establish or"; and**

Further amend said bill, Page 11, Section 393.1425, Lines 6 to 8, by deleting all of said lines and inserting in lieu thereof the following:

**"(2) "RES capital costs", the depreciation expense and property taxes of the electric utility that are associated with the electric utility's capital investments in renewable energy resources that provide delivered energy, including capital investments made in compliance"; and**

Further amend said bill, Page 11, Section 393.1425, Line 14, by inserting after "**rate**" the word "**, less**"; and

Further amend said bill, Page 11, Section 393.1425, Line 14, by inserting after all of said line the following:

**"(d) The annual value of any renewable energy purchased or produced by the electric utility;  
(4) RES cost recovery mechanism" or "RCRM", the mechanism approved by the commission to allow an electric utility to recover all costs of compliance with the RES"; and**

Further amend said bill, Page 11, Section 393.1425, Line 15, by deleting the number "**(4)**" and inserting in lieu thereof the number "**(5)**"; and

Further amend said bill, Page 11, Section 393.1425, Line 17, by deleting the year "**2012**" and inserting in lieu thereof the year "**2011**"; and

Further amend said bill, Page 11, Section 393.1425, Line 27, by deleting the words "**renewable energy standard**" and inserting in lieu thereof "**RES**"; and

Further amend said bill, Page 11, Section 393.1425, Line 28, by deleting the words "**Renewable Energy Standard**" and inserting in lieu thereof "**RES**"; and

Further amend said bill, Page 11, Section 393.1425, Line 29, by inserting after all of said line the following:

**"(6) "RES rate", a rate approved by the commission for recovery of RES costs"; and**

Further amend said bill, Page 11, Section 393.1425, Line 30, by deleting the number "**(5)**" and inserting in lieu thereof the number "**(7)**"; and

Further amend said bill, Page 11, Section 393.1425, Lines 31 to 37, by deleting all of said lines and inserting in lieu thereof the following:

**"by: the electric utility's net capital investments in renewable energy resources that provide delivered energy, including capital investments made to comply with renewable energy standards in effect prior to the effective date of sections 393.1400 to 393.1445, on the electric utility's books as of the end of the accumulation period. The income taxes related to the RES return shall be included;"**; and

Further amend said bill, Page 12, Section 393.1425, Line 38, by deleting the number "(6)" and inserting in lieu thereof the number "(8)"; and

Further amend said bill, Page 12, Section 393.1425, Line 38, by inserting after the second occurrence of "RES" the word "rate"; and

Further amend said bill, Page 12, Section 393.1425, Line 39, by inserting after all of said line the following:

**"2. All RES costs incurred under paragraph (a) or (b) of subdivision (5) of subsection 1 of this section, regardless of contract term, shall be recovered in the electric utility's RES rate. That is, where the electric utility enters into contracts under subsection 1 of section 393.1410 that extend beyond the indicated dates, then all RES costs as defined in this section shall be included in the RES rate."**; and

Further amend said bill, Page 12, Section 393.1430, Line 3, by deleting all of said line and inserting in lieu thereof the following:

**"tariffs with the commission to establish a RCRM or to change a RES rate that will allow for the";** and

Further amend said bill, Page 12, Section 393.1430, Line 6, by deleting all of said line and inserting in lieu thereof the following:

**"393.1410. A RES rate and any future changes thereto shall be calculated and implemented in";** and

Further amend said bill, Page 12, Section 393.1430, Line 10, by deleting all of said line and inserting in lieu thereof the following:

**"2. The commission shall not approve a RCRM or a RES rate for any electric utility that has";** and

Further amend said bill, Page 12, Section 393.1430, Lines 14 to 16, by deleting all of said lines and inserting in lieu thereof the following:

**"3. In no event shall an electric utility collect a RES rate or continue to use an approved RCRM for a period exceeding five years unless the electric utility has filed for or is the subject of a new general rate proceeding where the terms of the RCRM are reviewed by the commission; provided that a RES rate that is approved in accordance with section 393.1435 may be collected until the effective date of new rate";** and

Further amend said bill, Page 12, Section 393.1435, Line 2, by deleting all of said line and inserting in lieu thereof the following:

**"commission seeking to establish or change a RES rate, it shall submit proposed tariffs and";** and

Further amend said bill, Page 12, Section 393.1435, Line 3, by inserting after "RES" the word "rate"; and

Further amend said bill, Page 12, Section 393.1435, Line 5, by deleting all of said line and inserting in lieu thereof the following:

**"proposed RES rate tariff, and its supporting documentation.";** and

Further amend said bill, Page 12, Section 393.1435, Line 7, by deleting the word "**tariff**" and inserting in lieu thereof the word "**rate**"; and

Further amend said bill, Page 12, Section 393.1435, Line 10, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 12, Section 393.1435, Line 12, by inserting after the word "**underlying**" the word "**RES**"; and

Further amend said bill, Page 12, Section 393.1435, Line 13, by deleting the word "**surcharge**" and inserting in lieu thereof the words "**RES rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 16, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 18, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 23, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 27, by deleting the words "**pretax revenue**" and inserting in lieu thereof the words "**RES rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 48, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 13, Section 393.1435, Line 50, by deleting the word "**pretax**" and inserting in lieu thereof the word "**RES**"; and

Further amend said bill, Page 14, Section 393.1435, Line 55, by inserting after "**RES**" the word "**revenue**"; and

Further amend said bill, Page 14, Section 393.1435, Line 57, by inserting after the word "**charge**" the word "**revenue**"; and

Further amend said bill, Page 14, Section 393.1435, Line 58, by deleting "**RES**" and inserting in lieu thereof "**RCRM**"; and

Further amend said bill, Page 14, Section 393.1435, Line 59, by inserting after the words "**between the**" the word "**RES**"; and

Further amend said bill, Page 14, Section 393.1435, Line 60, by inserting after "**application of the RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 60, by deleting the word "**pretax**" and inserting in lieu thereof the word "**RES**"; and

Further amend said bill, Page 14, Section 393.1435, Line 64, by deleting "**RES**" and inserting the word "**RCRM**"; and

Further amend said bill, Page 14, Section 393.1435, Line 69, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 71, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 73, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 74, by deleting the word "**pretax**" and inserting in lieu thereof the word "**RES**"; and

Further amend said bill, Page 14, Section 393.1435, Line 75, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 79, by inserting after "**RES**" the word "**rate**"; and

Further amend said bill, Page 14, Section 393.1435, Line 84, by deleting all of said line and inserting in lieu thereof the following:

**"included in a RES rate, the electric utility shall change its RES rate in the future as necessary to";** and

Further amend said bill, Page 15, Section 393.1435, Line 107, by inserting after all of said line the following:

**"13. Alternatively, an electric utility may recover RES compliance costs without use of the RES cost recovery mechanism, through rates established in a general rate proceeding. In the interim between general rate proceedings, the electric utility may defer the costs in a regulatory asset account, and monthly calculate a carrying charge on the balance in that regulatory asset account equal to its short-term cost of borrowing. All questions pertaining to rate recovery of the RES compliance costs in a subsequent general rate proceeding will be reserved to that proceeding, including the prudence of the costs for which rate recovery is sought and the period of time over which any costs allowed rate recovery will be amortized. Any rate recovery granted to RES compliance costs under this subsection shall be fully subject to the retail rate impact requirements of the RES.";** and

Further amend said bill, Page 16, Section 393.1443, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the following:

**"sections 393.1400 to 393.1440, and the Missouri public service commission shall allow for such recovery under sections 393.1400 to 393.1440.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 1** was adopted.

**HCS HB 613, as amended,** was laid over.

### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 1010** - General Laws

### **COMMITTEE REPORTS**

**Committee on Downsizing State Government**, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SCS SB 323**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Financial Institutions**, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SS SCS SB 132**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Judiciary, Chairman Cox reporting:**

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 351**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 116 & 316**, entitled:

An act to repeal sections 32.028, 32.087, 32.105, 32.110, 32.115, 32.117, 32.120, 99.1205, 100.286, 100.297, 105.716, 135.010, 135.025, 135.030, 135.090, 135.313, 135.326, 135.327, 135.352, 135.460, 135.481, 135.484, 135.487, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.700, 135.802, 135.815, 135.825, 135.1150, 136.055, 137.1018, 143.119, 144.030, 144.062, 144.083, 168.071, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.545, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof eighty-nine new sections relating to collection of state money, with a penalty provision and an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, Senate Amendment No. 3, Senate Amendment No. 6, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 15, Senate Amendment No. 1 to Senate Amendment No. 16, Senate Amendment No. 16, as amended, and Senate Amendment No. 17.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 294, Section 620.2015, Line 12 of said page, by striking "subdivision (5) of subsection 3" and inserting in lieu thereof the following:

"**subsection 7**"; and

Further amend Line 13 of said page, by striking "620.2010" and inserting in lieu thereof the following:

"**620.2020**".

*Senate Amendment No. 1*

*to*

*Senate Amendment No. 2*

AMEND Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 29, Section 348.265, Line 26, by inserting immediately after the word "July 1, 2011," the following:

" **subject to appropriation**,"; and further amend Line 28, by inserting immediately after the word "amount" the following "**not to exceed an amount**".

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 203, Section 168.071, Line 4, by inserting after all of said line the following:

"196.1109. All moneys that are appropriated by the general assembly from the life sciences research trust fund shall be appropriated to the life sciences research board to increase the capacity for quality of life sciences research at public and private not-for-profit institutions in the state of Missouri and to thereby:

(1) Improve the quantity and quality of life sciences research at public and private not-for-profit institutions, including but not limited to basic research (including the discovery of new knowledge), translational research (including translating knowledge into a usable form), and clinical research (including the literal application of a therapy or intervention to determine its efficacy), including but not limited to health research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary, and infectious disease, and plant sciences, including but not limited to nutrition and food safety; and

(2) Enhance technology transfer and technology commercialization derived from research at public and private not-for-profit institutions within the centers for excellence. For purposes of sections 196.1100 to 196.1130, "technology transfer and technology commercialization" includes stages of the regular business cycle occurring after research and development of a life science technology, including but not limited to reduction to practice, proof of concept, and achieving federal Food and Drug Administration, United States Department of Agriculture, or other regulatory requirements in addition to the definition in section 348.251. Funds received by the board may be used for purposes authorized in sections 196.1100 to 196.1130 and shall be subject to the restrictions of sections 196.1100 to 196.1130, including but not limited to the costs of personnel, supplies, equipment, and renovation or construction of physical facilities; provided that in any single fiscal year no more than [ten] **thirty** percent of the moneys appropriated shall be used for the construction of physical facilities and further provided that in any fiscal year **up to** eighty percent of the moneys shall be appropriated to build research capacity at public and private not-for-profit institutions and **at least** twenty percent **and no more than fifty percent** of the moneys shall be appropriated for grants to public or private not-for-profit institutions to promote life science technology transfer and technology commercialization. Of the moneys appropriated to build research capacity, twenty percent of the moneys shall be appropriated to promote the development of research of tobacco-related illnesses.

196.1115. 1. The moneys appropriated to the life sciences research board that are not distributed by the board in any fiscal year to a center for excellence or a center for excellence endorsed program pursuant to section 196.1112, if any, shall be held in reserve by the board or shall be awarded on the basis of peer review panel recommendations for capacity building initiatives proposed by public and private not-for-profit academic, research, or health care institutions or organizations, or individuals engaged in competitive research in targeted fields consistent with the provisions of sections 196.1100 to 196.1130.

2. The life sciences research board may, in view of the limitations expressed in section 196.1130:

(1) Award and enter into grants or contracts relating to increasing Missouri's research capacity at public or private not-for-profit institutions;

(2) Make provision for peer review panels to recommend and review research projects;

(3) Contract for [administrative and] support services;

(4) Lease or acquire facilities and equipment;

(5) Employ administrative staff; and

(6) Receive, retain, hold, invest, disburse or administer any moneys that it receives from appropriations or from any other source.

3. **The Missouri technology corporation, established under section 348.251, shall serve as the administrative agent for the life sciences research board.**

4. The life sciences research board shall utilize as much of the moneys as reasonably possible for building capacity at public and private not-for-profit institutions to do research rather than for administrative expenses. The board shall not in any fiscal year expend more than two percent of the total moneys appropriated to it and of the moneys that it has in reserve or has received from other sources for its own administrative expenses **for appropriations over twenty million dollars; three percent for appropriations less than twenty million dollars but more than fifteen million dollars; four percent for appropriations less than fifteen million dollars but more than ten million dollars; five percent for appropriations less than ten million dollars;** provided, however, that the general assembly by appropriation from the life sciences research trust fund may authorize a limited amount of additional moneys to be expended for administrative costs."; and

Further amend said bill, Page 216, Section 253.559, Line 27, by inserting after all of said line the following:

**"348.250. Sections 348.250 to 348.275 shall be known and may be cited as the "Missouri Science and Innovation Reinvestment Act".**

348.251. 1. As used in sections 348.251 to 348.266, the following terms mean:

(1) **"Applicable percentage", six percent for the fiscal year beginning July 1, 2012, and the next fourteen consecutive fiscal years; five percent for the immediately subsequent five fiscal years; and four percent for the immediately subsequent five fiscal years;**

(2) **"Applied research", any activity that seeks to utilize, synthesize, or apply existing knowledge, information, or resources to the resolution of a specific problem, question, or issue of science and innovation, including but not limited to translational research;**

(3) **"Base year", fiscal year ending June 30, 2011;**

(4) **"Base year gross wages", gross wages paid by science and innovation companies to science and innovation employees during fiscal year ending June 30, 2011;**

(5) **"Basic research", any original investigation for the advancement of scientific or technical knowledge of science and innovation;**

(6) **"Commercialization", any of the full spectrum of activities required for a new technology, product, or process to be developed from the basic research or conceptual stage through applied research or development to the marketplace, including without limitation, the steps leading up to and including licensing, sales, and service;**

(7) **"Corporation", the Missouri technology corporation established under this section;**

(8) **"Fields of applicable expertise", any of the following fields: science and innovation research, development, or commercialization, including basic research and applied research; corporate finance, venture capital, and private equity related to science and innovation; the business and management of science and innovation companies; education related to science and innovation; or civic or corporate leadership in areas related to science and innovation;**

(9) **"Inherent conflict of interest", a fundamental or systematic conflict of interest that prevents a person from serving as a disinterested director of the corporation and from routinely performing his or her duties as a director of the corporation;**

(10) **"NAICS industry groups" or "NAICS codes", the North American Industry Classification System developed under the auspices of the United States Office of Management and Budget and adopted in 1997, as may be amended, revised, or replaced by similar classification systems for similar uses from time to time;**

(11) **"Science and innovation", the use of compositions and methods in research, development, and manufacturing processes for such diverse areas as agriculture-biotechnology, animal health, biochemistry, bioinformatics, energy, environment, forestry, homeland security, information technology, medical devices, medical diagnostics, medical instruments, medical therapeutics, microbiology, nanotechnology, pharmaceuticals, plant biology, and veterinary medicine, including future developments in such areas;**

(12) **"Science and innovation company", a corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, person, group, or other entity that is:**

(a) **Engaged in the research, development, commercialization, or business of science and innovation in the state, including, without limitation, research, development, or production directed toward developing or providing science and innovation products, processes, or services for specific commercial or public purposes, including hospitals, nonprofit research institutions, incubators, accelerators, and universities currently located or involved in the research, development, commercialization, or business of science and innovation in the state; or**

(b) **Identified by the following NAICS industry groups or NAICS codes or any amended or successor code sections covering such areas of research, development, and commercial endeavors: 3251; 3253; 3254; 3391; 51121; 54138; 54171; 62231; 111191; 111421; 111920; 111998; 311119; 311211; 311221; 311222; 311223; 325193; 325199; 325221; 325222; 325611; 325612; 325613; 325311; 325312; 325314; 325320; 325411; 325412; 325414; 333298; 334510; 334516; 334517; 339111; 339112; 339113; 339114; 339115; 339116; 424910; 541710; 621511; and 621512.**

**Each of the above listed four-digit and five-digit codes shall include all six-digit codes in such four-digit and five-digit industry; however, each six-digit code shall stand alone and not indicate the inclusion of other omitted six-**

digit codes that also are subsets of the pertinent four-digit or five-digit industry to which the included six-digit code belongs;

(13) "Science and innovation employee", any employee, officer, or director of a science and innovation company who is a state income taxpayer and any employee of a university who is associated with or supports the research, development, commercialization, or business of science and technology in the state and is obligated to pay state income tax to the state;

(14) "Technology application", the introduction and adaptation of refined management practices in fields such as scheduling, inventory management, marketing, product development, and training in order to improve the quality, productivity and profitability of an existing firm. Technology application shall be considered a component of business modernization;

[(2)] "Technology commercialization", the process of moving investment-grade technology from a business, university or laboratory into the marketplace for application;

(3)] (15) "Technology development", strategically focused research directed at developing investment-grade technologies which are important for market competitiveness.

2. The governor may, on behalf of the state and in accordance with chapter 355, RSMo, establish a private not-for-profit corporation named the "Missouri Technology Corporation", to carry out the provisions of sections 348.251 to 348.266. As used in sections [348.251 to 348.266] **348.250 to 348.275** the word "corporation" means the Missouri technology corporation authorized by this section. Before certification by the governor, the corporation shall conduct a public hearing for the purpose of giving all interested parties an opportunity to review and comment [upon] **on** the articles of incorporation, bylaws and [method] **methods** of operation of the corporation. Notice of the hearing shall be given at least fourteen days prior to the hearing.

348.256. 1. The articles of incorporation [and], bylaws, **and methods of operation** of the Missouri technology corporation shall [provide that:] **be consistent with the provisions of sections 348.250 to 348.275.**

[(1)] 2. The purposes of the corporation are to contribute to the strengthening of the economy of the state through the development of science and [technology] **innovation**, to promote the modernization of Missouri businesses by supporting the transfer of science, technology and quality improvement methods to the workplace[, and]; to enhance the productivity and modernization of Missouri businesses by providing leadership in the establishment of methods of technology application, technology commercialization and technology development; **to make Missouri businesses, institutions, and universities more competitive and increase their likelihood of success; to support and enhance local and regional strategies and initiatives that capitalize on the unique science and innovation assets across the state; to make Missouri a highly desirable state in which to conduct, facilitate, support, fund, and perform science and innovation research, development, and commercialization; to facilitate and effect the creation, attraction, retention, growth, and enhancement of both existing and new science and innovation companies in the state; to make Missouri a national and international leader in economic activity based on science and innovation; to enhance workforce development; to create and retain quality jobs; to advance scientific knowledge; and to improve the quality of life for the citizens of the state of Missouri in both urban and rural communities.**

[(2)] 3. The board of directors of the corporation [is] **shall be** composed of fifteen persons. The governor shall annually appoint one of its members, who must be from the private sector, as [chairman] **chairperson**. The board shall consist of the following members:

[(a)] (1) The director of the department of economic development, or the director's designee;

[(b)] (2) The president of the University of Missouri system, or the president's designee;

[(c)] (3) A member of the state senate, appointed by the president pro tem of the senate;

[(d)] (4) A member of the house of representatives, appointed by the speaker of the house;

[(e)] (5) Eleven members appointed by the governor, [two of which shall be from the public sector and nine members from the private sector who shall include, but shall not be limited to, individuals who represent technology-based businesses and industrial interests;

(f) **with the advice and consent of the senate, who are recognized for outstanding knowledge, leadership, and expertise in one or more of the fields of applicable expertise.**

Each of the directors of the corporation who is appointed by the governor shall serve for a term of four years and until a successor is duly appointed[; except that, of the directors serving on the corporation as of August 28, 1995, three directors shall be designated by the governor to serve a term of four years, three directors shall be designated to serve a term of three years, three directors shall be designated to serve a term of two years, and two directors shall be designated to serve a term of one year. Each director shall continue to serve until a successor is duly appointed by the governor;



(3) The corporation may receive money from any source, may borrow money, may enter into contracts, and may expend money for any activities appropriate to its purpose;

(4) The corporation may appoint staff and do all other things necessary or incidental to carrying out the functions listed in section 348.261;

(5)].

**4.** Any changes in the articles of incorporation or bylaws must be approved by the governor[.].

[(6) The corporation shall submit an annual report to the governor and to the Missouri general assembly. The report shall be due on the first day of November for each year and shall include detailed information on the structure, operation and financial status of the corporation. The corporation shall conduct an annual public hearing to receive comments from interested parties regarding the report, and notice of the hearing shall be given at least fourteen days prior to the hearing; and

(7)] **5.** At the discretion of the state auditor, the corporation is subject to an [annual] audit [by the state auditor] and [that] the corporation shall bear the full cost of the audit.

**6.** Each of the directors of the corporation provided for in subdivisions (1) and (2) of subsection 3 of this section shall remain a director until the designating individual specified in such subdivisions designates a replacement by sending a written communication to the governor and the chairperson of the board of the corporation; provided however, that if the director of economic development or the president of the University of Missouri system designates himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the director of economic development or as the president of the University of Missouri system. Each of the directors of the corporation provided for in subdivisions (3) and (4) of subsection 3 of this section shall remain a director until the appointing member of the general assembly specific in such subdivisions appoints a replacement by sending a written communication to the governor and the chairperson of the corporation board; provided however, that if the speaker of the house or the president pro tem of the senate appoints himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the speaker of the house or the president pro tem of the senate.

**7.** Each of the eleven members of the board appointed by the governor shall:

(1) Hold office for the term of appointment and until the governor duly appoints his or her successor; provided that if a vacancy is created by the death, permanent disability, resignation, or removal of a director, such vacancy shall become immediately effective;

(2) Be eligible for reappointment, but members of the board shall not be eligible to serve more than two consecutive four-year terms and shall not be reappointed to the board until they have not served on the board for a period of at least four interim years;

(3) Not have a known inherent conflict of interest at the time of appointment; and

(4) Not have served in an elected office or a cabinet position in state government for a period of two years prior to appointment, unless otherwise provided in this section.

**8.** Any member of the board may be removed by affirmative vote of eleven members of the board for malfeasance or misfeasance in office, regularly failing to attend meetings, failure to comply with the corporation's conflicts of interest policy, conviction of a felony, or for any cause that renders the member incapable of or unfit to discharge the duties of a director of the corporation.

**9.** The board shall meet at least four times per year and at such other times as it deems appropriate, or upon call by the president or the chairperson, or upon written request of a majority of the directors of the board. Unless otherwise restricted by Missouri law, the directors may participate in a meeting of the board by means of telephone conference or other electronic communications equipment whereby all persons participating in the meeting can communicate clearly with each other, and participation in a meeting in such manner will constitute presence in person at such meeting.

**10.** A majority of the total voting membership of the board shall constitute a quorum for meetings. The board may act by a majority of those at any meeting where a quorum is present, except upon such issues as the board may determine shall require a vote of more members of the board for approval or as required by law. All resolutions and orders of the board shall be recorded and authenticated by the signature of the secretary or any assistant secretary of the board.

**11.** Members of the board shall serve without compensation. Members of the board attending meetings of the board, or attending committee or advisory meetings thereof, shall be paid mileage and all other applicable expenses, provided that such expenses are reasonable, consistent with policies established from time to time by the board, and not otherwise inconsistent with law.

12. The board may adopt, repeal, and amend such articles of incorporation, bylaws, and methods of operation that are not contrary to law or inconsistent with sections 348.250 to 348.275, as it deems expedient for its own governance and for the governance and management of the corporation and its committees and advisory boards; provided that any changes in the articles of incorporation or bylaws approved by the board must also be approved by the governor.

13. A president shall direct and supervise the administrative affairs and the general management of the corporation. The president shall be a person of national prominence that has expertise and credibility in one or more of the fields of applicable expertise with a demonstrated track record of success in leading a mission-driven organization. The president's salary and other terms and conditions of employment shall be set by the board. The board may negotiate and enter into an employment agreement with the president of the corporation, which may provide for compensation, allowances, benefits, and expenses. The president of the corporation shall not be eligible to serve as a member of the board until two years after the end of his or her employment with the corporation. The president of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

14. The corporation may employ such employees as it may require and upon such terms and conditions as it may establish that are consistent with state and federal law. The corporation may establish personnel, payroll, benefit, and other such systems as authorized by the board, and provide death and disability benefits. Corporation employees, including the president, shall be considered state employees for the purposes of membership in the Missouri state employees' retirement system and the Missouri consolidated health care plan. Compensation paid by the corporation shall constitute pay from a department for purposes of accruing benefits under the Missouri state employees' retirement system. The corporation may also adopt, in accordance with requirements of the federal Internal Revenue Code of 1986, as amended, a defined contribution plan sponsored by the corporation with respect to employees, including the president, employed by the corporation. Nothing in sections 348.250 to 348.275 shall be construed as placing any officer or employee of the corporation or member of the board in the classified or the unclassified service of the state of Missouri under Missouri laws and regulations governing civil service. No employee of the corporation shall be eligible to serve as a member of the board until two years immediately following the end of his or her employment with the corporation. All employees of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

15. No later than the first day of January each year, the corporation shall submit an annual report to the governor and to the Missouri general assembly which the corporation may contract with a third party to prepare and which shall include:

- (1) A complete and detailed description of the operating and financial conditions of the corporation during the prior fiscal year;
- (2) Complete and detailed information about the distributions from the Missouri science and innovation reinvestment fund and from any income of the corporation;
- (3) Information about the growth of science and innovation research and industry in the state; and
- (4) Information regarding financial or performance audits performed in such year, including any recommendations with reference to additional legislation or other action that may be necessary to carry out the purposes of the corporation.

16. The corporation shall keep its books and records in accordance with generally accepted accounting procedures. Within four months following the end of each fiscal year, the corporation shall cause a firm of independent certified public accountants of national repute to conduct and deliver to the board an audit of the financial statements of the corporation and an opinion thereon, to be conducted in accordance with generally accepted audit standards, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

17. Within four months following the end of every odd numbered fiscal year, beginning with fiscal year 2016, the corporation shall cause an independent firm of national repute that has expertise in science and innovation research and industry to conduct and deliver to the board an evaluation of the performance of the corporation for the prior two fiscal years, including detailed recommendations for improving the performance of the corporation, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

18. The corporation shall provide the state auditor a copy of the financial and performance evaluations prepared under subsections 16 and 17 of this section.

19. The corporation shall have perpetual existence until an act of law expressly dissolves the corporation; provided that no such law shall take effect so long as the corporation has obligations or bonds outstanding unless adequate provision has been made for the payment or retirement of such debts or obligations. Upon any such dissolution of the corporation, all property, funds, and assets thereof shall be vested in the state.

20. Except as provided under section 348.266, the state hereby pledges to, and agrees with, recipients of corporation funding or beneficiaries of corporation programs under sections 348.250 to 348.275 that the state shall not limit or alter the rights vested in the corporation under sections 348.250 to 348.275 to fulfill the terms of any agreements made or obligations incurred by the corporation with or to such third parties, or in any way impair the rights and remedies of such third parties until the obligations of the corporation and the state are fully met and discharged in accordance with sections 348.250 to 348.275.

21. The corporation shall be exempt from:

(1) Any general ad valorem taxes upon any property of the corporation acquired and used for its public purposes;

(2) Any taxes or assessments upon any projects or upon any operations of the corporation or the income therefrom;

(3) Any taxes or assessments upon any project or any property or local obligation acquired or used by the corporation under the provisions of sections 348.250 to 348.275, or upon income therefrom.

Purchases by the corporation to be used for its public purposes shall not be subject to sales or use tax under chapter 144. The exemptions hereby granted shall not extend to persons or entities conducting business on the corporations' property for which payment of state and local taxes would otherwise be required.

22. No funds of the corporation shall be distributed to its employees or members of the board; except that, the corporation may make reasonable payments for expenses incurred on its behalf relating to any of its lawful purposes and the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to, or for, its benefit relating to any of its lawful purposes, including to pay its employees reasonable compensation.

23. The corporation shall adopt and maintain a conflicts of interest policy to protect the corporation's interests by requiring disclosure by an interested party, appropriate recusal by such person, and appropriate action by the interested party or the board where a conflict of interest may exist or arise between the corporation and a director, officer, employee, or agent of the corporation.

348.257. 1. The board shall establish an executive committee of the corporation, to be composed of the chairperson, the vice-chairperson, and the secretary of the corporation, and two additional directors. The chairperson of the corporation shall serve as the chairperson of the executive committee.

2. The executive committee, in intervals between meetings of the board, may transact any business of the board that has been expressly delegated to the executive committee by the board. If so stipulated by the board, action delegated to the executive committee may be subject to subsequent ratification by the board; provided, however that until ratified or rejected by the board, any action delegated to, and taken by, the executive committee between meetings of the board will be binding upon the corporation as if ratified, and may be relied upon by third parties.

3. The board shall establish an audit committee of the corporation, to be composed of the chairperson of the corporation and four additional directors. The secretary of the corporation shall serve as the chairperson of the audit committee. The audit committee shall be responsible for oversight of the administration of the conflicts of interest policy, working with the president of the corporation to facilitate communications with the corporation's contract auditors, and such other responsibilities delegated to it by the board.

4. The board shall establish and maintain a research alliance of Missouri to be comprised of the chief research officers, or their designee, of the state's leading research universities and a representative of other leading not-for-profit research institutes headquartered in Missouri. Members of the research alliance of Missouri shall be selected for such terms of membership under such terms and condition as the board deems necessary and appropriate to advance the purposes of sections 348.250 to 348.275 and as comparable to other similar public sector bodies. The research alliance of Missouri shall elect a chairperson on an annual basis. The research alliance of Missouri shall prepare annual reports at the direction of the corporation that:

(1) Evaluate the specific areas of Missouri's research strengths and weaknesses and outline current research priorities of the state;

(2) Evaluate the ability of each member to realign their research and development resources, policies, and practices to seize emerging opportunities;

(3) Evaluate and summarize the best national and international practices for technology commercialization of university research and describe efforts that each university member has undertaken to implement best practices, including a description of the specific outcomes university members have achieved in technology commercialization; and

(4) Describe research collaborations by and between members and identify collaboration best practices that can or should be instituted in Missouri.

5. The board may establish other committees, both permanent and temporary, as it deems necessary. Such committees may include national strategic, scientific and/or commercialization advisory boards comprised of individuals of national or international prominence in science and innovation and/or the business and commercialization of science and innovation.

6. The board may establish rules, policies, and procedures for the selection and conduct of committees and advisory boards, and the research alliance of Missouri; provided however, that the members of such committees and advisory boards agree to be bound by a conflict of interest policy consistent with the highest ethical standards that is suitable for such advisory roles and annually complete and certify to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

348.261. 1. The corporation, after being certified by the governor as provided by section 348.251, [may] **shall have all of the powers necessary or convenient to carry out the purposes and provisions of sections 348.250 to 348.275, including the powers as specified therein, and without limitation, the power to:**

(1) Establish a statewide business modernization network to assist Missouri businesses in identifying ways to enhance productivity and market competitiveness;

(2) Identify scientific and technological problems and opportunities related to the economy of Missouri and formulate proposals to overcome those problems or realize those opportunities;

(3) Identify specific areas where scientific research and technological investigation will contribute to the improvement of productivity of Missouri manufacturers and farmers;

(4) Determine specific areas in which financial investment in scientific and technological research and development from private businesses located in Missouri could be enhanced or increased if state resources were made available to assist in financing activities;

(5) Assist in establishing cooperative associations of universities in Missouri and of private enterprises for the purpose of coordinating research and development programs that will, consistent with the primary educational function of the universities, aid in the creation of new jobs in Missouri;

(6) Assist in financing the establishment and continued development of technology-intensive businesses in Missouri;

(7) Advise universities of the research needs of Missouri business and improve the exchange of scientific and technological information for the mutual benefit of universities and private business;

(8) Coordinate programs established by universities to provide Missouri businesses with scientific and technological information;

(9) Establish programs in scientific education which will support the accelerated development of technology-intensive businesses in Missouri;

(10) Provide financial assistance through contracts, grants and loans to programs of scientific and technological research and development;

(11) Determine how public universities can increase income derived from the sale or licensure of products or processes having commercial value that are developed as a result of university sponsored research programs;

(12) Contract with innovation centers, as established in section 348.271, small business development corporations, as established in sections 620.1000 to 620.1007, centers for advanced technology, as established in section 348.272, and other entities or organizations for the provision of technology application, technology commercialization and technology development services. [Such contracting procedures shall not be subject to the provisions of chapter 34; and];

(13) Make direct seed capital or venture capital investments in Missouri business investment funds or businesses [which] **that** demonstrate the promise of growth and job creation. Investments from the corporation may be in the form of debt or equity in the respective businesses;

**(14) Make and execute contracts, guarantees, or any other instruments and agreements necessary or convenient for the exercise of its powers and functions;**

(15) Contract for and to accept any gifts, grants, and loans of funds, property, or any other aid in any form from the federal government, the state, any state agency, or any other source, or any combination thereof, and to comply with the provisions of the terms and conditions thereof;

(16) Procure such insurance, participate in such insurance plans, or provide such self insurance or both as it deems necessary or convenient; provided however, the purchase of insurance, participation in an insurance plan, or creation of a self-insurance fund by the corporation shall not be deemed as a waiver or relinquishment of any sovereign immunity to which the corporation or its officers, directors, employees, or agents are otherwise entitled;

(17) Partner with universities or other research institutions in Missouri to attract and recruit world-class science and innovation talent to Missouri;

(18) Expend any and all funds from the Missouri science and innovation reinvestment fund and all other assets and resources of the corporation for the exclusive purpose of fulfilling any purpose, power, or duty of the corporation under sections 348.250 to 348.275, including but not limited to implementing the powers, purposes, and duties of the corporation as enumerated in this section;

(19) Participate in joint ventures and collaborate with any taxpayer, governmental body or agency, insurer, university, or college of the state, or any other entity to facilitate any activities or programs consistent with the purpose and intent of sections 348.250 to 348.275; and

(20) In carrying out any activities authorized by sections 348.250 to 348.275, the corporation provides appropriate assistance, including the making of investments, grants, and loans, and providing time of employees, to any taxpayer, governmental body, or agency, insurer, university, or college of the state, or any other entity, whether or not any such taxpayer, governmental body or agency, insurer, university, or college of the state, or any other entity, is owned or controlled in whole or in part, directly or indirectly, by the corporation.

2. The corporation shall endeavor to maximize the amount of leveraging of nonstate resources, including public and private, cash and in-kind, attained with its investments, grants, loans, or other forms of support. In the case of investments, grants, loans, or other forms of support that emphasize or are specifically intended to impact a particular Missouri county, municipality, or other geographic subdivision of the state, or are otherwise local in nature, the corporation shall give consideration and weight to local matching funds and other matching resources, public and private.

3. Except as expressly provided in sections 348.250 to 348.275, all monies earned or received by the corporation, including all funds derived from the commercialization of science and innovation products, methods, services, and technology by the corporation, or any affiliate or subsidiary thereof, or from the Missouri science and innovation reinvestment fund, shall belong exclusively to and be subject to the exclusive control of the corporation.

4. The corporation shall have all the powers of a not-for-profit corporation established under Missouri law.

5. The corporation shall assume all moneys, property, or other assets remaining with the Missouri seed capital investment board, established in section 620.641. All powers, duties, and functions performed by the Missouri seed capital investment board shall be transferred to the Missouri technology corporation.

6. The corporation shall not be subject to the provisions of chapter 34.

348.262. In order to assist the corporation in achieving the objectives identified in section 348.261, the department of economic development may contract with the corporation for activities consistent with the corporation's purpose, as specified in [section 348.256] **sections 348.250 to 348.275**. When contracting with the corporation under the provisions of this section, the department of economic development may directly enter into agreements with the corporation and shall not be bound by the provisions of chapter 34, RSMo.

348.263. 1. [The Missouri business modernization and technology corporation shall replace the corporation for science and technology. All moneys, property or any other assets remaining with the corporation for science and technology after all obligations are satisfied on August 28, 1993, shall be transferred to the Missouri business modernization and technology corporation. All powers, duties and functions performed by the Missouri corporation of science and technology on August 28, 1993, shall be transferred to the Missouri business modernization and technology corporation.] **Except as otherwise provided in sections 348.250 to 348.275, the corporation shall be subject to requirements applicable to governmental bodies and records contained in sections 610.010 to 610.225.**

2. [The Missouri technology corporation shall replace the Missouri business modernization and technology corporation. All moneys, property or any other assets remaining with the Missouri business modernization and technology corporation after all obligations are satisfied on August 28, 1994, shall be transferred to the Missouri

technology corporation. All powers, duties and functions performed by the Missouri business modernization and technology corporation on August 28, 1994, shall be transferred to the Missouri technology corporation.] **In addition to the exceptions available under sections 610.010 to 610.225, the records of the corporation shall not be subject to the provisions of sections 610.010 to 610.225, when, upon determination by the corporation, the disclosure of the information in the records would be harmful to the competitive position of the corporation and such records contain:**

- (1) **Proprietary information gathered by, or in the possession of, the corporation from third parties pursuant to a promise of confidentiality;**
- (2) **Contract cost estimates prepared for confidential use in awarding contracts for research, development, construction, renovation, commercialization, or the purchase of goods or services;**
- (3) **Data, records, or information of a proprietary nature produced or collected by, or for, the corporation, its employees, officers, or members of its board;**
- (4) **Third-party financial statements, records, and related data not publicly available that may be shared with the corporation;**
- (5) **Consulting or other reports paid for by the corporation to assist the corporation in connection with its strategic planning and goals; or**
- (6) **The determination of marketing and operational strategies where disclosure of such strategies would be harmful to the competitive position of the corporation.**

**3. In addition to the exceptions available under sections 610.010 to 610.225, the corporation, including the board, executive committee, audit committee, and research alliance of Missouri, or other such committees or boards that the corporation may authorize from time to time, may discuss, consider, and take action on any the following in closed session, when upon determination by the corporation, including as appropriate the board, executive committee, audit committee, and research alliance of Missouri, or other such committees or boards that the corporation may authorize from time to time, disclosure of such items would be harmful to the competitive position of the corporation:**

- (1) **Plans that could affect the value of property, real or personal, owned, or desirable for ownership by the corporation;**
- (2) **The condition, acquisition, use, or disposition of real or personal property; or**
- (3) **Contracts for applied research; basic research; science and innovation product development, manufacturing, or commercialization; construction and renovation of science and innovation facilities; or marketing or operational strategies.**

348.264. [1.] There is hereby established in the state treasury a special fund to be known as the "Missouri [Technology Investment] **Science and Innovation Reinvestment Fund**", which shall consist of all moneys which may be appropriated to it by the general assembly **based on the applicable percentage of the amount by which science and innovation employees' gross wages for the year exceeds the base year gross wages pursuant to section 348.265; other funds appropriated to it by the general assembly**, and also any gifts, contributions, grants or bequests received from federal, private or other sources. [Such moneys shall include federal funds which may be received from the National Institute for Science and Technology, the Small Business Administration and the Department of Defense through its Technology Reinvestment Program.] Money in the Missouri [technology investment program] **science and innovation reinvestment fund** shall be used to carry out the provisions of sections [348.251] **348.250** to 348.275. Moneys for business modernization programs, technology application programs, technology commercialization programs and technology development programs established pursuant to the provisions of sections [348.251] **348.250** to 348.275 shall be available from appropriations made by the general assembly from the Missouri [technology investment] **science and innovation reinvestment fund**. Any moneys remaining in the Missouri [technology investment] **science and innovation reinvestment fund** at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the Missouri technology investment fund.

[2. Notwithstanding the provisions of sections 173.500 to 173.565, RSMo, the Missouri technology investment fund shall be utilized to fund projects which would previously have been funded through the higher education applied projects fund.]

\ **348.265. 1. As soon as practicable after August 28, 2011, the director of the department of economic development, with the assistance of the director of the department of revenue, shall establish the base year gross wages and report the amount of the base year gross wages to the president and board of the corporation, the governor, and the general assembly. Within one hundred eighty days after the end of each fiscal year beginning with the fiscal year ending June 30, 2011, and for each subsequent fiscal year prior to the end of the last funding**

year, the director of economic development, with the assistance of the director of the department of revenue, shall determine and report to the president and board of the corporation, governor, and general assembly the amount by which aggregate science and innovation employees' gross wages for the fiscal year exceeds the base year gross wages. The director of economic development and the director of the department of revenue may consider any verifiable evidence, including but not limited to the NAICS codes assigned or recorded by the United States Department of Labor for companies with employees in the state, when determining which organizations should be classified as science and innovation companies.

2. Notwithstanding section 23.250 to the contrary, for each of the twenty-five funding years, beginning July 1, 2011, the director of revenue shall transfer to the Missouri science and innovation reinvestment fund an amount equal to the product of the applicable percentage multiplied by an amount equal to the increase in aggregate science and innovation employees' gross wages for the prior fiscal year, over the base year gross wages. The director of revenue may make estimated payments to the Missouri science and innovation reinvestment fund more frequently based on estimates provided by the director of revenue and reconciled annually.

3. Local political subdivisions may contribute to the Missouri science and innovation reinvestment fund through a grant, contract, or loan by dedicating a portion of any sales tax or property tax increase resulting from increases in science and innovation company economic activity occurring after August 28, 2011, or other such taxes or fees as such local political subdivisions may establish.

4. Funding generated by the provisions of this section shall be expended by the corporation to further its purposes as specified in section 348.256.

5. Upon enactment of this section, the corporation shall prepare a strategic plan for the use of the funding to be generated by the provisions of this section, and may consult with science and innovation partners, including, but not limited to the research alliance of Missouri, as established in section 348.257; the life sciences research board established in section 196.1003; and the innovation centers or centers for advanced technology, as established in section 348.272. The corporation shall make a draft strategic plan available for public comment prior to publication of the final strategic plan.

348.269. 1. Nothing contained in sections 348.250 to 348.275 shall be construed as a restriction or limitation upon any powers that the corporation might otherwise have under chapter 355, and the provisions of sections 348.250 to 348.275 are cumulative to such powers.

2. Nothing in sections 348.250 to 348.275 shall be construed as allowing the board to sell the corporation or substantially all of the assets of the corporation, or to merge the corporation with another institution, without prior authorization by the general assembly.

3. Notwithstanding the provisions of section 23.253 to the contrary, the provisions of sections 348.250 to 348.275 shall not sunset. The provisions of sections 348.250 to 348.275 shall not terminate before the satisfaction of all outstanding obligations, notes, and bonds provided for under sections 348.250 to 348.275.

4. The provisions of sections 348.250 to 348.275 shall not terminate before the satisfaction of all outstanding obligations, notes, and bonds provided for under sections 348.250 to 348.275.

5. If any provision of this Act or the application thereof is held invalid, the invalidity shall not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable. Insofar as the provisions of sections 348.250 to 348.275 are inconsistent with the provisions of any other law, general, specific or local, the provisions of sections 348.250 to 348.275 shall be controlling.

348.271. 1. In order to foster the growth of Missouri's economy and to stimulate the creation of new jobs in [technology-based] **science and innovation-based** industry for the state's work force, the Missouri technology corporation, in accordance with the provisions of this section and within the limits of appropriations therefor is authorized to contract with Missouri not-for-profit corporations for the operation of innovation centers within the state. The primary emphasis of some, if not of all innovation centers, shall be in the areas of [technology commercialization, finance and business modernization. Innovation centers operated under the provisions of this section shall provide assistance to individuals and business organizations during the early stages of the development of new technology-based] **science and innovation-based** business ventures. Such assistance may include the provision of facilities, equipment, administrative and managerial support, planning assistance, and such other services and programs that enhance the development of such ventures and such assistance may be provided for fees or other consideration.

2. The innovation centers operated under this section shall counsel and assist the new [technology-based] **science and innovation-based** business ventures in finding a suitable site in the state of Missouri for location of the business upon its graduation from the innovation program. Each innovation center shall annually submit a report of its

activities to the department of economic development and the Missouri technology corporation which shall include, but not be limited to, the success rate of the businesses graduating from the center, the progress and locations of businesses which have graduated from the center, the types of businesses which have graduated from the center, and the number of jobs created by the businesses involved in the center.

**3. Any contract signed between the corporation and any not-for-profit organization to operate an innovation center in accordance with the provisions of this section shall require that the not-for-profit organization must provide at least a one-hundred-percent match for the funding received from the corporation pursuant to appropriation therefor.**

348.300. As used in sections 348.300 to 348.318, the following terms mean:

(1) "Commercial activity located in Missouri", any research, development, prototype fabrication, and subsequent precommercialization activity, or any activity related thereto, conducted in Missouri for the purpose of producing a service or a product or process for manufacture, assembly or sale or developing a service based on such a product or process by any person, corporation, partnership, joint venture, unincorporated association, trust or other organization doing business in Missouri. Subsequent to January 1, 1999, a commercial activity located in Missouri shall mean only such activity that is located within a distressed community, as defined in section 135.530;

(2) "Follow-up capital", capital provided to a commercial activity located in Missouri in which a qualified fund has previously invested seed capital or start-up capital and which does not exceed ten times the amount of such seed and start-up capital;

(3) "Person", any individual, corporation, partnership, or other entity, including any charitable corporation which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143;

(4) "Qualified contribution", cash contribution to a qualified fund;

(5) "Qualified economic development organization", any corporation organized under the provisions of chapter 355 which has as of January 1, 1991, obtained a contract with the department of economic development to operate an innovation center to promote, assist and coordinate the research and development of new services, products or processes in the state of Missouri; and the Missouri technology corporation organized pursuant to the provisions of sections [348.253 to 348.266] **348.250 to 348.275**;

(6) "Qualified fund", any corporation, partnership, joint venture, unincorporated association, trust or other organization which is established under the laws of Missouri after December 31, 1985, which meets all of the following requirements established by this subdivision. The fund shall have as its sole purpose and business the making of investments, of which at least ninety percent of the dollars invested shall be qualified investments. The fund shall enter into a contract with one or more qualified economic development organizations which shall entitle the qualified economic development organizations to receive not less than ten percent of all distributions of equity and dividends or other earnings of the fund. Such contracts shall require the qualified fund to transfer to the Missouri technology corporation organized pursuant to the provisions of sections [348.253 to 348.266] **348.250 to 348.275** this interest and make corresponding distributions thereto in the event the qualified economic development organization holding such interest is dissolved or ceases to do business for a period of one year or more;

(7) "Qualified investment", any investment of seed capital, start-up capital, or follow-up capital in any commercial activity located in Missouri;

(8) "Seed capital", capital provided to a commercial activity located in Missouri for research, development and precommercialization activities to prove a concept for a new product or process or service, and for activities related thereto;

(9) "Start-up capital", capital provided to a commercial activity located in Missouri for use in preproduction product development or service development or initial marketing thereof, and for activities related thereto;

(10) "State tax liability", any state tax liability incurred by a taxpayer under the provisions of chapters 143, 147 and 148, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions;

(11) "Uninvested capital", the amount of any distribution, other than of earnings, by a qualified fund made within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318; or the portion of all qualified contributions to a qualified fund which are not invested as qualified investments within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318 to the extent that the amount not so invested exceeds ten percent of all such qualified contributions."; and



Further amend said bill, Page 323, Section 178.896, Line 19, by inserting after all of said line the following:

"[348.253. 1. The Missouri technology corporation may contract with not-for-profit organizations to carry out the provisions of sections 348.251 to 348.275. By entering into such contracts, the corporation shall attempt to achieve the following objectives:

(1) The establishment of a research alliance which shall advance technology development, as defined in subdivision (3) of section 348.251. The corporation, in this capacity, shall have the authority to contract directly with centers for advanced technology, as established by section 348.272, and other not-for-profit entities. In proceeding with this objective, the corporation and centers for advanced technology shall utilize the results of targeted industry studies commissioned by the department of economic development;

(2) Technology commercialization, as defined in subdivision (2) of section 348.251;

(3) The establishment of a finance corporation to assist in the implementation of section 348.261; and

(4) The enhancement of technology application, as defined in subdivision (1) of section 348.251.

2. Any contract signed between the corporation and any not-for-profit organization, including innovation centers as defined in section 348.271, shall require that the not-for-profit organization must provide at least one-hundred-percent match for any funding received from the corporation through the technology investment fund, as established in section 348.264.J"; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 10-11, Section 32.088, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 154, Section 135.1505, Line 20, by striking the word "shall" ; and inserting in lieu thereof the following:

"may".

*Senate Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 148, Section 135.1150, Line 20 of said page, by inserting immediately after said line the following:

**"135.1180. 1. This section shall be known and may be cited as the "Developmental Disability Care Provider Tax Credit Program".**

**2. As used in this section, the following terms mean:**

(1) "Certificate", a tax credit certificate issued under this section;

(2) "Department", the Missouri department of social services;

(3) "Eligible donation", donations received, by a provider, from a taxpayer that are used solely to provide direct care services to persons with developmental disabilities who are residents of this state. Eligible donations may include cash, publicly traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department of social services. For purposes of this section, "direct care services" include, but are not limited to, increasing the quality of care and service for persons with developmental disabilities through improved employee compensation and training;

(4) "Qualified developmental disability care provider" or "provider", a care provider that provides assistance to persons with developmental disabilities, and is under contract with the Missouri department of social services or department of mental health to provide treatment services for such persons, and that receives eligible

donations. Any provider that operates more than one facility or at more than one location shall be eligible for the tax credit under this section only for any eligible donation made to facilities or locations of the provider which are licensed and accredited;

- (5) "Taxpayer", any of the following individuals or entities who make an eligible donation to a provider:
  - (a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed in chapter 143;
  - (b) A corporation subject to the annual corporation franchise tax imposed in chapter 147;
  - (c) An insurance company paying an annual tax on its gross premium receipts in this state;
  - (d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;
  - (e) An individual subject to the state income tax imposed in chapter 143;
  - (f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

3. For all taxable years beginning on or after January 1, 2011, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148 excluding withholding tax imposed by sections 143.191 to 143.265 in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

4. To claim the credit authorized in this section, a provider may submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the provider has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
- (2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received by the provider; and
- (3) Payment from the provider equal to the value of the tax credit for which application is made.

If the provider applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

5. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit.

6. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

7. Under section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset four years after August 28, 2011, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 9*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 48, Section 67.3005, Line 5 of said page, by inserting after all of said line the following:

"99.975. 1. No new applications made pursuant to sections 99.915 to 99.980 shall be approved after [January 1, 2013] **August 28, 2011**.

2. No applications made pursuant to sections 99.915 to 99.980 shall be approved prior to August 28, 2003, except for applications for projects that are located within a county for which public and individual assistance has been requested by the governor pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions that occurred after May 1, 2003, but prior to May 10, 2003, and the development project area is a central business district that sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency.

3. Prior to December 31, 2006, the Missouri development finance board may approve up to two applications made pursuant to sections 99.915 to 99.980 in a home rule city with more than four hundred thousand inhabitants and located in more than one county in which the state sales tax increment for such projects approved pursuant to the provisions of this subsection shall be up to one-half of the incremental increase in all sales taxes levied pursuant to section 144.020. In no event shall the incremental increase include any amounts attributable to retail sales unless the Missouri development finance board and the department of economic development are satisfied based on information provided by the municipality or authority, and such entities have made a finding that a substantial portion of all but a de minimus portion of the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase for an existing facility shall be the amount of all state sales taxes generated pursuant to section 144.020 at the facility in excess of the amount of all state sales taxes generated pursuant to section 144.020 at the facility in the baseline year. The incremental increase in development project areas where the baseline year is the year following the year in which the development project is approved by the municipality pursuant to subdivision (2) of section 99.918 shall be the state sales tax revenue generated by out-of-state businesses relocating into a development project area. The incremental increase for a Missouri facility which relocates to a development project area shall be the amount by which the state sales tax revenue of the facility exceeds the state sales tax revenue for the facility in the calendar year prior to relocation."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 10*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 197-203, Section 168.071, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 11*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 11-17, Section 32.105 of said page, by striking all of said section from the bill; and

Further amend said bill, Pages 17-18, Section 32.110, by striking all of said section from the bill; and

Further amend said bill, Pages 18-27, Section 32.115, by striking all of said section and inserting in lieu thereof the following:

"32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;

- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

- (a) An area that is not part of a standard metropolitan statistical area;
- (b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more

than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

**6. Notwithstanding any provision of law to the contrary, no tax credits provided under sections 32.100 to 32.125 shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits.";** and

Further amend said bill, Pages 27-29, Section 32.117, by striking all of said section from the bill; and

Further amend said bill, Page 29, Section 32.120, Lines 19-25 of said page, by striking all of said section from the bill; and

Further amend said bill, Page 78, Section 135.327, Lines 14-25 of said page, by striking all of the underlined language from said lines; and

Further amend said bill and section, Page 81, Lines 19-28 of said page, by striking all of the underlined language from said lines; and

Further amend said bill and section, Page 82, Lines 1-3 of said page, by striking all of the underlined language from said lines; and

Further amend said bill, Pages 89-94, Section 135.460, by striking all of said section and inserting in lieu thereof the following:

"135.460. 1. This section and sections 620.1100 and 620.1103 shall be known and may be cited as the "Youth Opportunities and Violence Prevention Act".

2. As used in this section, the term "taxpayer" shall include corporations as defined in section 143.441 or 143.471, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, and individuals, individual proprietorships and partnerships.

3. A taxpayer shall be allowed a tax credit against the tax otherwise due pursuant to chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, chapter 147, chapter 148, or chapter 153 in an amount equal to thirty percent for property contributions and fifty percent for monetary contributions of the amount such taxpayer contributed to the programs described in subsection 5 of this section, not to exceed two hundred thousand dollars per taxable year, per taxpayer; except as otherwise provided in subdivision (5) of subsection 5 of this section. The department of economic development shall prescribe the method for claiming the tax credits allowed in this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

4. The tax credits allowed by this section shall be claimed by the taxpayer to offset the taxes that become due in the taxpayer's tax period in which the contribution was made. Any tax credit not used in such tax period may be carried over the next five succeeding tax periods.

5. The tax credit allowed by this section may only be claimed for monetary or property contributions to public or private programs authorized to participate pursuant to this section by the department of economic development and may be claimed for the development, establishment, implementation, operation, and expansion of the following activities and programs:

(1) An adopt-a-school program. Components of the adopt-a-school program shall include donations for school activities, seminars, and functions; school-business employment programs; and the donation of property and equipment of the corporation to the school;

(2) Expansion of programs to encourage school dropouts to reenter and complete high school or to complete a graduate equivalency degree program;

(3) Employment programs. Such programs shall initially, but not exclusively, target unemployed youth living in poverty and youth living in areas with a high incidence of crime;

(4) New or existing youth clubs or associations;

(5) Employment/internship/apprenticeship programs in business or trades for persons less than twenty years of age, in which case the tax credit claimed pursuant to this section shall be equal to one-half of the amount paid to the intern or apprentice in that tax year, except that such credit shall not exceed ten thousand dollars per person;

(6) Mentor and role model programs;

(7) Drug and alcohol abuse prevention training programs for youth;

(8) Donation of property or equipment of the taxpayer to schools, including schools which primarily educate children who have been expelled from other schools, or donation of the same to municipalities, or not-for-profit corporations or other not-for-profit organizations which offer programs dedicated to youth violence prevention as authorized by the department;

(9) Not-for-profit, private or public youth activity centers;

(10) Nonviolent conflict resolution and mediation programs;

(11) Youth outreach and counseling programs.

6. Any program authorized in subsection 5 of this section shall, at least annually, submit a report to the department of economic development outlining the purpose and objectives of such program, the number of youth served, the specific activities provided pursuant to such program, the duration of such program and recorded youth attendance where applicable.

7. The department of economic development shall, at least annually submit a report to the Missouri general assembly listing the organizations participating, services offered and the number of youth served as the result of the implementation of this section.

8. The tax credit allowed by this section shall apply to all taxable years beginning after December 31, 1995.

9. For the purposes of the credits described in this section, in the case of a corporation described in section 143.471, partnership, limited liability company described in section 347.015, cooperative, marketing enterprise, or partnership, in computing Missouri's tax liability, such credits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership;
- (3) The members of the limited liability company; and
- (4) Individual members of the cooperative or marketing enterprise. Such credits shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

**10. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits.";** and

Further amend said bill, Pages 105-109, Section 135.550, by striking all of said section and inserting in lieu thereof the following:

"135.550. 1. As used in this section, the following terms shall mean:

- (1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;
- (2) "Shelter for victims of domestic violence", a facility located in this state which meets the definition of a shelter for victims of domestic violence pursuant to section 455.200 and which meets the requirements of section 455.220;
- (3) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143;
- (4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, including any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a shelter for victims of domestic violence.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a shelter or shelters for victims of domestic violence in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director of the department of social services shall determine, at least annually, which facilities in this state may be classified as shelters for victims of domestic violence. The director of the department of social services may require of a facility seeking to be classified as a shelter for victims of domestic violence whatever information is reasonably necessary to make such a determination. The director of the department of social services shall classify a facility as a shelter for victims of domestic violence if such facility meets the definition set forth in subsection 1 of this section.

6. The director of the department of social services shall establish a procedure by which a taxpayer can determine if a facility has been classified as a shelter for victims of domestic violence, and by which such taxpayer can then contribute to such shelter for victims of domestic violence and claim a tax credit. Shelters for victims of domestic violence shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to shelters for victims of domestic violence in any one fiscal year shall not exceed two million dollars.

7. The director of the department of social services shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of the department of social services, the cumulative amount of tax credits are equally apportioned among all facilities classified as shelters for victims of domestic violence. If a shelter for victims of domestic violence fails to use all, or some percentage to be determined by the director of the department of social services, of its apportioned tax credits during this predetermined period of time, the director of the department of social services may reapportion these unused tax credits to those shelters for victims of domestic violence that have used all, or some percentage to be determined by the director of the department of social services, of their apportioned tax credits during this predetermined period of time. The director of the department of social services may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of the department of social services shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. This section shall become effective January 1, 2000, and shall apply to all tax years after December 31, 1999.

**9. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits.";** and

Further amend said bill, Pages 115-119, Section 135.600, by striking all of said section and inserting in lieu thereof the following:

"135.600. 1. As used in this section, the following terms shall mean:

- (1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;
- (2) "Maternity home", a residential facility located in this state established for the purpose of providing housing and assistance to pregnant women who are carrying their pregnancies to term, and which is exempt from income taxation under the United States Internal Revenue Code;
- (3) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143;
- (4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, including any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a maternity home.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a maternity home or homes in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director of the department of social services shall determine, at least annually, which facilities in this state may be classified as maternity homes. The director of the department of social services may require of a facility seeking to be classified as a maternity home whatever information is reasonably necessary to make such a determination. The director of the department of social services shall classify a facility as a maternity home if such facility meets the definition set forth in subsection 1 of this section.

6. The director of the department of social services shall establish a procedure by which a taxpayer can determine if a facility has been classified as a maternity home, and by which such taxpayer can then contribute to such maternity home and claim a tax credit. Maternity homes shall be permitted to decline a contribution from a taxpayer.



The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to maternity homes in any one fiscal year shall not exceed two million dollars.

7. The director of the department of social services shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of the department of social services, the cumulative amount of tax credits are equally apportioned among all facilities classified as maternity homes. If a maternity home fails to use all, or some percentage to be determined by the director of the department of social services, of its apportioned tax credits during this predetermined period of time, the director of the department of social services may reapportion these unused tax credits to those maternity homes that have used all, or some percentage to be determined by the director of the department of social services, of their apportioned tax credits during this predetermined period of time. The director of the department of social services may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of the department of social services shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. This section shall become effective January 1, 2000, and shall apply to all tax years after December 31, 1999.

**9. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2015. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2015, or a taxpayer's ability to redeem such tax credits.";** and

Further amend said bill, Pages 119-124, Section 135.630, by striking all of said section and inserting in lieu thereof the following:

"135.630. 1. As used in this section, the following terms mean:

- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
- (2) "Director", the director of the department of social services;
- (3) "Pregnancy resource center", a nonresidential facility located in this state:
  - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
  - (b) Where childbirths are not performed; and
  - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
  - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
  - (e) Which provides its services at no cost to its clients; and
  - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
  - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
- (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;
- (5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty

thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset.] **Pursuant to section 23.253 of the Missouri sunset act, the provisions of the program authorized under this section are hereby reauthorized and shall automatically sunset on August 28, 2015.**"; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 12*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 290, Section 620.2015, Line 9, by inserting immediately after the word "under" the following:

**"subsection 2 of";** and

Further amend Line 11, by striking the word "the"; and

Further amend Lines 12-13, by striking all of said lines and inserting in lieu thereof the following:

**"one hundred percent of the withholding tax from full-time jobs that would otherwise be";** and

Further amend Line 15, by inserting immediately after "143.265," the following:

**"for a period of ten years";** and

Further amend said bill and section, Page 294, Line 12, by striking the words "subdivision (5) of subsection 3" and inserting in lieu thereof the following **"subsection 7";** and

Further amend Line 13, by striking "620.2010" and inserting in lieu thereof the following:

**"620.2020".**

*Senate Amendment No. 15*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 208, Section 253.550, Line 19, by inserting immediately after "253.559." the following:

**"The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.";** and

Further amend said bill and section, Page 209, Line 7, by inserting immediately after "2011;" the following:

**"or";** and

Further amend Lines 8-10, by striking all of said lines and renumbering the remaining subdivision accordingly.

*Senate Amendment No. 1*

*to*

*Senate Amendment No. 16*

AMEND Senate Amendment No. 16 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Page 3, Section 135.352, Line 17, by striking "2019" and inserting in lieu thereof the following:

**"2015";** and

Further amend Line 19, by striking "2019" and inserting in lieu thereof the following:

**"2015".**

*Senate Amendment No. 16*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 85-89, Section 135.352, by striking all of said section from the bill and inserting in lieu thereof the following:

"135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall, subject to the limitations provided under the provisions of subsection 3 of this section, be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects placed in service after January 1, 1997, the Missouri low-income housing tax credit available to a project shall be such amount as the commission shall determine is necessary to ensure the

feasibility of the project, up to an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal tax period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period. **No more than one hundred million dollars in tax credits provided under sections 135.350 to 135.363 shall be authorized in any fiscal year beginning on or after July 1, 2011.**

3. No more than six million dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt bond issuance. **No tax credits shall be authorized after June 30, 2011, for projects financed through tax-exempt bond issuance.**

4. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years. **For projects authorized on or after July 1, 2011, any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried forward to any of the taxpayer's five subsequent taxable years but shall not be carried back to any of the taxpayer's previous taxable years.**

5. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

6. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

7. **A taxpayer that receives tax credits under the provisions of sections 253.545 to 253.559 shall be ineligible to receive tax credits under the provisions of sections 135.350 to 135.363 for the same project.**

8. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

9. **Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2019. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2019, or a taxpayer's ability to redeem such tax credits."**; and

Further amend said bill, Pages 94-95, Section 135.481, by striking all of said section of the bill; and

Further amend said bill, Page 96, Section 135.484, Lines 11-18, by striking all of the underlined language on said lines; and

Further amend said bill and section, Page 97, Line 1, by striking all of the opening and closing brackets and underlined language on said line; and

Further amend Line 18, by striking "August 28, 2014" and inserting in lieu thereof the following:

**"July 1, 2011";** and

Further amend Line 21, by striking "August 28, 2014" and inserting in lieu thereof the following:

**"July 1, 2011";** and

Further amend said bill, Section 208.770, Page 205, Line 3, by inserting after all of said line the following:

"215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more

than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The employment of an executive director or chief executive officer by the commission, including the executive director or chief executive officer serving in such capacity on the effective date of this act, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of Article IV, Section 51 of the Missouri Constitution.";** and

Further amend said bill, Page 305, Section 660.055, Line 26, by inserting immediately after all of said line the following:

**"Section 1. An insurance company claiming a state premium tax credit or deduction shall not be required to pay any additional retaliatory tax levied pursuant to section 375.916 as a result of claiming such credit or deduction.";** and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 17*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 & 316, Pages 165-167, Section 137.1018, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 137**, entitled:

An act to repeal section 37.005, RSMo, and to enact in lieu thereof twenty-five new sections relating to the transfer of property, with an emergency clause.

With Senate Amendment No. 2.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 137, Page 7, Section 37.005, Line 27, by striking all of the underlined words and opening bracket on said line and inserting in lieu thereof an opening bracket "[" immediately after the first occurrence of the word "University"; and

Further amend Line 28, by striking the closing bracket "]" on said line; and

Further amend said bill and section, Page 8, Line 4, by inserting a closing bracket "]" immediately after the word "University".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 315**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 641**, entitled:

An act to repeal sections 195.010, 195.017, 195.022, 195.202, and 195.217, RSMo, and to enact in lieu thereof five new sections relating to controlled substances, with an existing penalty provision.

In which the concurrence of the House is respectfully requested.

## COMMITTEE APPOINTMENTS

May 2, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Brent Lasater as Vice-Chairman of the Transportation Funding and Public Institutions Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the House of Representatives

-----

May 2, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Thomas Long as Vice-Chairman of the Transportation Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the House of Representatives

## MESSAGES FROM THE GOVERNOR

May 2, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 1** entitled:

"AN ACT"

To appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

On May 2, 2011, I approved said **House Committee Substitute for House Bill No. 1**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----

May 2, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

On May 2, 2011, I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----  
May 2, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Bill No. 15** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2011.

On May 2, 2011, I approved said **House Bill No. 15**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----



May 2, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 174** entitled:

"AN ACT"

To repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education governing boards, with an existing penalty provision.

On May 2, 2011, I approved said **House Committee Substitute for House Bill No. 174**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----  
April 30, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193** entitled:

"AN ACT"

To repeal sections 128.345, 128.346, and 128.348, RSMo, and to enact in lieu thereof eleven new sections relating to the composition of congressional districts.

I disapprove of **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193**. My reasons for disapproval are as follows:

**Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193** does not adequately protect the interests of all Missourians. I have taken this action expeditiously in order to provide the General Assembly the opportunity to pass legislation with appropriate congressional district boundaries during the current legislative session.

In accordance with the above stated reasons for disapproval, I am returning **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 193** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

May 2, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 209** entitled:

"AN ACT"

To repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

I disapprove of **Senate Substitute for Senate Committee Substitute for House Bill No. 209**. My reasons for disapproval are as follows:

**Senate Substitute for Senate Committee Substitute for House Bill No. 209** is flawed because certain of its provisions apply to nuisances not related to crop or animal production, and because it prohibits recovery of punitive damages in nuisance actions emanating from property used for crop or animal production.

**Senate Substitute for Senate Committee Substitute for House Bill No. 209** is overbroad because it goes beyond its purported intent of addressing only agricultural nuisances. Section 537.296.3 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** converts a second temporary nuisance claim to a claim for permanent nuisance, but importantly, does not contain language limiting its application to nuisances emanating from crop or animal production. By contrast, the exclusive damages provision of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** and the "good faith" abatement provision of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** are expressly limited to "crop or animal production." By its own terms, therefore, the two lawsuit limitation in Section 537.296.3 applies to all types of nuisances and not just those relating to crop or animal production. Application of this provision beyond the purported intent of the bill, and the unintended consequences of this application, necessitates my disapproval.

Similarly, Section 537.296.5 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** makes substantive changes to standing requirements, but again does not contain language limiting it to nuisances emanating from crop or animal production. The omission of language limiting this provision to crop or animal production has the presumably unintended effect of making all manner of nuisances – those involving blasting, vehicle exhaust, noise, dust, or leaking gas tanks or oil lines, to name just a few – subject to the standing provision of this bill and making changes to nuisance law not contemplated by either the proponents or opponents of **Senate Substitute for Senate Committee Substitute for House Bill No. 209**.

Finally, **Senate Substitute for Senate Committee Substitute for House Bill No. 209** unacceptably prohibits punitive damages in a nuisance action arising out of crop or animal production. Under Missouri law, punitive damages are recoverable in a temporary nuisance action, i.e., where the nuisance is capable of abatement, and in a permanent nuisance action, i.e., where the nuisance cannot be abated. These damages are currently recoverable for agricultural and non-agricultural nuisances. Section 537.296.2 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** changes Missouri law to provide that the "exclusive damages" awardable in temporary and permanent nuisance actions emanating from crop or animal production are the reduction in fair rental value or fair market value, plus compensatory damages arising from a medical condition caused by the nuisance. This exclusivity provision does not contain an exception for punitive damages. On its face, therefore, **Senate Substitute for Senate Committee Substitute for House Bill No. 209** turns back decades of Missouri common law by prohibiting the recovery of punitive damages in an agricultural nuisance action. The recovery of punitive damages is an important tool to incent the abatement of noxious activity, and must continue to be available to persons aggrieved by a nuisance arising out of crop or animal production.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for Senate Committee Substitute for House Bill No. 209** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----  
May 2, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Bill No. 358** entitled:

"AN ACT"

To repeal sections 86.252, 86.255, 86.256, 86.294, and 86.354, RSMo, and to enact in lieu thereof six new sections relating to police retirement.

On May 2, 2011, I approved said **House Bill No. 358**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, May 3, 2011.

## CORRECTIONS TO THE HOUSE JOURNAL

### AFFIDAVITS

I, State Representative Sue Allen, District 92, hereby state and affirm that my vote as recorded on Page 1636 of the Journal of the House for Wednesday, April 27, 2011, to third read and pass House Committee Substitute for Senate Bill No. 161, was incorrectly recorded as Aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of May 2011.

/s/ Susan Allen  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Cole )

Subscribed and sworn to before me this 2nd day of May in the year 2011.

/s/ Patricia G. Pleus  
Notary Public

-----

I, State Representative Anne Zerr, District 18, hereby state and affirm that my vote as recorded on Page 1636 of the Journal of the House for Wednesday, April 27, 2011, to third read and pass House Committee Substitute for Senate Bill No. 161, was incorrectly recorded as Aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Nay. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of May 2011.

/s/ Anne Zerr  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Cole )

Subscribed and sworn to before me this 2nd day of May in the year 2011.

/s/ Patricia G. Pleus  
Notary Public

## **COMMITTEE MEETINGS**

### **AGRI-BUSINESS**

Tuesday, May 3, 2011, 8:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

**CANCELLED**

### **AGRI-BUSINESS**

Tuesday, May 3, 2011, 1:00 PM House Hearing Room 4.

Public hearing will be held: SB 187

Executive session will be held: SB 187

Executive session may be held on any matter referred to the committee.

### **AGRICULTURE POLICY**

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 6.

Public hearing will be held: SCS SB 337

Executive session may be held on any matter referred to the committee.

We will have a presentation by the Rice Merchandising Council.

### **CONFERENCE COMMITTEE**

Tuesday, May 3, 2011, 9:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4,  
SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9,  
SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Wednesday, May 4, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Thursday, May 5, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Friday, May 6, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CORRECTIONS

Tuesday, May 3, 2011, House Hearing Room 2 upon afternoon adjournment.

Informational dinner meeting following afternoon adjournment

ECONOMIC DEVELOPMENT

Tuesday, May 3, 2011, House Hearing Room 7 upon afternoon adjournment.

Executive session will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 4, 2011, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 4, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

FISCAL REVIEW

Thursday, May 5, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### FISCAL REVIEW

Thursday, May 5, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### GENERAL LAWS

Tuesday, May 3, 2011, 12:00 PM South Gallery.

Executive session will be held: SCS SB 300

Executive session may be held on any matter referred to the committee.

CANCELLED

#### JOINT COMMITTEE ON EDUCATION

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

#### JUDICIARY

Wednesday, May 4, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: SCS SB 213

Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Wednesday, May 4, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

#### RULES

Tuesday, May 3, 2011, House Hearing Room 6 upon afternoon adjournment.

Executive session will be held: HR 900

Executive session may be held on any matter referred to the committee.

#### RULES - RULES PURSUANT TO RULE 25(32)(F)

Tuesday, May 3, 2011, House Hearing Room 6 upon afternoon adjournment.

Executive session will be held: HB 200, HCS HB 446, HB 720, HB 740, HR 1826, SCR 7,

HCS SCS SB 29, SCS SB 54, HCS SB 59, HCS SB 61, SB 71, HCS#2 SB 97,

HCS SCS SB 117, HCS SS SB 118, HCS SCS SB 131, HCS SB 145, HCS SS SB 202,

HCS SS SB 226, SB 237, HCS SB 250, HCS SCS SB 270, HCS SB 284, HCS SB 322

Executive session may be held on any matter referred to the committee.

CORRECTED

#### RURAL COMMUNITY DEVELOPMENT

Wednesday, May 4, 2011, 6:30 PM 3702 W. Truman Blvd.

Committee dinner

#### TOURISM AND NATURAL RESOURCES

Tuesday, May 3, 2011, 8:30 AM House Hearing Room 3.

Public hearing will be held: SCS SB 230

Executive session will be held: SCS SB 230

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 7.

Public hearing will be held: HCR 53, SCS SBs 26 & 106

Executive session may be held on any matter referred to the committee.

**UTILITIES**

Tuesday, May 3, 2011, 12:00 PM House Hearing Room 1.

Public hearing will be held: SB 48

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTY-FIFTH DAY, TUESDAY, MAY 3, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 658 - Schatz
- 24 HCS HB 707 - Brown (50)
- 25 HCS HB 999 - Schad

## **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

## **HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

## **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz

## **SENATE BILLS FOR THIRD READING**

- 1 HCS#2 SB 3 - Diehl
- 2 HCS SS#2 SCS SB 8 - Fisher
- 3 SS SB 55 - Day
- 4 HCS SS SCS SB 58 - Denison
- 5 SB 101 - Nance
- 6 HCS SS SB 135, E.C. - Jones (89)
- 7 HCS SCS SB 163 - Thomson
- 8 HCS SB 173 - Cierpiot
- 9 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 10 HCS SCS SB 219 - Wells
- 11 HCS SB 220 - Diehl
- 12 HCS SB 282 - Dugger
- 13 SS SB 306 - Wells
- 14 HCS SCS SB 57 - Gatschenberger
- 15 SB 83 - Wells
- 16 HCS#2 SB 96 - Fitzwater
- 17 HCS SB 145 - Gatschenberger
- 18 SB 165 - Cox

## **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HBs 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 142, as amended - Gatschenberger



- 8 SCS HB 186 - Entlicher
- 9 SCS HB 149 - Day
- 10 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 11 SCS HB 256 - Cox
- 12 SCS HCS HB 214 - Zerr
- 13 SS SCS HB 137, as amended, E.C. - Thomson
- 14 SCS HCS HB 641 - Franz

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2 - Silvey
- 2 SCS HCS HB 3 - Silvey
- 3 SCS HCS HB 4 - Silvey
- 4 SCS HCS HB 5 - Silvey
- 5 SCS HCS HB 6 - Silvey
- 6 SCS HCS HB 7, as amended - Silvey
- 7 SCS HCS HB 8 - Silvey
- 8 SCS HCS HB 9 - Silvey
- 9 SCS HCS HB 10 - Silvey
- 10 SCS HCS HB 11 - Silvey
- 11 SCS HCS HB 12 - Silvey
- 12 SCS HCS HB 13 - Silvey

**VETOED HOUSE BILLS**

- 1 CCS SS HCS HB 193 - Diehl
- 2 SS SCS HB 209 - Guernsey

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTY-FIFTH DAY, TUESDAY, MAY 3, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Charles R. Curtman, Cornerstone Baptist Church, Wildwood, Missouri.

Dear Heavenly Father,

We want to thank You today that You are a holy and righteous God; and in these times especially, we are reminded and grateful that You are longsuffering and patient with the children of men.

We thank You today for this land You have given to us, a land so situated and so bountiful that it has provided us with a security and prosperity unprecedented in the history of nations. And as we thank You for this land, we also want to thank You for the guidance You gave to our forefathers in framing a system of government that would place us under a rule of law, and not under the arbitrary rule of fickle men - we thank You for this Constitutional Republic designed to protect and promote the individual freedom, and therefore the happiness of the people of these United States of America.

Today we realize that as Americans we have, as we have always had, a sacred responsibility for the stewardship of this land and these liberties that You have entrusted to us. In keeping with this help us, in these urgent times, to act upon Your promise in 2 Chronicles 7:14: "If my people, which are called by my name will humble themselves and pray, and seek my face, and turn from their wicked ways, then, will I hear from Heaven, and will forgive their sin, and will heal their land."

And so, we ask that You would help this body of Congressmen and women today to represent and lead, not in the interest of collectivism or the advancement of a totalitarian state, but in the interests of those principles that are embedded in our Constitution and that undergird our Constitutional Republic and the furtherance of individual freedom. We pray that you will impart to them a spirit of selflessness, courage and commitment to the cause of freedom and a consciousness of their accountability to You for all that they do. Bless these legislators in their work today; watch over and protect their families, as they are absent from them.

We ask all these things in the name of Your Son, Jesus Christ and for His sake. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Morgan McGhee.

The Journal of the sixty-fourth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2938 through House Resolution No. 3027

### THIRD READING OF SENATE BILLS

**HCS SS#2 SCS SB 8**, relating to workers' compensation, was taken up by Representative Fisher.

Representative McManus offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, Page 2, Section 287.067, Line 36, by inserting after the word "department" the following:

**"or paid police officers of a paid police department certified under chapter 590"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McManus, **House Amendment No. 1** was adopted.

On motion of Representative Fisher, **HCS SS#2 SCS SB 8, as amended**, was adopted.

On motion of Representative Fisher, **HCS SS#2 SCS SB 8, as amended**, was read the third time and passed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Stream
Thomson	Torpey	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCaherty

McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Silvey	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 008

Dieckhaus	Hodges	Koenig	Loehner	Meadows
Swinger	Wallingford	Webber		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**SS SB 55**, relating to the classification of sawmills, was taken up by Representative Day.

On motion of Representative Day, **SS SB 55** was truly agreed to and finally passed by the following vote:

AYES: 129

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McDonald	McGhee	McManus	McNary
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 024

Anders	Atkins	Aull	Carlson	Ellinger
Hummel	Kirkton	May	McCann Beatty	McGeoghegan

McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Schupp	Smith 71
Spreng	Still	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 007

Carter	Hodges	Koenig	Meadows	Swinger
Wallingford	Webber			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SS SCS SB 58**, relating to transportation, was taken up by Representative Denison.

Representative Jones (63) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Pages 1 and 2, Section 301.3084, Lines 1 through 33, by deleting all of said lines and inserting in lieu thereof the following:

“301.3084. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight[, after an annual contribution of an emblem-use authorization fee to the Friends of the Missouri Women's Council. Any contribution to the Friends of the Missouri Women's Council pursuant to this section, except reasonable administrative costs, shall be designated for the sole purpose of providing breast cancer services, including but not limited to screening, treatment, staging, and follow-up services. The Friends of the Missouri Women's Council hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any person may annually apply for the use of the emblem]. **Upon making a twenty-five dollar annual contribution to the breast cancer awareness fund, established in this section, the vehicle owner may apply for a “Breast Cancer Awareness” license plate. If the contribution is made directly to the state treasurer, the state treasurer shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the “Breast Cancer Awareness” license plate. If the contribution is made directly to the director of revenue, the director shall note the contribution and the owner may then apply for the “Breast Cancer Awareness” plate. The applicant for such plate must pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of “Breast Cancer Awareness” plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

2. [Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Friends of the Missouri Women's Council, the organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized] **The “Breast Cancer Awareness”** license plate [which] shall bear a graphic design depicting the breast cancer awareness pink ribbon symbol [with the words "Breast Cancer Awareness" forming an oval around the symbol,] and shall bear the words ["MISSOURI WOMEN'S COUNCIL"] **BREAST CANCER AWARENESS**” in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with a breast cancer awareness emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

**4. There is hereby created in the state treasury the “Breast Cancer Awareness Fund” which shall consist of all gifts, donations, transfers, and moneys appropriated by the general assembly, and bequests to the fund. The fund shall be administered by the department of health and senior services.**

**5. The state treasurer or the director of revenue shall deposit the twenty-five dollar annual contribution in the breast cancer awareness fund. Funds deposited pursuant to subsection 1 of this section shall be used to support breast cancer awareness activities conducted by the department of health and senior services.**

**6. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (63), **House Amendment No. 1** was adopted by the following vote:

AYES: 116

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Black	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Curtman
Davis	Day	Denison	Dieckhaus	Ellinger
Fallert	Fisher	Fitzwater	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Harris	Holsman	Hoskins	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Loehner
Long	Marshall	May	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Peters-Baker	Pierson	Pollock	Quinn	Redmon
Riddle	Rizzo	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shively
Shumake	Sifton	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 035

Allen	Bahr	Berry	Brattin	Burlison
Cox	Crawford	Cross	Dugger	Elmer
Entlicher	Flanigan	Fraker	Fuhr	Haefner
Hampton	Higdon	Hinson	Hough	Keeney

Koenig	Lant	Lasater	Leara	Lichtenegger
McCaherty	Parkinson	Phillips	Reiboldt	Richardson
Rowland	Sater	Schneider	Schoeller	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 009

Brandom	Diehl	Hodges	Meadows	Silvey
Swinger	Wallingford	Webber	Mr Speaker	

VACANCIES: 003

## Representative Wells offered **House Amendment No. 2.**

### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 14, Section 390.280, Line 42, by inserting after said line the following:

“443.812. 1. Only one license shall be issued to each person conducting the activities of a residential mortgage **loan** broker. A residential mortgage broker shall register with the director each office, place of business or location in Missouri where the residential mortgage loan broker conducts any part of the residential mortgage loan broker's business pursuant to section 443.839.

2. Residential mortgage loan brokers may only solicit, broker, fund, originate, serve and purchase residential mortgage loans in conformance with sections 443.701 to 443.893 and such rules as may be promulgated by the director.

3. No residential mortgage loan broker shall permit an unlicensed individual to engage in the activities of a mortgage loan originator and no residential mortgage loan broker shall permit a mortgage loan originator to engage in the activities of a mortgage loan originator under the supervision of the residential mortgage loan broker until that mortgage loan originator is shown to be employed by the residential mortgage loan broker as provided in this section.

4. Each residential mortgage loan broker shall report and file a listing with the director showing each mortgage loan originator licensed in Missouri and employed under the supervision of the residential mortgage loan broker. The listing shall show the name and unique identifier of each mortgage loan originator. The listing shall be updated with changes and filed no later than the next business day. The director may authorize a system of reporting that shows mortgage loan originators employed by Missouri residential mortgage loan brokers via the NMLSR in substitution for the report and filing requirement under this subsection.

5. The director may grant waivers of residential mortgage loan broker licensing requirements for persons engaged primarily in servicing residential mortgage loans where such waiver shall benefit borrowers including in particular the requirement to maintain a full-service office in Missouri.

**6. (1) The provisions of this subsection shall apply to mortgage loan brokers located in the Kansas City metropolitan area including the counties of Johnson, Leavenworth, and Wyandotte in the state of Kansas or mortgage loan brokers located in the Greater St. Louis metropolitan area including the counties of Madison, Monroe and St. Clair in the state of Illinois or any mortgage loan broker making loans on manufactured or modular homes.**

**(2) No residential mortgage loan broker licensed in this state shall be required to maintain a full-service office in Missouri; except that, nothing in this subsection shall be construed as relieving such broker of the requirements to be licensed in this state and obtain a certificate of authority from the secretary of state's office to transact business in this state.**

**(3) Any residential mortgage loan broker licensed in this state who does not maintain a full-service office in Missouri shall file with the license application an irrevocable consent in a form to be determined by the director, duly acknowledged, which provides that for any suits and actions commenced against the broker in the courts of this state and, if necessary for any actions brought against the broker, the venue shall lie in Missouri.**

**(4) The director may assess the reasonable costs of any investigation incurred by the division which are outside the normal expense of any annual or special examination or any other costs incurred by the division as a result of a licensed residential mortgage loan broker not maintaining a full-service office in Missouri.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Denison raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

Representative Wells moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Smith (150) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 3, Section 304.120, Line 42, by inserting after all of said section and line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet  
between the extremes  
of any group of two or  
more consecutive axles,  
measured to the nearest  
foot, except where  
indicated otherwise

			Maximum load in pounds		
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	



17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight

limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsection 9 of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36]. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1  
to  
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 3, Line 27, by inserting after the word "**products**" the following:

**"not including local log truck as defined in section 301.010"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Smith (150), **House Amendment No. 3, as amended**, was adopted.

Representative Denison offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section 227.428, Line 5, by inserting after all of said section and line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on

three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake

horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty **four** inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a

vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 4** was adopted.

Representative Zerr offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said line the following:

"227.107. 1. Notwithstanding any provision of section 227.100 to the contrary, as an alternative to the requirements and procedures specified by sections 227.040 to 227.100, the state highways and transportation commission is authorized to enter into highway design-build project contracts. The total number of highway design-build project contracts awarded by the commission in any state fiscal year shall not exceed two percent of the total number of all state highway system projects **awarded to contracts for construction from projects** listed in the commission's approved statewide transportation improvement project for that state fiscal year. Authority to enter into design-build projects granted by this section shall expire on July 1, [2012] **2018**, unless extended by statute.

2. Notwithstanding provisions of subsection 1 of this section to the contrary, the state highways and transportation commission is authorized to enter into additional design-build contracts for the design, construction, reconstruction, or improvement of Missouri Route 364 as contained in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants and in any county with a charter form of government and with more than one million inhabitants, and the State Highway 169 and 96th Street intersection located within a home rule city with more than four hundred thousand inhabitants and located in more than one county. The state highways and transportation commission is authorized to enter into an additional design-build contract for the design, construction, reconstruction, or improvement of State Highway 92, contained in a county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants, from its intersection with State Highway 169, east to its intersection with State Highway E. **The state highways and transportation commission is authorized to enter into an additional design-build contract for the design, construction, reconstruction, or improvement of US 40/61 I-64 Missouri River Bridge as contained in any county with a charter form of government and with more than one million inhabitants and any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants.** The authority to enter into a design-build highway project under this subsection shall not be subject to the time limitation expressed in subsection 1 of this section.

3. For the purpose of this section a "design-builder" is defined as an individual, corporation, partnership, joint venture or other entity, including combinations of such entities making a proposal to perform or performing a design-build highway project contract.

4. For the purpose of this section, "design-build highway project contract" is defined as the procurement of all materials and services necessary for the design, construction, reconstruction or improvement of a state highway project in a single contract with a design-builder capable of providing the necessary materials and services.

5. For the purpose of this section, "highway project" is defined as the design, construction, reconstruction or improvement of highways or bridges under contract with the state highways and transportation commission, which is funded by state, federal or local funds or any combination of such funds.

6. In using a design-build highway project contract, the commission shall establish a written procedure by rule for prequalifying design-builders before such design-builders will be allowed to make a proposal on the project.

7. In any design-build highway project contract, whether involving state or federal funds, the commission shall require that each person submitting a request for qualifications provide a detailed disadvantaged business enterprise participation plan. The plan shall provide information describing the experience of the person in meeting disadvantaged business enterprise participation goals, how the person will meet the department of transportation's disadvantaged business enterprise participation goal and such other qualifications that the commission considers to be in the best interest of the state.

8. The commission is authorized to issue a request for proposals to a maximum of five design-builders prequalified in accordance with subsection 6 of this section.

9. The commission may require approval of any person performing subcontract work on the design-build highway project.

10. Notwithstanding the provisions of sections 107.170, and 227.100, to the contrary, the commission shall require the design-builder to provide to the commission directly such bid, performance and payment bonds, or such letters of credit, in such terms, durations, amounts, and on such forms as the commission may determine to be adequate for its protection and provided by a surety or sureties authorized to conduct surety business in the state of Missouri or a federally insured financial institution or institutions, satisfactory to the commission, including but not limited to:

(1) A bid or proposal bond, cash or a certified or cashier's check;

(2) A performance bond or bonds for the construction period specified in the design-build highway project contract equal to a reasonable estimate of the total cost of construction work under the terms of the design-build highway project contract. If the commission determines in writing supported by specific findings that the reasonable estimate of the total cost of construction work under the terms of the design-build highway project contract is expected to exceed two-hundred fifty million dollars and a performance bond or bonds in such amount is impractical, the commission shall set the performance bond or bonds at the largest amount reasonably available, but not less than two-hundred fifty million dollars, and may require additional security, including but not limited to letters of credit, for the balance of the estimate not covered by the performance bond or bonds;

(3) A payment bond or bonds that shall be enforceable under section 522.300 for the protection of persons supplying labor and material in carrying out the construction work provided for in the design-build highway project contract. The aggregate amount of the payment bond or bonds shall equal a reasonable estimate of the total amount payable for the cost of construction work under the terms of the design-build highway project contract unless the commission determines in writing supported by specific findings that a payment bond or bonds in such amount is impractical, in which case the commission shall establish the amount of the payment bond or bonds; except that the amount of the payment bond or bonds shall not be less than the aggregate amount of the performance bond or bonds and any additional security to such performance bond or bonds; and

(4) Upon award of the design-build highway project contract, the sum of the performance bond and any required additional security established under subdivisions (2) and (3) of this subsection shall be stated, and shall be a matter of public record.

11. The commission is authorized to prescribe the form of the contracts for the work.

12. The commission is empowered to make all final decisions concerning the performance of the work under the design-build highway project contract, including claims for additional time and compensation.

13. The provisions of sections 8.285 to 8.291 shall not apply to the procurement of architectural, engineering or land surveying services for the design-build highway project, except that any person providing architectural, engineering or land surveying services for the design-builder on the design-build highway project must be licensed in Missouri to provide such services.

14. The commission shall pay a reasonable stipend to prequalified responsive design-builders who submit a proposal, but are not awarded the design-build highway project.

15. The commission shall comply with the provisions of any act of congress or any regulations of any federal administrative agency which provides and authorizes the use of federal funds for highway projects using the design-build process.

16. The commission shall promulgate administrative rules to implement this section or to secure federal funds. Such rules shall be published for comment in the Missouri Register and shall include prequalification criteria, the make-up of the prequalification review team, specifications for the design criteria package, the method of advertising, receiving and evaluating proposals from design-builders, the criteria for awarding the design-build highway project based on the design criteria package and a separate proposal stating the cost of construction, and other methods, procedures and criteria necessary to administer this section.



17. The commission shall make a status report to the members of the general assembly and the governor following the award of the design-build project, as an individual component of the annual report submitted by the commission to the joint transportation oversight committee in accordance with the provisions of section 21.795. The annual report prior to advertisement of the design-build highway project contracts shall state the goals of the project in reducing costs and/or the time of completion for the project in comparison to the design-bid-build method of construction and objective measurements to be utilized in determining achievement of such goals. Subsequent annual reports shall include: the time estimated for design and construction of different phases or segments of the project and the actual time required to complete such work during the period; the amount of each progress payment to the design-builder during the period and the percentage and a description of the portion of the project completed regarding such payment; the number and a description of design change orders issued during the period and the cost of each such change order; upon substantial and final completion, the total cost of the design-build highway project with a breakdown of costs for design and construction; and such other measurements as specified by rule. The annual report immediately after final completion of the project shall state an assessment of the advantages and disadvantages of the design-build method of contracting for highway and bridge projects in comparison to the design-bid-build method of contracting and an assessment of whether the goals of the project in reducing costs and/or the time of completion of the project were met.

18. The commission shall give public notice of a request for qualifications in at least two public newspapers that are distributed wholly or in part in this state and at least one construction industry trade publication that is distributed nationally.

19. The commission shall publish its cost estimates of the design-build highway project award and the project completion date along with its public notice of a request for qualifications of the design-build project.

20. If the commission fails to receive at least two responsive submissions from design-builders considered qualified, submissions shall not be opened and it shall readvertise the project.

21. For any highway design-build project constructed under this section, the commission shall negotiate and reach agreements with affected railroads. Such agreements shall include clearance, safety, insurance, and indemnification provisions, but are not required to include provisions on right-of-way acquisitions."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 5** was adopted.

Representative Schad offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 2, Section 301.3084, Line 33, by inserting after said line the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) [A business, occupation, or] **Driving to or from the operator's places of employment;**

(b) [Seeking medical treatment for such operator;

(c)] Attending school or other institution of higher education;

[(d)] (c) Attending alcohol or drug treatment programs; **or**

[(e)] (d) Seeking the required services of a certified ignition interlock device provider; [or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator;] the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director

finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose

of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.”; and

Further amend said bill, Page 14, Section 537.293, Line 13, by inserting after said line the following:

“577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An "aggravated offender" is a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related traffic offenses; or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related traffic offense and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; or assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) A "chronic offender" is:

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related traffic offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense;

assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) "Continuous alcohol monitoring", automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;

(4) An "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance;

(5) A "persistent offender" is one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082; and

(6) A "prior offender" is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding.

(1) No prior offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(2) No persistent offender shall be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(3) No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment.

(4) No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment. In addition to any other terms or conditions of probation, the court shall consider, as a condition of probation for any person who pleads guilty to or is found guilty of an intoxication-related traffic offense, requiring the offender to abstain from consuming or using alcohol or any products containing alcohol as demonstrated by continuous alcohol monitoring or by verifiable breath alcohol testing performed a minimum of four times per day as scheduled by the court for such duration as determined by the court, but not less than ninety days. The court may, in addition to imposing any other fine, costs, or assessments provided by law, require the offender to bear any costs associated with continuous alcohol monitoring or verifiable breath alcohol testing.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

16. Evidence of a prior conviction, plea of guilty, or finding of guilt in an intoxication-related traffic offense shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence received by a search of the records of the Missouri uniform law enforcement system, including criminal history records from the central repository or records from the driving while intoxicated tracking system (DWITS) maintained by the Missouri state highway patrol, or the certified driving record maintained by the Missouri department of revenue. After hearing the evidence, the court shall enter its findings thereon. A plea of guilty or a finding of guilt followed by incarceration, a fine, a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in any intoxication-related traffic offense in a state, county or municipal court or any combination thereof, shall be treated as a prior plea of guilty or finding of guilt for purposes of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Keeney assumed the Chair.

On motion of Representative Schad, **House Amendment No. 6** was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Rowland offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 5, Section 304.200, Line 40, by inserting after all of said section and line the following:

“305.300. **1.** The governing body of any county may create an airport authority to build or acquire and operate one or more airports within the boundaries of the county or an adjoining county. The authority shall be created by resolution of the governing body not sooner than ten days after public notice is posted at the courthouse announcing the intention of forming such a body.

**2. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants may create an airport authority within the boundaries of the city in the same manner as provided in sections 305.300 to 305.333.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 7** was adopted.

Representative Cierpiot offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“**226.195. 1.** As used in this section, the following terms mean:

(1) "Commission", the Missouri highways and transportation commission;  
(2) "Department", the Missouri department of transportation;  
(3) "Public mass transportation service provider", a city, a city transit authority, a city utilities board, or an interstate transportation authority as such terms are defined in section 94.600, an intrastate transportation authority, or an agency receiving funding from either the federal transit administration urban or nonurban formula transit program.

**2. There is hereby created the Missouri state transit assistance program. The purpose of this program is to provide state financial assistance to defray the operating and capital costs incurred by public mass transportation service providers.**

**3. Funds appropriated to the Missouri state transit assistance program shall be appropriated to the department and administered by the department on behalf of the commission. The distribution of funds to public mass transportation service providers shall be determined by evaluating factors including but not limited to the following:**

- (1) Population;
- (2) Ridership;
- (3) Cost and efficiency of the program;
- (4) Availability of alternative transportation in the area;
- (5) Local effort or tax support.

**4. The commission shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 8** was adopted.

Representative Long offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 5, Section 304.200, Lines 39-40, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 9** was adopted.

Representative Torpey offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section 227.428, Line 5, by inserting after all of said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

(1) "Board", the board of directors of a district;  
(2) "Commission", the Missouri highways and transportation commission;  
(3) "District", a transportation development district organized under sections 238.200 to 238.275;  
(4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

(5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or [other mass transit] **public mass transportation system** and any similar or related improvement or infrastructure. **In the case of a district located in a home rule city with more than four hundred thousand inhabitants and located in more than one county, whose district boundaries are contained solely within that portion of such a home rule city that is contained within a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the term “Project” shall also include the operation of a street car or other rail-based or fixed guideway public mass transportation system, and the revenue of such district may be used to pay for the design, construction, ownership and operation of such a street car or other rail-based or fixed guideway public mass transportation system by such district or such municipality, or by a local transportation authority having jurisdiction within such municipality.**

(6) **“Public mass transportation system”, a transportation system owned or operated by a governmental or quasi-governmental entity, employing motor buses, rails, or any other means of conveyance, by whatsoever type of power, operated for public use in the conveyance of persons, mainly providing local transportation service within a municipality or a single metropolitan statistical area.**

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;  
(2) "Qualified electors", "qualified voters" or "voters":  
(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or  
(b) Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115.

238.225. 1. Before construction or funding of any project the district shall submit the proposed project to the commission for its prior approval. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may preliminarily approve the project subject to the district providing plans and specifications for the proposed project and making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission's preliminary approval. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project. Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

**4. Notwithstanding any provision of this section to the contrary, this section shall not apply to any district whose project is a public mass transportation system.**

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of ..... (transportation development district's name) impose a transportation development district-wide sales tax at the rate of ..... (insert amount) for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of ..... (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section



to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

(7) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for

acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5. All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

6. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

**7. Notwithstanding any provision of sections 99.800 to 99.865, and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 10** was adopted.

Representative Stream offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said line the following:

"70.441. 1. As used in this section, the following terms have the following meanings:

(1) "Agency", the bi-state development agency created by compact under section 70.370;

(2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) "Person", any individual, firm, copartnership, corporation, association or company; and

(5) "Sound production device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.

2. In interpreting or applying this section, the following provisions shall apply:

(1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if performed by an officer, employee or designated agent of the agency acting within the scope of his or her employment or agency;

(2) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules; and

(3) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.

3. (1) No person shall use or enter upon the light rail conveyances of the agency without payment of the fare or other lawful charges established by the agency. Any person on any such conveyance must have properly validated fare media in his possession. This ticket must be valid to or from the station the passenger is using, and must have been used for entry for the trip then being taken;

(2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare media to gain entry to the facilities or conveyances of, or make use of the services of, the agency, except as provided, authorized or sold by the agency and in accordance with any restriction on the use thereof imposed by the agency;

(3) No person shall enter upon parking lots designated by the agency as requiring payment to enter, either by electronic gate or parking meters, where the cost of such parking fee is visibly displayed at each location, without payment of such fees or other lawful charges established by the agency;

(4) Except for employees of the agency acting within the scope of their employment, no person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass, badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to or use of the facilities, conveyances or services of the agency without the written permission of an authorized representative of the agency;

(5) No person shall put or attempt to put any paper, article, instrument or item, other than a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare media issued by the agency and valid for the place, time and manner in which used, into any fare box, pass reader, ticket vending machine, parking meter, parking gate or other fare collection instrument, receptacle, device, machine or location;

(6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with this section shall be confiscated;

(7) No person may perform any act which would interfere with the provision of transit service or obstruct the flow of traffic on facilities or conveyances or which would in any way interfere or tend to interfere with the safe and efficient operation of the facilities or conveyances of the agency;

(8) All persons on or in any facility or conveyance of the agency shall:

(a) Comply with all lawful orders and directives of any agency employee acting within the scope of his employment;

(b) Obey any instructions on notices or signs duly posted on any agency facility or conveyance; and

(c) Provide accurate, complete and true information or documents requested by agency personnel acting within the scope of their employment and otherwise in accordance with law;

(9) No person shall falsely represent himself or herself as an agent, employee or representative of the agency;

(10) No person on or in any facility or conveyance shall:

(a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or unsanitary condition, including, but not limited to, spitting and urinating, except in facilities provided;

(b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and restaurants;

(c) Enter or remain in any facility or conveyance while his ability to function safely in the environment of the agency transit system is impaired by the consumption of alcohol or by the taking of any drug;

(d) Loiter or stay on any facility of the agency;

(e) Consume foods or liquids of any kind, except in those areas specifically authorized by the agency;

(f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except in those areas or locations specifically authorized by the agency; or

(g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or in a facility or conveyance;

(11) No weapon or other instrument intended for use as a weapon may be carried in or on any facility or conveyance, except for law enforcement personnel. For the purposes hereof, a weapon shall include, but not be limited to, a firearm, switchblade knife, sword, or any instrument of any kind known as blackjack, billy club, club, sandbag, metal knuckles, leather bands studded with metal, wood impregnated with metal filings or razor blades; except that this subdivision shall not apply to a rifle or shotgun which is unloaded and carried in any enclosed case, box or other container which completely conceals the item from view and identification as a weapon;

(12) No explosives, flammable liquids, acids, fireworks or other highly combustible materials or radioactive materials may be carried on or in any facility or conveyance, except as authorized by the agency;

(13) No person, except as specifically authorized by the agency, shall enter or attempt to enter into any area not open to the public, including, but not limited to, motorman's cabs, conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment;

(14) No person may ride on the roof, the platform between rapid transit cars, or on any other area outside any rapid transit car or bus or other conveyance operated by the agency;

(15) No person shall extend his hand, arm, leg, head or other part of his or her person or extend any item, article or other substance outside of the window or door of a moving rapid transit car, bus or other conveyance operated by the agency;

(16) No person shall enter or leave a rapid transit car, bus or other conveyance operated by the agency except through the entrances and exits provided for that purpose;

(17) No animals may be taken on or into any conveyance or facility except the following:

(a) An animal enclosed in a container, accompanied by the passenger and carried in a manner which does not annoy other passengers; and

(b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs accompanying trainers carrying a certificate of identification issued by a dog school;

(18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or safety of others or without due caution and circumspection, or at a speed in such a manner as to be likely to endanger persons or property on facilities of the agency. The speed limit on parking lots and access roads shall be posted as fifteen miles per hour unless otherwise designated.

4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any violation of this section shall constitute a misdemeanor, and any person committing a violation thereof shall be subject to arrest and, upon conviction in a court of competent jurisdiction, shall pay a fine in an amount not less than twenty-five dollars and no greater than two hundred fifty dollars per violation, in addition to court costs. Any default in the payment of a fine imposed pursuant to this section without good cause shall result in imprisonment for not more than thirty days;

(2) Unless a greater penalty is provided by the laws of the state, any person convicted a second or subsequent time for the same offense under this section shall be guilty of a misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or both such fine and imprisonment;

(3) Any person failing to pay the proper fare, fee or other charge for use of the facilities and conveyances of the agency shall be subject to payment of such charge as part of the judgment against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to the appropriate agency official;

(4) All juvenile offenders violating the provisions of this section shall be subject to the jurisdiction of the juvenile court as provided in chapter 211;

(5) As used in this section, the term "conviction" shall include all pleas of guilty and findings of guilt.

**5. Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state development agency, as described in subdivision (3) of subsection 4 of this section, shall, in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, shall be required to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution of such offense by the bi-state development agency. The court shall direct the reimbursement proceeds to the appropriate agency official.**

**6. (1)** Stalled or disabled vehicles may be removed from the roadways of the agency property by the agency and parked or stored elsewhere at the risk and expense of the owner;

**(2)** Motor vehicles which are left unattended or abandoned on the property of the agency for a period of over seventy-two hours may be removed as provided for in section 304.155, except that the removal may be authorized by personnel designated by the agency under section 70.378."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 11** was adopted.

Representative Denison offered **House Amendment No. 12.**

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 58, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, **window stickers**, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and

Further amend said bill, page, Section 227.428, Line 5, by inserting after all of said section and line the following:

“301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary, the director of revenue shall establish a system of registration of all fleet vehicles owned or purchased by a fleet owner registered pursuant to this section. The director of revenue shall prescribe the forms for such fleet registration and the forms and procedures for the registration updates prescribed in this section. Any owner of ten or more motor vehicles which must be registered in accordance with this chapter may register as a fleet owner. All registered fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar year or biennial basis pursuant to this section in lieu

of the registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an identification number to each registered owner of fleet vehicles.

2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered during April each year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be payable not later than the last day of April of each year, with two years' fees due for biennially-registered vehicles. Notwithstanding the provisions of section 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval issued no more than one hundred twenty days prior to the date of application. The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee. When biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection.

4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee beyond the regular registration fee, owners of fleet vehicles may apply for fleet license plates bearing a company name or logo. All fleet license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab **or window sticker**. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued. The director of revenue shall promulgate rules and regulations establishing the procedure for application and issuance of fleet vehicle license plates.

5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390, if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of Missouri.

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) **Beginning January 1, 2012**, the director of revenue shall issue annually or biennially a [tab or set of tabs] **window sticker, to be placed on the front windshield of the motor vehicle**, as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. **Notwithstanding the provisions of this section, motorcycles and trailers shall be issued license plate tabs in lieu of window stickers.** Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs **or window sticker** to ensure that the tab or tabs **or the window sticker** positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs **or window stickers** shall be produced in each license bureau office.

(2) [The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate] **The window sticker shall be placed on the inside front window in an area prescribed by the director of revenue. Tabs issued to motorcycles and trailers shall be affixed and displayed in the designated area of the license plate.**

(3) A tab or [set of tabs] **window sticker** issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs **or window sticker** shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. [No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.] **Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with**

**the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates **and window sticker** shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. **A window sticker shall not be required during the thirty-day time frame.** As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will



return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

301.160. Upon approval of the application for registration of a motor vehicle or trailer and when the required fee has been paid to the department of revenue, the department shall forward or deliver to the applicant the registration receipt and the number of license plates prescribed for the vehicle or trailer by section 301.130, or renewal tabs **or window stickers** if appropriate. The attachment to the motor vehicle or trailer specified in the application of current license plates shall be prima facie evidence that the fees have been paid for such license.

301.290. 1. Correctional enterprises of the department of corrections shall purchase, erect and maintain all of the machinery and equipment necessary for the manufacture of the license plates [and], tabs, **and window stickers** issued by the director of revenue, and of signs used by the state transportation department. [Beginning on January 1, 2011, correctional enterprises shall no longer erect and maintain tabs for the department of revenue.]

2. The director of revenue shall procure all plates issued by [him] **the director**, and the state transportation department shall procure all signs used by it from correctional enterprises, unless an emergency arises and correctional enterprises cannot furnish the plates, tabs, **window stickers**, or signs.

3. Correctional enterprises shall furnish the plates and signs at such a price as will not exceed the price at which such plates and signs may be obtained upon the open market, but in no event shall such price be less than the cost of manufacture, including labor and materials.

4. All moneys derived from the sale of the plates, tabs, **window stickers**, and signs shall be paid into the state treasury to the credit of the working capital revolving fund as provided in section 217.595.

301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate of ownership, number plate, tab [or set of tabs] **or window sticker** issued by the director of revenue, the lawful holder thereof shall, within five days, file with the director of revenue, an affidavit showing such fact, and shall, on the payment of a fee of eight dollars and fifty cents, obtain a duplicate or replacement of such plate, certificate, tab [or set of tabs] **or window sticker**. Any duplicate certificate issued for any "motor vehicle primarily for business use", as defined in section 301.010, shall be issued only to the owner of record.

2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of registration, the director of revenue shall issue to the lawful owner a duplicate or replacement thereof upon payment of a fee of eight dollars and fifty cents.

3. Vehicle owners who elect not to transfer or renew multiyear plates shall be charged a fee equal to that charged for a lost plate in addition to the registration fee prescribed by law at the time the new plate or plates are issued.

4. Notwithstanding subsection 1 of this section, a new or used motor vehicle dealer may obtain a duplicate or replacement title in the owner's name if the owner's title has been lost, stolen, mutilated, or destroyed and is not available for assignment. In order to obtain the duplicate or replacement title from the department of revenue, the licensed dealer shall procure a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf. The application to the department of revenue for the duplicate or replacement title shall be accompanied by the executed power of attorney, or a copy thereof, and the application shall contain the appropriate mailing address of the dealer. The director of the department of revenue is authorized to make all necessary rules and regulations for the administration of this subsection, and shall design all necessary forms required by this subsection. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

301.301. 1. Any person replacing a stolen license plate tab **or window sticker** issued on or after January 1, 2009, may receive at no cost up to two [sets of two] license plate tabs **or window stickers** per year when the application for the replacement tab **or sticker** is accompanied with a police report that is corresponding with the stolen license plate tab **or window sticker**.

2. Any person replacing a stolen license plate tab issued prior to January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.

301.302. A citation shall not be issued to any person stopped by law enforcement for a missing license plate tab or [tabs] **window sticker** if such person indicates that the tab or [tabs have] **window sticker** has been stolen and a check on such person's vehicle registration reveals that the vehicle is properly registered. A law enforcement officer may issue a warning under these circumstances. In the event a citation is improperly issued to a person for a missing [tabs] **tab or window sticker** when the requirements of this section are met, any court costs shall be waived.”; and

Further amend said bill, Page 14, Section 537.293, Line 13, by inserting after all of said section and line the following:

“Section B. Sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, of this act shall become effective January 1, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 12** was adopted.

On motion of Representative Denison, **HCS SS SCS SB 58, as amended**, was adopted.

On motion of Representative Denison, **HCS SS SCS SB 58, as amended**, was read the third time and passed by the following vote:

AYES: 127

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 116	Burlison	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day

## 1781 *Journal of the House*

Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franz	Frederick	Gosen	Grisamore
Guernsey	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Webb	Wells	Weter	White
Wright	Zerr			

NOES: 018

Allen	Barnes	Brattin	Brown 85	Carlson
Flanigan	Fuhr	Haefner	Jones 117	Kelly 24
Kirkton	Marshall	Oxford	Schieber	Schupp
Still	Wieland	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Franklin	Funderburk	Gatschenberger	Hodges
Lasater	Meadows	Riddle	Schad	Smith 71
Swinger	Wallingford	Walton Gray	Webber	Mr Speaker

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 15**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 34**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 12**.

SENATE CONCURRENT RESOLUTION NO. 12

WHEREAS, atrial fibrillation (AFib) is the most common serious heart rhythm disorder and causes 15 percent of all strokes in the United States; and

WHEREAS, AFib affects more than 2.3 million Americans and is expected to more than double to 5.6 million Americans by 2050; and

WHEREAS, one in four people aged 40 years or older develop AFib during their lifetime; and

WHEREAS, AFib causes the heart to beat irregularly or out of rhythm. As a result, people with AFib are nearly five times more likely to have a stroke than someone without the condition. In addition, AFib-related strokes are about twice as likely to be fatal and about twice as likely to be severely disabling than strokes that are not related to AFib; and

WHEREAS, three out of four AFib-related strokes can be prevented, but many patients are not aware of their risk and do not take action to prevent stroke; and

WHEREAS, the estimated direct medical cost of stroke for 2007 was \$25.2 billion. This includes hospital outpatient or office-based provider visits, hospital inpatient stays, emergency room visits, prescribed medicines, and home health; and

WHEREAS, appropriate stroke prevention in AFib can effectively reduce the overall financial burden of the illness within public programs such as Medicaid and Medicare; and

WHEREAS, reducing the risk of stroke related to AFib may maintain self sufficiency on the part of patients cared for within public programs:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the MO HealthNet Division to pursue the feasibility of implementing a program to assess chronic disease management of stroke prevention in atrial fibrillation using available general appropriations and/or private sources of funding in an effort to identify opportunities to reduce the financial and clinical burden of AFib-related strokes upon Missouri, and public programs including Medicare and Medicaid; and

BE IT FURTHER RESOLVED that at the conclusion of such an assessment, a report of findings and recommendations be prepared and provided to the General Assembly by December 31, 2011, so that it can evaluate the effectiveness of the current quality of care within public programs including Medicare and Medicaid and in providing recommendations for improved health and well being of the affected patients; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the director of the MO HealthNet Division.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 366, as amended** and has taken up and passed **HCS SCS SB 366, as amended**.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Tilley.

**PERFECTION OF HOUSE BILLS**

**HB 658, as amended**, relating to the Meth Lab Elimination Act, was taken up by Representative Schatz.

Representative Sater moved that pursuant to Rule 78, **HB 658, as amended**, be recommitted to the committee of origin.

The motion to recommit **HB 658, as amended**, to the committee of origin was withdrawn.

On motion of Representative Schatz, **HB 658, as amended**, was ordered perfected and printed by the following vote:

AYES: 080

Atkins	Aull	Berry	Black	Brandom
Brown 50	Brown 85	Carlson	Casey	Cauthorn
Conway 14	Cross	Denison	Dieckhaus	Ellinger
Elmer	Fallert	Fisher	Fitzwater	Fraker
Franklin	Fuhr	Funderburk	Gosen	Hampton
Higdon	Hinson	Houghton	Hubbard	Kander
Kelley 126	Klippenstein	Korman	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	May	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Neth	Oxford	Pace	Peters-Baker	Phillips
Pierson	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Scharnhorst	Schatz	Schneider
Shumake	Smith 71	Smith 150	Solon	Spreng
Stream	Taylor	Thomson	Torpey	Webb
Weter	Wright	Wyatt	Zerr	Mr Speaker

NOES: 071

Anders	Asbury	Bahr	Barnes	Bernskoetter
Brattin	Burlison	Carter	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Diehl	Dugger	Entlicher
Flanigan	Franz	Frederick	Gatschenberger	Grisamore
Guernsey	Haefner	Harris	Holsman	Hoskins
Hough	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Kirkton
Koenig	Kratky	Leara	Long	Marshall
McDonald	McNary	Molendorp	Nance	Nasheed
Newman	Nichols	Parkinson	Pollock	Quinn
Ruzicka	Sater	Schad	Schieber	Schieffer
Schoeller	Schupp	Shively	Silvey	Still
Swearingen	Talboy	Walton Gray	Wells	White
Wieland				

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 008

Allen	Brown 116	Hodges	Meadows	Nolte
Swinger	Wallingford	Webber		

VACANCIES: 003

**HCS HB 999**, relating to sexual offender registration, was taken up by Representative Schad.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Cierpiot offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 999, Page 14, Section 589.404, Line 48, by deleting from said line the phrase “, **watercraft, or aircraft**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 999, Page 19, Section 589.414, Lines 17-20, by deleting all of said lines and inserting in lieu thereof the following:

- “(1) **Vehicle information;**
- (2) **Temporary residence information;**
- (3) **Email addresses, instant messaging addresses,”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 2** was adopted.

Representative Higdon offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 999, Page 8, Section 589.401, Line 20, by deleting on said line the word “**ten**” and inserting in lieu thereof the word “**five**”; and

Further amend said page and section, Line 21, by deleting on said line the word “**fifteen**” and inserting in lieu thereof the word “**ten**”; and

Further amend said bill, Page 10, Section 589.401, Line 84, by deleting on said line the word “**Ten**” and inserting in lieu thereof the word “**Five**”; and

Further amend said page and section, Line 86, by deleting on said line the word "**Fifteen**" and inserting in lieu thereof the word "**Ten**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 3** was adopted.

Representative Marshall offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 999, Page 24, Section 589.414, Line 214, by inserting after the word "**shall**" on said line the word "**only**"; and

Further amend said page and section, Line 215, by deleting the comma "," on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 4** was adopted.

Representative Schad offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 999, Pages 16 and 17, Section 589.408, Lines 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

**"589.408. 1. Any person who would otherwise be a Tier II or Tier III offender may file a petition in the division of the circuit court in the county in which the offense requiring classification as a Tier II or Tier III offender was adjudicated to have his or her classification lowered one Tier.**

**2. A person whose offense requiring classification in Missouri as a Tier II or Tier III offender"; and**

Further amend said bill, Page 17, Section 589.408, Lines 11 to 16, by deleting all of said lines and inserting in lieu thereof the following:

**"3. The petition shall be dismissed without prejudice if it fails to include any of the"; and**

Further amend said bill, Page 17, Section 589.408, Line 26, by deleting all of said line and inserting in lieu thereof the following:

**"(2) The offense or offenses requiring classification as a Tier II or Tier III offender"; and**

Further amend said bill, Page 17, Section 589.408, Line 30, by deleting all of said line and inserting in lieu thereof the following:

**"adjudicated sex offense requiring classification as a Tier II or Tier III offender"; and**

Further amend said bill, Page 17, Section 589.408, Line 35, by deleting all of said line and inserting in lieu thereof the following:

**"4. The petition shall name as respondents the Missouri state highway patrol and"; and**

Further amend said bill, Page 17, Section 589.408, Lines 38 and 39, by deleting all of said lines and inserting in lieu thereof the following:

**"5. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.**

**6. In making a determination as to whether the petition should be granted the court shall, at a minimum, consider the following factors:**

**(1) The seriousness of the offense should the offender reoffend. This factor includes consideration of the following:**

- (a) The degree of likely force or harm;**
- (b) The degree of likely physical contact; and**
- (c) The age of the likely victim;**
- (2) The offender's prior offense history. This factor includes consideration of the following:**
  - (a) The relationship of prior victims to the offender;**
  - (b) The number of prior sexual offenses or victims;**
  - (c) The number of prior noncontact sexual offenses;**
  - (d) The number of prior nonsexual violent offenses;**
  - (e) The number of prior sentencing dates;**
  - (f) The duration of the offender's prior offense history;**
  - (g) The length of time since the offender's last prior offense while the offender was at risk to commit offenses; and**

**(h) The offender's prior history of other antisocial acts;**

**(3) The offender's characteristics. This factor includes consideration of the following:**

- (a) The offender's response to prior treatment efforts; and**
- (b) The offender's history of substance abuse;**

**(4) The availability of community supports to the offender. This factor includes consideration of the following:**

- (a) The availability and likelihood that the offender will be involved in therapeutic treatment;**
- (b) The availability of residential supports to the offender, such as a stable and supervised living arrangement in an appropriate location;**
- (c) The offender's familial and social relationships, including the nature and length of these relationships and the level of support that the offender may receive from these persons; and**
- (d) The offender's lack of education or employment stability;**
- (5) Whether the offender has indicated or credible evidence in the record indicates that the offender will reoffend if released into the community;**
- (6) Whether the offender had any unrelated victims;**
- (7) Whether the offender had any stranger victims;**
- (8) Whether the offender had any male victims;**
- (9) The current age of the offender;**
- (10) Whether the offender has ever lived with a lover for at least two years; and**
- (11) Whether the offender demonstrates a physical condition that minimizes the risk of reoffense, including but not limited to, advanced age or a debilitating illness or physical condition."; and**

Further amend said bill, Page 17, Section 589.408, Line 41, by deleting all of said line and inserting in lieu thereof the following:

**"be given notice, by the person seeking a reduction in classification, of"; and**

Further amend said bill, Page 18, Section 589.408, Line 51, by deleting all of said line and inserting in lieu thereof the following:

**"crime for which the person was required to be classified as a Tier II or Tier III offender of the"; and**



Further amend said bill, Page 18, Section 589.408, Line 55, by deleting all of said line and inserting in lieu thereof the following:

**"from a Tier II offender to a Tier I offender or from a Tier III offender to a Tier II offender unless it finds the petitioner:"**; and

Further amend said bill, Page 18, Section 589.408, Line 63, by deleting all of said line and inserting in lieu thereof the following:

**"II or Tier III offender, even if the offense was punishable by less than one year imprisonment."**; and

Further amend said bill, Page 18, Section 589.408, Lines 67 and 68, by deleting all of said lines and inserting in lieu thereof the following:

**"12. If it is found that the petition is denied a Tier II offender may not file a new petition under this section until five years have passed from the date of the adjudication resulting in the denial of relief and a Tier III offender may not file a new petition under this section until ten years have passed from the date of the adjudication resulting in the denial of relief."**; and

Further amend said bill, Page 18, Section 589.408, Lines 70 and 71, by deleting all of said lines and inserting in lieu thereof the following:

**"lowered, it shall enter judgment directing the Missouri state highway patrol to change the offender's classification either from a Tier II to a Tier I offender or from a Tier III to a Tier II offender";** and

Further amend said bill, Page 20, Section 589.414, Line 67, by deleting all of said line and inserting in lieu thereof the following:

**"(2) Any offender whose classification was changed to a Tier I offender by court order under section 589.408;**

**(3) Any offender who is [registered for a crime where the victim was less than eighteen";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 5** was adopted.

On motion of Representative Schad, **HCS HB 999, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 999, as amended**, was ordered perfected and printed.

**HCS HB 707**, relating to a land bank agency, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HCS HB 707** was adopted.

On motion of Representative Brown (50), **HCS HB 707** was ordered perfected and printed.

### THIRD READING OF SENATE BILLS

**SB 101**, relating to residential contractors, was taken up by Representative Nance.

Speaker Tilley resumed the Chair.

On motion of Representative Nance, **SB 101** was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Cross	Fitzwater	Hodges	Meadows
Nolte	Peters-Baker	Reiboldt	Swinger	Wallingford
Webber				

VACANCIES: 003

Speaker Tilley declared the bill passed.

**HCS SB 145**, relating to political subdivisions, was taken up by Representative Gatschenberger.

**HCS SB 145** was laid over.

**HCS SS SB 135**, relating to environmental protections, was taken up by Representative Jones (89).

Representative Cox offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 135, Page 11, Section 640.045, Line 8, by inserting after all of said section the following:

**"640.116. 1. Any water system that exclusively serves a charitable or benevolent organization, if the system does not regularly serve an average of one hundred persons or more at least sixty days out of the year and the system does not serve a school or day-care facility, shall be exempt from all rules relating to well construction except any rules established under sections 256.600 to 256.640 applying to multifamily wells, unless such wells or pump installations for such wells are determined to present a threat to groundwater or public health.**

**2. If the system incurs three or more total coliform maximum contaminant level violations in a twelve-month period or one acute maximum contaminant level violation, the system owner shall either provide an alternate source of water, eliminate the source of contamination, or provide treatment that reliably achieves at least ninety-nine and ninety-nine one-hundredths percent treatment of viruses.**

**3. Notwithstanding this or any other provision of law to the contrary, no facility otherwise described in subsection 1 of this section shall be required to replace, change, upgrade, or otherwise be compelled to alter an existing well constructed prior to August 28, 2011, unless such well is determined to present a threat to groundwater or public health or contains the contaminant levels referred to in subsection 2 of this section.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Schad offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 135, Page 7, Section 260.965, Line 2, by inserting after all of said line the following:

**"306.108. 1. It shall be unlawful for any person to operate, play, or permit the operation of any public speaking system transmitter, sound amplification device, or any other type of device, mechanical or electronic, to emit or direct music, spoken words, or sounds that can be heard on the Lake of the Ozarks which when measured from a distance of fifty feet or more exceeds eighty decibels on an A-weighted scale during the hours of 7:01 a.m. to 10:00 p.m., or exceeds seventy decibels during the hours of 10:01 p.m. to 7:00 a.m.**

**2. This section does not supersede any local laws or ordinances regulating noise in the area.**

**3. Any person who violates the provisions of this section shall be punished by imprisonment not to exceed ninety days or a fine up to five hundred dollars or both imprisonment and a fine.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 2** was adopted.

Representative Thomson offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 135, Page 4, Section 260.269, Line 5, by inserting immediately after the word “fuel” on said line the following:

“except in a permitted facility”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 3** was adopted.

On motion of Representative Jones (89), **HCS SS SB 135, as amended**, was adopted.

On motion of Representative Jones (89), **HCS SS SB 135, as amended**, was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Talboy	Taylor
Thomson	Torpey	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

## 1791 *Journal of the House*

NOES: 002

Franklin                      Marshall

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Day	Fitzwater	Flanigan	Hodges
Meadows	Reiboldt	Still	Swinger	Wallingford
Webber				

VACANCIES: 003

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Franklin                      Marshall

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 116	Carter	Diehl	Fitzwater	Flanigan
Hodges	Lant	Meadows	Molendorp	Reiboldt
Richardson	Silvey	Swinger	Wallingford	Webber

VACANCIES: 003

## COMMITTEE REPORTS

### **Committee on Agri-Business**, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was returned **SCS SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SB 187**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Agriculture Policy**, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCS SB 337**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HCR 53**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## HOUSE CONCURRENT RESOLUTION NO. 53

WHEREAS, the average price of gasoline has risen to nearly \$4.00 a gallon and are projected to remain there or go even higher as the summer months approach; and

WHEREAS, numerous components make up the price of gasoline, including the cost of crude oil (45%), federal and state taxes (23%), refining costs (22%), and marketing and distribution costs (10%). These components are affected by many factors; and

WHEREAS, the three main factors that contribute to changes in the price of gasoline are changes in crude oil prices, the transparency of energy markets, and regulations that affect the price of gasoline; and

WHEREAS, there is very little government can do about crude oil prices and transparency. Crude oil prices are affected by world supply and demand, which continues to grow and most rapidly in Asia. Transparency produces highly efficient markets, but it also increases volatility. Any reduction in transparency would offset efficiency; and

WHEREAS, while states have limited authority and options available to attempt to reverse the soaring fuel prices and alleviate the growing financial burden on its citizenry, the federal government is able to ease the pressure on prices and reduce volatility by reducing its own interference in the market - most directly by the way of taxes and regulation; and

WHEREAS, federal regulations have contributed significantly to the high price, high volatility environment facing consumers today. These regulations have led to the proliferation of numerous fuel blends - known as "boutique fuels" - which in turn have increased refining and distribution costs; and

WHEREAS, in addition to addressing the boutique fuel problem, Congress and the Administration should reform other Clean Air Act regulations that have resulted in the halt of construction of new refinery capacity and offshore drilling. More production and refinery capacity is needed to ease the pressure on the production system; and

WHEREAS, federal regulations are also affecting gasoline imports because foreign suppliers are unable to keep up with the increasing complexity of federal gasoline requirements. Volatility in the Middle East also threatens our second largest supplier of oil - OPEC; and

WHEREAS, while changes in federal regulations and policies are needed as a long-term solution, the federal government is able to impact gasoline prices in the short-term as well; and

WHEREAS, in the short-term, the Environmental Protection Agency should temporarily suspend clean-fuel requirements and reduce the number of fuel specifications across the country by offering a limited menu of fuel choices that states and localities can choose from; and

WHEREAS, with crude oil costs being the single largest component in the cost of gasoline, the only real impact on crude oil prices is the threat of competition; and

WHEREAS, the leading supplier of oil to the United States market is Canada, with Mexico as the third leading supplier. There are enough oil and gas resources under the ground of those two reliable neighbors to supply the United States at current consumption levels for the next 100 years; and

WHEREAS, by lowering any remaining cross-border barriers to energy imports and by increasing the capacity of cross-border distribution systems, Congress can lower the cost to both Canada and Mexico of shipping oil to the United States, thereby inducing them to bring more supply on line; and

WHEREAS, in order to reduce our dependence on foreign oil, Congress and the Administration should find ways to facilitate the building of new refineries, and an increase in production by permitting the uncapping of existing wells and the drilling of new wells; and

WHEREAS, Congress and the Administration should strive to maintain a well-functioning gasoline market for the good of the economy, without interfering in the marketplace. Changes in federal regulation, introduction of fuel flexibility, removing impediments to importation of fuel from Canada and Mexico, increasing refinery capacity and pipeline construction, as well as greater domestic oil exploration and opening additional areas of production would begin to ease the rising cost of fuels and reduce our dependence on foreign sources of oil:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress and the Obama Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs to ease the financial burden on its citizens and prevent a second recession; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama; Lisa P. Jackson, Administrator of the Environmental Protection Agency; the Majority and Minority Leaders of the United States Congress; and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SBs 26 & 106**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Utilities**, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 48**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1826**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 200**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 446**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 720**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 740**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 59**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 61**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 71**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 97**, begs leave to report it has examined the same and recommends that it **Do Pass**.



Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 117**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 117**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 118**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 187**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 202**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 226**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 237**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 243**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 250**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 270**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 284**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS#2 SCS SB 320**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 322**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 323**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HBs 504, 505 & 874** - Fiscal Review (Fiscal Note)

**HCS HB 732** - Fiscal Review (Fiscal Note)

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**HCS SCS SB 29** - Fiscal Review (Fiscal Note)  
**HCS SS SB 226** - Fiscal Review (Fiscal Note)  
**HCS SB 243** - Fiscal Review (Fiscal Note)  
**HCS SCS SB 270** - Fiscal Review (Fiscal Review)  
**HCS SB 284** - Fiscal Review (Fiscal Note)  
**SS#2 SCS SB 320** - Fiscal Review (Fiscal Note)  
**HCS SB 322** - Fiscal Review (Fiscal Note)  
**SCS SB 323** - Fiscal Review (Fiscal Note)

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 17**, entitled:

An act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2011 and ending June 30, 2013.

With Senate Amendment No. 1.

### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 17, Page 2, Section 17.012, Lines 1-10, by striking all of said section from the bill.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 21**, entitled:

An act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 340**, entitled:

An act to repeal section 49.310, RSMo, and to enact in lieu thereof one new section relating to the erection and maintenance of jails, with an emergency clause.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND House Bill No. 340, Page 1, Title, Line 3, by inserting immediately after the word "clause" the following:

"for a certain section"; and

Further amend said bill, Page 2, Section 49.310, Line 24, by inserting after all of said line the following:

"478.711. 1. Within Cape Girardeau County the circuit court [shall] **may** hold court in the courthouses at Jackson and at Cape Girardeau, and while holding court at Jackson may be known as the "Circuit Court of Cape Girardeau County at Jackson" and while holding court at Cape Girardeau may be known as the "Circuit Court of Cape Girardeau County at Cape Girardeau". All matters which are handled by circuit judges or associate circuit judges of the circuit court of Cape Girardeau County may be handled at either of the locations.

2. The probate division of the circuit court of Cape Girardeau County [shall] **may** maintain an office at the courthouse in Jackson and an office at the courthouse in Cape Girardeau.

483.420. The circuit clerk of Cape Girardeau County [shall] **may** maintain and staff offices at the courthouses in Jackson and Cape Girardeau."; and

Further amend said bill and page, Section B, Line 2, by inserting immediately after the word "reenactment" the following:

"of section 49.310"; and

Further amend Line 4, by inserting immediately after the word "reenactment" the following:

"of section 49.310"; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS#2 SCS SB 8, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

The following member's presence was noted: Meadows.

**ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, May 4, 2011.

## COMMITTEE MEETINGS

### CONFERENCE COMMITTEE

Wednesday, May 4, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

### CONFERENCE COMMITTEE

Thursday, May 5, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

### CONFERENCE COMMITTEE

Friday, May 6, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, May 4, 2011, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 927

Executive session may be held on any matter referred to the committee.

### ECONOMIC DEVELOPMENT

Wednesday, May 4, 2011, House Hearing Room 7 upon morning recess.

Executive session will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 4, 2011, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

### FISCAL REVIEW

Wednesday, May 4, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

### FISCAL REVIEW

Thursday, May 5, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

FISCAL REVIEW

Thursday, May 5, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

JUDICIARY

Wednesday, May 4, 2011, House Hearing Room 1, 12:00 PM or upon morning recess.

Public hearing will be held: SCS SB 213

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Wednesday, May 4, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

CANCELLED

LOCAL GOVERNMENT

Thursday, May 5, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, May 4, 2011, House Hearing Room 7, 6:00 PM or upon afternoon adjournment.

Executive session will be held: HCR 53, HCS HBs 979 & 885, SB 38, HCS SCS SB 60,

SS SCS SB 65, HCS SB 90, HCS#2 SCS SB 162, SS SB 238, HCS SB 325,

HCS SS SCS SB 351, HCS SCS SB 356

Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT

Wednesday, May 4, 2011, 6:30 PM 3702 W. Truman Blvd.

Committee dinner

TOURISM AND NATURAL RESOURCES

Thursday, May 5, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCR 11

Executive session will be held: SCS SB 230

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTY-SIXTH DAY, WEDNESDAY, MAY 4, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

## **HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller
- 3 HB 138 - Thomson
- 4 HCS HB 732, (Fiscal Review 5-3-11) - Brandom
- 5 HCS HBs 504, 505 & 874, (Fiscal Review 5-3-11) - Silvey

## **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz

## **SENATE BILLS FOR THIRD READING**

- 1 HCS#2 SB 3 - Diehl
- 2 HCS SCS SB 163 - Thomson
- 3 HCS SB 173 - Cierpiot
- 4 HCS SB 207, (Fiscal Review 4-26-11) - Pollock
- 5 HCS SCS SB 219 - Wells
- 6 HCS SB 220 - Diehl
- 7 HCS SB 282 - Dugger
- 8 SS SB 306 - Wells
- 9 HCS SCS SB 57 - Gatschenberger
- 10 SB 83 - Wells
- 11 HCS#2 SB 96 - Fitzwater
- 12 HCS SB 145 - Gatschenberger
- 13 SB 165 - Cox
- 14 HCS SCS SB 29, (Fiscal Review 5-3-11) - Jones (117)
- 15 HCS SB 59 - Diehl
- 16 HCS SB 61 - Nasheed
- 17 SB 71 - Largent
- 18 HCS#2 SB 97 - Fitzwater
- 19 HCS SS SB 118 - Sater
- 20 HCS SB 187 - Guernsey
- 21 HCS SS SB 202 - Schoeller
- 22 HCS SS SB 226, (Fiscal Review 5-3-11) - Franz
- 23 SB 237 - Barnes
- 24 HCS SB 243, (Fiscal Review 5-3-11), E.C. - Dieckhaus
- 25 HCS SB 250 - Schad
- 26 HCS SCS SB 270, (Fiscal Review 5-3-11) - Dugger
- 27 HCS SB 284, (Fiscal Review 5-3-11), E.C. - Sater
- 28 SS#2 SCS SB 320, (Fiscal Review 5-3-11) - Diehl
- 29 HCS SB 322, (Fiscal Review 5-3-11) - Silvey
- 30 SCS SB 323, (Fiscal Review 5-3-11), E.C. - Allen

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 142, as amended - Gatschenberger
- 8 SCS HB 186 - Entlicher
- 9 SCS HB 149 - Day
- 10 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 11 SCS HB 256 - Cox
- 12 SCS HCS HB 214 - Zerr
- 13 SS SCS HB 137, as amended, E.C. - Thomson
- 14 SCS HCS HB 641 - Franz
- 15 HCS HB 197, SCA 1 - Jones (63)
- 16 HB 340, SA 1, E.C. - Klippenstein
- 17 SCS HCS HB 17, as amended - Silvey
- 18 SCS HCS HB 21 - Silvey

**BILLS CARRYING REQUEST MESSAGES**

HCS SS#2 SCS SB 8, as amended (request House recede/grant conference) - Fisher

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2 - Silvey
- 2 SCS HCS HB 3 - Silvey
- 3 SCS HCS HB 4 - Silvey
- 4 SCS HCS HB 5 - Silvey
- 5 SCS HCS HB 6 - Silvey
- 6 SCS HCS HB 7, as amended - Silvey
- 7 SCS HCS HB 8 - Silvey
- 8 SCS HCS HB 9 - Silvey
- 9 SCS HCS HB 10 - Silvey
- 10 SCS HCS HB 11 - Silvey
- 11 SCS HCS HB 12 - Silvey
- 12 SCS HCS HB 13 - Silvey



**VETOED HOUSE BILLS**

- 1 CCS SS HCS HB 193 - Diehl
- 2 SS SCS HB 209 - Guernsey

**SENATE CONCURRENT RESOLUTIONS**

SCR 7, (3-17-11, Page 700) - Jones (89)

**HOUSE RESOLUTIONS**

HR 1826, (4-27-11, Pages 1649-1650) - Long

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTY-SIXTH DAY, WEDNESDAY, MAY 4, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Thou wilt show me the path of life: in Thy presence is fullness of joy. (Psalm 16:11)*

O God, Ruler of governments, You have surrounded us with Your mercies, You have guided us with Your wisdom, You have blessed us with Your love. Continue to breathe upon us, breath of God, fill us with life anew, that we may love what You love and do what You would do - so may our lives be more worthy in Your sight and our labor be in accordance with Your Holy will.

Deliver us from pride and prejudice and bless us with the glorious liberty of an open mind and responsive heart. Clothe us with the spirit that never fails to bear the fruit of happiness, integrity and love. Finally, give relief and comfort to all who have suffered from the recent floods and tornadoes in our state. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Travis Sims and Katrina Enlow.

The Journal of the sixty-fifth day was approved as printed by the following vote:

AYES: 152

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald

## 1805 *Journal of the House*

McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 003

Atkins	Ellinger	Oxford
--------	----------	--------

PRESENT: 000

ABSENT WITH LEAVE: 005

Colona	Hodges	Meadows	Swinger	Walton Gray
--------	--------	---------	---------	-------------

VACANCIES: 003

### **SPECIAL RECOGNITION**

The family of the late James Ide, V, Staff Sergeant, United States Army, was introduced and presented a resolution by Representatives Casey and Fallert. The Ide family was accompanied by Staff Sergeant Ide's partner "Daphne," a Belgian Malinois bomb-sniffing canine, who faithfully served her master until his death on August 29, 2010.

### **HOUSE RESOLUTION**

Representative Walton Gray offered House Resolution No. 3102.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 3028 through House Resolution No. 3101

House Resolution No. 3103 through House Resolution No. 3139

### **VETOED HOUSE BILL**

**CCS SS HCS HB 193**, relating to congressional districts, was taken up by Representative Diehl.

Representative Diehl moved that **CCS SS HCS HB 193** be passed, the objections of the Governor thereto notwithstanding.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 004

Colona	Hodges	Swinger	Walton Gray
--------	--------	---------	-------------

VACANCIES: 003

## 1807 *Journal of the House*

On motion of Representative Diehl, **CCS SS HCS HB 193** was passed, the objections of the Governor thereto notwithstanding, by the following vote:

AYES: 109

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 044

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Fallert
Harris	Holsman	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Peters-Baker
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 007

Colona	Hodges	Kelly 24	McCann Beatty	Pierson
Swinger	Walton Gray			

VACANCIES: 003

Speaker Pro Tem Schoeller assumed the Chair.

# **MOTION**

Representative Silvey moved that Rule 23 be suspended.

Which motion was adopted by the following vote:

AYES: 122

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 031

Anders	Atkins	Carlson	Carter	Ellinger
Fallert	Harris	Kander	Kirkton	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Oxford	Pace
Peters-Baker	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Swearingen	Talboy	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Colona	Hodges	Hughes	Quinn	Still
Swinger	Walton Gray			

VACANCIES: 003

### THIRD READING OF SENATE BILLS

**HCS SB 173**, relating to transportation and infrastructure, was taken up by Representative Cierpiot.

Representative Cierpiot offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 173, Page 1, In the Title, Line 3, by striking the following on said line “transportation and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1** was adopted.

Representative McCaherty offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138, by inserting after all of said section and line the following:

**“227.430. The portion of Missouri Highway 30 from State Route NN north three miles to one tenth of a mile southwest of old Missouri 30 in Jefferson County shall be designated the "SFC Wm. Brian Woods, Jr. Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the cost to be paid for by private donations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 2** was adopted.

Representative Schad offered **House Amendment No. 3**.

#### *House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 173, Page 10, Section 249.425, Line 97, by inserting after said line the following:

“302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) [A business, occupation, or] **Driving to or from the operator's places of employment;**
- (b) [Seeking medical treatment for such operator;
- (c)] **Attending school or other institution of higher education;**

[(d)] (c) Attending alcohol or drug treatment programs; **or**

[(e)] (d) Seeking the required services of a certified ignition interlock device provider; [or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator;] the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or



(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.”; and

Further amend said bill, Page 11, Section 319.025, Line 38, by inserting after said line the following:

“577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An "aggravated offender" is a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related traffic offenses; or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related traffic offense and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; or assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) A "chronic offender" is:

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related traffic offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024; murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) "Continuous alcohol monitoring", automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;

(4) An "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, murder in the second degree under section 565.021, where the underlying felony is an intoxication-related traffic offense, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance;

(5) A "persistent offender" is one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082; and

(6) A "prior offender" is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding.

(1) No prior offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(2) No persistent offender shall be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court; or

(b) The offender participates in and successfully completes a program established pursuant to section 478.007 or other court-ordered treatment program, if available, **and as part of either program, the offender performs at least thirty days of community service under the supervision of the court.**

(3) No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment.

(4) No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment. In addition to any other terms or conditions of probation, the court shall consider, as a condition of probation for any person who pleads guilty to or is found guilty of an intoxication-related traffic offense, requiring the offender to abstain from consuming or using alcohol or any products containing alcohol as demonstrated by continuous alcohol monitoring or by verifiable breath alcohol testing performed a minimum of four times per day as scheduled by the court for such duration as determined by the court, but not less than ninety days. The court may, in addition to imposing any other fine, costs, or assessments provided by law, require the offender to bear any costs associated with continuous alcohol monitoring or verifiable breath alcohol testing.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

16. Evidence of a prior conviction, plea of guilty, or finding of guilt in an intoxication-related traffic offense shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence received by a search of the records of the Missouri uniform law enforcement system, including criminal history records from the central repository or records from the driving while intoxicated tracking system (DWITS) maintained by the Missouri state highway patrol, or the certified driving record maintained by the Missouri department of revenue. After hearing the evidence, the court shall enter its findings thereon. A plea of guilty or a finding of guilt followed by incarceration, a fine, a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in any intoxication-related traffic offense in a state, county or municipal court or any combination thereof, shall be treated as a prior plea of guilty or finding of guilt for purposes of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 3** was adopted.

Representative Lampe offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138, by inserting after all of said section and line the following:

“227.410. [The portion of U.S. Highway 160 in Greene County from the intersection of Farm Road 142 to the intersection of West Sunshine Street shall be designated the "Rabbi Abraham Joshua Heschel Memorial Highway".] **The portion of U.S. Highway 160 in Greene County from the intersection of West Mount Vernon Street to one-half mile south of the intersection of West Sunshine Street shall be designated the "Rabbi Ernest I. Jacob Memorial Highway".** The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid for by private donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lampe, **House Amendment No. 4** was adopted.

Representative Smith (150) offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 173, Page 10, Section 249.425, Line 97, by inserting immediately after said line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet  
between the extremes  
of any group of two or  
more consecutive axles,  
measured to the nearest  
foot, except where  
indicated otherwise

		Maximum load in pounds			
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		

14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsection 9 of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log truck as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36]. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 5** was adopted.

Representative Hough offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 173, Page 10, Section 249.425, Line 97, by inserting after all of said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

- (1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
- (2) Establish one-way streets and provide for the regulation of vehicles thereon;
- (3) Require vehicles to stop before crossing certain designated streets and boulevards;
- (4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

- (5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

**5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.**

**537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

**2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.**

**3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 6** was adopted.

Representative Torpey offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138, by inserting after all of said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

(1) "Board", the board of directors of a district;

(2) "Commission", the Missouri highways and transportation commission;

(3) "District", a transportation development district organized under sections 238.200 to 238.275;

(4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

(5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or [other mass transit] **public mass transportation system** and any similar or related improvement or infrastructure. **In the case of a district located in a home rule city with more than four hundred thousand inhabitants and located in more than one county, whose district boundaries are contained solely within that portion of such a home rule city that is contained within a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the term “Project”**

shall also include the operation of a street car or other rail-based or fixed guideway public mass transportation system, and the revenue of such district may be used to pay for the design, construction, ownership and operation of such a street car or other rail-based or fixed guideway public mass transportation system by such district or such municipality, or by a local transportation authority having jurisdiction within such municipality.

**(6) "Public mass transportation system", a transportation system owned or operated by a governmental or quasi-governmental entity, employing motor buses, rails, or any other means of conveyance, by whatsoever type of power, operated for public use in the conveyance of persons, mainly providing local transportation service within a municipality or a single metropolitan statistical area.**

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Qualified electors", "qualified voters" or "voters":

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115.

238.225. 1. Before construction or funding of any project the district shall submit the proposed project to the commission for its prior approval. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may preliminarily approve the project subject to the district providing plans and specifications for the proposed project and making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission's preliminary approval. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project.

Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

**4. Notwithstanding any provision of this section to the contrary, this section shall not apply to any district whose project is a public mass transportation system.**

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or



(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of ..... (transportation development district's name) impose a transportation development district-wide sales tax at the rate of ..... (insert amount) for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of ..... (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

(7) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5. All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

6. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

**7. Notwithstanding any provision of sections 99.800 to 99.865, and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 7** was adopted.

Representative Schupp offered **House Amendment No. 8.***House Amendment No. 8*

AMEND House Committee Substitute for Senate Bill No. 173, Page 7, Section 227.107, Line 138, by inserting after all of said section and line the following:

**“227.424. The portion of Interstate 40/64 in St. Louis County from the Boone's Crossing overpass at mile marker 17.0 west to the Spirit of St. Louis Airport overpass at mile marker 13.8 shall be designated as the "Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schupp, **House Amendment No. 8** was adopted.

On motion of Representative Cierpiot, **HCS SB 173, as amended**, was adopted.

On motion of Representative Cierpiot, **HCS SB 173, as amended**, was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Peters-Baker	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	

NOES: 002

Marshall Webb

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Casey	Fallert	Hodges	Nasheed
Redmon	Swinger	Wright	Mr Speaker	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SCS SB 163**, relating to higher education governing boards, was taken up by Representative Thomson.

Representative Thomson offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163, Page 1, Section 172.030, Line 7, by inserting at the end of said line the following:

**"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.";** and

Further amend said bill, Page 2, Section 173.005, Line 19, by deleting all of said line and inserting in lieu thereof the following:

**"the board, shall be reimbursed for their actual expenses. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.** The coordinating board may, in"; and

Further amend said bill, Page 7, Section 174.450, Line 30, by inserting at the end of said line the following:

**"Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 1** was adopted.

Representative Schupp offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163, Section 172.030, Page 1, Line 6, by inserting after the word, “appointment.” the words, “**One of the nine members may be a student curator who shall have full voting rights on the board.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references.

Representative Schupp moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Smith (150) assumed the Chair.

On motion of Representative Thomson, **HCS SCS SB 163, as amended**, was adopted.

On motion of Representative Thomson, **HCS SCS SB 163, as amended**, was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Grisamore                      Hodges                      Meadows                      Swinger                      Walton Gray  
Wright

VACANCIES: 003

Representative Smith (150) declared the bill passed.

**HCS SCS SB 219**, relating to financial transactions, was taken up by Representative Wells.

Representative Wells offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 219, Page 1, Section 313.800, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"devices less winnings paid to wagerers;" and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 1** was adopted.

Representative Gosen offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 219, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**"44.114. Except as otherwise provided in this section, at the time of any emergency, catastrophe, or other life or property threatening event which jeopardizes the ability of an insurer to address the financial needs of its insureds or the public, no political subdivision shall impose restrictions or enforce local licensing or registration ordinances with respect to such insurer's claims handling operations. As used in this section, the term "claims handling operations" includes but is not limited to the establishment of a base of operations by an insurer within the disaster area and the investigation and handling of claims by personnel authorized by any such insurer. Nothing herein shall prohibit a political subdivision from performing any safety inspection authorized by local ordinance of the premises of the insurer's base operations within the disaster area.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 2** was adopted.

Speaker Tilley resumed the Chair.

On motion of Representative Wells, **HCS SCS SB 219, as amended**, was adopted.

On motion of Representative Wells, **HCS SCS SB 219, as amended**, was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Conway 14	Conway 27	Crawford	Cross
Denison	Dieckhaus	Diehl	Ellinger	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	Meadows	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieffer	Schneider	Schoeller	Shively
Sifton	Silvey	Smith 71	Solon	Spreng
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wyatt	Zerr
Mr Speaker				

NOES: 036

Asbury	Bahr	Berry	Brattin	Cierpiot
Cookson	Cox	Curtman	Davis	Dugger
Entlicher	Franklin	Frederick	Fuhr	Hampton
Hughes	Johnson	Kelly 24	Kirkton	Klippenstein
Koenig	Lasater	Leach	Marshall	May
McCaherty	McNeil	Molendorp	Oxford	Pierson
Schieber	Schupp	Shumake	Smith 150	Still
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Day	Hodges	Lant	McNary
Sater	Swinger	Wright		

VACANCIES: 003

Speaker Tilley declared the bill passed.

**HCS SB 220**, relating to architects, engineers and surveyors, was taken up by Representative Diehl.

Representative Elmer offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 220, Page 3, Section 516.098, Line 6, by inserting immediately after said line the following:

**“537.033. 1. As used in this section, unless the context clearly indicates otherwise, the following words shall mean:**

(1) "Design professional", an architect, landscape architect, professional land surveyor or professional engineer, licensed under the provisions of chapter 327 or any corporation authorized to practice architecture, landscape architecture, land surveying, or engineering under section 327.401 while acting within his or her scope of practice;

(2) "Peer review process", a process through which design professionals evaluate, maintain, or monitor the quality and utilization of architectural, landscape architectural, land surveying or engineering services, prepare internal lessons-learned, or exercise any combination of such responsibilities.

2. A peer review process may be performed by the following, each of whom shall be deemed a peer reviewer:

(1) An individual design professional or committee of design professionals appointed by a state, county or local society of design professionals;

(2) An individual design professional or committee of design professionals appointed by the partners, shareholders, or employed design professionals of a partnership or of a corporation authorized under section 327.401;

(3) Any individual design professional or committee of design professionals appointed by the partners, board of directors, chief executive officer, or the quality control director of a partnership or a corporation authorized under section 327.401 to practice architecture, landscape architecture, land surveying, or engineering, or by the owner of a sole proprietorship engaged in one or more of such professions.

3. Each peer reviewer, member of a peer review committee, and each person, corporate director, partner, quality control director, or other design professional who testifies before, or provides information to, acts upon the recommendation of, or otherwise participates in the operation of, such a process shall be immune from civil liability for such acts so long as the acts are performed in good faith, without malice, and are reasonably related to the scope of inquiry of the peer review process.

4. Except as otherwise provided in this section, the interviews, memoranda, proceedings, findings, deliberations, reports, and minutes of the peer review process, or the existence of the same, concerning the professional services provided to a client or member of the public are privileged and shall not be subject to discovery, subpoena, or other means of legal compulsion for their release to any person or entity or be admissible into evidence in any judicial or administrative action for failure to provide appropriate architectural, landscape architectural, land surveying, or engineering services. Except as otherwise provided in this section, no person who was in attendance at or participated in any peer review process or proceedings shall be permitted or required to disclose any information acquired in connection with or in the course of such proceeding, or to disclose any opinion, recommendation, or evaluation of the peer reviewer or any member of a peer review committee; provided, however, that information otherwise discoverable or admissible from original sources shall not be construed as immune from discovery or use in any proceeding merely because it was presented during proceedings before a peer reviewer, nor shall a member, employee, or agent involved in any such process, or other person appearing before a peer reviewer be prevented from testifying as to matters within his or her personal knowledge and in accordance with the other provisions of this section; except that, such witness shall not be questioned about testimony or other proceedings before any peer review process or peer reviewer or about opinions formed as a result of such process. The disclosure of any interview, memoranda, proceedings, findings, deliberations, reports, or minutes to any person or entity, including but not limited to governmental agencies, professional accrediting agencies, or other design professionals, whether proper or improper, shall not waive or have any effect upon its confidentiality, nondiscoverability, or nonadmissibility.



5. Nothing in this section shall limit authority otherwise provided by law of the Missouri board for architects, professional engineers, professional land surveyors and landscape architects to obtain information by subpoena or other authorized process from a peer reviewer or to require disclosure of otherwise confidential information developed outside of the peer review process which relate to matters and investigations within the jurisdiction of such licensing board.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 1** was adopted.

On motion of Representative Diehl, **HCS SB 220, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 220, as amended**, was read the third time and passed by the following vote:

AYES: 111

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Lair	Lampe	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McGhee	Molendorp	Nance	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 71
Smith 150	Solon	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 031

Anders	Atkins	Carlson	Carter	Casey
Ellinger	Hughes	Jones 63	Kirkton	Kratky
May	McCann Beatty	McDonald	McGeoghegan	McManus
Meadows	Montecillo	Newman	Oxford	Pace
Peters-Baker	Quinn	Schieffer	Schupp	Shively
Sifton	Spreng	Still	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 018

Colona	Day	Dieckhaus	Flanigan	Fraker
Hampton	Hodges	Kander	Lant	Leara
McCaherty	McNary	McNeil	Nasheed	Redmon
Sater	Swinger	Wright		

VACANCIES: 003

Speaker Tilley declared the bill passed.

**HCS SB 282**, relating to elections, was taken up by Representative Dugger.

Representative Hinson offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 282, Section 115.761, Page 15, Line 17, by enclosing in brackets the phrase:

“one thousand dollars” on said line and inserting immediately thereafter the phrase: “**five thousand dollars for any election held on or before December 1, 2012, and ten thousand dollars for any election held thereafter**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Smith (150) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 282, Page 1, Section A, Line 6, by inserting after all of said section and line the following:

**“26.016. In the case of any vacancy for any cause in the office of lieutenant governor, the governor shall immediately fill such vacancy by special election as provided in section 105.030 for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the lieutenant governor under section 17, article IV, Constitution of Missouri. The governor shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the lieutenant governor shall be suspended until the impeachment is determined. If the lieutenant governor is acquitted, the lieutenant governor shall be reinstated to office. If the lieutenant governor is convicted, the vacancy shall be filled in the same manner as provided in this section.**

**27.015. In the case of any vacancy for any cause in the office of attorney general, the governor shall immediately appoint an acting attorney general to fill such vacancy until the vacancy is filled by special election as provided in section 105.030 for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the attorney general under section 17, article IV, Constitution of Missouri. The acting attorney general shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the attorney general shall be suspended until the impeachment is determined. If the attorney general is acquitted, the attorney general shall be reinstated to office. If the attorney general is convicted, the vacancy shall be filled in the same manner as provided in this section.**

28.190. In case of death, resignation, removal from office, impeachment, or vacancy from any cause in the office of secretary of state, the governor shall immediately [appoint a qualified person to] fill such vacancy **by special election as provided in section 105.030** for the remainder of the term in which such vacancy occurred [and] until [his] a successor is elected [or appointed, commissioned] and qualified[; and] **at the next election scheduled for the secretary of state under section 17, article IV, Constitution of Missouri.** The governor shall take charge of the office and superintend its business until such person is [appointed, commissioned] **elected** and qualified[; except that]. In case of impeachment **as provided in chapter 106**, the governor shall appoint a qualified person to serve only until such impeachment is determined, when the suspended officer, if acquitted, shall be reinstated in office[, or]. If the suspended officer is convicted, [a new appointment shall be made] **the vacancy shall be filled** by the governor as [in the case of other vacancies] **provided in this section.**

29.280. When a vacancy occurs in the office of state auditor, the governor shall immediately appoint an **acting** auditor to fill such vacancy **until the vacancy is filled by special election as provided in section 105.030** for the residue of the term in which the vacancy occurred[, and] until [his] a successor is elected [or appointed, commissioned] and qualified **at the next election scheduled for the state auditor under section 17, article IV, Constitution of Missouri.** **The acting auditor shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the auditor shall be suspended until the impeachment is determined. If the auditor is acquitted, the auditor shall be reinstated to office. If the auditor is convicted, the vacancy shall be filled in the same manner as provided in this section.**

30.060. In case of death, resignation, removal from office, impeachment, or vacancy from any cause[, in the office of the state treasurer, the governor shall **immediately fill such vacancy by special election as provided in section 105.030 for the remainder of the term in which such vacancy occurred until a successor is elected and qualified at the next election scheduled for the state treasurer under section 17, article IV, Constitution of Missouri.** The governor shall take charge of such office and superintend the business thereof until a successor is [appointed, commissioned] **elected** and qualified [except]. In case of impeachment **as provided in chapter 106**, when no [appointment] **election** shall be made until a determination of the matter is had, when, in the event of an acquittal, the suspended officer shall be reinstated in office. **If the treasurer is convicted, the vacancy shall be filled in the same manner as provided in this section.**

30.080. Immediately after the [appointment] **election** and qualification of a state treasurer, made to fill any vacancy occurring in said office, or the resumption of [his] duties by said officer, after the removal of any disability or temporary suspension therefrom the general assembly if in session, or, if such assembly be not in session, then the governor, shall cause a settlement to be made of the accounts of the former state treasurer, or any such office ad interim, remaining unsettled, and ascertain what balance, if any, is due the state or such officer, as the case may be.”;  
and

Further amend said bill, Page 3, Section 78.090, Line 23, by inserting after all of said section and line the following:

“105.030. **1.** Whenever any vacancy, caused in any manner or by any means whatsoever, occurs or exists in any state or county office originally filled by election of the people, other than in the offices of lieutenant governor, **attorney general, secretary of state, state auditor, state treasurer**, state senator or representative, sheriff, or recorder of deeds in the city of St. Louis, the vacancy shall be filled by appointment by the governor except that when a vacancy occurs in the office of county assessor after a general election at which a person other than the incumbent has been elected, the person so elected shall be appointed to fill the remainder of the unexpired term; and the person appointed after duly qualifying and entering upon the discharge of [his] **the** duties under the appointment shall continue in office until the first Monday in January next following the first ensuing general election, at which general election a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term, as the case may be, and the person so elected shall enter upon the discharge of the duties of the office the first Monday in January next following his election, except that when the term to be filled begins on any day other than the first Monday in January, the appointee of the governor shall be entitled to hold the office until such other date. This section shall not apply to vacancies in county offices in any county which has adopted a charter for its own government under section 18, article VI of the constitution. Any vacancy in the office of recorder of deeds in the city of St. Louis shall be filled by appointment by the mayor of that city.

**2. Any vacancy occurring in the offices of lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer, except for vacancies occurring under section 106.060, shall be filled by a special election called by the governor for that purpose. Upon receiving the notice of vacancies occurring under this subsection, the governor shall without delay issue a writ of election to fill the vacancy. The secretary of state shall conduct the special election as provided in chapter 115.**

105.040. Whenever a vacancy in the office of senator of the United States from this state exists, the governor[, unless otherwise provided by law,] shall appoint a person to fill such vacancy, who shall continue in office until a successor shall have been duly elected and qualified [according to law] **by a special election called by the governor for that purpose. Upon receiving the notice of a vacancy occurring in the office, the governor shall without delay appoint a person to fill the vacancy and issue a writ of election to fill the vacancy. The secretary of state shall conduct the special election as provided in chapter 115.**

105.050. If any vacancy shall happen from any cause in the office of the [attorney general,] circuit attorney, prosecuting attorney or assistant prosecuting attorney, the governor, upon being satisfied that such vacancy exists, shall appoint some competent person to fill the same until the next regular election for [attorney general,] prosecuting attorney or assistant prosecuting attorney, as the case may be; provided, in the case of a vacancy in the office of prosecuting attorney, if there is no qualified person in the county who can or will accept such appointment, then the governor may appoint any person who possesses all the qualifications set forth in section 56.010, RSMo, except the qualification as to residence.”; and

Further amend said bill, Page 19, Section 190.056, Line 88, by inserting after all of said section and line the following:

“[30.070. When a vacancy occurs in the office of state treasurer, the governor shall immediately appoint a state treasurer to fill such vacancy for the residue of the term in which the vacancy occurred, and until his successor is elected or appointed, commissioned and qualified.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**On motion of Representative Smith (150), House Amendment No. 2 was adopted.**

**Representative Cauthorn offered House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 282, Page 1, In the Title, Line 2, by inserting after the word "sections" the number "11.010,"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "twenty" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the number "11.010,"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "twenty" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the word "sections" the numbers "11.010, 11.025,"; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after all of said line the following:

"11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund."**; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 3** was adopted.

Representative Wyatt offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 282, Page 19, Section 190.056, Line 88, by inserting after all of said section and line the following:

**"Section 1. Notwithstanding the provisions of sections 77.230 and 78.440, any individual who is twenty four years of age or older shall be eligible to serve as mayor in a city of the third classification with a form of government organized under sections 78.430 to 78.640."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wyatt, **House Amendment No. 4** was adopted.

Representative Funderburk offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 282, Page 3, Section 115.015, Line 2, by inserting at the end of said line the following:

**"with the powers and duties subject to the limitations set forth in the respective charter,"**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Thomson offered **House Amendment No. 1 to House Amendment No. 5**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 282, Page 1, Line 4, by inserting after all of said line the following:

‘Further amend said bill, Page 5, Section 115.123, Line 4, by removing the brackets from the phrase: “February or”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) resumed the Chair.

**HCS SB 282, as amended, with House Amendment No. 1 to House Amendment No. 5 and House Amendment No. 5, pending,** was laid over.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 18**, entitled:

An act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements; and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

With Senate Amendment No. 3.

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 5, Section 18.075, Line 9, by striking the number “\$115,877,446E” and inserting in lieu thereof the following:

“\$101,795,122”; and

Further amend Page 8, Section 18.125, Line 10, by striking the number “\$1,766,281” and inserting in lieu thereof the following:

“\$1,556,324”; and

Further amend Page 10, Section 18.145, Line 12, by striking the number “\$861,388” and inserting in lieu thereof the following:

“\$667,585”.

In which the concurrence of the House is respectfully requested.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

## **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Tilley.

## **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Wells reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 504, 505 & 874** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 29** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 207** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 226** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 270** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 284** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#2 SCS SB 320** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 322** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## **THIRD READING OF SENATE BILLS**

**HCS#2 SB 3**, relating to elections, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute No. 2 for Senate Bill No. 3, Page 1, Section 115.276, Line 18, by inserting at the end of said line the following:

**"publication under section 115.127,"**; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Conway (27) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute No. 2 for Senate Bill No. 3, Page 1, Section 115.276, Lines 5 to 7, by deleting all of said lines and inserting in lieu thereof the following:

**"person in any election at an advance voting center in the";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Parkinson assumed the Chair.

Representative Conway (27) moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Higdon	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Peters-Baker	Pierson	Quinn	Rizzo	Schatz
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

NOES: 097

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Hughes	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			



## 1835 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Elmer	Frederick	Funderburk	Hodges
Holsman	Reiboldt	Sater	Swinger	Webber
Wright				

VACANCIES: 003

On motion of Representative Diehl, **HCS#2 SB 3, as amended**, was adopted.

On motion of Representative Diehl, **HCS#2 SB 3, as amended**, was read the third time and passed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Peters-Baker	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Hodges	Reiboldt	Richardson	Riddle
Sater	Swinger	Webber	Wright	

VACANCIES: 003

Representative Parkinson declared the bill passed.

**HCS SB 282, as amended, with House Amendment No. 1 to House Amendment No. 5 and House Amendment No. 5, pending,** relating to elections, was again taken up by Representative Dugger.

On motion of Representative Thomson, **House Amendment No. 1 to House Amendment No. 5** was adopted by the following vote:

AYES: 116

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Black	Brandom	Brown 50
Brown 116	Casey	Cauthorn	Colona	Conway 27
Cookson	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Grisamore	Guernsey	Haefner
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Lichtenegger	May	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Richardson	Riddle
Rizzo	Rowland	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wyatt	Zerr
Mr Speaker				

NOES: 034

Bahr	Berry	Brattin	Brown 85	Burlison
Carlson	Cierpiot	Conway 14	Cox	Crawford
Curtman	Day	Dieckhaus	Elmer	Fuhr
Gosen	Hampton	Jones 89	Jones 117	Keeney
Koenig	Leach	Leara	Loehner	Long
Marshall	McCaherty	McNary	Neth	Ruzicka
Schad	Scharnhorst	Torpey	Wieland	

## 1837 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Gatschenberger	Hodges	Nasheed	Peters-Baker
Reiboldt	Sater	Swinger	Webber	Wright

VACANCIES: 003

On motion of Representative Funderburk, **House Amendment No. 5, as amended**, was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Asbury	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 046

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hummel
Jones 63	Kander	Kirkton	Kratky	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Barnes	Diehl	Flanigan	Hodges
Hubbard	Hughes	Jones 117	Kelly 24	Lampe
Leara	Peters-Baker	Reiboldt	Sater	Silvey
Spreng	Stream	Swinger	Webber	Wright

VACANCIES: 003

On motion of Representative Dugger, **HCS SB 282, as amended**, was adopted.

On motion of Representative Dugger, **HCS SB 282, as amended**, was read the third time and passed by the following vote:

AYES: 101

Allen	Anders	Asbury	Bahr	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 048

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Ellinger	Fallert
Harris	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

## 1839 *Journal of the House*

ABSENT WITH LEAVE: 011

Barnes	Hodges	Hughes	Leara	Peters-Baker
Reiboldt	Sater	Stream	Swinger	Webber
Wright				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SB 207**, relating to property taxes and energy, was taken up by Representative Pollock.

**HCS SB 207** was laid over.

**SS SB 306**, relating to credit unions, was taken up by Representative Wells.

On motion of Representative Wells, **SS SB 306** was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Brown 116	Cox	Day	Dieckhaus
Diehl	Flanigan	Guernsey	Hodges	Hughes
Jones 117	Lant	Leara	Peters-Baker	Reiboldt
Sater	Swinger	Webber	Wright	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SCS SB 57**, relating to public administrators, was taken up by Representative Gatschenberger.

Representative Talboy offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 57, Section 475.115, Page 1, Line 15, by inserting the following after all of said line:

“537.620. Notwithstanding any direct or implied prohibitions in chapter 375, 377, or 379, any three or more political subdivisions of this state may form a business entity for the purpose of providing liability and all other insurance, including insurance for elderly or low-income housing in which the political subdivision has an insurable interest, for any of the subdivisions upon the assessment plan as provided in sections 537.600 to 537.650. Any public governmental body or quasi-public governmental body, as defined in section 610.010, and any political subdivision of this state or any other state may join this entity and use public funds to pay any necessary assessments. Except for being subject to the regulation of the director of the department of insurance, financial institutions and professional registration under sections 375.930 to 375.948, sections 375.1000 to 375.1018, and sections 537.600 to 537.650, any such business entity shall not be deemed to be an insurance company or insurer under the laws of this state, and the coverage provided by such entity and the administration of such entity shall not be deemed to constitute the transaction of an insurance business. **Risk coverages procured under this section shall not be deemed to constitute a contract, purchase, or expenditure of public funds for which a public governmental body, quasi-public governmental body, or political subdivision is required to solicit competitive bids.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 1** was adopted.

Representative Cauthorn offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 57, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 11.010 and 475.115, RSMo, and to enact in lieu thereof three new sections relating to public"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 11.010 and 475.115, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 11.010, 11.025, and 475.115, to read as follows:

11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gatschenberger raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

Representative Cauthorn moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Gatschenberger, **HCS SCS SB 57, as amended**, was adopted.

On motion of Representative Gatschenberger, **HCS SCS SB 57, as amended**, was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair

Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Smith 71	Smith 150	Solon	Spreng
Still	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Hodges	Hughes	Kelly 24	Leara
Nolte	Peters-Baker	Reiboldt	Sater	Silvey
Stream	Swinger	Webber	Wright	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**SB 83**, relating to sale of deficiency waiver addendums, was taken up by Representative Wells.

On motion of Representative Wells, **SB 83** was truly agreed to and finally passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee



## 1843 *Journal of the House*

McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Smith 71	Smith 150	Solon	Spreng	Still
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Diehl	Hodges	Hughes	Kelly 24
Leara	Nasheed	Peters-Baker	Reiboldt	Sater
Silvey	Stream	Swinger	Webber	Wright

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS#2 SB 96**, relating to conveyances of state property, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HCS#2 SB 96** was adopted.

On motion of Representative Fitzwater, **HCS#2 SB 96** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp

Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Spreng	Still	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 001

Schad

PRESENT: 000

ABSENT WITH LEAVE: 016

Diehl	Hodges	Hughes	Kelly 24	Leara
McGhee	Nolte	Peters-Baker	Reiboldt	Sater
Scharnhorst	Silvey	Stream	Swinger	Webber
Wright				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**SB 165**, relating to the Basic Civil Legal Services Fund, was taken up by Representative Cox.

On motion of Representative Cox, **SB 165** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nasheed	Neth

## 1845 *Journal of the House*

Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Cross	Hodges	Hughes	Leara	Nance
Nolte	Peters-Baker	Redmon	Reiboldt	Sater
Schneider	Swinger	Webb	Webber	White
Wright				

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SB 145**, relating to political subdivisions, was taken up by Representative Gatschenberger.

Representative Loehner offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting immediately after said line the following:

“311.297. 1. Any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide and pour distilled spirits, wine, or malt beverage samples off a licensed retail premises for tasting purposes provided no sales transactions take place. For purposes of this section, a "sales transaction" shall mean an actual and immediate exchange of monetary consideration for the immediate delivery of goods at the tasting site.

2. Notwithstanding any other provisions of this chapter to the contrary, any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide, furnish, or pour distilled spirits, wine, or malt beverage samples for customer tasting purposes on any temporary licensed retail premises as described in section 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization's licensed premises as described in section 311.090.

3. (1) Notwithstanding any other provisions of this chapter to the contrary, any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide or furnish distilled spirits, wine, or malt beverage samples on a licensed retail premises for customer tasting purposes so long as the winery, distiller, manufacturer, wholesaler, or brewer or designated employee has permission from the person holding the retail license. The retail licensed premises where such product tasting is provided shall maintain a special permit in accordance with section 311.294 or hold a by-the-drink-for-consumption-on-the-premises-where-sold retail license. No money or anything of value shall be given to the retailers for the privilege or opportunity of conducting the on-the-premises product tasting.

(2) Distilled spirits, wine, or malt beverage samples may be dispensed by an employee of the retailer, winery, distiller, manufacturer, or brewer or by a sampling service retained by the retailer, winery, distiller, manufacturer, or brewer. All sampling service employees that provide and pour intoxicating liquor samples on

a licensed retail premises shall be required to complete a server training program approved by the division of alcohol and tobacco control.

(3) Any distilled spirits, wine, or malt beverage sample provided by the retailer, winery, distiller, manufacturer, wholesaler, or brewer remaining after the tasting shall be returned to the retailer, winery, distiller, manufacturer, wholesaler, or brewer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

Representative Franz offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to Chapter 140 or, if applicable to that county, Chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or

account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 2** was adopted.

Representative Hummel offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The

director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, **environmental insurance premiums, backfill of areas where contaminated soil excavation occurs**, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the

remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148.

The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 [to 6] **and 5** of section 135.250. The director of the department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer

operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership. The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 3** was adopted.

Representative Hough offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city,



town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] **a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for incarcerating the prisoner**, the prisoner shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 6, Section 488.026, Line 12, by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2014.

**5. Any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an additional five dollars if approved by the county commission.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**Representative Jones (117) offered House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1  
to  
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 145, Page 2, Line 12, by inserting the following after all of said line:

“67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one

percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES                                      ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (1) Acquisition of land;
- (2) Installation of infrastructure for industrial or business parks;
- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;
- (5) Providing matching dollars for state or federal grants;
- (6) Marketing;
- (7) **Construction and operation of job training and educational facilities;**

(8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

(1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;

(3) One member shall be appointed by the largest public school district in the city or county;

(4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to

serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

6. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

7. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

8. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

9. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Hough, **House Amendment No. 4, as amended**, was adopted.

Representative Talboy offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 145, Section 488.026, Page 6, Line 12, by inserting the following after all of said lines:

“537.620. Notwithstanding any direct or implied prohibitions in chapter 375, 377, or 379, any three or more political subdivisions of this state may form a business entity for the purpose of providing liability and all other insurance, including insurance for elderly or low-income housing in which the political subdivision has an insurable interest, for any of the subdivisions upon the assessment plan as provided in sections 537.600 to 537.650. Any public governmental body or quasi-public governmental body, as defined in section 610.010, and any political subdivision of this state or any other state may join this entity and use public funds to pay any necessary assessments. Except for being subject to the regulation of the director of the department of insurance, financial institutions and professional registration under sections 375.930 to 375.948, sections 375.1000 to 375.1018, and sections 537.600 to 537.650, any such business entity shall not be deemed to be an insurance company or insurer under the laws of this state, and the coverage provided

by such entity and the administration of such entity shall not be deemed to constitute the transaction of an insurance business. **Risk coverages procured under this section shall not be deemed to constitute a contract, purchase, or expenditure of public funds for which a public governmental body, quasi-public governmental body, or political subdivision is required to solicit competitive bids.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 5** was adopted.

Representative Jones (89) offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 145, Section 67.319, Page 5, Line 53, by inserting the following after all of said line:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county

executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 6** was adopted.

Representative Franz offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Bill No. 145, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

“50.1260. [1.] A distributee may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover **to the extent and in the time and manner as set forth in regulations and as otherwise provided by the board.**

[2. An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include any distribution that is one of a series of substantially equal periodic payments, not less frequently than annually, made for the life, or life expectancy, of the distributee or the joint lives, or joint life expectancy, of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required pursuant to 26 U.S.C. 401(a)(9); and the portion of any distribution that is not includable in gross income, determined without regard to the exclusion for net unrealized appreciation with respect to employer securities.

3. An eligible retirement plan is an individual retirement account, an individual retirement annuity, an annuity plan described in 26 U.S.C. 403(a), or a qualified trust described in 26 U.S.C. 401(a) that accepts the distributee's eligible rollover distribution. However, in the case of an eligible rollover distribution to the surviving spouse, an eligible retirement plan is an individual retirement account or individual retirement annuity.

4. A distributee includes a member, the member's surviving spouse and the member's former spouse who is the alternate payee pursuant to a qualified domestic relations order.

5. A direct rollover is a payment made, in accordance with the provisions of section 50.1250, to the eligible retirement plan specified by the distributee.

6. A distributee may elect a complete direct rollover with respect to all of the distribution or a partial direct rollover with respect to a portion of the distribution with the remainder paid directly to the distributee. The amount of a partial direct rollover must be at least five hundred dollars.

7. A distributee who does not make any election shall be deemed to have rejected the direct rollover option.

8. A distribution of less than two hundred dollars that otherwise would be an eligible rollover distribution shall not be an eligible rollover distribution if it is reasonable to expect that all such distributions to the distributee from the plan during the same calendar year will not exceed two hundred dollars.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 7** was adopted.

**HCS SB 145, as amended**, was laid over.

**HCS#2 SB 96**, relating to conveyances of state property, was again taken up by Representative Fitzwater.

On motion of Representative Fitzwater, the emergency clause was adopted by the following vote:

AYES: 139

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

## 1857 *Journal of the House*

NOES: 003

Korman                      Marshall                      Schad

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Conway 14	Flanigan	Hodges	Holsman
Hughes	Loehner	Molendorp	Newman	Nolte
Peters-Baker	Reiboldt	Sater	Schneider	Silvey
Swinger	Webber	Wright		

VACANCIES: 003

### **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 12** - Health Care Policy

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**HCS SCS SB 60** - Fiscal Review (Fiscal Note)  
**SS SCS SB 65** - Fiscal Review (Fiscal Note)  
**HCS SB 90** - Fiscal Review (Fiscal Note)  
**HCS#2 SCS SB 162** - Fiscal Review (Fiscal Note)  
**HCS SCS SB 356** - Fiscal Review (Fiscal Note)  
**SCS SB 122** - Health Insurance  
**SCS SB 368** - Tourism and Natural Resources

### **COMMITTEE REPORTS**

**Committee on Crime Prevention and Public Safety**, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 36**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 254**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 387**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 213**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 53**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 38**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 60**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 65**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 90**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 132**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 238**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 325**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 351**, begs leave to report it has examined the same and recommends that it **Do Pass**.



Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 356**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 360**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 22**, entitled:

An act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2011 and ending June 30, 2013.

With Senate Amendment No. 1 and Senate Amendment No. 2.

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 22, Page 4, Section 22.065, Line 4, by inserting immediately after said line the following:

"Section 22.070. To the Department of Transportation  
For funding local and regional port authorities for construction, which includes planning, docks, buildings, roads, railroads, sewers, water and electric lines, land purchases, building purchases, landscaping, and equipment  
From General Revenue. . . . . \$1,000,000"; and

Further amend bill totals accordingly.

#### *Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 22, Page 3, Section 22.046, Line 1, by deleting the word "Department" and inserting in lieu thereof the following:

"Office"; and

Further amend said section, Line 5, by deleting the number: "\$1,100,000" and inserting in lieu thereof the following: "\$1,050,000".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 101**, entitled:

An act to repeal section 311.297, RSMo, and to enact in lieu thereof two new sections relating to liquor control.

With Senate Amendment No. 1 and Senate Amendment No. 2.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 101, Page 2, Section 311.297, Line 36, by inserting after all of said line the following:

"311.482. 1. Notwithstanding any other provision of this chapter, a permit for the sale of **all kinds of** intoxicating liquor [as defined in section 311.020], **including intoxicating liquor in the original package, at retail by the drink** for consumption on **the** premises [where sold] **of the licensee** may be issued to any church, school, civic, service, fraternal, veteran, political, or charitable club or organization for the sale of such intoxicating liquor at a picnic, bazaar, fair, or similar gathering. The permit shall be issued only for the day or days named therein and it shall not authorize the sale of intoxicating liquor for more than seven days by any such club or organization.

2. To secure the permit, the applicant shall complete a form provided by the supervisor, but no applicant shall be required to furnish a personal photograph as part of the application. The applicant shall pay a fee of twenty-five dollars for such permit.

3. If the event will be held on a Sunday, the permit shall authorize the sale of intoxicating liquor on that day beginning at 11:00 a.m.

4. At the same time that an applicant applies for a permit under the provisions of this section, the applicant shall notify the director of revenue of the holding of the event and by such notification, by certified mail, shall accept responsibility for the collection and payment of any applicable sales tax. Any sales tax due shall be paid to the director of revenue within fifteen days after the close of the event, and failure to do so shall result in a liability of triple the amount of the tax due plus payment of the tax, and denial of any other permit for a period of three years. Under no circumstances shall a bond be required from the applicant.

5. No provision of law or rule or regulation of the supervisor shall be interpreted as preventing any wholesaler or distributor from providing customary storage, cooling or dispensing equipment for use by the permit holder at such picnic, bazaar, fair or similar gathering.

311.485. 1. The supervisor of liquor control may issue a temporary permit to caterers and other persons holding licenses to sell intoxicating liquor, **including intoxicating liquor in the original package**, by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion or event at a particular location other than the licensed premises, but not including a festival as defined in chapter 316. The temporary permit shall be effective for a period not to exceed one hundred sixty-eight consecutive hours, and shall authorize the service of alcoholic beverages at such function, occasion or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages for on-premises consumption. For every permit issued pursuant to the provisions of this section, the permittee shall pay to the director of revenue the sum of ten dollars for each calendar day, or fraction thereof, for which the permit is issued.

2. Except as provided in subsection 3 of this section, all provisions of the liquor control law and the ordinances, rules and regulations of the incorporated city, or the unincorporated area of any county, in which is located the premises in which such function, occasion or event is held shall extend to such premises and shall be in force and enforceable during all the time that the permittee, its agents, servants, employees, or stock are in such premises. [Except for Missouri-produced wines in the original package, the provisions of this section shall not include the sale of packaged goods covered by this temporary permit.]

3. Notwithstanding any other law to the contrary, any caterer who possesses a valid state and valid local liquor license may deliver alcoholic beverages in the course of his or her catering business. A caterer who possesses a valid state and valid local liquor license need not obtain a separate license for each city the caterer delivers in, so long as such city permits any caterer to deliver alcoholic beverages within the city.

4. To assure and control product quality, wholesalers may, but shall not be required to, give a retailer credit for intoxicating liquor with an alcohol content of less than five percent by weight delivered and invoiced under the catering permit number, but not used, if the wholesaler removes the product within seventy-two hours of the expiration of the catering permit issued pursuant to this section.

311.486. 1. The supervisor of alcohol and tobacco control may issue a special license to caterers and other persons holding licenses to sell intoxicating liquor, **including intoxicating liquor in the original package**, by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion, or event at a particular location other than the licensed premises, but not including a festival as defined in chapter 316. The special license shall be effective for a maximum of fifty days during

any year, and shall authorize the service of alcoholic beverages at such function, occasion, or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages for on-premises consumption. For every special license issued pursuant to the provisions of this subsection, the licensee shall pay to the director of revenue the sum of five hundred dollars a year payable at the same time and in the same manner as its other license fees.

2. The supervisor of alcohol and tobacco control may issue a special license to caterers and other persons holding licenses to sell intoxicating liquor by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion, or event at a particular location other than the licensed premises, but not including a festival as defined in chapter 316. The special license shall be effective for an unlimited number of functions during the year, and shall authorize the service of alcoholic beverages at such function, occasion, or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages for on-premises consumption. For every special license issued pursuant to the provisions of this subsection, the licensee shall pay to the director of revenue the sum of one thousand dollars a year payable at the same time and in the same manner as its other license fees.

3. Caterers issued a special license pursuant to subsections 1 and 2 of this section shall report to the supervisor of alcohol and tobacco control the location of each function three business days in advance. The report of each function shall include permission from the property owner and city, description of the premises, and the date or dates the function will be held.

4. Except as provided in subsection 5 of this section, all provisions of the liquor control law and the ordinances, rules and regulations of the incorporated city, or the unincorporated area of any county, in which is located the premises in which such function, occasion, or event is held shall extend to such premises and shall be in force and enforceable during all the time that the licensee, its agents, servants, employees, or stock are in such premises. [Except for wines in the original package, the provisions of this section shall not include the sale of packaged goods covered by this special license.]

5. Notwithstanding any other law to the contrary, any caterer who possesses a valid state and valid local liquor license may deliver alcoholic beverages, in the course of his or her catering business. A caterer who possesses a valid state and valid local liquor license need not obtain a separate license for each city the caterer delivers in, so long as such city permits any caterer to deliver alcoholic beverages within the city.

6. To assure and control product quality, wholesalers may, but shall not be required to, give a retailer credit for intoxicating liquor with an alcohol content of less than five percent by weight delivered and invoiced under the catering license number, but not used, if the wholesaler removes the product within seventy-two hours of the expiration of the catering function."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Bill No. 101, Page 1, Section 311.087, Line 16, by inserting after all of said line the following:

**"311.088. Any person possessing the qualifications and meeting the requirements of this chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the premises in a home rule city with more than four hundred thousand inhabitants and located in more than one county may be issued a special permit by the state and such city. Notwithstanding the provisions of 311.089 to the contrary, the special permit issued under this section shall allow the licensed premises to sell intoxicating liquor from 6:00 a.m. until 3:00 a.m. on the morning of the following day within one twenty-four hour period. Any person granted a special permit under this section shall only be authorized to receive up to six such special permits from the city in a calendar year.";** and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 190**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **CCS SS HCS HB 193**, the objections of the Governor thereto notwithstanding.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the attached is a certified copy of the Roll Call on **CCS SS HCS HB 193**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 250**, entitled:

An act to repeal section 256.400, RSMo, and to enact in lieu thereof three new sections relating to well water.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 173, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

## **RECESS**

Representative Jones (89) moved that the House stand in recess until such time as the Conference Committee Reports on House Bill No. 2 through House Bill No. 13 have been distributed, the Conference Committees on Budget adjourn with no action taken, or until 4:00 a.m., whichever comes first, and then stand adjourned until 10:00 a.m., Thursday, May 5, 2011.

## **CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Jamilah Nasheed

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 3**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 4**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 5**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 6**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 7**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 8**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.



3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 9**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 10**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 11**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 12**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 12.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 13**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 13.
2. That the House recede from its position on House Committee Substitute for House Bill No. 13.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 13, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Kurt Schaefer  
/s/ Scott Rupp  
/s/ David Pearce  
/s/ Timothy Green  
/s/ Shalonn "Kiki" Curls

**FOR THE HOUSE:**

/s/ Ryan Silvey  
/s/ Rick Stream  
/s/ Tom Flanigan  
/s/ Sara Lampe  
/s/ Chris Kelly

**ADJOURNMENT**

Pursuant to the motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, May 5, 2011.

## COMMITTEE MEETINGS

### CONFERENCE COMMITTEE

Thursday, May 5, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CANCELLED

### CONFERENCE COMMITTEE

Friday, May 6, 2011, 8:30 AM Senate Lounge.

Executive session will be held: SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

Executive session may be held on any matter referred to the committee.

CANCELLED

### CORRECTIONS

Tuesday, May 10, 2011, 12:00 PM House Hearing Room 3.

Informational luncheon meeting at 12:00 noon

### ECONOMIC DEVELOPMENT

Thursday, May 5, 2011, House Hearing Room 7 upon morning recess.

Executive session will be held: SCS SB 100

Executive session may be held on any matter referred to the committee.

### FISCAL REVIEW

Thursday, May 5, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

### FISCAL REVIEW

Thursday, May 5, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

### FISCAL REVIEW

Friday, May 6, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

**HEALTH CARE POLICY**

Monday, May 9, 2011, 12:30 PM House Hearing Room 5.

Public hearing will be held: SCR 12

Executive session will be held: HB 821

Executive session may be held on any matter referred to the committee.

**CORRECTED**

**JOINT COMMITTEE ON EDUCATION**

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

**LOCAL GOVERNMENT**

Thursday, May 5, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

**LOCAL GOVERNMENT**

Thursday, May 5, 2011, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Change Hearing Room to House Hearing Room 6

**CORRECTED**

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Thursday, May 5, 2011, House Hearing Room 6, 30 minutes after morning adjournment.

Executive session may be held on any matter referred to the committee.

**TOURISM AND NATURAL RESOURCES**

Thursday, May 5, 2011, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCR 11

Executive session will be held: SCS SB 230

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTY-SEVENTH DAY, THURSDAY, MAY 5, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl

1873 *Journal of the House*

- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

- 1 HCR 9, (2-1-11, Page 277) - Barnes
- 2 HCR 19, (2-17-11, Pages 392-393) - Gatschenberger

**HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller
- 3 HB 138 - Thomson
- 4 HCS HB 732, (Fiscal Review 5-3-11) - Brandom
- 5 HCS HB 504, 505 & 874 - Silvey
- 6 HB 658 - Schatz
- 7 HCS HB 999 - Schad
- 8 HCS HB 707 - Brown (50)

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

**SENATE BILLS FOR THIRD READING**

- 1 HCS SB 207 - Pollock
- 2 HCS SB 145, as amended - Gatschenberger
- 3 HCS SCS SB 29 - Jones (117)
- 4 HCS SB 59 - Diehl
- 5 HCS SB 61 - Nasheed
- 6 SB 71 - Largent
- 7 HCS#2 SB 97 - Fitzwater
- 8 HCS SS SB 118 - Sater
- 9 HCS SB 187 - Guernsey
- 10 HCS SS SB 202 - Schoeller
- 11 HCS SS SB 226 - Franz
- 12 SB 237 - Barnes
- 13 HCS SB 243, (Fiscal Review 5-3-11), E.C. - Dieckhaus
- 14 HCS SB 250 - Schad
- 15 HCS SCS SB 270 - Dugger
- 16 HCS SB 284, E.C. - Sater
- 17 SS#2 SCS SB 320 - Silvey
- 18 HCS SB 322 - Kelly (24)
- 19 SCS SB 323, (Fiscal Review 5-3-11), E.C. - Allen
- 20 SB 38 - Carter
- 21 HCS SCS SB 60, (Fiscal Review 5-4-11) - Cox
- 22 SS SCS SB 65, (Fiscal Review 5-4-11) - Jones (89)
- 23 HCS SB 90, (Fiscal Review 5-4-11) - Burlison
- 24 HCS SS SCS SB 132, E.C. - Richardson
- 25 HCS#2 SCS SB 162, (Fiscal Review 5-4-11) - Guernsey
- 26 SS SB 238 - Hinson
- 27 HCS SB 325, E.C. - Smith (150)
- 28 HCS SS SCS SB 351 - Barnes
- 29 HCS SCS SB 356, (Fiscal Review 5-4-11), E.C. - Loehner
- 30 HCS SS SB 360, E.C. - Wyatt

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HBs 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 142, as amended - Gatschenberger
- 8 SCS HB 186 - Entlicher
- 9 SCS HB 149 - Day
- 10 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 11 SCS HB 256 - Cox
- 12 SCS HCS HB 214 - Zerr



1875 *Journal of the House*

- 13 SS SCS HB 137, as amended, E.C. - Thomson
- 14 SCS HCS HB 641 - Franz
- 15 HCS HB 197, SCA 1 - Jones (63)
- 16 HB 340, SA 1, E.C. - Klippenstein
- 17 SCS HCS HB 17, as amended - Silvey
- 18 SCS HCS HB 21 - Silvey
- 19 SCS HCS HB 18, as amended - Silvey
- 20 SCS HCS HB 22, as amended - Silvey
- 21 SCS HCS HB 250 - Cox
- 22 SCS HB 101, as amended - Loehner

**BILLS CARRYING REQUEST MESSAGES**

- 1 HCS SS#2 SCS SB 8, as amended (request House recede/grant conference) - Fisher
- 2 HCS SB 173, as amended, (request House recede/grant conference) - Cierpiot

**BILLS IN CONFERENCE**

- 1 CCR SCS HCS HB 2 - Silvey
- 2 CCR SCS HCS HB 3 - Silvey
- 3 CCR SCS HCS HB 4 - Silvey
- 4 CCR SCS HCS HB 5 - Silvey
- 5 CCR SCS HCS HB 6 - Silvey
- 6 CCR SCS HCS HB 7, as amended - Silvey
- 7 CCR SCS HCS HB 8 - Silvey
- 8 CCR SCS HCS HB 9 - Silvey
- 9 CCR SCS HCS HB 10 - Silvey
- 10 CCR SCS HCS HB 11 - Silvey
- 11 CCR SCS HCS HB 12 - Silvey
- 12 CCR SCS HCS HB 13 - Silvey

**VETOED HOUSE BILLS**

SS SCS HB 209 - Guernsey

**SENATE CONCURRENT RESOLUTIONS**

SCR 7, (3-17-11, Page 700) - Jones (89)

**HOUSE RESOLUTIONS**

HR 1826, (4-27-11, Pages 1649-1650) - Long

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTY-SEVENTH DAY, THURSDAY, MAY 5, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The steps of a good man are ordered by the Lord: and he delighteth in his way. (Psalm 37:23)*

Eternal God, Who has promised unto the upright in heart a light that shines in the darkness and a strength that never fails, grant unto us such good attitudes and such high purposes that shall lift us above the shadow of doubt and fear and help us to realize the power of Your presence. Give to us the wings of faith, the lift of love, and the heart of hope as we commit ourselves anew to You and to Your will for our lives.

May we walk the ever changing roads of our daily life with confidence and courage, knowing that You are with us always and all the way. Give to us this day a healthy body, an understanding mind, a happy spirit, a loving heart and with it all a will ready to do good to others where we can do good and to be faithful to You. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyler May Rademan, Breanna Taylor Clark, Claire Thomas, Austin Janes, Salwa Mikhail, Parker Williams, Lucas Tourney, Jackson Wagner, Jamey Lemon, Ashley Wilson, Jennifer Fohey, Adrianna Dunn and Jackie Dowil.

The Journal of the sixty-sixth day was approved as printed.

## HOUSE RESOLUTION

Representative McGhee offered House Resolution No. 3196.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3140 through House Resolution No. 3195

House Resolution No. 3197 through House Resolution No. 3211

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 732** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 60** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SB 65** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 90** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 162** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 323** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 356** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF SENATE BILL

**HCS SB 145, as amended**, relating to political subdivisions, was taken up by Representative Gatschenberger.

Representative Gatschenberger offered **House Amendment No. 8**.

### *House Amendment No. 8*

AMEND House Committee Substitute for Senate Bill No. 145, Section 67.319, Page 5, Line 53, by inserting the following after all of said section and line:

**“143.789. The director of the department shall have the authority to impose an offset against a refund owed to any taxpayer for the following items and in the following order of priority:**

- (1) Delinquent taxes owed by the taxpayer to the state of Missouri;**
- (2) Debts owed by such taxpayer to any state agency or support obligation owed by such taxpayer which is enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425;**
- (3) Collection assistance fees authorized under section 143.790;**
- (4) Eligible claims under section 143.790; and**
- (5) Delinquent taxes owed by the taxpayer to the United States.**

143.790. 1. [Any hospital or health care provider who has provided health care services to an individual who was not covered by a health insurance policy or was not eligible to receive benefits under the state's medical assistance program of needy persons, Title XIX, P.L. 89-97, 1965 amendments to the federal Social Security Act, 42 U.S.C. Section

301, et seq., under chapter 208, RSMo, and the health insurance for uninsured children under sections 208.631 to 208.657, RSMo, at the time such health care services were administered, and such person has failed to pay for such services for a period greater than ninety days, may submit a claim to the director of the department of health and senior services for the unpaid health care services. The director of the department of health and senior services shall review such claim. If the claim appears meritorious on its face, the claim for the unpaid medical services shall constitute a debt of the department of health and senior services for purposes of sections 143.782 to 143.788, and the director may certify the debt to the department of revenue in order to set off the debtor's income tax refund. Once the debt has been certified, the director of the department of health and senior services shall submit the debt to the department of revenue under the setoff procedure established under section 143.783.

2. At the time of certification, the director of the department of health and senior services shall supply any information necessary to identify each debtor whose refund is sought to be set off pursuant to section 143.784 and certify the amount of the debt or debts owed by each such debtor.

3. If a debtor identified by the director of the department of health and senior services is determined by the department of revenue to be entitled to a refund, the department of revenue shall notify the department of health and senior services that a refund has been set off on behalf of the department of health and senior services for purposes of this section and shall certify the amount of such setoff, which shall not exceed the amount of the claimed debt certified. When the refund owed exceeds the claimed debt, the department shall send the excess amount to the debtor within a reasonable time after such excess is determined.

4. The department of revenue shall notify the debtor by certified mail the taxpayer whose refund is sought to be set off that such setoff will be made. The notice shall contain the provisions contained in subsection 3 of section 143.794, including the opportunity for a hearing to contest the setoff provided therein, and shall otherwise substantially comply with the provisions of subsection 3 of section 143.784.

5. Once a debt has been set off and finally determined under the applicable provisions of sections 143.782 to 143.788, and the department of health and senior services has received the funds transferred from the department of revenue, the department of health and senior services shall settle with each hospital or health care provider for the amounts that the department of revenue set off for such party. At the time of each settlement, each hospital or health care provider shall be charged for administration expenses which shall not exceed twenty percent of the collected amount.

6. Lottery prize payouts made under section 313.321, RSMo, shall also be subject to the setoff procedures established in this section and any rules and regulations promulgated thereto.

7. The director of the department of revenue shall have priority to offset any delinquent tax owed to the state of Missouri. Any remaining refund shall be offset to pay a state agency debt or to meet a child support obligation that is enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425, RSMo.

8.] As used in this section, the following terms shall mean:

(1) "Appeals committee", a committee consisting of at least three people appointed by a provider to hear patient appeals of review officer rulings:

- (a) That the provider has a valid claim;
- (b) Regarding the amount of the claim;
- (c) That a claim qualifies as an eligible claim under this section;

(2) "Collection assistance fee", a fee in the amount of fourteen dollars payable to the general fund of this state for each debt setoff being processed and an additional seventeen dollars payable to the claim clearinghouse for each debt being processed by the claim clearinghouse shall be recovered from each eligible claim to recover the costs incurred in collecting debts under this section;

(3) "Court", the supreme court, court of appeals, or any circuit court of the state, or any of their judicially or legislatively created subdivisions;

(4) "Department", the department of revenue;

(5) "Claim", a claim by a provider to receive payment of fifty dollars or more for health care services provided by such provider to a patient which has not been paid in whole or in part by the patient or third party payer for more than ninety days after the date the patient was first billed for such health care services;

(6) "Claim clearinghouse", the entity selected by the department to receive and submit eligible claims on behalf of a provider in accordance with this section. The claim clearinghouse shall be selected by the department through use of and in compliance with the applicable requirements of chapter 34;

(7) "Health care services", any services that a provider renders to a patient in the course of such provider's furnishing of ambulance services to the patient. Health care services shall include, but not be limited to, treatment of patients and transporting of patients incidental, or pursuant, to the delivery of ambulance services

by a provider or in furtherance of the purposes for which such provider is organized and licensed, provided that with respect to ground ambulance services provided by a provider that is not owned and operated by a city, county, municipality, political subdivision, governmental entity, or an entity that is exempt from federal and state income taxation, health care services shall only include those ground ambulance services provided by the provider that qualify and emergency services as defined in section 190.100 and are provided under the terms of an agreement between the provider and a city, county, municipality, political subdivision, or a governmental entity under section 190.105;

(8) "Patient", an individual who has received health care services from a provider and who was not, at the time such health care services were provided, eligible to receive benefits under the state's medical assistance program for needy persons under chapter 208 and the health insurance for uninsured children under sections 208.631 to 208.657;

(9) "Provider", any provider of ambulance services licensed by the Missouri department of health and senior services in accordance with chapter 190, to include but not be limited to any provider of air ambulance services licensed under section 190.108 and any provider of ground ambulance services licensed under section 190.109;

(10) "Refund", a patient's Missouri income tax refund which the department determines to be due pursuant to the provisions of this chapter;

(11) "Review officer", a person designated by a provider to review claims, at the request of a patient, to determine whether such provider has a valid claim, the amount of such claim, and whether such claim qualifies as an eligible claim under this section.

2. Prior to submission of a claim to the claim clearinghouse, a provider shall send written notice to a patient that such provider intends to submit a claim to the claim clearinghouse for collection by setoff under this section. The notice shall:

- (1) Provide the basis for the claim;
- (2) State that the provider intends to request that the department apply the patient's refund against the claim;
- (3) State that a collection assistance fee will be added to the claim if it is submitted for setoff;
- (4) Inform the patient of the right to contest the validity or amount of such claim by filing a request for a review with the provider; and
- (5) State the time limit and procedure for requesting such review, and that failure to request a review within thirty days following receipt of the notice required under this section shall result in submission of the claim to the claim clearinghouse for setoff of the debt by the department.

3. Upon receipt of the notice required under subsection 2 of this section, any patient seeking review of a claim with the provider shall file a written request for review within thirty days of receipt of such notice. A request for a review shall be deemed filed when properly addressed and delivered to the United States Postal Service for mailing with postage prepaid. A review officer shall be appointed by the provider to review such claim. In reviewing a claim, any issue that has previously been litigated in a court proceeding shall not be considered by the review officer. If the patient seeks a review of the claim and the review officer finds either that the claim is invalid or the claim does not qualify as an eligible claim under this section, the review officer's determination shall be final and binding on the provider and such provider shall have no right to appeal such determination. If all or part of the claim is found by the review officer to be valid and eligible for setoff under this section, the review officer shall notify the provider and the patient of such fact. Such notice shall:

- (1) Inform the patient that the patient has the right to appeal the review officer's determination by filing an appeal with the appeals committee;
- (2) State the time limit and procedure for requesting such an appeal; and
- (3) State that failure to request the appeal within thirty days following receipt of the notice required under this subsection shall result in submission of the claim to the claim clearinghouse for setoff of the debt by the department.

4. Upon receipt of the notice required under subsection 3 of this section, any patient seeking an appeal of a determination of a review officer under subsection 4 of this section shall file a written request for such appeal within thirty days following receipt of such notice. An appeal shall be deemed filed when properly addressed and delivered to the United States Postal Service for mailing with postage prepaid. An appeal of a review officer's determination shall be heard by an appeals committee. In an appeal under this section, any issue that has been previously litigated in a court proceeding shall not be considered. A decision made after an appeal under this section shall determine whether a claim is owed to the provider, the amount of the claim, and whether the claim is an eligible claim under this section.

5. If the appeals committee finds a claim to be invalid or otherwise ineligible under this section, the decision of the appeals committee shall be final and binding on the provider and may not be appealed by the provider. If all or part of the claim is found by the appeals committee to be valid and eligible for setoff under this section, the appeals committee shall notify the provider and the patient of such fact. Such notice shall:

(1) Inform the patient that the patient has the right to challenge the appeals committee determination by notifying the provider that it disagrees with the determination and advising the provider as to the basis of such disagreement;

(2) State that the patient must notify the provider of the challenge within ninety days of the patient's receipt of the notice from the appeals committee;

(3) Advise the patient that if the patient challenges the appeals committee's determination under this subsection, the provider will not be permitted to setoff the provider's claim against the patient's refund under this section unless and until the provider files suit against the patient in court seeking a determination that the provider's claim is valid regarding the amount of the claim and that the claim is eligible for setoff under this section, and the court determines that the provider's claim is valid, the amount of the provider's claim, and that provider's claim is eligible for setoff under this section; and

(4) Advise the patient that if the patient does not challenge the appeal committee's determination under this subsection, the provider will submit the claim to the claim clearinghouse for setoff by the department under this subsection.

6. If the provider prevails in the lawsuit filed under subsection 5 of this section, the provider may submit the claim to the claim clearinghouse for setoff by the department under this section. If the patient prevails in the lawsuit filed by the provider under subsection 5 of this section, the provider shall be:

(1) Forever barred from submitting the claim to the claim clearinghouse for setoff by the department under this section;

(2) Forever barred from taking any other steps to collect the amount of the claim from the patient; and

(3) Obligated to reimburse the patient for court costs and attorney's fees associated with the lawsuit filed under subsection 5 of this section.

7. Any provider may submit a claim to the claim clearinghouse for review. In connection with its submission of a claim to the claim clearinghouse, the provider, whenever possible, shall provide the claim clearinghouse with the patient's full name, Social Security number, address, and any other identifying information that the department advises the claim clearinghouse is necessary for the department to setoff the claim under this section. The provider shall also provide the claim clearinghouse with information demonstrating the provider's compliance with the requirements of this section with respect to the claim.

8. If the claim clearinghouse receives sufficient evidence that a provider has fully complied with the requirements of this section and finds the claim valid, the claim shall be deemed eligible for setoff by the department under this section and shall be forwarded to the department. In connection with its submission of the claim to the department, the claim clearinghouse, whenever possible, shall provide the department with the patient's full name, Social Security number, address, and any other identifying information that the department advises the claim clearinghouse is necessary for the department to setoff the claim under this section.

9. If the claim clearinghouse determines that the provider has failed to comply with any applicable requirements in this section or that the claim is not valid, the claim clearinghouse shall return the claim to the provider.

10. If the department determines that a patient identified by a provider in an eligible claim filed with the department is entitled to a refund, the department shall notify the claim clearinghouse that a refund is available for setoff and the amount of such refund, and whether the refund results from a joint or combined return. Notwithstanding any provision of section 32.057 and any other confidentiality statute of this state to the contrary, the department may provide the claim clearinghouse with all information necessary to accomplish and carry out the provisions of this section and section 143.789, but shall not provide the claim clearinghouse with any information whose disclosure is prohibited by Section 6103(d) of the Internal Revenue Code of 1986, as amended. The information obtained by the claim clearinghouse from the department in accordance with this section and section 143.789 shall retain its confidentiality and shall only be used by the claim clearinghouse for the purpose described in this section and section 143.789.

11. (1) At that time, the department shall also notify the patient by regular mail that setoff against the patient's tax refund has been authorized under this section. The notice shall include the following information:

(a) The amount of the eligible claim and the name of the provider seeking setoff;

(b) That a setoff to the patient's refund against the eligible claim has been performed; and

(c) Any amount of the refund remaining after the offset of the eligible claim.

(2) In the case of a joint or combined return, the notice shall also state the name of the nonobligated taxpayer named in the return, if any, against whom no claim is asserted, the fact that no claim is asserted against such taxpayer, and the fact that such taxpayer is entitled to receive a refund if it is due the taxpayer regardless of the claim asserted against the taxpayer's spouse. In order to obtain the refund due the taxpayer, the taxpayer shall apply in writing for an apportionment of the refund with the department within thirty days of the date of receipt of the notice unless, in anticipation of the setoff of the taxpayer's spouse's refund, such nonobligated taxpayer provided the department with a request for apportionment of the anticipated refund which was filed at the same time the original tax return was filed, in which case the department shall determine the apportionment of the refund and forward the determination of apportionment and the nonobligated taxpayer's portion of the refund to the nonobligated taxpayer within fifteen working days of the transfer of the obligated taxpayer's portion of the refund to the claim clearinghouse. Unless a request for apportionment of the anticipated refund was provided to the department as provided in this section, within ninety days after the filing of such taxpayer's application for apportionment of the refund with the department a determination of apportionment shall be mailed to the nonobligated taxpayer by the department. The apportionment of the refund shall be final upon the expiration of thirty days from the date on which the determination of apportionment is mailed to the nonobligated taxpayer unless, within such thirty-day period, the nonobligated taxpayer applies in writing for a hearing with the department.

12. The department shall then pay to the claim clearinghouse the amount that the department has setoff for such provider, which shall include the collection assistance allocable to the claim clearinghouse. In the event the department is unable to setoff the entire eligible claim and collection assistance fee under this section, the setoff of the collection assistance fee shall have priority over the setoff of the eligible claim. If, after the department has paid to the claim clearinghouse the amount that the department has setoff for the provider, the provider is found not to have complied with any applicable requirement of this section, the provider shall send to the patient the entire amount of the claim offset by the department for the provider plus an amount equal to the collection assistance fee.

13. In addition to refunds, lottery prize payouts made under section 313.321 shall be subject to the setoff procedures established in this section.

14. The director of the department of revenue and the director of the department of health and senior services shall promulgate rules and regulations necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 8** was adopted.

Representative Gatschenberger offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Bill No. 145, Pages 6-7, Section 1, Lines 1-54, by deleting all of said section and inserting in lieu thereof the following:

“Section 1. 1. If approved by a majority of the voters voting on the proposal, any city, town, village, sewer district, or water supply district located within this state may, by order or ordinance, levy and impose annually, upon lateral sewer service lines providing sewer service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, village, sewer district, or water supply district, a fee not to exceed four dollars per month or forty-eight dollars annually.

2. The ballot of submission shall be in substantially the following form:

For the purpose of repair or replacement of lateral sewer service lines extending from the residential dwelling to its connection with the public sewer system line, due to failure of the line, shall ..... (city,

town, village, sewer district, or water supply district) be authorized to impose a fee not to exceed four dollars per month or forty-eight dollars annually on residential property for each lateral sewer service line providing sewer service within the (city, town, village, sewer district, or water supply district) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary lateral sewer service line repairs or replacements?

3. For the purpose of this section, a lateral sewer service line may be defined by local order or ordinance, but shall not include more than the portion of the sewer line which extends from the sewer mains owned by the utility or municipality to the point of entry into the premises receiving sewer service, and may not include facilities owned by the utility or municipality. For purposes of this section, repair may be defined and limited by local ordinance, and may include replacement or repairs.

4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1 of this section, the governing body of the city, town, village, sewer district, or water supply district may enact an order or ordinance for the collection of such fee. The funds collected under such ordinance shall be deposited in a special account to be used solely for the purpose of paying for the reasonable costs associated with and necessary to administer and carry out the lateral sewer service line repairs as defined in the order or ordinance and to reimburse the necessary costs of lateral sewer service line repair or replacement. All interest generated on deposited funds shall be accrued to the special account established for the repair of lateral sewer service lines.

5. The city, town, village, sewer district, or water supply district may establish, as provided in the order or ordinance, regulations necessary for the administration of collections, claims, repairs, replacements and all other activities necessary and convenient for the implementation of any order or ordinance adopted and approved under this section. The city, town, village, sewer district, or water supply district may administer the program or may contract with one or more persons, through a competitive process, to provide for administration of any portion of implementation activities of any order or ordinance adopted and approved under this section, and reasonable costs of administering the program may be paid from the special account established under this section not to exceed five percent of the fund on an annual basis.

6. Notwithstanding any other provision of law to the contrary, the collector in any city, town, village, sewer district, or water supply district that adopts an order or ordinance under this section, who now or hereafter collects any fee to provide for, ensure or guarantee the repair of lateral sewer service lines, may add such fee to the general tax levy bills of property owners within the city, town, village, sewer district, or water supply district. All revenues received on such combined bill which are for the purpose of providing for, ensuring or guaranteeing the repair of lateral sewer service lines, shall be separated from all other revenues so collected and credited to the appropriate fund or account of the city, town, village, sewer district, or water supply district. The collector of the city, town, village, sewer district, or water supply district may collect such fee in the same manner and to the same extent as the collector now or hereafter may collect delinquent real estate taxes and tax bills.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 9** was adopted.

Representative Hinson offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“87.005. 1. Notwithstanding the provisions of any law to the contrary, after five years' service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. This section shall apply only to the provisions of chapter 87, RSMo 1959.



3. As used in this section, the term "infectious disease" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome.

87.006. 1. Notwithstanding the provisions of any law to the contrary, and only for the purpose of computing retirement benefits provided by an established retirement plan, after five years' service, any condition of impairment of health caused by any **infectious disease**, disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty, unless the contrary be shown by competent evidence. **In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.**

2. Any condition of cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, breast, testicular, genitourinary, liver or prostate systems, as well as any condition of cancer which may result from exposure to heat or radiation or to a known or suspected carcinogen as determined by the International Agency for Research on Cancer, which results in the total or partial disability or death to a uniformed member of a paid fire department who successfully passed a physical examination within five years prior to the time a claim is made for disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty unless the contrary be shown by competent evidence and it can be proven to a reasonable degree of medical certainty that the condition did not result nor was contributed to by the voluntary use of tobacco.

3. This section shall apply to paid members of all fire departments of all counties, cities, towns, fire districts, and other governmental units.

4. As used in this section, the term "infectious disease" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 10** was adopted.

Representative Schneider offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53 by inserting after said line the following:

"250.140. 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and owner of the premises receiving such service and, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 rendering such services shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable

for sums due for more than ninety days]. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider **or premises owner** who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages, **nor shall it be deemed constructive eviction.**

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered **House Amendment No. 1 to House Amendment No. 11.**

*House Amendment No. 1  
to  
House Amendment No. 11*

AMEND House Amendment No. 11 to House Committee Substitute for Senate Bill No. 145, Page 1, Line 29, by inserting immediately after "damages" the following:

**"for termination of such service";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 11** was adopted.

On motion of Representative Schneider, **House Amendment No. 11, as amended**, was adopted.

Representative Weter offered **House Amendment No. 12.**

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line the following:

**"67.4500. As used in sections 67.4500 to 67.4520, the following terms shall mean:**

(1) "Authority", any county drinking water supply lake authority created by sections 67.4500 to 67.4520;  
(2) "Conservation storage level", the target elevation established for a drinking water supply lake at the time of design and construction of such lake;

(3) "Costs", the sum total of all reasonable or necessary expenses incidental to the acquisition, construction, expansion, repair, alteration, and improvement of the project, including without limitation the following: the expense of studies and surveys; the cost of all lands, properties, rights, easements, and franchises acquired; land title and mortgage guaranty policies; architectural and engineering services; legal, organizational marketing, or other special services; provisions for working capital; reserves for principal and interest; and all other necessary and incidental expenses, including interest during construction on bonds issued to finance the project and for a period subsequent to the estimated date of completion of the project;

(4) "Project", recreation and tourist facilities and services, including, but not limited to, lakes, parks, recreation centers, restaurants, hunting and fishing reserves, historic sites and attractions, and any other facilities that the authority may desire to undertake, including the related infrastructure buildings and the usual and convenient facilities appertaining to any undertakings, and any extensions or improvements of any facilities, and the acquisition of any property necessary therefore, all as may be related to the development of a water supply source, recreational and tourist accommodations, and facilities;

(5) "Water commission", a water commission owning a reservoir formed under sections 393.700 to 393.770;

(6) "Watershed", the area that contributes or may contribute to the surface water of any lake as determined by the authority.

67.4505. 1. Any county of the third classification with a township form of government and with more than seven thousand two hundred but fewer than seven thousand three hundred inhabitants or any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants may establish a county drinking water supply lake authority, which shall be a body corporate and politic and a political subdivision of this state.

2. The authority may exercise the powers provided to it under section 67.4520 over the reservoir area encompassing any drinking water supply lake of one thousand five hundred acres or more, as measured at its conservation storage level, and within the lake's watershed.

3. It shall be the purpose of each authority to promote the general welfare and a safe drinking water supply through the construction, operation, and maintenance of a drinking water supply lake.

4. The income of the authority and all property at any time owned by the authority shall be exempt from all taxation or any assessments whatsoever to the state or of any political subdivision, municipality, or other governmental agency thereof.

5. No county in which an authority is organized shall be held liable in connection with the construction, operation, or maintenance of any project or program undertaken under sections 67.4500 to 67.4520, including any actions taken by the authority in connection with such project or program.

67.4510. A county drinking water supply lake authority shall consist of at least six but not more than thirty members, appointed as follows:

(1) Members of the water commission shall appoint all members to the authority, one-third of the initial members for a six-year term, one-third for a four-year term, and the remaining one-third for a two-year term, until a successor is appointed; provided that, if there is an odd number of members, the last person appointed shall serve a two-year term. Upon the expiration of each term, a successor shall be appointed for a six-year term;

(2) No person shall be appointed to serve on the authority unless he or she is a registered voter in the state for more than five years, a resident in the county where the water commission is located for more than five years, and over the age of twenty-five years. If any member moves outside such county, the seat shall be deemed vacant and a new member shall be appointed by the county commission to complete the unexpired term.

67.4515. 1. The water commission shall by resolution establish a date and time for the initial meeting of the authority.

2. At the initial meeting, and annually thereafter, the authority shall elect one of its members as chairman and one as vice chairman, and appoint a secretary and a treasurer who may be a member of the authority. If not a member of the authority, the secretary or treasurer shall receive compensation that shall be fixed from time to time by action of the authority. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority may designate the secretary to act in lieu of the executive director. The secretary shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may from time to time deem proper and necessary.

3. Each member of the authority shall execute a surety bond in the penal sum of fifty thousand dollars or, in lieu thereof, the chairman of the authority shall execute a blanket bond covering each member and the

employees or other officers of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in the state as surety, and to be approved by the attorney general and filed in the office of the secretary of state. The cost of each such bond shall be paid by the authority.

4. No authority member shall participate in any deliberations or decisions concerning issues where the authority member has a direct financial interest in contracts, property, supplies, services, facilities, or equipment purchased, sold, or leased by the authority. Authority members shall additionally be subject to the limitations regarding the conduct of public officials as provided in chapter 105.

**67.4520. 1. The authority may:**

- (1) Acquire, own, construct, lease, and maintain recreational or water quality projects;
- (2) Acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated thereon and in personal property necessary to fulfill the purposes of the authority;
- (3) Contract and be contracted with, and to sue and be sued;
- (4) Accept gifts, grants, loans, or contributions from the federal government, the state of Missouri, political subdivisions, municipalities, foundations, other public or private agencies, individuals, partnerships, or corporations;
- (5) Employ such managerial, engineering, legal, technical, clerical, accounting, advertising, stenographic, and other assistance as it may deem advisable. The authority may also contract with independent contractors for any of the foregoing assistance;
- (6) Disburse funds for its lawful activities and fix salaries and wages of its employees;
- (7) Fix rates, fees, and charges for the use of any projects and property owned, leased, operated, or managed by the authority;
- (8) Adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business may be transacted; however, said bylaws, rules, and regulations shall not exceed the powers granted to the authority by sections 67.4500 to 67.4520;
- (9) Either jointly with a similar body, or separately, recommend to the proper departments of the government of the United States, or any state or subdivision thereof, or to any other body, the carrying out of any public improvement;
- (10) Provide for membership in any official, industrial, commercial, or trade association, or any other organization concerned with such purposes, for receptions of officials or others as may contribute to the advancement of the authority and development therein, and for such other public relations activities as will promote the same, and such activities shall be considered a public purpose;
- (11) Cooperate with municipalities and other political subdivisions as provided in chapter 70;
- (12) Enter into any agreement with any other state, agency, authority, commission, municipality, person, corporation, or the United States, to effect any of the provisions contained in sections 67.4500 to 67.4520;
- (13) Sell and supply water and construct, own, and operate infrastructure projects in areas within its jurisdiction, including but not limited to roads, bridges, water and sewer systems, and other infrastructure improvements;
- (14) Issue revenue bonds in the same manner as provided under section 67.789; and
- (15) Adopt tax increment financing within its boundaries in the same manner as provided under section 67.790.

2. The state or any political subdivision or municipal corporation thereof may in its discretion, with or without consideration, transfer or cause to be transferred to the authority or may place in its possession or control, by deed, lease, or other contract or agreement, either for a limited period or in fee, any property wherever situated.

3. The state or any political subdivision may appropriate, allocate, and expend such funds of the state or political subdivision for the benefit of the authority as are reasonable and necessary to carry out the provisions of sections 67.4500 to 67.4520.

4. The authority shall have the authority to exercise all zoning and planning powers that are granted to cities, towns, and villages under chapter 89, except that the authority shall not exercise such powers inside the corporate limits of any city, town, or village which has adopted a city plan under the laws of this state before August 28, 2011.

226.224. Notwithstanding any provision of the law to the contrary, the state highways and transportation commission may enter into binding highway infrastructure agreements to reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the state highways and transportation commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The state highways and transportation commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues, only if terms of the contract explicitly state such a condition and the contract shall further provide for a date or dates certain for repayment of funds and may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule or if repayment would jeopardize the receipt of federal highway moneys only if terms of the contract explicitly state such a condition and the contract shall further provide for a date or dates certain for repayment of funds.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 12** was adopted.

Representative Torpey offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

“238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

(1) "Board", the board of directors of a district;

(2) "Commission", the Missouri highways and transportation commission;

(3) "District", a transportation development district organized under sections 238.200 to 238.275;

(4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

(5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or [other mass transit] **public mass transportation system** and any similar or related improvement or infrastructure. **In the case of a district located in a home rule city with more than four hundred thousand inhabitants and located in more than one county, whose district boundaries are contained solely within that portion of such a home rule city that is contained within a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the term “Project” shall also include the operation of a street car or other rail-based or fixed guideway public mass transportation system, and the revenue of such district may be used to pay for the design, construction, ownership and operation of such a street car or other rail-based or fixed guideway public mass transportation system by such district or such municipality, or by a local transportation authority having jurisdiction within such municipality.**

(6) **“Public mass transportation system”, a transportation system owned or operated by a governmental or quasi-governmental entity, employing motor buses, rails, or any other means of conveyance, by whatsoever type of power, operated for public use in the conveyance of persons, mainly providing local transportation service within a municipality or a single metropolitan statistical area.**

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Qualified electors", "qualified voters" or "voters":

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115.

238.225. 1. Before construction or funding of any project the district shall submit the proposed project to the commission for its prior approval. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may preliminarily approve the project subject to the district providing plans and specifications for the proposed project and making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission's preliminary approval. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project. Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

**4. Notwithstanding any provision of this section to the contrary, this section shall not apply to any district whose project is a public mass transportation system.**

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of ..... (transportation development district's name) impose a transportation development district-wide sales tax at the rate of ..... (insert amount) for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of ..... (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

(7) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5. All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

6. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

**7. Notwithstanding any provision of sections 99.800 to 99.865, and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 13** was adopted.

Representative Hummel offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Committee Substitute for Senate Bill No. 145, Section A, Page 1, Line 3, by inserting after all of said line the following:

**"44.035. The name, address, social security number, as well as any other personal identifying information that is utilized in a voluntary registry of persons with health-related ailments created by a public governmental body to assist individuals in case of a disaster or emergency, shall not be considered a public record under the provisions of chapter 610. Nothing in this section shall authorize a public governmental body to deny a lawful request for such name, address, social security number, or other personal identifying information from a law**



enforcement agency or any public governmental body that provides firefighting, medical or other emergency services."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 14** was adopted.

Representative Lair offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"70.710. 1. The "Employer Accumulation Fund" is hereby created. It is the fund in which shall be accumulated the contributions made by employers for benefits, and from which shall be made transfers, as provided in sections 70.600 to 70.755.

2. When paid to the system, the employer contributions provided for in subsections 2 and 3 of section 70.730 shall be credited to the employer accumulation fund account of the employer making the contributions.

3. When an allowance other than a disability allowance **or an allowance that results from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** first becomes due and payable, there shall be transferred to the benefit reserve fund from his employer's account in the employer accumulation fund the difference between the reserve for the allowance and the accumulated contributions standing to his credit in the members deposit fund at the time the allowance first becomes due and payable, of the member or former member to whom or on whose behalf the allowance is payable.

4. A separate account shall be maintained in the employer accumulation fund for each employer. No employer shall be responsible for the employer accumulation fund liabilities of another employer.

5. When a disability allowance **or an allowance that results from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** first becomes due and payable, the accrued service pension reserve covering the retiring member shall be calculated in the manner provided for in subsection 3 of section 70.730, as of the effective date of the disability allowance. Such reserve shall be transferred to the benefit reserve fund from the employer's account in the employer accumulation fund.

70.720. 1. The "Casualty Reserve Fund" is hereby created. It is the fund in which shall be accumulated the contributions made by employers for pensions **either** to be paid members who retire on account of disability **or that result from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee**, and from which shall be made transfers as provided in sections 70.600 to 70.755.

2. When paid to the system, the employer contributions provided for in subsection 4 of section 70.730 shall be credited to the casualty reserve fund.

3. When a disability allowance **or an allowance that results from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** first becomes due and payable, there shall be transferred to the benefit reserve fund from the casualty reserve fund an amount equal to the reserve for the allowance, minus:

(1) The accumulated contributions, standing to the member's credit in the members deposit fund at the time the allowance first becomes due and payable; and

(2) The accrued service pension reserve determined pursuant to subsection 5 of section 70.710.

70.730. 1. Each employer's contributions to the system shall be the total of the contribution amounts provided for in subsections 2 through 5 of this section; provided, that such contributions shall be subject to the provisions of subsection 6 of this section.

2. An employer's normal cost contributions shall be determined as follows: Using the financial assumptions adopted by the board from time to time, the actuary shall annually compute the rate of contributions which, if paid

annually by each employer during the total service of its members, will be sufficient to provide the pension reserves required at the time of their retirements to cover the pensions to which they might be entitled or which might be payable on their behalf. The board shall annually certify to the governing body of each employer the amount of membership service contribution so determined, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time determine. When received, such payments shall be credited to the employer's account in the employer accumulation fund.

3. An employer's accrued service contributions shall be determined as follows: Using the financial assumptions adopted by the board from time to time, the actuary shall annually compute for each employer the portions of pension reserves for pensions which will not be provided by future normal cost contributions. The accrued service pension reserves so determined for each employer less the employer's applicable balance in the employer accumulation fund shall be amortized over a period of years, as determined by the board. Such period of years shall not extend beyond the latest of (1) forty years from the date the political subdivision became an employer, or (2) thirty years from the date the employer last elected to increase its optional benefit program, or (3) fifteen years from the date of the annual actuarial computation. The board shall annually certify to the governing body of each employer the amount of accrued service contribution so determined for the employer, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time determine. When received, such payments shall be credited to the employer's account in the employer accumulation fund.

4. The employer's contributions for the portions of disability pensions **or pensions that result from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee** not covered by accrued service pension reserves shall be determined on a one-year term basis. The board may determine different rates of contributions for employers having policeman members or having fireman members or having neither policeman members nor fireman members. The board shall annually certify to the governing body of each employer the amount of contribution so ascertained for the employer, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time ascertain. When received, such payments shall be credited to the casualty reserve fund.

5. Each employer shall provide its share, as determined by the board, of the administrative expenses of the system and shall pay same to the system to be credited to the income-expense fund.

6. The employer's total contribution to the system, expressed as a percent of active member compensations, in any employer fiscal year, beginning with the second fiscal year that the political subdivision is an employer, shall not exceed its total contributions for the immediately preceding fiscal year, expressed as a percent of active member compensations, by more than one percent."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lair, **House Amendment No. 15** was adopted.

Representative Nichols offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Committee Substitute for Senate Bill No. 145, Page 6, Section 488.026, Line 12, by inserting after all of said line the following:

"523.040. 1. The court, or judge thereof in vacation, on being satisfied that due notice of the pendency of the petition has been given, shall appoint three disinterested commissioners, who shall be residents of the county in which the real estate or a part thereof is situated, **and in any city not within a county, any county with a charter form of government and with more than one million inhabitants, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants at least one of the commissioners shall be either a licensed real estate broker or a state-licensed or state-certified real estate**

**appraiser**, to assess the damages which the owners may severally sustain by reason of such appropriation, who, within forty-five days after appointment by the court, which forty-five days may be extended by the court to a date certain with good cause shown, after applying the definition of fair market value contained in subdivision (1) of section 523.001, and after having viewed the property, shall return to the clerk of such court, under oath, their report in duplicate of such assessment of damages, setting forth the amount of damages allowed to the person or persons named as owning or claiming the tract of land condemned, and should more than one tract be condemned in the petition, then the damages allowed to the owner, owners, claimant or claimants of each tract, respectively, shall be stated separately, together with a specific description of the tracts for which such damages are assessed; and the clerk shall file one copy of said report in his office and record the same in the order book of the court, and he shall deliver the other copy, duly certified by him, to the recorder of deeds of the county where the land lies (or to the recorder of deeds of the city of St. Louis, if the land lies in said city) who shall record the same in his office, and index each tract separately as provided in section 59.440, and the fee for so recording shall be taxed by the clerk as costs in the proceedings; and thereupon such company shall pay to the clerk the amount thus assessed for the party in whose favor such damages have been assessed; and on making such payment it shall be lawful for such company to hold the interest in the property so appropriated for the uses prescribed in this section; and upon failure to pay the assessment, the court may, upon motion and notice by the party entitled to such damages, enforce the payment of the same by execution, unless the said company shall, within ten days from the return of such assessment, elect to abandon the proposed appropriation of any parcel of land, by an instrument in writing to that effect, to be filed with the clerk of the court, and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages shall be void.

2. Prior to the issuance of any report under subsection 1 of this section, a commissioner shall notify all parties named in the condemnation petition no less than ten days prior to the commissioners' viewing of the property of the named parties' opportunity to accompany the commissioners on the commissioners' viewing of the property and of the named parties' opportunity to present information to the commissioners.

3. The commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Nichols, **House Amendment No. 16** was adopted.

Representative Asbury offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Committee Substitute for Senate Bill No. 145, Page 1, Section A, Line 3, by inserting immediately after said section and line, the following:

"50.622. **1.** Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

**2.** Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or higher, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations must take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall.

**3.** Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

**4.** The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this section and such notice must include a published summary of the proposed reductions and an explanation of the shortfall. If the county has a website, publication on the website will satisfy the notice requirement for this section.

**5.** This section shall expire on July 1, 2015.

**6. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Peters-Baker
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Hodges	McGhee	Meadows	Parkinson
Redmon	Reiboldt	Sater	Swinger	Webber
Wright				

VACANCIES: 003

On motion of Representative Asbury, **House Amendment No. 17** was adopted.

Representative Funderburk offered **House Amendment No. 18.**

*House Amendment No. 18*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. [Effective January 1, 2008,] **No municipality shall approve a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto**, if, after concluding the hearing required under this section, the commission **formed under subsection 3 of section 99.820** makes a recommendation under section 99.820 in opposition to [a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve] such project, plan, designation, or amendments [shall do so only upon a two-thirds majority vote of the governing body of such municipality] **provided, however, that a municipality may approve such project, plan, designation, or amendment if such municipality places the question before the qualified voters residing within such municipality and such question is approved by voters voting thereon.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 18** was adopted by the following vote:

AYES: 116

Allen	Anders	Atkins	Aull	Bahr
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Colona	Conway 14	Conway 27	Cookson	Cross
Curtman	Davis	Day	Dieckhaus	Ellinger
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Frederick	Fuhr	Funderburk	Gatschenberger	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Kratky	Lant	Largent	Lasater
Leach	Lichtenegger	Marshall	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Quinn	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 030

Asbury	Barnes	Bernskoetter	Carlson	Cauthorn
Cierpiot	Cox	Crawford	Diehl	Dugger
Elmer	Entlicher	Franklin	Franz	Gosen
Guernsey	Houghton	Kirkton	Korman	Lauer
Loehner	Long	May	Pollock	Richardson
Schad	Schoeller	Schupp	Smith 71	Wells

PRESENT: 000

ABSENT WITH LEAVE: 014

Denison	Hodges	Lair	Lampe	Leara
Meadows	Redmon	Reiboldt	Riddle	Sater
Swearingen	Swinger	Webber	Wright	

VACANCIES: 003

Representative Diehl offered **House Amendment No. 19**.

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"67.1000. 1. The governing body of **the following cities and counties may impose a tax as provided in this section:**

- (1) Any county [or of];
- (2) Any city which is the county seat of any county or which now or hereafter has a population of more than three thousand five hundred inhabitants and which has heretofore been authorized by the general assembly[, or of];
- (3) Any other city which has a population of more than eighteen thousand and less than forty-five thousand inhabitants located in a county of the first classification with a population over two hundred thousand adjacent to a county of the first classification with a population over nine hundred thousand[.].

**2. The governing body of any city or county listed in subsection 1 of this section** may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under the provisions of this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

**[2.]3. As used in this section and section 67.1002, the term "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter, except that** in any county of the third classification without a township form of government and with more than forty-one thousand one hundred but fewer than forty-one thousand two hundred inhabitants, "transient guests"[, as used in this section and section 67.1002.] means a person or persons who occupy a room or rooms in a hotel or motel for ninety days or less during any calendar quarter.

**[3.]4.** Provisions of this section to the contrary notwithstanding, the governing body of any home rule city with more than thirty-nine thousand six hundred but fewer than thirty-nine thousand seven hundred inhabitants and partially located in any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than seven percent per occupied room per night, except that such tax shall not become effective unless the governing body of such city submits to the voters of the city at an election permitted under section 115.123 a proposal to authorize the governing body of the city to impose a tax under the provisions of this [section] **subsection** and section 67.1002. The tax authorized by this [section] **subsection** and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city has contracted, and which is established for the purpose of promoting the city as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.

**5. Notwithstanding any other provision of this section to the contrary, the governing body of any city or county with more than three hundred fifty hotel and motel rooms within the boundaries of such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123 a proposal to authorize the governing body of the city or county to impose a tax under this subsection and section 67.1002. The tax authorized by this subsection and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau. Such convention and visitors bureau shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor, and tourist center. Such tax shall be stated separately from all other charges and taxes.**

**6. Notwithstanding any other provision of law to the contrary, the taxes authorized in this section and section 67.1002 shall not be imposed by the following cities or counties:**

**(1) Any city or any county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such city or county or a portion thereof under this section and section 67.1002 or any other law of this state; or**

**(2) Any city not already imposing a tax under this section and section 67.1002 and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section and section 67.1002 or any other law of this state, except that cities of the third classification with more than two thousand five hundred hotel and motel rooms and located in a county of the first classification where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in subsection 5 of this section of not more than one-half percent per occupied room per night.**

**7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011.**

67.1002. 1. The question shall be submitted in substantially the following form:

Shall the ..... (City or County) levy a tax of ..... percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city or county, where the proceeds of which shall be expended for promotion of tourism **or funding a convention and visitors bureau?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city or county shall have no power to impose the tax authorized by this section unless and until the governing body of the city or county again submits the question to the qualified voters of the city or county and such question is approved by a majority of the qualified voters voting on the question.

2. On and after the effective date of any tax authorized under the provisions of this section and section 67.1000, the city or county which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city or county which levied the tax may adopt rules and regulations for the internal collection of such tax by the city or county officers usually responsible for collection and administration of city or county taxes; or

(2) The city or county may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section and section 67.1000. In the event any city or county enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section and section 67.1000, the director of revenue shall perform all functions incident to the administration, collection, enforcement and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section and section 67.1000. The tax authorized under the provisions of this section and section 67.1000 shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not less than one percent nor more than three percent for cost of collection.

3. If a tax is imposed by a city or county under this section and section 67.1000, the city or county may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter.

67.1003. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) Any city or county[, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state,] having more than three hundred fifty hotel and motel rooms inside such city or county;

(2) A county of the third classification with a population of more than seven thousand but less than seven thousand four hundred inhabitants;

(3) A third class city with a population of greater than ten thousand but less than eleven thousand located in a county of the third classification with a township form of government with a population of more than thirty thousand;



(4) A county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-one thousand;

(5) Any third class city with a population of more than eleven thousand but less than thirteen thousand which is located in a county of the third classification with a population of more than twenty-three thousand but less than twenty-six thousand;

(6) Any city of the third classification with more than ten thousand five hundred but fewer than ten thousand six hundred inhabitants;

(7) Any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants;

(8) Any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

3. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed [in any city or county already imposing such tax pursuant to any other law of this state, except that] **by the following cities or counties:**

**(1) Any city or county already imposing a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in any such city or county or a portion thereof under this section or any other law of this state; or**

**(2) Any city not already imposing a tax under this section and that is located in whole or partially within a county that already imposes a tax solely on the charges for sleeping rooms paid by the transient guests of hotels or motels situated in such county or a portion thereof under this section or any other law of this state.**

4. Cities of the third class having more than two thousand five hundred hotel and motel rooms, and located in a county of the first classification in which and where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed, may impose the tax authorized by this section of not more than one-half of one percent per occupied room per night.

[4.] 5. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

[5.] 6. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

**7. This section shall not be construed as repealing any taxes levied by any city or county on transient guests as permitted under this chapter or chapter 94 as of August 28, 2011."; and**

Further amend said bill, Page 7, Section 1, Line 54, by inserting after all of said line the following:

"[67.1005. 1. The governing body of any city or county, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state, having more than three hundred fifty hotel and motel rooms inside such city or county may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or

county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism and for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

2. The tax authorized in this section shall not be imposed in any city or county where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof is imposed pursuant to any other law of this state, except that cities of the third class having more than two thousand five hundred hotel and motel rooms and located in a county of the first class where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed may impose the tax authorized in this section of not more than one-half percent per occupied room per night.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent?

☐ YES

☐ NO

4. As used in this section, "transient guests" shall mean a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 19** was adopted.

Representative Diehl offered **House Amendment No. 20**.

*House Amendment No. 20*

AMEND House Committee Substitute for Senate Bill No. 145, Page 3, Section 56.807, Line 60, by inserting after all of said line the following:

**"66.640. 1. As used in this section, the following terms mean:**

- (1) "Distressed municipality", any city, town, or village located in any county with a charter form of government and with more than one million inhabitants and that is in "Group B" under sections 66.600 to 66.630;**
- (2) "Emergency telephone service", a telephone system using a single three-digit number, "911", for reporting police, fire, medical, or other emergency situations;**
- (3) "Peace officer", any peace officer as defined in section 590.010 who is licensed under chapter 590;**
- (4) "POST commission", the police officer standards and training commission established in chapter 590.**

**2. Every distressed municipality shall provide at least the following level of municipal services:**

- (1) An emergency telephone service;**
- (2) Law enforcement twenty-four hours per day, seven days per week by armed peace officers;**
- (3) Policies regarding pursuit and the use of force by peace officers;**
- (4) Benefits for injured peace officers;**
- (5) Construction code enforcement review, directly or by contract with a private or public agency;**
- (6) Adequate maintenance of public roads and streets;**
- (7) Weekly refuse and recycling collection;**
- (8) A balanced annual budget;**
- (9) An annual audit of the distressed municipality's finances by a certified public accountant.**

**3. If any distressed municipality fails to provide any of the services listed in subsection 2 of this section, the governing body of the county in which it is located may pursue the following remedies together or consecutively in any appropriate court with jurisdiction:**

**(1) Petition the court to compel the director of revenue to withhold the distribution of Group B sales tax revenues collected under this chapter on behalf of the noncompliant distressed municipality until the distressed municipality develops and adopts a plan to provide all of the services required under this section;**

**(2) Petition the court to authorize the county to administer the Group B sales tax revenues collected under this chapter on behalf of the noncompliant distressed municipality. If the court enters an order authorizing the county to administer the revenues under this subdivision, the director of revenue shall distribute such revenues to the county, and the county shall use such revenues to provide the services required under this section in the distressed municipality."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gatschenberger offered **House Amendment No. 1 to House Amendment No. 20.**

*House Amendment No. 1*

*to*

*House Amendment No. 20*

AMEND House Amendment No. 20 to House Committee Substitute for Senate Bill No. 145, Page 2, Line 21, by inserting after all of said line the following:

‘Further amend said bill, Section 67.319, Page 5, Line 53, by inserting the following after all of said line:

“321.120. 1. The decree of incorporation shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree, and until it has been assented to by a majority vote of the voters of the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of incorporating the district, and to select three or five persons to act as the first board of directors, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall there be incorporated a fire protection district?

☐ YES

☐ NO

3. The proposition of electing the first board of directors or the election of subsequent directors may be submitted on a separate ballot or on the same ballot which contains any other proposition of the fire protection district. The ballot to be used for the election of a director or directors shall be substantially in the following form:

OFFICIAL BALLOT Instruction to voters:

Place a cross (X) mark in the square opposite the name of the candidate or candidates you favor. (Here state the number of directors to be elected and their term of office.) ELECTION

(Here insert name of district.) Fire Protection District. (Here insert date of election.) FOR BOARD OF DIRECTORS

..... ☐

..... ☐

..... ☐

4. If a majority of the voters voting on the proposition or propositions voted in favor of the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be void and of no effect. If the court enters an order declaring the decree of incorporation to be final and conclusive, it shall at the same time designate the first board of directors of the district who have been elected by the voters voting thereon. If a board of three members is elected, the person receiving the third highest number of votes shall hold office for a term of two years, the person receiving the second highest number of votes shall hold office for a term of four years, and the person receiving the highest number of votes shall hold office for a term of six years from the date of the election of the first board of directors and until their successors are duly elected and qualified. If a board of five members is

elected, the person who received the highest number of votes shall hold office for a term of six years, the persons who received the second and third highest numbers of votes shall hold office for terms of four years and the persons who received the fourth and fifth highest numbers of votes shall hold office for terms of two years and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified[, provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified]. The court shall at the same time enter an order of record declaring the result of the election on the proposition, if any, to incur bonded indebtedness.

5. Notwithstanding the provisions of subsections 1 to 4 of this section to the contrary, upon a motion by the board of directors in districts where there are three-member boards, and upon approval by the voters in the district, the number of directors may be increased to five, except that in any county of the first classification with a population of more than nine hundred thousand inhabitants such increase in the number of directors shall apply only in the event of a consolidation of existing districts. The ballot to be used for the approval of the voters to increase the number of members on the board of directors of the fire protection district shall be substantially in the following form:

Shall the number of members of the board of directors of the ..... (Insert name of district) Fire Protection District be increased to five members?

☐ YES

☐ NO

If a majority of the voters voting on the proposition vote in favor of the proposition then at the next election of board members after the voters vote to increase the number of directors, the voters shall select two persons to act in addition to the existing three directors as the board of directors. The court which entered the order declaring the decree of incorporation to be final shall designate the additional board of directors who have been elected by the voters voting thereon as follows: the one receiving the second highest number of votes to hold office for a term of four years, and the one receiving the highest number of votes to hold office for a term of six years from the date of the election of such additional board of directors and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified[, provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified].

6. Members of the board of directors in office on the date of an election pursuant to subsection 5 of this section to elect additional members to the board of directors shall serve the term to which they were elected or appointed and until their successors are elected and qualified.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) assumed the Chair.

On motion of Representative Gatschenberger, **House Amendment No. 1 to House Amendment No. 20** was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Diehl, **House Amendment No. 20, as amended**, was adopted.

Representative Cauthorn offered **House Amendment No. 21.**

*House Amendment No. 21*

AMEND House Committee Substitute for Senate Bill No. 145, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 11.010, 55.030, 56.807, 475.115, and 488.026, RSMo, and to enact in lieu thereof eight"; and

Further amend said bill, Page 1, Section A, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 11.010, 55.030, 56.807, 475.115, and 488.026, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 11.010, 11.025, 55.030, 56.807, 475.115, and 488.026, to read as follows:

11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund."**; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 21** was adopted.

Representative Franklin offered **House Amendment No. 22.**

*House Amendment No. 22*

AMEND House Committee Substitute for Senate Bill No. 145, Page 2, Line 31, by inserting after all of said line the following:

"Further amend said bill, Page 5, Section 67.319, Line 53, by inserting after all of said section and line the following:

"Section 67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Board", the board of directors of a district;
- (3) "District", a law enforcement district organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**;
- (4) **"Registered voter", any voter registered within the boundaries of the district or proposed district.**

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification [without a charter form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities.

**Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

- (1) The name and address of each owner of real property located within the proposed district [or who is a] **and each** registered voter [resident] within the proposed district;
- (2) A specific description of the proposed district boundaries including a map illustrating such boundaries;
- (3) A general description of the purpose or purposes for which the district is being formed; and
- (4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

**5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.**

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section**, each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

**If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.**

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898] **67.1894** the district shall have the following general powers:

- (1) To contract with the [local] **county** sheriff's department for the provision of services;
- (2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;
- (3) To fix compensation of its employees and contractors;
- (4) To purchase any personal property necessary or convenient for its activities;
- (5) To collect and disburse funds for its activities; and
- (6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. [The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board] **Whenever the district board receives a petition, signed by a number of registered voters of the**



**district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question.”; and**

Further amend said bill, Section 1, Page 7, Line 54, by inserting after all of said section and line the following:

“[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent

gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.]

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES ☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.]

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

☐ YES ☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES ☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 22** was adopted.

Representative Nolte offered **House Amendment No. 23**.

*House Amendment No. 23*

AMEND House Committee Substitute for Senate Bill No. 145, Page 1, In the Title, Line 2, by inserting immediately after "RSMo," the following:

"section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for senate committee substitute for house substitute for house bill no. 1238, ninetieth general assembly, second regular session, and section 141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session,"; and

Further amend said bill and page, Section A, Line 1, by inserting immediately after "RSMo," the following:

"section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for senate committee substitute for house substitute for house bill no. 1238, ninetieth general assembly, second regular session, and section

141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session,"; and

Further amend said bill, Page 5, Section 67.319, Line 53, by adding after all of said section and line the following:

"141.210. Sections 141.210 to [141.810] **141.982** shall be known by the short title of "Land Tax Collection Law".

141.220. The following words, terms and definitions, when used in sections 141.210 to 141.810 **and sections 141.980 to 141.982**, shall have the meanings ascribed to them in this section, except where the text clearly indicates a different meaning:

(1) "Appraiser" shall mean a state licensed or certified appraiser licensed or certified pursuant to chapter 339 who is not an employee of the collector or collection authority;

(2) "Collector" shall mean the collector of the revenue in any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**;

(3) "County" shall mean any county of the first class in this state having a charter form of government, any county of the first class not having a charter form of government with a population of at least one hundred fifty thousand but less than one hundred sixty thousand and any county of the first class not having a charter form of government with a population of at least eighty-two thousand but less than eighty-five thousand;

(4) "Court" shall mean the circuit court of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**;

(5) "Delinquent land tax attorney" shall mean a licensed attorney-at-law, employed or designated by the collector as hereinafter provided;

(6) **"Land bank agency", an agency created under section 141.980;**

(7) **"Land bank commission", a commission created under section 141.980;**

(8) "Land taxes" shall mean taxes on real property or real estate and shall include the taxes both on land and the improvements thereon;

[(7)] (9) "Land trustees" and "land trust" shall mean the land trustees and land trust as the same are created by and described in section 141.700;

[(8)] (10) "Municipality" shall include any incorporated city or town, or a part thereof, located in whole or in part within a county of class one, which municipality now has or which may hereafter contain a population of two thousand five hundred inhabitants or more, according to the last preceding federal decennial census;

[(9)] (11) "Person" shall mean any individual, male or female, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver or trustee appointed by any state or federal court, trustee otherwise created, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(12) **"Private sale" and "private foreclosure sale", a sheriff's private foreclosure sale to a land bank agency under a tax lien foreclosure judgment as provided in sections 141.210 to 141.810 and sections 141.980 to 141.902;**

[(10)] (13) "School district", "road district", "water district", "sewer district", "levee district", "drainage district", "special benefit district", "special assessment district", or "park district" shall include those located within a county as such county is described in subdivision (3) of this section;

[(11)] (14) "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk, respectively, of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**;

[(12)] (15) "Tax bill" as used in sections 141.210 to 141.810 **and sections 141.980 to 141.982** shall represent real estate taxes and the lien thereof, whether general or special, levied and assessed by any taxing authority;

[(13)] (16) "Tax district" shall mean the state of Missouri and any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, located in any municipality or county as herein described;

[(14)] (17) "Tax lien" shall mean the lien of any tax bill as defined in [subdivision (12) of] this section;

[(15)] (18) "Taxing authority" shall include any governmental, managing, administering or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of Missouri or any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, affected by sections 141.210 to 141.810 **and sections 141.980 to 141.982**.

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri, the county, any municipality and any school district, for the same tax year, shall be equal and first liens upon the real estate described in the respective tax bills thereof; provided, however, that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax year.

2. All tax bills for other than general taxes shall constitute liens junior to the liens for general taxes upon the real estate described therein; provided, however, that a tax bill for other than general taxes, of the more recent issue shall likewise be senior to any such tax bill of less recent date.

3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens, or held by the land trustees **or acquired by a land bank agency a deemed sale under subsection 3 of section 141.560, by redemption under subsection 3 of section 141.981, by gift under subsection 2 of section 141.980, or by deed from land trustees under subsection 1 of section 141.980**, shall be distributed to the owners of such liens in the order of the seniority of the liens, or their respective interests as shown by the records of the land trust **or such land bank agency**. Those holding liens of equal rank shall share in direct proportion to the amounts of their respective liens.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax bills collectible by him which are delinquent according to his records and he shall combine such lists with the list filed by any taxing authority or tax bill owner.

2. The collector shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the county on any delinquent tax bill included in any list, the collector shall give the court docket number of such suit and some appropriate designation of the place where such suit is pending, and such pending suit so listed in any petition filed pursuant to the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.982** shall, without further procedure or court order, be deemed to be consolidated with the suit brought under sections 141.210 to 141.810 **and sections 141.980 to 141.982**, and such pending suit shall thereupon be abated.

3. The collector shall deliver such combined lists to the delinquent land tax attorney from time to time but not later than April the first of each year.

4. The delinquent land tax attorney shall incorporate such lists in petitions in the form prescribed in section 141.410, and shall file such petitions with the circuit clerk not later than June first of each year.

141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax bills appearing on the list or lists filed with him under the provisions of section 141.290, which receipt shall be held by the owner or holder of the tax bills or by the treasurer or other corresponding financial officer of the taxing authority so filing such list with the collector.

2. The collector shall, on or before the fifth day of each month, file with the owner or holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing authority, a detailed statement, verified by affidavit, of all taxes collected by him during the preceding month which appear on the list or lists received by him, and shall, on or before the fifteenth day of the month, pay the same, less his commissions and costs payable to the county, to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any taxing authority; provided, however, that the collector shall be given credit for the full amount of any tax bill which is bid in by the land trustees and where title to the real estate described in such tax bill is taken by the land trust **or where title to the real estate described in such tax bill is taken by the land bank agency under a deemed sale under subsection 3 of section 141.560**.

141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a compensation of ten thousand dollars per year, or in counties having a county counselor, the collector shall at his option designate the county counselor and such of his assistants as shall appear necessary to act as the delinquent land tax attorney.

2. A delinquent land tax attorney who is not the county counselor, with the approval of the collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not less than two hundred dollars and not more than four hundred dollars per month, and such clerical employees as may be necessary, at salaries to be fixed by the collector at not less than three hundred dollars and not more than four hundred dollars per month; and the appointed delinquent tax attorney may incur such reasonable expenses as are necessary for the performance of his duties.

3. The delinquent land tax attorney and his assistants shall perform legal services for the collector and shall act as attorney for him in the prosecution of all suits brought for the collection of land taxes; but they shall not perform legal services for the land trust **or any land bank agency**.

4. Salaries and expenses of a delinquent land tax attorney who is not also the county counselor, his assistants and his employees shall be paid monthly out of the treasury of the county from the same funds as employees of the collector whenever the funds provided for by sections 141.150, 141.270, and 141.620 are not sufficient for such purpose.

5. The compensation herein provided shall be the total compensation for a delinquent land tax attorney who is not also a county counselor, his assistants and employees, and when the compensation received by him or owing to him by the collector exceeds ten thousand dollars in any one calendar year by virtue of the sums charged and collected pursuant to the provisions of section 141.150, the surplus shall be credited and applied by the collector to the expense of the delinquent land tax attorney and to the compensation of his assistants and employees, and any sum then remaining shall be paid into the county treasury on or before the first day of March of each year and credited to the general revenue fund of the county.

6. A delinquent land tax attorney who is not also the county counselor shall make a return quarterly to the county commission of such county of all compensation received by him, and of all amounts owing to him by the collector, and of all salaries and expenses of any assistants and employees, stating the same in detail, and verifying such amounts by his affidavit.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk a petition, which petition shall contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of ..... County, Missouri,

In the Matter of

Foreclosure of Liens for Delinquent Land Taxes

By Action in Rem.

Collector of Revenue of .... County, Missouri,

Plaintiff

-vs.-

Parcels of Land Encumbered with Delinquent Tax Liens

Defendants.

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to **either** be sold by the sheriff at public sale as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.982** and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under sections 141.210 to 141.810 **and sections 141.980 to 141.982, or be sold by the sheriff at a private sale to a land bank agency if so designated by such land bank agency within thirty days after judgment of foreclosure has been entered. Any additional costs relating to such a private sale incurred by the county shall be reimbursed by such land bank agency to the county within thirty days after the county submits a bill therefor to such land bank agency.**

4. The delinquent land tax attorney within ten days after the filing of any such petition, shall forward by United States registered mail to each person or taxing authority having filed a list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.982** a notice of the time and place of the filing of such petition and of the newspaper in which the notice of publication has been or will be published.

5. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

141.420. 1. Except as otherwise provided in subsection 3 of section 141.520, any person having any right, title or interest in, or lien upon, any parcel of real estate described in such petition, may redeem such parcel of real estate by paying to the collector all of the sums mentioned therein, including principal, interest, penalties, attorney's fees and costs then due, at any time prior to the time of the **public foreclosure sale or private** foreclosure sale of such real estate by the sheriff.

2. In the event of failure to redeem prior to the time of the **public foreclosure sale or private** foreclosure sale **of such parcel** by the sheriff, such person shall be barred and forever foreclosed of all his right, title and interest in and to the parcels of real estate described in such petition.

3. Upon redemption, as permitted by this section, the person redeeming shall be entitled to a certificate of redemption from the collector describing the property in the same manner as it is described in such petition, and the

collector shall thereupon note on his records the word "redeemed" and the date of such payment opposite the description of such parcel of real estate.

4. The collector shall promptly notify the taxing authority and the delinquent land tax attorney of such redemption, and such payment shall operate as a release of the lien of the tax bill or bills involved and as a dismissal of the suit so far as such tax bill or bills are concerned.

141.430. 1. Upon the filing of such suits with the circuit clerk, the delinquent land tax attorney shall forthwith cause a notice of foreclosure to be published four times, once a week, during successive weeks, and on the same day of each week, in a daily newspaper of general circulation regularly published in such county, qualified according to law for the publication of public notices and advertisements.

2. Such notice shall be in substantially the following form:

NOTICE OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES,  
BY ACTION IN REM

Public notice is hereby given that on the ..... day of ....., 20.., the Collector of Revenue of ..... County, Missouri, filed a petition, being suit No. ...., in the Circuit Court of ..... County, Missouri, at ..... (stating the city), for the foreclosure of liens for delinquent land taxes (except liens in favor of the United States of America, if any) against the real estate situated in such county, all as described in said petition.

The object of said suit is to obtain from the Court a judgment foreclosing the tax liens against such real estate and ordering the sale of such real estate for the satisfaction of said tax liens thereon (except liens in favor of the United States of America, if any), including principal, interest, penalties, attorneys' fees and costs. Such action is brought against the real estate only and no personal judgment shall be entered therein.

The serial number assigned by the Collector to each parcel of real estate, a description of each such parcel, a statement of the total principal amount of all delinquent tax bills against each such parcel of real estate, all of which, as to each parcel, is more fully set out and itemized in the aforesaid petition, and the name of the last known person appearing on the records of the collector in whose name said tax bills were listed or charged for the year preceding the calendar year in which the list described in said petition was filed with the collector, are, respectively, as follows: (Here set out the respective serial numbers, descriptions, names, and statements of total principal amounts of tax bills, next above referred to.)

The total principal amounts of delinquent taxes set out in this notice do not include the lawful interest, penalties, attorneys' fees and costs which have accrued against the respective parcels of real estate, all of which in each case is set out and itemized in the aforesaid petition.

Any person or taxing authority owning or holding any tax bill or claiming any right, title or interest in or to or lien upon any such parcel of real estate, must file an answer to such suit in the office of the Circuit Clerk of the aforesaid County, and a copy of such answer with the Delinquent Land Tax Attorney at the office of the Collector of Revenue of said County, on or before the .... day of ....., 20.., and in such answer shall set forth in detail the nature and amount of such interest and any defense or objection to the foreclosure of the tax liens, or any affirmative relief he or it may be entitled to assert with respect thereto.

Any person having any right, title or interest in or to, or lien upon, any parcel of such real estate, may redeem such parcel of real estate by paying all of the sums mentioned therein, to the undersigned Collector of Revenue, including principal, interest, penalties, attorneys' fees and costs then due, at any time prior to the time of the **public foreclosure sale or the private** foreclosure sale of such real estate by the sheriff.

In the event of failure to answer or redeem on or before the date herein fixed as the last day for filing answer in the suit, by any person having the right to answer or redeem, such person shall be forever barred and foreclosed as to any defense or objection he might have to the foreclosure of such liens for delinquent taxes and a judgment of foreclosure may be taken by default. Redemption may be made, however, up to the time fixed for the holding of sheriff's **public foreclosure sale or the private** foreclosure sale of any such real estate, and thereafter there shall be no equity of redemption and each such person having any right, title or interest in or to, or any lien upon, any such parcel of real estate described in the petition so failing to answer or redeem as aforesaid, shall be forever barred and foreclosed of any right, title or interest in or lien upon or any equity of redemption in said real estate.

.....  
Collector of Revenue .....  
County, Missouri  
.....  
Address

.....  
Delinquent Land Tax Attorney

.....  
Address

.....  
First Publication:

.....

141.450. Such notice shall be substantially as follows:

To the person to whom this notice is addressed:

You are the last known person, according to the records in this office, in whose name land taxes were billed or charged, as to one or more parcels of real estate described in a certain petition bearing cause No. .... (fill in number of case) filed in the Circuit Court of .... County, Missouri, at .... (fill in city), on ...., 20..., wherein a foreclosure of the lien of various delinquent tax bills is sought and a court order asked for the purpose of selling said real estate at a public sale **or a private sale** for payment of all delinquent tax bills, together with interest, penalties, attorney's fees and costs. Publication of notice of such foreclosure was commenced on the .... day of ...., 20..., in .... (here insert name of newspaper), a daily newspaper published in .... (here insert name of city), Missouri.

Unless all delinquent taxes be paid upon the parcels of real estate described in said petition and said real estate redeemed prior to the time of the **public** foreclosure sale **or private foreclosure sale** of such real estate by the sheriff, the owner or any person claiming any right, title or interest in or to, or lien upon, any such parcels of real estate, shall be forever barred and foreclosed of all right, title and interest and equity of redemption in and to such parcels of real estate; provided, however, that any such persons shall have the right to file an answer in said suit on or before the .... day of ...., 20..., in the office of the Circuit Clerk and a copy thereof with the Delinquent Land Tax Attorney, setting forth in detail the nature and amount of the interest and any defense or objection to the foreclosure.

Dated .....

.....  
Delinquent Land Tax  
Attorney

.....  
Address

.....  
Collector of Revenue  
..... County, Missouri

.....  
Address

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill, whether general or special, issued by any taxing authority shall be prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated by the tax bill and that the tax is unpaid. Absent any answer the court shall take the allegations of the petition as confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon trial, affirmatively establish such defense.

2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated statement of facts. The court shall hear the evidence offered by the collector or relator as the case may be, and by all answering parties, and shall determine the amount of each and every tax bill proved by the collector or any answering party, together with the amount of interest, penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and determine every issue of law and of fact necessary to a complete adjudication of all tax liens asserted by any and every pleading, and may also hear evidence and determine any other issue of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate, sought to be enforced by any party to the proceeding against any other party to the proceeding who has been served by process or publication as authorized by law, or who has voluntarily appeared, and shall determine the order and priority of the liens and of any other rights or interest put in issue by the pleadings.

3. After the court has first determined the validity of the tax liens of all tax bills affecting parcels of real estate described in the petition, the priorities of the respective tax bills and the amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the **public** foreclosure sale **and the time of the private foreclosure sale**. The petition shall be dismissed as to any parcel of real estate redeemed prior to the time fixed for the sheriff's **public or private** foreclosure sale **thereof** as provided in sections 141.210 to 141.810 **and sections 141.980 to 141.982**. If the parcel of real estate auctioned off at sheriff's **public** foreclosure sale **or sold at sheriff's private foreclosure sale** is sold for a sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by the court, then all other proceedings as to such parcels of real estate shall be finally dismissed as to all parties and interests other than tax bill owners or holders; provided, however,



that any parties seeking relief other than an interest in or lien upon the real estate may continue with said suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of foreclosure sale. If the parcel of real estate auctioned off at sheriff's **public** foreclosure sale is sold for a sum greater than the total amount necessary to pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is confirmed by the court, and no appeal is taken by any person claiming any right, title or interest in or to or lien upon said parcel of real estate or by any person or taxing authority owning or holding or claiming any right, title or interest in or to any tax bills within the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution to the owners or holders of the respective tax bills included in the judgment of the amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by the court to be dismissed as to such persons or taxing authorities owning, holding or claiming any right, title, or interest in any such tax bill or bills so paid, and the case shall proceed as to any parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by such tax bill or bills as to their respective claims to such surplus funds then remaining in the hands of the sheriff.

4. Whenever an answer is filed to the petition, as herein provided, a severance of the action as to all parcels of real estate affected by such answer shall be granted, and the issues raised by the petition and such answer shall be tried separate and apart from the other issues in the suit, but the granting of such severance shall not delay the trial or other disposition of any other issue in the case. A separate appeal may be taken from any action of the court affecting any right, title, or interest in or to, or lien upon, such real estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court without the aid of a jury and the suit shall be in equity. This action shall take precedence over and shall be triable before any other action in equity affecting the title to such real estate, upon motion of any interested party.

141.520. 1. **With respect to parcels of real estate to be sold in a public foreclosure sale**, after the judgment of foreclosure has been entered, or, after a motion for a new trial has been overruled, or, if an appeal be taken from such judgment and the judgment has been affirmed, after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, there shall be a waiting period of six months before any advertisement of sheriff's **public foreclosure** sale shall be published.

2. If any such parcel of real estate **to be sold in a public foreclosure sale** be not redeemed, or if no written contract providing for redemption be made within six months after the date of the judgment of foreclosure, if no motion for rehearing be filed, and, if filed, within six months after such motion may have been overruled, or, if an appeal be taken from such judgment and the judgment be affirmed, within six months after the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk, the sheriff shall commence to advertise the real estate described in the judgment and shall fix the date of **the public foreclosure** sale within thirty days after the date of the first publication of the notice of sheriff's sale as herein provided, and shall at such sale proceed to sell the real estate.

3. **With respect to parcels of real estate to be sold to a land bank agency in a private foreclosure sale**, after the judgement of foreclosure has been entered or after a motion for a new trial has been overruled or if an appeal is taken from such judgment and the judgment has been affirmed, after the collector shall have been notified by any party to the suit that such judgment has been affirmed on appeal and that the mandate of the appellate court is on file with the clerk, there shall be a waiting period of six months before such private foreclosure sale.

4. Any provisions of this chapter to the contrary notwithstanding, the owner of any parcel of real property against which a judgment has been rendered shall not have the right to redeem such property from said judgment if at the time of judgment such property is assessed as residential property and the judgment finds the property has been vacant for a period of not less than six months prior to the judgment. After a judgment as provided for in this section becomes final, the waiting period shall not apply to such judgment and a sale under execution of the judgment shall be immediately held as provided under the applicable provisions of this chapter.

141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of **the public or the private** foreclosure sale **of a parcel** by the sheriff, any interested party may redeem [any] **such** parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of **the public or the private** foreclosure sale **of a parcel** by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in [any] **such** parcel of real estate, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties,

attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments shall have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments shall have been made.

2. So long as such installments be paid according to the terms of the contract, the said six months waiting period shall be extended, but if any installment be not paid when due, the extension of said waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.

[3. No redemption contracts may be used under this section for residential property which has been vacant for at least six months in any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand.]

[141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, other than a residential property which has been vacant for at least six months, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on the individual's behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments being made.

2. So long as such installments are paid according to the terms of the contract, the six-month waiting period shall be extended, but if any installment is not paid when due, the extension of such waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.]

141.540. 1. In any county at a certain front door of whose courthouse sales of real estate are customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell **in a public foreclosure sale** the respective parcels of real estate ordered sold by him or her pursuant to any judgment of foreclosure by any court pursuant to sections 141.210 to 141.810 at any of such courthouses **which are not sold in a private foreclosure sale**, but the sale of such parcels of real estate shall be held at the same front door as sales of real estate are customarily made by the sheriff under execution.

2. Such advertisements may include more than one parcel of real estate, and shall be in substantially the following form: NOTICE OF SHERIFF'S SALE UNDER JUDGMENT OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES

No. . . . . In the Circuit Court of . . . . . County, Missouri. In the Matter of Foreclosure of Liens for Delinquent Land Taxes Collector of Revenue of . . . . . County, Missouri, Plaintiff, vs. Parcels of Land encumbered with Delinquent Tax Liens, Defendants.

WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest, penalties, attorney's fees and costs with the serial numbers of each parcel of real estate, the description thereof, the name of the person appearing in the petition in the suit, and the total amount of the judgment against each such parcel for taxes, interest, penalties, attorney's fees and costs, all as set out in said judgment and described in each case, respectively, as follows: (Here set out the respective serial numbers, descriptions, names and total amounts of each judgment, next above referred to.) and,

WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to satisfy the total amount of such judgment, including interest, penalties, attorney's fees and costs,

NOW, THEREFORE,

Public Notice is hereby given that I . . . . ., Sheriff of . . . . . County, Missouri, will sell such real estate, parcel by parcel, at public auction, to the highest bidder, for cash, between the hours of nine o'clock A.M. and five o'clock P.M., at the . . . . . front door of the . . . . . County Courthouse in . . . . ., Missouri, on . . . . ., the . . . . . day of . . . . ., 20., and continuing from day to day thereafter, to satisfy the judgment as to each respective parcel of real estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel shall be sold to the Land Trust of . . . . . (insert name of County), Missouri.

Any bid received shall be subject to confirmation by the court. . . . .

Sheriff of . . . . .

County, Missouri. . . . . Delinquent Land Tax

Attorney Address: . . . . . First Publication . . . . ., 20. . .

3. Such advertisement shall be published four times, once a week, upon the same day of each week during successive weeks prior to the date of such sale, in a daily newspaper of general circulation regularly published in the county, qualified according to law for the publication of public notices and advertisements.

4. In addition to the provisions herein for notice and advertisement of **public** sale, the county collector shall enter upon the property subject to foreclosure of these tax liens and post a written informational notice in any conspicuous location thereon. This notice shall describe the property and advise that it is the subject of delinquent land tax collection proceedings before the circuit court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment of delinquent taxes at a **public foreclosure** sale to be held at ten o'clock a.m., date and place, **or at a private foreclosure sale, date, and place**, and shall also contain a file number and the address and phone number of the collector. If the collector chooses to post such notices as authorized by this subsection, such posting must be made not later than the fourteenth day prior to the date of the sale.

5. The collector shall, concurrently with the beginning of the publication of sale **for parcels to be sold in a public foreclosure sale, or not less than thirty days prior to the sale for parcels to be sold in a private foreclosure sale**, cause to be prepared and sent by [restricted, registered or certified] **first class** mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the persons named in the petition as being the last known persons in whose names tax bills affecting the respective parcels of real estate described in said petition were last billed or charged on the books of the collector, or the last known owner of record, if different, and to the addresses of said persons upon said records of the collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail.] If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown by the return receipt], then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any person who, from such records, appears as a successor to the person to whom the original notice was addressed, and to cause another notice to be mailed to such person. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected of any such notices of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the same, or of any notice otherwise nondeliverable by mail, or in the event that any name or address does not appear on the records of the collector, then of that fact. The affidavit in addition to the recitals set forth above shall also state reason for the nondelivery of such notice.

6. The collector may, at his or her option, concurrently with the beginning of the publication of sale **for parcels to be sold in a public foreclosure sale, or not less than thirty days prior to the sale for parcels to be sold in a private foreclosure sale**, cause to be prepared and sent by [restricted, registered or certified] **first class** mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the mortgagee or security holder, if known, of the respective parcels of real estate described in said petition, and to the addressee of such mortgagee or security holder according to the records of the collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail.] If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown by the return receipt], then the collector shall make a search of the records maintained by the county, including those kept by the recorder of

deeds, to discern the name and address of any security holder who, from such records, appears as a successor to the security holder to whom the original notice was addressed, and to cause another notice to be mailed to such security holder. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected by any such notices of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the same, or of any notice otherwise nondeliverable by mail, and stating the reason for the nondelivery of such notice.

141.550. 1. The **public foreclosure** sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any **public foreclosure** sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more violations of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality.

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

[141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more convictions based on violations occurring within a two-year period of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality.

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to

rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.]

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale **at public foreclosure sale**, there be no bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels of real estate so advertised, the sheriff shall adjourn such sale from day to day at the same place and commencing at the same hour as when first offered and shall announce that such real estate will be offered or reoffered for sale at such time and place.

2. **With respect to any parcel of real estate not located within a municipality that is an appointing authority under section 141.980**, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after any parcel of real estate has been offered for sale on three different days, which need not be successive, the land trustees shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and if no other bid be then received by the sheriff in excess of the bid of the trustees, and the sheriff shall so announce at the sale, then the bid of the trustees shall be announced as accepted. The sheriff shall report any such bid or bids so made by the land trustees in the same way as his report of other bids is made. **The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on the collector's books and in the collector's statements with any other taxing authorities.**

3. [The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.] **With respect to any parcel of real estate located within a municipality that is an appointing authority under section 141.980**, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due thereon shall be received at such sale after such parcel of real estate has been offered for sale on three different days, which need not be successive, the land bank agency for which such municipality is an appointing authority shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due, and the sheriff shall so announce at the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff shall report any such bid or bids so made by such land bank agency in the same way as the sheriff's report of other bids is made. Upon confirmation by the court of such bid at such sale by such land bank agency, the collector shall mark the tax bills so bid by such land bank agency as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on the collector's books and in the collector's statements with any other taxing authorities.

141.570. 1. The title to any real estate which shall vest in the land trust under the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.982** shall be held by the land trust of such county in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure. **The title to any real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560 or by deed from land trustees under subsection 1 of section 141.980 shall be held in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure.**

2. The title to any real estate which shall vest in any purchaser **in a private or public foreclosure sale**, upon confirmation of such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the United States of America, if any,

and all persons, including the state of Missouri, infants, incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption, and the court shall order immediate possession of such real estate be given to such purchaser; provided, however, that such title shall also be subject to the liens of any tax bills which may have attached to such parcel of real estate prior to the time of the filing of the petition affecting such parcel of real estate not then delinquent, or which may have attached after the filing of the petition and prior to sheriff's sale and not included in any answer to such petition, but if such parcel of real estate is **deemed** sold to the land trust **under subsection 2 of section 141.560 or deemed sold to a land bank agency under subsection 3 of section 141.560**, the title thereto shall be free of any such liens to the extent of the interest of any taxing authority in such real estate; provided further, that such title shall not be subject to the lien of special tax bills which have attached to the parcel of real estate prior to November 22, 1943, but the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the ultimate sale of such parcel by the land trust.

141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own motion or upon motion of any interested party, set the cause down for hearing to confirm the foreclosure sale thereof, even though such parcels are not all of the parcels of real estate described in the notice of sheriff's foreclosure sale. At the time of such hearing, the sheriff shall make report of the sale, and the court shall hear evidence of the value of the property offered on behalf of any interested party to the suit, and shall forthwith determine whether an adequate consideration has been paid for each such parcel; **provided that the amount to be paid by a land bank agency under subsection 5 of section 141.982 for a parcel sold to such land bank agency in a private foreclosure sale shall be deemed to be adequate consideration therefor and no evidence of value shall be heard with respect to such parcel; and provided further, that the amount bid for a parcel by a land bank agency under subsection 3 of section 141.560 shall be deemed adequate consideration and no evidence of value shall be heard with respect to such parcel; and provided further, that the amount bid for a parcel by land trust under subsection 2 of section 141.560 shall be deemed adequate consideration and no evidence of value shall be heard with respect to such parcel.**

2. For this purpose the court shall have power to summon any city or county official or any private person to testify as to the reasonable value of the property, and if the court finds that adequate consideration has been paid, he **or she** shall confirm the sale and order the sheriff to issue a deed to the purchaser. If the court finds that the consideration paid is inadequate, **the court shall confirm the sale if** the purchaser [may] increase his **or her** bid to such amount as the court [may deem] **deems** to be adequate[, whereupon the court may confirm the sale. If, however,] **and makes such additional payment, or if all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due thereon are not paid in full by one or more interested parties to the suit. If the court finds that the consideration is inadequate, but the purchaser declines to increase his or her bid to such an amount as the court deems adequate and make such additional payment, then the sale shall be disapproved if all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then due thereon are paid in full by one or more interested parties to the suit,** the lien of the judgment continued, and such parcel of real estate shall be again advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure sale. [Unless the court requires evidence of the value of the property conveyed to land trust, none shall be required, and the amount bid by the land trustees shall be deemed adequate consideration.]

3. If the sale is confirmed, the court shall order the proceeds of the sale applied in the following order:

- (1) To the payment of the costs of the publication of the notice of foreclosure and of the sheriff's foreclosure sale;
- (2) To the payment of all costs including appraiser's fee not to exceed fifteen dollars and attorney's fees;
- (3) To the payment of all tax bills adjudged to be due in the order of their priority, including principal, interest and penalties thereon.

If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure sale, the court shall thereupon try and determine the other issues in the suit in accordance with section 141.480. If any answering parties have specially appealed as provided in section 141.570, the court shall retain the custody of such funds pending disposition of such appeal, and upon disposition of such appeal shall make such distribution. If there are not sufficient proceeds of the sale to pay all claims in any class described, the court shall order the same to be paid pro rata in accordance with the priorities.

4. If there are any funds remaining of the proceeds after the sheriff's sale and after the distribution of such funds as herein set out and no person entitled to any such funds, whether or not a party to the suit, shall, within two years after such sale, appear and claim the funds, they shall [escheat to the state as provided by law] **be distributed to the appropriate taxing authorities.**

141.720. 1. The land trust shall be composed of three members, one of whom shall be appointed by the county, **as directed by the county** executive, or if the county does not have a county executive, **as directed by the county** commission of the county, one of whom shall be appointed by [the city council of that city] **that municipality** in the county which **is not an appointing authority under section 141.980 and** then has the largest population according to the last preceding federal decennial census, and one of whom shall be appointed by [the board of directors of the] **that** school district **in the county which is not an appointing authority under section 141.980 and** then has the largest population according to such census in the county. **If any such appointing authority fails to make any appointment of a land trustee after any term expires, then the appointment shall be made by the county.**

2. The terms of office of the land trustees shall be for four years each, except the terms of the first land trustees who shall be appointed by the foregoing appointing authorities, respectively, not sooner than twelve months and not later than eighteen months after sections 141.210 to 141.810 take effect; **provided, however, that the term of any land trustee appointed by a municipality or school district that becomes an appointing authority under section 141.980 shall thereupon terminate.**

3. Each land trustee shall have been a resident of the county for at least five years next prior to appointment, shall not hold other salaried or compensated public office by election or appointment during service as land trustee, the duties of which would in any way conflict with his duties as land trustee, and shall have had at least ten years experience in the management or sale of real estate.

4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee appointed by the county commission shall serve for a term ending February 1, 1946, the land trustee appointed by the board of directors of the school district then having the largest population in the county shall serve for a term expiring February 1, 1947, and the land trustee appointed by the city council of the city then having the largest population in the county shall serve for a term expiring February 1, 1948. Each land trustee shall serve until his successor has been appointed and qualified.

5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the same appointing authority which made the original appointment. If any appointing authority fails to make any appointment of a land trustee within the time the first appointments are required by sections 141.210 to 141.810 to be made, or within thirty days after any term expires or vacancy occurs, then the appointment shall be made by the mayor of that city in the county then having the largest population, according to the last preceding federal decennial census.

6. The members shall receive for their services as land trustees a salary of two thousand four hundred dollars per year.

7. Each land trustee may be removed for cause by the respective appointing authority, after public hearing, if requested by the land trustee, and an opportunity to be represented by counsel and to present evidence is afforded the trustee.

141.770. 1. Each annual budget of the land trust shall be itemized as to objects and purposes of expenditure, prepared not later than [December tenth] **October first** of each year with copies delivered to the [county and city] **taxing authorities** that appointed trustee members, and shall include therein only such appropriations as shall be deemed necessary to meet the reasonable expenses of the land trust during the forthcoming fiscal year. That budget shall not become the required annual budget of the land trust unless and until it has been approved by the governing bodies of the [county or city] **taxing authorities** that appointed trustee members. If [either] **any** of the governing bodies of the [county and city] **taxing authorities** that appointed trustee members fail to notify the land trust in writing of any objections to the proposed annual budget on or before [December] **November** twentieth, then such failure or failures to object shall be deemed approval. In the event objections have been made and a budget for the fiscal year beginning January first has not been approved by the governing bodies of the [county and city] **taxing authorities that appointed trustee members** on or before January first, then the budget for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements of the forthcoming year.

2. Copies of the budget shall be made available to the public on or before [December] **October** tenth, and a public hearing shall be had thereon prior to [December] **October** twentieth, in each year. The approved and adopted budget may be amended by the trustee members only with the approval of the governing bodies of the [county and city] **taxing authorities** that appointed trustee members.

3. If at any time there are not sufficient funds available to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, funds sufficient to pay such expenses shall be advanced and paid to the land trust upon its requisition therefor **by the ad valorem taxing authorities in the county that are not appointing authorities under section 141.980, [fifty] seven** percent thereof by the county commission of such county, and the other [fifty] **ninety-three** percent by all of the [municipalities in such county as defined in section 141.220] **other such ad valorem taxing**

**authorities, in proportion to their assessed valuations [at the time of their last completed assessment for state and county purposes] of the properties then in the land trust inventory located within their respective taxing jurisdictions.** The land trust shall have power to requisition such funds in an amount not to exceed twenty-five percent of the total annual budget of the land trust from such sources for that fiscal year of the land trust for which there are not sufficient funds otherwise available to pay the salaries and other expenses of the land trust, but any amount in excess of twenty-five percent of the total annual budget in any fiscal year may be requisitioned by and paid to the land trust only if such additional sums are agreed to and approved by [the county commission and the respective municipalities in such county so desiring to make such payment] **such ad valorem taxing authorities.** All moneys so requisitioned shall be paid in a lump sum within thirty days after such requisition or the commencement of the fiscal year of the land trust for which such requisition is made, whichever is later, [and] **by the county paying seven percent thereof due from the county under this section and advancing the remaining ninety-three percent due from other ad valorem taxing authorities under this section on behalf of such other ad valorem taxing authorities, and such amounts so paid shall be deposited to the credit of the land trust in some bank or trust company, subject to withdrawal by warrant as herein provided. Amounts advanced by the county on behalf of any ad valorem taxing authority under this section shall be reimbursed to the county upon demand by the county or by the county withholding such amounts from distributions of tax moneys to such ad valorem taxing authority.**

4. The fiscal year of the land trust shall commence on January first of each year. Such land trust shall audit all claims for the expenditure of money, and shall, acting by the chairman or vice chairman thereof, draw warrants therefor from time to time.

5. No warrant for the payment of any claim shall be drawn by such land trust until such claim shall have been approved by the land commissioner and shall bear the commissioner's certificate that there is a sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for the payment thereof. For any certification contrary thereto, such land commissioner shall be liable personally and on the commissioner's official bond for the amounts so certified, and shall thereupon be promptly removed from office by the land trustees.

6. In addition to the annual audit provided for in section 141.760, the land trust may be performance audited at any time by the state auditor or by the auditor of any home rule city with more than four hundred thousand inhabitants and located in more than one county that is a member of the land trust. The cost of such audit shall be paid by the land trust, and copies shall be made available to the public within thirty days of the completion of the audit.

141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust, the proceeds therefrom shall be applied and distributed in the following order:

(1) **To the payment of amounts due from the land trustees under subsection 2 of section 141.560 on the sale or other disposition of such parcel;**

(2) To the payment of the expenses of sale;

[(2)] (3) The balance to be retained by the land trust to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, as provided for in its annual budget;

[(3)] (4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land trust in any fiscal year, and including a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, [may] **shall** be paid to the respective taxing authorities which, at the time of the distribution, are taxing the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities; distribution shall be made on January first and July first of each year, and at such other times as the land trustees in their discretion may determine.

**141.980. 1. Any municipality located wholly or partially within a county in which a land trust created under section 141.700 was operating on January 1, 2011, may establish a land bank agency for the management, sale, transfer, and other disposition of interest in real estate owned by such land bank agency. Any such land bank agency created shall be created to foster the public purpose of returning land, including land that is in a nonrevenue-generating nontax-producing status, to effective use in order to provide housing, new industry, and jobs for citizens of the establishing municipality, and to create new revenues for such municipality. Such land bank agency shall be established by order or ordinance as applicable. Such land bank agency shall not own any interest in real estate that is located outside such establishing municipality or outside such county. Within one year of the effective date of an order or ordinance passed establishing such a land bank agency, title to any real estate held by the land trustees of the land trust of such county that is located within the establishing municipality shall be transferred by deed to such land bank agency.**



4. The land bank agency shall be composed of three members, two of whom shall be appointed by the establishing municipality, and the third shall be appointed by the school district that is wholly or partially located within such municipality and county and then has the largest population according to the last preceding federal decennial census. Members shall serve at the pleasure of the member's appointing authority, may be employees of the appointing authority, and shall serve without compensation. Any vacancy in the office of land bank commissioner shall be filled by the same appointing authority that made the original appointment. If any appointing authority fails to make any appointment of a land bank commissioner within the time the first appointments are required, or within thirty days after any term expires, then the appointment shall be made by the other appointing authority. Any municipality or school district that is an appointing authority under this section shall not be an appointing authority under section 141.720.

**6. Before entering upon the duties of office, each commissioner shall take and subscribe to the following oath:**

I, ....., do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Missouri; that I will faithfully and impartially discharge my duties as a member of the Land Bank Agency of ....., Missouri; that I will, according to my best knowledge and judgment, administer such tax delinquent lands held by me in trust, according to the laws of this state and for the benefit of the public bodies and the tax bill owners which I represent, so help me God.

**141.981. 1. Such land bank agency shall be a continuing body and shall have and adopt an official seal which shall bear on its face the words "Land Bank Agency of ....., Missouri", "Seal", and shall have the power to sue and issue deeds in its name, which deed shall be signed by the chair or vice chair, and attested by the secretary and the official seal of the land bank agency affixed thereon, and shall have the general power to administer its business as any other corporate body.**

2. A land bank agency may convey title to any real estate sold or conveyed by it by general or special warranty deed, and may convey as absolute title in fee simple, without in any case procuring any consent,

conveyance, or other instrument from the beneficiaries for which it acts, provided that each such deed shall recite whether the selling price represents a consideration equal to or in excess of two-thirds of the appraised value of such real estate so sold or conveyed. If such selling price represents a consideration less than two-thirds of the appraised value of the real estate, then the land bank commissioners shall first procure the consent thereto of not less than two of the three appointing authorities, which consent shall be evidenced by a copy of the action of each such appointing authority duly certified to by its clerk or secretary attached to and made a part of land bank commission official minutes.

3. As a condition of the sale or other authorized conveyance of ownership of any unimproved parcel of land classified as residential property owned by the land bank agency to a private owner, unless the owner owns an adjacent improved parcel, such owner may be required to enter into a contract with the land bank agency stipulating that such owner or owner's successor agree that the parcel of land shall, within one year of such sale, either be improved by a nontemporary structure or returned to the land bank agency by special warranty deed. The contract shall further state that if the private owner fails to comply with the stipulation, the owner shall be liable to the land bank agency for damages at the rate of one hundred dollars per month accruing on the first day of each month after the termination of the one-year period so long as the private owner fails to convey the parcel to the land bank agency. The performance of such agreement shall be secured by a deed of trust or other lien encumbering the parcel. If the land bank agency finds by resolution that the terms of the agreement have not been satisfied, the land bank agency shall be authorized to bring suit to recover damages for the breach and to redeem the ownership of such property without consideration or compensation by seeking a judicial foreclosure of such agreement under sections 443.190 to 443.260, except that upon final judgment of the court, title shall revert to the land bank agency without necessity of sale. Notwithstanding subsection 2 of this section, the original deed conveying title to the private owner shall contain a possibility of reverter upon the condition that the private owner fails to comply with the terms of the contract, with a right of reentry retained by the land bank agency. As an alternative to, or in addition to, seeking a judicial foreclosure, the land bank agency may exercise the right of reentry under chapter 524, 527, or 534. The land bank agency shall assume title to the land by filing a copy of the judgment with the recorder of deeds in the county where the property is located. Any property redeemed by the land bank agency under the provisions of this section shall be administered in the same manner as other property sold to the land bank agency.

4. It shall be the duty of such land bank agency to administer the tax delinquent lands and other lands in its possession as provided in this section.

(1) The land bank agency shall immediately assume possession and control of all real estate acquired by it under the provisions of sections 141.210 to 141.810 and sections 141.980 to 141.982 or otherwise and proceed to inventory and appraise such land, and thereafter keep and maintain a perpetual inventory of such real estate, except that individual parcels may be consolidated and grouped or regrouped for economy, utility, or convenience.

(2) The land bank agency shall use reasonable efforts, consistent with the funding available, to market the property in its inventory, and will endeavor to obtain a purchase price consistent with the market conditions for that particular type of property in a similar location, however, the land bank agency may take into consideration factors that include: the costs expended either by it or the municipality in which the property is located to continue to maintain the property while it is held in inventory, the detrimental impact of vacant property on other properties within its vicinity, the proposed use of the property, and the advantage of returning the property to the tax rolls for the benefit of all taxing authorities intended to benefit from proceeds generated by the land bank agency. The land bank agency shall maintain an inventory of the property held by it, and make it available to the public, through means that make the best use of its limited resources, including limiting accessibility through electronic means. The land bank agency shall systematically update its inventory information, no less than quarterly per year. The records from each transaction with respect to the transfer or exchange of property in the land bank agency's inventory shall be maintained, and provided upon request to any taxing authority intended to benefit from the proceeds of the land bank. A summary of all such transactions shall be prepared at least annually, and made publicly available upon request, and submitted with the budget request of such land bank as provided in subsection 6 of section 141.981.

(3) The land bank commissioners shall have power, and it shall be their duty, to manage, maintain, protect, rent, lease, repair, insure, alter, hold and return, assemble, sell, trade, acquire, exchange, or otherwise dispose of any such real estate, on such terms and conditions as may be determined in the sole discretion of the commissioners. The land bank commissioners may assemble tracts or parcels of real estate for public parks or any other purposes and to such end may exchange or acquire parcels, and otherwise effectuate such purposes by agreement with any taxing authority. Without limiting the foregoing power vested in the land bank commissioners to directly dispose of its inventory property, such commissioners may, but are not obligated to,

enter into listing or commission agreements with real estate brokers licensed to do business within the city, and such commissioners.

(4) The land bank agency shall adopt rules and regulations in harmony with sections 141.210 to 141.810 and sections 141.980 to 141.982, and shall keep records of all its transactions, which records shall be open to inspection of any taxing authority in the city at any time. There shall be an annual audit of the affairs, accounts, expenses, and financial transactions of such land bank agency by certified public accountants as of April thirtieth of each year, which accountants shall be employed by the commissioners on or before March first of each year, and certified copies thereof shall be furnished to the appointing authorities described in section 141.980, and shall be available for public inspection at the office of the land bank agency and on the land bank agency's internet website, if it maintains a website. In addition to the annual audit provided for in this subdivision, the land bank agency may be performance audited at any time by the state auditor or by the auditor of the city that appoints members. The cost of such audit shall be paid by the land bank agency, and copies shall be made available to the public within thirty days of the completion of the audit.

5. The land bank commissioners may appoint a director and such other employees who are deemed necessary to carry out the responsibilities and duties imposed under sections 141.980 to 141.982, and may incur such other reasonable and proper costs and expenses as are related thereto. The director shall furnish a surety bond at the expense of the land bank agency in a penal sum of not less than ten thousand dollars, to be approved by the land bank commissioners, conditioned to guarantee the faithful performance of the director's duties. The bond shall be filed with the county clerk of the county. The director, who shall be a person experienced in the management and sale of real estate, shall be executive officer and administrator of the land bank agency, and shall manage all of its business, under the supervision, direction, and control of the land bank commissioners.

6. Each annual budget of the land bank agency shall be itemized as to objects and purposes of expenditure, prepared not later than December tenth of each year with copies delivered to the ad valorem taxing authorities that appointed members, and shall include therein only such appropriations as shall be deemed necessary to meet the reasonable expenses of the land bank agency during the forthcoming fiscal year. That budget shall not become the required annual budget of the land bank agency unless and until it has been approved by the governing bodies of the ad valorem taxing authorities that appointed members. If either of the governing bodies of the ad valorem taxing authorities that appointed members fails to notify the land bank agency in writing of any objections to the proposed annual budget on or before December twentieth, then such failure or failures to object shall be deemed approved. In the event objections have been made and a budget for the fiscal year beginning May first has not been approved by the governing bodies of the ad valorem taxing authorities that appointed members on or before May first, then the budget for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements of the forthcoming year. Copies of the budget shall be made available to the public on or before December tenth, and a public hearing shall be had thereon before December twentieth, in each year. The approved and adopted budget may be amended by the land bank commissioners only with the approval of the governing bodies of the ad valorem taxing authorities that appointed members.

7. The fiscal year of the land bank agency shall commence on May first of each year. Such land bank agency shall audit all claims for the expenditure of money and shall, acting by the chair or vice chair thereof, draw warrants therefor from time to time.

8. No warrant for the payment of any claim shall be drawn by such land bank agency until such claim shall have been approved by the director and shall bear the director's certificate that there is a sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for the payment thereof.

141.982. 1. Such land bank agency shall set up and maintain a perpetual inventory on each tract of its real estate, except that individual tracts may be consolidated and grouped or regrouped for economy or convenience.

2. When any parcel of real estate acquired by such land bank agency under a deemed sale under subsection 3 of section 141.560, by redemption under subsection 3 of section 141.981, by gift under subsection 2 of section 141.980, or by deed from land trustees under subsection 1 of section 141.980 is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

- (1) To the payment of the expenses of sale;

(2) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees, including any expenditures authorized by subsection 4 of section 141.981, as provided for in its annual budget;

(3) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, exclusive of net profit from the sale of parcels acquired by the land bank agency under a private foreclosure sale, shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed.

The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities. Distribution shall be made on January first and July first of each year, and at such other times as the land bank commissioners in their discretion may determine.

3. When any parcel of real estate acquired by such land bank agency under a private foreclosure sale is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of all land taxes and related charges then due on such parcel, subject to subsection 5 of section 141.982;

(2) To the payment of the expenses of sale;

(3) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees, including any expenditures authorized by subsection 4 of section 141.981, as provided for in its annual budget;

(4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, shall be paid in accordance with subdivision (3) of subsection 2 of this section.

4. Upon acquiring title to any real estate under a deemed sale under subsection 3 of section 141.560, by redemption under subsection 3 of section 141.981, by gift under subsection 2 of section 141.980, or by deed from land trustees under subsection 1 of section 141.980, such land bank agency shall immediately notify the county assessor of such ownership, and the interests of each taxing authority therein shall be exempt from all taxation, in the same manner and to the same extent as any other publicly owned real estate, and upon the sale or other disposition of any real estate held by it, such land bank agency shall immediately notify the county assessor of such change of ownership.

5. Upon confirmation under section 141.580 of a sheriff's private foreclosure sale of a parcel of real estate to a land bank agency, the sheriff shall deliver a court administrator's deed for such parcel to the purchasing land bank agency and such land bank agency shall pay the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. Such parcel shall not be exempt from taxation; provided however, if all land taxes on such parcel are paid in full at the time of sale or other disposition of such parcel by the land bank agency or two years from the date of its acquisition by the land bank agency, whichever occurs first, then all interest and penalties that may have accrued thereon shall be abated.

6. Neither the land bank commissioners nor any salaried employee of the land bank agency provided for in sections 141.980 to 141.982 shall receive any compensation, emolument, or other profit directly or indirectly from the rental, management, purchase, sale, or other disposition of any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.982; provided further that neither the land bank commissioners nor any salaried employee of the land bank agency provided for in sections 141.980 to 141.982 shall have any relationship with, or be employed by, or otherwise receive any form of compensation from, any contractor or developer who purchases property from the land bank agency. Any person convicted of violating this subsection shall be deemed guilty of a felony and upon conviction thereof shall be sentenced to serve not less than two nor more than five years in the state penitentiary.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 23** was adopted.

Representative Ellinger offered **House Amendment No. 24**.

*House Amendment No. 24*

AMEND House Committee Substitute for Senate Bill No. 145, Section 67.319, Page 5, Line 53, by inserting the following after all of said section and line:

“67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of five **or nine** members[.]. **The number of members of the board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and are** to be appointed as follows:

(a) **For a five-member board:**

a. One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

[(b)] b. Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; **and**

[(c)] c. One member shall be appointed by the governing body of the county in which the city is located;

(b) **For a nine-member board:**

a. **Two members shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;**

b. **Five members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; and**

c. **Two members shall be appointed by the governing body of the county in which the city is located.**

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. **If there are more than seven members initially appointed, the eighth and ninth members shall be designated to serve for terms of two years.** Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

**(4) If an economic development tax board established by a city is already in existence on August 28, 2011, any increase in the number of members of the board shall be designated in an order or ordinance. The sixth and seventh members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the two board member positions that were originally appointed to terms of four years. The eighth and ninth members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.**

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.

[67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county, or state general, primary, or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or city or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax under and pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the



tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate city or municipal officer in the case of a city or municipal tax, and all expenditures of funds arising from the local option economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or city or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in and by this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process; and
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of five members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; and

(c) One member shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities, towns or villages. Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects, or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project, or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project, or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project, or area designation.

15. Notwithstanding any other provision of law to the contrary, the local option economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the department of economic development shall submit to the joint committee on economic development a report which shall include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year; and

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings, or both;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

- (f) Marketing;
- (g) Administration and legal expenses; and
- (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered **House Amendment No. 1 to House Amendment No. 24.**

*House Amendment No. 1*

*to*

*House Amendment No. 24*

AMEND House Amendment No. 24 to House Committee Substitute for Senate Bill No. 145, Page 3, Line 16, by deleting all of said line and inserting in lieu thereof the following:

“term to which they were elected or appointed and until their successors are elected and qualified.

321.552. 1. **Any ambulance or fire protection district may impose a sales tax as provided in this section, except in the following counties:**

- (1) Any county of the first classification with over two hundred thousand inhabitants[, or];
- (2) Any county of the first classification [without a charter form of government and] with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; [or]
- (3) Any county of the first classification [without a charter form of government and] with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; [or]
- (4) Any county with a charter form of government with over one million inhabitants, **except as provided in subsection 9 of this section;** [or]
- (5) Any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants[.].

2. The governing body of any ambulance or fire protection district may impose a sales tax in an amount up to one-half of one percent on all retail sales made in such ambulance or fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 provided that such sales tax shall be accompanied by a reduction in the district's tax rate as defined in section 137.073. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the ambulance or fire protection district submits to the voters of such ambulance or fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the ambulance or fire protection district to impose a tax pursuant to this section.

[2.] 3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall ..... (insert name of ambulance or fire protection district) impose a sales tax of ..... (insert amount up to one-half) of one percent for the purpose of providing revenues for the operation of the ..... (insert

name of ambulance or fire protection district) and the total property tax levy on properties in the ..... (insert name of the ambulance or fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year's revenue collected from this sales tax?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

[3.] 4. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the ambulance or fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the ambulance or fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such ambulance or fire protection district resubmits a proposal to authorize the governing body of the ambulance or fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

[4.] 5. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

[5.] 6. All sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". The moneys in the ambulance or fire protection district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the governing body of the district which levied the tax; such funds shall be deposited with the board treasurer of each such district.

[6.] 7. The director of revenue may make refunds from the amounts in the trust fund and credit any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. If any district abolishes the tax, the district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

[7.] 8. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

**9. Any fire protection district in any county with a charter form of government and with more than one million inhabitants with a general revenue operating budget of less than five million dollars to which section 72.418 applies may impose a sales tax as provided in this section.”; and”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 24** was adopted.

On motion of Representative Ellinger, **House Amendment No. 24, as amended**, was adopted.

Representative Weter offered **House Amendment No. 25.**

*House Amendment No. 25*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“70.660. 1. Except as otherwise provided herein, before the date the first payment of a person's allowance becomes due but not thereafter, a person about to become a retirant may elect to receive his or her allowance for life with or without a partial lump-sum distribution, as provided in this subsection. A person about to become a retirant may elect to receive a partial lump-sum distribution equal to twenty-four times the amount of his or her monthly allowance for life, not including any monthly temporary allowance which may be payable. Such lump sum shall be paid to the retirant, upon written application to the board, not fewer than ninety days nor more than one hundred fifty days after the date the first payment of his or her monthly allowance becomes due. The retirant's monthly life allowance shall be reduced to eighty-four percent if the retirant's age at the time of retirement is sixty, which percent shall be decreased by four-tenths of one percent for each year the retirant's age at the time of retirement is greater than sixty, or which percent shall be increased by four-tenths of one percent for each year the retirant's age at the time of retirement is less than sixty, **up to a maximum of ninety percent.** The reductions in monthly life allowance in this subsection shall be calculated and applied before any reductions under subsection 2 of this section are calculated and applied.

2. Before the date the first payment of a person's allowance becomes due but not thereafter, a person about to become a retirant may elect to have his or her allowance for life reduced but not any temporary allowance which may be payable, and nominate a beneficiary, as provided by option A, B, C, or D set forth below:

(1) Option A. Under option A, a retirant's allowance payable to the retirant shall be reduced to a certain percent of the allowance otherwise payable to the retirant. If such first payment due date is on or after October 1, 1998, such percent shall be eighty-five percent if the retirant's age and the retirant's beneficiary's age are the same on such first due date, which shall be decreased by three-quarters of one percent for each year that the beneficiary's age is less than the retirant's age, or which shall be increased by three-quarters of one percent, up to a maximum of ninety percent, for each year that the beneficiary's age is more than the retirant's age. Upon the retirant's death three-quarters of the retirant's reduced allowance to which the retirant would have been entitled had the retirant lived shall be paid to his or her surviving beneficiary, nominated before such first payment due date but not thereafter, who was the retirant's spouse for not less than the two years immediately preceding such first payment due date, or another person aged forty years or older receiving more than one-half support from the retirant for not less than the two years immediately preceding such first payment due date.

(2) Option B. Under option B, a retirant's allowance payable to the retirant shall be reduced to a certain percent of the allowance otherwise payable to the retirant. If such first payment due date is on or after October 1, 1998, such percent shall be ninety percent if the retirant's age and the retirant's beneficiary's age are the same on such first payment due date, which shall be decreased by one-half of one percent for each year that the beneficiary's age is less than the retirant's age, or which shall be increased by one-half of one percent, up to a maximum of ninety-five percent for each year that the beneficiary's age is more than the retirant's age. Upon the retirant's death one-half of his or her reduced allowance to which the retirant would have been entitled had the retirant lived shall be paid to the retirant's surviving beneficiary, nominated before such first payment due date but not thereafter, who was either the retirant's spouse for not less than the two years immediately preceding such first payment due date, or another person aged forty years or older receiving more than one-half support from the retirant for not less than the two years immediately preceding such first payment due date.

(3) Option C. Under option C, a retirant's allowance payable to the retirant shall be reduced to ninety-five percent of the allowance otherwise payable to the retirant if such first payment due date is on or after October 1, 1998. If the retirant dies before having received one hundred twenty monthly payments of his or her reduced allowance, his or her reduced allowance to which the retirant would have been entitled had the retirant lived shall be paid for the remainder of the one hundred twenty months' period to such person as the retirant shall have nominated by written designation duly executed and filed with the board. If there is no such beneficiary surviving the retirant, the reserve for such allowance for the remainder of such one hundred twenty months' period shall be paid to the retirant's estate.

(4) Option D. Some other option approved by the board which shall be the actuarial equivalent of the allowance to which the member is entitled under this system.

3. The death of the beneficiary designated under option A or B of subsection 2 of this section before the death of the retirant after retirement shall, upon written notification to the system of the death of the beneficiary, cancel any optional plan elected at retirement to provide continuing lifetime benefits to the beneficiary and shall return the retirant

to his or her single lifetime benefit equivalent, to be effective the month following receipt of the written notification of the death of the beneficiary by the system.

4. If a member fails to elect a benefit option under subsection 2 of this section, his or her allowance for life shall be paid to the member as a single lifetime benefit.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 25** was adopted.

Representative Hampton offered **House Amendment No. 26**.

*House Amendment No. 26*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said section and line, the following:

“256.400. As used in sections 71.287 and 256.400 to [256.430] **256.433**, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Department", the department of natural resources;
- (2) "Director", the director of the department of natural resources;
- (3) "Division", the division of geology and land survey of the department of natural resources;
- (4) "Major water user", any person, firm, corporation or the state of Missouri, its agencies or corporations and any other political subdivision of this state, their agencies or corporations, with a water source and equipment necessary to withdraw or divert one hundred thousand gallons or more per day from any stream, river, lake, well, spring or other water source;
- (5) "State geologist", the director of the division of geology and land survey of the department of natural resources;
- (6) "Water source", any stream, river, lake, well, spring or other water source.

**256.433. Notwithstanding any provision of law to the contrary, no major water user shall convey water withdrawn or diverted from within the Southeast Missouri Regional Water District created under section 256.643 when such withdrawal or diversion and subsequent conveyance to a location outside such district unduly interferes with the reasonable and customary activities of a major water user registered under section 256.410 located within said district. If such conveyance occurs, the attorney general or the party or parties affected may file an action for an injunction, however, in no case shall an injunction be issued if the injunction would be detrimental to public health or safety.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hampton, **House Amendment No. 26** was adopted.

Representative Schieber offered **House Amendment No. 27**.

*House Amendment No. 27*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

"67.1956. 1. In each tourism community enhancement district established pursuant to section 67.1953, there shall be a board of directors, to consist of seven members. Three members shall be selected by the governing body of the city, town or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. Two members shall be selected by the governing body of the city, town or village, located within the district, that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district, if such a city, town or village exists in the district. If no such city,

town or village exists in the district then two additional members shall be selected by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member shall be selected by the governing body of the county located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member shall be selected by the governing body of the county located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district.

2. Of the members first selected, the three members [from] **selected by** the city, town or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district shall be selected for a term of three years, the two members [from] **selected by** the city, town, or village located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district shall be selected for a term of two years, and the remaining members shall be selected for a term of one year. Thereafter, each member selected shall serve a three-year term. **Except in any city of the fourth classification with more than two thousand nine hundred but fewer than three thousand inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but fewer than seventy-three thousand eight hundred inhabitants,** every member shall be either a resident of the district, own real property within the district, be employed by a business within the district, or operate a business within the district. All members shall serve without compensation. The board shall elect its own treasurer, secretary and such other officers as it deems necessary and expedient, and it may make such rules, regulations, and bylaws to carry out its duties pursuant to sections 67.1950 to 67.1977.

3. Any vacancy within the board shall be filled in the same manner as the person who vacated the position was selected within sixty days of the vacancy occurring, with the new person serving the remainder of the term of the person who vacated the position. In the event that a person is not so selected within sixty days of the vacancy occurring, the remaining members of the board shall select a person to serve the remainder of the term of the person who vacated the position.

4. If a tourism community enhancement district is already in existence on August 28, 2005, the one additional board member shall be appointed by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district for a one-year term and the other additional board member shall be appointed by the governing body of the county located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district for a two-year term, thereafter all board members shall serve three-year terms. The existing board members shall serve out their terms with the provisions of this section controlling the appointment of successor board members, with first and second **existing** board [existing] positions to expire to be appointed by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district, the third and fourth existing board positions to expire to be appointed by the governing body of the city, town, or village located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district and the fifth existing board position to expire to be appointed by the governing body of the county located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district.

5. The board, on behalf of the district, may:

- (1) Cooperate with public agencies and with any industry or business in the implementation of any project;
- (2) Enter into any agreement with any public agency, person, firm, or corporation to implement any of the provisions of sections 67.1950 to 67.1977;
- (3) Contract and be contracted with, and sue and be sued; and
- (4) Accept gifts, grants, loans, or contributions from the United States of America, the state, any political subdivision, foundation, other public or private agency, individual, partnership or corporation on behalf of the tourism enhancement district community."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hough offered **House Amendment No. 1 to House Amendment No. 27.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 27*

AMEND House Amendment No. 27 to House Committee Substitute for Senate Bill No. 145, Page 5, Section 238.235, Line 34, by inserting immediately after said line the following:

‘Further amend said bill, Page 5, Section 67.319, Line 53, by inserting immediately after said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;  
(2) Establish one-way streets and provide for the regulation of vehicles thereon;  
(3) Require vehicles to stop before crossing certain designated streets and boulevards;  
(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;  
(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

**5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.**

**444.771. Notwithstanding any other provision of law to the contrary, the commission and the department shall not issue any permits under this chapter or under chapters 643 or 644, RSMo, to any person whose mine plan boundary is within 1,000 feet of any real property where an accredited school has been located for at least five years prior to such application for permits made pursuant to these provisions, except that the provisions of this section shall not apply to any request for an expansion to an existing mine and/or to any underground mining operation.”; and**



Further amend said bill, Page 6, Section 488.026, Line 12, by inserting immediately after said line the following:

**537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

**2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.**

**3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and’; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 1 to House Amendment No. 27** was adopted.

Representative Kelly (24) offered **House Amendment No. 2 to House Amendment No. 27.**

**House Amendment No. 2 to House Amendment No. 27** was withdrawn.

On motion of Representative Schieber, **House Amendment No. 27, as amended**, was adopted.

Representative Smith (150) resumed the Chair.

Representative McNary offered **House Amendment No. 28.**

*House Amendment No. 28*

AMEND House Committee Substitute for Senate Bill No. 145, Page 7, Section 1, Line 54, by inserting after all of said section and line, the following:

**“Section 2. 1. There is hereby created a twelve-member interim committee to study and review the issue of consolidating all of the fire protection districts and fire departments in any county with a charter form of government and with more than one million inhabitants into at least one but not more than seven consolidated fire protection districts. In studying this issue the committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from the state department of public safety, and the fire protection districts, fire departments, ambulance districts, and any other special districts or political subdivisions within the county or bordering the county, as well as professional groups or association representing fire fighters, and the general public. The committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary for submission to the general assembly by December 31, 2011.**

**2. The committee shall consist of twelve members as follows:**

**(1) Two members of the house of representatives appointed by the speaker, who shall be from different political parties;**

**(2) Two member of the senate appointed by the president pro tem, who shall be from different political parties;**

**(3) A member of the governing body of any county with a charter form of government and with more than one million inhabitants, appointed by the county executive;**

- (4) The president of the board of directors of the county municipal league in any county with a charter form of government and with more than one million inhabitants, or the president's designee;
- (5) A representative from the international association of fire fighters;
- (6) A chief of a fire protection district within any county with a charter form of government and with more than one million inhabitants, or the chief's designee, appointed by majority vote of the governing body of the county;
- (7) A chief of a municipal fire department within any county with a charter form of government and with more than one million inhabitants, or the chief's designee, appointed by a majority vote of the governing body of the county;
- (8) A representative of the insurance industry, appointed by the governor, with the advice and consent of the senate;
- (9) A member of the general public residing within any county with a charter form of government and with more than one million inhabitants, appointed by the governor, with the advice and consent of the senate; and
- (10) An outside consultant with experience regarding consolidation issues, appointed by the governor, with the advice and consent of the senate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cookson offered **House Amendment No. 1 to House Amendment No. 28.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 28*

AMEND House Amendment No. 28 to House Committee Substitute for Senate Bill No. 145, Page 1, Line 4, by inserting before said line the following:

‘Amend said bill, Page 5, Section 67.319, Line 53, by inserting all of said line the following:

“67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than five thousand nine hundred but fewer than six thousand inhabitants may impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [or], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room, **RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room, **RV site, or campsite** and all other taxes imposed by law, and [fifty percent of] the proceeds of such tax shall be used [by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used] to fund the promotion, **operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:  
Shall ..... (insert the name of the county) impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [and], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in ..... (name of county) at a rate of ..... (insert rate of percent) percent for the [benefit of the county] **promotion, operation, and development of tourism?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cookson moved that **House Amendment No. 1 to House Amendment No. 28** be adopted.

Which motion was defeated.

On motion of Representative McNary, **House Amendment No. 28** was adopted.

Representative Conway (27) offered **House Amendment No. 29**.

*House Amendment No. 29*

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53, by inserting after all of said line the following:

**"67.451. Any city in which voters have approved fees to recover costs associated with enforcement of municipal housing, property maintenance, or nuisance ordinances may issue a special tax bill against the property where such ordinance violations existed. The officer in charge of finance shall cause the amount of unrecovered costs to be included in a special tax bill or added to the annual real estate tax bill for the property at the collecting official's option, and the costs shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by laws governing delinquent and back taxes. The tax bill shall be deemed a personal debt against the owner from the date of issuance, and shall also be a lien on the property until paid. Notwithstanding any provision of the city's charter to the contrary, the city may provide, by ordinance, that the city may discharge the special tax bill upon a determination by the city that a public benefit will be gained by such discharge, and such discharge shall include any costs of tax collection, accrued interest, or attorney fees related to the special tax bill.";** and

Further amend said bill, Page 5, Section 475.115, Line 15, by inserting after all of said line the following:

**"479.011. 1. (1) The following cities may establish an administrative adjudication system under this section:**

**(a) Any city not within a county [or];**  
**(b) Any home rule city with more than four hundred thousand inhabitants and located in more than one county;**  
**(c) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.**

**(2) The cities listed in subdivision (1) of this subsection may establish, by order or ordinance, an administrative system for adjudicating housing, property maintenance, nuisance, parking, and other civil, nonmoving municipal code violations consistent with applicable state law. Such administrative adjudication system shall be subject to practice, procedure, and pleading rules established by the state supreme court, circuit court, or municipal court. This section shall not be construed to affect the validity of other administrative adjudication systems authorized by state law and created before August 28, 2004.**

**2. The order or ordinance creating the administrative adjudication system shall designate the administrative tribunal and its jurisdiction, including the code violations to be reviewed. The administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance and in a manner consistent with state law. The administrative tribunal shall adopt policies and procedures for administrative hearings, and filing and notification requirements for appeals to the municipal or circuit court, subject to the approval of the municipal or circuit court.**

**3. The administrative adjudication process authorized in this section shall ensure a fair and impartial review of contested municipal code violations, and shall afford the parties due process of law. The formal rules of evidence shall not apply in any administrative review or hearing authorized in this section. Evidence, including hearsay, may be admitted only if it is the type of evidence commonly relied upon by reasonably prudent persons in the conduct of their affairs. The code violation notice, property record, and related documentation in the proper form, or a copy thereof, shall be prima facie evidence of the municipal code violation. The officer who issued the code violation citation need not be present.**

4. An administrative tribunal may not impose incarceration or any fine in excess of the amount allowed by law. Any sanction, fine or costs, or part of any fine, other sanction, or costs, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under chapter 536 shall be a debt due and owing the city, and may be collected in accordance with applicable law.

5. Any final decision or disposition of a code violation by an administrative tribunal shall constitute a final determination for purposes of judicial review. Such determination is subject to review under chapter 536 or, at the request of the defendant made within ten days, a trial de novo in the circuit court. After expiration of the judicial review period under chapter 536, unless stayed by a court of competent jurisdiction, the administrative tribunal's decisions, findings, rules, and orders may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Upon being recorded in the manner required by state law or the uniform commercial code, a lien may be imposed on the real or personal property of any defendant entering a plea of nolo contendere, pleading guilty to, or found guilty of a municipal code violation in the amount of any debt due the city under this section and enforced in the same manner as a judgment lien under a judgment of a court of competent jurisdiction. **The city may also issue a special tax bill to collect fines issued for housing, property maintenance, and nuisance code violations.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Tilley assumed the Chair.

On motion of Representative Conway (27), **House Amendment No. 29** was adopted.

On motion of Representative Gatschenberger, **HCS SB 145, as amended**, was adopted.

On motion of Representative Gatschenberger, **HCS SB 145, as amended**, was read the third time and passed by the following vote:

AYES: 099

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Casey	Cauthorn	Cierpiot	Conway 27
Cox	Cross	Davis	Denison	Diehl
Ellinger	Elmer	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kelley 126
Kelly 24	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leara	Loehner
Long	McCaherty	McDonald	McGeoghegan	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nichols	Nolte	Phillips	Quinn
Richardson	Riddle	Rowland	Schad	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Solon	Still	Stream	Talboy
Taylor	Torpey	Wallingford	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 051

Brattin	Brown 85	Burlison	Carlson	Carter
Colona	Conway 14	Cookson	Crawford	Curtman
Day	Dugger	Entlicher	Fuhr	Guernsey
Jones 63	Kander	Keeney	Kirkton	Klippenstein

## 1943 *Journal of the House*

Koenig	Korman	Leach	Lichtenegger	Marshall
May	McCann Beatty	McManus	McNeil	Montecillo
Newman	Oxford	Pace	Parkinson	Peters-Baker
Pierson	Pollock	Rizzo	Ruzicka	Scharnhorst
Schieber	Schupp	Sifton	Smith 71	Smith 150
Spreng	Swearingen	Thomson	Walton Gray	Webb
Wells				

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Brown 116	Dieckhaus	Hodges	Redmon
Reiboldt	Sater	Swinger	Webber	Wright

VACANCIES: 003

Speaker Tilley declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 338**, entitled:

An act to amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 57, as amended**, and has taken up and passed **HCS SB 57, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS#2 SB 96** and has taken up and passed **HCS#2 SB 96**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 135, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 163, as amended**, and has taken up and passed **HCS SCS SB 163, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 282, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

## BILLS CARRYING REQUEST MESSAGES

**HCS SS#2 SCS SB 8, as amended**, relating to workers' compensation, was taken up by Representative Fisher.

Representative Fisher moved that the House refuse to recede from its position on **HCS SS#2 SCS SB 8, as amended**, and grant the Senate a conference thereon and allow the conferees to exceed the differences and bind the conferees to Chapter 287 with regards to the Second Injury Fund.

Which motion was adopted.

**HCS SB 173, as amended**, relating to transportation and infrastructure, was taken up by Representative Cierpiot.

Representative Cierpiot moved that the House refuse to recede from its position on **HCS SB 173, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SB 282, as amended**, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to recede from its position on **HCS SB 282, as amended**, and grant the Senate a conference.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Phillips
Pollock	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

## 1945 *Journal of the House*

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Ellinger	Fallert
Harris	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Solon	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Brown 50	Brown 116	Day	Diehl
Hodges	Long	McGhee	Parkinson	Redmon
Reiboldt	Sater	Scharnhorst	Smith 71	Swinger
Webber	Wright			

VACANCIES: 003

**HCS SS SB 135, as amended**, relating to environmental protections, was taken up by Representative Jones (89).

Representative Jones (89) moved that the House refuse to recede from its position on **HCS SS SB 135, as amended**, and grant the Senate a conference.

Which motion was adopted.

### HOUSE BILL WITH SENATE AMENDMENTS

**SCS HB 142, as amended**, relating to auditors in charter counties, was taken up by Representative Gatschenberger.

Representative Gatschenberger moved that the House refuse to adopt **SCS HB 142, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

## BILLS IN CONFERENCE

**CCR SCS HCS HB 2**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 2** was adopted by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	May	McCaherty
McCann Beatty	McGeoghegan	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 012

Carlson	Hughes	McNeil	Newman	Oxford
Pace	Schupp	Sifton	Smith 71	Still
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 020

Bahr	Black	Cross	Elmer	Funderburk
Gatschenberger	Hampton	Hodges	Korman	Long
McDonald	McGhee	Redmon	Reiboldt	Sater
Scharnhorst	Schieffer	Swinger	Wallingford	Wright

VACANCIES: 003



On motion of Representative Silvey, **CCS SCS HCS HB 2** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 012

Carlson	Hughes	McNeil	Newman	Oxford
Pace	Schupp	Sifton	Smith 71	Still
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 009

Ellinger	Elmer	Hodges	McDonald	Redmon
Reiboldt	Sater	Swinger	Wright	

VACANCIES: 003

Speaker Tilley declared the bill passed.

Representative Keeney assumed the Chair.

**CCR SCS HCS HB 3**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 3** was adopted by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 011

Carlson	Hughes	McNeil	Newman	Oxford
Pace	Schad	Schupp	Smith 71	Still
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 009

Hodges	Largent	McDonald	Redmon	Reiboldt
Sater	Swinger	Taylor	Wright	

VACANCIES: 003

1949 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 3** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Neth	Nichols	Nolte
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 010

Carlson	Hughes	McNeil	Newman	Oxford
Pace	Schupp	Smith 71	Still	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 010

Cookson	Hodges	McDonald	Nasheed	Redmon
Reiboldt	Sater	Swinger	Taylor	Wright

VACANCIES: 003

Representative Keeney declared the bill passed.

**CCR SCS HCS HB 4**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 4** was adopted by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 009

Hughes	May	McNeil	Newman	Oxford
Schupp	Sifton	Smith 71	Webber	

PRESENT: 001

Walton Gray

ABSENT WITH LEAVE: 010

Hodges	McDonald	Parkinson	Redmon	Reiboldt
Sater	Scharnhorst	Swinger	Taylor	Wright

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 4** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nolte	Pace	Phillips	Pollock	Quinn
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 014

Carlson	Hughes	Kirkton	May	McNeil
Newman	Nichols	Oxford	Peters-Baker	Pierson
Schupp	Sifton	Smith 71	Webber	

PRESENT: 001

Walton Gray

ABSENT WITH LEAVE: 013

Asbury	Cierpiot	Hodges	Jones 63	McDonald
Parkinson	Redmon	Reiboldt	Sater	Scharnhorst
Swinger	Taylor	Wright		

VACANCIES: 003

Representative Keeney declared the bill passed.

Representative Cox assumed the Chair.

**CCR SCS HCS HB 5**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 5** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Peters-Baker
Phillips	Pierson	Pollock	Quinn	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 003

Hughes	Marshall	Oxford
--------	----------	--------

PRESENT: 000

ABSENT WITH LEAVE: 012

Funderburk	Hodges	McManus	Parkinson	Redmon
Reiboldt	Sater	Scharnhorst	Swinger	Taylor
Wallingford	Wright			

VACANCIES: 003

1953 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 5** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 003

Marshall	Oxford	Smith 71
----------	--------	----------

PRESENT: 000

ABSENT WITH LEAVE: 014

Cierpiot	Day	Hodges	Hughes	Lauer
Nolte	Parkinson	Redmon	Reiboldt	Sater
Schad	Swinger	Taylor	Wright	

VACANCIES: 003

Representative Cox declared the bill passed.

**CCR SCS HCS HB 6**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 6** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Pace	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 001

Oxford

PRESENT: 001

Black

ABSENT WITH LEAVE: 013

Brown 85	Cookson	Hodges	Hughes	McGeoghegan
Nasheed	Parkinson	Redmon	Reiboldt	Sater
Swinger	Taylor	Wright		

VACANCIES: 003



1955 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 6** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Pace	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 001

Oxford

PRESENT: 001

Black

ABSENT WITH LEAVE: 013

Aull	Barnes	Hodges	Hughes	Nasheed
Parkinson	Redmon	Sater	Scharnhorst	Swinger
Taylor	White	Wright		

VACANCIES: 003

Representative Cox declared the bill passed.

**CCR SCS HCS HB 7, as amended**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 7, as amended**, was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Long
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Peters-Baker	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 021

Atkins	Bahr	Brattin	Carlson	Hummel
Lasater	Marshall	May	McGeoghegan	McNeil
Montecillo	Oxford	Pace	Phillips	Pierson
Rizzo	Schupp	Smith 71	Spreng	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 008

Hodges	Hughes	Loehner	Redmon	Sater
Swinger	Taylor	Wright		

VACANCIES: 003

1957 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 7** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Peters-Baker	Phillips	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 024

Atkins	Bahr	Brattin	Carlson	Colona
Dugger	Hummel	Koenig	Lasater	Marshall
May	McGeoghegan	McNeil	Montecillo	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Denison	Hodges	Hughes	Redmon	Sater
Still	Swinger	Taylor	Wright	

VACANCIES: 003

Representative Cox declared the bill passed.

**CCR SCS HCS HB 8**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 8** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 008

Hodges	Hughes	Redmon	Sater	Scharnhorst
Swinger	Taylor	Wright		

VACANCIES: 003

1959 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 8** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 002

Oxford Webb

PRESENT: 000

ABSENT WITH LEAVE: 008

Davis	Hodges	Hughes	Lair	Sater
Swinger	Taylor	Wright		

VACANCIES: 003

Representative Cox declared the bill passed.

Representative Kelly (24) assumed the Chair.

**CCR SCS HCS HB 9**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 9** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 008

Hodges	Hughes	Sater	Schneider	Schupp
Swinger	Taylor	Wright		

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 9** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 002

Hughes                      Oxford

PRESENT: 000

ABSENT WITH LEAVE: 005

Hodges                      Sater                      Swinger                      Taylor                      Wright

VACANCIES: 003

Representative Kelly (24) declared the bill passed.

**CCR SCS HCS HB 10**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 10** was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swearingen	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 017

Colona	Holsman	Hughes	Hummel	Kratky
Newman	Oxford	Pace	Peters-Baker	Rizzo
Smith 71	Spreng	Still	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 006

Grisamore	Hodges	Sater	Swinger	Taylor
Wright				

VACANCIES: 003



1963 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 10** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Stream	Swearingen	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 016

Colona	Hughes	Hummel	Kratky	McDonald
Newman	Oxford	Peters-Baker	Rizzo	Smith 71
Spreng	Still	Talboy	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 006

Day	Hodges	Sater	Swinger	Taylor
Wright				

VACANCIES: 003

Representative Kelly (24) declared the bill passed.

Representative Cauthorn assumed the Chair.

**CCR SCS HCS HB 11**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 11** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 002

Hughes	Oxford
--------	--------

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Hodges	Lant	Sater	Swinger
Taylor	Wright			

VACANCIES: 003

1965 *Journal of the House*

On motion of Representative Silvey, **CCS SCS HCS HB 11** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Peters-Baker	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 002

Hughes                      Oxford

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Hodges	Lant	Sater	Swinger
Taylor	Wright			

VACANCIES: 003

Representative Cauthorn declared the bill passed.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2**, and has taken up and passed **CCS SCS HCS HB 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 3**, and has taken up and passed **CCS SCS HCS HB 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 4**, and has taken up and passed **CCS SCS HCS HB 4**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 5**, and has taken up and passed **CCS SCS HCS HB 5**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 142, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 282**, entitled:

An act to repeal sections 70.710, 70.720, 70.730, 86.900, 86.1030, 86.1100, 86.1110, 86.1120, 86.1140, 86.1150, 86.1230, 86.1240, 86.1250, 86.1310, 86.1420, 86.1480, 86.1490, 86.1500, 86.1510, 86.1540, 86.1560, 86.1600, 86.1610, 86.1620, 87.205, 87.207, 105.915, and 105.927, RSMo, and to enact in lieu thereof thirty-one new sections relating to public employee retirement.

With Senate Amendment No. 1 and Senate Amendment No. 2.

### *Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 282, Page 65, Section 104.603, Line 12 of said page, by inserting immediately after said line the following:

"105.661. 1. Each plan shall annually prepare and have available as public information a comprehensive annual financial report showing the financial condition of the plan as of the end of the plan's fiscal year. The report shall contain, but not be limited to, detailed financial statements prepared in accordance with generally accepted accounting principles for public employee retirement systems including an independent auditors report thereon, prepared by a certified public accountant or a firm of certified public accountants, a detailed summary of the plan's most recent actuarial valuation including a certification letter from the actuary and a summary of actuarial assumptions and methods used in such valuation, a detailed listing of the investments, showing both cost and market value, held by the plan as of the date of the report together with a detailed statement of the annual rates of investment return from all assets and from each type of investment, a detailed list of investments acquired and disposed of during the fiscal year, a listing of the plan's board of trustees or responsible administrative body and administrative staff, a detailed list of administrative expenses of the plan including all fees paid for professional services, a detailed list of brokerage commissions paid, a summary plan description, and such other data as the plan shall deem necessary or desirable for a proper understanding of the condition of the plan. In the event a plan is unable to comply with any of the disclosure requirements outlined above, a detailed statement must be included in the report as to the reason for such noncompliance.

2. Any rule or portion of rule promulgated by any plan pursuant to the authority of chapter 536, or of any other provision of law, shall be submitted to the joint committee on public employee retirement prior to or concurrent with the filing of a notice of proposed rulemaking with the secretary of state's office pursuant to section 536.021. The requirement of this subsection is intended solely for the purpose of notifying the joint committee on public employee retirement with respect to a plan's proposed rulemaking so that the joint committee on public employee retirement has ample opportunity to submit comments with respect to such proposed rulemaking in accordance with the normal process. Any plan not required to file a notice of proposed rulemaking with the secretary of state's office shall submit any proposed rule or portion of a rule to the joint committee on public employee retirement within ten days of its promulgation.

3. A copy of the comprehensive annual financial report as outlined in subsection 1 of this section shall be forwarded within six months of the end of the plan's fiscal year to the state auditor and the joint committee on public employee retirement.

**4. Each defined benefit plan shall submit a quarterly report regarding the plan's investment performance to the joint committee on public employee retirement in the form and manner requested by the committee. If the plan fails to submit this report, the committee may subpoena witnesses, take testimony under oath, and compel the production of records regarding this information, pursuant to its authority under section 21.561."; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 282, Page 59, Section 87.205, Line 8, by inserting after the word "student" the following:

**", fails to provide proof of achievement of a grade point average of two on a four-point scale or the equivalent on another scale for each academic term,".**

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 578**, entitled:

An act to amend chapter 260, RSMo, by adding thereto one new section relating to the disposal of tires.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 737**, entitled:

An act to repeal sections 135.950, 135.963, and 137.010, RSMo, section 135.953 as enacted by conference committee substitute for senate committee substitute for house committee substitute for house bill no. 1965, ninety-fifth general assembly, second regular session, and section 135.953 as enacted by house committee substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session, and to enact in lieu thereof four new sections relating to renewable energy.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS#2 SCS SB 8, as amended**: Senators Goodman, Crowell, Pearce, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 173, as amended**: Senators Dixon, Stouffer, Rupp, Callahan and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 220, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Speaker Tilley resumed the Chair.

### APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

**SCS HB 142**: Representatives Gatschenberger, Diehl, Lauer, Quinn and Taylor  
**HCS SS#2 SCS SB 8**: Representatives Fisher, Nolte, Richardson, Meadows and McManus  
**HCS SS SB 135**: Representatives Jones (89), Ruzicka, Pollock, Holsman and Brown (50)  
**HCS SB 173**: Representatives Cierpiot, Long, Smith (150), Fallert and Casey  
**HCS SB 282**: Representatives Dugger, Smith (150), Cox, Conway (27) and Newman

Speaker Pro Tem Schoeller resumed the Chair.

### BILLS IN CONFERENCE

**CCR SCS HCS HB 12**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 12** was adopted by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson

## 1969 *Journal of the House*

Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 024

Carlson	Colona	Hughes	Hummel	Kander
Kratky	May	McCann Beatty	McNeil	Montecillo
Newman	Oxford	Pace	Peters-Baker	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Talboy	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 008

Ellinger	Hodges	Lant	Rowland	Sater
Swinger	Taylor	Wright		

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 12** was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGeoghegan	McGhee	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 030

Carlson	Carter	Colona	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kratky
May	McCann Beatty	McDonald	McManus	McNeil
Montecillo	Newman	Oxford	Pace	Peters-Baker
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Talboy	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Cierpiot	Hodges	Lant	Sater
Swinger	Taylor	Wright		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**CCR SCS HCS HB 13**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SCS HCS HB 13** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Peters-Baker	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Thomson	Torpey



## 1971 *Journal of the House*

Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Ellinger	Hodges	Lant	Sater
Swinger	Talboy	Taylor	Wright	

VACANCIES: 003

On motion of Representative Silvey, **CCS SCS HCS HB 13** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Peters-Baker	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Hodges	Hughes	Lant	Sater	Swinger
Taylor	Wright			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### **HOUSE BILL WITH SENATE AMENDMENTS**

**SCS HB 101, as amended**, relating to liquor and wine tasting, was taken up by Representative Loehner.

Representative Loehner moved that the House refuse to adopt **SCS HB 101, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference thereon, and that the conferees be allowed to exceed the differences on Sections 311.088 and 311.486.

Which motion was adopted.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 6**, and has taken up and passed **CCS SCS HCS HB 6**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 7, as amended**, and has taken up and passed **CCS SCS HCS HB 7**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 8**, and has taken up and passed **CCS SCS HCS HB 8**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 9**, and has taken up and passed **CCS SCS HCS HB 9**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 10**, and has taken up and passed **CCS SCS HCS HB 10**.

### BILL CARRYING REQUEST MESSAGES

**HCS SB 220, as amended**, relating to architects, engineers and surveyors, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SB 220, as amended**, and grant the Senate a conference.

Which motion was adopted.

### RECESS

On motion of Representative Jones (89), the House recessed until 4:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 11**, and has taken up and passed **CCS SCS HCS HB 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 12**, and has taken up and passed **CCS SCS HCS HB 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 13**, and has taken up and passed **CCS SCS HCS HB 13**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 142, as amended**: Senators Dempsey, Mayer, Parson, McKenna and Curls.

### THIRD READING OF HOUSE BILL

**HCS HB 999**, relating to sexual offender registration, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 999** was read the third time and passed by the following vote:

AYES: 126

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey

Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Walton Gray	Webb	Weter	Wyatt	Zerr
Mr Speaker				

NOES: 016

Carlson	Davis	Entlicher	Johnson	Kander
Lauer	McCaherty	Montecillo	Pollock	Sifton
Smith 150	Solon	Wallingford	Wells	White
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brown 50	Carter	Dieckhaus	Flanigan
Hodges	Hughes	Lant	Leara	Peters-Baker
Phillips	Sater	Scharnhorst	Schieffer	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF SENATE BILLS

**HCS SB 207**, relating to property taxes and energy, was taken up by Representative Pollock.

Speaker Tilley resumed the Chair.

Representative Pollock offered **House Amendment No. 1**.

#### *House Amendment No. 1*

Amend House Committee Substitute for Senate Bill No. 207, Page 24, Section 393.1075, Line 112, by inserting immediately after said line the following:

- "620.2300. 1. As used in this section, the following terms shall mean;**
- (1) "Department", the Missouri department of economic development;**
  - (2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**
  - (3) "Commission", the Missouri public service commission;**
  - (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**
  - (5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;**
  - (6) "Major source", the same meaning as is provided under 40 C.F.R. 70.2;**
  - (7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;**
  - (8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:**
    - (a) The area consists of at least fifty contiguous acres;**
    - (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;**
    - (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;**
    - (d) The development plan for the area includes a biomass facility; and**
    - (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;**
  - (9) "Project", a clean fields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;**
  - (10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;**
  - (11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;**
  - (12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the**

project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;

(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or

(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier."; and

Further amend said bill, Page 24, Section 386.850, Line 6, by inserting after all of said line the following:

"Section B. Because of the need to ensure the creation of jobs through the utilization of alternative energy sources, the enactment of section 620.2300 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 620.2300 of the act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Pollock offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 207, Page 1, Section A, Line 10, by inserting after all of said section and line the following:

"135.950. The following terms, whenever used in sections 135.950 to 135.970 mean:

(1) "Average wage", the new payroll divided by the number of new jobs;

(2) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use. **The term "blighted area" shall also include any area which produces or generates or has the potential to produce or generate electrical energy from a renewable energy resource, and which, by reason of obsolescence, decadence, blight, dilapidation, deteriorating or inadequate site improvements, substandard conditions, the predominance or defective or inadequate street layout, unsanitary or unsafe conditions, improper subdivision or obsolete platting, or the existence of conditions which endanger the life or property by fire or other means, or any combination of such factors, is underutilized, unutilized, or diminishes the economic usefulness of the land, improvements, or lock and dam site within such area for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;**

(3) "Board", an enhanced enterprise zone board established pursuant to section 135.957;

(4) "Commencement of commercial operations" shall be deemed to occur during the first taxable year for which the new business facility is first put into use by the taxpayer in the enhanced business enterprise in which the taxpayer intends to use the new business facility;

(5) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, such taxpayer shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(6) "Department", the department of economic development;

(7) "Director", the director of the department of economic development;

(8) "Employee", a person employed by the enhanced business enterprise that is scheduled to work an average of at least one thousand hours per year, and such person at all times has health insurance offered to him or her, which is partially paid for by the employer;

(9) "Enhanced business enterprise", an industry or one of a cluster of industries that is either:

(a) Identified by the department as critical to the state's economic security and growth; or

(b) Will have an impact on industry cluster development, as identified by the governing authority in its application for designation of an enhanced enterprise zone and approved by the department; but excluding gambling establishments (NAICS industry group 7132), retail trade (NAICS sectors 44 and 45), educational services (NAICS sector 61), religious organizations (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking places (NAICS subsector 722), however, notwithstanding provisions of this section to the contrary, headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied. Service industries may be eligible only if a majority of its annual revenues will be derived from out of the state;

(10) "Existing business facility", any facility in this state which was employed by the taxpayer claiming the credit in the operation of an enhanced business enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(11) "Facility", any building used as an enhanced business enterprise located within an enhanced enterprise zone, including the land on which the facility is located and all machinery, equipment, and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(12) "Facility base employment", the greater of the number of employees located at the facility on the date of the notice of intent, or for the twelve-month period prior to the date of the notice of intent, the average number of employees located at the facility, or in the event the project facility has not been in operation for a full twelve-month period, the average number of employees for the number of months the facility has been in operation prior to the date of the notice of intent;

(13) "Facility base payroll", the total amount of taxable wages paid by the enhanced business enterprise to employees of the enhanced business enterprise located at the facility in the twelve months prior to the notice of intent, not including the payroll of owners of the enhanced business enterprise unless the enhanced business enterprise is participating in an employee stock ownership plan. For the purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on the consumer price index or other comparable measure, as determined by the department;

(14) "Governing authority", the body holding primary legislative authority over a county or incorporated municipality;

(15) "Megaproject", any manufacturing or assembling facility, approved by the department for construction and operation within an enhanced enterprise zone, which satisfies the following:

(a) The new capital investment is projected to exceed three hundred million dollars over a period of eight years from the date of approval by the department;

(b) The number of new jobs is projected to exceed one thousand over a period of eight years beginning on the date of approval by the department;

(c) The average wage of new jobs to be created shall exceed the county average wage;

(d) The taxpayer shall offer health insurance to all new jobs and pay at least eighty percent of such insurance premiums; and

(e) An acceptable plan of repayment, to the state, of the tax credits provided for the megaproject has been provided by the taxpayer;

(16) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(17) "New business facility", a facility that **does not produce or generate electrical energy from a renewable energy resource and** satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of an enhanced business enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of an enhanced business enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of an enhanced business enterprise, the portion employed by the taxpayer in the operation of an enhanced business enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), and (d) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 2004. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 2004, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 2004;

(c) If such facility was acquired by the taxpayer from another taxpayer and such facility was employed immediately prior to the acquisition by another taxpayer in the operation of an enhanced business enterprise, the operation of the same or a substantially similar enhanced business enterprise is not continued by the taxpayer at such facility; and

(d) Such facility is not a replacement business facility, as defined in subdivision (25) of this section;

(18) "New business facility employee", an employee of the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.967 is claimed, except that truck drivers and rail and barge vehicle operators and other operators of rolling stock for hire shall not constitute new business facility employees;

(19) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by 135.967 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles, aircraft and other rolling stock for hire, track, switches, barges, bridges, tunnels, and rail yards and spurs shall not constitute new business facility investments. The total value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(20) "New job", the number of employees located at the facility that exceeds the facility base employment less any decrease in the number of the employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(21) "Notice of intent", a form developed by the department which is completed by the enhanced business enterprise and submitted to the department which states the enhanced business enterprise's intent to hire new jobs and request benefits under such program;

(22) "Related facility", a facility operated by the enhanced business enterprise or a related company in this state that is directly related to the operation of the project facility;

(23) "Related facility base employment", the greater of:

(a) The number of employees located at all related facilities on the date of the notice of intent; or

(b) For the twelve-month period prior to the date of the notice of intent, the average number of employees located at all related facilities of the enhanced business enterprise or a related company located in this state;

(24) "Related taxpayer":



(a) A corporation, partnership, trust, or association controlled by the taxpayer;  
 (b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or  
 (c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. "Control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

**(25) "Renewable energy generation zone", an area which has been found, by a resolution or ordinance adopted by the governing authority having jurisdiction of such area, to be a blighted area and which contains land, improvements, or a lock and dam site which is unutilized or underutilized for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;**

**(26) "Renewable energy resource", shall include:**

(a) Wind;  
 (b) Solar thermal sources or photovoltaic cells and panels;  
 (c) Dedicated crops grown for energy production;  
 (d) Cellulosic agricultural residues;  
 (e) Plant residues;  
 (f) Methane from landfills, agricultural operations, or wastewater treatment;  
 (g) Thermal depolymerization or pyrolysis for converting waste material to energy;  
 (h) Clean and untreated wood such as pallets;  
 (i) Hydroelectric power, which shall include electrical energy produced or generated by hydroelectric power generating equipment, as such term is defined in section 137.010;

(j) Fuel cells using hydrogen produced by one or more of the renewable resources provided in paragraphs (a) to (i) of this subdivision; or

(k) Any other sources of energy, not including nuclear energy, that are certified as renewable by rule by the department of natural resources;

**(27) "Replacement business facility", a facility otherwise described in subdivision (17) of this section, hereafter referred to in this subdivision as "new facility", which replaces another facility, hereafter referred to in this subdivision as "old facility", located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year for which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:**

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of an enhanced business enterprise and the taxpayer continues the operation of the same or substantially similar enhanced business enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subdivision (19) of this section, in the new facility during the tax period for which the credits allowed in section 135.967 are claimed exceed one million dollars and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two;

**[(26)] (28) "Same or substantially similar enhanced business enterprise", an enhanced business enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed, or conducted in the same or similar manner as in another enhanced business enterprise.**

135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and  
 (2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

- (a) The state of Missouri over the previous twelve months; or
- (b) The county or city not within a county over the previous twelve months.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

- (1) The potential to create sustainable jobs in a targeted industry; or
- (2) A demonstrated impact on local industry cluster development.

**5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.**

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution **or ordinance** by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. **Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions.** In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and

Further amend said bill, Page 2, Section 137.010, by deleting all of said section and inserting in lieu thereof the following:

"137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) **"Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;**

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(3) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, **hydroelectric power generating equipment**, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, water, and sewage;

(4) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place."; and

Further amend said bill, Page 11, Section 137.080, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 2** was adopted.

Representative Smith (150) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 207, Section 137.115, Page 21, Line 198, by inserting after all of said section and line the following:

"386.420. 1. At the time fixed for any hearing before the commission or a commissioner, or the time to which the same may have been continued, the complainant, the public counsel and the corporation, person or public utility complained of, and such corporations and persons as the commission may allow to intervene, shall be entitled to be heard and to introduce evidence. The commission shall issue process to enforce the attendance of all necessary witnesses.

2. Whenever an investigation shall be made by the commission, it shall be its duty, to make a report in writing in respect thereto, which shall state the conclusions of the commission, together with its decision, order or requirement in the premises. The commission or any commissioner or any party may, in any investigation or hearing before the commission, cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in the circuit courts of this state and to that end may compel the attendance of witnesses and the production of books, waybills, documents, papers, memoranda and accounts. Witnesses whose depositions are taken as provided in this section and the officer taking the same shall severally be entitled to the same fees as are paid for like services in the circuit courts of this state.

3. If an order cannot, in the judgment of the commission, be complied with within thirty days, the commission may grant and prescribe such additional time as in its judgment is reasonably necessary to comply with the order, and may, on application and for good cause shown, extend the time for compliance fixed in its order.

4. A full and complete record shall be made of all proceedings before the commission or any commissioner on any formal hearing had, and all testimony shall be taken down by a reporter appointed by the commission, and the parties shall be entitled to be heard in person or by attorney. Preparation of a printed transcript may be waived by unanimous consent of all the parties. In case of an action to review any order or decision of the commission, a transcript of such testimony, together with all exhibits or copies thereof introduced and all information secured by the commission on its own initiative and considered by it in rendering its order or decision, and of the pleadings, record and proceedings in the cause, shall constitute the record of the commission; provided, that on review of an order or decision of the commission, the [petitioner] **appellant** and the commission may stipulate that a certain question or questions alone and a specified portion only of the evidence shall be certified to the [circuit] **reviewing** court for its judgment, whereupon such stipulation and the question or questions and the evidence therein specified shall constitute the record on review. **In any proceeding resulting in the establishment of new rates for a public utility, the commission shall cause to be prepared, with the assistance of the parties to such proceeding, and shall approve, after allowing the parties a reasonable opportunity to provide written input, a detailed reconciliation containing the dollar value and rate or charge impact of each contested issue decided by the commission, and the customer class billing determinants used by the commission to calculate the rates and charges approved by the commission in such proceeding. Such information shall be sufficient to permit a reviewing court and the commission on remand from a reviewing court to determine how the public utility's rates and charges, including the rates and charges for each customer class, would need to be temporarily and, if applicable, permanently adjusted to provide customers or the public utility with any monetary relief that may be due in accordance with the procedures set forth in section 386.520. In the event there is any dispute over the value of a particular issue or the correctness of a billing determinant, the commission shall also include in the reconciliation a quantification of the dollar value and rate or charge impact associated with the dispute.**

386.490. 1. Every order of the commission shall be served upon every person or corporation to be affected thereby, either by personal delivery of a certified copy thereof, **by electronic service**, or by mailing a certified copy thereof, in a sealed package with postage prepaid, to the person to be affected thereby, or, in the case of a corporation,

to any officer or agent thereof upon whom a summons may be served in accordance with the provisions of the code of civil procedure.

2. [It shall be the duty of every person and corporation to notify the commission forthwith, in writing, of the receipt of the certified copy of every order so served, and in the case of a corporation such notification must be signed and acknowledged by a person or officer duly authorized by the corporation to admit such service. Within a time specified in the order of the commission every person and corporation upon whom it is served must if so required in the order notify the commission in like manner whether the terms of the order are accepted and will be obeyed.

3.] Every order or decision of the commission shall of its own force take effect and become operative thirty days after the service thereof, except as otherwise provided, and shall continue in force either for a period which may be designated therein or until changed or abrogated by the commission, unless such order be unauthorized by this law or any other law or be in violation of a provision of the constitution of the state or of the United States.

**386.510. With respect to commission orders or decisions issued on and after the effective date of this section,** within thirty days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the rendition of the decision on rehearing, the applicant may [apply to] **file a notice of appeal with the [circuit court of] commission, which shall also be served on the parties to the commission proceeding in accordance with section 386.515, and which shall also be filed with the appellate court with the territorial jurisdiction over the county where the hearing was held or in which the commission has its principal office [for a writ of certiorari or review (herein referred to as a writ of review)]** for the purpose of having the reasonableness or lawfulness of the original order or decision or the order or decision on rehearing inquired into or determined. [The writ shall be made returnable not later than thirty days after the date of the issuance thereof, and shall direct the commission to certify its record in the case to the court. On the return day the cause shall be heard by the circuit court, unless for a good cause shown the same be continued.] **Except with respect to a stay or suspension pursuant to subsection 1 of section 386.520,** no new or additional evidence may be introduced [upon the hearing] in the [circuit] **appellate** court but the cause shall be heard by the court without the intervention of a jury on the evidence and exhibits introduced before the commission and certified to by it. **The notice of appeal shall include the appellant's application for rehearing, a copy of the reconciliation required by subsection 4 of section 386.420, a concise statement of the issues being appealed, a full and complete list of the parties to the commission proceeding, and any other information specified by the rules of the court. Unless otherwise ordered by the court of appeals, the commission shall, within thirty days of the filing of the notice of appeal, certify its record in the case to the court of appeals.** The commission and each party to the action or proceeding before the commission shall have the right to [appear] **intervene and participate fully** in the review proceedings. Upon the [hearing the circuit] **submission of the case to the court of appeals, the court of appeals** shall [enter judgment] **render its opinion** either affirming or setting aside, **in whole or in part,** the order or decision of the commission under review. In case the order or decision is reversed by reason of the commission failing to receive testimony properly proffered, the court shall remand the cause to the commission, with instructions to receive the testimony so proffered and rejected, and enter a new order or **render a new decision** based upon the evidence theretofore taken, and such as it is directed to receive. The court may, in its discretion, remand any cause which is reversed by it to the commission for further action. No court in this state, except [the circuit courts to the extent herein specified and] the supreme court or the court of appeals [on appeal], shall have jurisdiction or **authority** to review, reverse, correct or annul any order or decision of the commission or to suspend or delay the executing or operation thereof, or to enjoin, restrain or interfere with the commission in the performance of its official duties. The [circuit] **appellate** courts of this state shall always be deemed open for the trial of suits brought to review the orders and decisions of the commission as provided in the public service commission law and the same shall **where necessary** be tried and determined as suits in equity.

**386.515.** [Prior to August 28, 2001, in proceedings before the Missouri public service commission, consistent with the decision of the supreme court of Missouri in *State ex rel. Anderson Motor Service Co., Inc. v. Public Service Commission*, 97 S.W.2d 116 (Mo. banc 1936) the review procedure provided for in section 386.510 is exclusive to any other procedure.] **With respect to commission orders or decisions issued on and after the effective date of this section,** an application for rehearing is required to be served on all parties and is a prerequisite to the filing of an [application for writ of review] **appeal under section 386.510.** The application for rehearing puts the parties to the proceeding before the commission on notice that [a writ of review] **an appeal** can follow and any such review **under the appeal** may proceed [without formal notification or summons to] **provided that a copy of the notice of appeal is served on said parties. With respect to commission orders or decisions issued on and after [August 28, 2001] the effective date of this section,** the review procedure provided for in section 386.510 continues to be exclusive except that a copy of [any such writ of review] **the notice of appeal required by section 386.510** shall be [provided to] **served**

on each party to the proceeding before the commission[, or his or her attorney of record, by hand delivery or by registered mail, and proof of such delivery or mailing shall be filed in the case as provided by subsection 2 of section 536.110] **by the appellant according to the rules established by the court in which the appeal is filed.**

386.520. 1. The pendency of [a writ of review] **an appeal under section 386.510** shall not of itself stay or suspend the operation of the order or decision of the commission, but [during the pendency of such writ, the circuit court in its discretion may stay or suspend, in whole or in part, the operation of the commission's order or decision. No order so staying or suspending an order or decision of the commission shall be made by any circuit court otherwise than on three days' notice and after hearing, and if the order or decision of the commission is suspended the same shall contain a specific finding based upon evidence submitted to the court and identified by reference thereto, that great or irreparable damage would otherwise result to the petitioner and specifying the nature of the damage. In case the order or decision of the commission is stayed or suspended, the order or judgment of the court shall not become effective until a suspending bond shall first have been executed and filed with, and approved by, the circuit court, payable to the state of Missouri, and sufficient in amount and security to secure the prompt payment, by the party petitioning for the review, of all damages caused by the delay in the enforcement of the order or decision of the commission, and of all moneys which any person or corporation may be compelled to pay, pending the review proceedings, for transportation, transmission, product, commodity or service in excess of the charges fixed by the order or decision of the commission, in case such order or decision is sustained.

2. The circuit court, in case it stays or suspends the order or decision of the commission in any manner affecting rates, fares, tolls, rentals, charges or classifications, shall also by order direct the corporation, person or public utility affected to pay into court, from time to time, there to be impounded until the final decision of the case, or into some bank or trust company paying interest on deposits, under such conditions as the court may prescribe, all sums of money which it may collect from any corporation or person in excess of the sum such corporation or person would have been compelled to pay if the order or decision of the commission had not been stayed or suspended.

3. In case any circuit court stays or suspends any order or decision of the commission lowering any rate, fare, toll, rental, charge or classification, upon the execution and approval of said suspending bond, shall forthwith require the corporation, person or public utility affected, under penalty of the immediate enforcement of the order or decision of the commission, pending the review and notwithstanding the suspending order, to keep such accounts, verified by oath, as may, in the judgment of the court, suffice to show the amounts being charged or received by such corporation, person or public utility, pending the review, in excess of the charges allowed by the order or decision of the commission, together with the names and addresses of the corporations and persons to whom overcharges will be refundable in case the charges made by the corporation, person or public utility, pending the review, be not sustained by the circuit court; provided, that street railroad corporations shall not be required to keep a record of the names and addresses of such persons paying such overcharge of fares, but such street railroad corporations shall give to such persons printed receipts showing such overcharges of fares, the form of such printed receipts to be approved by the commission.

4. The court may, from time to time, require said party petitioning for a review to give additional security on, or to increase, the said suspending bond, whenever in the opinion of the court the same may be necessary to secure the prompt payment of said damages or said overcharges.

5. Upon the decision of the circuit court, all moneys which the corporation, person or public utility may have collected pending the appeal, in excess of those authorized by such decision, together with interest, in case the court ordered the deposit of such moneys in a bank or trust company, shall be promptly paid to the corporations or persons entitled thereto, in such manner and through such methods of distribution as may be prescribed by the court, unless an appeal be granted such corporation, person or public utility, as herein provided] **with respect to commission orders or decisions issued on and after the effective date of this section that do not involve the establishment of new rates and charges for a public utility, the appellate court may in its discretion, or upon the recommendation of a special master appointed for such purpose, and after the posting of an appropriate appeal bond, stay or suspend the operation of the order or decision of the commission, in whole or in part, if in its discretion it determines that great or irreparable damage would otherwise result to the appellant.**

**2. With respect to orders or decisions issued on and after the effective date of this section that involve the establishment of new rates or charges, there shall be no stay or suspension of the commission's order or decision, however:**

**(1) In the event a final and unappealable judicial decision determines that a commission order or decision unlawfully or unreasonably decided an issue or issues in a manner affecting rates, then the court shall instruct the commission to provide temporary rate adjustments and, if new rates and charges have not been approved by the commission before the judicial decision becomes final and unappealable, prospective rate adjustments. Such adjustments shall be calculated based on the record evidence in the proceeding under review and the information**

contained in the reconciliation and billing determinants provided by the commission under subsection 4 of section 386.420 and in accordance with the procedures set forth in subdivisions (2) to (5) of this subsection;

(2) If the effect of the unlawful or unreasonable commission decision issued on or after the effective date of this section was to increase the public utility's rates and charges in excess of what the public utility would have received had the commission not erred or to decrease the public utility's rates and charges in a lesser amount than would have occurred had the commission not erred, then the commission shall be instructed on remand to approve temporary rate adjustments designed to flow through to the public utility's then existing customers the excess amounts that were collected by the utility plus interest at the higher of the prime bank lending rate minus two percentage points or zero. Such amounts shall be calculated for the period commencing with the date the rate increase or decrease took effect until the earlier of the date when new rates and charges consistent with the court's opinion became effective or when new rates or charges otherwise approved by the commission as a result of a general rate case filing or complaint became effective. Such amounts shall then be reflected as a rate adjustment over a like period of time. The commission shall issue its order on remand within sixty days unless the commission determines that additional time is necessary to properly calculate the temporary or any prospective rate adjustment, in which case the commission shall issue its order within one hundred and twenty days;

(3) If the effect of the unlawful or unreasonable commission decision was to increase the public utility's rates and charges by a lesser amount than what the public utility would have received had the commission not erred or to decrease the public utility's rates and charges in a greater amount than would have occurred had the commission not erred, then the commission shall be instructed on remand to approve temporary rate adjustments designed to allow the public utility to recover from its then existing customers the amounts it should have collected plus interest at the higher of the prime bank lending rate minus two percentage points or zero. Such amounts shall be calculated for the period commencing with the date the rate increase or decrease took effect until the earlier of the date when new permanent rates and charges consistent with the court's opinion became effective or when new permanent rates or charges otherwise approved by the commission as a result of a general rate case filing or complaint became effective. Such amounts shall then be reflected as a rate adjustment over a like period of time. The commission shall issue its order on remand within sixty days unless the commission determines that additional time is necessary to properly calculate the temporary or any prospective rate adjustment, in which case the commission shall issue its order within one hundred and twenty days;

(4) If the effect of the unlawful or unreasonable commission decision was to allocate too much of a rate increase or too little of a rate decrease to a customer class or classes, then the commission shall be instructed on remand to approve temporary rate adjustments for each customer class as necessary to ensure that each customer class is charged the amounts that would have been charged had the commission not erred. Such amounts shall be calculated for the period commencing with the date the rate increase or decrease took effect until the earlier of the date when new rates and charges consistent with the court's opinion became effective or when new rates or charges otherwise approved by the commission as a result of a general rate case filing or complaint became effective. Such amounts shall then be reflected as a rate adjustment over a like period of time. The commission shall issue its order on remand within sixty days unless the commission determines that additional time is necessary to properly calculate the temporary or any prospective rate adjustment, in which case the commission shall issue its order within one hundred and twenty days;

(5) On and after the effective date of this section, no action affecting the public utility's collection of rates and charges shall be taken in cases where the court cannot make a determination on the merits because the commission failed to include adequate findings of fact to support the commission's decision or failed to receive evidence properly proffered, provided that the commission shall provide such findings of fact or otherwise issue a new order within ninety days of the date of the court's mandate. If such new order is appealed, the period for measuring amounts subject to temporary rate adjustments process set forth in subdivisions (1) to (4) of this subsection shall commence beginning with the date the rate increase or decrease took effect.

386.530. All actions or proceedings under this or any other chapter, and all actions and proceedings commenced or prosecuted by order of the commission, and all actions and proceedings to which the commission, the public counsel or the state may be parties, and in which any question arises under this or any other chapter, or under or concerning any order or decision or action of the commission, shall be preferred over all other civil causes except election contests in all the [circuit] **appellate** courts of the state of Missouri, and shall be heard and determined in preference to all other civil business pending therein except election contests, irrespective of position on the calendar. The same preference shall be granted upon application of the public counsel or the commission counsel in any action or proceeding in which either or both may be allowed to intervene.

386.540. 1. The commission and any party, including the public counsel, who has participated in the [commission] **court of appeals** proceeding [which produced the order or decision may, after the entry of judgment in the circuit court in any action in review, prosecute an appeal to a court having appellate jurisdiction in this state. Such appeal shall be prosecuted as appeals from judgment of the circuit court in civil cases except as otherwise provided in this chapter] **and is aggrieved by the opinion of the court may seek rehearing or transfer to the Missouri supreme court under rules established by the court.** The original transcript of the record and testimony and exhibits, certified to by the commission and filed [in the circuit court in any action to review an order or decision of the commission, together with a transcript of the proceedings in the circuit court,] **with the court of appeals** shall constitute the record on appeal to the supreme court [or any court of appeals].

2. Where an appeal is taken to the supreme court [or the court of appeals], the cause shall, on the return of the papers to the supreme court [or court of appeals], be immediately placed on the docket of the then pending term by the clerk of the court and shall be assigned and brought to a hearing in the same manner as other causes on the then pending term docket, but shall have precedence over all civil causes of a different nature pending in the court. [No appeal shall be effective when taken by a corporation, person or public utility unless a cost bond of appeal in the sum of five hundred dollars shall be filed within ten days after the entry of judgment in the circuit court appealed from.]

3. [The circuit court may in its discretion suspend its judgment pending the hearing in the supreme court or court of appeals on appeal, upon the filing of a bond by the corporation, person or public utility with good and sufficient security conditioned as provided for bonds upon actions for review and by further complying with all terms and conditions of this law for the suspension of any order or decision of the commission pending the hearing or review in the circuit court. This bond shall be in addition to the cost bond heretofore provided in this section.

4.] The general laws relating to appeals to the supreme court and the court of appeals in this state shall, so far as applicable and not in conflict with the provisions of this chapter, apply to appeals taken under the provisions of this chapter."; and

Further amend said bill, Page 24, Section 393.1075, Line 112, by inserting after all of said line the following:

"Section B. Because of the immediate need to provide meaningful and equitable relief to parties who may successfully pursue review of Missouri Public Service Commission orders or decisions, the repeal and reenactment of sections 386.420, 386.510, 386.515, 386.520, 386.530, and 386.540 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 386.420, 386.510, 386.515, 386.520, 386.530, and 386.540 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**On motion of Representative Smith (150), House Amendment No. 3 was adopted.**

**Representative Schneider offered House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 207, Section 137.080, Page 11, Line 16, by inserting the following after all of said line:

"137.082. 1. Notwithstanding the provisions of sections 137.075 and 137.080 to the contrary, a building or other structure classified as residential property pursuant to section 137.016 newly constructed and occupied on any parcel of real property shall be assessed and taxed on such assessed valuation as of the first day of the month following the date of occupancy for the proportionate part of the remaining year at the tax rates established for that year, in all taxing jurisdictions located in the county adopting this section as provided in subsection 8 of this section. Newly constructed residential property which has never been occupied shall not be assessed as improved real property until such occupancy or the first day of January of the [second] **fourth** year following the year in which construction of the improvements was completed. **The provisions of this subsection shall apply in those counties including any city not within a county in which the governing body has previously adopted or hereafter adopts the provisions of this subsection.**



2. The assessor may consider a property residentially occupied upon personal verification or when any two of the following conditions have been met:

- (1) An occupancy permit has been issued for the property;
- (2) A deed transferring ownership from one party to another has been filed with the recorder of deeds' office subsequent to the date of the first permanent utility service;
- (3) A utility company providing service in the county has verified a transfer of service for property from one party to another;
- (4) The person or persons occupying the newly constructed property has registered a change of address with any local, state or federal governmental office or agency.

3. In implementing the provisions of this section, the assessor may use occupancy permits, building permits, warranty deeds, utility connection documents, including telephone connections, or other official documents as may be necessary to discover the existence of newly constructed properties. No utility company shall refuse to provide verification monthly to the assessor of a utility connection to a newly occupied single family building or structure.

4. In the event that the assessment under subsections 1 and 2 of this section is not completed until after the deadline for filing appeals in a given tax year, the owner of the newly constructed property who is aggrieved by the assessment of the property may appeal this assessment the following year to the county board of equalization in accordance with chapter 138 and may pay any taxes under protest in accordance with section 139.031; provided however, that such payment under protest shall not be required as a condition of appealing to the county board of equalization. The collector shall impound such protested taxes and shall not disburse such taxes until resolution of the appeal.

5. The increase in assessed valuation resulting from the implementation of the provisions of this section shall be considered new construction and improvements under the provisions of this chapter.

6. In counties which adopt the provisions of subsections 1 to 7 of this section, an amount not to exceed ten percent of all ad valorem property tax collections on newly constructed and occupied residential property allocable to each taxing authority within counties of the first classification having a population of nine hundred thousand or more, one-tenth of one percent of all ad valorem property tax collections allocable to each taxing authority within all other counties of the first classification and one-fifth of one percent of all ad valorem property tax collections allocable to each taxing authority within counties of the second, third and fourth classifications and any county of the first classification having a population of at least eighty- two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants, in addition to the amount prescribed by section 137.720 shall be deposited into the assessment fund of the county for collection costs.

7. For purposes of figuring the tax due on such newly constructed residential property, the assessor or the board of equalization shall place the full amount of the assessed valuation on the tax book upon the first day of the month following occupancy. Such assessed valuation shall be taxed for each month of the year following such date at its new assessed valuation, and for each month of the year preceding such date at its previous valuation. The percentage derived from dividing the number of months at which the property is taxed at its new valuation by twelve shall be applied to the total assessed valuation of the new construction and improvements, and such product shall be included in the next year's base for the purposes of figuring the next year's tax levy rollback. The untaxed percentage shall be considered as new construction and improvements in the following year and shall be exempt from the rollback provisions.

8. Subsections 1 to 7 of this section shall be effective in those counties including any city not within a county in which the governing body of such county elects to adopt a proposal to implement the provisions of subsections 1 to 7 of this section. Such subsections shall become effective in such county on the first day of January of the year following such election.

9. In any county which adopts the provisions of subsections 1 to 7 of this section prior to the first day of June in any year pursuant to subsection 8 of this section, the assessor of such county shall, upon application of the property owner, remove on a pro rata basis from the tax book for the current year any residential real property improvements destroyed by a natural disaster if such property is unoccupied and uninhabitable due to such destruction. On or after the first day of July, the board of equalization shall perform such duties. Any person claiming such destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall have available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall, in addition to any other penalties provided by law, be assessed double the value of any property fraudulently listed. The list shall be filed by the assessor, after he has provided a copy of the list to the county collector and the board of equalization, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep them. If the assessor, subsequent to such destruction, considers such property occupied as provided in subsection 2 of this section, the assessor shall consider such property new

construction and improvements and shall assess such property accordingly as provided in subsection 1 of this section. For the purposes of this section, the term "natural disaster" means any disaster due to natural causes such as tornado, fire, flood, or earthquake.

10. Any political subdivision may recover the loss of revenue caused by subsection 9 of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Barnes	Bernskoetter	Brandom	Brown 116	Burlison
Casey	Colona	Cookson	Cox	Cross
Diehl	Elmer	Fallert	Fisher	Fitzwater
Fraker	Franz	Funderburk	Gatschenberger	Grisamore
Holsman	Hough	Hubbard	Hummel	Jones 89
Jones 117	Keeney	Kratky	Lair	Leach
Lichtenegger	Long	McCaherty	McGhee	Meadows
Nance	Nolte	Pollock	Redmon	Richardson
Riddle	Rowland	Ruzicka	Schneider	Schoeller
Shumake	Silvey	Smith 150	Stream	Thomson
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 085

Anders	Asbury	Atkins	Aull	Bahr
Berry	Black	Brattin	Brown 85	Carlson
Carter	Cauthorn	Cierpiot	Conway 14	Conway 27
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Entlicher	Franklin
Frederick	Fuhr	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Houghton	Johnson	Jones 63	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lampe	Largent	Lasater	Lauer	Loehner
Marshall	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Molendorp	Montecillo	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Pierson	Quinn	Reiboldt	Rizzo	Schad
Schatz	Schieber	Schupp	Shively	Sifton
Smith 71	Solon	Speng	Still	Swearingen
Torpey	Wallingford	Walton Gray	Webb	Wells

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Brown 50	Flanigan	Hodges	Hughes
Lant	Leara	May	Nasheed	Peters-Baker
Phillips	Sater	Scharnhorst	Schieffer	Swinger
Talboy	Taylor	Webber	Wright	

VACANCIES: 003

Representative Fuhr offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 207, Page 5, Section 137.073, Line 88, by inserting immediately after the “.” on said line the following:

**“For school districts that levy separate tax rates on each subclass of real property and personal property in the aggregate, if voters approved a ballot before January 1, 2011, that presented separate stated tax rates to be applied to the different subclasses of real property and personal property in the aggregate, or increases the separate rates that may be levied on the different subclasses of real property and personal property in the aggregate by different amounts, the tax rate that shall be used for the single tax rate calculation shall be a blended rate, calculated in the manner provided under subdivision (1) of subsection 6 of this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 5** was adopted.

Representative Schoeller offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 207, Page 21, Section 137.115 (repealed), Line 198, by inserting after all of said section and line the following:

“250.236. 1. Any city, town or village may contract with a private or public water company to terminate water services, at the direction of the city, because a customer fails to pay his sewer bill. When charges for sewer services are in arrears for more than three months and after the city sends notice to the customer [by certified mail], the city may disconnect the customer's sewer line or request in writing that the private or public water company discontinue water service until such time as the sewer charges and all related costs are paid.

2. A private or public water company acting pursuant to a written request from the city as provided in subsection 1 of this section is not liable for damages related to termination of water services. All costs related to disconnection and reconnections shall be reimbursed to the private water company by the city.

393.015. 1. Notwithstanding any other provision of law to the contrary, any sewer corporation, municipality or sewer district established under the provisions of chapter 249 or 250, or sections 204.250 to 204.470, or any sewer district created and organized pursuant to constitutional authority, may contract with any water corporation to terminate water services to any customer premises for nonpayment of a sewer bill. No such termination of water service may occur until thirty days after the sewer corporation, municipality or statutory sewer district or sewer district created and organized pursuant to constitutional authority sends a written notice to the customer [by certified mail], except that if the water corporation is performing a combined water and sewer billing service for the sewer corporation, municipality or sewer district, no additional notice or any additional waiting period shall be required other than the notice and waiting period already used by the water corporation to disconnect water service for nonpayment of the water bill. Acting pursuant to a contract, the water corporation shall discontinue water service until such time as the sewer charges and all related costs of termination and reestablishment of sewer and water services are paid by the customer.

2. A water corporation acting pursuant to a contract with a sewer corporation, municipality or sewer district as provided in subsection 1 of this section shall not be liable for damages related to termination of water services unless such damage is caused by the negligence of such water corporation, in which case the water corporation shall be indemnified by the sewer corporation, municipality or sewer district. Unless otherwise specified in the contract, all costs related to the termination and reestablishment of services by the water corporation shall be reimbursed by the sewer corporation, municipality, sewer district or sewer district created and organized pursuant to constitutional authority.

393.275. 1. The commission shall notify the governing body of each city or county imposing a business license tax pursuant to section 66.300, 92.045, 94.110, 94.270 or 94.360, RSMo, or a similar tax adopted pursuant to charter provisions in any constitutional charter city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, on gross receipts of any gas corporation, electric corporation, water corporation or sewer corporation of any tariff increases authorized for such firm doing business in that city or county if the approved increase exceeds seven percent. The commission shall include with such notice to any city or county the percentage increase approved for the utility, together with an estimate of the annual increase in gross receipts resulting from the tariff increase on customers residing in that city or county. The provisions of this subsection shall not apply to rate adjustments in the purchase price of natural gas which are approved by the commission.

2. The governing body of each city or county notified of a tariff increase as provided in subsection 1 of this section shall reduce the tax rate of its business license tax on the gross receipts of utility corporations. Within sixty days of the effective date of the tariff increase, the tax rate shall be reduced to the extent necessary so that revenue for the ensuing twelve months will be approximately equal to the revenue received during the preceding twelve months plus a growth factor. The growth factor shall be equal to the average of the additional revenue received in each of the preceding three years. However, a city or county may maintain the tax rate of its business license tax on the gross receipts of utility corporations without reduction if an ordinance to maintain the tax rate is enacted by the governing body of the city or an order to maintain the tax rate is issued by the governing body of the county after September 28, 1985. The provisions of this subsection shall not apply to rate adjustments in the purchase price of natural gas which are approved by the commission **and such purchased gas adjustment rates shall include the gas cost portion of net write-offs incurred by the gas corporation in providing service to system sales customers upon the filing and approval of new rate schedules applicable to such customers. Such rate schedules shall be designed to simultaneously decrease the gas corporation's base rates and increase its purchased gas adjustment rates by like amounts so as to reasonably ensure that the gas cost portion of the net write-offs applicable to such customers, as such portion is determined by the commission, is only being recovered once through the gas corporation's purchased gas adjustment rates. Increases and decreases in the gas cost portion of net write-offs shall thereafter be reflected in the gas corporation's purchased gas adjustment rates under tariff provisions approved by the commission provided, however, that such tariff provisions shall:**

(1) **Limit increases or decreases in the gas cost portion of net write-offs as reflected in purchased gas adjustment rates to once each year;**

(2) **Require a true-up of the gas cost portion of net write-offs as reflected in purchased gas adjustment rates once each year; and**

(3) **Require commission review of the gas cost portion of net write-offs as reflected in purchased gas adjustment rates once each year to ensure that the gas corporation is prudently pursuing collection of amounts owed by its customers.**

393.1000. As used in sections 393.1000 to 393.1006, the following terms mean:

(1) "Appropriate pretax revenues", the revenues necessary to produce net operating income equal to:

(a) The water corporation's weighted cost of capital multiplied by the net original cost of eligible infrastructure system replacements, including recognition of accumulated deferred income taxes and accumulated depreciation associated with eligible infrastructure system replacements which are included in a currently effective ISRS; and

(b) Recover state, federal, and local income or excise taxes applicable to such income; and

(c) Recover all other ISRS costs;

(2) "Commission", the Missouri public service commission;

(3) "Eligible infrastructure system replacements"[,]:

(a) Water utility plant projects that:

[(a)] a. Replace or extend the useful life of existing infrastructure;

[(b)] b. Are in service and used and useful;

[(c)] c. Do not increase revenues by directly connecting the infrastructure replacement to new customers; and

[(d)] d. Were not included in the water corporation's rate base in its most recent general rate case; **and**

- (b) **Energy efficiency projects that:**
  - a. **Are in service and used and useful;**
  - b. **Do not increase revenues by directly connecting the infrastructure replacements to new customers;**
- and
- c. **Were not included in the water corporation's rate base in its most recent general rate case;**
- (4) **"Energy efficiency", measures that reduce the amount of energy required to achieve a given end result;**
- (5) **"ISRS", infrastructure system replacement surcharge;**
- [(5)] (6) **"ISRS costs", depreciation expenses and property taxes that will be due within twelve months of the ISRS filing;**
- [(6)] (7) **"ISRS revenues", revenues produced through an ISRS, exclusive of revenues from all other rates and charges;**
- [(7)] (8) **"Water corporation", every corporation, company, association, joint stock company or association, partnership, and person, their lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any plant or property, dam or water supply, canal, or power station, distributing or selling for distribution, or selling or supplying for gain any water [to more than ten thousand customers];**
- [(8)] (9) **"Water utility plant projects" may consist only of the following:**
  - (a) **Mains, [and associated] valves [and], hydrants, service lines, and meters installed as replacements for existing facilities that have worn out or are in deteriorated condition or replaced as part of a commission order;**
  - (b) **Main cleaning and relining projects; [and]**
  - (c) **Facilities relocations required due to construction or improvement of a highway, road, street, public way, or other public work by or on behalf of the United States, this state, a political subdivision of this state, or another entity having the power of eminent domain provided that the costs related to such projects have not been reimbursed to the water corporation; and**
- (d) **Energy efficiency projects.**

393.1003. 1. Notwithstanding any provisions of chapter 386, RSMo, and this chapter to the contrary, as of August 28, [2003] **2011**, a water corporation [providing water service in a county with a charter form of government and with more than one million inhabitants] may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the water corporation's rates and charges to provide for the recovery of costs for eligible infrastructure system replacements [made in such county with a charter form of government and with more than one million inhabitants;], provided that an ISRS, on an annualized basis, must produce ISRS revenues of at least one million dollars, **or ten thousand dollars for a small water corporation as defined in section 393.146**, but not in excess of ten percent of the water corporation's base revenue level approved by the commission in the water corporation's most recent general rate proceeding. An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1000 to 393.1006. ISRS revenues shall be subject to refund based upon a finding and order of the commission, to the extent provided in subsections 5 and 8 of section 393.1006.

2. The commission shall not approve an ISRS for a water corporation [in a county with a charter form of government and with more than one million inhabitants] that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past three years, unless the water corporation has filed for or is the subject of a new general rate proceeding.

3. In no event shall a water corporation collect an ISRS for a period exceeding three years unless the water corporation has filed for or is the subject of a new general rate proceeding; provided that the ISRS may be collected until the effective date of new rate schedules established as a result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established.”; and

Further amend said bill, Page 24, Section 393.1075, Line 112, by inserting after all of said section and line the following:

“660.122. Funds appropriated under the authority of sections 660.100 to 660.136 may be used to pay the expenses of reconnecting or maintaining service to households that have had their primary or secondary heating or cooling source disconnected or service discontinued because of their failure to pay their bill. Any qualified household or other household which has as its head a person who is elderly or disabled, as defined in section 660.100, shall be eligible for assistance under this section if the income for the household is no more than one hundred fifty percent of the

current federal poverty level or sixty percent of the state median income and if moneys have been appropriated by the general assembly to the utilicare stabilization fund established pursuant to section 660.136. Payments under this section shall be made directly to the primary or secondary heating or cooling source supplier. Any primary or secondary heating or cooling source supplier subject to the supervision and regulation of the public service commission shall, at any time during the period of the cold weather rule specified in the cold weather rule as established and as amended by the public service commission, reconnect and provide services to each household eligible for assistance under this section in compliance with the terms of such cold weather rule, **provided that such suppliers shall permit customers who have not yet been disconnected and who incurred an arrearage during the cold weather rule period to retain service by paying during each of the three months following the cold weather rule period an amount equal to one-third of the customer's arrearage, plus the customer's current bill.** All home energy suppliers receiving funds under this section shall provide service to eligible households consistent with their contractual agreements with the department of social services **and sections 660.100 to 660.136.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Bill No. 207, Page 1, Line 4, by inserting immediately before said line the following:

"250.140. 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and owner of the premises receiving such service and, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 rendering such services shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable for sums due for more than ninety days]. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider **or premises owner** who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages **for termination of such service, nor shall termination of such service be deemed constructive eviction.**

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Schoeller, **House Amendment No. 6, as amended**, was adopted.

Representative Dugger offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Bill No. 207, Pages 21-24, Section 393.1075, Lines 1-112, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 7** was adopted.

Representative Holsman offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Bill No. 207, Page 1, In the Title, Line 11, by inserting after the word "provision" the words "and an emergency clause for a certain section"; and

Further amend said bill, Page 24, Section 393.1075, Line 112, by inserting after all of said line the following:

**"393.1400. Sections 393.1400 to 393.1445 shall be known as the "Renewable Energy Act".**

**393.1405. As used in sections 393.1400 to 393.1445, the following terms mean:**

- (1) "Commission", the public service commission;
- (2) "Delivered energy", the energy from a renewable energy resource that is owned by an electrical corporation or that an electrical corporation has contracted to purchase for Missouri customers;
- (3) "Department", the department of natural resources;
- (4) "Electric utility", any electrical corporation as defined by section 386.020;
- (5) "Levelized cost of energy", the present value of annual costs of a renewable resource generator over the economic life divided by the present value of the annual output of a renewable resource generator over the economic life using the utility's discount rate, including all costs of transmission or distribution to get the energy into the utility's Missouri service territory;
- (6) "Megawatts", the gross nameplate rating of an electrical generator producing electrical energy equal to one thousand kilowatts;
- (7) "Missouri revenues", the electric utility's revenues from retail customers in Missouri as reported on its audited financial statements for calendar year 2010;
- (8) "Net-metered customers", customers of an electric utility that install, own, and operate up to one hundred kilowatts of their own electrical generation at their property, that have executed all agreements required by the electric utility for connection of their electrical generation to the electric utility's system, and that are in compliance with the terms of all such agreements;
- (9) "New renewable generation", electrical generation from a renewable energy resource that became fully operational and used for service after November 4, 2008;
- (10) "Professional forester", any individual who holds a bachelor of science degree in forestry from a society of American Foresters accredited college or university with a minimum of two years of professional management experience;
- (11) "Renewable energy credit" or "REC", a trackable certificate of proof that one megawatt-hour of electricity has been generated from one or more renewable energy resources;

(12) "Renewable energy resources", the electricity derived from any of the following types of renewable energy resources or technologies:

- (a) Wind;
- (b) Solar thermal sources or solar photovoltaic cells and panels;
- (c) Dedicated crops grown for energy production-herbaceous and woody crops that are harvested specifically for energy production in a sustainable manner;
- (d) Cellulosic agricultural residues, which is organic matter remaining after the harvesting and processing of agricultural crops, which shall include:
  - a. Field residues, which are organic materials left on agricultural lands after the crops have been harvested, such as stalks, stubble, leaves, and seed pods; and
  - b. Process residues, which are organic materials left after the crops have been processed into a usable resource, such as husks, seeds, and roots;
- (e) Plant residues, which are residues of plants that would be converted into energy, that otherwise would be waste material;
- (f) Clean and untreated wood, which are nonhazardous wood that has not been chemically treated with chemical preservatives which include the following:
  - a. Eligible clean and untreated wood, but is not necessarily limited to, the following sources:
    - (i) Forest-related resources, such as precommercial thinnings waste, slash (tree tops, branches, bark, or other residue left on the ground after logging or other forestry operations), brush, shrubs, stumps, lumber ends, trimmings, yard waste, dead and downed forest products, and small diameter forest thinnings (twelve inches in diameter or less);
    - (ii) Nonchemically treated wood and paper manufacturing waste, such as bark, trim slabs, scrap, shavings, sawdust, sander dust, and pulverized scraps;
    - (iii) Vegetation waste, such as landscape waste or right-of-way trimmings;
    - (iv) Wood chips, pellets, briquettes, wood wastes, or woody energy crops;
    - (v) Municipal solid waste, construction, and demolition waste, urban wood waste, and other similar sources, only if wood wastes are segregated from other solid wastes or inorganic wastes; and
    - (vi) Other miscellaneous waste, such as waste pellets, pallets, crates, scrap wood, tree debris left after a natural catastrophe, and recycled paper fibers that are no longer suitable for recycled paper production;
  - b. Ineligible clean and untreated wood, but is not necessarily limited to, the following sources:
    - (i) Post-consumer wastepaper;
    - (ii) Wood from old growth forests (one hundred fifty years old or older); and
    - (iii) Unsegregated solid waste;
- (g) Methane from landfills or from wastewater treatment. As used in this paragraph, "wastewater treatment" is defined as physical, chemical, biological, and mechanical procedures applied to an industrial or municipal discharge or to any other sources of contaminated water to remove, reduce, or neutralize contaminants;
- (h) Hydropower, not including pumped storage, that does not require a new diversion or impoundment of water and that each generator has a nameplate rating of ten megawatts or less. If an improvement to an existing hydropower facility does not require a new diversion or impoundment of water and incrementally increases the nameplate rating of each generator, up to ten megawatts per generator, the improvement qualifies as an eligible renewable energy resource;
  - (i) Thermal depolymerization or pyrolysis for converting waste materials to energy;
  - (j) Fuel cells using hydrogen produced by renewable energy resources defined in this subdivision. RECs based on generating electricity in fuel cells from hydrogen derived from an eligible energy resource are eligible for compliance purposes only to the extent that the energy used to generate the hydrogen did not create RECs;
  - (k) Anaerobic digestion of farm animal waste; or
  - (l) Other sources of energy, not including nuclear, that become available after November 4, 2008, and are certified as eligible renewable energy resources as defined by the department in consultation with the commission;

(13) "Renewable energy standard" or "RES", the requirements established by sections 393.1400 to 393.1445;

(14) "The annual value of any renewable energy purchased or produced by the electric utility", the annual value of any renewable energy purchased or produced by the electric utility's renewable energy resources used for compliance with sections 393.1400 to 393.1445 shall for each hour of the annual period be calculated by



multiplying the energy produced from such resources in that hour by the actual wholesale price of energy in the electric utility's service territory as reflected by the regional transmission organization's real time hourly energy market prices within which the electric utility operates for that hour and totaling those products for the entire annual period. However, no such calculation or reduction shall be applied to dollars spent by utilities in meeting the requirement of sections 393.1415 and 393.1420.

**393.1410. 1. Electric utilities shall own new renewable generation providing delivered energy, or shall purchase delivered energy from new renewable generation, or a combination thereof, totaling no less than the following nameplate amounts by the following dates:**

**(1) For an electric utility with total retail Missouri revenues as of December 31, 2010, of \$2.3 billion dollars or more:**

- (a) By December 31, 2013: one hundred ten megawatts;**
- (b) By December 31, 2015: two hundred ten megawatts;**
- (c) By December 31, 2018: three hundred ten megawatts;**
- (d) By December 31, 2020: four hundred ten megawatts;**

**(2) For an electric utility with total retail Missouri revenues as of December 31, 2010, of at least \$730 million dollars but no more than \$2.29 billion dollars:**

- (a) By December 31, 2013: seventy megawatts;**
- (b) By December 31, 2015: one hundred seventy megawatts;**
- (c) By December 31, 2020: one hundred ninety-five megawatts;**

**(3) For an electric utility with total retail Missouri revenues as of December 31, 2010, of at least \$708 million dollars but no more than \$780 million dollars:**

- (a) By December 31, 2015: twenty megawatts;**
- (b) By December 31, 2018: one hundred twenty megawatts;**
- (c) By December 31, 2020: one hundred forty-five megawatts;**

**(4) An electric utility with total retail Missouri revenues as of December 31, 2010, of less than seven hundred eight million dollars that owns renewable generation providing delivered energy, or purchases delivered energy from renewable generation, or a combination thereof, totaling at least one hundred forty-five megawatts by December 31, 2011, shall not be required to provide additional renewable generation or purchase additional delivered energy to comply with this section.**

**2. Notwithstanding subsection 1 of this section, if the levelized cost of energy from the new renewable generation prescribed by subsection 1 of this section exceeds seventy dollars per megawatt-hour adjusted annually for inflation according to the consumer price index, for each of the separate time periods in subsection 1 of this section, then the megawatts of new renewable generation prescribed for that time period by subsection 1 of this section shall be reduced by five percent for every dollar by which the levelized cost of energy exceeds seventy dollars per megawatt-hour adjusted annually for inflation according to the consumer price index.**

**3. Notwithstanding any provision of law to the contrary, the following limitations on rate impact shall apply:**

**(1) Notwithstanding any provision of the law to the contrary, the annual net cost during any calendar year to any billing account that experienced a billing demand of five thousand kilowatts or more during the preceding calendar year, and to any interstate pipeline pumping station regardless of size, shall not be more than one percent higher than the cost would have been without the renewable energy mandates set forth in sections 393.1400 to 393.1445, where such impact is measured in accordance with subsection 5 of this section;**

**(2) In addition, the one percent limitation shall apply to any other billing account of an entity qualifying under subdivision (1) of this subsection where that account consumed five million kilowatts or more during the preceding calendar year, and also to any billing account consuming more than five million kilowatts per year that belongs to a parent, subsidiary, or affiliate of the entity responsible for paying the billings for the account qualifying in subdivision (1) of this subsection;**

**(3) To qualify for the limitation in subdivision (2) of this subsection, the entity responsible for the billing account shall establish the existence of the required corporate relationship to the satisfaction of the electric utility.**

**4. In addition, the net cost during any calendar year to any billing account as measured in accordance with subsection 5 of this section, of a utility's compliance with the renewable mandate shall not exceed one hundred thousand dollars.**

**5. For the purpose of applying subsection 4 of this section, the annual net cost to any retail customer, of a utility's compliance with the renewable mandates shall be determined on an annual basis by computing that**

customer's share of an electric utility's annual net costs to comply with the renewable mandates as follows and limiting that share to one hundred thousand dollars per year:

- (1) The following costs shall be added:
  - (a) Annual costs associated with owning, operating, and maintaining renewable energy resources used for compliance with sections 393.1400 to 393.1445;
  - (b) Annual costs of purchased RECs;
  - (c) Annual cost of solar rebates;
  - (d) Annual renewable energy purchases utilized for compliance with sections 393.1400 to 393.1445;
  - (e) Annual administrative and general costs related to compliance with sections 393.1400 to 393.1445;
- and
- (f) Additional operating costs incurred to integrate a renewable energy resource due to its intermittent operating characteristics;
- (2) The annual value of any renewable energy purchased or produced by the electric utility's renewable energy resources used for compliance with sections 393.1400 to 393.1445 (excluding sections 393.1415 and 393.1420) shall be subtracted from the sum of paragraphs (a) to (f) of subdivision (1) of this subsection.

Furthermore, for the purpose of applying subsection 3 of this section, the increased cost to the class defined therein shall be determined on an annual basis by taking its share of an electric utility's cost of compliance with the renewable mandates determined as follows and limiting it to one percent:

- (3) The following costs shall be added:
  - (a) Annual costs associated with owning, operating, and maintaining renewable energy resources used for compliance with sections 393.1400 to 393.1445;
  - (b) Annual costs of purchased RECs;
  - (c) Annual cost of solar rebates;
  - (d) Annual renewable energy purchases utilized for compliance with sections 393.1400 to 393.1445;
  - (e) Annual administrative and general costs related to compliance with sections 393.1400 to 393.1445;
- and
- (f) Additional operating costs incurred to integrate a renewable energy resource due to its intermittent operating characteristics;
- (4) The annual value of any renewable energy purchased or produced by the electric utility's renewable energy resources used for compliance with sections 393.1400 to 393.1445 (excluding sections 393.1415 and 393.1420) shall be subtracted from the sum of paragraphs (a) to (f) of subdivision (3) of this subsection.

6. An electric utility shall pay penalties of two thousand dollars per day for failure to meet the nameplate amounts specified in subsection 1 of this section. Any such monetary fine shall be distributed to the public schools under section 7, article IX of the Constitution of Missouri. An electric utility shall be excused from this subsection if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated.

7. The exclusive title and ownership of all RECs associated with the new renewable generation owned by an electric utility, or to which an electric utility has rights, associated with the generation referenced in this section shall be vested in the electric utility.

8. In the event the federal government enacts by statute and/or rule any provision or regulatory scheme that establishes requirements for electric utilities to generate or purchase electricity generated from renewable or clean energy resources that is stricter than the provisions of this section, such federal requirements shall supercede and take precedence over the requirements as set forth in this section and shall accordingly be deemed to preempt the provisions of this section and any portfolio requirement rules prescribed by the commission under subsection 1 of this section.

9. For purposes of subsection 3 of this section, the electric utility shall make a good faith effort to adjust its billings to comply with the rate impact limitations in subsections 3 and 4 of this section. Within ninety days of the end of each calendar year, the electric utility shall calculate the actual rate impact and reimburse any excess collection by means of a bill credit, which credit is subject to subsection 1 of section 393.1430.

10. Any new renewable generation within the state of Missouri shall be given a ten percent credit for purposes of compliance with sections 393.1400 to 393.1445.

11. (1) No renewable energy generator using woody biomass in Missouri as fuel shall be certified unless it converts the energy content of the wood or wood residue into electrical energy with an efficiency of at least thirty percent.

(2) Any harvesting of woody biomass in Missouri shall comply with the Missouri department of conservation's Missouri woody biomass in Missouri harvesting best management practices manual, as it may be updated from time-to-time or replaced.

(3) Harvest of woody biomass in Missouri shall be conducted to a site specific harvest plan prepared as part of a forest management plan for long-term forest sustainability developed by a professional forester.

(4) Compliance with subdivisions (2) and (3) of this subsection shall be verified by third-party, professional foresters at the harvest site using a specified sampling intensity and under standards prescribed by the Missouri department of conservation.

**393.1415. 1.** An electric utility shall provide financial incentives, of the following amounts, as follows:

(1) An electric utility with Missouri revenues of \$2.3 billion dollars or more shall, subject to the per-customer limits specified in subsection 3 of this section, provide:

(a) Thirteen million dollars annually in each of calendar years 2012 and 2013 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2012, and on or before December 31, 2013;

(b) Seven million dollars annually in each of calendar years 2014, 2015, 2016, and 2017 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2014, and on or before December 31, 2017;

(c) Two million dollars annually in each of calendar years 2018, 2019, and 2020 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2018, and on or before December 31, 2020;

(2) An electric utility with Missouri revenues of at least \$730 million dollars but no more than \$2.29 billion dollars shall, subject to the per-customer limits specified in subsection 3 of this section, provide:

(a) Two and one-half million dollars annually in each of calendar years 2012 and 2013 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2012, and on or before December 31, 2013;

(b) Two and one-quarter million dollars annually in each of calendar years 2014, 2015, 2016, and 2017 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2014, and on or before December 31, 2017;

(c) One and one-half million dollars annually in each of calendar years 2018, 2019, and 2020 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2018, and on or before December 31, 2020;

(3) An electric utility with Missouri revenues of at least \$708 million dollars but no more than \$780 million dollars shall, subject to the per-customer limits specified in subsection 3 of this section, provide:

(a) Two and one-half million dollars annually in each of calendar years 2012 and 2013 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2012, and on or before December 31, 2013;

(b) Two and one-quarter million dollars annually in each of calendar years 2014, 2015, 2016, and 2017 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2014, and on or before December 31, 2017;

(c) One and one-half million dollars annually in each of calendar years 2018, 2019, and 2020 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2018, and on or before December 31, 2020;

(4) An electric utility with Missouri revenues of at least \$350 million dollars but no more than \$649 million dollars shall, subject to the per-customer limits specified in subsection 3 of this section, provide:

(a) One and one-half million dollars annually in each of calendar years 2012 and 2013 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2012, and on or before December 31, 2013;

(b) One million dollars annually in each of calendar years 2014, 2015, 2016, and 2017 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2014, and on or before December 31, 2017;

(c) Five hundred thousand dollars annually in each of calendar years 2018, 2019, and 2020 to its net-metered customers that install up to one hundred kilowatts of solar generation that becomes fully operational on or after January 1, 2018, and on or before December 31, 2020.

2. The financial incentive amounts prescribed by subsection 1 of this section shall at the discretion of the utility be treated as part of the electric utility's net capital investments in renewable energy resources for purposes of determining the appropriate RES rate under sections 393.1425 to 393.1443..

3. A net-metered customer shall be eligible for a financial incentive investment of three dollars per watt for the first twenty-five kilowatts of solar generation installed, and two dollars per watt for the next additional twenty-five kilowatts of solar generation installed for a maximum incentive not to exceed fifty kilowatts. Notwithstanding the foregoing provisions of this subsection, no customer shall receive a total financial incentive payment that exceeds sixty percent of the total installed cost of the customer's solar generation in years 2012 to 2013, fifty percent in years 2014 to 2017, forty percent in years 2018 to 2020, and no financial incentive payments shall be made until the customer has provided documentation approved by the electric utility establishing the total installed cost. To further ensure that all such installations provide the optimal electrical output, the commission shall establish terms and conditions so that such installations meet the requirements using established industry standards and practices.

4. An electric utility has no obligation to provide any additional financial incentive investments in a calendar year once the annual amount for that calendar year and any excess amount not otherwise provided to net-metered customers in any prior year as specified in subsection 1 of this section is exhausted. Financial incentive investment amounts not exhausted in a prior calendar year shall carry over to subsequent calendar years but no amounts shall be carried forward beyond December 31, 2021.

5. By accepting the terms and conditions established by the electric utility for eligibility and in conjunction with all net-metering requirements, financial incentives provided by subsection 3 of this section:

(1) For all systems, the net-metering customer agrees that the electric utility providing the financial incentive shall have and possess all right, title, and interest in and to all RECs generated up to a maximum of fifty kilowatts by the solar generation for which financial incentives were paid for a period of ten years after the solar generation became fully operational; provided, that thereafter, any such RECs shall belong to the net-metering customer owning the generation; and

(2) The net-metering customer installing a system of ten kilowatts or more agrees to install, at the customer's expense, a separate utility meter to measure the output from the customer's system.

6. Each electric utility shall make available to its retail customers a standard rebate offer of at least three dollars per installed watt for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, that become operational after August 28, 2011, and prior to January 1, 2012. All such amounts paid by an electric utility to a customer under this subsection shall be applied against the annual amount of financial incentive investments for calendar year 2012 as specified in subsection 1 of this section.

393.1420. 1. In addition to the requirements of subsection 1 of section 393.1415, an electric utility with revenues of \$2.3 billion dollars or more shall provide up to a maximum of five hundred thousand dollars annually in each of calendar years 2012, 2013, and 2014 to its net-metered customers that install nonsolar renewable energy resources of up to one hundred kilowatts that become fully operational within each respective calendar year.

2. The financial incentive amounts prescribed by subsection 1 of this section shall be expensed by the electric utility in the year in which they are paid.

3. A net-metered customer shall be eligible for a financial incentive of one dollar per watt for nonsolar renewable energy resources installed in 2012, 2013, or 2014 not to exceed one hundred kilowatts. Notwithstanding the foregoing provisions of this subsection, no customer shall receive a total financial incentive payment that exceeds forty percent of the total installed cost of the customer's new renewable generation, and no financial incentive payments shall be made until the customer has provided documentation approved by the electric utility establishing the total installed cost.

4. An electric utility has no obligation to provide any additional financial incentive investments in a calendar year once the annual amount for that calendar year and any excess amount not otherwise provided to net-metered customers in any prior year as specified in subsection 3 of this section is exhausted. Financial incentive amounts not exhausted in a prior calendar year shall carry over to subsequent calendar years but no amounts shall be carried forward beyond December 31, 2015.

5. By accepting the financial incentives provided by this section the net-metering customer installing a system of ten kilowatts or more agrees to install, at the customer's expense, a separate meter to measure the output from the customer's system.

393.1425. 1. As used in sections 393.1410 and 393.1425 to 393.1435, the following words and phrases mean:

(1) "Accumulation period", a period no greater than twelve months preceding a filing to establish or change the RES during which the RES expenses used in the filing are accumulated for recovery through the RES tariff;

(2) "RES capital costs", the depreciation expense and property taxes of the electric utility that are associated with the electric utility's capital investments in renewable energy resources that provide delivered energy, including capital investments made in compliance with section 393.1410 and capital investments made to comply with renewable energy standards in effect prior to the effective date of sections 393.1400 to 393.1445;

(3) "RES costs", the sum of:

(a) RES expenses;

(b) RES capital costs; and

(c) RES return applicable to a filing to establish or change an RES rate, less;

(d) The annual value of any renewable energy purchased or produced by the electric utility;

(4) "RES cost recovery mechanism" or "RCRM", the mechanism approved by the commission to allow an electric utility to recover all costs of compliance with the RES;

(5) "RES expenses", the sum of:

(a) The electric utility's accumulation period costs of obtaining delivered energy from renewable energy resources under contracts entered into on or after January 1, 2011, and the financial incentives paid and expensed by the electric utility during the accumulation period under sections 393.1415 and 393.1420; and

(b) The electric utility's unrecovered costs incurred on or after November 4, 2008, through the end of the accumulation period relating to its compliance with renewable energy standards in effect prior to the effective date of sections 393.1400 to 393.1445, including, but not limited to, its administrative costs, which include but are not limited to the cost to register, retire, or close out any account RECs with the North American Renewable Registry; the costs of solar rebates; the costs of solar RECs, whether acquired through a contract with the electric utility's customers or from third parties to meet the solar requirements of the RES; and any other costs incurred by the electric utility to meet the requirements of the RES. Any RES expenses that were previously included in the electric utility's rates shall be excluded;

(6) "RES rate", a rate approved by the commission for recovery of RES costs;

(7) "RES return", the electric utility's weighted average cost of capital multiplied by: the electric utility's net capital investments in renewable energy resources that provide delivered energy, including capital investments made to comply with renewable energy standards in effect prior to the effective date of sections 393.1400 to 393.1445, on the electric utility's books as of the end of the accumulation period. The income taxes related to the RES return shall be included;

(8) "RES revenues", revenues produced through a RES rate exclusive of revenues from all other rates and charges.

2. All RES costs incurred under paragraph (a) or (b) of subdivision (5) of subsection 1 of this section, regardless of contract term, shall be recovered in the electric utility's RES rate. That is, where the electric utility enters into contracts under subsection 1 of section 393.1410 that extend beyond the indicated dates, then all RES costs as defined in this section shall be included in the RES rate.

393.1430. 1. Notwithstanding any provisions of this chapter and chapter 386 to the contrary, beginning August 28, 2011, an electric utility may file a petition and proposed tariffs with the commission to establish a RCRM or to change a RES rate that will allow for the adjustment of the electric utility's rates and charges to provide for full recovery of RES costs, including full recovery of any RES costs in excess of the rate impact caps in section 393.1410. A RES rate and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1425 to 393.1435. RES revenues shall be subject to refund based upon a finding and order of the commission to the extent provided in subsections 5 and 8 of section 393.1435.

2. The commission shall not approve a RCRM or a RES rate for any electric utility that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past five years, unless the electric utility has filed for or is the subject of a new general rate proceeding.

3. In no event shall an electric utility collect a RES rate or continue to use an approved RCRM for a period exceeding five years unless the electric utility has filed for or is the subject of a new general rate proceeding where the terms of the RCRM are reviewed by the commission; provided that a RES rate that is approved in accordance with section 393.1435 may be collected until the effective date of new rate schedules established as a

result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established.

393.1435. 1. (1) At the time that an electric utility files a petition with the commission seeking to establish or change a RES rate, it shall submit proposed tariffs and its supporting documentation regarding the calculation of the proposed RES with the petition, and shall serve the office of the public counsel with a copy of its petition, its proposed RES rate tariff, and its supporting documentation.

(2) Upon the filing of a petition and any associated tariffs, seeking to establish or change a RES rate, the commission shall publish notice of the filing.

2. (1) When a petition, along with any associated proposed tariffs, is filed under the provisions of sections 393.1425 to 393.1435, the staff of the commission shall conduct an examination of the proposed RES rate.

(2) The staff of the commission may audit the information of the electric utility to confirm that the underlying RES costs are in accordance with the provisions of sections 393.1425 to 393.1435, and to confirm proper calculation of the proposed RES rate, and may submit a report regarding its examination to the commission not later than sixty days after the petition is filed. No other revenue requirement or rate making issues may be examined in consideration of the petition or associated proposed RES rate filed under the provisions of sections 393.1425 to 393.1435.

(3) The commission may hold a hearing on the petition and any proposed RES rate and shall issue an order to become effective not later than one hundred twenty days after the petition is filed.

(4) If the commission finds that a petition complies with the requirements of sections 393.1425 to 393.1435, the commission shall enter an order authorizing the electric utility to impose a RES rate that is sufficient to recover appropriate pretax revenue, as determined by the commission under the provisions of sections 393.1425 to 393.1435.

3. An electric utility may effectuate a change in its RES under the provisions of this section no more often than two times every twelve months.

4. In determining the appropriate RES rate, the commission shall consider only the following factors:

(1) The current state, federal, and local income tax or excise rates;

(2) The electric utility's actual regulatory capital structure as determined during the most recent general rate proceeding of the electric utility;

(3) The actual cost rates for the electric utility's debt and preferred stock as determined during the most recent general rate proceeding of the electric utility;

(4) The electric utility's cost of common equity as determined during the most recent general rate proceeding of the electric utility;

(5) The current property tax rate or rates applicable to the investments in renewable energy resources;

(6) The current depreciation rates applicable to the investments in renewable energy resources; and

(7) In the event information under subdivisions (2), (3), and (4) of this subsection are unavailable and the commission is not provided with such information as an agreed-upon basis, the commission shall refer to the testimony submitted during the most recent general rate proceeding of the electric utility and use, in lieu of any such unavailable information, the recommended capital structure, recommended cost rates for debt and preferred stock, and recommended cost of common equity that would produce the average weighted cost of capital based upon the various recommendations contained in such testimony.

5. (1) The monthly RES rate may be calculated based on a reasonable estimate of billing units in the period in which the charge will be in effect, which shall be conclusively established by dividing the appropriate RES revenues by the customer numbers reported by the electric utility in the annual report it most recently filed with the commission under subdivision (6) of section 393.140, and then further dividing this quotient by twelve; provided, however, that the monthly RES may vary according to customer class and may be calculated based on customer numbers as determined during the most recent general rate proceeding of the electric utility so long as the monthly RES revenue for each customer class maintains a proportional relationship equivalent to the proportional relationship of the monthly customer charge revenue for each customer class.

(2) At the end of each twelve-month calendar period the RCRM is in effect, the electric utility shall reconcile the differences between the RES revenues resulting from application of the RES rate and the appropriate RES revenues as found by the commission for that period and shall submit the reconciliation and a proposed RES rate adjustment to the commission for approval to recover or refund the difference, as appropriate, through adjustments to the RES.

6. (1) An electric utility that has implemented a RCRM under the provisions of sections 393.1425 to 393.1435 shall file revised tariffs to reset the RES rate to zero when new base rates and charges become effective

for the electric utility following a commission order establishing customer rates in a general rate proceeding that incorporates in the utility's base rates subject to subsections 8 and 9 of this section eligible costs previously reflected in a RES rate.

(2) Upon the inclusion in an electric utility's base rates subject to subsections 8 and 9 of this section of eligible costs previously reflected in a RES rate, the electric utility shall immediately thereafter reconcile any previously unreconciled RES revenues as necessary to ensure that revenues resulting from application of the RES rate match as closely as possible the appropriate RES revenues as found by the commission for that period.

7. An electric utility's filing of a petition or change to a RES rate under the provisions of sections 393.1425 to 393.1435 shall not be considered a request for a general increase in the electric utility's base rates and charges.

8. Commission approval of a petition and any associated rate schedules to establish or change a RES rate under the provisions of sections 393.1425 to 393.1435 shall in no way be binding upon the commission in determining the rate making treatment to be applied to eligible RES costs during a subsequent general rate proceeding when the commission may undertake to review the prudence of such costs. In the event the commission disallows, during a subsequent general rate proceeding, recovery of any RES costs previously included in a RES rate, the electric utility shall change its RES rate in the future as necessary to recognize and account for any such over collections.

9. Nothing in this section shall be construed as limiting the authority of the commission to review and consider RES costs along with other costs during any general rate proceeding of any electric utility.

10. Nothing contained in sections 393.1425 to 393.1435 shall be construed to impair in any way the authority of the commission to review the reasonableness of the rates or charges of an electric utility, including review of the prudence of incurring RES costs, under the provisions of section 386.390.

11. Notwithstanding the terms of any fuel adjustment clause tariff approved for an electric utility under section 386.266, the cost of power purchased from a renewable energy resource shall constitute a RES expense as defined in subsection 2 of section 393.1425, and shall not constitute purchased power expense under any such fuel adjustment clause tariff.

12. The commission shall have the authority to promulgate rules for the implementation of sections 393.1425 to 393.1435, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of sections 393.1425 to 393.1435. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

13. Alternatively, an electric utility may recover RES compliance costs without use of the RES cost recovery mechanism, through rates established in a general rate proceeding. In the interim between general rate proceedings, the electric utility may defer the costs in a regulatory asset account, and monthly calculate a carrying charge on the balance in that regulatory asset account equal to its short-term cost of borrowing. All questions pertaining to rate recovery of the RES compliance costs in a subsequent general rate proceeding will be reserved to that proceeding, including the prudence of the costs for which rate recovery is sought and the period of time over which any costs allowed rate recovery will be amortized. Any rate recovery granted to RES compliance costs under this subsection shall be fully subject to the retail rate impact requirements of the RES.

393.1440. 1. Beginning October 1, 2011, for calendar year 2012, and by June thirtieth of each succeeding calendar year, an electric utility shall provide a written compliance plan to the commission documenting the electric utility's plans for meeting the requirements of sections 393.1405 to 393.1420 for at least the following three calendar years. The compliance plan shall include the electric utility's plans regarding the types of renewable energy resources the electric utility intends to build or acquire, and the time frames associated therewith.

2. Beginning April 15, 2013, for calendar year 2012, and by April fifteenth of each succeeding calendar year, an electric utility shall provide a compliance report to the commission documenting the electric utility's progress in meeting the requirements of sections 393.1405 to 393.1420 for the preceding calendar year.

393.1443. Notwithstanding the Missouri Public Service Commissions Agreement and Order number EO-2005-0329, a utility shall recover its costs in accordance with sections 393.1400 to 393.1440, and the Missouri Public Service Commission shall allow for such recovery under sections 393.1400 to 393.1440.

393.1445. For purposes of compliance with the requirements of sections 393.1405 to 393.1420, electric utilities owned by the same holding company and operated commonly may reallocate the commitments between the electric utilities at its discretion such that the overall commitment is maintained.

620.2300. 1. As used in this section, the following terms shall mean:

- (1) "Department", the Missouri department of economic development;
- (2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;
- (3) "Commission", the Missouri public service commission;
- (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;
- (5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;
- (6) "Major source", the same meaning as is provided under 40 CFR 70.2;
- (7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;
- (8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:
  - (a) The area consists of at least fifty contiguous acres;
  - (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States Environmental Protection Agency;
  - (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;
  - (d) The development plan for the area includes a biomass facility; and
  - (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;
- (9) "Project", a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;
- (10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;
- (11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;
- (12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.



**3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign twice credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:**

**(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;**

**(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or**

**(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier."; and**

Further amend said bill, Page 24, Section 386.850, Line 6, by inserting after all of said line the following:

"[393.1020. Sections 393.1025 and 393.1030 shall be known as the "Renewable Energy Standard".]

[393.1025. As used in sections 393.1020 to 393.1030, the following terms mean:

(1) "Commission", the public service commission;

(2) "Department", the department of natural resources;

(3) "Electric utility", any electrical corporation as defined by section 386.020;

(4) "Renewable energy credit" or "REC", a tradeable certificate of proof that one megawatt-hour of electricity has been generated from renewable energy sources; and

(5) "Renewable energy resources", electric energy produced from wind, solar thermal sources, photovoltaic cells and panels, dedicated crops grown for energy production, cellulosic agricultural residues, plant residues, methane from landfills, from agricultural operations, or from wastewater treatment, thermal depolymerization or pyrolysis for converting waste material to energy, clean and untreated wood such as pallets, hydropower (not including pumped storage) that does not require a new diversion or impoundment of water and that has a nameplate rating of ten megawatts or less, fuel cells using hydrogen produced by one of the above-named renewable energy sources, and other sources of energy not including nuclear that become available after November 4, 2008, and are certified as renewable by rule by the department.]

[393.1030. 1. The commission shall, in consultation with the department, prescribe by rule a portfolio requirement for all electric utilities to generate or purchase electricity generated from renewable energy resources. Such portfolio requirement shall provide that electricity from renewable energy resources shall constitute the following portions of each electric utility's sales:

(1) No less than two percent for calendar years 2011 through 2013;

(2) No less than five percent for calendar years 2014 through 2017;

(3) No less than ten percent for calendar years 2018 through 2020; and

(4) No less than fifteen percent in each calendar year beginning in 2021. At least two percent of each portfolio requirement shall be derived from solar energy. The portfolio requirements shall apply to all power sold to Missouri consumers whether such power is self-generated or purchased from another source in or outside of this state. A utility may comply with the standard in whole or in part by purchasing RECs. Each kilowatt-hour of eligible energy generated in Missouri shall count as 1.25 kilowatt-hours for purposes of compliance.

2. The commission, in consultation with the department and within one year of November 4, 2008, shall select a program for tracking and verifying the trading of renewable energy credits. An unused credit may exist for up to three years from the date of its creation. A credit may be used only once to comply with sections 393.1020 to 393.1030 and may not also be used to satisfy any similar nonfederal requirement. An electric utility may not use a credit derived from a green pricing program. Certificates from net-metered sources shall initially be owned by the customer-generator. The commission, except where the department is specified, shall make whatever rules are necessary to enforce the renewable energy standard. Such rules shall include:

(1) A maximum average retail rate increase of one percent determined by estimating and comparing the electric utility's cost of compliance with least-cost renewable generation and the cost of continuing to generate or purchase electricity from entirely nonrenewable sources, taking into proper account future environmental regulatory risk including the risk of greenhouse gas regulation;

(2) Penalties of at least twice the average market value of renewable energy credits for the compliance period for failure to meet the targets of subsection 1. An electric utility will be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated, or that the maximum average retail rate increase has been reached. Penalties shall not be recovered from customers. Amounts forfeited under this section shall be remitted to the department to purchase renewable energy credits needed for compliance. Any excess forfeited revenues shall be used by the department's energy center solely for renewable energy and energy efficiency projects;

(3) Provisions for an annual report to be filed by each electric utility in a format sufficient to document its progress in meeting the targets;

(4) Provision for recovery outside the context of a regular rate case of prudently incurred costs and the pass-through of benefits to customers of any savings achieved by an electrical corporation in meeting the requirements of this section.

3. Each electric utility shall make available to its retail customers a standard rebate offer of at least two dollars per installed watt for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, that become operational after 2009.

4. The department shall, in consultation with the commission, establish by rule a certification process for electricity generated from renewable resources and used to fulfill the requirements of subsection 1 of this section. Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable to renewable energy resources shall be used to fulfill the portfolio requirements.

5. In carrying out the provisions of this section, the commission and the department shall include methane generated from the anaerobic digestion of farm animal waste and thermal depolymerization or pyrolysis for converting waste material to energy as renewable energy resources for purposes of this section.]

[393.1040. In addition to the renewable energy objectives set forth in sections 393.1025, 393.1030, and 393.1035, it is also the policy of this state to encourage electrical corporations to develop and administer energy efficiency initiatives that reduce the annual growth in energy consumption and the need to build additional electric generation capacity.]

[393.1045. Any renewable mandate required by law shall not raise the retail rates charged to the customers of electric retail suppliers by an average of more than one percent in any year, and all the costs associated with any such renewable mandate shall be recoverable in the retail rates charged by the electric supplier. Solar rebates shall be included in the one percent rate cap provided for in this section.]

Section B. Because of the need to ensure the creation of jobs through the utilization of alternative energy sources, the enactment of section 620.2300 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 620.2300 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wyatt offered **House Amendment No. 1 to House Amendment No. 8.**

**House Amendment No. 1 to House Amendment No. 8** was withdrawn.

2005 *Journal of the House*

On motion of Representative Holsman, **House Amendment No. 8** was adopted by the following vote:

AYES: 080

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Carlson
Casey	Cauthorn	Colona	Conway 14	Conway 27
Diehl	Ellinger	Fallert	Fisher	Fitzwater
Frederick	Gosen	Guernsey	Hampton	Harris
Holsman	Hoskins	Hough	Hummel	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Kratky	Largent
Leach	Leara	Loehner	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Newman	Nichols	Oxford	Pierson
Quinn	Reiboldt	Rizzo	Schneider	Schupp
Shively	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Swearingen	Talboy	Torpey
Wallingford	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 057

Asbury	Bernskoetter	Brattin	Brown 85	Brown 116
Burlison	Carter	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fraker
Franklin	Fuhr	Funderburk	Gatschenberger	Grisamore
Higdon	Hinson	Houghton	Hubbard	Johnson
Koenig	Korman	Lair	Lauer	Lichtenegger
Long	Nance	Neth	Nolte	Pace
Parkinson	Pollock	Richardson	Riddle	Rowland
Ruzicka	Schad	Schieber	Schoeller	Smith 71
Stream	Thomson	Walton Gray	Webb	Wells
Weter	White			

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 022

Brown 50	Day	Flanigan	Franz	Haefner
Hodges	Hughes	Lampe	Lant	Lasater
Nasheed	Peters-Baker	Phillips	Redmon	Sater
Scharnhorst	Schatz	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

Representative Riddle offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 207, Page 21, Section 393.1075, Line 1, by inserting immediately prior to all of said section and line the following:

“386.370. 1. **Prior to the beginning of each fiscal year**, the commission shall[, prior to the beginning of each fiscal year beginning with the fiscal year commencing on July 1, 1947,] make an estimate of the expenses to be incurred by it during such fiscal year reasonably attributable to the regulation of public utilities as provided in chapters 386, 392, and 393. **Prior to the beginning of each fiscal year, the public counsel shall make an estimate of the expenses to be incurred by him or her during such fiscal year reasonably attributable to his or her responsibilities under sections 387.700 and 386.710. The commission and the public counsel** shall also separately estimate the amount of such expenses directly attributable to [such regulation of] each of the following groups of public utilities: Electrical corporations, gas corporations, water corporations, heating companies [and telephone corporations, telegraph corporations], **telecommunications companies**, sewer corporations, and any other public utility as defined in section 386.020, as well as the amount of such expenses not directly attributable to any such group.

2. The commission **and the public counsel** shall **each** allocate to each such group of public utilities the **total** estimated expenses directly attributable to [the regulation of] **their respective activities for each** such group and an amount equal to such proportion of the estimated expenses not directly attributable to any group as the gross intrastate operating revenues of such group during the preceding calendar year bears to the total gross intrastate operating revenues of all public utilities subject to the jurisdiction of the commission, as aforesaid, during such calendar year. The commission shall then assess the amount so allocated **by the commission and the public counsel** to each group of public utilities, subject to reduction as herein provided, to the public utilities in such group in proportion to their respective gross intrastate operating revenues during the preceding calendar year, except that:

(1) The total amount so assessed to all such public utilities **that is attributable to the commission's regulation of such utilities** shall not exceed [one-fourth] **twenty-two hundredths** of one percent of the total gross intrastate operating revenues of all utilities subject to the jurisdiction of the commission; **and**

(2) **The total amount so assessed to all such public utilities that is attributable to the public counsel's responsibilities under sections 386.700 and 386.710 shall not exceed two hundredths of one percent of the total gross intrastate operating revenues of all utilities subject to the jurisdiction of the commission, and the amount allocated to telecommunications companies shall not exceed three percent of the total estimated expenses directly attributable to the public counsel's responsibilities.**

**If any electrical corporation obtains a combined license granted by the United States Nuclear Regulatory Commission or a successor organization then during the fiscal year immediately following the year in which the combined license was granted, and for each fiscal year thereafter, the total amount assessed under subdivision (1) of this subsection shall increase to an amount not to exceed twenty-three hundredths of one percent of the total gross intrastate operating revenues of all utilities subject to the jurisdiction of the commission, and the total amount assessed under subdivision (2) of this subsection shall increase to an amount not to exceed three hundredths of one percent of the total gross intrastate operating revenues of all utilities subject to the jurisdiction of the commission. Nothing in this section shall authorize the commission to determine how the public counsel allocates the estimated expenses directly attributable to his or her responsibilities under sections 386.700 and 386.710 with respect to the public utilities described in subsection 1 of this section or how the assessment imposed under this section is spent by the public counsel.**

3. The commission shall render a statement of [such assessment] **the assessments made under subsections 1 and 2 of this section** to each such public utility on or before July first and the [amount] **amounts** so assessed to each such public utility shall be paid by it to the director of revenue in full on or before July fifteenth next following the rendition of such statement, except that any such public utility may at its election pay such assessment in four equal installments not later than the following dates next following the rendition of said statement, to wit: July fifteenth, October fifteenth, January fifteenth and April fifteenth. The director of revenue shall remit such payments to the state treasurer.

4. The state treasurer shall **respectively** credit such payments to [a] **two** special [fund] **funds**, which [is] **are** hereby created, to be known as "The Public Service Commission Fund", which fund, or its successor fund created pursuant to section 33.571, shall be devoted solely to the payment of expenditures actually incurred by the commission and attributable to the regulation of such public utilities subject to the jurisdiction of the commission, as aforesaid, **and "The Public Counsel Fund", which fund, or any successor fund, shall be devoted solely to the payment of expenditures actually incurred by the public counsel and attributable to his or her responsibilities under sections**

**386.700 and 386.710.** Any [amount] **amounts** remaining in such special [fund] **funds** or [its] **their respective** successor [fund] **funds** at the end of any fiscal year shall not revert to the general revenue fund, but shall be applicable by appropriation of the general assembly to the payment of such expenditures of the commission **or the public counsel** in the succeeding fiscal year and shall be applied by the commission **or the public counsel** to the reduction of the amount to be assessed to such public utilities in such succeeding fiscal year, such reduction to be allocated to each group of public utilities in proportion to the respective gross intrastate operating revenues of the respective groups during the preceding calendar year.

5. In order to enable the commission **and the public counsel** to make the allocations and assessments herein provided for, each public utility subject to the jurisdiction of the commission as aforesaid shall file with the commission[, within ten days after August 28, 1996, and thereafter] on or before March thirty-first of each year, a statement under oath showing its gross intrastate operating revenues for the preceding calendar year, and if any public utility shall fail to file such statement within the time aforesaid the commission shall estimate such revenue which estimate shall be binding on such public utility for the purpose of this section.

393.135. **1.** Any charge made or demanded by an electrical corporation for service, or in connection therewith, which is based on the costs of construction in progress upon any existing or new facility of the electrical corporation, or any other cost associated with owning, operating, maintaining, or financing any property before it is fully operational and used for service, is unjust and unreasonable, and is prohibited.

**2.** After October 1, 2011, an electrical corporation that seeks an early site permit from the U.S. Nuclear Regulatory Commission, or a successor organization, shall, upon commencement of the permitting process, submit monitoring reports to the commission every six months documenting work completed, total expenditures to date, work yet to be completed, and anticipated expenditures yet to be incurred in order to obtain the early site permit.

**3.** Notwithstanding the provisions of subsection 1 of this section, an electrical corporation that has obtained an early site permit and that has complied with subsection 2 of this section shall be entitled to recover through rates charged to ratepayers all costs the electrical corporation has prudently incurred, from the first dollar through the cap outlined below, to obtain the permit in a principal amount not to exceed forty-five million dollars for such site permit. Any electrical corporation that, as part of a partnership or other group formed for such purpose, contributes or otherwise bears any portion of the costs incurred to obtain an early site permit shall also be entitled to recover its share of such costs, provided the total principal amount does not exceed the cost limitation included in this subsection. The principal amount shall be recovered through each applicable electrical corporation's rates charged to its ratepayers ratably over a period not to exceed twenty years. In addition to recovery of the principal amount, each applicable electrical corporation's rates shall also include interest on the uncollected principal balance at a rate per annum equal to the electrical corporation's commission-approved return on rate base. Recovery shall commence with the effective date of tariffs approved by the commission in each applicable electrical corporation's first general rate proceeding following the date on which the early site permit is obtained.

**4.** If an electrical corporation has recovered from ratepayers expenditures for an early site permit pursuant to subsection 3 of this section and then subsequently sells or transfers some or all of its interest in the early site permit or subsequently receives reimbursement for all or part of its costs from another source, the commission shall prescribe how the electrical corporation shall credit the sums paid by ratepayers that are equal to such sale, transfer, or reimbursement amounts after the proceeds from the sale, transfer, or reimbursement are received. The commission shall also prescribe how any profits from such sale or transfer are shared between the electrical corporation and ratepayers. Credits made to ratepayers shall include interest on the uncredited balance at a rate per annum equal to the electrical corporation's commission-approved short-term borrowing rate.

**5.** If an electrical corporation that obtains an early site permit does not obtain a combined license from the U.S. Nuclear Regulatory Commission, or a successor organization, for the construction and operation of a nuclear generating facility by the time the early site permit expires, or does not commence construction of such a facility by the time the early site permit expires, the commission shall open a proceeding to examine whether the electrical corporation was imprudent in not obtaining the combined license or not commencing construction by the time the early site permit expired. If, after hearing, the commission determines that the electrical corporation acted imprudently, the commission shall require the electrical corporation and any other applicable electrical corporation to credit to ratepayers the amount of revenues deemed imprudent by the commission that each electrical corporation collected pursuant to subsection 3 of this section. If ratepayer credits are ordered, such credits shall return to ratepayers, over a period of not less than five nor more than ten years, the amount

of revenues deemed imprudent by the commission, including interest on the uncredited balance at a rate per annum equal to the electrical corporation's commission-approved short-term borrowing rate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad offered **House Amendment No. 1 to House Amendment No. 9.**

*House Amendment No. 1  
to  
House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute for Senate Bill No. 207, Page 2, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

**“of the commission, and the amount allocated to telecommunications companies, water corporations, and gas corporations shall not exceed three percent, five percent and fifteen percent, respectively, of the total estimated expenses directly attributable to the public counsel’s responsibilities.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Schad, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

## 2009 *Journal of the House*

NOES: 046

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Diehl	Hodges	Hughes
Lant	McManus	Neth	Peters-Baker	Phillips
Richardson	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

On motion of Representative Riddle, **House Amendment No. 9, as amended**, was adopted by the following vote:

AYES: 121

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown 85
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leara	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	Meadows	Molendorp	Montecillo	Nance
Newman	Nichols	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shively	Shumake
Sifton	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 021

Anders	Brandom	Brown 116	Carlson	Cookson
Ellinger	Hampton	Holsman	Keeney	Kirkton
Klippenstein	Leach	Lichtenegger	Marshall	McNeil
Nolte	Oxford	Richardson	Schieber	Schupp
Silvey				

PRESENT: 000

ABSENT WITH LEAVE: 018

Berry	Brown 50	Cox	Hodges	Hough
Hughes	Lant	McManus	Nasheed	Neth
Peters-Baker	Phillips	Sater	Schieffer	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

**HCS SB 207, as amended**, was laid over.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HCS HB 17, as amended**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SCS HCS HB 17, as amended**, was adopted by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton



## 2011 *Journal of the House*

Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Swearingen	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes	Brown 50	Brown 116	Cox	Day
Hodges	Hughes	Lant	McManus	Peters-Baker
Phillips	Ruzicka	Sater	Schad	Schieffer
Stream	Swinger	Taylor	Webber	Wright

VACANCIES: 003

On motion of Representative Silvey, **SCS HCS HB 17, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Day	Hodges	Hughes
Lant	McManus	Neth	Peters-Baker	Phillips
Ruzicka	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**SCS HCS HB 18, as amended**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SCS HCS HB 18, as amended**, was adopted by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	White	Wieland	Wyatt	Mr Speaker

NOES: 014

Bahr	Brattin	Curtman	Dugger	Fuhr
Houghton	Koenig	Lasater	Lichtenegger	Marshall
Parkinson	Pollock	Smith 150	Wells	

PRESENT: 000

## 2013 *Journal of the House*

ABSENT WITH LEAVE: 021

Brown 50	Cox	Diehl	Hinson	Hodges
Hughes	Jones 117	Lant	McManus	Nolte
Peters-Baker	Phillips	Ruzicka	Sater	Schieffer
Swinger	Taylor	Webber	Weter	Wright
Zerr				

VACANCIES: 003

On motion of Representative Silvey, **SCS HCS HB 18, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Davis	Day
Denison	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Holsman	Hoskins	Hough
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Molendorp	Montecillo	Nasheed	Neth
Nichols	Oxford	Pace	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 015

Bahr	Brattin	Curtman	Dugger	Fuhr
Hinson	Houghton	Koenig	Lasater	Lichtenegger
Marshall	Parkinson	Pollock	Smith 150	Wells

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Brown 116	Cox	Gatschenberger	Hodges
Hughes	Lant	McManus	Nance	Newman
Nolte	Peters-Baker	Phillips	Ruzicka	Sater
Schieffer	Swinger	Taylor	Webber	Wright

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**SCS HCS HB 21**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SCS HCS HB 21** was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nolte	Peters-Baker	Phillips	Pollock
Ruzicka	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

On motion of Representative Silvey, **SCS HCS HB 21** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Carlson	Cox	Hodges	Hughes
Lant	McManus	Nasheed	Nolte	Peters-Baker
Phillips	Ruzicka	Sater	Schieffer	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**SCS HCS HB 22, as amended**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SCS HCS HB 22, as amended**, was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nasheed	Nolte	Peters-Baker	Phillips
Ruzicka	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

2017 *Journal of the House*

On motion of Representative Silvey, **SCS HCS HB 22, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nance	Nolte	Peters-Baker	Phillips
Ruzicka	Sater	Schieffer	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF SENATE BILLS

**HCS SB 61**, relating to local government, was taken up by Representative Nasheed.

Representative Jones (89) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 61, Page 5, Section 67.1521, Line 57, by inserting after all of said section and line the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall



serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Nasheed offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 61, Page 6, Section 84.344, Line 1, by deleting the word "**department**" and inserting in lieu thereof the following:

**"force"; and**

Further amend said bill, Page 6, Section 84.344, Line 9, by deleting all of said line and inserting in lieu thereof the following:

**"the discharge of the official duties of said force;"; and**

Further amend said bill, Page 6, Section 84.344, Line 13, by deleting all of said line and inserting in lieu thereof the following:

**"force; or"; and**

Further amend said bill, Page 6, Section 84.344, Line 15, by deleting the word "**department**" and inserting in lieu thereof the following:

**"force"; and**

Further amend said bill, Page 6, Section 84.344, Line 17, by deleting the word "**department**" and inserting in lieu thereof the following:

**"force"; and**

Further amend said bill, Page 7, Section 84.345, Line 1, by deleting the number "**1.**"; and

Further amend said bill, Page 7, Section 84.345, Line 9, by deleting the word "**cities**" and inserting in lieu thereof the following:

**"city"; and**

Further amend said bill, Page 7, Section 84.345, Lines 14 to 28, by deleting all of said lines; and

Further amend said bill, Page 7, Section 84.346, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

**"not within a county may establish a municipal police force on or after January 1, 2012, according to the procedures and"; and**

Further amend said bill, Page 7, Section 84.346, Line 7, by deleting all of said line and inserting in lieu thereof the following:

**"2. Before the establishment of a municipal police force by a city under sections 84.345 to 84.348, the board of police commissioners shall convey, assign, and otherwise transfer to the city title and ownership of all indebtedness and assets, including, but not limited to, all funds and real and personal property held in the name of or controlled by the board of police commissioners created under sections 84.020 and 84.030. The board of police commissioners shall execute all documents reasonably required to accomplish such transfer of ownership and obligations.**

**3. Upon the completion of the transfer described in subsection 2 of this section, the city shall appropriate the necessary funds for the maintenance of the municipal police force, however, in no event shall the city be required to appropriate funds for pensions or retirement plans for any fiscal year in excess of any limitation imposed by section 21, article X, of the Missouri Constitution. Such city may appropriate, by ordinance, a sum in excess of such limitation for any fiscal year. Nothing in sections 84.345 to 84.348 shall be construed as requiring a new activity or service, or an increase in the level of any activity or service, beyond that required by existing law if the city elects to establish a police force under sections 84.345 to 84.348.**

**4. Before a city not within a county may establish a municipal police force under this section, the city shall adopt an ordinance accepting responsibility, ownership, and liability as successor-in-interest for contractual obligations, indebtedness, and other lawful obligations of the board of police commissioners.**

**5. A city not within a county that establishes a municipal police force shall initially" and renumber all remaining subsections accordingly; and**

Further amend said bill, Page 8, Section 84.346, Lines 14 to 16, by deleting all of said lines and inserting in lieu thereof the following:

**"to as employees of the board of police commissioners."; and**

Further amend said bill, Page 8, Section 84.346, Line 27, by deleting "**8 of section 84.346.**" and inserting in lieu thereof the following:

**"6 of this section."; and**

Further amend said bill, Page 8, Section 84.346, Lines 43 to 71, by deleting all of said lines; and

Further amend said bill, Page 10, Section 84.346, Line 80, by deleting the semicolon; and

Further amend said bill, Page 10, Section 84.346, Line 84, by deleting the semicolon; and

Further amend said bill, Page 10, Section 84.346, Line 92, by deleting the words "**purpose of coordinating**" and inserting in lieu thereof the following:

**"purpose of: coordinating"; and**

2021 *Journal of the House*

Further amend said bill, Page 10, Section 84.347, Line 7, by deleting number "**84.345**" and inserting in lieu thereof the following:

**"84.346"; and**

Further amend said bill, Page 10, Section 84.347, Line 13, by deleting the words "**section 84.345, and state shall continue**" and inserting in lieu thereof the following:

**"section 84.346, and state shall not continue"; and**

Further amend said bill, Page 11, Section 84.347, Line 14, by deleting the words "**shall continue**" and inserting in lieu thereof the following:

**"shall not continue"; and**

Further amend said bill, Page 11, Section 84.347, Line 16, by deleting the words "**collective bargaining agreement,**"; and

Further amend said bill, Page 11, Section 84.347, Line 19, by deleting the number "**5**" and inserting in lieu thereof the following: "**8**"; and

Further amend said bill, Page 15, Section 86.213, Line 33, by inserting after all of said line the following:

**"86.371. In the event that the state or any state official is ordered to provide state funds to any city not within a county to satisfy pension obligations to any member of the system provided for in sections 86.200 to 86.366, the amount of state funds ordered shall constitute a first lien on the funds of such city. The state is authorized to certify such amount to the state treasurer and the director of the department of revenue. The state treasurer and the director of the department of revenue shall withhold all moneys due the city not within a county from the state until such amount, together with regular interest, is satisfied."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Nasheed, **House Amendment No. 2** was adopted.

Representative Funderburk offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 61, Page 6, Section 84.344, Line 20, by inserting after all of said line the following:

**"3. The chief, or any manager of the highest rank regardless of that person's title, of a municipal police force established under section 84.346 shall not:**

**(1) Solicit orally, by letter, or otherwise any assessment, contribution, or payment for any political purpose whatsoever;**

**(2) Directly or indirectly give, pay, lend, or contribute any of his or her salary, compensation, money, or other valuable thing to any person on account of, or to be applied to, the promotion of any political party, political club, or any political purpose whatsoever;**

**(3) Use his or her official authority or influence for the purpose of interfering with any election, nomination for office, or result thereof;**

**(4) Be a member or official of any committee of any political party or board of aldermen;**

**(5) Solicit any person to vote for or against any candidate for public office, poll precincts, or be connected with other political work of similar character on behalf of any political organization, party, or candidate;**

**(6) Affix any sign, bumper sticker, or other device, which either supports or opposes any ballot measure or political candidate, to any property or vehicle under the control of the police force;**

- (7) Publicly endorse a candidate for any public office;
- (8) Work for, or provide any service to, on a paid or voluntary basis, a candidate for any public office or a campaign for or against any ballot initiative.

All such persons shall, however, retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. Any person who violates this subsection shall immediately forfeit and vacate his or her office."; and

Further amend said bill, Page 8, Section 84.346, Line 36, by deleting all of said line and inserting in lieu thereof the following:

**"the rules and regulations. Unless otherwise provided for,"**; and

Further amend said bill, Page 8, Section 84.346, Line 39, by deleting the word "**may**" and inserting in lieu thereof the following:

**"shall"**; and

Further amend said bill, Page 8, Section 84.346, Line 40, by inserting immediately after the word "**appeals**" the following:

**"that involve discipline resulting in a suspension of greater than fifteen days, demotion, or termination"**; and

Further amend said bill, Page 10, Section 84.346, Line 80, by deleting the word "**retired**" and inserting in lieu thereof the following:

**"retire"**; and

Further amend said bill, Page 10, Section 84.346, Lines 101 and 102, by deleting said lines and inserting in lieu thereof the following:

**"enforcement officers. The remaining members of the committee shall include the police chief of the municipal police force, the city's director of public safety, and a person who has retired from service with the board of police commissioners or the municipal police who shall be appointed to the committee by a law enforcement association that represents a majority of members of the municipal police force. The committee shall elect a chair by majority vote."**; and

Further amend said bill, Page 11, Section 84.349, Line 4, by inserting at the end of said line the following:

**"The nonseverability provision in this section shall not apply to subsection 3 of section 84.344."**; and

Further amend said bill, Page 15, Section 86.213, Lines 13 and 14, by deleting all of said lines and inserting in lieu thereof the following:

**"[(3) Three] (2) Two** members to be appointed by the mayor of the city to serve for a term of two years, **except the mayor shall not appoint the police chief of the municipal police force, the city's director of public safety, or the president of the board of police commissioners of the city;**"; and

Further amend said bill, Page 15, Section 86.213, Line 23, by deleting all of said line and inserting in lieu thereof the following:

**"[(5) Two] (4) Three** members who shall be retired members of the retirement system to be"; and

Further amend said bill, Page 21, Section 2, Line 4, by inserting after all of said line the following:

**"Section 3. No elected or appointed official of the state or any political subdivision thereof shall act or refrain from acting in any manner to impede, obstruct, hinder, or otherwise interfere with any member of a municipal police force established under section 84.346 in the performance of his or her job duties, or with any aspect of any investigation arising from the performance of such job duties. This section shall not be construed to prevent such officials from acting within the normal course and scope of their employment or from acting to implement sections 84.345 to 84.348. Any person who shall violate this section shall be liable for a penalty of two thousand five hundred dollars for each offense and shall forever be disqualified from holding any office or employment whatsoever with the governmental entity the person served at the time of the violation. The penalty shall not be paid by the funds of any committee as the term "committee" is defined in section 130.011. This section shall not be construed to interfere with the punishment, under any laws of this state, of a criminal offense committed by such officials, nor shall this section apply to duly appointed members of the municipal police force, or their appointing authorities, whose conduct is otherwise provided for by law.**

**Section 4. 1. It shall be an unlawful employment practice for an official, employee, or agent of a municipal police force established under section 84.346 to discharge, demote, reduce the pay of, or otherwise retaliate against an employee of the municipal police force for reporting to any superior, government agency, or the press the conduct of another employee that the reporting employee believes, in good faith, is illegal.**

**2. Any employee of the municipal police force may bring a cause of action for general or special damages based on a violation of this section."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 3** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Redmon	Reiboldt	Richardson
Riddle	Rowland	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 044

Atkins	Aull	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 020

Anders	Brown 50	Cox	Hodges	Hughes
Lant	McManus	Peters-Baker	Phillips	Pollock
Ruzicka	Sater	Schatz	Schieffer	Schneider
Swearingen	Swinger	Taylor	Webber	Wright

VACANCIES: 003

On motion of Representative Nasheed, **HCS SB 61, as amended**, was adopted.

On motion of Representative Nasheed, **HCS SB 61, as amended**, was read the third time and passed by the following vote:

AYES: 114

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Crawford	Cross	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCann Beatty	McDonald
McGhee	McNary	McNeil	Meadows	Montecillo
Nasheed	Nichols	Nolte	Oxford	Pace
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Schad	Scharnhorst
Schoeller	Schupp	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wyatt	Mr Speaker	

## 2025 *Journal of the House*

NOES: 028

Berry	Brattin	Brown 85	Conway 14	Curtman
Davis	Dugger	Entlicher	Fuhr	Haefner
Hampton	Kirkton	Marshall	McCaherty	McGeoghegan
Nance	Neth	Newman	Parkinson	Reiboldt
Schieber	Shively	Swearingen	Wells	Weter
White	Wieland	Zerr		

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 017

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Peters-Baker	Phillips	Ruzicka	Sater
Schatz	Schieffer	Schneider	Swinger	Taylor
Webber	Wright			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SB 187**, relating to nuisance actions, was taken up by Representative Guernsey.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 046

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Cox	Hodges	Hughes	Lant
McManus	McNary	Peters-Baker	Phillips	Ruzicka
Sater	Schatz	Schieffer	Schneider	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

On motion of Representative Guernsey, **HCS SB 187** was adopted.

On motion of Representative Guernsey, **HCS SB 187** was read the third time and passed by the following vote:

AYES: 100

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Pollock	Reidmon	Reiboldt	Richardson	Riddle
Rowland	Schad	Scharnhorst	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 042

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Ellinger	Fallert	Harris



## 2027 *Journal of the House*

Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nasheed	Peters-Baker	Phillips	Ruzicka
Sater	Schatz	Schieffer	Schneider	Swinger
Taylor	Webber	Wright		

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SS SB 226**, relating to ambulance districts, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 226, Page 1, Section 143.789, Lines 4-10, by deleting all of said lines and inserting in lieu thereof the following:

- “(1) **Delinquent taxes owed by the taxpayer to the state of Missouri;**  
(2) **Debts owed by such taxpayer to any state agency or support obligation owed by such taxpayer which are enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425;**  
(3) **Collection assistance fees authorized under section 143.790;**  
(4) **Eligible claims under section 143.790; and**  
(5) **Delinquent taxes owed by the taxpayer to the United States.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Kelly (24) offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 226, Section 143.790, Page 8, Line 245, by inserting after all of said section and line the following:

“**143.1016. 1. For all tax years beginning on or after January 1, 2011, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that two dollars or any amount in excess of two dollars on a single return, and four dollars or any amount in excess of four dollars on a combined return, of the refund due be credited to the organ donor program fund established in section 194.297. The contribution designation authorized by this section shall be clearly and unambiguously**

printed on each income tax return form provided by this state. If any individual that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the organ donor program fund, such individual may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, clearly designated for the organ donor program fund, the amount the individual wishes to contribute. The department of revenue shall deposit such amount to the organ donor program fund as provided in subsection 2 of this section.

2. The director of revenue shall transfer at least monthly all contributions designated by individuals under this section, less an amount sufficient to cover the cost of collecting and handling by the department of revenue which shall not exceed five percent of the transferred contributions, to the state treasurer for deposit in the state treasury to the credit of the organ donor program fund. A contribution designated under this section shall only be transferred and deposited in the organ donor program fund after all other claims against the refund from which such contribution is to be made have been satisfied.

3. All moneys transferred to the fund shall be distributed as provided in this section and sections 194.297 and 194.299.

4. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

Representative Leara offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 226, Page 1, Section A, Line 3, by inserting after all of said line the following:

"66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group A shall include all portions of any city of the fourth**

**classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity.** For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group B shall not include any portion of any city of the fourth classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity.**

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the "adjusted county average" is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the "redistribution formula" is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage

which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined

by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 3** was adopted.

Representative Stream offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 226, Page 8, Section 143.790, Line 245, by inserting after all of said section the following:

**“170.310. 1. Each school district that operates a high school, and each charter school that contains grades 9 to 12, shall provide instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course in grades 9 to 12.**

**2. Instruction shall include hands-on practicing and skills testing to support cognitive learning. Instruction shall be through a program developed by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.**

**3. The teacher of the health education course shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.**

**4. Instruction as required under this section shall become a requirement for high school graduation for students graduating in the 2014-2015 school year and subsequent school years.**

**5. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 4** was adopted.

On motion of Representative Franz, **HCS SS SB 226, as amended**, was adopted.

On motion of Representative Franz, **HCS SS SB 226, as amended**, was read the third time and passed by the following vote:

AYES: 120

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McDonald	McGhee	McNary	Meadows

## 2033 *Journal of the House*

Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Schad	Scharnhorst
Schieber	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Still	Stream	Talboy
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 021

Anders	Atkins	Carlson	Harris	Kirkton
May	McCann Beatty	McGeoghegan	McNeil	Montecillo
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Smith 71	Sprenge	Swearingen	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Peters-Baker	Phillips	Pollock	Richardson
Ruzicka	Sater	Schatz	Schieffer	Schneider
Swinger	Taylor	Webber	Wright	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**SS#2 SCS SB 320**, relating to domestic violence, was taken up by Representative Diehl.

On motion of Representative Diehl, **SS#2 SCS SB 320** was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols

Oxford	Pace	Parkinson	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schieber	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Brown 50	Cox	Hodges	Hughes	Lant
McManus	Nasheed	Nolte	Peters-Baker	Phillips
Pollock	Richardson	Ruzicka	Sater	Schatz
Schieffer	Schneider	Swinger	Taylor	Webber
Wright	Mr Speaker			

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SB 322**, relating to federal reimbursement allowances, was taken up by Representative Kelly (24).

Representative Kelly (24) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 322, Page 1, In the Title, Line 3, by deleting the words, “certain provider taxes” and inserting in lieu thereof the words, “the collection and distribution of public money”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1** was adopted.

Representative Flanigan offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 322, Section A, Page 1, Line 3, by inserting the following after all of said line:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law, **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420.**

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.



3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

**32.058. For all years beginning after January 1, 2012, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail.**

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his **or her** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself **or herself** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his **or her** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. **He or she** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him **or her** under the local sales tax law or in the event a determination has been made against him **or her** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first

calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

**32.088. 1.** Beginning January 1, 2012, the possession of a statement from the department of revenue stating no tax is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under sections 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

**2.** Beginning January 1, 2012, in lieu of subsection 1 of this section, the director may enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under sections 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

**32.383. 1.** Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in chapters 143 and 144, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2011, to October 31, 2011, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2011. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2010, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

**2.** Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted, unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

**3.** Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due within sixty days of approval by the department of revenue, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

**4.** All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

**5.** If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

**6.** Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2011, shall be invalid and void.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official" means a unit or official of the federal government charged with the collection of non-tax liabilities payable to the federal government under 31 U.S.C. section 3716.

(2) "State agency" means any department, division, board, commission, office, or other agency of the state of Missouri.

(3) "Non-tax liability due the state" means a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other non-tax assessments imposed by or payable to any state agency that is finally determined to be due and owing.

(4) "Person" means an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing.

(5) "Refund" means an amount described as a refund of tax under the provisions of the state tax law that authorized its payment.

(6) "Vendor payment" means any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

(7) "Offset agreement" is the agreement authorized by this section.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent non-tax liability owed by the person to the federal government; and

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled.

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and non-tax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state.

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) the full name of the person and any other names known to be used by the person;

(2) the social security number or federal tax identification number;

(3) the amount of the non-tax liability; and

(4) a statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) in accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) pay to the federal official the lesser of:

(a) the entire refund or vendor payment; or

(b) the amount certified; and

(4) pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) certify to a federal official the existence of a person's delinquent tax or non-tax liability due the state owed by the person to any state agency;

(2) request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) the full name and address of the person and any other names known to be used by the person;

(2) the social security number or tax identification number;

(3) the amount of the tax or non-tax liability;

(4) a statement that the debt is past due and legally enforceable in the amount certified; and

(5) any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States regular mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

**32.430. 1.** Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 143.902 or section 140.910 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

**2.** In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under section 143.902 and section 140.910 in the collection of any state debt referred to the department.

**3.** The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

**32.440. 1.** The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

**2.** The cost of collection shall only be waived when:

**(1)** Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

**(2)** A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

**(3)** Collection costs have been added by the state agency and are included in the amount of the referred debt.

**3.** If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

**32.450.** The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

**32.460.** The department and state agencies, including the judiciary, may exchange information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring state agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of the state agency and to the department when the information has been forwarded to the department.

**105.716. 1.** Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made. In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

**2.** All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending

and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

**5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorneys fees and expenses associated with creating the liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.**

136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

**6. Any person acting as agent of the department of revenue for the collection of sales and use tax when required under sections 144.070 and 144.440 shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax under section 144.140 to offset the actual cost incurred by such person, on behalf of the department of revenue, in the collection of such taxes in accordance with the provisions of Article IV, Section 30(b) of the Missouri Constitution.**

7. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

[7.] 8. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.

**140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or his or her designee may issue an order directing any person to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or his or her designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.**

**2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. 1673.**

**3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.**

**4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.**

**5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.**

**6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.**

**7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.**

**8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in**



an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or his or her designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or his or her designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under [sections 144.010 to 144.510 or sections 143.191 to 143.261] **section 32.088** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business [where goods are sold at retail]. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, **and until December 31, 2011**, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county

occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; [or]

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract; or

**(6) Beginning, January 1, 2012, the government entity issuing a valid certificate of license to teach in Missouri under section 168.011, shall at least one time each year provide the name and Social Security number of each certificate holder or applicant for certificate of a license to teach in Missouri to the director of revenue. The director of revenue shall at least one time each year check the status of each certificate holder or applicant for certificate of a license to teach in Missouri against a database developed by the director to determine if all state income tax returns have been filed and all state income taxes owed have been paid. If such certificate holder or applicant for certificate of a license to teach in Missouri is delinquent on any state taxes, or has failed to file state income tax returns in the last three years, the director shall then send notice to the certificate holder or applicant for certificate of a license to teach in Missouri and the department of elementary and secondary education. In the case of such delinquency or failure to file, the certificate holder's license shall be suspended within ninety days after notice of such delinquency or failure to file, and the applicant for certificate's license shall not be issued unless the director of revenue verifies that such certificate holder or applicant for certificate has remedied such delinquency or failure or has made arrangements to achieve such remedy. The director of revenue shall, within ten business days of notification to the government entity issuing the certificate of license to teach, that the delinquency has been remedied or arrangements have been made to remedy such delinquency, and send written notification to the certificate holder or applicant for certificate that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.**

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature

established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

- (1) Any dangerous felony as defined in section 556.061 or murder in the first degree;
  - (2) Any of the following sexual offenses: rape; statutory rape in the first degree; statutory rape in the second degree; sexual assault; forcible sodomy; statutory sodomy in the first degree; statutory sodomy in the second degree; child molestation in the first degree; child molestation in the second degree; deviate sexual assault; sexual misconduct involving a child; sexual misconduct in the first degree; sexual abuse; enticement of a child; or attempting to entice a child;
  - (3) Any of the following offenses against the family and related offenses: incest; abandonment of child in the first degree; abandonment of child in the second degree; endangering the welfare of a child in the first degree; abuse of a child; child used in a sexual performance; promoting sexual performance by a child; or trafficking in children; and
  - (4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree; promoting obscenity in the second degree when the penalty is enhanced to a class D felony; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography in the first degree; possession of child pornography in the second degree; furnishing child pornography to a minor; furnishing pornographic materials to minors; or coercing acceptance of obscene material.
7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.
8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.
9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.
10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.
11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.
12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.
13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.”; and

Further amend said bill, Page 5, Section 633.401, Line 94, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 2** was adopted.

On motion of Representative Kelly (24), **HCS SB 322, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS SB 322, as amended**, was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Schad	Scharnhorst	Schieber
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Cox	Hodges	Hughes	Lant
Loehner	McManus	Peters-Baker	Phillips	Pollock
Ruzicka	Sater	Schatz	Schieffer	Schneider
Swinger	Taylor	Webber	Wright	

VACANCIES: 003

Speaker Pro Tem Schoeller declared the bill passed.

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 658** - Fiscal Review (Fiscal Note)

## COMMITTEE REPORTS

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SCS SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **SCS SB 117**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Tourism and Natural Resources**, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

## SENATE CONCURRENT RESOLUTION NO. 11

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week

WHEREAS, Diabetic Peripheral Neuropathy (DPN) is a serious condition that results from damage to nerves due to prolonged exposure to high amounts of glucose in the bloodstream as a result of diabetes; and

WHEREAS, more than half of all diabetics suffer from DPN, and the areas of the body most commonly affected by DPN are the feet and legs; and

WHEREAS, nerve damage in the feet can result in the loss of foot sensation, increasing risk of foot problems and which manifests itself in intense pain often described as aching, tingling, burning, and numbness; and

WHEREAS, in 2009, 364,000 Missourians were diagnosed with diabetes; and

WHEREAS, DPN is the leading cause of amputations, and as many as 40 to 60 percent of lower extremity amputations are due to severe forms of DPN; and

WHEREAS, DPN is preventable only to the extent that the underlying cause is preventable, requiring the individual patient's alert awareness of bodily deficiency, illness, infection or injury that can cause DPN, and the individual's willingness to seek early diagnosis and treatment; and

WHEREAS, it is absolutely fitting and proper to designate a special week to raise public awareness of DPN and its symptoms:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize the third week of June of each year as Diabetic Peripheral Neuropathy (DPN) Week in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate and the House of Representatives encourage citizens throughout Missouri to observe this week by raising public awareness regarding the symptoms and treatment of this painful and dangerous neuropathy; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SCS SB 230**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 48**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 70**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 100**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 100**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 117**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 180**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 254**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE

May 5, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Bill No. 182** entitled:

"AN ACT"

To amend chapter 9, RSMo, by adding thereto one new section relating to the designation of dress in blue for colon cancer awareness day.

On May 5, 2011, I approved said **House Bill No. 182**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----  
May 5, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 354** entitled:

"AN ACT"

To repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

On May 5, 2011, I approved said **House Committee Substitute for House Bill No. 354**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

May 5, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 557** entitled:

"AN ACT"

To repeal sections 630.053 and 630.095, RSMo, and to enact in lieu thereof two new sections relating to the mental health earnings fund.

On May 5, 2011, I approved said **House Committee Substitute for House Bill No. 557**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----  
May 5, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Bill No. 749** entitled:

"AN ACT"

To amend chapters 9 and 10, RSMo, by adding thereto two new sections relating to child abuse prevention.

On May 5, 2011, I approved said **House Bill No. 749**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----



May 5, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96th GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Bill No. 795** entitled:

"AN ACT"

To amend chapter 9, RSMo, by adding thereto one new section relating to the designation of school read-in day.

On May 5, 2011, I approved said **House Bill No. 795**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 2:00 p.m., Monday, May 9, 2011.

### **COMMITTEE MEETINGS**

#### **ADMINISTRATION AND ACCOUNTS**

Monday, May 9, 2011, 12:00 PM House Hearing Room 3.  
Legislative assistants  
Member expenses

#### **CONFERENCE COMMITTEE**

Friday, May 6, 2011, 8:30 AM Senate Lounge.  
Executive session will be held: CCS SCS HCS HB 2, CCS SCS HCS HB 3,  
CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7,  
CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11,  
CCS SCS HCS HB 12, CCS SCS HCS HB 13  
Executive session may be held on any matter referred to the committee.  
**CANCELLED**

#### **CORRECTIONS**

Tuesday, May 10, 2011, 12:00 PM House Hearing Room 3.  
Informational luncheon meeting at 12:00 noon

**FISCAL REVIEW**

Friday, May 6, 2011, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

**CANCELLED**

**FISCAL REVIEW**

Monday, May 9, 2011, 12:00 PM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

**CORRECTED**

**FISCAL REVIEW**

Tuesday, May 10, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

**FISCAL REVIEW**

Wednesday, May 11, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

**HEALTH CARE POLICY**

Monday, May 9, 2011, 12:30 PM House Hearing Room 5.

Public hearing will be held: SCR 12

Executive session will be held: HB 821

Executive session may be held on any matter referred to the committee.

**CORRECTED**

**JOINT COMMITTEE ON EDUCATION**

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Monday, May 9, 2011, 12:30 PM South Gallery.

Executive session may be held on any matter referred to the committee.

## **HOUSE CALENDAR**

SIXTY-EIGHTH DAY, MONDAY, MAY 9, 2011

### **HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

**HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller
- 3 HB 138 - Thomson
- 4 HCS HB 732 - Brandom
- 5 HCS HBs 504, 505 & 874 - Silvey
- 6 HB 658, (Fiscal Review 5-5-11) - Schatz
- 7 HCS HB 707 - Brown (50)

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

**SENATE BILLS FOR THIRD READING**

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SCS SB 29 - Jones (117)
- 3 HCS SB 59 - Diehl
- 4 SB 71 - Largent
- 5 HCS#2 SB 97 - Fitzwater
- 6 HCS SS SB 118 - Sater
- 7 HCS SS SB 202 - Schoeller
- 8 SB 237 - Barnes
- 9 HCS SB 243, (Fiscal Review 5-3-11), E.C. - Dieckhaus
- 10 HCS SB 250 - Schad
- 11 HCS SCS SB 270 - Dugger
- 12 HCS SB 284, E.C. - Sater
- 13 SCS SB 323, E.C. - Allen
- 14 SB 38 - Carter
- 15 HCS SCS SB 60 - Cox
- 16 SS SCS SB 65 - Jones (89)
- 17 HCS SB 90 - Burlison
- 18 HCS SS SCS SB 132, E.C. - Richardson
- 19 HCS#2 SCS SB 162 - Guernsey
- 20 SS SB 238 - Hinson
- 21 HCS SB 325, E.C. - Smith (150)
- 22 HCS SS SCS SB 351 - Barnes
- 23 HCS SCS SB 356, E.C. - Loehner
- 24 HCS SS SB 360, E.C. - Wyatt
- 25 SS SCS SB 70 - Franz

- 26 HCS#2 SCS SB 117, E.C. - Flanigan
- 27 HCS SB 180 - Torpey
- 28 HCS SS SCS SB 254 - Cox

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 186 - Entlicher
- 8 SCS HB 149 - Day
- 9 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 10 SCS HB 256 - Cox
- 11 SCS HCS HB 214 - Zerr
- 12 SS SCS HB 137, as amended, E.C. - Thomson
- 13 SCS HCS HB 641 - Franz
- 14 HCS HB 197, SCA 1 - Jones (63)
- 15 HB 340, SA 1, E.C. - Klippenstein
- 16 SCS HCS HB 250 - Cox
- 17 SS HCS HB 338 - Pollock
- 18 SCS HCS HB 578 - Thomson
- 19 SCS HB 737 - Redmon
- 20 SS SCS HB 282, as amended - Franz

#### **BILLS CARRYING REQUEST MESSAGES**

SCS HB 101, as amended (request Senate recede/grant conference/exceed differences) - Loehner

#### **BILLS IN CONFERENCE**

- 1 HCS SS#2 SCS SB 8, as amended - Fisher
- 2 HCS SB 173, as amended - Cierpiot
- 3 HCS SB 282, as amended - Dugger
- 4 HCS SS SB 135, as amended, E.C. - Jones (89)
- 5 SCS HB 142, as amended - Gatschenberger
- 6 HCS SB 220, as amended - Diehl

#### **VETOED HOUSE BILLS**

SS SCS HB 209 - Guernsey

**SENATE CONCURRENT RESOLUTIONS**

SCR 7, (3-17-11, Page 700) - Jones (89)

**HOUSE RESOLUTIONS**

HR 1826, (4-27-11, Pages 1649-1650) - Long

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTY-EIGHTH DAY, MONDAY, MAY 9, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Marilyn Seaton, Senior Docket Clerk.

Let us pray.

The wonder of living is held within the beauty of silence, the glory of sunlight, the sweetness of fresh Spring air, the quiet strength of earth, and the love that lies at the very root of all things. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sam Ward, Lydia Foss, Kelsi Bernskoetter, Nick Bernskoetter, Kylie Bernskoetter, Landon Fraker and Logan Fraker.

The Journal of the sixty-seventh day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3212 through House Resolution No. 3292

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 658** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 243** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF SENATE BILL

**HCS SB 59**, relating to judicial procedures, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 59, Page 4, Section 404.710, Lines 91-92, by deleting from said lines the words “, **including, but not limited to exercising and giving consent to a do-not-resuscitate order on behalf on the principal**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Diehl offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 59, Page 3, Section 404.710, Lines 65-69, by deleting all of said lines and inserting in lieu thereof the following:

“(1) To execute, amend or revoke any trust agreement;”; and

Further amend said bill and page and section, Line 85, by deleting all of said line and inserting in lieu thereof the following:

“(8) To make [a] **an anatomical** gift of, or [decline to make a] **prohibit [a] an anatomical** gift of, **all**”; and

Further amend said bill and section, Page 4, Lines 91-92, by deleting all of said lines and inserting in lieu thereof the following:

“procedure to the extent authorized by sections 404.800 to 404.865;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2** was adopted.

Representative Cox offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 59, Page 18, Section 475.115, Lines 9 and 10, by deleting the phrase “**and the ward does not file an answer opposing the petition for transfer,**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 3** was adopted.

Representative Richardson offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 59, Page 27, Section 475.555, Line 5, by inserting after all of said section and line the following:

“[490.660. Sections 490.660 to 490.690 may be cited as “The Uniform Business Records as Evidence Law”.]



[490.670. The term "business" shall include every kind of business, profession, occupation, calling or operation of institutions, whether carried on for profit or not.]

[490.680. A record of an act, condition or event, shall, insofar as relevant, be competent evidence if the custodian or other qualified witness testifies to its identity and the mode of its preparation, and if it was made in the regular course of business, at or near the time of the act, condition or event, and if, in the opinion of the court, the sources of information, method and time of preparation were such as to justify its admission.]

[490.690. Sections 490.660 to 490.690 shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.]

[490.692. 1. Any records or copies of records reproduced in the ordinary course of business by any photographic, photostatic, microfilm, microcard, miniature photographic, optical disk imaging, or other process which accurately reproduces or forms a durable medium for so reproducing the original that would be admissible under sections 490.660 to 490.690 shall be admissible as a business record, subject to other substantive or procedural objections, in any court in this state upon the affidavit of the person who would otherwise provide the prerequisites of sections 490.660 to 490.690, that the records attached to the affidavit were kept as required by section 490.680.

2. No party shall be permitted to offer such business records into evidence pursuant to this section unless all other parties to the action have been served with copies of such records and such affidavit at least seven days prior to the day upon which trial of the cause commences.

3. The affidavit permitted by this section may be in form and content substantially as follows: THE STATE OF..... COUNTY OF..... AFFIDAVIT

Before me, the undersigned authority, personally appeared ....., who, being by me duly sworn, deposed as follows:

My name is ....., I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of ..... . Attached hereto are ..... pages of records from ..... . These ..... pages of records are kept by ..... in the regular course of business, and it was the regular course of business of ..... for an employee or representative of ..... with knowledge of the act, event, condition, opinion, or diagnosis recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time of the act, event, condition, opinion or diagnosis. The records attached hereto are the original or exact duplicates of the original.

.....

Affiant

In witness whereof I have hereunto subscribed my name and affixed my official seal this ..... day of ....., 20.....

..... (Signed)

(Seal)]

**490.660. Sections 490.660 to 490.699 may be cited as "The Records of Regularly Conducted Activity as Evidence Law."**

**490.670. The term "business" includes business, institution, association, profession, occupation and calling of every kind, whether or not conducted for profit.**

**490.680. The following is not excluded by any hearsay rule, even though the declarant is available as a witness: A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record or data compilation.**

**490.690.** Sections 490.660 to 490.699 shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states with such laws and/or rules of evidence regarding the admissibility of third party business records.

**490.692.** Extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the original or a duplicate of a record of regularly conducted activity if accompanied by a written certification of its custodian or other qualified person that the record

(A) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of these matters;

(B) was kept in the course of the regularly conducted activity; and

(C) was made by the regularly conducted activity as a regular practice.

The word “certification” as used in this subsection means with respect to a domestic record, a written declaration under oath subject to the penalty of perjury and, with respect to a record maintained or located in a foreign country, or written declaration signed in a country which, if falsely made, would subject the maker to criminal penalty under the laws of the country. A party intending to offer a record into evidence under this paragraph must provide written notice of that intention to all adverse parties, and must make the record and certification available for inspection sufficiently in advance of their offer into evidence to provide an adverse party with a fair opportunity to challenge them.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 4** was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
Marshall	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson

Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 011

Bernskoetter	Brown 50	Dieckhaus	Franz	Funderburk
Hubbard	Hughes	Kander	Phillips	Schupp
Wells				

VACANCIES: 004

Speaker Pro Tem Schoeller assumed the Chair.

Representative Nance offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 59, Page 27, Section 475.555, Line 5, by inserting after all of said section and line, the following:

“482.305. When sitting as a small claims court, the judge shall have original jurisdiction of all civil cases, whether tort or contract, where the amount in controversy does not exceed [three] **five** thousand dollars, exclusive of interest or costs, or as provided in this chapter.

482.315. 1. If the amount in controversy in an action exceeds [three] **five** thousand dollars, a plaintiff may file and prosecute a small claims action for recovery of money, but such plaintiff waives any claim for any sum in excess of [three] **five** thousand dollars in that or in any subsequent proceeding involving the same parties and issues.

2. In an action transferred under section 482.325, the plaintiff or defendant may amend the claim or counterclaim to a dollar amount not to exceed the jurisdictional limit of the division of the circuit court to which the action was transferred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 5** was adopted.

Representative May offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 59, Page 27, Section 475.555, Line 5, by inserting after all of said section and line the following:

“568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide, without good cause, adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide, without good cause, adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) “**Arrearage**”, includes any reduction or abatement of a support obligation for the period of time from the filing of a modification until such modification is awarded if a reduction or abatement of the support obligation is applied to such time period. Arrearage also includes any amount waived by the custodial parent under an order of support issued by a court of competent jurisdiction or any authorized administrative agency;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his **or her** inability to support;

[(3)] (4) "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivisions (2) and (4) of subsection 2 and subsection 3 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of [twelve] **eighteen** monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony. **In the event that the revisor of statutes is notified by the director of economic development that the Missouri unemployment rate has remained at six percent or lower for six consecutive months, the limit on the aggregate of eighteen monthly payments shall become twelve monthly payments effective on the July first immediately following such notification.**

6. (1) If at any time a defendant **who is convicted of criminal nonsupport or who pleads guilty or nolo contendere to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court or administrative ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) **If the defendant satisfies all current child support obligations as well as all periodic payments toward satisfaction of arrears for an additional twenty-four consecutive months after completion of probation or parole, any conviction of the defendant under this section may be expunged from the defendant's record.**

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the **child support enforcement service of the family support** division [of child support enforcement] shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or

(2) In any county in which the defendant resided during the period of time for which the defendant is charged."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative May, **House Amendment No. 6** was adopted.

Representative Cauthorn offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Bill No. 59, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Molendorp offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1  
to  
House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 59, Page 1, Line 26, by inserting after all of said line the following:

‘Further amend said bill, Section A, Page 1, Line 7, by inserting after all of said section and line the following:

**“34.376. 1. Sections 34.376 to 34.380 may be known as the "Transparency in Private Attorney Contracts Act".**

**2. As used in sections 34.376 to 34.380, the following terms shall mean:**

- (1) "Government attorney", an attorney employed by the state as an assistant attorney general;**
- (2) "Private attorney", any private attorney or law firm;**
- (3) "State", the state of Missouri, in any action instituted by the attorney general pursuant to section**

**27.060.**

**34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:**

**(1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general's office to handle the matter;**

(2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;

(3) The geographic area where the attorney services are to be provided; and

(4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney's experience with similar issues or cases.

2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.

3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.

4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:

(1) The government attorneys shall retain complete control over the course and conduct of the case;

(2) A government attorney with supervisory authority shall oversee the litigation;

(3) The government attorneys shall retain veto power over any decisions made by outside counsel;

(4) A government attorney with supervisory authority for the case shall attend all settlement conferences;

and

(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.

5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.

6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.

7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.

8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:

(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(b) The nature and status of the legal matter;

(c) The name of the parties to the legal matter;

(d) The amount of any recovery; and

(e) The amount of any contingency fee paid.

(2) Include copies of any written determinations made under subsections 1 and 2 of this section.

**34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed.";** and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Cauthorn, **House Amendment No. 7, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 59, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 59, as amended**, was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McGhee	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 044

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Funderburk	Hubbard	Hughes	Kander
McNary	Phillips	Schupp	Wells	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HCS HB 732**, relating to professional registration, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HB 732** was read the third time and passed by the following vote:

AYES: 130

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 020

Anders	Atkins	Burlison	Colona	Conway 14
Curtman	Franklin	Guernsey	Haefner	Jones 63
Koenig	Leach	Marshall	May	McGeoghegan
Pierson	Spreng	Still	Walton Gray	Wyatt

PRESENT: 000



ABSENT WITH LEAVE: 009

Berry	Brown 50	Funderburk	Hubbard	Hughes
Kander	Phillips	Schupp	Wells	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**HB 658**, relating to the Meth Lab Elimination Act, was taken up by Representative Schatz.

Representative Keeney assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Parkinson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

## 2068 *Journal of the House*

ABSENT WITH LEAVE: 009

Funderburk	Holsman	Hughes	Kander	McGhee
Nolte	Phillips	Schupp	Wells	

VACANCIES: 004

On motion of Representative Schatz, **HB 658** was read the third time and passed by the following vote:

AYES: 086

Allen	Atkins	Aull	Berry	Black
Brandom	Brown 50	Brown 85	Carlson	Carter
Casey	Cauthorn	Conway 14	Cookson	Cross
Denison	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Fuhr	Gosen	Hampton	Higdon
Hinson	Hodges	Houghton	Hubbard	Kelley 126
Kirkton	Klippenstein	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	May	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Neth	Newman	Oxford	Pace	Pierson
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schatz	Schieffer	Schneider	Shumake
Smith 71	Smith 150	Spreng	Stream	Swearingen
Swinger	Thomson	Torpey	Wallingford	Walton Gray
Webb	Weter	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 064

Anders	Asbury	Bahr	Barnes	Bernskoetter
Brattin	Brown 116	Burlison	Cierpiot	Colona
Conway 27	Cox	Crawford	Curtman	Davis
Day	Dugger	Flanigan	Franz	Frederick
Gatschenberger	Guernsey	Haefner	Harris	Holsman
Hoskins	Hough	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Koenig
Kratky	Lampe	Leara	Long	Marshall
McDonald	Meadows	Molendorp	Nance	Nasheed
Nichols	Parkinson	Pollock	Quinn	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schoeller
Shively	Silvey	Solon	Still	Talboy
Taylor	Webber	White	Wieland	

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 008

Funderburk	Grisamore	Hughes	Kander	Nolte
Phillips	Schupp	Wells		

VACANCIES: 004

Representative Keeney declared the bill passed.

**HCS HBs 504, 505 & 874**, relating to domestic violence, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HBs 504, 505 & 874** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Conway 14	Dieckhaus	Funderburk	Hughes	Kander
Phillips	Schupp	Taylor		

VACANCIES: 004

Representative Keeney declared the bill passed.

**HCS HB 707**, relating to a land bank agency, was taken up by Representative Brown (50).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Shively	Sifton	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Funderburk	Guernsey	Hubbard	Hughes
Kander	McGhee	Nolte	Phillips	Schupp
Spreng	Webb			

VACANCIES: 004

On motion of Representative Brown (50), **HCS HB 707** was read the third time and passed by the following vote:

AYES: 113

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	Nance
Nasheed	Neth	Oxford	Pace	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Silvey
Smith 71	Smith 150	Spreng	Still	Stream
Swearingen	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 034

Atkins	Aull	Cauthorn	Colona	Curtman
Ellinger	Fallert	Guernsey	Harris	Hinson
Hodges	Hummel	Kirkton	Koenig	Kratky
Lampe	Leara	Marshall	McGeoghegan	McNeil
Meadows	Montecillo	Newman	Nichols	Pierson
Quinn	Schieber	Schieffer	Shively	Sifton
Solon	Swinger	Taylor	Webber	

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 011

Carter	Funderburk	Hubbard	Hughes	Kander
Nolte	Phillips	Schad	Schupp	Talboy
Webb				

VACANCIES: 004

Representative Keeney declared the bill passed.

**HB 138**, relating to the School Construction Act, was taken up by Representative Thomson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schneider	Schoeller
Shumake	Silvey	Smith 150	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 013

Brattin	Dieckhaus	Diehl	Dugger	Funderburk
Hughes	Kander	Nolte	Phillips	Pollock
Schieber	Schupp	Solon		

VACANCIES: 004

On motion of Representative Thomson, **HB 138** was read the third time and passed by the following vote:

AYES: 085

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Lair
Lant	Largent	Lauer	Leach	Lichtenegger
Long	Marshall	McGhee	McNary	Nance
Neth	Nolte	Parkinson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Smith 150	Stream	Thomson
Torpey	Wells	White	Wyatt	Mr Speaker

NOES: 066

Anders	Atkins	Berry	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Denison	Ellinger	Fallert	Gatschenberger	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kelly 24	Kirkton	Korman	Kratky	Lampe
Lasater	Leara	Loehner	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schneider	Shively	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Wallingford	Walton Gray
Webb	Webber	Weter	Wieland	Wright
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Dieckhaus	Funderburk	Hughes	Kander
Phillips	Schupp	Solon		

VACANCIES: 004

Representative Keeney declared the bill passed.

Speaker Tilley resumed the Chair.

### THIRD READING OF SENATE BILL

**SB 71**, relating to the Missouri Real Estate Appraisers Commission, was taken up by Representative Largent.

Representative Jones (89) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Bill No. 71, Section A, Page 1, Line 2, by inserting the following after all of said line:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The employment of an executive director or chief executive officer by the commission shall be for a term of three years and subject to reappointment for additional terms; each term shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51, of the Missouri Constitution. The term of the executive director or chief executive officer serving in such capacity on the effective date of this act shall expire on December 31, 2011, and such person may be reappointed under the provisions of this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

#### *House Substitute Amendment No. 1 for House Amendment No. 1*

AMEND Senate Bill No. 71, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 215.020 and 339.1115, RSMo, and to enact in lieu thereof two new sections"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 215.020 and 339.1115, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 215.020 and 339.1115, to read as follows:



215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. **The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

6. **The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to Senate Bill No. 71, Page 2, Section 6, Line 29, by adding the following:

"The operating budget of the M.H.D.C. shall be subject to annual appropriation".

On motion of Representative Kelly (24), **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Diehl, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

Representative Nichols offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND Senate Bill No. 71, Page 2, Section 339.1115, Line 22, by inserting after all of said line the following:

"523.040. 1. The court, or judge thereof in vacation, on being satisfied that due notice of the pendency of the petition has been given, shall appoint three disinterested commissioners, who shall be residents of the county in which the real estate or a part thereof is situated, **and in any city not within a county, any county with a charter form of government and with more than one million inhabitants, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants at least one of the commissioners shall be either a licensed real estate broker or a state-licensed or state-certified real estate appraiser**, to assess the damages which the owners may severally sustain by reason of such appropriation, who, within forty-five days after appointment by the court, which forty-five days may be extended by the court to a date certain with good cause shown, after applying the definition of fair market value contained in subdivision (1) of section 523.001, and after having viewed the property, shall return to the clerk of such court, under oath, their report in duplicate of such assessment of damages, setting forth the amount of damages allowed to the person or persons named as owning or claiming the tract of land condemned, and should more than one tract be condemned in the petition, then the damages allowed to the owner, owners, claimant or claimants of each tract, respectively, shall be stated separately, together with a specific description of the tracts for which such damages are assessed; and the clerk shall file one copy of said report in his office and record the same in the order book of the court, and he shall deliver the other copy, duly certified by him, to the recorder of deeds of the county where the land lies (or to the recorder of deeds of the city of St. Louis, if the land lies in said city) who shall record the same in his office, and index each tract separately as provided in section 59.440, and the fee for so recording shall be taxed by the clerk as costs in the proceedings; and thereupon such company shall pay to the clerk the amount thus assessed for the party in whose favor such damages have been assessed; and on making such payment it shall be lawful for such company to hold the interest in the property so appropriated for the uses prescribed in this section; and upon failure to pay the assessment, the court may, upon motion and notice by the party entitled to such damages, enforce the payment of the same by execution, unless the said company shall, within ten days from the return of such assessment, elect to abandon the proposed appropriation of any parcel of land, by an instrument in writing to that effect, to be filed with the clerk of the court, and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages shall be void.

2. Prior to the issuance of any report under subsection 1 of this section, a commissioner shall notify all parties named in the condemnation petition no less than ten days prior to the commissioners' viewing of the property of the named parties' opportunity to accompany the commissioners on the commissioners' viewing of the property and of the named parties' opportunity to present information to the commissioners.

3. The commissioners shall view the property, hear arguments, and review other relevant information that may be offered by the parties."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Nichols, **House Amendment No. 2** was adopted.

Representative Scharnhorst moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton

Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pierson	Quinn	Rizzo
Schieffer	Shively	Sifton	Smith 71	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Day	Dieckhaus	Holsman	Hughes
Kander	Loehner	Pace	Phillips	Schneider
Schupp	Spreng			

VACANCIES: 004

On motion of Representative Largent, **SB 71, as amended**, was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty

## 2078 *Journal of the House*

McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

McCann Beatty

ABSENT WITH LEAVE: 013

Colona	Day	Dieckhaus	Entlicher	Holsman
Hughes	Kander	Molendorp	Pace	Phillips
Schneider	Schupp	Sprenge		

VACANCIES: 004

Speaker Tilley declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 101, as amended**, and grants the House a conference thereon and that the conferees be allowed to exceed the differences on sections 311.088 and 311.486.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS#2 SJR 2** and has taken up and passed **HCS#2 SJR 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 135, as amended**: Senators Schaefer, Lager, Munzlinger, Justus and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 145, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 220, as amended**: Senators Wasson, Richard, Parson, Callahan and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 282, as amended**: Senators Engler, Wasson, Richard, Justus and Wright-Jones.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**SCS HB 101**: Representatives Loehner, Fitzwater, Johnson, Quinn and Talboy

### **BILL CARRYING REQUEST MESSAGE**

**HCS SB 145, as amended**, relating to political subdivisions, was taken up by Representative Gatschenberger.

Representative Gatschenberger moved that the House refuse to recede from its position on **HCS SB 145, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **THIRD READING OF SENATE BILLS**

**HCS#2 SB 97**, relating to conveyances of state properties, was taken up by Representative Fitzwater.

Representative Riddle offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute No. 2 for Senate Bill No. 97, Page 3, Section 3, Line 10, by inserting after all of said section and line, the following:

**"Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in Callaway County to the City of Fulton. The property to be conveyed is more particularly described as follows:**

**Part of Section 16 in Township 47 North, Range 9 West, in the City of Fulton, Callaway County, Missouri, more particularly described as follows:**

**TRACT 1: Commencing at the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 16; thence S1°34'55"W, along the Quarter-Quarter Section Line, 1553.12 feet to the southerly right of way of Missouri State Route "O", as described in Book 154, Page 119, Callaway County Recorder's Office; thence S89°01'33"E, along the southerly right of way of said Missouri State Route "O", 525.24 feet; thence on a curve to the left having a radius of 1940.39 feet, an arc distance of 11.95 feet (Ch=S89°12'08"E, 11.95 feet) to the POINT OF BEGINNING for this description; thence continuing along the southerly right of way line of said Missouri State Route "O" the following courses and distances: on a curve to the left having a radius of 1940.39 feet, an arc distance of 388.23 feet (Ch=N84°53'22"E, 387.59 feet);**

thence N79°09'27"E, 245.94 feet; thence leaving the said Hwy. right of way S04°40'06"E, 77.57 feet; thence on a curve to the right having a radius of 72.00 feet, an arc distance of 61.43 feet (Ch=S19°46'31"W, 59.59 feet); thence on a curve to the left having a radius of 280 feet, an arc distance of 148.34 feet (Ch=S29°02'28"W, 146.62 feet); thence S13°51'49"W, 453.89 feet; thence on a curve to the left having a radius of 270 feet, an arc distance of 212.47 feet (Ch=S08°40'47"E, 207.03 feet); thence S20°19'55"W, 261.02 feet; thence N87°23'57"W, 418.88 feet; thence N02°23'59"E, 1052.77 feet to the point of beginning.

Containing 12.66

**TRACT 2:** Being a 60 feet wide public right of way, described as follows:

Commencing at the Northeast corner of the above described tract; thence continuing N79°09'27"E, 47.86 feet; thence on a curve to the right having a radius of 686.52 feet, an arc distance of 12.48 feet (Ch=N79°40'39"E, 12.48 feet); thence leaving the said Hwy. right of way S04°40'06"E, 83.94 feet; thence on a curve to the right having a radius of 132.00 feet, an arc distance of 112.63 feet (Ch=S19°41'06"W, 108.87 feet); thence on a curve to the left having a radius of 220.00 feet, an arc distance of 116.56 feet (Ch=S29°05'42"W, 115.60 feet); thence S13°51'49"E, 435.89 feet; thence on a curve to the left having a radius of 210.00 feet, an arc distance of 111.64 feet (Ch=S01°21'56"E, 110.33 feet); thence S20°19'55"W, 85.30 feet to a point; thence on a curve to the right having a radius of 270.00 feet, an arc distance of 212.47 feet (Ch=N08°40'47"W, 207.03 feet); thence N13°51'49"E, 453.89 feet; thence on a curve to the right having a radius of 280.00 feet, an arc distance of 148.34 feet (Ch=N29°02'28"E, 146.62 feet); thence on a curve to the left having a radius of 72.00 feet, an arc distance of 61.43 feet (Ch=N19°46'31"E, 59.59 feet); thence N04°40'06"W, 77.57 feet to the point of beginning.

Containing 1.26

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 1** was adopted.

On motion of Representative Fitzwater, **HCS#2 SB 97, as amended**, was adopted.

On motion of Representative Fitzwater, **HCS#2 SB 97, as amended**, was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson

Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 007

Black	Brattin	Kirkton	Marshall	Oxford
Still	Webber			

PRESENT: 001

Brown 50

ABSENT WITH LEAVE: 010

Day	Gatschenberger	Hughes	Kander	Leara
Nolte	Phillips	Richardson	Scharnhorst	Schupp

VACANCIES: 004

Speaker Tilley declared the bill passed.

**HCS SS SB 118**, relating to sprinkler system requirements, was taken up by Representative Sater.

Representative Sater offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 118, Page 6, Section 198.074, Line 37, by inserting an opening bracket “[” immediately before the word “If”; and

Further amend said bill, section and page, Line 40, by inserting a closing bracket “]” immediately after the date “2013.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pierson	Quinn	Rizzo	Schieffer	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 021

Conway 27	Davis	Fallert	Funderburk	Gatschenberger
Hough	Hughes	Kander	May	McCaherty
Nasheed	Nolte	Pace	Phillips	Pollock
Scharnhorst	Schneider	Schupp	Shively	Shumake
Wright				

VACANCIES: 004

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Sater, **HCS SS SB 118, as amended**, was adopted.



On motion of Representative Sater, **HCS SS SB 118, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 001

Ellinger

PRESENT: 000

ABSENT WITH LEAVE: 010

Funderburk	Gatschenberger	Hughes	Kander	Nolte
Phillips	Schad	Schneider	Schupp	Mr Speaker

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SB 325**, relating to professional registration, was taken up by Representative Smith (150).

**HCS SB 325** was laid over.

**HCS SCS SB 29**, relating to professional registration, was taken up by Representative Jones (117).

Representative Schad offered **House Amendment No. 1**.

**House Amendment No. 1** was withdrawn.

Representative Diehl offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 2, Section 197.705, Line 41, by inserting after all of said section and line the following:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

**6. The employment of the executive director including the executive director serving in such capacity on the effective date of this act shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of Article IV, Section 51 of the Missouri Constitution; and shall be for a term of 3 years subject to the reappointment for additional terms; each such additional term shall also be subject to the advice and consent of the senate.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2** was adopted.

Representative Bandom offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Pages 5 and 6, Section 324.043, Lines 1 to 37, by deleting all of said lines and inserting in lieu thereof the following:

"324.043. 1. Except as provided in this section, no disciplinary proceeding against any person or entity licensed, registered, or certified to practice a profession within the division of professional registration shall be initiated

unless such action is commenced within three years of the date upon which the licensing, registering, or certifying agency received notice of an alleged violation of an applicable statute or regulation.

2. For the purpose of this section, notice shall be limited to:

- (1) A written complaint;
- (2) Notice of final disposition of a malpractice claim, including exhaustion of all extraordinary remedies and appeals;
- (3) Notice of exhaustion of all extraordinary remedies and appeals of a conviction based upon a criminal statute of this state, any other state, or the federal government;
- (4) Notice of exhaustion of all extraordinary remedies and appeals in a disciplinary action by a hospital, state licensing, registering or certifying agency, or an agency of the federal government.

3. For the purposes of this section, an action is commenced when a complaint is filed by the agency with the administrative hearing commission, any other appropriate agency, or in a court; or when a complaint is filed by the agency's legal counsel with the agency in respect to an automatic revocation or a probation violation.

4. Disciplinary proceedings based upon repeated negligence shall be exempt from all limitations set forth in this section.

5. Disciplinary proceedings based upon a complaint involving sexual misconduct shall be exempt from all limitations set forth in this section.

6. Any time limitation provided in this section shall be tolled:

- (1) During any time the accused licensee, registrant, or certificant is practicing exclusively outside the state of Missouri or residing outside the state of Missouri and not practicing in Missouri;
  - (2) As to an individual complainant, during the time when such complainant is less than eighteen years of age;
  - (3) During any time the accused licensee, registrant, or certificant maintains legal action against the agency;
- or

(4) When a settlement agreement is offered to the accused licensee, registrant, or certificant, in an attempt to settle such disciplinary matter without formal proceeding pursuant to section 621.045 until the accused licensee, registrant, or certificant rejects or accepts the settlement agreement.

7. The licensing agency may, in its discretion, toll any time limitation when the accused **applicant**, licensee, registrant, or certificant enters into and participates in a treatment program for chemical dependency or mental impairment."; and

Further amend said bill, Page 6, Section 324.045, Lines 1 to 17, by deleting all of said lines and inserting in lieu thereof the following:

**"324.045. 1. Notwithstanding any provision of chapter 536, in any proceeding initiated by the division of professional registration or any board, committee, commission, or office within the division of professional registration to determine the appropriate level of discipline or additional discipline, if any, against a licensee of the board, committee, commission, or office within the division, if the licensee against whom the proceeding has been initiated upon a properly pled writing filed to initiate the contested case and upon proper notice fails to plead or otherwise defend against the proceeding, the board, commission, committee, or office within the division shall enter a default decision against the licensee without further proceedings. The terms of the default decision shall not exceed the terms of discipline authorized by law for the division, board, commission, or committee. The division, office, board, commission, or committee shall provide the licensee notice of the default decision in writing.**

**2. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and**

Further amend said bill, Pages 7 and 8, Section 334.001, Lines 1 to 36, by deleting all of said lines and inserting in lieu thereof the following:

**"334.001. 1. Notwithstanding any other provision of law to the contrary, the following information is an open record and shall be released upon request of any person and may be published on the board's website:**

- (1) The name of a licensee or applicant;**
- (2) The licensee's business address;**
- (3) Registration type;**

- (4) Currency of the license, certificate, or registration;
  - (5) Professional schools attended;
  - (6) Degrees and certifications, including certification by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule;
  - (7) To the extent provided to the board after August 28, 2011, discipline by another state or administrative agency;
  - (8) Limitations on practice placed by a court of competent jurisdiction;
  - (9) Any final discipline by the board, including the content of the settlement agreement or order issued;
- and
- (10) Whether a discipline case brought by the board is pending in the administrative hearing commission or any court.
2. All other information pertaining to a licensee or applicant not specifically denominated an open record in subsection 1 of this section is a closed record and confidential.
3. The board shall disclose confidential information without charge or fee upon written request of the licensee or applicant if the information is less than five years old. If the information requested is more than five years old, the board may charge a fee equivalent to the fee specified by regulation.
4. At its discretion, the board may disclose confidential information, without the consent of the licensee or applicant, to a licensee or applicant for a license in order to further a board investigation or to facilitate settlement negotiations with the board, in the course of voluntary exchange of information with another state's licensing authority, pursuant to a court order, or to other administrative or law enforcement agencies acting within the scope of their statutory authority.
5. Information obtained from a federal administrative or law enforcement agency shall be disclosed only after the board has obtained written consent to the disclosure from the federal administrative or law enforcement agency.
6. The board is entitled to the attorney/client privilege and work product privilege to the same extent as any other person."; and

Further amend said bill, Pages 8 and 9, Section 334.040, Lines 1 to 52, by deleting all of said lines and inserting in lieu thereof the following:

"334.040. 1. Except as provided in section 334.260, all persons desiring to practice as physicians and surgeons in this state shall be examined as to their fitness to engage in such practice by the board. All persons applying for examination shall file a completed application with the board [at least eighty days before the date set for examination upon blanks] **upon forms** furnished by the board.

2. The examination shall be sufficient to test the applicant's fitness to practice as a physician and surgeon. The examination shall be conducted in such a manner as to conceal the identity of the applicant until all examinations have been scored. In all such examinations an average score of not less than seventy-five percent is required to pass; provided, however, that the board may require applicants to take the Federation Licensing Examination, also known as FLEX, or the United States Medical Licensing Examination (USMLE). If the FLEX examination is required, a weighted average score of no less than seventy-five [percent] is required to pass. **Scores from one test administration of the FLEX shall not be combined or averaged with scores from other test administrations to achieve a passing score.** The passing score of the United States Medical Licensing Examination shall be determined by the board through rule and regulation. The board shall not issue a permanent license as a physician and surgeon or allow the Missouri state board examination to be administered to any applicant who has failed to achieve a passing score within three attempts on licensing examinations administered in one or more states or territories of the United States, the District of Columbia or Canada. The steps one, two and three of the United States Medical Licensing Examination shall be taken within a seven-year period with no more than three attempts on any step of the examination; however, the board may grant an extension of the seven-year period if the applicant has obtained a MD/PhD degree in a program accredited by the [liaison committee on medical education] **Liaison Committee on Medical Education (LCME)** and a regional university accrediting body **or a DO/PhD degree accredited by the American Osteopathic Association and a regional university accrediting body.** The board may waive the provisions of this section if the applicant is licensed to practice as a physician and surgeon in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia and no license issued to the applicant has been disciplined in any state or territory of the United States or the District of Columbia[. Prior to waiving the provisions of this section, the board may require the applicant to achieve a passing score on one of the following:

- (1) The American Specialty Board's certifying examination in the physician's field of specialization;
- (2) Part II of the FLEX; or
- (3) The Federation portion of the State Medical Board's Special Purpose Examination (SPEX)] **and the applicant is certified in the applicant's area of specialty by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule.**

3. If the board waives the provisions of this section, then the license issued to the applicant may be limited or restricted to the applicant's board specialty. [Scores from one test administration shall not be combined or averaged with scores from other test administrations to achieve a passing score.] The board shall not be permitted to favor any particular school or system of healing.

**4. If an applicant has not actively engaged in the practice of clinical medicine or held a teaching or faculty position in a medical or osteopathic school approved by the American Medical Association, the Liaison Committee on Medical Education, or the American Osteopathic Association for any two years in the three year period immediately preceding the filing of his or her application for licensure, the board may require successful completion of another examination, continuing medical education, or further training before issuing a permanent license. The board shall adopt rules to prescribe the form and manner of such reexamination, continuing medical education, and training.";** and

Further amend said bill, Page 10, Section 334.070, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

"334.070. 1. Upon due application therefor and upon submission by such person of evidence satisfactory to the board that he **or she** is licensed to practice in this state, and upon the payment of fees required to be paid by this chapter, the board shall issue to [him] **such person** a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his **or her** office address [and residence address], the expiration date, and the date and number of the license to practice.

2. [Every person shall, upon receiving such certificate, cause it to be conspicuously displayed at all times in every office maintained by him in the state. If he maintains more than one office in this state, the board shall without additional fee issue to him duplicate certificates of registration for each office so maintained.] If any registrant shall change the location of his **or her** office during the period for which any certificate of registration has been issued, [he] **the registrant** shall, within fifteen days thereafter, notify the board of such change [and it shall issue to him without additional fee a new registration certificate showing the new location]."; and

Further amend said bill, Page 10, Section 334.090, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

"334.090. 1. Each applicant for registration under this chapter shall accompany the application for registration with a registration fee to be paid to the [director of revenue] **board**. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; but whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule and regulation, the delinquent fee may be waived by the board. Whenever any new license is granted to any person under the provisions of this chapter, the board shall, upon application therefor, issue to such licensee a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to section 536.021. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter."; and

Further amend said bill, Pages 10 to 12, Section 334.099, Lines 1 to 58, by deleting all of said lines and inserting in lieu thereof the following:

**"334.099. 1. The board may initiate a contested hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances:**

**(1) The board shall serve notice pursuant to section 536.067 of the contested hearing at least fifteen days prior to the hearing. Such notice shall include a statement of the reasons the board believes there is reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and**

safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances;

(2) For purposes of this section and prior to any contested hearing, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to the licensee or applicant without the licensee's or applicant's consent, upon issuance of a subpoena by the board. These data and records shall be admissible without further authentication by either board or licensee at any hearing held pursuant to this section;

(3) After a contested hearing before the board, and upon a showing of reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances the board may require a licensee or applicant to submit to an examination. The board shall maintain a list of facilities approved to perform such examinations. The licensee or applicant may propose a facility not previously approved to the board and the board may accept such facility as an approved facility for such licensee or applicant by a majority vote;

(4) For purposes of this subsection, every licensee or applicant is deemed to have consented to an examination upon a showing of reasonable cause. The applicant or licensee shall be deemed to have waived all objections to the admissibility of testimony by the provider of the examination and to the admissibility of examination reports on the grounds that the provider of the examination's testimony or the examination is confidential or privileged;

(5) Written notice of the order for an examination shall be sent to the applicant or licensee by registered mail, addressed to the licensee or applicant at the licensee's or applicant's last known address on file with the board, or shall be personally served on the applicant or licensee. The order shall state the cause for the examination, how to obtain information about approved facilities, and a time limit for obtaining the examination. The licensee or applicant shall cause a report of the examination to be sent to the board;

(6) The licensee or applicant shall sign all necessary releases for the board to obtain and use the examination during a hearing and to disclose the recommendations of the examination as part of a disciplinary order;

(7) After receiving the report of the examination ordered in subdivision (3) of this subsection, the board may hold a contested hearing to determine if by clear and convincing evidence the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances. If the board finds that the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or excessive use or abuse of controlled substances, the board shall, after a hearing, enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of section 334.100; and

(8) The provisions of chapter 536 for a contested case, except those provisions or amendments which are in conflict with this section, shall apply to and govern the proceedings contained in this subsection and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence under chapter 536 relevant to the allegations.

2. Failure to submit to the examination when directed shall be cause for the revocation of the license of the licensee or denial of the application. No license may be reinstated or application granted until such time as the examination is completed and delivered to the board or the board withdraws its order.

3. Neither the record of proceedings nor the orders entered by the board shall be used against a licensee or applicant in any other proceeding, except for a proceeding in which the board or its members are a party or in a proceeding involving any state or federal agency.

4. A licensee or applicant whose right to practice has been affected under this section shall, at reasonable intervals not to exceed twelve months, be afforded an opportunity to demonstrate that he or she can resume the competent practice of his or her profession or should be granted a license. The board may hear such motion more often upon good cause shown.

5. The board shall promulgate rules and regulations to carry out the provisions of this section.

6. For purposes of this section, "examination" means a skills, multidisciplinary, or substance abuse evaluation."; and

Further amend said bill, Pages 12 to 19, Section 334.100, Lines 1 to 268, by deleting all of said lines and inserting in lieu thereof the following:

"334.100. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense [an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination **including failing to establish a valid**

**physician-patient relationship pursuant to section 334.108**, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

(i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;

(j) **Being listed on any state or federal sexual offender registry;**

(k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

[(k)] (l) Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;

[(l)] (m) Failure of any applicant or licensee[, other than the licensee subject to the investigation,] to cooperate with the board during any investigation;

[(m)] (n) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

[(n)] (o) Failure to timely pay license renewal fees specified in this chapter;

[(o)] (p) Violating a probation agreement, **order, or other settlement agreement** with this board or any other licensing agency;

[(p)] (q) Failing to inform the board of the physician's current residence and business address;

[(q)] (r) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;

(s) **Any other conduct that is unethical or unprofessional involving a minor;**

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter **or chapter 324**, or of any lawful rule or regulation adopted pursuant to this chapter **or chapter 324**;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, **including but not limited to any provision of chapter 195**, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;



**(15) Knowingly making a false statement, orally or in writing to the board;**

**(16)** Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

**[(16)] (17)** Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

**[(17)] (18)** Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the federal Medicare program;

**[(18)] (19)** Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

**[(19)] (20)** Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

**[(20)] (21)** Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

**[(21)] (22)** Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

**[(22)] (23)** A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

**[(23)] (24) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;**

**(25) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;**

**(26)** Revocation, suspension, limitation, **probation**, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, **or voluntary termination of a controlled substance authority while under investigation;**

**[(24)] (27)** For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center[;

**(25)** Being unable to practice as a physician and surgeon or with a specialty with reasonable skill and safety to patients by reasons of medical or osteopathic incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

**(a)** In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physician to submit to a reexamination for the purpose of establishing his or her competency to practice as a physician or surgeon or with a specialty conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physician's or surgeon's professional conduct, or to submit to a mental or physical examination or combination thereof by at least three physicians, one selected by the physician compelled to take the examination, one selected by the board, and one selected by the two physicians so

selected who are graduates of a professional school approved and accredited as reputable by the association which has approved and accredited as reputable the professional school from which the licentiate graduated. However, if the physician is a graduate of a medical school not accredited by the American Medical Association or American Osteopathic Association, then each party shall choose any physician who is a graduate of a medical school accredited by the American Medical Association or the American Osteopathic Association;

(b) For the purpose of this subdivision, every physician licensed pursuant to this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board and further to have waived all objections to the admissibility of the examining physician's testimony or examination reports on the ground that the examining physician's testimony or examination is privileged;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physician or applicant without the physician's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physician, by registered mail, addressed to the physician at the physician's last known address. Failure of a physician to designate an examining physician to the board or failure to submit to the examination when directed shall constitute an admission of the allegations against the physician, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physician's control. A physician whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physician can resume the competent practice as a physician and surgeon with reasonable skill and safety to patients;

(e) In any proceeding pursuant to this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physician in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of this section].

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient."; and

Further amend said bill, Pages 19 to 24, Section 334.102, Lines 1 to 158, by deleting all of said lines and inserting in lieu thereof the following:

"334.102. 1. [Upon receipt of information that the holder of any certificate of registration or authority, permit or license issued pursuant to this chapter may present a clear and present danger to the public health and safety, the executive secretary or director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending and/or restricting the holder of a certificate of registration or authority, permit or license if it believes:

- (1) The licensee's acts, conduct or condition may have violated subsection 2 of section 334.100; and
- (2) A licensee is practicing, attempting or intending to practice in Missouri; and
- (3) Either a licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice, or another state, territory, federal agency or country has issued an order suspending or restricting the holder of a license or other right to practice a profession regulated by this chapter, or the licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.100; and
- (4) The acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

- (a) Shall be based on the sworn testimony or affidavits presented to the board;
- (b) May be issued without notice and hearing to the licensee;
- (c) Shall include the facts which lead the board to conclude that the acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety; and

(2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.

(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed pursuant to this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3.

5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that either adopts, terminates or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the administrative hearing commission pursuant to section 621.110 and subsection 3 of section 334.100.

8. In cases where the board initiates summary suspension or restriction proceedings against a physician licensed pursuant to this chapter, and said petition is subsequently denied by the administrative hearing commission, in addition to any award made pursuant to sections 536.085 and 536.087, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.

9. Notwithstanding the provisions of this chapter or chapter 610 or chapter 621 to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.] **The board may apply to the administrative hearing commission for an emergency suspension or restriction of a licensee for the following causes:**

(1) **Engaging in sexual conduct, as defined in section 566.010, with a patient who is not the licensee's spouse, regardless of whether the patient consented;**

(2) **Engaging in sexual misconduct with a minor or person the licensee believes to be a minor. "Sexual misconduct" means any conduct of a sexual nature which would be illegal under state or federal law;**

(3) **Possession of a controlled substance in violation of chapter 195 or any state or federal law, rule, or regulation, excluding record keeping violations;**

(4) **Use of a controlled substance without a valid prescription;**

(5) **The licensee is adjudicated incapacitated or disabled by a court of competent jurisdiction;**

(6) **Habitual intoxication or dependence upon alcohol or controlled substances or failure to comply with a treatment or aftercare program entered into pursuant to a board order, settlement agreement, or as part of the licensee's professional health program;**

(7) **A report from a board approved facility or a professional health program stating the licensee is not fit to practice. For purposes of this section, a licensee is deemed to have waived all objections to the admissibility of testimony from the provider of the examination and admissibility of the examination reports. The licensee shall sign all necessary releases for the board to obtain and use the examination during a hearing; or**

(8) **Any conduct for which the board may discipline that constitutes a serious danger to the health, safety, or welfare of a patient or the public.**

2. **The board shall submit existing affidavits and existing certified court records together with a complaint alleging the facts in support of the board's request for an emergency suspension or restriction to the administrative hearing commission and shall supply the administrative hearing commission with the last home or business addresses on file with the board for the licensee. Within one business day of the filing of the complaint, the administrative hearing commission shall return a service packet to the board. The service packet shall include the board's complaint and any affidavits or records the board intends to rely on that have been filed with the administrative hearing commission. The service packet may contain other information in the discretion of the administrative hearing commission. Within twenty-four hours of receiving the packet, the board shall either personally serve the licensee or leave a copy of the service packet at all of the licensee's current addresses on file with the board. Prior to the hearing, the licensee may file affidavits and certified court records for consideration by the administrative hearing commission.**

3. **Within five days of the board's filing of the complaint, the administrative hearing commission shall review the information submitted by the board and the licensee and shall determine based on that information if probable cause exists pursuant to subsection 1 of this section and shall issue its findings of fact and conclusions of law. If the administrative hearing commission finds that there is probable cause, the administrative hearing commission shall enter the order requested by the board. The order shall be effective upon personal service or by leaving a copy at all of the licensee's current addresses on file with the board.**

4. **The administrative hearing commission shall hold a hearing within forty-five days of the board's filing of the complaint to determine if cause for discipline exists. The administrative hearing commission may grant a request for a continuance, but shall in any event, hold the hearing within one hundred twenty days of the board's initial filing. The board shall be granted leave to amend its complaint if it is more than thirty days prior to the hearing. If less than thirty days, the board may be granted leave to amend if public safety requires.**

(1) **If no cause for discipline exists, the administrative hearing commission shall issue findings of fact, conclusions of law, and an order terminating the emergency suspension or restriction.**

(2) **If cause for discipline exists, the administrative hearing commission shall issue findings of fact and conclusions of law and order the emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing before the board. The board shall hold a hearing following the certification of the record by the administrative hearing commission and may impose any discipline otherwise authorized by state law.**

6. **Any action under this section shall be in addition to and not in lieu of any discipline otherwise in the board's power to impose and may be brought concurrently with other actions.**

7. **If the administrative hearing commission does not find probable cause and does not grant the emergency suspension or restriction, the board shall remove all reference to such emergency suspension or restriction from its public records. Records relating to the suspension or restriction shall be maintained in the board's files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written request of the licensee.**

8. (1) The board may initiate a hearing before the board, for discipline of any licensee's license or certificate upon receipt of one of the following:

(a) Certified court records of a finding of guilt or plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or of the United States for any offense involving the qualifications, functions, or duties of any profession licensed or regulated under this chapter, for any offense involving fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(b) Evidence of final disciplinary action against the licensee's license, certification or registration issued by any other state, by any other agency or entity of this state or any other state or the United States or its territories, or any other country;

(c) Evidence of certified court records finding the licensee has been judged incapacitated or disabled under Missouri law or under the laws of any other state or of the United States or its territories.

(2) The board shall provide the licensee not less than ten days notice of any hearing held pursuant to chapter 536.

(3) Upon a finding that cause exists to discipline a licensee's license the board may impose any discipline otherwise available when disciplining licensees of that same profession.

9. A final decision of the administrative hearing commission or the board shall be subject to judicial review pursuant to chapter 536."; and

Further amend said bill, Page 24, Section 334.103, Lines 1 to 18, by deleting all of said lines and inserting in lieu thereof the following:

"334.103. 1. A license issued under this chapter by the Missouri State Board of Registration for the Healing Arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense[, an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri."; and

Further amend said bill, Pages 24 and 25, Section 334.108, Lines 1 to 22, by deleting all of said lines and inserting in lieu thereof the following:

"334.108. 1. Prior to prescribing any drug, controlled substance, or other treatment through the internet, a physician shall establish a valid physician-patient relationship. This relationship shall include:

(1) Obtaining a reliable medical history and performing a physical examination of the patient, adequate to establish the diagnosis for which the drug is being prescribed and to identify underlying conditions or contraindications to the treatment recommended or provided;

(2) Having sufficient dialogue with the patient regarding treatment options and the risks and benefits of treatment or treatments;

(3) If appropriate, following up with the patient to assess the therapeutic outcome;

(4) Maintaining a contemporaneous medical record that is readily available to the patient and, subject to the patient's consent, to the patient's other health care professionals; and

(5) Including the electronic prescription information as part of the patient's medical record.

2. The requirements of subsection 1 of this section may be satisfied by the prescribing physician's designee when treatment is provided in:

(1) A hospital as defined in section 197.020;

(2) A hospice program as defined in section 197.250;

(3) Accordance with a collaborative practice agreement as defined in section 334.104;

(4) Conjunction with a physician assistant licensed pursuant to section 334.738;

(5) Consultation with another physician who has an ongoing physician-patient relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications; or

(6) On-call or cross-coverage situations."; and

Further amend said bill, Pages 25 to 27, Section 334.715, Lines 1 to 63, by deleting all of said lines and inserting in lieu thereof the following:

"334.715. 1. The board may refuse to **issue or renew any** license [any applicant or may suspend, revoke, or refuse to renew the license of any licensee for any one or any combination of the causes provided in section 334.100, or if the applicant or licensee] **required under sections 334.700 to 334.725 for one or any combination of causes listed in subsection 2 of this section or any cause listed in section 334.100.** The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided in chapter 621. As an alternative to a refusal to issue or renew any certificate, registration, or authority, the board may, in its discretion, issue a license which is subject to reprimand, probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes listed in subsection 2 of this section or section 334.100. The board's order of reprimand, probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against any holder of a certificate of registration or authority, permit, or license required by sections 334.700 to 334.725 or any person who has failed to renew or has surrendered the person's certification of registration or license for any one or any combination of the following causes:

(1) Violated or conspired to violate any provision of sections 334.700 to 334.725 or any provision of any rule promulgated pursuant to sections 334.700 to 334.725; or

(2) Has been found guilty of unethical conduct as defined in the ethical standards of the National Athletic Trainers Association or the National Athletic Trainers Association Board of Certification, or its successor agency, as adopted and published by the committee and the board and filed with the secretary of state; or

(3) **Any cause listed in section 334.100.**

[2. Upon receipt of a written application made in the form and manner prescribed by the board, the board may reinstate any license which has expired, been suspended or been revoked or may issue any license which has been denied; provided, that no application for reinstatement or issuance of license or licensure shall be considered until at least six months have elapsed from the date of denial, expiration, suspension, or revocation when the license to be reinstated or issued was denied issuance or renewal or was suspended or revoked for one of the causes listed in subsection 1 of this section.]

3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:

(1) Warn, censure, or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years; or

(2) Suspend the person's license, certificate, or permit for a period not to exceed three years; or

(3) Administer a public or private reprimand; or

(4) Deny the person's application for a license; or

(5) Permanently withhold issuance of a license or require the person to submit to the care, counseling, or treatment of physicians designated by the board at the expense of the individual to be examined; or

(6) Require the person to attend such continuing education courses and pass such examinations as the board may direct.

4. In any order of revocation, the board may provide that the person shall not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll such time period.

**5. Before restoring to good standing a license, certificate, or permit issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing education courses and pass such examinations as the board may direct.";** and

Further amend said bill, Pages 33 and 34, Section 536.063, Lines 1 to 43, by deleting all of said lines and inserting in lieu thereof the following:

"536.063. In any contested case:

(1) The contested case shall be commenced by the filing of a writing by which the party or agency instituting the proceeding seeks such action as by law can be taken by the agency only after opportunity for hearing, or seeks a hearing for the purpose of obtaining a decision reviewable upon the record of the proceedings and evidence at such hearing, or upon such record and additional evidence, either by a court or by another agency. Answering, intervening and amendatory writings and motions may be filed in any case and shall be filed where required by rule of the agency, except that no answering instrument shall be required unless the notice of institution of the case states such requirement. Entries of appearance shall be permitted[.];

(2) Any writing filed whereby affirmative relief is sought shall state what relief is sought or proposed and the reason for granting it, and shall not consist merely of statements or charges phrased in the language of a statute or rule; provided, however, that this subdivision shall not apply when the writing is a notice of appeal as authorized by law[.];

(3) Reasonable opportunity shall be given for the preparation and presentation of evidence bearing on any issue raised or decided or relief sought or granted. Where issues are tried without objection or by consent, such issues shall be deemed to have been properly before the agency. Any formality of procedure may be waived by mutual consent[.];

(4) Every writing seeking relief or answering any other writing, and any motion shall state the name and address of the attorney, if any, filing it; otherwise the name and address of the party filing it[.];

(5) By rule the agency may require any party filing such a writing to furnish, in addition to the original of such writing, the number of copies required for the agency's own use and the number of copies necessary to enable the agency to comply with the provisions of this subdivision hereinafter set forth. The agency shall, without charge therefor, mail one copy of each such writing, as promptly as possible after it is filed, to every party or his **or her** attorney who has filed a writing or who has entered his **or her** appearance in the case, and who has not theretofore been furnished with a copy of such writing and shall have requested copies of the writings; provided that in any case where the parties are so numerous that the requirements of this subdivision would be unduly onerous, the agency may in lieu thereof (a) notify all parties of the fact of the filing of such writing, and (b) permit any party to copy such writing[.];

**(6) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.";** and

Further amend said bill, Pages 34 and 35, Section 536.067, Lines 1 to 54, by deleting all of said lines and inserting in lieu thereof the following:

"536.067. In any contested case:

(1) The agency shall promptly mail a notice of institution of the case to all necessary parties, if any, and to all persons designated by the moving party and to any other persons to whom the agency may determine that notice should be given. The agency or its clerk or secretary shall keep a permanent record of the persons to whom such notice was sent and of the addresses to which sent and the time when sent. Where a contested case would affect the rights, privileges or duties of a large number of persons whose interests are sufficiently similar that they may be considered as a class, notice may in a proper case be given to a reasonable number thereof as representatives of such class. In any case where the name or address of any proper or designated party or person is not known to the agency, and where notice by publication is permitted by law, then notice by publication may be given in accordance with any rule or regulation of

the agency or if there is no such rule or regulation, then, in a proper case, the agency may by a special order fix the time and manner of such publication[.];

(2) The notice of institution of the case to be mailed as provided in this section shall state in substance:

(a) The caption and number of the case;

(b) That a writing seeking relief has been filed in such case, the date it was filed, and the name of the party filing the same;

(c) A brief statement of the matter involved in the case unless a copy of the writing accompanies said notice;

(d) Whether an answer to the writing is required, and if so the date when it must be filed;

(e) That a copy of the writing may be obtained from the agency, giving the address to which application for such a copy may be made. This may be omitted if the notice is accompanied by a copy of such writing;

(f) The location in the Code of State Regulations of any rules of the agency regarding discovery or a statement that the agency shall send a copy of such rules on request;

(3) Unless the notice of hearing hereinafter provided for shall have been included in the notice of institution of the case, the agency shall, as promptly as possible after the time and place of hearing have been determined, mail a notice of hearing to the moving party and to all persons and parties to whom a notice of institution of the case was required to be or was mailed, and also to any other persons who may thereafter have become or have been made parties to the proceeding. The notice of hearing shall state:

(a) The caption and number of the case;

(b) The time and place of hearing;

(4) No hearing in a contested case shall be had, except by consent, until a notice of hearing shall have been given substantially as provided in this section, and such notice shall in every case be given a reasonable time before the hearing. Such reasonable time shall be at least ten days except in cases where the public morals, health, safety or interest may make a shorter time reasonable; provided that when a longer time than ten days is prescribed by statute, no time shorter than that so prescribed shall be deemed reasonable;

**(5) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the holder of a license, registration, permit, or certificate of authority without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and**

Further amend said bill, Pages 35 to 38, Section 536.070, Lines 1 to 93, by deleting all of said lines and inserting in lieu thereof the following:

"536.070. In any contested case:

(1) Oral evidence shall be taken only on oath or affirmation[.];

(2) Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not the subject of the direct examination, to impeach any witness regardless of which party first called him **or her** to testify, and to rebut the evidence against him[.] **or her**;

(3) A party who does not testify in his **or her** own behalf may be called and examined as if under cross-examination[.];

(4) Each agency shall cause all proceedings in hearings before it to be suitably recorded and preserved. A copy of the transcript of such a proceeding shall be made available to any interested person upon the payment of a fee which shall in no case exceed the reasonable cost of preparation and supply[.];

(5) Records and documents of the agency which are to be considered in the case shall be offered in evidence so as to become a part of the record, the same as any other evidence, but the records and documents may be considered as a part of the record by reference thereto when so offered[.];

(6) Agencies shall take official notice of all matters of which the courts take judicial notice. They may also take official notice of technical or scientific facts, not judicially cognizable, within their competence, if they notify the parties, either during a hearing or in writing before a hearing, or before findings are made after hearing, of the facts of



which they propose to take such notice and give the parties reasonable opportunity to contest such facts or otherwise show that it would not be proper for the agency to take such notice of them[.];

(7) Evidence to which an objection is sustained shall, at the request of the party seeking to introduce the same, or at the instance of the agency, nevertheless be heard and preserved in the record, together with any cross-examination with respect thereto and any rebuttal thereof, unless it is wholly irrelevant, repetitious, privileged, or unduly long[.];

(8) Any evidence received without objection which has probative value shall be considered by the agency along with the other evidence in the case. The rules of privilege shall be effective to the same extent that they are now or may hereafter be in civil actions. Irrelevant and unduly repetitious evidence shall be excluded[.];

(9) Copies of writings, documents and records shall be admissible without proof that the originals thereof cannot be produced, if it shall appear by testimony or otherwise that the copy offered is a true copy of the original, but the agency may, nevertheless, if it believes the interests of justice so require, sustain any objection to such evidence which would be sustained were the proffered evidence offered in a civil action in the circuit court, but if it does sustain such an objection, it shall give the party offering such evidence reasonable opportunity and, if necessary, opportunity at a later date, to establish by evidence the facts sought to be proved by the evidence to which such objection is sustained[.];

(10) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of an act, transaction, occurrence or event, shall be admissible as evidence of the act, transaction, occurrence or event, if it shall appear that it was made in the regular course of any business, and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect the weight of such evidence, but such showing shall not affect its admissibility. The term "business" shall include business, profession, occupation and calling of every kind[.];

(11) The results of statistical examinations or studies, or of audits, compilations of figures, or surveys, involving interviews with many persons, or examination of many records, or of long or complicated accounts, or of a large number of figures, or involving the ascertainment of many related facts, shall be admissible as evidence of such results, if it shall appear that such examination, study, audit, compilation of figures, or survey was made by or under the supervision of a witness, who is present at the hearing, who testifies to the accuracy of such results, and who is subject to cross-examination, and if it shall further appear by evidence adduced that the witness making or under whose supervision such examination, study, audit, compilation of figures, or survey was made was basically qualified to make it. All the circumstances relating to the making of such an examination, study, audit, compilation of figures or survey, including the nature and extent of the qualifications of the maker, may be shown to affect the weight of such evidence but such showing shall not affect its admissibility[.];

(12) Any party or the agency desiring to introduce an affidavit in evidence at a hearing in a contested case may serve on all other parties (including, in a proper case, the agency) copies of such affidavit in the manner hereinafter provided, at any time before the hearing, or at such later time as may be stipulated. Not later than seven days after such service, or at such later time as may be stipulated, any other party (or, in a proper case, the agency) may serve on the party or the agency who served such affidavit an objection to the use of the affidavit or some designated portion or portions thereof on the ground that it is in the form of an affidavit; provided, however, that if such affidavit shall have been served less than eight days before the hearing such objection may be served at any time before the hearing or may be made orally at the hearing. If such objection is so served, the affidavit or the part thereof to which objection was made, may not be used except in ways that would have been permissible in the absence of this subdivision; provided, however, that such objection may be waived by the party or the agency making the same. Failure to serve an objection as aforesaid, based on the ground aforesaid, shall constitute a waiver of all objections to the introduction of such affidavit, or of the parts thereof with respect to which no such objection was so served, on the ground that it is in the form of an affidavit, or that it constitutes or contains hearsay evidence, or that it is not, or contains matters which are not, the best evidence, but any and all other objections may be made at the hearing. Nothing herein contained shall prevent the cross-examination of the affiant if he **or she** is present in obedience to a subpoena or otherwise and if he **or she** is present, he **or she** may be called for cross-examination during the case of the party who introduced the affidavit in evidence. If the affidavit is admissible in part only it shall be admitted as to such part, without the necessity of preparing a new affidavit. The manner of service of such affidavit and of such objection shall be by delivering or mailing copies thereof to the attorneys of record of the parties being served, if any, otherwise, to such parties, and service shall be deemed complete upon mailing; provided, however, that when the parties are so numerous as to make service of copies of the affidavit on all of them unduly onerous, the agency may make an order specifying on what parties service of copies of such affidavit shall be made, and in that case a copy of such affidavit shall be filed with the agency and kept available for inspection and copying. Nothing in this subdivision shall prevent any use of affidavits that would be proper in the absence of this subdivision."; and

Further amend said bill, Pages 40 and 41, Section 621.045, Lines 1 to 72, by deleting all of said lines and inserting in lieu thereof the following:

"621.045. 1. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in those cases when, under the law, a license issued by any of the following agencies may be revoked or suspended or when the licensee may be placed on probation or when an agency refuses to permit an applicant to be examined upon his **or her** qualifications or refuses to issue or renew a license of an applicant who has passed an examination for licensure or who possesses the qualifications for licensure without examination:

Missouri State Board of Accountancy

Missouri State Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects

Board of Barber Examiners

Board of Cosmetology

Board of Chiropody and Podiatry

Board of Chiropractic Examiners

Missouri Dental Board

Board of Embalmers and Funeral Directors

Board of Registration for the Healing Arts

Board of Nursing

Board of Optometry

Board of Pharmacy

Missouri Real Estate Commission

Missouri Veterinary Medical Board

Supervisor of Liquor Control

Department of Health and Senior Services

Department of Insurance, Financial Institutions and Professional Registration

Department of Mental Health

Board of Private Investigator Examiners.

2. If in the future there are created by law any new or additional administrative agencies which have the power to issue, revoke, suspend, or place on probation any license, then those agencies are under the provisions of this law.

3. The administrative hearing commission is authorized to conduct hearings and make findings of fact and conclusions of law in those cases brought by the Missouri state board for architects, professional engineers, professional land surveyors and landscape architects against unlicensed persons under section 327.076.

4. Notwithstanding any other provision of this section to the contrary, after August 28, 1995, in order to encourage settlement of disputes between any agency described in subsection 1 or 2 of this section and its licensees, any such agency shall:

(1) Provide the licensee with a written description of the specific conduct for which discipline is sought and a citation to the law and rules allegedly violated, together with copies of any documents which are the basis thereof and the agency's initial settlement offer, or file a contested case against the licensee;

(2) If no contested case has been filed against the licensee, allow the licensee at least sixty days, from the date of mailing, to consider the agency's initial settlement offer and to contact the agency to discuss the terms of such settlement offer;

(3) If no contested case has been filed against the licensee, advise the licensee that the licensee may, either at the time the settlement agreement is signed by all parties, or within fifteen days thereafter, submit the agreement to the administrative hearing commission for determination that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee; and

(4) In any contact under this subsection by the agency or its counsel with a licensee who is not represented by counsel, advise the licensee that the licensee has the right to consult an attorney at the licensee's own expense.

5. If the licensee desires review by the administrative hearing commission under subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming final, the licensee may rescind and withdraw from the settlement and any admissions of fact or law in the agreement shall be deemed withdrawn and not admissible for any purposes under the law against the licensee. Any settlement submitted to the administrative hearing commission shall not be effective and final unless and until findings of fact and conclusions of law are entered by the administrative hearing commission that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee.

**6. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under sections 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and**

Further amend said bill, Pages 42 and 43, Section 621.100, Lines 1 to 42, by deleting all of said lines and inserting in lieu thereof the following:

"621.100. 1. Upon receipt of a written complaint from an agency named in section 621.045 in a case relating to a holder of a license granted by such agency, or upon receipt of such complaint from the attorney general, the administrative hearing commission shall cause a copy of said complaint to be served upon such licensee in person, **or by leaving a copy of the complaint at the licensee's dwelling house or usual place of abode or last address given to the agency by the licensee with some person residing or present therein over the age of fifteen**, or by certified mail, together with a notice of the place of and the date upon which the hearing on said complaint will be held. If service cannot be accomplished [in person or by certified mail] **as described in this section**, notice by publication as described in subsection 3 of section 506.160 shall be allowed; any commissioner is authorized to act as a court or judge would in that section, and any employee of the commission is authorized to act as a clerk would in that section. In any case initiated upon complaint of the attorney general, the agency which issued the license shall be given notice of such complaint and the date upon which the hearing will be held by delivery of a copy of such complaint and notice to the office of such agency or by certified mail. Such agency may intervene and may retain the services of legal counsel to represent it in such case.

**2. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section and section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

**3. In any case initiated under this section, the custodian of the records of an agency may prepare a sworn affidavit stating truthfully pertinent information regarding the license status of the licensee charged in the complaint, including only: the name of the licensee; his **or her** license number; its designated date of expiration; the date of his **or her** original Missouri licensure; the particular profession, practice or privilege licensed; and the status of his **or her** license as current and active or otherwise. This affidavit shall be received as substantial and competent evidence of the facts stated therein notwithstanding any objection as to the form, manner of presentment or admissibility of this evidence, and shall create a rebuttable presumption of the veracity of the statements therein; provided, however, that the procedures specified in section 536.070 shall apply to the introduction of this affidavit in any case where the status of this license constitutes a material issue of fact in the proof of the cause charged in the complaint."; and**

Further amend said bill, Page 43, Section 621.110, Lines 1 to 22, by deleting all of said lines and inserting in lieu thereof the following:

"621.110. Upon a finding in any cause charged by the complaint for which the license may be suspended or revoked as provided in the statutes and regulations relating to the profession or vocation of the licensee **and within one hundred twenty days of the date the case became ready for decision**, the commission shall deliver or transmit by mail to the agency which issued the license the record and a transcript of the proceedings before the commission together with

the commission's findings of fact and conclusions of law. The commission may make recommendations as to appropriate disciplinary action but any such recommendations shall not be binding upon the agency. A copy of the findings of fact, conclusions of law and the commission's recommendations, if any, shall be delivered or transmitted by mail to the licensee if the licensee's whereabouts are known, and to any attorney who represented the licensee. Within thirty days after receipt of the record of the proceedings before the commission and the findings of fact, conclusions of law, and recommendations, if any, of the commission, the agency shall set the matter for hearing upon the issue of appropriate disciplinary action and shall notify the licensee of the time and place of the hearing, provided that such hearing may be waived by consent of the agency and licensee where the commission has made recommendations as to appropriate disciplinary action. In case of such waiver by the agency and licensee, the recommendations of the commission shall become the order of the agency. The licensee may appear at said hearing and be represented by counsel. The agency may receive evidence relevant to said issue from the licensee or any other source. After such hearing the agency may order any disciplinary measure it deems appropriate and which is authorized by law. In any case where the commission fails to find any cause charged by the complaint for which the license may be suspended or revoked, the commission shall dismiss the complaint, and so notify all parties."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith (150) offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1*  
to  
*House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill 29, Page 29, Section 334.108, Line 1, by inserting immediately after said line the following:

**“(3) Home health services provided by a home health agency as defined in section 197.400;”**; and

Further amend said amendment by renumbering said section accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Bandom, **House Amendment No. 3, as amended**, was adopted.

Representative Franz offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the

examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

[7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**On motion of Representative Franz, House Amendment No. 4 was adopted.**

**Representative Wallingford offered House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 27, Section 334.715, Line 63, by inserting after all of said line the following:

"335.036. 1. The board shall:

- (1) Elect for a one-year term a president and a secretary, who shall also be treasurer, and the board may appoint, employ and fix the compensation of a legal counsel and such board personnel as defined in subdivision (4) of subsection 10 of section 324.001 as are necessary to administer the provisions of sections 335.011 to 335.096;
- (2) Adopt and revise such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 335.011 to 335.096;
- (3) Prescribe minimum standards for educational programs preparing persons for licensure pursuant to the provisions of sections 335.011 to 335.096;
- (4) Provide for surveys of such programs every five years and in addition at such times as it may deem necessary;

- (5) Designate as "approved" such programs as meet the requirements of sections 335.011 to 335.096 and the rules and regulations enacted pursuant to such sections; and the board shall annually publish a list of such programs;
- (6) Deny or withdraw approval from educational programs for failure to meet prescribed minimum standards;
- (7) Examine, license, and cause to be renewed the licenses of duly qualified applicants;
- (8) Cause the prosecution of all persons violating provisions of sections 335.011 to 335.096, and may incur such necessary expenses therefor;
- (9) Keep a record of all the proceedings; and make an annual report to the governor and to the director of the department of insurance, financial institutions and professional registration;
- (10) Establish an impaired nurse program.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

3. All fees received by the board pursuant to the provisions of sections 335.011 to 335.096 shall be deposited in the state treasury and be placed to the credit of the state board of nursing fund. All administrative costs and expenses of the board shall be paid from appropriations made for those purposes. **The board is authorized to provide funding for the nursing education incentive program established in sections 335.200 to 335.203.**

4. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule, permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

335.200. As used in sections 335.200 to [335.209] **335.203**, the following terms mean:

- (1) "Board", the [Missouri coordinating board for higher education] **state board of nursing**;
- (2) "Department", the **Missouri department of higher education**;
- (3) "Eligible [nursing program] institution of higher education", a **Missouri institution of higher education accredited by the higher learning commission of the north central association which offers a nursing education program [accredited under this chapter]**;
- [(3) "Fund", the nurse training incentive fund, established in section 335.203;]
- (4) "[Incentive] Grant", a grant awarded to [a nurse education program] **an eligible institution of higher education** under the guidelines set forth in sections **335.200 to 335.203** [to 335.209];
- (5) "Nontraditional student", a person admitted to an eligible nursing program that is older than twenty-two years of age at the time he is admitted to the nursing program;
- (6) "Nurse", a person holding a license as a registered nurse, pursuant to this chapter; and
- (7) "Professional nursing education program", a program of education accredited by the state board of nursing, pursuant to this chapter, designed to prepare persons for licensure as registered professional nurses with an enrollment of no less than sixty-five percent of the enrollment approved by the state board of nursing].

335.203. [The "Nurse Training Incentive Fund" is hereby established in the state treasury. The fund shall be administered by the coordinating board for higher education. The board shall base its appropriation request on enrollment, graduation and licensure figures for the previous year. The board may accept funds from private, federal and other sources for the purposes of sections 335.200 to 335.209. All appropriations, private donations, and other funds provided to the board for the implementation of sections 335.200 to 335.209 shall be placed in the nurse training incentive fund. Notwithstanding the provisions of section 33.080 to the contrary, funds in the nurse training incentive fund shall not revert to the general revenue fund. Interest accruing to the fund shall be part of the fund. Grants provided pursuant to section 335.206 shall be made within the amounts appropriated therefor.] **1. There is hereby established the "Nursing Education Incentive Program" within the department of higher education.**

2. Subject to appropriation, grants shall be awarded through the nursing education incentive program to eligible institutions of higher education based on criteria jointly determined by the board and the department. Grant award amounts shall not exceed one hundred fifty thousand dollars. No campus shall receive more than one grant per year.

3. To be considered for a grant, an eligible institution of higher education shall offer a program of nursing that meets the predetermined category and area of need as established by the board and the department under subsection 4 of this section.

4. The board and the department shall determine categories and areas of need for designating grants to eligible institutions of higher education. In establishing categories and areas of need, the board and department may consider criteria including, but not limited to:

- (1) Data generated from licensure renewal data and the department of health and senior services; and
- (2) National nursing statistical data and trends that have identified nursing shortages.

5. The department shall be the administrative agency responsible for implementation of the program established under sections 335.200 to 335.203, and shall promulgate reasonable rules for the exercise of its functions and the effectuation of the purposes of sections 335.200 to 335.203. The department shall, by rule, prescribe the form, time, and method of filing applications and shall supervise the processing of such applications.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void."; and

Further amend said bill, Page 43, Section 621.110, Line 22, by inserting after all of said line the following:

"[335.206. 1. The nurse training incentive fund shall, upon appropriation, be used to provide incentive grants to eligible nursing programs which increase enrollment. Grants shall not be awarded to classes begun on or after July 1, 1996.

2. Grants shall be awarded to eligible nursing programs which increase enrollment pursuant to subsection 3 of this section. Eligible programs receiving grants provided under sections 335.200 to 335.209 shall monitor the enrollment of nontraditional students in their program and shall annually report to the board the number of nontraditional students enrolled therein. It shall be the intent of sections 335.200 to 335.209 to encourage the enrollment and graduation of nontraditional students in nursing education programs.

3. Incentive grants shall be awarded to professional nurse education programs, as follows:

(1) A grant of eight thousand dollars for each entering class of ten students by which the program increases its enrollment over the number of entering students admitted in the fall of 1989; and

(2) A grant of four hundred dollars for each student from each entering class cited in subdivision (1) of this section by which the program increases its number of graduates over the number of students graduated in the preceding year; or

(3) Beginning with the first graduating class of the classes which enter and are enrolled after August 28, 1990, a grant of four hundred dollars for each student by which the program increases its number of graduates over the number of graduates of the preceding year, if the program is not otherwise qualified to receive the grant provided pursuant to subdivision (1) of this section.]

[335.209. No rule or portion of a rule promulgated under the authority of sections 335.200 to 335.209 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 5** was adopted.

Representative Lichtenegger offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill 29, Page 7, Section 332.425, Line 7, Lines 24 & 25, by striking all of said lines and inserting in lieu thereof the following:

**“(7) Submit to the board evidence of successful passage of an examination approved by the board of spoken and written proficiency in the English language.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lichtenegger, **House Amendment No. 6** was adopted.

Representative White offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 2, Section 197.705, Line 9, by deleting the words, **“in a single line”**; and

Further amend said section and page, Line 10, by deleting the words, **“one-half inch”**; and

Further amend said section, page, and line, by inserting before the word, **“bottom”** the words, **“top or”**; and

Further amend said section and page, Line 14, by deleting all of said line and inserting correct punctuation, **“:”** after the word, **“Physician”** on Line 13; and

Further amend said section and page, Line 41, by deleting the word, **“five”** and inserting in lieu thereof the word, **“ten”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references.

On motion of Representative White, **House Amendment No. 7** was adopted.

Representative Frederick offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections 197.010 to [197.120] **197.162**, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

**2. The department shall review and revise its regulations governing hospital licensure and enforcement as to promote hospital and regulatory efficiencies and eliminate duplicative regulation and inspections by or on behalf of state and federal agencies. The hospital licensure regulations adopted under this section shall incorporate standards which shall include, but not be limited to, the following:**

**(1) Each citation or finding of a regulatory deficiency shall refer to the specific written and publicly available standard and associated written interpretative guidance that are the basis of the citation or finding;**



(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the federal Centers for Medicare and Medicaid Services' Conditions of Participation for hospitals and associated interpretive guidance;

(3) The department shall establish and publish a process and standards for complaint investigation, including but not limited to:

(a) A process and standards for determining which complaints warrant an onsite investigation based on a preliminary review of available information from the complainant and the hospital. The process and standards shall, at a minimum, provide for a departmental determination independent of any recommendation for investigation by or in consultation with the federal Centers for Medicare and Medicaid Services (CMS). For purposes of evaluating such process and standards, the number and nature of complaints filed and the recommended actions by the department and, as appropriate, CMS shall be disclosed upon request to hospitals, so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;

(b) The scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a threat of immediate jeopardy of safety is observed or identified during such investigation;

(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;

(4) Subject to appropriations, the department shall designate adequate and sufficient resources to the annual inspection of hospitals necessary for licensure, including but not limited to resources for consultation services and collaboration with hospital personnel to facilitate improvements;

(5) Hospitals and hospital personnel shall have the opportunity to participate in:

(a) Training sessions provided to state licensure surveyors, which shall be provided at least annually subject to appropriations. Hospitals and hospital personnel shall assume all costs associated with their participation in training sessions and use of curriculum materials; and

(b) Training of surveyors assigned to inspection of hospitals to the fullest extent possible, including the training of surveyors previously designated as a surveyor specific, which resulted in the exclusion of all hospital personnel from such training sessions;

(6) The regulations shall establish specific time lines for state hospital officials to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations. Such time lines shall be identical to, to the extent practicable, to the time lines established for the federal hospital certification and enforcement system in CMS's State Operations Manual, as amended.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

197.080. The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

197.100. 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall annually inspect each licensed hospital [and] **but shall accept in lieu of an annual inspection reports of hospital inspections from other governmental and recognized accrediting organizations as authorized by this section. Recognizing accrediting organizations shall be those that have deemed status conferred by the Centers for Medicare and**

**Medicaid Services (CMS) to take the place of direct CMS oversight and enforcement. The department** shall make any other inspections and investigations as it deems necessary for good cause shown; **provided that, the scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a documented threat of immediate jeopardy of safety is observed or identified during the investigation.** The department of health and senior services shall accept reports of hospital inspections from governmental agencies and recognized accrediting organizations [in whole or in part] for licensure purposes if[:

- (1) The inspection is comparable to an inspection performed by the department of health and senior services;
- (2) The hospital meets minimum licensure standards; and
- (3)] The accreditation inspection was conducted within [one year of the date of license renewal] **the term of accreditation authorized by the Centers for Medicare and Medicaid Services in granting deemed status to the recognized accrediting organization.**

The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety related matters so long as any new standards shall apply only to new construction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 8** was adopted.

Representative Jones (117) offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, In the Title, Lines 2 to 6, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 197.705, 302.291, 324.043, 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 334.040, 334.070, 334.090, 334.100, 334.102, 334.103, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, 536.063, 536.067, 536.070, 621.045, 621.100, and 621.110, RSMo, and to enact in lieu thereof forty-three new sections relating to the licensing of certain professions, with penalty provisions.”; and

Further amend said bill, Page 1, Section A, Lines 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 197.705, 302.291, 324.043, 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 334.040, 334.070, 334.090, 334.100, 334.102, 334.103, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, 536.063, 536.067, 536.070, 621.045, 621.100, and 621.110, RSMo, are repealed and forty-three new sections enacted in lieu thereof, to be known as sections 197.705, 302.291, 324.013, 324.043, 324.045, 332.425, 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 334.001, 334.040, 334.070, 334.090, 334.099, 334.100, 334.102, 334.103, 334.108, 334.715, 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 339.190, 436.405, 436.412, 436.445, 436.450, 436.455, 436.456, 536.063, 536.067, 536.070, 537.033, 621.045, 621.100, and 621.110, to read as follows:”; and

Further amend said bill, Page 7, Section 332.425, Line 25, by inserting after all of said line the following:

"333.041. 1. Each applicant for a license to practice funeral directing shall furnish evidence to establish to the satisfaction of the board that he or she is:

- (1) At least eighteen years of age, and possesses a high school diploma, **a general equivalency diploma**, or equivalent thereof, **as determined, at its discretion, by the board; and**

(2) [Either a citizen or a bona fide resident of the state of Missouri or entitled to a license pursuant to section 333.051, or a resident in a county contiguous and adjacent to the state of Missouri who is employed by a funeral establishment located within the state of Missouri, to practice funeral directing upon the grant of a license to do so; and

(3)] A person of good moral character.

2. Every person desiring to enter the profession of embalming dead human bodies within the state of Missouri and who is enrolled in [an] **a program** accredited [institution of mortuary science education] **by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board,** shall register with the board as a practicum student upon the form provided by the board. After such registration, a student may assist, under the direct supervision of Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while serving his or her practicum [for the accredited institution of mortuary science education]. The form for registration as a practicum student shall be accompanied by a fee in an amount established by the board.

3. Each applicant for a license to practice embalming shall furnish evidence to establish to the satisfaction of the board that he or she:

(1) Is at least eighteen years of age, and possesses a high school diploma, **a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board;**

(2) [Is either a citizen or bona fide resident of the state of Missouri or entitled to a license pursuant to section 333.051, or a resident in a county contiguous and adjacent to the state of Missouri who is employed by a funeral establishment located within the state of Missouri, to practice embalming upon the grant of a license to do so;

(3)] Is a person of good moral character;

[(4)] (3) Has [graduated from an institute of mortuary science education] **completed a funeral service education program** accredited by the American Board of Funeral Service Education, [or] any successor organization [recognized by the United States Department of Education, for funeral service education], **or other accrediting entity as approved by the board.** If an applicant does not [appear for the final examination before the board] **complete all requirements for licensure** within five years from the date of his or her [graduation from] **completion of** an accredited [institution of mortuary science education] **program,** his or her registration as [a student] **an apprentice** embalmer shall be automatically canceled. **The applicant shall be required to file a new application and pay applicable fees. No previous apprenticeship shall be considered for the new application;**

[(5)] (4) Upon due examination administered by the board, is possessed of a knowledge of the subjects of embalming, anatomy, pathology, bacteriology, mortuary administration, chemistry, restorative art, together with statutes, rules and regulations governing the care, custody, shelter and disposition of dead human bodies and the transportation thereof or has passed the national board examination of the Conference of Funeral Service Examining Boards. If any applicant fails to pass the state examination, he or she may retake the examination at the next regular examination meeting. The applicant shall notify the board office of his or her desire to retake the examination at least thirty days prior to the date of the examination. Each time the examination is retaken, the applicant shall pay a new examination fee in an amount established by the board;

[(6)] (5) Has been employed full time in funeral service in a licensed funeral establishment and has personally embalmed at least twenty-five dead human bodies under the personal supervision of an embalmer who holds a current and valid Missouri embalmer's license or an embalmer who holds a current and valid embalmer's license in a state with which the Missouri board has entered into a reciprocity agreement during an apprenticeship of not less than twelve consecutive months. "Personal supervision" means that the licensed embalmer shall be physically present during the entire embalming process in the first six months of the apprenticeship period and physically present at the beginning of the embalming process and available for consultation and personal inspection within a period of not more than one hour in the remaining six months of the apprenticeship period. All transcripts and other records filed with the board shall become a part of the board files.

4. If the applicant does not [appear for oral examination] **complete the application process** within the five years after his or her [graduation from an accredited institution of mortuary science education] **completion of an approved program,** then he or she must file a new application and no fees paid previously shall apply toward the license fee.

5. Examinations required by this section and section 333.042 shall be held at least twice a year at times and places fixed by the board. The board shall by rule and regulation prescribe the standard for successful completion of the examinations.

6. Upon establishment of his or her qualifications as specified by this section or section 333.042, the board shall issue to the applicant a license to practice funeral directing or embalming, as the case may require, and shall register the applicant as a duly licensed funeral director or a duly licensed embalmer. Any person having the qualifications required by this section and section 333.042 may be granted both a license to practice funeral directing and to practice embalming.

7. The board shall, upon request, waive any requirement of this chapter and issue a temporary funeral director's license, valid for six months, to the surviving spouse or next of kin or the personal representative of a licensed funeral director, or to the spouse, next of kin, employee or conservator of a licensed funeral director disabled because of sickness, mental incapacity or injury.

333.042. 1. Every person desiring to enter the profession of funeral directing in this state shall make application with the state board of embalmers and funeral directors and pay the current application and examination fees. **Except as otherwise provided in section 41.950**, applicants not entitled to a license pursuant to section 333.051 shall serve an apprenticeship for at least twelve **consecutive** months in a funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state or in another state which has established standards for admission to practice funeral directing equal to, or more stringent than, the requirements for admission to practice funeral directing in this state. The applicant shall devote at least fifteen hours per week to his or her duties as an apprentice under the supervision of a Missouri licensed funeral director. Such applicant shall submit proof to the board, on forms provided by the board, that the applicant has arranged and conducted ten funeral services during the applicant's apprenticeship under the supervision of a Missouri licensed funeral director. Upon completion of the apprenticeship, the applicant shall appear before the board to be tested on the applicant's legal and practical knowledge of funeral directing, funeral home licensing, preneed funeral contracts and the care, custody, shelter, disposition and transportation of dead human bodies. Upon acceptance of the application and fees by the board, an applicant shall have twenty-four months to successfully complete the requirements for licensure found in this section or the application for licensure shall be canceled.

2. If a person applies for a limited license to work only in a funeral establishment which is licensed only for cremation, including transportation of dead human bodies to and from the funeral establishment, he or she shall make application, pay the current application and examination fee and successfully complete the Missouri law examination. He or she shall be exempt from the twelve-month apprenticeship **required by subsection 1 of this section** and the practical examination before the board. If a person has a limited license issued pursuant to this subsection, he or she may obtain a full funeral director's license if he or she fulfills the apprenticeship and successfully completes the funeral director practical examination.

3. If an individual is a Missouri licensed embalmer or has [graduated from an institute of mortuary science education] **completed a program** accredited by the American Board of Funeral Service Education [or], any successor organization [recognized by the United States Department of Education for funeral service education], **or other accrediting entity as approved by the board** or has successfully completed a course of study in funeral directing offered by [a college] **an institution** accredited by a recognized national, regional or state accrediting body and approved by the state board of embalmers and funeral directors, and desires to enter the profession of funeral directing in this state, the individual shall comply with all the requirements for licensure as a funeral director pursuant to subsection 1 of section 333.041 and subsection 1 of this section; however, the individual is exempt from the twelve-month apprenticeship required by subsection 1 of this section.

333.051. 1. Any [nonresident] individual holding a valid, unrevoked and unexpired license as a funeral director or embalmer in the state of his **or her** residence may be granted a license to practice funeral directing or embalming in this state on application to the board and on providing the board with such evidence as to his **or her** qualifications as is required by the board. [No license shall be granted to a nonresident applicant except one who resides in a county contiguous and adjacent to the state of Missouri and who is regularly engaged in the practice of funeral directing or embalming, as defined by this chapter, at funeral establishments within this state or in an establishment located in a county contiguous and adjacent to the state of Missouri, unless the law of the state of the applicant's residence authorizes the granting of licenses to practice funeral directing in such state to persons licensed as funeral directors under the law of the state of Missouri.]

2. Any individual holding a valid, unrevoked and unexpired license as an embalmer or funeral director in another state having requirements substantially similar to those existing in this state [who is or intends to become a resident of this state] may apply for a license to practice in this state by filing with the board a certified statement from the examining board of the state or territory in which the applicant holds his **or her** license showing the grade rating upon which [his] **the** license was granted, together with a recommendation, and the board shall grant the applicant a license upon his **or her** successful completion of an examination over Missouri laws as required in section 333.041 or section 333.042 if the board finds that the applicant's qualifications meet the requirements for funeral directors or embalmers in this state at the time the applicant was originally licensed in the other state.

3. A person holding a valid, unrevoked and unexpired license to practice funeral directing or embalming in another state or territory with requirements less than those of this state may, after five consecutive years of active

experience as a licensed funeral director or embalmer in that state, apply for a license to practice in this state after passing a test to prove his **or her** proficiency, including but not limited to a knowledge of the laws and regulations of this state as to funeral directing and embalming.

333.061. 1. No funeral establishment shall be operated in this state unless the owner or operator thereof has a license issued by the board.

2. A license for the operation of a funeral establishment shall be issued by the board, if the board finds:

(1) That the establishment is under the general management and the supervision of a duly licensed funeral director;

(2) That all embalming performed therein is performed by or under the direct supervision of a duly licensed embalmer;

(3) That any place in the funeral establishment where embalming is conducted contains a preparation room with a sanitary floor, walls and ceiling, and adequate sanitary drainage and disposal facilities including running water, and complies with the sanitary standard prescribed by the department of health and senior services for the prevention of the spread of contagious, infectious or communicable diseases;

(4) Each funeral establishment shall have [available in the preparation or embalming room] a register book or log which shall be available at all times [in full view] for the board's inspector and [the name of each body embalmed, place, if other than at the establishment, the date and time that the embalming took place, the name and signature of the embalmer and the embalmer's license number shall be noted in the book] **that shall contain:**

(a) **The name of each body that has been in the establishment;**

(b) **The date the body arrived at the establishment;**

(c) **If applicable, the place of embalming, if known; and**

(d) **If the body was embalmed at the establishment, the date and time that the embalming took place, and the name, signature, and license number of the embalmer; and**

(5) The establishment complies with all applicable state, county or municipal zoning ordinances and regulations.

3. The board shall grant or deny each application for a license pursuant to this section within thirty days after it is filed. The applicant may request in writing up to two thirty-day extensions of the application, provided the request for an extension is received by the board prior to the expiration of the thirty-day application or extension period.

4. Licenses shall be issued pursuant to this section upon application and the payment of a funeral establishment fee and shall be renewed at the end of the licensing period on the establishment's renewal date.

5. The board may refuse to renew or may suspend or revoke any license issued pursuant to this section if it finds, after hearing, that the funeral establishment does not meet any of the requirements set forth in this section as conditions for the issuance of a license, or for the violation by the owner of the funeral establishment of any of the provisions of section 333.121. No new license shall be issued to the owner of a funeral establishment or to any corporation controlled by such owner for three years after the revocation of the license of the owner or of a corporation controlled by the owner. Before any action is taken pursuant to this subsection the procedure for notice and hearing as prescribed by section 333.121 shall be followed.

333.091. [Each establishment, funeral director or embalmer receiving a license under this chapter shall have recorded in the office of the local registrar of vital statistics of the registration district in which the licensee practices.] All licenses or registrations, or duplicates thereof, issued pursuant to this chapter shall be displayed at each place of business.

333.151. 1. The state board of embalmers and funeral directors shall consist of ten members, including one voting public member appointed by the governor with the advice and consent of the senate. Each member, other than the public member, appointed shall possess either a license to practice embalming or a license to practice funeral directing in this state or both said licenses and shall have been actively engaged in the practice of embalming or funeral directing for a period of five years next before his or her appointment. Each member shall be a United States citizen, a resident of this state for a period of at least one year, a qualified voter of this state and shall be of good moral character. Not more than five members of the board shall be of the same political party. The nonpublic members shall be appointed by the governor, with the advice and consent of the senate[, one from each of the state's congressional districts be of good moral character and submit an audited financial statement of their funeral establishment by an independent auditor for the previous five years. This audited financial statement must include all at-need and preneed business]. **A majority of the members shall constitute a quorum. Members shall be appointed to represent diversity in gender, race, ethnicity, and the various geographic regions of the state.**

2. Each member of the board shall serve for a term of five years. Any vacancy on the board shall be filled by the governor and the person appointed to fill the vacancy shall possess the qualifications required by this chapter and shall serve until the end of the unexpired term of his or her predecessor, if any.

3. The public member shall be at the time of his or her appointment a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

333.171. The board shall hold at least two regular meetings each year for the purpose of administering examinations at times and places fixed by the board. Other meetings shall be held at the times fixed by regulations of the board or on the call of the chairman of the board. Notice of the time and place of each regular or special meeting shall be mailed by the executive secretary to each member of the board at least five days before the date of the meeting. [At all meetings of the board three members constitute a quorum.] The board may adopt and use a common seal."; and

Further amend said bill, Page 34, Section 339.190, Line 43, by inserting after all of said line the following:

"436.405. 1. As used in sections 436.400 to 436.520, unless the context otherwise requires, the following terms shall mean:

(1) "Beneficiary", the individual who is to be the subject of the disposition or who will receive funeral services, facilities, or merchandise described in a preneed contract;

(2) **"Board", the board of embalmers and funeral directors;**

(3) "Guaranteed contract", a preneed contract in which the seller promises, assures, or guarantees to the purchaser that all or any portion of the costs for the disposition, services, facilities, or merchandise identified in a preneed contract will be no greater than the amount designated in the contract upon the preneed beneficiary's death or that such costs will be otherwise limited or restricted;

[(3)] (4) "Insurance-funded preneed contract", a preneed contract which is designated to be funded by payments or proceeds from an insurance policy or [single premium] **a deferred annuity contract that is not classified as a variable annuity and has death benefit proceeds that are never less than the sum of premiums paid;**

[(4)] (5) "Joint account-funded preneed contract", a preneed contract which designates that payments for the preneed contract made by or on behalf of the purchaser will be deposited and maintained in a joint account in the names of the purchaser and seller, as provided in this chapter;

[(5)] (6) "Market value", a fair market value:

(a) As to cash, the amount thereof;

(b) As to a security as of any date, the price for the security as of that date obtained from a generally recognized source, or to the extent no generally recognized source exists, the price to sell the security in an orderly transaction between unrelated market participants at the measurement date; and

(c) As to any other asset, the price to sell the asset in an orderly transaction between unrelated market participants at the measurement date consistent with statements of financial accounting standards;

[(6)] (7) "Nonguaranteed contract", a preneed contract in which the seller does not promise, assure, or guarantee that all or any portion of the costs for the disposition, facilities, service, or merchandise identified in a preneed contract will be limited to the amount designated in the contract upon the preneed beneficiary's death or that such costs will be otherwise limited or restricted;

[(7)] (8) "Preneed contract", any contract or other arrangement which provides for the final disposition in Missouri of a dead human body, funeral or burial services or facilities, or funeral merchandise, where such disposition, services, facilities, or merchandise are not immediately required. Such contracts include, but are not limited to, agreements providing for a membership fee or any other fee for the purpose of furnishing final disposition, funeral or burial services or facilities, or funeral merchandise at a discount or at a future date;

[(8)] (9) "Preneed trust", a trust to receive deposits of, administer, and disburse payments received under preneed contracts, together with income thereon;

[(9)] (10) "Purchaser", the person who is obligated to pay under a preneed contract;

[(10)] (11) "Trustee", the trustee of a preneed trust, including successor trustees;

[(11)] (12) "Trust-funded preneed contract", a preneed contract which provides that payments for the preneed contract shall be deposited and maintained in trust.

2. All terms defined in chapter 333 shall be deemed to have the same meaning when used in sections 436.400 to 436.520.

436.412. Each preneed contract made before August 28, 2009, and all payments and disbursements under such contract shall continue to be governed by this chapter as the chapter existed at the time the contract was made. Any licensee or registrant of the board may be disciplined for violation of any provision of sections 436.005 to 436.071 within the applicable statute of limitations. [In addition, the provisions of section 436.031, as it existed on August 27, 2009, shall continue to govern disbursements to the seller from the trust and payment of trust expenses.] Joint accounts in existence as of August 27, 2009, shall continue to be governed by the provisions of section 436.053, as that section existed on August 27, 2009.

436.445. A trustee of any preneed trust, including trusts established before August 28, 2009, shall not after August 28, 2009, make any decisions to invest any trust fund with:

- (1) The spouse of the trustee;
- (2) The descendants, siblings, parents, or spouses of a seller or an officer, manager, director or employee of a seller, provider, or preneed agent;
- (3) Agents, **other than authorized external investment advisors as authorized by section 436.440**, or attorneys of a trustee, seller, or provider; or
- (4) A corporation or other person or enterprise in which the trustee, seller, or provider owns a controlling interest or has an interest that might affect the trustee's judgment.

436.450. 1. An insurance-funded preneed contract shall comply with sections 436.400 to 436.520 and the specific requirements of this section.

2. A seller, provider, or any preneed agent shall not receive or collect from the purchaser of an insurance-funded preneed contract any amount in excess of what is required to pay the premiums on the insurance policy as assessed or required by the insurer as premium payments for the insurance policy except for any amount required or authorized by this chapter or by rule. A seller shall not receive or collect any administrative or other fee from the purchaser for or in connection with an insurance-funded preneed contract, other than those fees or amounts assessed by the insurer. As of August 29, 2009, no preneed seller, provider, or agent shall use any existing preneed contract as collateral or security pledged for a loan or take preneed funds of any existing preneed contract as a loan for any purpose other than as authorized by this chapter.

3. Payments collected by or on behalf of a seller for an insurance-funded preneed contract shall be promptly remitted to the insurer or the insurer's designee as required by the insurer; provided that payments shall not be retained or held by the seller or preneed agent for more than thirty days from the date of receipt.

4. It is unlawful for a seller, provider, or preneed agent to procure or accept a loan against any insurance contract used to fund a preneed contract.

5. Laws regulating insurance shall not apply to preneed contracts, but shall apply to any insurance or [single premium] annuity sold with a preneed contract; provided, however, the provisions of [this act] **sections 436.400 to 436.520** shall not apply to [single premium] annuities or insurance policies regulated by chapters 374, 375, and 376 used to fund preneed funeral agreements, contracts, or programs.

6. This section shall apply to all preneed contracts including those entered into before August 28, 2009.

7. For any insurance-funded preneed contract sold after August 28, 2009, the following shall apply:

- (1) The purchaser or beneficiary shall be the owner of the insurance policy purchased to fund a preneed contract; and
- (2) An insurance-funded preneed contract shall be valid and enforceable only if the seller or provider is named as the beneficiary or assignee of the life insurance policy funding the contract.

8. If the proceeds of the life insurance policy exceed the actual cost of the goods and services provided pursuant to the nonguaranteed preneed contract, any overage shall be paid to the estate of the beneficiary, or, if the beneficiary received public assistance, to the state of Missouri.

436.455. 1. A joint account-funded preneed contract shall comply with sections 436.400 to 436.520 and the specific requirements of this section.

2. In lieu of a trust-funded or insurance-funded preneed contract, the seller and the purchaser may agree in writing that all funds paid by the purchaser or beneficiary for the preneed contract shall be deposited with a financial

institution chartered and regulated by the federal or state government authorized to do business in Missouri in an account in the joint names and under the joint control of the seller and purchaser, beneficiary or party holding power of attorney over the beneficiary's estate, **or in an account titled in the beneficiary's name and payable on the beneficiary's death to the seller.** There shall be a separate joint account established for each preneed contract sold or arranged under this section. Funds shall only be withdrawn or paid from the account upon the signatures of both the seller and the purchaser or under a pay-on-death designation or as required to pay reasonable expenses of administering the account.

3. All consideration paid by the purchaser under a joint account-funded contract shall be deposited into a joint account as authorized by this section within ten days of receipt of payment by the seller.

4. The financial institution shall hold, invest, and reinvest funds deposited under this section in other accounts offered to depositors by the financial institutions as provided in the written agreement of the purchaser and the seller, provided the financial institution shall not invest or reinvest any funds deposited under this section in term life insurance or any investment that does not reasonably have the potential to gain income or increase in value.

5. Income generated by preneed funds deposited under this section shall be used to pay the reasonable expenses of administering the account as charged by the financial institution and the balance of the income shall be distributed or reinvested upon fulfillment of the contract, cancellation or transfer pursuant to the provisions of this chapter.

6. Within fifteen days after a provider [and a witness certify to the financial institution in writing] **delivers a copy of a certificate of performance to the seller, signed by the provider and the person authorized to make arrangements on behalf of the beneficiary, certifying** that the provider has furnished the final disposition, funeral, and burial services and facilities, and merchandise as required by the preneed contract, or has provided alternative funeral benefits for the beneficiary under special arrangements made with the purchaser, the [financial institution shall distribute the deposited funds to the seller if the certification has been approved by the purchaser] **seller shall take whatever steps are required by the financial institution to secure payment of the funds from the financial institution.** The seller shall pay the provider within ten days of receipt of funds.

7. Any seller, provider, or preneed agent shall not procure or accept a loan against any investment, or asset of, or belonging to a joint account. As of August 28, 2009, it shall be prohibited to use any existing preneed contract as collateral or security pledged for a loan, or take preneed funds of any existing preneed contract as a loan or for any purpose other than as authorized by this chapter.

436.456. At any time before final disposition, or before the funeral or burial services, facilities, or merchandise described in a preneed contract are furnished, the purchaser may cancel the contract, if designated as revocable, without cause. In order to cancel the contract the purchaser shall:

(1) In the case of a joint account-funded preneed contract, deliver written notice of the cancellation to the seller [and the financial institution]. Within fifteen days of receipt of notice of the cancellation, the [financial institution shall distribute all deposited funds to the purchaser] **seller shall take whatever steps may be required by the financial institution to obtain the funds from the financial institution. Upon receipt of the funds from the financial institution, the seller shall distribute the principal to the purchaser.** Interest shall be distributed as provided in the agreement with the seller and purchaser;

(2) In the case of an insurance-funded preneed contract, deliver written notice of the cancellation to the seller. Within fifteen days of receipt of notice of the cancellation, the seller shall notify the purchaser that the cancellation of the contract shall not cancel any life insurance funding the contract and that insurance cancellation is required to be made in writing to the insurer;

(3) In the case of a trust-funded preneed contract, deliver written notice of the cancellation to the seller and trustee. Within fifteen days of receipt of notice of the cancellation, the trustee shall distribute one hundred percent of the trust property including any percentage of the total payments received on the trust-funded contract that have been withdrawn from the account under subsection 4 of section 436.430 but excluding the income, to the purchaser of the contract;

(4) In the case of a guaranteed installment payment contract where the beneficiary dies before all installments have been paid, the purchaser shall pay the seller the amount remaining due under the contract in order to receive the goods and services set out in the contract, otherwise the purchaser or their estate will receive full credit for all payments the purchaser has made towards the cost of the beneficiary's funeral at the provider current prices."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 9** was adopted.



Representative Haefner offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Section 621.110, Page 43, Line 22, by inserting after all of said section and line the following:

**“Section 1. 1. Beginning September 1, 2011, there is hereby created The Interim Committee on E-Prescribe Technology established for the purpose of assessing the feasibility of implementing an electronic prescribing system in Missouri. The committee shall evaluate the feasibility of an electronic prescribing system that creates transparency, improves health care-outcomes and increases health-care delivery efficiency, the study committee shall investigate the technology utilized by MO HealthNet Division in their statewide system. The committee shall take into consideration uniformity of technology as well as other potential barriers to e-prescribing in Missouri. The study shall include assessment of the following components of the MO HealthNet Division electronic prescribing, claims and clinical data tools:**

- (1) Identification of clinical issues that affect patient care;**
- (2) Investigation of administrative burdens on health care providers using e-systems;**
- (3) Electronic Drug Prior Authorization (PA) and Clinical Edit override request;**
- (4) Electronic request of pre-certification for Radiology services, Durable Medical Equipment (DME), Optical services, and Inpatient services;**
- (5) Identification of approved or denied Drug Prior Authorizations, Clinical Edit overrides, or Medical Pre-certifications previously issued for a participant; and**
- (6) Extent to which the system provides open platform, free of mechanisms to influence prescribing decisions at point of care including but not limited to, advertising, instant messaging, and pop-up messaging.**

**2. The Interim Committee on E-Prescribe Technology shall consist of the following members:**

- (1) Five members of the Senate, appointed by the President Pro-Tem of the Senate. Three such members shall be of the Majority Party and two shall be of the Minority party;**
- (2) Five members of the House of Representatives, appointed by the Speaker of the House of Representatives. Three such members shall be of the Majority Party and two shall be of the Minority party. The Directors of the MO HealthNet Division and Department of Insurance shall provide technical assistance to the committee.**

**3. The Interim Committee on E-Prescribe Technology shall report back to the Senate President Pro Tempore and Speaker of the House their findings with specific recommendations no later than December 31, 2011. The Interim Committee on E-Prescribe Technology shall dissolve upon submission of the report.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty

## 2116 *Journal of the House*

McGhee	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 022

Berry	Cauthorn	Day	Dieckhaus	Gatschenberger
Holsman	Hubbard	Hughes	Kander	Lasater
Leara	McDonald	Meadows	Nasheed	Parkinson
Scharnhorst	Schneider	Schupp	Spreng	Torpey
Wells	Mr Speaker			

VACANCIES: 004

Representative Haefner moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Schad offered **House Amendment No. 11**.

### *House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 33, Section 339.190, Line 18, by inserting after all of said section and line, the following:

**“376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.**

**2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.**

**3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.**

**4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less**

duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. As used in this section, the terms "health benefit plan" and "health carrier" shall have the same meanings ascribed to such terms in section 376.1350."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burlison offered **House Substitute Amendment No. 1 for House Amendment No. 11.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 33, Section 339.190, Line 18, by inserting after all of said section and line, the following:

**"376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.**

**2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.**

**3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.**

**4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.**

**5. As used in this section, the terms "health benefit plan" and "health carrier" shall have the same meanings ascribed to such terms in section 376.1350.**

**6. Coverage under this section shall be limited to Federal Drug Administration approved indications and National Comprehensive Cancer Network recommendations.**

**7. Coverage under this section may be administered by a specialty pharmacy network.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Substitute Amendment No. 1 for House Amendment No. 11** was adopted.

**HCS SCS SB 29, as amended,** was laid over.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 59, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 61, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 226, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 322, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

### EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

### THIRD READING OF SENATE BILL

**HCS SCS SB 29, as amended**, relating to professional registration, was again taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 12**.

#### *House Amendment No. 12*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, In the Title, Line 2, by inserting after the word "sections" the numbers "195.060, 195.080,"; and

Further amend said bill, Page 1, In the Title, Line 3, by inserting after the number "334.715," the number "334.747,"; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word "thirty" and inserting in lieu thereof the word "forty-four"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the numbers "195.060, 195.080,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "334.715," the number "334.747,"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "thirty" and inserting in lieu thereof the word "forty-four"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the word "sections" the numbers "195.060, 195.080, 195.450, 195.453, 195.456, 195.459, 195.462, 195.465, 195.468, 195.471, 195.474, 195.477, 195.480,"; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after the number "334.715," the number "334.747,"; and

Further amend said bill, Page 1, Section A, Line 7, by inserting after all of said line the following:

"195.060. 1. Except as provided in subsection [3] 4 of this section, a pharmacist, in good faith, may sell and dispense controlled substances to any person only upon a prescription of a practitioner as authorized by statute, provided that the controlled substances listed in Schedule V may be sold without prescription in accordance with regulations of the department of health and senior services. All written prescriptions shall be signed by the person prescribing the same. All prescriptions shall be dated on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is prescribed, and the full name, address, and the registry number under the federal controlled substances laws of the person prescribing, if he is required by those laws to be so registered. If the prescription is for an animal, it shall state the species of the animal for which the drug is prescribed. The person filling the prescription shall either write the date of filling and his own signature on the prescription or retain the date of filling and the identity of the dispenser as electronic prescription information. The prescription or electronic prescription information shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this law. No prescription for a drug in Schedule I or II shall be filled more than six months after the date prescribed; no prescription for a drug in schedule I or II shall be refilled; no prescription for a drug in Schedule III or IV shall be filled or refilled more than six months after the date of the original prescription or be refilled more than five times unless renewed by the practitioner.

2. **A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a practitioner located in another state, provided that the prescription was issued according to and in compliance with the applicable laws of that state and the United States.**

3. The legal owner of any stock of controlled substances in a pharmacy, upon discontinuance of dealing in such drugs, may sell the stock to a manufacturer, wholesaler, or pharmacist, but only on an official written order.

[3.] 4. A pharmacist, in good faith, may sell and dispense any Schedule II drug or drugs to any person in emergency situations as defined by rule of the department of health and senior services upon an oral prescription by an authorized practitioner.

[4.] 5. Except where a bona fide physician-patient-pharmacist relationship exists, prescriptions for narcotics or hallucinogenic drugs shall not be delivered to or for an ultimate user or agent by mail or other common carrier.

195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided, sections 195.005 to 195.425 shall not apply to the following cases: prescribing, administering, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain controlled substances in such combinations of drugs as to prevent the drugs from being readily extracted from such liniments, ointments, or preparations, except that sections 195.005 to 195.425 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

2. [The quantity of Schedule II controlled substances prescribed or dispensed at any one time shall be limited to a thirty-day supply.] The quantity of Schedule II, III, IV or V controlled substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the general provisions of sections 195.005 to 195.425. [The supply limitations provided in this subsection may be increased up to three months if the physician describes on the prescription form or indicates via telephone, fax, or electronic communication to the pharmacy to be entered on or attached to the prescription form the medical reason for requiring the larger supply.] The supply limitations provided in this subsection shall not apply if:

(1) **The prescription issued by a practitioner located in another state according to and in compliance with the applicable laws of that state and the United States and dispensed to a patient located or residing in another state; or**

(2) The prescription is dispensed directly to a member of the United States armed forces serving outside the United States.

3. The partial filling of a prescription for a Schedule II substance is permissible as defined by regulation by the department of health and senior services.

**195.450. 1. Sections 195.450 to 195.480 shall be known and may be cited as the "Prescription Drug Monitoring Program Act".**

**2. As used in sections 195.450 to 195.480, the following terms mean:**

- (1) "Controlled substance", the same meaning given such term in section 195.010;**
- (2) "Department", the department of health and senior services;**
- (3) "Dispenser", a person located in Missouri who delivers a schedule II, III, IV, or V controlled substance to the ultimate user, but does not include:**
  - (a) A hospital, as defined in section 197.020, that distributes such substances for the purpose of inpatient hospital care or dispenses prescriptions for controlled substances at the time of discharge from an inpatient stay at such facility;**
  - (b) A practitioner or other authorized person who administers such a substance; or**
  - (c) A wholesale distributor of a schedule II, III, IV, or V controlled substance;**
  - (4) "Patient", a person or animal who is the ultimate user of a drug for whom a prescription is issued or for whom a drug is dispensed;**
  - (5) "Schedule II, III, IV, or V controlled substance", a controlled substance that is listed in schedules II, III, IV, or V of the schedules provided under this chapter or the Federal Controlled Substances Act, 21 U.S.C. Section 812.**

**195.453. 1. Subject to appropriations, the department of health and senior services shall establish and maintain a program for the monitoring of prescribing and dispensing of all schedule II, III, IV, and V controlled substances by all professionals, except schedule V controlled substance containing any detectable amount of pseudoephedrine, by all professionals licensed to prescribe or dispense such substances in this state. The department may apply for any available grants and accept any gifts, grants, or donations to assist in developing and maintaining the program.**

**2. Each dispenser shall submit to the department by electronic means information regarding each dispensation of a drug included in subsection 1 of this section. The information submitted for each shall include, but not be limited to:**

- (1) The dispenser identification number;**
- (2) The date of the dispensation;**
- (3) If there is a prescription:**
  - (a) The prescription number;**
  - (b) Whether the prescription is new or a refill;**
  - (c) The prescriber identification number;**
  - (d) The date the prescription is issued by the prescriber;**
  - (e) The person who receives the prescription from the dispenser, if other than the patient;**
  - (f) The source of payment for the prescription;**
- (4) The NDC code for the drug dispensed;**
- (5) The number of days' supply of the drug;**
- (6) The quantity dispensed;**
- (7) The patient identification number;**
- (8) The patient's name, address, and date of birth.**

**3. Each dispenser shall submit the information in accordance with transmission methods and frequency established by the department; except that, each dispenser shall report at least every seven days between the first and fifteenth of the month following the month of the dispensation.**

**4. The department may issue a waiver to a dispenser that is unable to submit dispensation information by electronic means. Such waiver may permit the dispenser to submit dispensation information by paper form or other means, provided all information required in subsection 2 of this section is submitted in such alternative format.**

**195.456. 1. Dispensation information submitted to the department shall be confidential and not subject to public disclosure under chapter 610 except as provided in subsections 3 to 5 of this section.**

2. The department shall maintain procedures to ensure that the privacy and confidentiality of patients and personnel information collected, recorded, transmitted, and maintained is not disclosed to persons except as provided in subsections 3 to 5 of this section.

3. The department shall review the dispensation information and, if there is reasonable cause to believe a violation of law or breach of professional standards may have occurred, the department shall notify the appropriate law enforcement or professional licensing, certification, or regulatory agency or entity, and provide dispensation information required for an investigation.

4. The department may provide data in the controlled substances dispensation monitoring program to the following persons:

(1) Persons, both in-state and out-of-state, authorized to prescribe or dispense controlled substances for the purpose of providing medical or pharmaceutical care for their patients;

(2) An individual who requests his or her own dispensation monitoring information in accordance with state law;

(3) The state board of pharmacy;

(4) Any state board charged with regulating a professional that has the authority to prescribe or dispense controlled substances that requests data related to a specific professional under the authority of that board;

(5) Local, state, and federal law enforcement or prosecutorial officials, both in-state and out-of-state engaged in the administration, investigation, or enforcement of the laws governing licit drugs based on a specific case and under a subpoena or court order;

(6) The family support division within the department of social services regarding Medicaid program recipients;

(7) A judge or other judicial authority under a subpoena or court order; and

(8) Authorized personnel of the department of health and senior services for the administration and enforcement of sections 195.450 to 195.480.

5. The department may provide data to public or private entities for statistical, research, or educational purposes after removing information that could be used to identify individual patients or persons who received dispensations from dispensers.

6. Nothing in sections 195.450 to 195.480 shall be construed to require a pharmacist or prescriber to obtain information about a patient from the database. A pharmacist or prescriber shall not be held liable for damages to any person in any civil action for injury, death, or loss to person or property on the basis that the pharmacist or prescriber did or did not seek or obtain information from the database.

**195.459.** The department is authorized to contract with any other agency of this state or with a private vendor, as necessary, to ensure the effective operation of the prescription monitoring program. Any contractor shall comply with the provisions regarding confidentiality of prescription information in section 195.456.

**195.462.** The department shall promulgate rules setting forth the procedures and methods of implementing sections 195.450 to 195.480. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 195.450 to 195.480 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

**195.465. 1.** A dispenser who knowingly fails to submit dispensation monitoring information to the department as required in sections 195.450 to 195.480 or knowingly submits the incorrect dispensation information is guilty of a class A misdemeanor.

**2.** A person authorized to have dispensation monitoring information under sections 195.450 to 195.480 who knowingly discloses such information in violation of sections 195.450 to 195.480 or who uses such information in a manner and for a purpose in violation of sections 195.450 to 195.480 is guilty of a class A misdemeanor.

**195.468. 1.** The department shall implement the following education courses:

(1) An orientation course during the implementation phase of the dispensation monitoring program established in section 195.453;

(2) A course for persons who are authorized to access the dispensation monitoring information but who did not participate in the orientation course;

(3) A course for persons who are authorized to access the dispensation monitoring information but who have violated laws or breached occupational standards involving dispensing, prescribing, and use of substances monitored by the dispensation monitoring program established in section 195.453;

When appropriate, the department shall develop the content of the education courses described in subdivisions (1) to (3) of this subsection.

2. The department shall, when appropriate:

(1) Work with associations for impaired professionals to ensure intervention, treatment, and ongoing monitoring and followup; and

(2) Encourage individual patients who are identified and who have become addicted to substances monitored by the dispensation monitoring program established in section 195.453 to receive addiction treatment.

195.471. The department of health and senior services shall develop and implement an electronic logbook to monitor the sale of schedule V controlled substances containing any detectable amount of pseudoephedrine. All pharmacists and registered pharmacy technicians shall submit their logbooks, as required under section 195.017, electronically in accordance with rules promulgated by the department.

195.474. 1. Beginning January 1, 2012, the bureau of narcotics and dangerous drugs within the department of health and senior services shall establish a two-year statewide pilot project for the reporting of fraudulently obtained prescription controlled substances. The pilot project shall include the following:

(1) Provide a toll-free number for reporting to the bureau by physicians, pharmacists, and other health care professionals with prescriptive authority who have reason to believe that a person is fraudulently attempting to obtain a prescription for a controlled substance or is attempting to obtain an excessive amount of a controlled substance by prescription;

(2) Establish a system within the bureau for receiving such reports under subdivision (1) of this subsection along with any evidence offered or submitted by the reporter which indicates the fraud; and

(3) Forward such reports, along with any evidence offered or submitted to the appropriate prosecuting attorney or the state attorney general for investigation and prosecution.

2. On or before February 1, 2013, and February 1, 2014, the bureau of narcotics and dangerous drugs shall submit a report to the general assembly detailing the following specifics regarding the pilot project:

(1) The number of reports received under this section;

(2) The type of evidence offered or submitted indicating the fraud;

(3) The number of referrals to the attorney general and each local prosecuting attorney;

(4) The number of cases investigated and prosecuted as a result of such reporting, and the number of convictions or pleas resulting from such investigations and prosecutions. The attorney general and local prosecuting attorneys shall cooperate with the bureau in the submission and collection of the information necessary for inclusion in the report; and

(5) Any recommendations regarding continuance of and improvements in the pilot project.

Nothing in this section shall be construed as authorizing the inclusion or release of any identifying information of any reporter or person who is identified as a person who is attempting to fraudulently obtain prescription controlled substances.

3. Any person who in good faith reports to the bureau under this section shall be immune from any civil or criminal liability as the result of such good faith reporting.

4. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

5. The pilot project shall be funded from existing appropriations or with any moneys specifically appropriated for this pilot project. The lack of any additional new appropriations for this pilot project shall not be sufficient cause for the department to fail to establish the pilot project under this section.



**6. Under section 23.253 of the Missouri sunset act:**

- (1) The provisions of the new program authorized under this section shall automatically sunset three years after the effective date of this section unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

**195.477. Under section 23.253 of the Missouri sunset act:**

- (1) The provisions of the new program authorized under sections 195.450 to 195.480 shall automatically sunset six years after the effective date of sections 195.450 to 195.480 unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under sections 195.450 to 195.480 shall automatically sunset six years after the effective date of the reauthorization of sections 195.450 to 195.480; and
- (3) Sections 195.450 to 195.480 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 195.450 to 195.480 is sunset.

**195.480. The provisions of sections 195.450 to 195.480 shall be funded with federal or private grant moneys. If no federal or private grant moneys are available to implement the provisions of sections 195.450 to 195.480, the prescription drug monitoring act shall be implemented subject to appropriations."; and**

Further amend said bill, Page 27, Section 334.715, Line 63, by inserting after all of said line the following:

"334.747. 1. A physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in schedule III, IV, or V of section 195.017 when delegated the authority to prescribe controlled substances in a supervision agreement. Such authority shall be listed on the supervision verification form on file with the state board of healing arts. The supervising physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the physician assistant is permitted to prescribe. Any limitations shall be listed on the supervision form. Physician assistants shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances shall be limited to a five-day supply without refill. Physician assistants who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include [such] **the Drug Enforcement Administration** registration [numbers] **number** on prescriptions for controlled substances.

2. The supervising physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the physician assistant during which the physician assistant shall practice with the supervising physician on-site prior to prescribing controlled substances when the supervising physician is not on-site. Such limitation shall not apply to physician assistants of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

3. A physician assistant shall receive a certificate of controlled substance prescriptive authority from the board of healing arts upon verification of the completion of the following educational requirements:

(1) Successful completion of an advanced pharmacology course that includes clinical training in the prescription of drugs, medicines, and therapeutic devices. A course or courses with advanced pharmacological content in a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency shall satisfy such requirement;

(2) Completion of a minimum of three hundred clock hours of clinical training by the supervising physician in the prescription of drugs, medicines, and therapeutic devices;

(3) Completion of a minimum of one year of supervised clinical practice or supervised clinical rotations. One year of clinical rotations in a program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency, which includes pharmacotherapeutics as a component of its clinical training, shall satisfy such requirement. Proof of such training shall serve to document experience in the prescribing of drugs, medicines, and therapeutic devices;

(4) A physician assistant previously licensed in a jurisdiction where physician assistants are authorized to prescribe controlled substances may obtain a state bureau of narcotics and dangerous drugs registration if a supervising physician can attest that the physician assistant has met the requirements of subdivisions (1) to (3) of this subsection and provides documentation of existing federal Drug Enforcement Agency registration."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 12** was adopted.

Representative Bandom offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill 29, Page 2, Section 197.705, Line 40, by inserting immediately after the word “hospitals” the following:

“, ambulatory surgical centers,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bandom, **House Amendment No. 13** was adopted.

Representative Gosen offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 1, Section A, Line 7, by inserting after all of said line the following:

**“44.114. Except as otherwise provided in this section, at the time of any emergency, catastrophe or other life or property threatening event which jeopardizes the ability of an insurer to address the financial needs of its insureds or the public, no political subdivision shall impose restrictions or enforce local licensing or registration ordinances with respect to such insurer’s claims handling operations. As used in this section, the term “claims handling operations” includes but is not limited to the establishment of a base of operations by an insurer within the disaster area and the investigation and handling of claims by personnel authorized by any such insurer. Nothing herein shall prohibit a political subdivision from performing any safety inspection authorized by local ordinance of the premises fo the insurer’s base of operations within the disaster area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 14** was adopted.

Representative Frederick offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Section A, Page 1, Line 7, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient’s health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient’s condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient’s health care records to the patient, the patient’s authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Copying, in an amount not more than [seventeen] **twenty-one** dollars and [five] **thirty-six** cents plus [forty] **fifty** cents per page for the cost of supplies and labor **plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or**

(b) **If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less;**

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's Internet website by February first of each year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 15** was adopted.

Representative Atkins offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 6, Section 324.045, Line 17, by inserting after all of said section and line the following:

**“324.800. 1. There is hereby established within the department of health and senior services the "Missouri Radon Certification Program". The program shall require national certification and Missouri state certification and registration of all individuals and businesses performing radon services in the state of Missouri. Radon measurement, radon laboratories, individuals and businesses that conduct radon mitigation services in Missouri shall be certified through one of two national radon certification programs. Certification requirements are set forth in subsection 2 of section 324.809.**

**2. The department of health and senior services shall administer the Missouri radon certification program. No person shall provide radon services except as authorized under sections 324.800 to 324.845. Any violation of sections 324.800 to 324.845 is a misdemeanor punishable by a fine of not more than one thousand dollars per violation.**

**324.803. As used in sections 324.800 to 324.845, the following terms shall mean:**

(1) **"Certified radon professional program (CRPP)", curriculum provided by the National Radon Safety Board. The curriculum and examinations provide the necessary information about the policies, requirements, and procedures that follow strict national protocols established by the United States Environmental Protection Agency to measure and mitigate radon gas;**

(2) **"Department", the department of health and senior services;**

(3) **"Laboratory", a commercial entity nationally certified to analyze radon levels of tests conducted;**

(4) **"Measurement provider - standard and analytical services", an individual who:**

(a) Is nationally certified and has demonstrated knowledge of measurement protocols for the placement and retrieval of radon measurement devices;

(b) Has demonstrated knowledge and successfully completed a device type certification examination from a nationally certified laboratory for the proper interpretation and reporting of results obtained through the recovery and review of data obtained from the radon testing device used;

(5) "Measurement provider - standard services", an individual who is nationally certified and has demonstrated knowledge of measurement protocols for the placement and retrieval of radon measurement devices;

(6) "Mitigator", a person nationally certified and trained to design and install radon reduction or mitigation systems;

(7) "National radon proficiency program (NRPP)", curriculum provided by the National Environmental and Health Association (NEHA). The curriculum and examinations provide the necessary information about the policies, requirements, and procedures that follow strict national protocols established by the United States Environmental Protection Agency to measure and mitigate radon gas;

(8) "Radon services", any of the following:

(a) A laboratory;

(b) A measurement provider - standard services;

(c) A measurement provider - standard and analytical services; or

(d) A mitigator.

**324.806.** Sections 324.800 to 324.845 shall not apply to any of the following:

(1) A person who is testing for or mitigating radon in a building that such person owns or occupies;

(2) A person who designs mitigation plans for radon resistant new construction;

(3) State officials conducting tests in state facilities, public schools, and other state-funded facilities deemed appropriate by the state radon office; or

(4) A person who is performing scientific research regarding testing or mitigation of radon, but only if such person informs the owner and the occupant of the building of all of the following:

(a) That he or she is not state or nationally certified by the NEHA or NRSB;

(b) Any test results are not certified nor valid for legal purposes; and

(c) Any measurement or mitigation methods suggested or used are experimental and no compensation for such services is solicited or made.

**324.809. 1.** Beginning January 1, 2012, no person may provide radon services for the measurement or mitigation of the presence of radon in the state of Missouri unless such person has been nationally certified and certified by the department of health and senior services under sections 324.800 to 324.845.

**2.** No certification shall be approved unless the following conditions have been met:

(1) The applicant is qualified to perform the activities for which the applicant is seeking certification, including the training and experience required in section 324.800;

(2) Successful completion of the National Environmental Health Association (NEHA) National Radon Proficiency Program (NRPP) or the National Radon Safety Board (NRSB) Certified Radon Professional Program (CRPP) for the radon services which the applicant is seeking certification;

(3) Continued verification of the credentials provided by the NEHA or the NRSB are current and certification has not been suspended, expired, or revoked; and

(4) Any radon proficiency certification that has been suspended, expired, or revoked by the NEHA or the NRSB shall result in the department suspending or revoking any existing state certification to provide radon services in Missouri.

**324.812. 1.** In the deployment of radon measurement and radon mitigation activities, the protocols defined by the NEHA or the NRSB shall apply.

**2.** Protocols used by the radon service provider shall be in accordance with the organization the radon service provider completed his or her certification exam.

**3.** In all cases where discrepancies exist with radon mitigation system configurations and deployment, the most current version of ASTM Standard E2121 shall be used.

**4.** Where discrepancies exist between NEHA or the NRSB protocols and local codes or regulations, local codes and regulations shall take precedence.

5. Local codes shall not take precedence with regard to alterations to a radon mitigation system which may adversely impact the performance of the system to reduce radon levels for which the system was originally designed.

6. Due to the wide variation in building design, size, operation, and use, such requirements do not include detailed guidance on how to select the most appropriate mitigation strategy for a given building.

**324.815.** Certification as a measurement provider - standard services shall include all of the following by an applicant:

- (1) Successful completion of a NEHA NRPP or NRSB CRPP;
- (2) Agreement to the terms and conditions of the department as stipulated on the Missouri certification program application;
- (3) Maintenance of radon measurement accreditation with the NEHA or NRSB, including reporting any disruption in accreditation status with the National Environmental Health Association or the National Radon Safety Board to the department within fifteen calendar days of the disruption in accreditation.

**324.818.** Certification as a measurement provider - standard and analytical services shall include all of the following by an applicant:

- (1) Successful completion of a NEHA NRPP or the NRSB CRPP;
- (2) Successful completion of the laboratory radon device type analytical proficiency program requirements;
- (3) Agreement to the terms and conditions of the department as stipulated on the Missouri radon certification program application;
- (4) Maintenance of radon measurement accreditation with the NEHA or the NRSB, including reporting any disruption in accreditation status with the NEHA or the NRSB to the department within fifteen calendar days of the disruption in accreditation.

**324.821.** Certification as a radon mitigation provider shall include all of the following by an applicant:

- (1) Successful completion of the radon measurement and mitigation courses of the NEHA NRPP or the NRSB CRPP;
- (2) Agreement to the terms and conditions of the department as stipulated on the Missouri radon certification program application;
- (3) Presence of a state certified radon mitigator at every mitigation job site to inspect and assure the radon mitigation system meets the NEHA NRPP or NRSB CRPP and local code requirements;
- (4) Maintenance of radon mitigation accreditation with the NEHA or the NRSB, including reporting any disruption in accreditation status with the NEHA or the NRSB to the department within fifteen calendar days of the disruption in accreditation.

**324.824. 1.** The department of health and senior services shall maintain a list of persons that are certified as radon service providers by their department. Such list shall be made available to the public and to the state realtors board.

**2.** The list of Missouri certified radon service providers shall be provided to the state realtors board for dissemination and communication with their members, realtors, consultants, and constituents.

**3.** The state realtors board shall require their members, realtors, consultants, and constituents to adhere to the guidelines of sections 324.800 to 324.845 in the course of all real estate transactions where radon service providers are requested.

**324.827. 1.** Radon mitigation providers shall include a statement in all documents construed as a contract to install a mitigation system that the mitigation system installed should be tested by an independent radon measurement professional. Testing should occur not less than twenty-four hours nor more than thirty days after the mitigation system has been installed.

**2.** The requirement for independent post-radon mitigation radon measurement testing shall be included in the Missouri certification program to alleviate the possible conflict of interests between the radon mitigation provider and the need to impartially assess the success of the mitigation system.

**3.** If such requirement is waived, the contract shall be signed by the client agreeing that post-mitigation system testing by an independent radon measurement professional was not requested.

4. Radon mitigation providers may provide a short- or long-term radon measurement test kit to the client to meet the independent radon measurement post-mitigation test requirement, provided that the test results are analyzed by an independent qualified radon laboratory as defined in section 324.800.

324.830. 1. Analytical laboratories shall meet the requirements for certification with the National Environmental Health Association's National Radon Proficiency Program.

2. All laboratories shall have a responsible party who is certified as a residential measurement provider through the National Environmental Health Association or the National Radon Safety Board.

324.833. 1. Individuals and businesses providing radon services in Missouri:

(1) Shall complete continuing education requirements set by the NEHA or the NRSB;

(2) Shall complete two or more accredited continuing education hours promoting radon awareness to the citizens of Missouri. Such promotion includes, but is not limited to, public outreach, presentations, forums, meetings, and presentations to interested professional organizations. The authoritative source for qualified continuing education credits to meet such requirement may be obtained from the NEHA or the NRSB. State certification requirements to satisfy such requirement shall be included with all radon service provider renewal applications.

2. Continuing education requirements set forth by the NEHA or the NRSB shall meet Missouri radon service providers' continuing education requirements set forth in subdivision (2) of subsection 1 of this section.

324.836. 1. An application for state radon services certification may be submitted at any time.

2. If the requirements of sections 324.809 to 324.821 have been met, the department shall review the completed application and validate the supportive documentation for inclusion into the state radon services certification program. The validation shall include, but not be limited to, validating the applicant's accreditation with the NEHA or the NRSB.

3. All applicants shall agree to the terms and conditions of the department as stipulated on the Missouri radon certification program application.

4. Missouri state radon service provider certification renewal periods shall coincide with the radon service providers' accreditation period with the NEHA or the NRSB.

5. Radon service provider accreditation with the NEHA or the NRSB shall be validated by the department.

324.839. 1. Missouri state radon service providers shall retain the following copies of records associated with the provision of services to clients for a period of five years, which may be in paper or electronic form:

(1) Any contracts and description of services provided;

(2) Any radon measurement tests performed;

(3) Any equipment calibration certificates;

(4) Any radon mitigation contracts;

(5) Any post-mitigation tests provided by the radon service provider, independent radon measurement provider, or laboratory;

(6) All working level (WL) radon exposure records for employees maintained by the radon service provider in accordance with the NEHA NRPP or the NRSB CRPP;

(7) Any accreditation documents provided by the National Environmental Health Association or the National Radon Safety Board; and

(8) Any official documents validating the successful completion of the radon measurement device type analytical certification program.

2. The department may require copies of any or all records maintained by the radon service provider at any time and may require statistical information from radon service providers on a periodic basis.

3. Random documentation audits shall be made by the department to assure the integrity of the Missouri radon certification program.

4. The department may, at the department's discretion, make arrangements for an on-site visit to the radon service provider's registered place of business to inspect document retention policies and procedures.

5. Radon service providers shall comply with requests for records or on-site inspections or audits in order to maintain their state certification status.

6. Failure to comply or cooperate with requests for documentation by the department may result in the suspension or revocation of the service provider's Missouri state certification status.

7. Upon request, radon service providers shall allow authorized representatives of the department to accompany him or her while performing any radon measurement or mitigation activities for the purpose of inspecting such activities, with the approval of the property owner or resident on whose property such activity is being performed.

324.842. 1. A radon service provider who resides outside the boundaries of Missouri and holds a radon measurement or a radon measurement and mitigation certification from the NEHA or the NRSB may apply for certification with the department.

2. All requirements and conditions of sections 324.800 to 324.845 shall apply to each individual or business residing outside this state that applies for certification to conduct business as a radon service provider.

324.845. 1. Complaints filed with the department against a state certified radon service provider related to noncompliance with the NEHA NRPP or NRSB CRPP protocols shall be investigated. The department shall provide a copy of the filed complaint to the radon service provider electronically and by United States mail.

2. The radon service provider shall have thirty calendar days to remedy the complaint with the complainant to the satisfaction of the department.

3. In all cases, the most current version of ASTM E2121 shall be used to adjudicate the complaint.

4. (1) In the event the complaint filed is valid and not remedied to the satisfaction of the complainant and the department, the radon service provider may ask for a review with the panel of professionals comprised as follows:

(a) A state certified and registered radon mitigator selected at random by the department;  
(b) A state certified and registered mitigator selected by the radon service provider. The radon service provider shall not select themselves or a radon service provider from their company to meet such requirement; and

(c) A representative from the department.

(2) The review shall be conducted within ninety days after the date the request is received by the department and shall be chaired by the representative from the department.

(3) Upon completion of the review by the panel listed in subdivision (1) of this subsection, a simple majority vote of the panel shall determine if the complaint has been remedied using the guidelines of ASTM E2121.

(4) The determination of the panel is final.

(5) If the panel determines the complaint has merit, the offending radon service provider may be required to make restitution as follows:

(a) Be prosecuted by the complainant in the appropriate court of law to solicit recovery of any and all costs or damages; and

(b) Be required to make monetary restitution to the department not to exceed one thousand dollars per complaint. The amount of restitution to the department shall be set by the panel listed in subdivision (1) of this subsection.

(6) All costs, excluding monetary restitution to the department, associated with subsection 4 of this section shall be borne by the radon service provider requesting the review.

(7) If repeated complaints with merit are filed against a certified radon service provider, the national certifying organization shall be notified by the department to assess disciplinary action up to and including revoking state certification and requesting revocation of national certification. For purposes of this subdivision, national certifying organizations are the NEHA or the NRSB.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Atkins moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Sifton offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 38, Section 537.033, by striking all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 17** be adopted.

Which motion was defeated.

On motion of Representative Jones (117), **HCS SCS SB 29, as amended**, was adopted.

On motion of Representative Jones (117), **HCS SCS SB 29, as amended**, was read the third time and passed by the following vote:

AYES: 084

Allen	Aull	Barnes	Bernskoetter	Black
Brandom	Brown 50	Brown 85	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Cross	Davis	Denison	Dieckhaus	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Gosen	Grisamore	Guernsey
Haefner	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Jones 89	Jones 117	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Parkinson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schoeller	Shively
Shumake	Smith 150	Solon	Stream	Swinger
Thomson	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 064

Anders	Asbury	Atkins	Bahr	Berry
Brattin	Brown 116	Burlison	Carlson	Carter
Colona	Crawford	Curtman	Dugger	Ellinger
Entlicher	Fuhr	Hampton	Harris	Hodges
Holsman	Hummel	Johnson	Jones 63	Kander
Keeney	Kirkton	Koenig	Lampe	Lasater
Leach	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Nolte	Oxford
Pace	Pierson	Pollock	Rizzo	Schieber
Schneider	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Wieland	

PRESENT: 000



ABSENT WITH LEAVE: 011

Day	Diehl	Franklin	Funderburk	Gatschenberger
Hughes	McGhee	Phillips	Scharnhorst	Schieffer
Schupp				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

### **BILLS CARRYING REQUEST MESSAGES**

**HCS SB 61, as amended**, relating to local government, was taken up by Representative Nasheed.

Representative Nasheed moved that the House refuse to recede from its position on **HCS SB 61, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SB 322, as amended**, relating to federal reimbursement allowances, was taken up by Representative Kelly (24).

Representative Kelly (24) moved that the House refuse to recede from its position on **HCS SB 322, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SS SB 226, as amended**, relating to ambulance districts, was taken up by Representative Franz.

Representative Franz moved that the House refuse to recede from its position on **HCS SS SB 226, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **THIRD READING OF SENATE BILLS**

**HCS SB 250**, relating to sexual offenders, was taken up by Representative Schad.

Representative Schad offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 250, Page 1, In the Title, Line 3, by deleting from said line the word “assault”; and

Further amend said page, Section A, Line 2, by inserting after all of said section and line, the following:

“43.650. 1. The patrol shall, subject to appropriation, maintain a web page on the Internet which shall be open to the public and shall include a registered sexual offender search capability. **This web page shall only include the names and information for Tier II and III offenders. Tier I offenders’ names and information shall not be included on this public web page but the patrol shall maintain a separate registry for Tier I offenders to which only law enforcement agencies shall have access and then only for a period of five years.**

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the Internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) [Any photographs of the offender] **A current photograph of the individual to be taken by the registering official;**
- (6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7) The nature and dates of all offenses qualifying the offender to register, **including the tier level assigned to the offender under sections 589.400 to 589.425;**
- (8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- (9) Compliance status of the offender with the provisions of section 589.400 to 589.425; [and]
- (10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender;
- (11) **The original and most recent registration date of the offender;**
- (12) **The status of the offender's term of incarceration, probation, or parole; and**
- (13) **Whether the offender is a repeat offender due to having multiple adjudications for separate offenses requiring registration under sections 589.400 to 589.425.**

5. Although required to register under sections 589.400 to 589.425, if:

- (1) There is no other offense for which the offender is required to register;
- (2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and
- (3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

Then offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110, are exempt from the public notification requirements of this section.

6. Witnesses afforded federal protection required to register under sections 589.400 to 589.425, may be excluded from public notification under 18 U.S.C. Section 3521 et seq. while under active federal protection.

7. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 are exempt from public notification to include out-of-state, federal, military, tribal, territory, District of Columbia, or foreign country.”; and

Further amend said bill, Page 2, Section 589.040, Line 9, by inserting after all of said section and line, the following:

“589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who[, since July 1, 1979,] has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit [a felony] **an** offense [of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor,] **listed in section 589.414** unless such person is [exempted] **exempt** from registering under subsection 7 or 8 of this section **or section 589.401**; or

(2) [Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3)] Any person who[, since July 1, 1979,] has been committed to the department of mental health as a criminal sexual psychopath; or

[(4)] (3) Any person who[, since July 1, 1979,] has been found not guilty as a result of mental disease or defect of any offense listed in [subdivision (1) or (2) of this subsection] **section 589.414**; or

[(5)] (4) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been [convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense] **adjudicated of an offense listed in section 589.414**; or

[(6)] (5) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; or

[(7)] (6) Any person who is a resident of this state who has[, since July 1, 1979,] **been** or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia**, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would [be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection] **constitute an offense listed in section 589.414** or has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law; or

[(8)] (7) Any person who has been or is required to register in another state, **territory, the District of Columbia, or foreign country** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three **business** days of [conviction] **adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile in subdivision (5) of subsection 1 of this section, within three business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three **business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law

enforcement official[, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested].

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender;**

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of [subsection 6 of this] section **589.401**; or

(4) The [registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the] court orders the removal or exemption of such person from the registry **under section 589.401**.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **The following individuals shall be exempt from registering as a sexual offender:** any person currently on the sexual offender registry **or who otherwise would be required to register** for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint **of a nonsexual nature** when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping **of a nonsexual nature** when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. **The following individuals shall be exempt from registering as a sexual offender upon filing a petition with the court with jurisdiction under section 589.401, and that court ordering the petitioner to be removed from the registry:**

(1) Any person currently on the sexual offender registry **or who otherwise would be required to register** for [having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register] **a sexual offense involving sexual conduct where no force or threat of force was directed toward the victim or any other individual involved and:**

(a) **The victim was an adult, unless the adult was under the custodial authority of the offender at the time of the offense; or**

(b) **The victim was eighteen years of age or younger and the offender was not more than five years older than the victim at the time of the commission of the offense.**

However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425; or

(2) Effective August 28, 2011, any person currently required to register for the following sexual offenses, however, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425:

- (a) Sexual misconduct in the second degree under section 566.093;
- (b) Sexual misconduct in the third degree under section 566.095;
- (c) Promoting obscenity in the first degree under section 573.020;
- (d) Promoting obscenity in the second degree under section 573.030;
- (e) Furnishing pornographic materials to minors under section 573.040;
- (f) Public display of explicit sexual material under section 573.060; or
- (g) Coercing acceptance of obscene material under section 573.065.

8. [Effective August 28, 2009,] Any person **currently** on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to [an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense] **committing, attempting to commit, or conspiring to commit a Tier I, II, or juvenile Tier III offense or other comparable offense listed in section 589.414 may file a petition under section 589.401.**

9. [(1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

10.] Any nonresident worker **to include work as a volunteer or intern** or nonresident student shall register for the duration of such person's employment or attendance at any school **whether public or private in nature, including any secondary school, trade school, professional school, or institution** of higher education [and is not entitled to relief under the provisions of subsection 9 of this section] **on a full-time or part-time basis in Missouri unless granted relief under section 589.401.** Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency [and is not entitled to the provisions of subsection 9 of this section] **unless granted relief under section 589.401.**

[11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.]

**589.401. 1. A person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name removed from the sexual offender registry.**

**2. A person who is required to register in Missouri because of an adjudication that was committed in another jurisdiction shall file their petition for removal according to the laws of the state, territory, tribal, or military jurisdiction, the District of Columbia, or foreign country in which their offense was adjudicated. Upon the grant of the petition for removal in the jurisdiction where the offense was adjudicated, said judgment may be registered in this state by sending the information required in subsection 5 of this section as well as one authenticated copy of the order granting removal from the sexual offender registry in the jurisdiction where the offense was adjudicated, to the court in the county in which the offender is required to register. On receipt of a request for registration removal, the registering court shall cause the order to be filed as a foreign judgment, together with one copy of the documents and information, regardless of their form. The petitioner shall be responsible for costs associated with filing the petition.**

**3. A person required to register as a Tier III offender cannot file a petition under this section unless the requirement to register results from a juvenile adjudication.**

4. The petition shall be dismissed without prejudice if the following time periods have not elapsed since the date the person was required to register:

- (1) For a Tier I offense, five years;
- (2) For a Tier II offense, ten years;
- (3) For a Tier III offense adjudicated as a juvenile, twenty-five years.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

- (1) The petitioner's:
  - (a) Full name;
  - (b) Sex;
  - (c) Race;
  - (d) Date of birth;
  - (e) Last four digits of the Social Security number;
  - (f) Address;
  - (g) Place of employment, school, or volunteer status;
- (2) The offense and tier of the offense that required the petitioner to register;
- (3) The date the petitioner plead to, was convicted of or was adjudicated for the offense;
- (4) The date the petitioner was required to register;
- (5) The case number and court, including county, that entered the original order for the adjudicated sex offense;
- (6) Petitioner's fingerprints on an applicant fingerprint card;
- (7) If the petitioner was pardoned or an offense requiring registration was reversed, vacated or set aside, an authenticated copy of the order;
- (8) If the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner including but not limited to criminal history records, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

11. The court shall not enter an order directing the removal of the petitioner's name from the sexual offender registry unless it finds the petitioner:

- (1) Has not been adjudicated of or have charges pending for any additional nonsexual offense for which imprisonment for more than one year may be imposed since the date that the offender was required to register for their current tier level;
- (2) Has not been adjudicated of or have charges pending for any additional sex offense that would require registration under sections 589.400 to 589.425 since the date that the offender was required to register for their current tier level, even if the offense was punishable by less than one year imprisonment;
- (3) Has successfully completed any required periods of supervised release, probation, or parole without revocation since the date that the offender was required to register for their current tier level;
- (4) Has successfully completed an appropriate sex offender treatment program as approved by a court of jurisdiction or the Missouri department of corrections; and
- (5) Is not a current or potential threat to public safety.

12. In order to prove the facts required by subdivisions (1) and (2) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol.

13. If it is found that the petition is denied due to a violation of subdivision (1) or (2) of subsection 11 of this section then the petitioner may not file a new petition under this section until:

(1) Five years have passed from the date of the adjudication resulting in the denial of relief, if the petitioner is classified as a Tier I offender;

(2) Ten years have passed from the date of adjudication resulting in the denial of relief, if the petitioner is classified as a Tier II offender; or

(3) Twenty-five years have passed from the date of the adjudication resulting in the denial of relief, if the petitioner is classified as a Tier III offender on the basis of a juvenile adjudication.

**14. If the petition is denied for reasons other than those outlined in subdivision (1) or (2) of subsection 11 of this section, no successive petition requesting such relief shall be filed for at least five years from the date the judgment denying relief is entered.**

**15. If the court finds that the petitioner is entitled to have his or her name removed from the sexual offender registry, it shall enter judgment directing the Missouri state highway patrol to remove the name within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.**

**16. Any person subject to judgment requiring his or her name to be removed from the sexual offender registry is not required to register under sections 589.400 to 589.425 unless such person is required to register for an offense that was committed after the judgment of removal was entered.**

**17. The court may deny the petition for any legitimate legal justification.**

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a web page on the Internet, which shall be open to the public and shall include a registered sexual offender search capability. **This web page shall only include the names and information for Tier II and III offenders. Tier I offenders names and information shall not be included on this public web page.**

2. **Except as provided by subsections 5 and 6 of this section** the registered sexual offender search [shall] **may** make it possible for any person using the Internet to search for and find the information specified in subsection 3 of this section, if known, on **Tier II and III** offenders registered in this state pursuant to sections 589.400 to 589.425[, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].

3. Only the information listed in this subsection [shall] **may** be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) [Any photographs of the offender] **A current photograph of the individual to be taken by the registering official;**

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register, **including the Tier level assigned to the offender under sections 589.400 to 589.425;**

(8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the offender with the provisions of sections 589.400 to 589.425; [and]

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender;

**(11) The original registration date and most recent registration date of the offender;**

**(12) The status of the offender's term of incarceration, probation, or parole; and**

**(13) Whether the offender is a repeat offender due to having multiple adjudications for separate offenses requiring registration under sections 589.400 to 589.425.**

4. The chief law enforcement officer of any county or city not within a county may publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any **Tier II or III** offender residing in the county or city not within a county.

**5. Although required to register under sections 589.400 to 589.425, if:**

**(1) There is no other offense for which the offender is required to register;**

(2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct, occurred during the offense.

Then offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120, or kidnapping of a nonsexual in nature when the victim was under the age of eighteen under section 565.110, are exempt from the public notification requirements of this section.

6. Witnesses afforded federal protection required to register under sections 589.400 to 589.425, may be excluded from public notification under 18 U.S.C. Section 3521 et seq. while under active federal protection.

7. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 are exempt from public notification to include out-of-state, federal, military, tribal, territory, District of Columbia, or foreign country.

589.403. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections [or], any mental health institution, **private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall:

(1) **If the person plans to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release, to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release[. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.]; **or**

(2) **If the person does not reside or plan to reside in Missouri**, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section, or fails to register with the chief law enforcement official within three business days as directed, it will constitute an offense of failure to register under section 589.425.

589.404. As used in sections 589.400 to 589.425 the following terms mean:

(1) "Absconder", a sex offender who has failed to register and whose whereabouts are unknown;

(2) "Adjudication", a plea of guilt, finding of guilt, finding of not guilty due to mental disease or defect, plea of nolo contendere to committing, attempting to commit, or conspiring to commit;

(3) "Employee", includes an individual who is self-employed or works for any other entity, whether compensated or not. This definition includes working as a volunteer or unpaid intern;

(4) "Habitually lives", when an offender is classified as homeless, the place where the offender habitually lives shall be defined as information about a certain part of a city, town, or county that is the sex offender's habitual locale, a park, or spot on the street, or a number of such places, where the sex offender stations himself or herself during the day or sleeps at night, shelters among which the sex offender circulates, or places in public buildings, restaurants, libraries, or other establishments that the sex offender frequents;

(5) "Habitually located", in regard to means of transportation, the place where a vehicle, watercraft, or aircraft is normally located when not in use;

(6) "Noncompliant", a sexual offender who has not completed or updated his or her information and is not compliant with the chief law enforcement officer in the county in which they reside;

(7) "Offender registration", defines the required minimum informational content of sex offender registries and will consist of but will not be limited to, a full set of fingerprints on a standard sex offender



registration card upon initial registration in Missouri, as well as all other forms required by the Missouri state highway patrol upon each initial and subsequent registration;

(8) "Residence", is defined as any place where an offender sleeps for seven or more consecutive or nonconsecutive days or nights within a twelve-month period;

(9) "Sexual act", any type or degree of genital, oral, or anal penetration;

(10) "Sexual contact", any sexual touching of or contact with a person's body, either directly or through the clothing;

(11) "Sexual element", used for the purposes of distinguishing if sexual contact or a sexual act was committed. Authorities will refer to information filed by the prosecutor, amended information filed by the prosecutor, indictment information filed by the prosecutor, or amended indictment information filed by the prosecutor, plea agreement, or court documentation to determine if a sexual element exists;

(12) "Sex offender", any person who meets the criteria to register under sections 589.400 to 589.425 or the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109);

(13) "Sex offense", any offense which is listed in section 589.414 or comparable to those listed in section 589.414 or otherwise comparable to offenses covered under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109);

(14) "Signature", the name of the offender signed in writing or electronic form approved by the Missouri state highway patrol;

(15) "Student", an individual who enrolls in or attends the physical location of an educational institution, including (whether public or private) a secondary school, trade or professional school, and institutions of higher education;

(16) "Vehicle", any land vehicle.

589.405. 1. Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall [obtain the address where the person expects to reside upon discharge, parole or release and shall] **make it a condition of probation that the offender** report, within three business days[, such address] to the chief law enforcement official of the county **of adjudication** or city not within a county [where the person expects to reside, upon discharge, parole or release] **of adjudication, to complete the initial registration. If such offender is not placed on probation the court shall:**

(1) **If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;**

(2) **If the offender does not reside in Missouri, the court shall:**

(a) **Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and**

(b) **Complete the initial notification of duty to register form approved by the state judicial records committee and Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.**

2. **If the offender refuses to complete and sign the registration information as outlined in subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subsection 2 of this section, it will constitute an offense of failure to register under section 589.425.**

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **will consist of a statement in writing, including the signature of the offender** and shall include, but is not limited to the following:

(1) [A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires

registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;] **The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

**(2) The date of birth of the individual to include any alias date of births used;**

**(3) The address of the individual's residences or, if the individual is deemed homeless under section 589.414, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;**

**(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;**

**(5) The name and address of any institutions of higher education that the individual attends;**

**(6) The Social Security number of the individual including any alias Social Security numbers used;**

**(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;**

**(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;**

**(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;**

**(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;**

**(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;**

**(12) The age and gender of the victim at the time of the offense;**

**(13) The date the individual successfully completed the Missouri sexual offender program under section 589.040 or that the program was not successfully completed;**

**(14) The status of the individual's parole, probation, or supervised release, if applicable;**

**(15) Passport and immigration numbers to include expiration dates;**

**(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.**

**2. The following shall be included with the form:**

**(1) Copies of all of the individual's passport or immigration documents;**

**(2) The fingerprints, palm prints, and a photograph of the person; [and]**

**(3) A current photograph of the individual to be taken by the registering official; and**

**[(3)] (4) A DNA sample from the individual, if a sample has not already been obtained.**

**[2.] 3. The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:**

**(1) A photocopy of a valid driver's license or nondriver's identification card;**

**(2) A document verifying proof of the offender's residency; and**

**(3) A photocopy of the vehicle registration for each of the offender's vehicles.**

**4. The Missouri state highway patrol shall maintain all required registration information in digitized form.**

**5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.**

**6. The offender shall be responsible for reviewing their existing registration information for accuracy at every regular in person appearance and if any inaccuracies are found provide proof of the information in question.**

**7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425 and a statement to this effect will be included on the form that the individual is required to sign at each registration.**

**589.408. 1.** Any person who would otherwise be a Tier II or Tier III offender may file a petition in the division of the circuit court in the county in which the offense requiring classification as a Tier II or Tier III offender was adjudicated to have his or her classification lowered one Tier.

**2.** A person whose offense requiring classification in Missouri as a Tier II or Tier III offender was adjudicated in another jurisdiction shall file his or her petition in the court in the county in which the offender is required to register. The petitioner shall be responsible for costs associated with filing the petition.

**3.** The petition shall be dismissed without prejudice if it fails to include any of the following:

- (1) The petitioner's:
  - (a) Full name;
  - (b) Sex;
  - (c) Race;
  - (d) Date of birth;
  - (e) Last four digits of the Social Security number;
  - (f) Address;
  - (g) Place of employment, school, or volunteer status;
- (2) The offense or offenses requiring classification as a Tier II or Tier III offender;
- (3) All offenses that required the petitioner to register;
- (4) The date the petitioner was required to register;
- (5) The case number and court, including county, that entered the order for the adjudicated sex offense requiring classification as a Tier II or Tier III offender;
- (6) Petitioner's fingerprints on an applicant fingerprint card;
- (7) If the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

**4.** The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

**5.** All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

**6.** In making a determination as to whether the petition should be granted the court shall, at a minimum, consider the following factors:

(1) The seriousness of the offense should the offender reoffend. This factor includes consideration of the following:

- (a) The degree of likely force or harm;
- (b) The degree of likely physical contact; and
- (c) The age of the likely victim;
- (2) The offender's prior offense history. This factor includes consideration of the following:
  - (a) The relationship of prior victims to the offender;
  - (b) The number of prior sexual offenses or victims;
  - (c) The number of prior noncontact sexual offenses;
  - (d) The number of prior nonsexual violent offenses;
  - (e) The number of prior sentencing dates;
  - (f) The duration of the offender's prior offense history;
  - (g) The length of time since the offender's last prior offense while the offender was at risk to commit offenses; and

- (h) The offender's prior history of other antisocial acts;
- (3) The offender's characteristics. This factor includes consideration of the following:
  - (a) The offender's response to prior treatment efforts; and
  - (b) The offender's history of substance abuse;
- (4) The availability of community supports to the offender. This factor includes consideration of the following:

- (a) The availability and likelihood that the offender will be involved in therapeutic treatment;
- (b) The availability of residential supports to the offender, such as a stable and supervised living arrangement in an appropriate location;
- (c) The offender's familial and social relationships, including the nature and length of these relationships and the level of support that the offender may receive from these persons; and
- (d) The offender's lack of education or employment stability;

(5) Whether the offender has indicated or credible evidence in the record indicates that the offender will reoffend if released into the community;

(6) Whether the offender had any unrelated victims;

(7) Whether the offender had any stranger victims;

(8) Whether the offender had any male victims;

(9) The current age of the offender;

(10) Whether the offender has ever lived with a lover for at least two years; and

(11) Whether the offender demonstrates a physical condition that minimizes the risk of reoffense, including but not limited to, advanced age or a debilitating illness or physical condition.

7. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking a reduction in classification, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking a reduction in classification level to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

8. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner including but not limited to criminal history records, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

9. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to be classified as a Tier II or Tier III offender of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

10. The court shall not enter an order directing the lowering of the classification from a Tier II offender to a Tier I offender or from a Tier III offender to a Tier II offender unless it finds the petitioner:

(1) Has not been adjudicated of or have charges pending for any additional nonsexual offense for which imprisonment for more than one year may be imposed since the date that the offender was required to register for the offense requiring classification as a Tier III offender;

(2) Has not been adjudicated of or have charges pending for any additional sex offense that would require registration under sections 589.400 to 589.425 since the date that the offender was required to register for the offense requiring classification as a Tier II or Tier III offender, even if the offense was punishable by less than one year imprisonment.

11. In order to prove the facts required by subdivisions (1) and (2) of subsection 10 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol.

12. If it is found that the petition is denied a Tier II offender may not file a new petition under this section until five years have passed from the date of the adjudication resulting in the denial of relief and a Tier III offender may not file a new petition under this section until ten years have passed from the date of the adjudication resulting in the denial of relief.

13. If the court finds that the petitioner is entitled to have his or her classification lowered, it shall enter judgment directing the Missouri state highway patrol to change the offender's classification either from a Tier II to a Tier I offender or from a Tier III to a Tier II offender within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

14. The court may deny the petition for any legitimate legal justification.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than three business days [after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,] appear in person to the chief law enforcement officer of the county or city not within a county [and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days] if there is a change to any of the following information:

(1) Name;

(2) Residence;

(3) Employment;

(4) Student status; or

(5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall within three business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

(1) Vehicle information;

(2) Temporary residence information;

(3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

**3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.**

[2.] **4. If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state, or foreign country, or federal, tribal, or military jurisdiction of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state, or foreign country, or federal, tribal, or military jurisdiction having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state or foreign country, or federal, tribal, or military jurisdiction, the Missouri state highway patrol shall inform the responsible official in the new state, or foreign country, or federal, tribal, or military jurisdiction of residence within three business days.**

[3.] **5. Tier I sexual offenders**, in addition to the requirements of subsections 1 [and 2] **to 4** of this section, [the following offenders] shall report in person to the chief law enforcement [agency every ninety days] **official annually in the month of their birth** to verify the information contained in their statement made pursuant to section 589.407. **Tier I sexual offenders include:**

(1) [Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;] **Any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the crime of:**

- (a) **Felonious restraint when there is sexual motivation under section 565.120;**
- (b) **Skilled nursing facility residents, sexual contact or intercourse with under section 565.200;**
- (c) **Invasion of privacy first degree under section 565.252;**
- (d) **Invasion of privacy second degree under section 565.253;**
- (e) **Child molestation second degree when the victim is fourteen to seventeen years of age under section 566.068;**
- (f) **Sexual misconduct involving a child under section 566.083;**
- (g) **Sexual misconduct in the first degree under section 566.090;**
- (h) **Sexual contact with prisoner or offender under section 566.145;**
- (i) **Age misrepresentation under section 566.153;**
- (j) **Endangering the welfare of a child in the second degree when it is sexual in nature and when the victim is fourteen to seventeen years of age under section 568.050; or**
- (k) **Possession of child pornography under section 537.037;**
- (2) **Any offender whose classification was changed to a Tier I offender by court order under section 589.408;**

(3) Any offender who is [registered for a crime where the victim was less than eighteen years of age at the time of the offense; and] **or has been convicted of, been found guilty of, or pled guilty or nolo contendere in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense of a sexual nature or with a sexual element that is comparable to the Tier I sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as Tier I offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109).**

[(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.] **6. Tier II sexual offenders**, in addition to the requirements of subsections 1 [and 2] **to 4** of this section, [all registrants] shall report [semiannually] in person in the month of their birth [and six months thereafter] to the chief law enforcement [agency] **official** to verify the information contained in their statement made pursuant to section 589.407 **and six months thereafter, shall report by mail, on a form to be provided by the Missouri state highway patrol, to update any change in information or to indicate that there has been no change. This form shall require**

**the signature of the offender.** [All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency.] **Tier II sexual offenders include:**

(1) Any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the crime of:

(a) Statutory rape in the second degree under section 566.034;  
 (b) Statutory sodomy in the second degree under section 566.064;  
 (c) Child molestation in the first degree when the victim is fourteen to seventeen years of age under section 566.067;

(d) Sexual contact with a student while on public school property when the victim is fourteen to seventeen years of age under section 566.086;

(e) Sexual abuse when the victim is fourteen years of age or older under section 566.100;

(f) Enticement of a child under section 566.151;

(g) Trafficking for the purpose of sexual exploitation under section 566.209;

(h) Child molestation in the second degree when the victim is under fourteen years of age under section 566.068;

(i) Promoting prostitution in the second degree when the victim is under eighteen years of age under section 567.060;

(j) Promoting prostitution in the third degree when the victim is under eighteen years of age under section 567.070;

(k) Endangering the welfare of a child in the first degree when there is sexual conduct or sexual contact with a victim fourteen to seventeen years of age under section 568.045;

(l) Endangering the welfare of a child in the second degree when the offense is sexual in nature and the victim is under thirteen years of age under section 568.050;

(m) Abuse of a child when the offense is sexual in nature under section 568.060;

(n) Genital mutilation of a female child under section 568.065;

(o) Child used in sexual performance under section 568.080;

(p) Promoting sexual performance by a child under section 568.090;

(q) Sexual exploitation of a minor under section 573.023;

(r) Promoting child pornography in the first degree under section 573.025;

(s) Promoting child pornography in the second degree under section 573.035; or

(t) Unlawful sex with an animal under section 566.111;

(2) Any offender whose classification was changed to a Tier II offender by court order under section 589.408;

(3) Any person who is convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a crime comparable to a Tier I offense listed in this section or failure to register offense under section 589.425 or comparable out-of-state failure to register offense, who is already required to register as a Tier I offender due to having been convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a Tier I offense on a previous occasion; or

(4) Any person who is or has been convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense of a sexual nature or with a sexual element that is comparable to the Tier II sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as Tier II offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109).

7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this section, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition such offenders shall report by mail, on a form to be provided by the Missouri state highway patrol, to update any change in information or to indicate that there has been no change, ninety days after each in-person report. This form shall require the signature of the offender. Except as provided in subsections 8 and 9 of this section, Tier III sexual offenders include:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the crime of:

(a) Kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense and when the victim is less than eighteen years of age and excluding kidnapping by parent or guardian under section 565.110;

(b) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(c) Forcible rape under section 566.030;

(d) Statutory rape in the first degree under section 566.032;

(e) Sexual assault under section 566.040;

(f) Forcible sodomy under section 566.060;

(g) Statutory sodomy in the first degree under section 566.062;

(h) Child molestation in the first degree when the victim is less than fourteen years of age under section 566.067;

(i) Deviate sexual assault under section 566.070;

(j) Sexual contact with a student while on public school property when the victim is less than fourteen years of age under section 566.086;

(k) Sexual abuse when the victim is less than fourteen years of age under section 566.100;

(l) Sexual trafficking of a child under section 566.212;

(m) Sexual trafficking of a child under the age of twelve, under section 566.213;

(n) Promoting prostitution in the first degree when the victim is less than eighteen years of age under section 567.050;

(o) Incest under section 568.020;

(p) Endangering the welfare of a child in the first degree when there is sexual conduct or sexual contact with a victim less than fourteen years of age under section 568.045;

(q) Endangering the welfare of a child in the first degree when there is sexual intercourse or deviate sexual intercourse with a victim less than eighteen years of age under section 568.045;

(3) Any offender who is convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a crime comparable to a Tier I or Tier II offense listed in this section or failure to register offense under section 589.425, or other comparable out-of-state failure to register offense, who has been or is already required to register as a Tier II offender because of having been convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a Tier II offense, two Tier I offenses, or a combination of a Tier I offense and failure to register offense, on a previous occasion;

(4) Any offender who is or has been convicted of, been found guilty of, or pled guilty or nolo contendere in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense of a sexual nature or with a sexual element that is comparable to a Tier III offense listed in this section or a Tier III offense under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 248-109); or

(5) Any offender who is or has been convicted of, been found guilty of, or pled guilty to or nolo contendere to any offense of a sexual nature requiring registration under sections 589.400 to 589.425 that is not classified as a Tier I or Tier II offense in this section.

[5.] 8. In addition to the requirements of subsections 1 [and 2] to 7 of this section, all Missouri registrants who work, including as a volunteer or unpaid intern, or attend any school [or training] whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or part-time basis [in any other state] or has a temporary residence in Missouri shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

[6.] 9. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.

10. It is not a defense to a prosecution for a violation of any Tier I, Tier II, or Tier III offense listed in this section that the victim was a peace officer masquerading as a minor.

11. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

**If such person's original offense is not currently a crime such person shall still be classified as a Tier I, II, or III offender. The classification shall be made by determining which current crime is most comparable to the original offense and then placing such person in the Tier which corresponds to that current crime.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1** was adopted.

On motion of Representative Schad, **HCS SB 250, as amended**, was adopted.

On motion of Representative Schad, **HCS SB 250, as amended**, was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Hummel	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schoeller	Shively	Shumake	Silvey
Smith 71	Smith 150	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Webb
Wells	Weter	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 020

Asbury	Brattin	Carlson	Davis	Houghton
Hubbard	Johnson	Kander	Lauer	McCaherty
Schieber	Sifton	Solon	Spreng	Swearingen
Wallingford	Walton Gray	Webber	White	Wieland

PRESENT: 000



ABSENT WITH LEAVE: 013

Brown 116	Day	Dieckhaus	Franklin	Funderburk
Hughes	Marshall	McGhee	Phillips	Scharnhorst
Schieffer	Schneider	Schupp		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**SB 237**, relating to guardians ad litem, was taken up by Representative Barnes.

On motion of Representative Barnes, **SB 237** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 116	Day	Dieckhaus	Franklin	Funderburk
Gatschenberger	Hughes	McGhee	Nolte	Phillips
Scharnhorst	Schieffer	Schupp		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

### **BILL CARRYING REQUEST MESSAGE**

**HCS SB 59, as amended**, relating to judicial procedures, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SB 59, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **THIRD READING OF SENATE BILL**

**HCS SCS SB 270**, relating to elections, was taken up by Representative Dugger.

Representative Dugger offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Section 115.123, Pages 4 and 5, by removing all of said section from the bill and inserting in lieu thereof the following:

“115.123. 1. All public elections shall be held on Tuesday. Except as provided in subsections 2[, 3, ] and [4] **3** of this section, and section 247.180, all public elections shall be held on the general election day, the primary election day, the general municipal election day, the first Tuesday after the first Monday in February or November, or on another day expressly provided by city or county charter, [the first Tuesday after the first Monday in June] and in nonprimary years on the first Tuesday after the first Monday in August.

2. Notwithstanding the provisions of subsection 1 of this section, an election for a presidential primary held pursuant to sections [115.755] **115.758** to 115.785 shall be held on the first Tuesday after the first Monday in March of each presidential election year.

3. The following elections shall be exempt from the provisions of subsection 1 of this section:

- (1) Bond elections necessitated by fire, vandalism or natural disaster;
- (2) Elections for which ownership of real property is required by law for voting; and
- (3) Special elections to fill vacancies and to decide tie votes or election contests.

4. No city or county shall adopt a charter or charter amendment which calls for elections to be held on dates other than those established in subsection 1 of this section.

5. Nothing in this section prohibits a charter city or county from having its primary election in March if the charter provided for a March primary before August 28, 1999.

6. Nothing in this section shall prohibit elections held pursuant to section 65.600, but no other issues shall be on the March ballot except pursuant to this chapter.”; and

Further amend said bill, Page 8, Section 115.241 (repealed), Line 2, by inserting after all of said section and line the following:

“[115.755. A statewide presidential preference primary shall be held on the first Tuesday after the first Monday in February of each presidential election year.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 5, Section 115.293, Line 11, by inserting after all of said section and line the following:

“181.060. 1. The general assembly may appropriate moneys for state aid to public libraries, which moneys shall be administered by the state librarian, and distributed as specified in rules and regulations promulgated by the Missouri state library, and approved by the secretary of state.

2. At least fifty percent of the moneys appropriated for state aid to public libraries shall be apportioned to all public libraries established and maintained under the provisions of the library laws or other laws of the state relating to libraries. The allocation of the moneys shall be based on an equal per capita rate for the population of each city, village, town, township, urban public library district, county or consolidated library district in which any library is or may be established, in proportion to the population according to the latest federal census of the cities, villages, towns, townships, school districts, county or regional library districts maintaining public libraries primarily supported by public funds which are designed to serve the general public. No grant shall be made to any public library which is tax supported if the rate of tax levied or the appropriation for the library should be decreased below the rate in force on December 31, 1946, or on the date of its establishment. Grants shall be made to any public library if a public library tax of at least ten cents per one hundred dollars assessed valuation has been voted in accordance with sections 182.010 to 182.460 or as authorized in section 137.030 and is duly assessed and levied for the year preceding that in which the grant is made, or if the appropriation for the public library in any city of first class yields one dollar or more per capita for the previous year according to the population of the latest federal census or if the amount provided by the city for the public library, in any other city in which the library is not supported by a library tax, is at least equal to the amount of revenue which would be realized by a tax of ten cents per one hundred dollars assessed valuation if the library had been tax supported. Except that, no grant under this section shall be affected because of a reduction in the rate of levy which is required by the provisions of section 137.073, **or because of a voluntary reduction in the levy following the enactment of a district sales tax under section 182.802, if the proceeds from the sales tax equal or exceed the reduction in revenue from the levy.**

3. The librarian of the library together with the treasurer of the library or the treasurer of the city if there is no library treasurer shall certify to the state librarian the annual tax income and rate of tax or the appropriation for the library on the date of the enactment of this law, and of the current year, and each year thereafter, and the state librarian shall certify to the commissioner of administration the amount to be paid to each library.

4. The balance of the moneys shall be administered and supervised by the state librarian who may provide grants to public libraries for:

- (1) Establishment, on a population basis to newly established city, county city/county or consolidated libraries;
- (2) Equalization to city/county[,], urban public, county or consolidated libraries;
- (3) Reciprocal borrowing;
- (4) Technological development;
- (5) Interlibrary cooperation;
- (6) Literacy programs; and
- (7) Other library projects or programs that may be determined by the local library, library advisory committee and the state library staff that would improve access to library services by the residents of this state. Newly established libraries shall certify through the legally established board or the governing body of the city supporting the library and the librarian of the library to the state librarian the fact of establishment, the rate of tax, the assessed valuation of the

library district and the annual tax yield of the library. The state librarian shall then certify to the commissioner of administration the amount of establishment grant to be paid to the libraries and warrants shall be issued for the amount allocated and approved. The sum appropriated for state aid to public libraries shall be separate and apart from any and all appropriations made to the state library.

**182.802. 1. As used in this section, the following terms mean:**

(1) "Public library district", any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district;

(2) "Qualified voters" or "voters", any individuals residing within the public library district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

**2. The board of directors of any public library district located at least partially within the following counties may impose a tax as provided in this section:**

(1) Any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(2) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(3) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(4) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(5) Any county of the third classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants; or

(7) Any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty thousand one hundred inhabitants.

**3. The board of directors of any public library district described in subsection 1 of this section may, upon a majority vote of the board, impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-half of one cent, and shall be imposed solely for the purpose of funding the operation and maintenance of public libraries within the boundaries of the district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**4. No sales tax imposed under this section shall become effective unless the board of directors of the district submits to the voters within the district at a county or state general, primary, or special election a proposal to authorize the board of directors of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter immediately following the adoption of the sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.**

**5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.**

**6. The board of directors of any district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.**

**7. If the tax is repealed or terminated by any means, all remaining revenues generated from the sales tax shall continue to be used solely for the designated purposes, and the board of directors shall retain for a period**

of one year two percent of the amount collected after the repeal or termination to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Molendorp offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 5, Section 115.293, Line 11, by inserting after all of said line the following:

“130.021. 1. Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state and serve in the capacity of committee treasurer in the event the committee treasurer is unable for any reason to perform the treasurer's duties.

2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a statement of exemption pursuant to that subsection and every candidate for offices listed in subsection 6 of section 130.016 who is not excluded from filing a statement of organization and disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee and appoint a treasurer. Thereafter, all contributions on hand and all further contributions received by such candidate and any of the candidate's own funds to be used in support of the person's candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing in this chapter shall prevent a candidate from appointing himself or herself as a committee of one and serving as the person's own treasurer, maintaining the candidate's own records and filing all the reports and statements required to be filed by the treasurer of a candidate committee.

3. A candidate who has more than one candidate committee supporting the person's candidacy shall designate one of those candidate committees as the committee responsible for consolidating the aggregate contributions to all such committees under the candidate's control and direction as required by section 130.041. No person shall form a new committee or serve as a deputy treasurer of any committee as defined in section 130.011 until the person or the treasurer of any committee previously formed by the person or where the person served as treasurer or deputy treasurer has filed all required campaign disclosure reports and statements of limited activity for all prior elections and paid outstanding previously imposed fees assessed against that person by the ethics commission.

4. (1) Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name. An "official depository account" shall be a checking account or some type of negotiable draft or negotiable order of withdrawal account, and the official fund depository shall, regarding an official depository account, be a type of financial institution which provides a record of deposits, canceled checks or other canceled instruments of withdrawal evidencing each transaction by maintaining copies within this state of such instruments and other transactions. All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate. Contributions received by a committee shall not be commingled with any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of the candidate's own funds to the person's candidate committee shall be deposited to an official depository account of the person's candidate committee. No expenditure shall be made by a committee when the office of committee treasurer is vacant except that when the office of a candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

(2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a committee's official depository account and deposit such funds in one or more savings accounts in the committee's name in any bank, savings and loan association or credit union within this state, and may also withdraw funds from an official depository account for investment in the committee's name in any certificate of deposit, bond or security. Proceeds from interest or dividends from a savings account or other investment or proceeds from withdrawals from a savings account or from the

sale of an investment shall not be expended or reinvested, except in the case of renewals of certificates of deposit, without first redepositing such proceeds in an official depository account. Investments, other than savings accounts, held outside the committee's official depository account at any time during a reporting period shall be disclosed by description, amount, any identifying numbers and the name and address of any institution or person in which or through which it is held in an attachment to disclosure reports the committee is required to file. Proceeds from an investment such as interest or dividends or proceeds from its sale, shall be reported by date and amount. In the case of the sale of an investment, the names and addresses of the persons involved in the transaction shall also be stated. Funds held in savings accounts and investments, including interest earned, shall be included in the report of money on hand as required by section 130.041.

5. The treasurer or deputy treasurer acting on behalf of any person or organization or group of persons which is a committee by virtue of the definitions of committee in section 130.011 and any candidate who is not excluded from forming a committee in accordance with the provisions of section 130.016 shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than the date for filing the first report required pursuant to the provisions of section 130.046. The statement of organization shall contain the following information:

- (1) The name, mailing address and telephone number, if any, of the committee filing the statement of organization. If the committee is deemed to be affiliated with a connected organization as provided in subdivision (10) of section 130.011, the name of the connected organization, or a legally registered fictitious name which reasonably identifies the connected organization, shall appear in the name of the committee. If the committee is a candidate committee, the name of the candidate shall be a part of the committee's name;
- (2) The name, mailing address and telephone number of the candidate;
- (3) The name, mailing address and telephone number of the committee treasurer, and the name, mailing address and telephone number of its deputy treasurer if the committee has named a deputy treasurer;
- (4) The names, mailing addresses and titles of its officers, if any;
- (5) The name and mailing address of any connected organizations with which the committee is affiliated;
- (6) The name and mailing address of its depository, and the name and account number of each account the committee has in the depository. The account number of each account shall be redacted prior to disclosing the statement to the public;
- (7) Identification of the major nature of the committee such as a candidate committee, campaign committee, political action committee, political party committee, incumbent committee, or any other committee according to the definition of committee in section 130.011;
- (8) In the case of the candidate committee designated in subsection 3 of this section, the full name and address of each other candidate committee which is under the control and direction of the same candidate, together with the name, address and telephone number of the treasurer of each such other committee;
- (9) The name and office sought of each candidate supported or opposed by the committee;
- (10) The ballot measure concerned, if any, and whether the committee is in favor of or opposed to such measure.

6. A committee may omit the information required in subdivisions (9) and (10) of subsection 5 of this section if, on the date on which it is required to file a statement of organization, the committee has not yet determined the particular candidates or particular ballot measures it will support or oppose.

7. A committee which has filed a statement of organization and has not terminated shall not be required to file another statement of organization, except that when there is a change in any of the information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section an amended statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.

8. Upon termination of a committee, a termination statement indicating dissolution shall be filed not later than ten days after the date of dissolution with the appropriate officer or officers with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

9. Any statement required by this section shall be signed and attested by the committee treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

10. A committee domiciled outside this state shall **not** be required to file a statement of organization and appoint a treasurer residing in this state and open an account in a depository within this state; provided that either of the following conditions prevails:

(1) The aggregate of all contributions received from persons domiciled in this state exceeds twenty percent in total dollar amount of all funds received by the committee in the preceding twelve months; or

(2) The aggregate of all contributions and expenditures made to support or oppose candidates and ballot measures in this state exceeds one thousand five hundred dollars in the current calendar year].

11. If a committee domiciled in this state receives a contribution of one thousand five hundred dollars or more from any committee domiciled outside of this state, the committee domiciled in this state shall file a disclosure report with the commission. The report shall disclose the full name, mailing address, telephone numbers and domicile of the contributing committee and the date and amount of the contribution. The report shall be filed within forty-eight hours of the receipt of such contribution if the contribution is received after the last reporting date before the election.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Fisher	Funderburk	Hubbard	Hughes
Parkinson	Phillips	Scharnhorst	Schieffer	Schupp
Smith 150	Spreng			

VACANCIES: 004

On motion of Representative Molendorp, **House Amendment No. 3** was adopted.

**HCS SCS SB 270, as amended**, was laid over.

Speaker Tilley resumed the Chair.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 101, as amended**: Senators Cunningham, Ridgeway, Lembke, Justus and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 591**, entitled:

An act to amend chapter 332, RSMo, by adding thereto one new section relating to limited dental teaching license.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 HB 648**, entitled:

An act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 208.955, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 402.210, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.167, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, and 633.309, RSMo, and to enact in lieu thereof eighty-one new sections relating to individuals with disabilities, with existing penalty provisions.

With Senate Amendment No. 1.

#### *Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for House Bill No. 648, Page 25, Section 208.955, Line 14 of said page, by striking "twenty" and inserting in lieu thereof the following:

"**nineteen**".

In which the concurrence of the House is respectfully requested.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 59, as amended**: Senators Keaveny, Goodman, Crowell, Ridgeway and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 145, as amended**: Senators Dempsey, Brown, Rupp, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 226, as amended**: Senators Engler, Dixon, Parson, Callahan and Keaveny.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HCS SB 59**: Representatives Diehl, Cox, Jones (117), McManus and Kelly (24)

**HCS SB 61**: Representatives Diehl, Cox, Richardson, Nasheed and Hubbard

**HCS SB 145**: Representatives Gatschenberger, Schneider, Diehl, Hummel and McManus

**HCS SB 220**: Representatives Diehl, Elmer, Korman, Kelly (24) and Carlson

**HCS SS SB 226**: Representatives Franz, Bernskoetter, Hough, Sifton and Schupp

**HCS SB 322**: Representatives Silvey, Stream, Flanigan, Kelly (24) and Carter

Speaker Pro Tem Schoeller resumed the Chair.

### **THIRD READING OF SENATE BILLS**

**HCS SCS SB 270, as amended**, relating to elections, was again taken up by Representative Dugger.

Representative Wyatt offered **House Amendment No. 4**.

#### *House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 8, Section 190.056, Line 88, by inserting after all of said section and line, the following:

**“Section 1. Notwithstanding the provisions of sections 77.230 and 78.440, any individual who is twenty four years of age or older shall be eligible to serve as mayor in a city of the third classification with a form of government organized under sections 78.430 to 78.640.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wyatt, **House Amendment No. 4** was adopted.

Representative Cauthorn offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 1, Section A, Line 4, by inserting after said line the following:

“11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

**11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall not alter, add, or delete any information provided by the secretary of state. Information published about the organization in the official manual shall be limited to the name of the organization and its contact information. The official manual shall not contain advertising or information promoting any entity or individual. The organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution. The nonprofit organization shall be subject to an independent audit, ordered by the state and paid for by the nonprofit organization, to account for income and expenses for the sale, production, and distribution of the official manual. After such audit, any surplus funds generated by the nonprofit organization through the sale of the manual shall be transferred to the state treasurer for deposit in the state's general revenue fund.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 5** was adopted.

Representative Nasheed offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 4, Section 105.050, Line 8, by inserting after all of said section and line, the following:

“115.043. Each election authority may make all rules and regulations, not inconsistent with statutory provisions, necessary for the registration of voters and the conduct of elections. **Such rules and regulations may include a procedure by which an election authority may provide each registered voter residing within the election authority's jurisdiction the option of providing the voter's email address to the election authority to use for providing information to voters in conjunction with the conduct of elections. Providing information to a voter's email address by an election authority shall not be construed to fulfill the election authority's responsibility to provide notice or other election communications to any voter as required by state law.”; and**

Further amend said bill, Page 5, Section 115.123, Line 20, by inserting after all of said section and line, the following:

“115.155. 1. The election authority shall provide for the registration of each voter. Each application shall be in substantially the following form: APPLICATION FOR REGISTRATION Are you a citizen of the United States?  
☐ YES ☐ NO

Will you be 18 years of age on or before election day?  
☐ YES ☐ NO

IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO NOT COMPLETE THIS FORM.

IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE REGISTERING FOR THE FIRST TIME, PLEASE SUBMIT A COPY OF A CURRENT, VALID PHOTO IDENTIFICATION. IF YOU DO NOT SUBMIT SUCH INFORMATION, YOU WILL BE REQUIRED TO PRESENT ADDITIONAL IDENTIFICATION UPON VOTING FOR THE FIRST TIME SUCH AS A BIRTH CERTIFICATE, A NATIVE AMERICAN TRIBAL DOCUMENT, OTHER PROOF OF UNITED STATES CITIZENSHIP, A VALID MISSOURI DRIVERS LICENSE OR OTHER FORM OF PERSONAL IDENTIFICATION.

.....	.....
	Township (or Ward)
.....	.....
Name	Precinct
.....	.....
Home Address	Required Personal
	Identification Information
.....	
City            ZIP	
.....	.....
Date of Birth	Place of Birth (Optional)
.....	.....
Telephone Number	Mother's Maiden Name
(Optional)	(Optional)
.....	.....
Occupation (Optional)	Last Place Previously
	Registered
.....	.....
Last four digits of	Under What Name
Social Security Number	
(Required for registration	
unless no Social Security	
number exists for Applicant)	
Remarks:	
.....	
When	

I am a citizen of the United States and a resident of the state of Missouri. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I do solemnly swear that all statements made on this card are true to the best of my knowledge and belief. I UNDERSTAND THAT IF I REGISTER TO VOTE KNOWING THAT I AM NOT LEGALLY ENTITLED TO REGISTER, I AM COMMITTING A CLASS ONE ELECTION OFFENSE AND MAY BE PUNISHED BY IMPRISONMENT OF NOT MORE THAN FIVE YEARS OR BY A FINE OF BETWEEN TWO THOUSAND FIVE HUNDRED DOLLARS AND TEN THOUSAND DOLLARS OR BY BOTH SUCH IMPRISONMENT AND FINE.

.....	.....
Signature of Voter	Date
.....	
Signature of Election Official	

2. After supplying all information necessary for the registration records, each applicant who appears in person before the election authority shall swear or affirm the statements on the registration application by signing his or her full name, witnessed by the signature of the election authority or such authority's deputy registration official. Each applicant who applies to register by mail pursuant to section 115.159, or pursuant to section 115.160 or 115.162, shall attest to the statements on the application by his or her signature.

3. Upon receipt by mail of a completed and signed voter registration application, a voter registration application forwarded by the division of motor vehicle and drivers licensing of the department of revenue pursuant to section 115.160, or a voter registration agency pursuant to section 115.162, the election authority shall, if satisfied that the applicant is entitled to register, transfer all data necessary for the registration records from the application to its registration system. Within seven business days after receiving the application, the election authority shall send the applicant a verification notice. If such notice is returned as undeliverable by the postal service within the time established by the election authority, the election authority shall not place the applicant's name on the voter registration file.

4. If, upon receipt by mail of a voter registration application or a voter registration application forwarded pursuant to section 115.160 or 115.162, the election authority determines that the applicant is not entitled to register, such authority shall, within seven business days after receiving the application, so notify the applicant by mail and state the reason such authority has determined the applicant is not qualified. The applicant may have such determination reviewed pursuant to the provisions of section 115.223. If an applicant for voter registration fails to answer the question on the application concerning United States citizenship, the election authority shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form before the next election.

5. It shall be the responsibility of the secretary of state to prescribe specifications for voter registration documents so that they are uniform throughout the state of Missouri and comply with the National Voter Registration Act of 1993, including the reporting requirements, and so that registrations, name changes and transfers of registrations within the state may take place as allowed by law.

6. All voter registration applications shall be preserved in the office of the election authority.

**7. Each election authority may provide each applicant for voter registration with the option of providing the applicant's email address with the applicant's voter registration form.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nasheed, **House Amendment No. 6** was adopted.

On motion of Representative Dugger, **HCS SCS SB 270, as amended**, was adopted.

On motion of Representative Dugger, **HCS SCS SB 270, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	McNeil	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150

Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 043

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Ellinger	Harris	Hodges
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	Meadows	Montecillo
Oxford	Pace	Pierson	Quinn	Rizzo
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Day	Funderburk	Hughes	Phillips
Scharnhorst	Schieffer	Schneider	Schupp	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**HCS SB 284**, relating to pharmacy, was taken up by Representative Sater.

Representative Schad offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 284, Section 338.330, Page 13, Line 38, by inserting after all of said section and line the following:

**“376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.**

**2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.**

**3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.**

**4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.**

**5. As used in this section, the terms "health benefit plan" and "health carrier" shall have the same meanings ascribed to such terms in section 376.1350.**

**6. Coverage under this section shall be limited to Federal Drug Administration approved indications and National Comprehensive Cancer Network recommendations.**

**7. Coverage under this section may be administered by a specialty pharmacy network.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1** was adopted.

Representative Leara offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 284, Page 1, Section A, Line 3, by inserting after all of said line the following:

"66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group A shall include all portions of any city of the fourth classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity.** For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax. **Notwithstanding provisions of this section to contrary, for the period beginning August 28, 2011, and ending August 28, 2013, group B shall not include any portion of any city of the fourth classification with more than four thousand three hundred but fewer than four thousand four hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants and where such city includes a dormant manufacturing plant that was used for manufacturing or assembly and employed not less than three thousand persons but has ceased such manufacturing and assembly activity.**

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to

the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the "adjusted county average" is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the "redistribution formula" is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for

annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of



this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof.

The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Leara moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Allen	Brattin	Cauthorn	Cierpiot	Cookson
Cox	Cross	Curtman	Davis	Denison
Dieckhaus	Fitzwater	Flanigan	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Higdon	Hinson	Houghton	Jones 89	Jones 117
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Loehner	McCahtery	McNary	Pollock
Reiboldt	Richardson	Riddle	Ruzicka	Schad
Schatz	Schoeller	Shumake	Smith 150	Solon
Stream	Thomson	Wallingford	Wells	Wieland
Zerr				

NOES: 092

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Conway 14	Conway 27	Crawford
Dugger	Elmer	Entlicher	Fallert	Fraker
Franklin	Guernsey	Hampton	Harris	Hodges
Holsman	Hoskins	Hough	Hubbard	Hummel
Johnson	Jones 63	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Kratky
Lampe	Largent	Lasater	Leach	Long
Marshall	May	McCann Beatty	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo

Nance	Nasheed	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Quinn	Redmon
Rizzo	Rowland	Sater	Schieber	Shively
Sifton	Silvey	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Weter	White
Wright	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 016

Colona	Day	Diehl	Ellinger	Fisher
Funderburk	Hughes	McDonald	Neth	Nolte
Phillips	Scharnhorst	Schieffer	Schneider	Schupp
Mr Speaker				

VACANCIES: 004

### Representative Atkins offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 284, Page 4, Section 144.030, Line 122, by inserting immediately after the word “**Medicaid**” the following:

“, and all sales of prescription eyeglasses”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Atkins moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

### Representative Bernskoetter offered **House Amendment No. 4.**

#### *House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 284, Page 12, Section 338.055, Line 99, by inserting after all of said section and line the following:

**“338.098. 1. All prescription drug orders communicated by way of electronic transmission shall:**

**(1) Allow for the physician to review the patient's current medication list and medication history information as well as view all the medications available to the physician for the patient's condition;**

**(2) Have the ability to electronically adjudicate prior authorization and step therapy protocols. An electronic prior authorization process for allowing approval of an exception to the plan formulary or other restriction shall be available, so long as adjudication occurs within forty-eight hours from the time the prescription drug order is received; and**

**(3) Minimize interference between physician and patient through a neutral and open platform, except that information about the availability of a generic drug may be communicated. A generic drug is identical or bioequivalent to a brand name drug in dosage form, safety, strength, route of administration, quality, performance characteristics and intended use.**

**2. Nothing in this section shall preclude the use of paper prescriptions.**

**3. The board of pharmacy shall promulgate rules regarding such an electronic prior authorization process and to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in**

section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill, Page 13, Section 338.330, Line 38, by inserting after all of said section and line the following:

**“376.388. 1. A pharmacy benefit manager shall not:**

- (1) Automatically enroll or passively enroll a pharmacy in a contract or modify an existing contract without affirmation from the pharmacy or pharmacist;**
- (2) Require that a pharmacy or pharmacist participate in one pharmacy benefit manager contract in order to participate in another contract; or**
- (3) Discriminate between in-network pharmacies or pharmacists on the basis of copayments or days of supply unless such pharmacy declines to fill such prescriptions at the price allowed to other in-network pharmacies for such prescription.**

**2. When an insured presents a prescription to a pharmacy in the pharmacy benefit manager's network, the pharmacy benefit manager shall not reassign such prescription to be filled by any other pharmacy. When the pharmacy benefit manager contacts the prescribing health care practitioner to affirm or modify the original prescription, the affirmed or modified prescription shall be filled at the in-network pharmacy of the patient's choice to which the insured presented the original prescription.**

**376.1460. 1. As used in sections 376.1460 to 376.1464, the following terms shall mean:**

- (1) "Health carrier", the same meaning as such term is defined in section 376.1350, except when such health care services are provided, delivered, arranged for, paid for, or reimbursed by the department of social services or the department of mental health;**
- (2) "Pharmacy benefit manager" or "PBM", a person or entity other than a pharmacy or pharmacist acting as an administrator in connection with pharmacy benefits;**
- (3) "Switch communication", a communication to a patient or the patient's physician from a health carrier or PBM that recommends a patient's medication be switched by the original prescribing practitioner to a different medication than the medication originally prescribed by the prescribing practitioner. A switch communication shall:**
  - (a) Clearly identify the originally prescribed medication and the medication to which it has been proposed that the patient should be switched;**
  - (b) Explain any financial incentives that may be provided to, or have been offered to, the prescribing practitioner by the health carrier or PBM that could result in the switch to the different medication;**
  - (c) Explain any clinical effects that the proposed medication may have on the patient which are different than those of the originally prescribed medication;**
  - (d) Advise the patient of the right to discuss the proposed change in treatment before such a switch takes place, including a discussion with the patient's prescribing practitioner;**
  - (e) Explain any cost sharing changes for which the patient is responsible; and**
  - (f) Clearly identify the net change in cost to the health insurance payer, including employers, which will result from the use of the proposed medication in lieu of the originally prescribed medication.**

**2. Any time a patient's medication is recommended to be switched to a medication other than that originally prescribed by the prescribing practitioner, the following communication shall be sent:**

- (1) A switch communication to the patient and the patient's physician; and**
- (2) Information to the plan sponsor or health carrier using a PBM regarding the recommended medication and the cost, shown in currency form, of the originally prescribed medication. Such communication shall include notice of medication switches among plan participants, including any financial incentive the health carrier or PBM may be using to encourage or induce the switch. Information contained in the notification shall be in the aggregate and shall not contain any personally identifiable information.**

The provisions of this subsection shall not apply to any substitution made under subsection 2 of section 338.056, unless such substitute results in a higher cost to the patient or health insurance payer.

3. All health carriers and pharmacy benefit managers shall submit the format and language for any switch communication that shall be sent to a patient under this section to the department of insurance, financial institutions and professional registration for approval. The department shall examine the format and language of the switch communication to ensure it meets the criteria for a switch communication as described in this section. The department shall have sixty days to review and issue a statement to the health carrier or PBM regarding compliance with this section. If the department finds noncompliance with this section, the department shall cite specific reasons for such decision.

4. The department shall also promulgate rules governing switch communications. Such rules shall include, but not be limited to, the following:

(1) Procedures for verifying the accuracy of any switch communications from health carriers and pharmacy benefit managers to ensure that such switch communications are truthful, accurate, and not misleading based on cost to the patient and plan sponsor, the product package labeling, medical compendia recognized by the MO HealthNet program for the drug utilization review program, and peer-reviewed medical literature; and

(2) Except for a substitution due to the Food and Drug Administration's withdrawal of a drug for prescription, a requirement that all switch communications bear a prominent notification on the first page clearly indicating the switch communication is not a product safety notice.

5. (1) A PBM owes a fiduciary duty to a covered entity and shall discharge that duty in accordance with the provisions of state and federal law.

(2) A PBM shall perform its duties with care, skill, prudence, and diligence and in accordance with the standards of conduct applicable to a fiduciary in an enterprise of like character and with like aims.

(3) A PBM shall notify the covered entity in writing of any activity, policy, or practice of the PBM that directly or indirectly presents any conflict of interest with the duties imposed by this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

376.1462. 1. Issuing or delivering or causing to be issued or delivered a switch communication that has not been approved and is not in compliance with the requirements of section 376.1460 is punishable by a fine not to exceed twenty-five thousand dollars.

2. Providing a misrepresentation or false statement in a switch communication under section 376.1460 is punishable by a fine not to exceed twenty-five thousand dollars.

3. Any other material violation of section 376.1460 is punishable by a fine not to exceed twenty-five thousand dollars.

376.1464. 1. When medications for the treatment of any medical condition are restricted for use by a health carrier or PBM by a step therapy or fail first protocol, a prescriber shall have access to a clear and convenient process to request an override for such restriction from the PBM or health carrier. An override of such restriction shall be expeditiously granted by the health carrier or PBM when the prescriber can demonstrate:

(1) Based on sound clinical evidence, that the preferred treatment required under the step therapy or fail first protocol has been ineffective in the treatment of the covered person's disease or medical condition; or

(2) Based on sound clinical evidence or medical and scientific evidence, that the preferred treatment required under the step therapy or fail first protocol:

(a) Is likely to be ineffective based on the known relevant physical or mental characteristics of the covered person and known characteristics of the drug regimen; or

(b) Will likely cause an adverse reaction or other harm to the covered person.

2. The duration of any step therapy or fail first protocol shall not be longer than a period of fourteen days when such treatment is deemed clinically ineffective by the prescribing physician. However, when the health carrier or PBM can show, through sound clinical evidence, the originally prescribed medication is likely to require more than two weeks to provide any relief or amelioration to the patient the step therapy or fail first protocol may be extended up to seven additional days.

3. Nothing in this section shall require the PBM or health carrier to grant an exception to the step therapy or fail first protocol if the prescriber fails to meet the requirements in subsection 1 of this section.

**4. Nothing in this section shall be construed as requiring coverage for any condition which is specifically excluded by the insurance policy or contract and not otherwise covered by law.**

**376.1466. In order to expedite and provide a more efficient and cost effective process for the preauthorization and step therapy process, every pharmacy benefit manager and health carrier requiring preauthorization or step therapy for a specific medication shall provide a website with a list of the medications which require preauthorization and the process required to comply with the pharmacy benefit manager's or health carrier's policies.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Nolte	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Fallert
Harris	Hodges	Holsman	Hummel	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Shively
Sifton	Smith 71	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Colona	Day	Dieckhaus	Ellinger
Hubbard	Hughes	Jones 63	Lair	Leara
McDonald	McGhee	Neth	Phillips	Scharnhorst
Schieffer	Schneider	Schupp	Spreng	Talboy

VACANCIES: 004

**House Amendment No. 4** was withdrawn.

On motion of Representative Sater, **HCS SB 284, as amended**, was adopted.

On motion of Representative Sater, **HCS SB 284, as amended**, was read the third time and passed by the following vote:

AYES: 116

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Nasheed	Newman	Nolte	Parkinson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schieber	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Spreng	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 028

Anders	Atkins	Carlson	Carter	Ellinger
Holsman	Kander	Kelly 24	Lampe	McCann Beatty
McGeoghegan	McManus	McNeil	Montecillo	Nichols
Oxford	Pace	Pierson	Rizzo	Sifton
Smith 71	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 014

Colona	Day	Dieckhaus	Hughes	Hummel
Jones 63	McDonald	Neth	Phillips	Scharnhorst
Schatz	Schieffer	Schneider	Schupp	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McGeoghegan	McGhee	McNary	Meadows	Molendorp
Nance	Newman	Nolte	Parkinson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 022

Anders	Berry	Carlson	Carter	Kander
Lampe	McCann Beatty	McManus	McNeil	Montecillo
Nasheed	Nichols	Oxford	Pace	Pierson
Rizzo	Smith 71	Still	Walton Gray	Webb
Webber	Wieland			

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 012

Day	Dieckhaus	Franz	Hughes	Jones 63
McDonald	Neth	Phillips	Scharnhorst	Schieffer
Schneider	Schupp			

VACANCIES: 004

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**HCS SB 48** - Fiscal Review (Fiscal Note)

**HCS#2 SCS SB 117** - Fiscal Review (Fiscal Note)

## COMMITTEE REPORTS

**Committee on Elementary and Secondary Education**, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 81**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SBs 26 & 106**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 36**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SB 62**, begs leave to report it has examined the same and recommends that it **Do Pass**.



Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 77**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 81**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **COMMITTEE APPOINTMENT**

May 9, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint myself to the Rules Committee. I intend to only serve on the committee for this week and will deliver you a different appointment letter during the interim.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

### **LETTER OF RESIGNATION**

May 6, 2011

Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to RSMo, 21.090, I hereby submit my resignation, effective immediately, as state representative for the 39<sup>th</sup> District so that I may take the oath of office as Jackson County Prosecuting Attorney.

I further request, pursuant to the same section, that you immediately notify the Governor of said resignation so that he may call a special election for the 39<sup>th</sup> District seat in the House of Representatives.

Sincerely,

/s/ Jean Peters-Baker

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Tuesday, May 10, 2011.

## **COMMITTEE MEETINGS**

### **ADMINISTRATION AND ACCOUNTS**

Wednesday, May 11, 2011, 8:00 AM House Hearing Room 3.

Legislative assistants

Member expense account

### **CONFERENCE COMMITTEE**

Tuesday, May 10, 2011, 8:00 AM House Hearing Room 7.

SCS HB 142, as amended

### **CONFERENCE COMMITTEE**

Tuesday, May 10, 2011, 8:30 AM Senate Committee Room 2.

HCS SS#2 SCS SB 8

### **CONFERENCE COMMITTEE**

Tuesday, May 10, 2011, 8:30 AM Bingham Gallery.

HCS SS SB 135

### **CONFERENCE COMMITTEE**

Wednesday, May 11, 2011, 8:30 AM Senate Committee Room 2.

HCS SB 173

### **CORRECTIONS**

Tuesday, May 10, 2011, 12:00 PM House Hearing Room 3.

Informational luncheon meeting at 12:00 noon

### **FISCAL REVIEW**

Tuesday, May 10, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

### **FISCAL REVIEW**

Wednesday, May 11, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

### **FISCAL REVIEW**

Thursday, May 12, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee

**FISCAL REVIEW**

Friday, May 13, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

**JOINT COMMITTEE ON EDUCATION**

Tuesday, May 10, 2011, 8:30 AM Senate Lounge.

Election of chair and vice-chair, interim assignments

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Tuesday, May 10, 2011, House Hearing Room 7, upon evening recess or adjournment, whichever is earlier.

Executive session may be held on all bills referred to this committee

**HOUSE CALENDAR**

SIXTY-NINTH DAY, TUESDAY, MAY 10, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy

2174 *Journal of the House*

- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

**HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

**SENATE BILLS FOR THIRD READING**

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SS SB 202 - Schoeller
- 3 HCS SB 243, E.C. - Dieckhaus
- 4 SCS SB 323, E.C. - Allen
- 5 SB 38 - Carter
- 6 HCS SCS SB 60 - Cox
- 7 SS SCS SB 65 - Jones (89)
- 8 HCS SB 90 - Burlison
- 9 HCS SS SCS SB 132, E.C. - Richardson
- 10 HCS#2 SCS SB 162 - Guernsey
- 11 SS SB 238 - Hinson
- 12 HCS SB 325, E.C. - Smith (150)
- 13 HCS SS SCS SB 351 - Barnes
- 14 HCS SCS SB 356, E.C. - Loehner
- 15 HCS SS SB 360, E.C. - Wyatt
- 16 SS SCS SB 70 - Franz
- 17 HCS#2 SCS SB 117, (Fiscal Review 5-9-11), E.C. - Flanigan
- 18 HCS SB 180 - Torpey
- 19 HCS SS SCS SB 254 - Cox
- 20 HCS SCS SB 17 - Sater
- 21 SCS SBs 26 & 106 - Elmer
- 22 SB 36, E.C. - Scharnhorst
- 23 HCS SB 48, (Fiscal Review 5-9-11), E.C. - Pollock

- 24 HCS SS#2 SCS SB 62 - Sater
- 25 HCS SB 77 - Denison
- 26 SCS SB 81 - Frederick

### **SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

SCR 11, (4-21-11, Page 1431) - Franklin

### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813 - Brown (85)
- 2 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 3 SCS HB 307 & HB 812 - Gatschenberger
- 4 SCS HB 388 - Burlison
- 5 SCS HCS HB 631 - Grisamore
- 6 SCS HB 270, as amended - Burlison
- 7 SCS HB 186 - Entlicher
- 8 SCS HB 149 - Day
- 9 SS SCS HCS HBs 73 & 47, as amended - Brandom
- 10 SCS HB 256 - Cox
- 11 SCS HCS HB 214 - Zerr
- 12 SS SCS HB 137, as amended, E.C. - Thomson
- 13 SCS HCS HB 641 - Franz
- 14 HCS HB 197, SCA 1 - Jones (63)
- 15 HB 340, SA 1, E.C. - Klippenstein
- 16 SCS HCS HB 250 - Cox
- 17 SS HCS HB 338 - Pollock
- 18 SCS HCS HB 578 - Thomson
- 19 SCS HB 737 - Redmon
- 20 SS SCS HB 282, as amended - Franz

### **BILLS IN CONFERENCE**

- 1 HCS SS#2 SCS SB 8, as amended - Fisher
- 2 HCS SB 173, as amended - Cierpiot
- 3 HCS SB 282, as amended - Dugger
- 4 HCS SS SB 135, as amended, E.C. - Jones (89)
- 5 SCS HB 142, as amended - Gatschenberger
- 6 HCS SB 220, as amended - Diehl
- 7 SCS HB 101, as amended - Loehner
- 8 HCS SB 145, as amended - Gatschenberger
- 9 HCS SB 61, as amended - Nasheed
- 10 HCS SB 322, as amended - Kelly (24)
- 11 HCS SS SB 226, as amended - Franz
- 12 HCS SB 59, as amended - Diehl

**VETOED HOUSE BILLS**

SS SCS HB 209 - Guernsey

**SENATE CONCURRENT RESOLUTIONS**

SCR 7, (3-17-11, Page 700) - Jones (89)

**HOUSE RESOLUTIONS**

HR 1826, (4-27-11, Pages 1649-1650) - Long

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SIXTY-NINTH DAY, TUESDAY, MAY 10, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The eternal God is thy refuge, and underneath are the everlasting arms. (Deuteronomy 33:27)*

O God, Who is the refuge and strength of all who put their trust in You, grant us a real measure of Your Holy Spirit as we lift our hearts to You in prayer this morning. You are the Father of all people, and we are Your children. Help us to love You as children ought to love their parents. Help us to love one another as we ought to love one another in all sincerity and truth. In this free land may we learn to live together in peace and good will.

Bless Missouri with Your continued presence, and may our state be Your servant for freedom, and breathe Your peace into our hearts. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Baylee Watts, Hannah Danielle Klippenstein, Mikalah Ann Klippenstein, Addie Von Drehle, Catherine Brooks, Meg Thoma and Laini Reynolds.

The Journal of the sixty-eighth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3293 through House Resolution No. 3334

## COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 117**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

**HOUSE BILLS WITH SENATE AMENDMENTS**

**SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813**, relating to a memorial bridge, was taken up by Representative Brown (85).

On motion of Representative Brown (85), **SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813** was adopted by the following vote:

AYES: 148

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Brown 50	Hodges	Hughes	McManus
Neth	Parkinson	Quinn	Schupp	Webb
Webber				

VACANCIES: 004



On motion of Representative Brown (85), **SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 & HB 813** was truly agreed to and finally passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Brown 50	Franz	Hodges	Hough
Hughes	Kelly 24	Lant	Neth	Pollock
Schad	Schupp	Webb	Webber	

VACANCIES: 004

Speaker Tilley declared the bill passed.

**SCS HB 307 & HB 812**, relating to a special license plate, was taken up by Representative Gatschenberger.

Speaker Pro Tem Schoeller assumed the Chair.

Speaker Tilley resumed the Chair.

On motion of Representative Gatschenberger, **SCS HB 307 & HB 812** was adopted by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	McCaherty
McCann Beatty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 019

Carlson	Kander	Lampe	May	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Nichols
Pace	Pierson	Schupp	Sifton	Smith 71
Still	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 008

Hodges	Hughes	Loehner	Nolte	Schad
Schieber	Torpey	Webb		

VACANCIES: 004

On motion of Representative Gatschenberger, **SCS HB 307 & HB 812** was truly agreed to and finally passed by the following vote:

AYES: 130

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Dieckhaus	Diehl
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	McCaherty
McCann Beatty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 019

Carlson	Kander	Lampe	May	McGeoghegan
McNeil	Montecillo	Newman	Nichols	Pace
Pierson	Schupp	Sifton	Smith 71	Still
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 010

Asbury	Carter	Denison	Dugger	Ellinger
Hodges	Hughes	Loehner	McDonald	Nolte

VACANCIES: 004

Speaker Tilley declared the bill passed.

**SCS HB 388**, relating to patient information requests, was taken up by Representative Burlison.

On motion of Representative Burlison, **SCS HB 388** was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 116	Curtman	Diehl	Franz	Hodges
Hough	Hughes	Jones 117	Koenig	Loehner
Meadows	Phillips	Richardson	Schneider	Shumake
Wright				

VACANCIES: 004

On motion of Representative Burlison, **SCS HB 388** was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Atkins	Colona	Hodges	Hughes	Loehner
McCann Beatty	Phillips	Redmon	Richardson	Schad
Schneider	Still			

VACANCIES: 004

Speaker Tilley declared the bill passed.

**SCS HCS HB 631**, relating to a developmental disabilities fund, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **SCS HCS HB 631** was adopted by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Hodges	Hughes	Molendorp	Redmon
Swearingen	Talboy			

VACANCIES: 004

On motion of Representative Grisamore, **SCS HCS HB 631** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Hodges	Hubbard	Hughes	Molendorp
Swearingen				

VACANCIES: 004

Speaker Tilley declared the bill passed.

**SCS HB 270, as amended**, relating to state employees' health benefits, was taken up by Representative Burlison.

On motion of Representative Burlison, **SCS HB 270, as amended**, was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Still

ABSENT WITH LEAVE: 008

Berry	Brown 50	Cierpiot	Hodges	Hughes
Leara	Schieber	Shumake		

VACANCIES: 004



On motion of Representative Burlison, **SCS HB 270, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 001

Still

ABSENT WITH LEAVE: 007

Brown 50	Dieckhaus	Dugger	Hodges	Hughes
Leara	Nolte			

VACANCIES: 004

Speaker Tilley declared the bill passed.

**SCS HB 186**, relating to county clerk residency requirements, was taken up by Representative Entlicher.

On motion of Representative Entlicher, **SCS HB 186** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Dieckhaus	Diehl	Franklin	Hodges
Hughes	Leara	Loehner	Parkinson	Zerr

VACANCIES: 004

On motion of Representative Entlicher, **SCS HB 186** was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Dieckhaus	Diehl	Franklin	Hodges	Holsman
Hughes	Leara	Zerr		

VACANCIES: 004

Speaker Tilley declared the bill passed.

**SCS HB 149**, relating to the Missouri Military Family Relief Fund, was taken up by Representative Day.

On motion of Representative Day, **SCS HB 149** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Hodges	Hughes	Leara	Pollock
Sater	Wells	Zerr		

VACANCIES: 004

On motion of Representative Day, **SCS HB 149** was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Hodges	Hughes	Leara	Sater
Schad	Wells	Zerr		

VACANCIES: 004

Speaker Tilley declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 29, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 250, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

### BILLS CARRYING REQUEST MESSAGES

**HCS SCS SB 29, as amended**, relating to professional registration, was taken up by Representative Jones (117).

Representative Jones (117) moved that the House refuse to recede from its position on **HCS SCS SB 29, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

**HCS SB 250, as amended**, relating to sexual offenders, was taken up by Representative Schad.

Representative Schad moved that the House refuse to recede from its position on **HCS SB 250, as amended**, and grant the Senate a conference.

Which motion was adopted.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HCS HBs 73 & 47, as amended**, relating to temporary assistance benefits, was taken up by Representative Brandom.

Representative Brandom moved that **SS SCS HCS HBs 73 & 47, as amended**, be adopted.

Representative Carlson made a substitute motion that the House refuse to adopt **SS SCS HCS HBs 73 & 47, as amended**, and request the Senate to recede from its position, and, failing to do so, grant the House a conference thereon.

Which motion was defeated by the following vote:

AYES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Nolte	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

NOES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	McCaherty	McGhee	McNary	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 009

Berry	Brown 116	Grisamore	Hodges	Hughes
Lasater	Long	Molendorp	Quinn	

VACANCIES: 004

Representative Brandom again moved that **SS SCS HCS HBs 73 & 47, as amended**, be adopted.

Representative Jones (89) moved the previous question.

## Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 116	Hodges	Holsman	Hughes	Jones 117
Klippenstein	Sater	Schneider	Schupp	

VACANCIES: 004



On motion of Representative Brandom, **SS SCS HCS HBs 73 & 47, as amended**, was adopted by the following vote:

AYES: 119

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 033

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Elmer	Holsman	Hubbard	Hummel
Jones 63	Kirkton	May	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 007

Bahr	Hodges	Hughes	Leara	Long
Nasheed	Schneider			

VACANCIES: 004

On motion of Representative Brandom, **SS SCS HCS HBs 73 & 47, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 113

Allen	Anders	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Marshall	McCaherty	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 034

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Elmer	Holsman	Hubbard	Hummel
Jones 63	Kirkton	May	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Franz	Hodges	Hughes	Lant
Leara	Long	Phillips	Redmon	Sater
Schneider	Webber			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**SCS HB 256**, relating to the Basic Civil Legal Services Fund, was taken up by Representative Cox.

On motion of Representative Cox, **SCS HB 256** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Conway 27	Cross	Dieckhaus	Flanigan	Grisamore
Hughes	Lant	Leara	McCaherty	McCann Beatty
Phillips	Pollock	Redmon	Schneider	Shively

VACANCIES: 004

On motion of Representative Cox, **SCS HB 256** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lasater	Lauer
Leach	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Carlson	Cross	Dieckhaus	Flanigan
Grisamore	Hough	Hughes	Lant	Leara
Loehner	McGhee	Newman	Pollock	Schad
Schneider				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**SCS HCS HB 214**, relating to human trafficking, was taken up by Representative Zerr.

On motion of Representative Zerr, **SCS HCS HB 214** was adopted by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Flanigan	Hughes	Leara	Parkinson	Schneider
----------	--------	-------	-----------	-----------

VACANCIES: 004

On motion of Representative Zerr, **SCS HCS HB 214** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bernskoetter	Flanigan	Hughes	Kelly 24	Leara
Parkinson				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**SCS HB 737**, relating to assessment and levy of property tax, was taken up by Representative Redmon.

Representative Redmon moved that the House refuse to adopt **SCS HB 737** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

### **HOUSE RESOLUTION**

**HR 1826**, relating to women and families, was taken up by Representative Long.

On motion of Representative Long, **HR 1826** was adopted.

### **RECONSIDERATION**

Representative Parkinson, having voted on the prevailing side, moved that the vote by which **HR 1826** was adopted be reconsidered.

Representative Talboy raised a point of order that the motion to reconsider was not timely.

The Chair ruled the point of order not well taken.

The motion to reconsider **HR 1826** was laid over.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HJR 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 407**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 604**, entitled:

An act to repeal sections 210.112, 210.496, 210.498, 210.565, 211.031, 211.447, and 453.070, RSMo, and to enact in lieu thereof ten new sections relating to parental rights.

In which the concurrence of the House is respectfully requested.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

## AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

## RECONSIDERATION

Representative Parkinson, having voted on the prevailing side, again moved that the vote by which **HR 1826** was adopted be reconsidered.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swearingen	Swinger
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 037

Anders	Atkins	Black	Carlson	Colona
Conway 27	Harris	Hodges	Hubbard	Hummel
Kander	Kirkton	Kratky	Lampe	McCann Beatty
McDonald	McManus	McNeil	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000



ABSENT WITH LEAVE: 022

Aull	Brattin	Brown 50	Brown 116	Carter
Ellinger	Elmer	Haefner	Holsman	Hughes
Jones 63	Keeney	Kelly 24	Lasater	May
McGeoghegan	McGhee	Meadows	Nasheed	Pollock
Taylor	Torpey			

VACANCIES: 004

## HOUSE RESOLUTION

**HR 1826**, relating to women and children, was again taken up by Representative Long.

On motion of Representative Long, **HR 1826** was adopted by the following vote:

AYES: 122

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brattin	Brown 50
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 025

Atkins	Carlson	Colona	Ellinger	Kander
Kelly 24	May	McCann Beatty	McDonald	McNeil
Montecillo	Newman	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Walton Gray	Webb	Webber

PRESENT: 006

Anders	Kirkton	Lampe	Nichols	Oxford
Taylor				

ABSENT WITH LEAVE: 006

Berry	Brown 116	Carter	Hughes	Jones 63
McGeoghegan				

VACANCIES: 004

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 29, as amended**: Senators Brown, Dempsey, Crowell, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 250, as amended**: Senators Kehoe, Goodman, Engler, Callahan and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 270, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 284, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

**HCS SCS SB 29**: Representatives Jones (117), Wells, Frederick, Talboy and Swinger

**HCS SB 250**: Representatives Schad, Cierpiot, Higdon, Colona and Swearingen

Representative Silvey assumed the Chair.

## HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HB 137, as amended**, relating to the transfer of property by universities, was taken up by Representative Thomson.

On motion of Representative Thomson, **SS SCS HB 137, as amended**, was adopted by the following vote:

AYES: 149

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Allen	Carter	Flanigan	Hughes	Leara
McGeoghegan	McManus	Neth	Nolte	Wells

VACANCIES: 004

On motion of Representative Thomson, **SS SCS HB 137, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Carter	Fitzwater	Flanigan	Hughes	Lasater
Leara	Long	McGeoghegan	Nasheed	Neth
Nolte	Zerr	Mr Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 004

Berry	Brattin	Marshall	Wieland
-------	---------	----------	---------

PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Fitzwater	Funderburk	Hughes	Lasater
McGeoghegan	Nasheed	Neth	Nolte	Reiboldt
Taylor	Mr Speaker			

VACANCIES: 004

**SCS HCS HB 641**, relating to controlled substances, was taken up by Representative Franz.

On motion of Representative Franz, **SCS HCS HB 641** was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Solon	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 012

Carter	Colona	Curtman	Ellinger	Holsman
Jones 63	Kelly 24	Nasheed	Oxford	Smith 71
Talboy	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Hough	Hughes	McCaherty	McGeoghegan
Reiboldt	Smith 150	Webb		

VACANCIES: 004

On motion of Representative Franz, **SCS HCS HB 641** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 013

Carter	Colona	Curtman	Ellinger	Holsman
Jones 63	Kelly 24	Nasheed	Oxford	Smith 71
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 003

Hughes	McGeoghegan	McGhee
--------	-------------	--------

VACANCIES: 004

Representative Silvey declared the bill passed.

**HCS HB 197, with Senate Committee Amendment No. 1**, relating to cord blood banking, was taken up by Representative Jones (63).

On motion of Representative Jones (63), the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Cox	Funderburk	Hughes	McGeoghegan	Pollock
Schad	Wells			

VACANCIES: 004



On motion of Representative Jones (63), **HCS HB 197, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Hughes	McGeoghegan	Pace	Webb
------------	--------	-------------	------	------

VACANCIES: 004

Representative Silvey declared the bill passed.

**HB 340, with Senate Amendment No. 1**, relating to county jails, was taken up by Representative Klippenstein.

On motion of Representative Klippenstein, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Diehl	Hughes	McGeoghegan	Nasheed	Mr Speaker
-------	--------	-------------	---------	------------

VACANCIES: 004

On motion of Representative Klippenstein, **HB 340, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Hughes	McGeoghegan	Nasheed	Nolte
Webb	Wells	Mr. Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McDonald	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Neth	Nichols	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wright	Wyatt	Zerr

NOES: 016

Berry	Carlson	Carter	Colona	Gosen
Kirkton	Marshall	McCann Beatty	McNeil	Newman
Schupp	Swearingen	Taylor	Walton Gray	Webb
Wieland				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 007

Cierpiot	Diehl	Hughes	McGeoghegan	Nasheed
Nolte	Mr Speaker			

VACANCIES: 004

**SS HCS HB 338**, relating to telecommunications, was taken up by Representative Pollock.

On motion of Representative Pollock, **SS HCS HB 338** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 005

Atkins	Carlson	Kirkton	Newman	Schupp
--------	---------	---------	--------	--------

PRESENT: 001

Lasater

ABSENT WITH LEAVE: 008

Diehl	Ellinger	Flanigan	Hughes	McGeoghegan
Nolte	Phillips	Mr Speaker		

VACANCIES: 004

On motion of Representative Pollock, **SS HCS HB 338** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 006

Atkins	Carlson	Ellinger	Kirkton	Newman
Schupp				

PRESENT: 001

Lasater

ABSENT WITH LEAVE: 010

Diehl	Flanigan	Hughes	Lant	Loehner
McGeoghegan	Nolte	Phillips	Taylor	Mr Speaker

VACANCIES: 004

Representative Silvey declared the bill passed.

**SCS HCS HB 578**, relating to the disposal of used tires, was taken up by Representative Thomson.

On motion of Representative Thomson, **SCS HCS HB 578** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Atkins	Conway 14	Diehl	Hughes	Klippenstein
McGeoghegan	Nolte	Parkinson	Quinn	Mr Speaker

VACANCIES: 004

On motion of Representative Thomson, **SCS HCS HB 578** was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 14	Cookson	Diehl	Hubbard	Hughes
May	McGeoghegan	Nolte	Mr Speaker	

VACANCIES: 004

Representative Silvey declared the bill passed.



**SS SCS HB 282, as amended**, relating to state employee deferred compensation, was taken up by Representative Franz.

On motion of Representative Franz, **SS SCS HB 282, as amended**, was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Conway 14	Diehl	Hughes	McGeoghegan	Nolte
Mr Speaker				

VACANCIES: 004

On motion of Representative Franz, **SS SCS HB 282, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Cierpiot	Conway 14	Diehl	Hoskins	Hughes
Jones 117	Klippenstein	McGeoghegan	Nolte	Talboy

VACANCIES: 004

Representative Silvey declared the bill passed.

**SS SCS HCS HB 604**, relating to parental rights, was taken up by Representative Long.

Speaker Tilley resumed the Chair.

Representative Silvey resumed the Chair.

On motion of Representative Long, **SS SCS HCS HB 604** was adopted by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 116	Dieckhaus	Hughes	Leara	McGeoghegan
Pollock	Mr Speaker			

VACANCIES: 004

On motion of Representative Long, **SS SCS HCS HB 604** was truly agreed to and finally passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 116	Dieckhaus	Hughes	McGeoghegan	Nolte
Pollock	Redmon			

VACANCIES: 004

Representative Silvey declared the bill passed.

**SCS HB 591**, relating to a limited dental teaching license, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, **SCS HB 591** was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 019

Carlson	Carter	Colona	Hodges	Holsman
Hummel	Jones 63	Kander	May	Nasheed
Oxford	Rizzo	Sater	Schupp	Sifton
Smith 71	Swearingen	Talboy	Walton Gray	

PRESENT: 002

Brown 116	Lasater
-----------	---------

ABSENT WITH LEAVE: 007

Diehl	Ellinger	Hughes	McGeoghegan	Nolte
Shively	Mr Speaker			

VACANCIES: 004

On motion of Representative Lichtenegger, **SCS HB 591** was truly agreed to and finally passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 020

Carlson	Carter	Colona	Hodges	Holsman
Hummel	Jones 63	Kander	May	McNary
Nasheed	Oxford	Rizzo	Sater	Schupp
Sifton	Smith 71	Swearingen	Talboy	Walton Gray

PRESENT: 002

Brown 116	Lasater
-----------	---------

ABSENT WITH LEAVE: 006

Diehl	Ellinger	Hughes	McGeoghegan	Nolte
Mr Speaker				

VACANCIES: 004

Representative Silvey declared the bill passed.

**SS#2 HB 648, as amended**, relating to the developmentally disabled, was taken up by Representative Montecillo.

On motion of Representative Montecillo, **SS#2 HB 648, as amended**, was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 001

Lasater

ABSENT WITH LEAVE: 008

Cauthorn	Diehl	Hughes	McGeoghegan	Nolte
Scharnhorst	Thomson	Mr Speaker		

VACANCIES: 004

On motion of Representative Montecillo, **SS#2 HB 648, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandon	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 001

Lasater

ABSENT WITH LEAVE: 008

Diehl	Hughes	McGeoghegan	Nolte	Scharnhorst
Swearingen	Thomson	Mr Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.



## BILLS CARRYING REQUEST MESSAGES

**HCS SB 284, as amended**, relating to pharmacies, was taken up by Representative Sater.

Representative Sater moved that the House refuse to recede from its position on **HCS SB 284, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SCS SB 270, as amended**, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to recede from its position on **HCS SCS SB 270, as amended**, and grant the Senate a conference.

Which motion was adopted.

## THIRD READING OF SENATE BILL

**SCS SB 323**, relating to comparative audits of state agencies, was taken up by Representative Allen.

Representative Jones (89) offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 323, Page 2, Section 29.375, Line 20, by inserting after all of said section and line, the following:

"215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.

6. The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for

**a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Rizzo offered **House Amendment No. 2**.

Representative Hoskins raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Talboy offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND Senate Committee Substitute for Senate Bill No. 323, Page 2, Section 29.375, Line 20, by inserting after all of said line the following:

**"4. In addition, a comparative audit of the Missouri House of Representatives and the Missouri Senate shall be performed."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 3** was adopted by the following vote:

AYES: 079

Anders	Atkins	Aull	Black	Brattin
Brown 50	Brown 85	Carlson	Carter	Casey
Colona	Conway 27	Cookson	Curtman	Day
Ellinger	Fallert	Fitzwater	Fuhr	Funderburk
Haefner	Harris	Higdon	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Kratky	Lampe	Largent	Lasater
Leach	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray
Webb	Webber	Wells	Wyatt	

NOES: 073

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Hinson	Hough	Jones 89
Keeney	Klippenstein	Koenig	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Loehner
Long	Marshall	McNary	Nance	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schoeller	Smith 150	Solon
Stream	Thomson	Wallingford	Weter	White
Wieland	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Hughes	McGeoghegan	Nolte	Scharnhorst
Schneider	Mr Speaker			

VACANCIES: 004

Representative Jones (63) offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND Senate Committee Substitute for Senate Bill No. 323, Page 2, Section 29.375, Line 20, by inserting after all of said line the following:

**“4. If funds are appropriated for the expenses and personnel necessary to perform such comparative audit and if such audit does not produce efficiencies or cost saving measures that reduce the amount of government spending in excess of such appropriation based on the audit findings and recommendations then the auditor’s office appropriated funds shall be reduced by the amount appropriated for such comparative audit in the next fiscal year.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Flanigan raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Jones (63) moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Anders	Atkins	Aull	Black	Brattin
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Cookson	Ellinger	Elmer	Fallert
Fitzwater	Franz	Harris	Hodges	Holsman
Hough	Hubbard	Hummel	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Koenig	Kratky	Lampe	Leach	Loehner
May	McCaherty	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Sater	Schad	Schieber	Schieffer
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber
Wyatt				

NOES: 075

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Dugger
Entlicher	Fisher	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Houghton	Johnson	Keeney	Klippenstein
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Long	Marshall
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Schatz	Schoeller	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 013

Cierpiot	Curtman	Diehl	Funderburk	Hughes
McGeoghegan	McGhee	Nolte	Pollock	Riddle
Scharnhorst	Schneider	Mr Speaker		

VACANCIES: 004

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Diehl	Funderburk	Hughes	McGeoghegan
Nolte	Pollock	Schneider	Mr Speaker	

VACANCIES: 004

On motion of Representative Allen, SCS SB 323, as amended, was read the third time and passed by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 048

Anders	Atkins	Aull	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Funderburk	Hughes	McGeoghegan	Pollock
Schneider	Mr Speaker			

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 083

Allen	Asbury	Barnes	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Keeney
Klippenstein	Korman	Lair	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	McGhee	McNary	Molendorp	Nance
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
Wright	Wyatt	Zerr		

NOES: 068

Anders	Atkins	Aull	Bahr	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Curtman	Dugger	Ellinger
Fallert	Fuhr	Gosen	Harris	Higdon
Hodges	Holsman	Hubbard	Hummel	Jones 63
Jones 89	Kander	Kelley 126	Kelly 24	Kirkton
Koenig	Kratky	Lampe	Leach	Marshall
May	McCaherty	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber	White	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Funderburk	Hughes	Jones 117	McGeoghegan
Nasheed	Schneider	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller resumed the Chair.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**HCS SCS SB 270:** Representatives Dugger, Wells, Smith (150), Conway (27) and Newman

Representative Silvey resumed the Chair.

**THIRD READING OF SENATE BILLS**

**SB 38**, relating to prostate cancer pilot programs, was taken up by Representative Carter.

On motion of Representative Carter, **SB 38** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000



PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl                      Dugger                      Funderburk                      Hough                      Hughes  
McGeoghegan

VACANCIES: 004

Representative Silvey declared the bill passed.

Speaker Tilley resumed the Chair.

**HCS SS SB 202**, relating to payroll deductions for political contributions, was taken up by Representative Schoeller.

Representative Fisher offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 202, Page 2, Section 130.028, Line 48, by inserting after all of said section and line, the following:

**“6. Notwithstanding other provisions of the law to the contrary, it shall be unlawful for a public entity or the state to discriminate against or otherwise penalize, punish, or refuse to allow to bid or award a public works contract to a bidder based on the bidders union affiliation or non- union affiliation or agreements to or with unions or non-union entities. The act of discriminating against a bidder based on union or non-union affiliation is a class C misdemeanor and a fine up to \$5,000 shall be levied.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fisher, **House Amendment No. 1** was adopted.

Representative Jones (117) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 202, Page 1, Section A, Line 2, by inserting after all of said line the following:

"105.935. 1. Any state employee who has accrued any overtime hours may choose to use those hours as compensatory leave time provided that the leave time is available and agreed upon by both the state employee and his or her supervisor.

2. A state employee who is a nonexempt employee pursuant to the provisions of the Fair Labor Standards Act shall be eligible for payment of overtime in accordance with subsection 4 of this section. A nonexempt state employee who works on a designated state holiday shall be granted equal compensatory time off duty or shall receive, at his or her choice, the employee's straight time hourly rate in cash payment. A nonexempt state employee shall be paid in cash for overtime unless the employee requests compensatory time off at the applicable overtime rate. As used in this section, the term "state employee" means any person who is employed by the state and earns a salary or wage in a position normally requiring the actual performance by him or her of duties on behalf of the state, but shall not include any employee who is exempt under the provisions of the Fair Labor Standards Act or any employee of the general assembly.

3. Beginning on January 1, 2006, and annually thereafter each department shall pay all nonexempt state employees in full for any overtime hours accrued during the previous calendar year which have not already been paid or used in the form of compensatory leave time. All nonexempt state employees shall have the option of retaining up to a total of eighty compensatory time hours **at any time during the year**.

4. The provisions of subsection 2 of this section shall only apply to nonexempt state employees who are otherwise eligible for compensatory time under the Fair Labor Standards Act, excluding employees of the general assembly. Any nonexempt state employee requesting cash payment for overtime worked shall notify such employee's department in writing of such decision and state the number of hours, no less than twenty, for which payment is desired. The department shall pay the employee within the calendar month following the month in which a valid request is made. Nothing in this section shall be construed as creating a new compensatory benefit for state employees.

5. Each department shall, by November first of each year, notify the commissioner of administration, the house budget committee chair, and the senate appropriations committee chair of the amount of overtime paid in the previous fiscal year and an estimate of overtime to be paid in the current fiscal year. The fiscal year estimate for overtime pay to be paid by each department shall be designated as a separate line item in the appropriations bill for that department. The provisions of this subsection shall become effective July 1, 2005.

6. Each state department shall report quarterly to the house of representatives budget committee chair, the senate appropriations committee chair, and the commissioner of administration the cumulative number of accrued overtime hours for department employees, the dollar equivalent of such overtime hours, the number of authorized full-time equivalent positions and vacant positions, the amount of funds for any vacant positions which will be used to pay overtime compensation for employees with full-time equivalent positions, and the current balance in the department's personal service fund.

7. This section is applicable to overtime earned under the Fair Labor Standards Act. This section is applicable to employees who are employed in nonexempt positions providing direct client care or custody in facilities operating on a twenty-four-hour seven-day-a-week basis in the department of corrections, the department of mental health, the division of youth services of the department of social services, and the veterans commission of the department of public safety."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Flanigan	Funderburk	Hughes	Leara
McGeoghegan	McNary	Nolte		

VACANCIES: 004

On motion of Representative Jones (117), **House Amendment No. 2** was adopted by the following vote:

AYES: 124

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	McCaherty
McDonald	McGhee	McManus	Meadows	Molendorp
Nance	Neth	Newman	Nolte	Parkinson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 025

Anders	Atkins	Carlson	Colona	Ellinger
Hampton	Hubbard	Hummel	Lampe	Marshall
May	McCann Beatty	McNeil	Montecillo	Nasheed
Nichols	Pace	Phillips	Pierson	Schupp
Sifton	Smith 71	Spreng	Webb	Wright

PRESENT: 002

Oxford	Walton Gray
--------	-------------

ABSENT WITH LEAVE: 008

Diehl	Dugger	Flanigan	Funderburk	Hughes
Leara	McGeoghegan	McNary		

VACANCIES: 004

### Representative Barnes offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 202, Page 2, Section 130.028, Line 48, by inserting after all of said line the following:

"429.010. 1. Any person who shall do or perform any work or labor upon land, rent any machinery or equipment, or use any rental machinery or equipment, or furnish any material, fixtures, engine, boiler or machinery for any building, erection or improvements upon land, or for repairing, grading, excavating, or filling of the same, or furnish and plant trees, shrubs, bushes or other plants or provides any type of landscaping goods or services or who installs outdoor irrigation systems under or by virtue of any contract with the owner or proprietor thereof, or his or her agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, upon complying with the provisions of sections 429.010 to 429.340, shall have for his or her work or labor done, machinery or equipment rented or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants furnished, or any type of landscaping goods or services provided, a lien upon such building, erection or improvements, and upon the land belonging to such owner or proprietor on which the same are situated, to the extent of three acres; or if such building, erection or improvements be upon any lot of land in any town, city or village, or if such building, erection or improvements be for manufacturing, industrial or commercial purposes and not within any city, town or village, then such lien shall be upon such building, erection or improvements, and the lot, tract or parcel of land upon which the same are situated, and not limited to the extent of three acres, to secure the payment of such work or labor done, machinery or equipment rented, or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants or any type of landscaping goods or services furnished, or outdoor irrigation systems installed; except that if such building, erection or improvements be not within the limits of any city, town or village, then such lien shall be also upon the land to the extent necessary to provide a roadway for ingress to and egress from the lot, tract or parcel of land upon which such building, erection or improvements are situated, not to exceed forty feet in width, to the nearest public road or highway. Such lien shall be enforceable only against the property of the original purchaser of such plants unless the lien is filed against the property prior to the conveyance of such property to a third person. For claims involving the rental of machinery or equipment to others who use the rental machinery or equipment, the lien shall be for the reasonable rental value of the machinery or equipment during the period of actual use and any periods of nonuse taken into account in the rental contract, while the machinery or equipment is on the property in question.

2. There shall be no lien involving the rental of machinery or equipment unless:

- (1) The improvements are made on commercial property;
- (2) The amount of the claim exceeds five thousand dollars; and

(3) The party claiming the lien provides written notice within five business days of the commencement of the use of the rental machinery or equipment to the property owner that rental machinery or equipment is being used upon their property. Such notice shall identify the name of the entity that rented the machinery or equipment, the machinery or equipment being rented, and the rental rate. Nothing contained in this subsection shall apply to persons who use rented machinery or equipment in performing the work or labor described in subsection 1 of this section.

**3. (1) No lien shall be permitted on behalf of a collective bargaining unit fringe benefit fund with respect to all employee benefits, dues, and fringe costs arising out of the performance of work by a subcontractor or a lower tier subcontractor unless:**

**(a) a. The subcontractor or lower tier subcontractor is delinquent, which means being at least thirty days late, in making timely payments of employee benefits, dues, or fringe costs to the fund.**

**b. If the fund has actual knowledge that the delinquency relates to work performed on a particular project, the fund shall advise the original contractor for the project in question in writing of the fact of such delinquency, identifying the subcontractor or lower tier subcontractor at issue and an approximation of the amount of the obligation at issue within fifteen days after the subcontractor or lower tier subcontractor at issue becomes delinquent in payment.**

**c. If the fund does not have the actual knowledge described in subparagraph b. of this paragraph at a time that will permit it to comply with the timing requirements of subparagraph b. of this paragraph, the fund shall provide the written notice required by subparagraph b. of this paragraph within ten days after the fund acquires such actual knowledge.**

**d. An original contractor or subcontractor may make a request in writing for a written confirmation from the fund confirming that for a specific subcontractor or any of its specifically identified lower tier subcontractors with respect to a specifically identified project, all employee benefits, dues, and fringe costs arising out of the performance of the work on such project by the subcontractor and all of its lower tier subcontractors otherwise due to the fund have been paid. Such written requests shall be deemed effective if sent by certified mail, return receipt requested. The fund shall respond in writing by certified mail, return receipt requested, to such a request for confirmation within ten days of the fund's receipt of the request; and**

**(b) The fund has timely and accurately responded to any request for confirmation made under the terms of paragraph (a) of this subdivision.**

**(2) The obligations of this subsection shall apply with equal force and effect to like claims by a fund under a payment bond issued by an original contractor on a construction project, regardless of whether such construction project is a private project or a public works project."; and**

Further amend said title, enacting clause and intersectional references accordingly.

**HCS SS SB 202, as amended, with House Amendment No. 3, pending, was laid over.**

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 38**, entitled:

An act to repeal section 71.220, RSMo, and to enact in lieu thereof two new sections relating to jails.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS#2 SB 3, as amended**, and has taken up and passed **HCS#2 SB 3, as amended**.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**HCS SB 284:** Representatives Sater, Smith (150), Weter, Jones (63) and Swinger

**THIRD READING OF SENATE BILL**

**HCS SS SB 202, as amended, with House Amendment No. 3, pending,** relating to payroll deductions for political contributions, was again taken up by Representative Schoeller.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Flanigan	Funderburk	Hughes	Lasater
McGeoghegan	Nolte			

VACANCIES: 004

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 051

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

## 2242 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Funderburk	Hughes	Lasater	McGeoghegan
Nolte				

VACANCIES: 004

On motion of Representative Schoeller, **HCS SS SB 202, as amended**, was adopted.

On motion of Representative Schoeller, **HCS SS SB 202, as amended**, was read the third time and passed by the following vote:

AYES: 084

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	McNary	Nance
Neth	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Shumake
Smith 150	Stream	Thomson	Torpey	Wells
Weter	White	Wyatt	Mr Speaker	

NOES: 068

Anders	Atkins	Aull	Berry	Black
Carlson	Carter	Casey	Colona	Conway 27
Curtman	Ellinger	Fallert	Fitzwater	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Korman	Kratky
Lampe	Leara	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Quinn	Rizzo	Schieber	Schieffer	Schneider
Schupp	Shively	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Wallingford	Walton Gray	Webb
Webber	Wieland	Wright		



PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Funderburk	Hughes	Lasater	McGeoghegan
Nolte	Zerr			

VACANCIES: 004

Speaker Tilley declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 68**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 161**, entitled:

An act to repeal sections 67.1000, 67.1002, 67.1003, 67.1005, 67.1006, 67.1303, 67.1956, 94.900, and 181.060, RSMo, and to enact in lieu thereof nine new sections relating to certain taxes imposed by local governments.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 737** and grants the House a conference thereon.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**SCS HB 737**: Representatives Redmon, Funderburk, Houghton, Holsman and Quinn

### THIRD READING OF SENATE BILL

**HCS SCS SB 60**, relating to judicial procedures, was taken up by Representative Cox.

Representative Schoeller resumed the Chair.

Representative Cox offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 8, Section 221.025, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

**“221.025. 1. As an alternative to confinement, an individual may be placed on electronic monitoring pursuant to subsection 1 of section 544.455 or subsection 6 of section 557.011, but subject to any minimum**

sentence requirement of subsection 6 of section 577.023, with such terms and conditions as a court shall deem just and appropriate under the circumstances.

2. A judge may, in his or her discretion, credit any such period of electronic monitoring against any period of confinement or incarceration ordered, however, electronic monitoring shall not be considered to be in custody or incarceration for purposes of eligibility for the MOHealthNet program, nor shall it be considered confinement in a correctional center or private or county jail for purposes of determining responsibility for the individual's health care.

3. The circuit court may contract with a private company to provide electronic monitoring services pursuant to this section and any private company which provides such electronic monitoring services shall certify to the circuit court the number of days that any individual was electronically monitored.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) assumed the Chair.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Section 56.089, Page 6, Line 93, by inserting after all of said line the following:

“15. Notwithstanding any other provision of this section, a court or prosecutor may not allow the holder of a commercial driver's license to enter a diversion program that results in declining to file charges or dismissing charges for a violation of the vehicle and traffic law related to the operation of a motor vehicle, or a violation of local law, rule or ordinance related to the operation of a motor vehicle, when such offense was committed by the holder of a commercial driver's license or was committed in a commercial motor vehicle, as defined in section 302.700.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 2** was adopted.

**HCS SCS SB 60, as amended**, was laid over.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 59, as amended**, and has taken up and passed **CCS HCS SB 59**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 282, as amended**, and has taken up and passed **CCS HCS SB 282**.

## **COMMITTEE REPORTS**

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 54**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Rules**, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 177**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 213**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 230**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 337**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 3196** - Rules

## **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SCS SB 54** - Fiscal Review (Fiscal Note)

**HCS SCS SB 177** - Fiscal Review (Fiscal Note)

**HCS SCS SB 230** - Fiscal Review (Fiscal Note)

**COMMUNICATION**

May 10, 2011

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
Room 306  
Jefferson City, MO 65101

**RE: SS SCS HCS HB 161**

Dear Chief Clerk,

This is to notify you that I have a potential conflict of interest regarding the above bill as it relates to a variety of hotel taxes in different counties.

I still work as the Director of Security for Drury Hotels Company, LLC, which may be impacted by this bill.

Therefore, I will vote present if this bill comes to the floor.

Sincerely,

Gary Fuhr  
97<sup>th</sup> District

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 101**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 101, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 101, as amended;
2. That the House recede from its position on House Bill No. 101;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 101, be Third Read and Finally Passed.

**FOR THE HOUSE:**

/s/ Tom Loehner  
/s/ Paul Fitzwater  
/s/ Delus Johnson  
/s/ Paul Quinn  
/s/ Mike Talboy

**FOR THE SENATE:**

/s/ Jane Cunningham  
/s/ Luann Ridgeway  
/s/ Jim Lembke  
/s/ Jolie Justus  
/s/ Ryan McKenna

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 142**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 142, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, and Senate Amendment No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 142, as amended;
2. That the House recede from its position on House Bill No. 142;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 142, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Chuck Gatschenberger  
/s/ John Diehl  
/s/ Jeannie Lauer  
/s/ Paul Quinn  
/s/ Sylvester Taylor, II

FOR THE SENATE:

/s/ Tom Dempsey  
/s/ Robert Mayer  
/s/ Mike Parson  
/s/ Ryan McKenna  
/s/ Shalonn (Kiki) Curls

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE NO. 2  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 8**

The Conference Committee appointed on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, as amended;

2. The Senate recede from its position on Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman  
/s/ Jason G. Crowell  
/s/ David Pearce  
/s/ Victor Callahan  
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Tim Meadows  
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 59**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 59, with House Amendment Nos. 1, 2, 3, 4, 5 & 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 59, as amended;

2. The Senate recede from its position on Senate Bill No. 59;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 59, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph Keaveny  
/s/ Jack Goodman  
/s/ Jason Crowell  
/s/ Luann Ridgeway  
/s/ Jolie Justus

FOR THE HOUSE:

/s/ John Diehl  
/s/ Stanley Cox  
/s/ Caleb Jones  
/s/ Chris Kelly  
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE BILL NO. 135**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 135, with House Amendment Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 135, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Bill No. 135;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 135, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Brad Lager  
/s/ Brian Munzlinger  
/s/ Jolie Justus  
/s/ Timothy Green

FOR THE HOUSE:

/s/ Timothy Jones  
/s/ Don Ruzicka  
/s/ Darrell Pollock  
/s/ Jason Holsman  
/s/ Michael Brown

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 282**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 282, with House Amendment Nos. 1, 2, 3 and 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 282, as amended;
2. The Senate recede from its position on Senate Bill No. 282;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler  
/s/ Jay Wasson  
/s/ Ron Richard  
/s/ Jolie Justus  
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Tony Dugger  
/s/ Jason Smith  
/s/ Stanley Cox  
/s/ Pat Conway  
/s/ Stacey Newman

### ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Wednesday, May 11, 2011.

### CORRECTIONS TO THE HOUSE JOURNAL

#### AFFIDAVITS

I, State Representative Jeannie Lauer, District 54, hereby state and affirm that my vote as recorded on Page 1953 of the Journal of the House for Thursday, May 5, 2011, to third read and pass CCS SCS HCS HB 5, was incorrectly recorded as Absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2011.

/s/ Jeannie Lauer  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )

Subscribed and sworn to before me this 10th day of May in the year 2011.

/s/ Patricia G. Pleus  
Notary Public

-----  
I, State Representative Clem Smith, District 71, hereby state and affirm that my vote as recorded on Page 1952 of the Journal of the House for Thursday, May 5, 2011, to adopt CCR SCS HCS HB 5, was incorrectly recorded as Absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2011.

/s/ Clem Smith  
State Representative



State of Missouri )  
 ) ss.  
Signed in County of Cole )

Subscribed and sworn to before me this 10th day of May in the year 2011.

/s/ Patricia G. Pleus  
Notary Public

## COMMITTEE MEETINGS

## ADMINISTRATION AND ACCOUNTS

Wednesday, May 11, 2011, 8:00 AM House Hearing Room 3.  
Legislative assistants  
Member expense account

## CONFERENCE COMMITTEE

Wednesday, May 11, 2011, 8:30 AM Senate Committee Room 2.  
HCS SB 173

## CONFERENCE COMMITTEE

Wednesday, May 11, 2011, 9:00 AM Senate Lounge.  
HCS SS SB 226

## CONFERENCE COMMITTEE

Wednesday, May 11, 2011, 12:00 PM Senate Conference Room 1.  
HCS SB 250, as amended

## CONFERENCE COMMITTEE

Wednesday, May 11, 2011, 1:30 PM Senate Committee Room 2.  
HCS SS SB 29, as amended

## ECONOMIC DEVELOPMENT

Wednesday, May 11, 2011, House Hearing Room 1, upon evening recess or adjournment, whichever is earlier.  
Executive session will be held: SCS SB 100  
Executive session may be held on any matter referred to the committee.

## FISCAL REVIEW

Wednesday, May 11, 2011, 8:00 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
Any bills referred to the committee

## FISCAL REVIEW

Thursday, May 12, 2011, 8:00 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
Any bills referred to the committee

**FISCAL REVIEW**

Friday, May 13, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Wednesday, May 11, 2011, House Hearing Room 7, 30 minutes following evening recess or adjournment, whichever is earlier.

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SEVENTIETH DAY, WEDNESDAY, MAY 11, 2011

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)

- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

#### **SENATE BILLS FOR THIRD READING**

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SB 243, E.C. - Dieckhaus
- 3 HCS SCS SB 60, as amended - Cox
- 4 SS SCS SB 65 - Jones (89)
- 5 HCS SB 90 - Burlison
- 6 HCS SS SCS SB 132, E.C. - Richardson
- 7 HCS#2 SCS SB 162 - Guernsey
- 8 SS SB 238 - Hinson
- 9 HCS SB 325, E.C. - Smith (150)
- 10 HCS SS SCS SB 351 - Barnes
- 11 HCS SCS SB 356, E.C. - Loehner
- 12 HCS SS SB 360, E.C. - Wyatt
- 13 SS SCS SB 70 - Franz
- 14 HCS#2 SCS SB 117, E.C. - Flanigan
- 15 HCS SB 180 - Torpey
- 16 HCS SS SCS SB 254 - Cox
- 17 HCS SCS SB 17 - Sater
- 18 SCS SBs 26 & 106 - Elmer
- 19 SB 36, E.C. - Scharnhorst
- 20 HCS SB 48, (Fiscal Review 5-9-11), E.C. - Pollock
- 21 HCS SS#2 SCS SB 62 - Sater
- 22 HCS SB 77 - Denison
- 23 SCS SB 81 - Frederick
- 24 SCS SB 54, (Fiscal Review 5-10-11) - Kelly (24)
- 25 HCS SCS SB 177, (Fiscal Review 5-10-11) - Sater
- 26 HCS SCS SB 213 - Barnes
- 27 HCS SCS SB 230, (Fiscal Review 5-10-11), E.C. - Ruzicka

## **SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

SCR 11, (4-21-11, Page 1431) - Franklin

## **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 2 SCS HCS HB 250 - Cox
- 3 SCS HCS HB 38 - Pace
- 4 SS SCS HCS HB 161 - Cox

## **BILLS IN CONFERENCE**

- 1 CCR HCS SS#2 SCS SB 8, as amended - Fisher
- 2 HCS SB 173, as amended - Cierpiot
- 3 CCR HCS SB 282, as amended - Dugger
- 4 CCR HCS SS SB 135, as amended, E.C. - Jones (89)
- 5 CCR SCS HB 142, as amended - Gatschenberger
- 6 HCS SB 220, as amended - Diehl
- 7 CCR SCS HB 101, as amended - Loehner
- 8 HCS SB 145, as amended - Gatschenberger
- 9 HCS SB 61, as amended - Nasheed
- 10 HCS SB 322, as amended - Kelly (24)
- 11 HCS SS SB 226, as amended - Franz
- 12 CCR HCS SB 59, as amended - Diehl
- 13 HCS SCS SB 29, as amended - Jones (117)
- 14 HCS SB 250, as amended - Schad
- 15 HCS SB 284, as amended, E.C. - Sater
- 16 HCS SCS SB 270, as amended - Dugger
- 17 SCS HB 737 - Redmon

## **VETOED HOUSE BILLS**

SS SCS HB 209 - Guernsey

## **SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 7, (3-17-11, Page 700) - Jones (89)
- 2 SCR 12, (5-3-11, Page 1782) - Higdon

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SEVENTIETH DAY, WEDNESDAY, MAY 11, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*These things have I spoken unto you, that my joy may remain in you and that your joy might be full. (John 15:11)*

O God, Whose light never fades, Whose love never fails, and Whose life never dies - as we open the windows of our hearts to You in prayer this morning, may we be filled with the glory of Your presence, with the greatness of Your spirit, and with the grandeur of Your grace.

Grant unto us the royalty of an inward happiness and the serenity of mind which comes from living close to You. Daily renew in us the sense of joy and let Your eternal spirit dwell in our minds and bodies, filling every corner of our hearts with light and grace, so that we may be diffusers of life and may meet all ills and accidents with happiness giving You thanks always for all things. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-ninth day was approved as printed.

## SPECIAL RECOGNITION

The Stockton Lady Tigers Basketball Team was introduced by Representative Entlicher and recognized for attaining the 2010-2011 Class 3 State Championship.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3335 through House Resolution No. 3370

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 48** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 54** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 177** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 230** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

### **THIRD READING OF SENATE BILL**

**HCS SS SCS SB 132**, relating to specialty lines insurance contracts, was taken up by Representative Richardson.

Representative Richardson offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Page 11, Section 385.206, Line 20, by deleting the words, "**and/or authorized representatives**"; and

Further amend said bill, Page 13, Section 385.207, Line 2, by inserting after the number, "**(6)**" the following word and number, "**or (7)**"; and

Further amend said section, Page 14, Line 10, by deleting the word, "**and**"; and

Further amend said page, section and line, by inserting after the second occurrence of the word, "**entity**" the following words, "**and information related to section 385.209 as required by the director**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

Representative Molendorp offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Section A, Page 1, Line 5, by inserting after all of said section and line the following:

**"379.1500. As used in sections 379.1500 to 379.1550, the following terms shall mean:**

(1) "**Director**", the director of the department of insurance, financial institutions and professional registration;

(2) "**Insurance company**" or "**insurer**", any person, reciprocal exchange, interinsurer, or any other legal entity licensed and authorized by the director to write inland marine coverage;

(3) "**Insurance producer**" or "**producer**", a person required to be licensed under the laws of this state to sell, solicit, or negotiate insurance;

(4) "**License**", the same meaning as such term is defined in section 375.012;

(5) "**Location**", any physical location in this state or any website, call center site, or similar location directed to residents of this state;

(6) "**Person**", an individual or business entity;

(7) "**Portable electronics**", electronic devices that are portable in nature, their accessories, and services related to the use of the device. Portable electronics does not include telecommunication and cellular equipment used by a telecommunication company to provide telecommunication service to consumers;

(8) "**Portable electronics insurance**", an insurance policy issued by an insurer which may be offered on a month-to-month or other periodic basis as a group or master commercial inland marine policy issued to a

vendor of portable electronics under which individual customers may elect to enroll for coverage for the repair or replacement of portable electronics which may cover portable electronics against any one or more of the following causes of loss: loss, theft, mechanical failure, malfunction, damage, or other applicable perils, but does not include:

- (a) A service contract governed by sections 385.300 to 385.321;
- (b) A policy of insurance covering a seller's or manufacturer's obligations under a warranty; or
- (c) A homeowner's, renter's, private passenger automobile, commercial multiperil, similar policy, or endorsement to such policy that covers any portable electronics;
- (9) "Portable electronics insurance license", a license to sell or solicit portable electronics insurance;
- (10) "Portable electronics transaction", the sale or lease of portable electronics by a vendor to a customer or the sale of a service related to the use of portable electronics by a vendor to a customer;
- (11) "Negotiate", the same meaning as such term is defined in section 375.012;
- (12) "Sell", the same meaning as such term is defined in section 375.012;
- (13) "Solicit", the same meaning as such term is defined in section 375.012;
- (14) "Supervising business entity", the insurer or a licensed business entity producer designated by the insurer to supervise the actions of a vendor;
- (15) "Vendor", a person in the business of engaging in portable electronics transactions directly or indirectly.

**379.1505. 1.** No vendor shall sell or solicit portable electronics insurance coverage in this state unless such vendor has obtained a portable electronics insurance license.

**2.** A vendor applying for a portable electronics insurance license shall make application to the director on the prescribed form as required. On the prescribed form, the vendor shall be required to provide the name for an employee or officer of the vendor that is designated by the vendor as the person responsible for the vendor's compliance with the requirements of this section and such designated responsible person shall not be required to hold an insurance producer license. Such license shall authorize an employee or authorized representative of a vendor to sell or offer coverage under a policy of portable electronics insurance to a customer at each location at which the vendor engages in a portable electronics transaction.

**3.** Any vendor licensed under sections 379.1500 to 379.1550 shall pay an initial license fee to the director in an amount prescribed by the director by rule, but not to exceed one thousand dollars, and shall pay a renewal fee in an amount prescribed by the director by rule, but not to exceed five hundred dollars. License fees shall be deposited in the insurance dedicated fund.

**4.** Notwithstanding any provision of sections 375.012 to 375.018, a portable electronics insurance license, if not renewed by the director by its expiration date, shall terminate on its expiration date and shall not after such date authorize its holder to sell or solicit any portable electronics insurance under sections 379.1500 to 379.1550.

**379.1510. 1.** A vendor shall have the obligation to ensure that every location that is authorized to sell, solicit, or negotiate portable electronics insurance to customers shall have specific brochures and actual policies or certificates of coverage available to prospective customers which:

- (1) Disclose that portable electronics insurance may provide a duplication of coverage already provided by a customer's homeowner's, renter's, or other source of coverage, and that the portable electronics insurance coverage is primary over any other collateral coverage;
- (2) State that the enrollment by the customer in a portable electronics insurance program is not required in order to purchase or lease portable electronics or services;
- (3) Summarize the material terms of the insurance coverage, including:
  - (a) The identity of the insurer;
  - (b) The identity of the supervising business entity;
  - (c) The amount of any applicable deductible and how it is to be paid;
  - (d) Benefits of the coverage; and
  - (e) Key terms and conditions of coverage, such as whether portable electronics may be repaired or replaced with similar make and model reconditioned or nonoriginal manufacturer parts or equipment;
- (4) Summarize the process for filing a claim, including any requirement to return portable electronics and the maximum fee applicable in the event the customer fails to comply with any equipment return requirements; and
- (5) State that the customer may cancel enrollment for coverage under a portable electronics insurance policy at any time and receive a refund of any unearned premium on a pro rata basis.

2. Eligibility and underwriting standards for customers electing to enroll in coverage shall be established for each portable electronics insurance program. Each insurer shall maintain all eligibility and underwriting records for a period of five years. Portable electronics insurance issued under sections 379.1500 to 379.1550 shall be deemed primary coverage over any other collateral coverage.

3. Insurers offering portable electronics insurance coverage through vendors shall appoint a supervising business entity to supervise the administration of the program. The supervising business entity shall be responsible for the development of a training program for employees and authorized representatives of a vendor, and shall include basic instruction about the portable electronics insurance offered to customers and the disclosures required under this section.

4. Insurers and applicable supervising business entities offering portable electronics insurance shall share all complaint, grievance, or inquiries regarding any conduct that is specific to a vendor and that may not comply with applicable state laws and regulations.

5. A supervising business entity shall maintain a registry of vendor locations which are authorized to sell or solicit portable electronics insurance coverage in this state. Upon request by the director and with ten days' notice to the supervising business entity, the registry shall be open to inspection and examination by the director during regular business hours of the supervising business entity.

6. Within thirty days of a supervising business entity terminating a vendor location's appointment to sell or solicit portable electronics insurance, the supervising business entity shall update the registry with the effective date of termination. If a supervising business entity has possession of information relating to any cause for discipline under section 375.141, the supervising business entity shall notify the director of such information in writing. The privileges and immunities applicable to insurers under section 375.022 shall apply to supervising business entities for any information reported under this subsection.

7. The supervising business entity shall not charge a fee for adding or removing a vendor location from the registry.

8. No employee or authorized representative of a vendor shall advertise, represent, or otherwise hold himself or herself out as an insurance producer, unless such employee or authorized representative is otherwise licensed as an insurance producer.

9. The training required in subsection 3 of this section shall be delivered to all employees and authorized representatives of the vendors who are directly engaged in the activity of selling portable electronics insurance in this state. The training may be provided in electronic form. However, if conducted in an electronic form, the supervising business entity shall implement a supplemental education program regarding the portable electronics insurance product that is conducted and overseen by licensed employees of the supervising business entity.

10. The charges for portable electronics insurance coverage may be billed and collected by the vendor. Any charge to the customer that is not included in the cost associated with the purchase or lease of portable electronics or related services shall be separately itemized on the customer's bill. If the portable electronics insurance is included in the purchase or lease of portable electronics or related services, the vendor shall clearly and conspicuously disclose to the customer that the portable electronics insurance coverage is included with the portable electronics or related services. Vendors billing and collecting such charges shall not be required to maintain such funds in a segregated account, provided that the insurer authorized the vendor to hold such funds in an alternative manner and remits such amounts to the supervising business entity within forty-five days of receipt. All funds received by a vendor from a customer for the sale of portable electronics insurance shall be considered funds held in trust by the vendor in a fiduciary capacity for the benefit of the insurer. Vendors shall maintain all records related to the purchase of portable electronics insurance for a period of three years from the date of purchase.

379.1515. Persons licensed as vendors shall be subject to the provisions of sections 375.012 to 375.014, 375.018, 375.031, 375.046, 375.051, 375.052, 375.071, 375.106, 375.116, 375.141, and 375.144 of the insurance producers act.

379.1520. 1. The director may suspend, revoke, refuse to issue, or refuse to issue any license or renew any license required by the provisions of sections 379.1500 to 379.1550 for any reason listed in section 375.141 or for any one or more of the following causes:

- (1) Use of any advertisement or solicitation that is false, misleading, or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;
- (2) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation;



(3) Violation of any professional trust or confidence.

2. The director may impose other penalties that the director deems necessary and reasonable to carry out the purposes of sections 379.1500 to 379.1550, including:

(1) Suspending the privilege of transacting portable electronics insurance under sections 379.1500 to 379.1550 at specific locations where violations have occurred; and

(2) Suspending or revoking the ability of individual employees or authorized representatives to act under the license.

379.1525. Vendors shall be subject to the investigation and examination provisions of section 374.190.

379.1530. Premiums received by a vendor or supervising business entity shall be deemed received by the insurer. Insurers may require consumers to provide proof of purchase.

379.1535. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice, or course of business constituting a violation of sections 379.1500 to 379.1550 or rule adopted or order issued thereunder, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 379.1500 to 379.1550, or a rule adopted or order issued thereunder, the director may:

(1) Issue such administrative orders as authorized under section 374.046; or

(2) Maintain a civil action for relief authorized under section 374.048.

A violation of sections 379.1500 to 379.1550 or rule adopted or order issued thereunder is a level two violation under section 374.049.

379.1540. The license of a supervising business entity may be suspended, revoked, renewal refused, or an application refused if the director finds that a violation by a portable electronics insurance vendor was known or should have been known by the supervising business entity and the violation was neither reported to the director nor correction action taken. A violation of this section is a level three violation under section 374.049.

379.1545. Notwithstanding any other provision of law:

(1) An insurer may terminate or otherwise change the terms and conditions of a policy of portable electronics insurance only upon providing the policyholder and enrolled customers with at least thirty days' notice;

(2) If the insurer changes the terms and conditions of a policy of portable electronics insurance, the insurer shall provide the vendor and any policyholders with a revised policy or endorsement and each enrolled customer with a revised certificate, endorsement, updated brochure, or other evidence indicating a change in the terms and conditions has occurred and a summary of material changes;

(3) Notwithstanding subdivision (1) of this section, an insurer may terminate an enrolled customer's enrollment under a portable electronics insurance policy upon fifteen days' notice for discovery of fraud or material misrepresentation in obtaining coverage or in the presentation of a claim thereunder;

(4) Notwithstanding subdivision (1) of this section, an insurer may immediately terminate an enrolled customer's enrollment under a portable electronics insurance policy:

(a) For nonpayment of premium;

(b) If the enrolled customer ceases to have an active service with the vendor of portable electronics; or

(c) If an enrolled customer exhausts the aggregate limit of liability, if any, under the terms of the portable electronics insurance policy and the insurer sends notice of termination to the customer within thirty calendar days after exhaustion of the limit. However, if the notice is not timely sent, enrollment and coverage shall continue notwithstanding the aggregate limit of liability until the insurer sends notice of termination to the enrolled customer;

(5) Where a portable electronics insurance policy is terminated by a policyholder, the policyholder shall mail or deliver written notice to each enrolled customer advising the customer of the termination of the policy and the effective date of termination. The written notice shall be mailed or delivered to the customer at least thirty days prior to the termination;

(6) Whenever notice is required under this section, it shall be in writing and may be mailed or delivered to the vendor at the vendor's mailing address and to its affected enrolled customers' last known mailing addresses on file with the insurer. If notice is mailed, the insurer or vendor, as the case may be, shall maintain proof of

mailing in a form authorized or accepted by the U.S. Postal Service or other commercial mail delivery service. Alternatively, an insurer or vendor policyholder may comply with any notice required by this section by providing electronic notice to a vendor or its affected enrolled customers, as the case may be, by electronic means. Additionally, if an insurer or vendor policyholder provides electronic notice to an affected enrolled customer and such delivery by electronic means is not available or is undeliverable, the insurer or vendor policyholder shall provide written notice to the enrolled customer by mail in accordance with this section. If notice is accomplished through electronic means, the insurer or vendor of portable electronics, as the case may be, shall maintain proof that the notice was sent.

**379.1550. 1.** The director may promulgate rules to implement the provisions of sections 379.1500 to 379.1550. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 379.1500 to 379.1550 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 379.1500 to 379.1550 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

**2.** The provisions of sections 379.1500 to 379.1550 shall become effective January 1, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Tilley assumed the Chair.

On motion of Representative Molendorp, **House Amendment No. 2** was adopted.

Representative Gosen offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Page 1, Section A, Line 5, by inserting after all of said section the following:

**“44.114.** Except as otherwise provided in this section, at the time of any emergency, catastrophe or other life or property threatening event which jeopardizes the ability of an insurer to address the financial needs of its insureds or the public, no political subdivision shall impose restrictions or enforce local licensing or registration ordinances with respect to such insurer’s claims handling operations. As used in this section, the term “claims handling operations” includes but is not limited to the establishment of a base of operations by an insurer within the disaster area and the investigation and handling of claims by personnel authorized by any such insurer. Nothing herein shall prohibit a political subdivision from performing any safety inspection authorized by local ordinance of the premises of the insurer’s base of operations within the disaster area.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 3** was adopted.

Representative Molendorp offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 132, Section A, Page 1, Line 6, by inserting after all of said section and line the following:

**“375.916. 1.** When by the laws of any other state or foreign country any premium or income or other taxes, or any fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions are imposed

upon Missouri insurance companies or carriers doing business, or that might seek to do business, in the other state or country, which in the aggregate are in excess of the taxes, fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions directly imposed upon insurance companies of the other state or foreign country under the statutes of this state, so long as the laws continue in force, the same obligations, prohibitions, and restrictions of whatever kind shall be imposed upon insurance companies or carriers of the other state or foreign country doing business in Missouri. Any tax, license or other obligation imposed by any city, county or other political subdivision of a state or foreign country on Missouri insurance companies or carriers shall be deemed to be imposed by the state or foreign country within the meaning of this section, and the director of the department of insurance, financial institutions and professional registration for the purpose of this section shall compute the burden of the tax, license or other obligations on an aggregate statewide or foreign-countrywide basis as an addition to the tax and other charges payable by similar Missouri insurance companies or carriers in the state or foreign country. The provisions of this section shall not apply to ad valorem taxes on real or personal property, personal income taxes or to assessments on or credits to insurers for the payment of claims of policyholders of insolvent insurers. **An insurance company claiming a state premium tax credit or deduction shall not be required to pay any additional retaliatory tax levied pursuant to this section as a result of claiming such credit or deduction.**

2. All licenses, fees, taxes, fines or penalties collectible under this section shall be paid to the director of revenue. The payment and assessment of retaliatory tax shall be made on an estimated quarterly basis in the same manner as premium insurance tax as provided in sections 148.310 to 148.461.

**3. Effective January 1, 2012, notwithstanding any other provision of law to the contrary, operating assessments based upon workers compensation paid losses that are imposed upon an insurance company by the laws of its state or foreign country of domicile shall not be considered any premium or income or other taxes or any fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions, provided that with respect to the tax year in question the insurance company has its principal place of business within this state and receives more than three million dollars of direct insurance premiums on account of business done in this state.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 4** was adopted by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle

## 2262 *Journal of the House*

Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 001

Wieland

ABSENT WITH LEAVE: 006

Dieckhaus	Hughes	Jones 89	McGeoghegan	Schatz
Webber				

VACANCIES: 004

On motion of Representative Richardson, **HCS SS SCS SB 132, as amended**, was adopted.

On motion of Representative Richardson, **HCS SS SCS SB 132, as amended**, was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 002

Sifton	Wieland
--------	---------

ABSENT WITH LEAVE: 010

Dieckhaus	Diehl	Gatschenberger	Hughes	Jones 117
McDonald	McGeoghegan	Sater	Schatz	Webber

VACANCIES: 004

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	May	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 003

McCaherty                      Sifton                      Wieland

ABSENT WITH LEAVE: 013

Allen                      Burlison                      Dieckhaus                      Diehl                      Gatschenberger  
Hughes                      Kelly 24                      Lair                      Long                      McGeoghegan  
Schatz                      Webb                      Webber

VACANCIES: 004

### **SIGNING OF SENATE BILL**

All other business of the House was suspended while **HCS SB 187** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Representative Smith (150) assumed the Chair.

### **THIRD READING OF SENATE BILLS**

**HCS SCS SB 60, as amended**, relating to judicial procedures, was taken up by Representative Cox.

Representative Barnes offered **House Amendment No. 3**.

#### *House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 39, Section 475.060, Line 74, by inserting after all of said section and line the following:

“475.061. 1. Any person may file a petition in the probate division of the circuit court of the county of proper venue for the appointment of himself or some other qualified person as conservator of the estate of a minor or disabled person. The petition shall contain the same allegations as are set forth in subdivisions (1), (8), and (10) **of subsection 2** of section 475.060 with respect to the appointment of a guardian for an incapacitated person and, in addition thereto, an allegation that the respondent is unable by reason of some specific physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the respondent lacks ability to manage his financial resources or that the respondent is under the age of eighteen years.

2. A petition for appointment of a conservator or limited conservator of the estate may be combined with a petition for appointment of a guardian or limited guardian of the person. In such a combined petition allegations need not be repeated.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative Schoeller offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 7, Section 56.807, Line 60, by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city, town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] **a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for incarcerating the prisoner**, the prisoner shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 51, Section 488.026, Line 12, by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2014.

**5. Any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an additional five dollars if approved by the county commission.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 4** was adopted.

Representative Nance offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 12, Section 302.321, Line 30, by inserting after all of said section and line the following:

“302.341. 1. If a Missouri resident charged with a moving [traffic] violation, **as defined in section 302.010**, of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for [traffic] **cited moving** violations occurring on state highways, **whether the violation is adjudicated finally as a moving or nonmoving violation**, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. [The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue.]

3. **The governing body of each fourth class city or village with over one hundred thousand dollars in traffic revenues in the previous year in this state shall cause to be prepared an annual report of the fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation occurring on state highways, along with the entity's annual general operating revenue for the year, in such summary form as the state courts administrator's office shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of the entity's general revenue for the year, the entity shall include with the annual report payment of the excess revenues to the director of the department of revenue. Within thirty days of receipt of payment of the excess revenues, the director of the department of revenue shall disburse the excess to the proper schools, as provided in subsection 2 of this section.** If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. [Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.]

4. **The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective**



date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

5. In the event a city, town, or village fails to comply with subsections 2 and 3 of this section, such entity shall be subject to a civil penalty in an amount of ten percent of excess revenues required to be submitted that were not submitted, with such penalty to be distributed to the local schools where the moving violation occurred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 5** was adopted.

Representative Ruzicka offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 51, Section 488.432, Line 11, by inserting after all of said section and line the following:

“488.5026. 1. [Upon approval of the governing body of a city, county, or a city not within a county,] A surcharge of two dollars shall be assessed **and collected** as costs in each court proceeding filed in any court in any city, county, or city not within a county [adopting such a surcharge,] in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the "Inmate Security Fund". Funds deposited shall be utilized to develop **information sharing and** biometric verification systems to ensure that inmates can be properly identified **upon booking** and tracked within the local jail **and criminal justice** system. Upon the installation of the **information sharing and** biometric verification system, funds in the inmate security fund may be used for the maintenance of the **information sharing and** biometric verification system, and to pay for any expenses related to custody and housing and other expenses for prisoners.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 6** was adopted.

Representative Asbury offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 3, Section 50.535, Line 37, by inserting after all of said section and line the following:

“50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. **Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or higher, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect**

any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations must take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this section and such notice must include a published summary of the proposed reductions and an explanation of the shortfall. If the county has a website, publication on the website will satisfy the notice requirement for this section.

5. This section shall expire on July 1, 2015.

6. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burlison offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 1, Line 26, by inserting after all of said line the following:

‘Further amend said bill, Page 48, Section 475.555, Line 5, by inserting after all of said section and line the following:

“484.010. 1. The "practice of the law" is hereby defined to be and is the appearance as an advocate in a representative capacity or the drawing of papers, pleadings or documents or the performance of any act in such capacity in connection with proceedings pending or prospective before any court of record, commissioner, referee or any body, board, committee or commission constituted by law or having authority to settle controversies.

2. The "law business" is hereby defined to be and is the advising or counseling for a valuable consideration of any person, firm, association, or corporation as to any secular law or the drawing or the procuring of or assisting in the drawing for a valuable consideration of any paper, document or instrument affecting or relating to secular rights or the doing of any act for a valuable consideration in a representative capacity, obtaining or tending to obtain or securing or tending to secure for any person, firm, association or corporation any property or property rights whatsoever.

3. **The terms “practice of law” and “law business” do not include the design, creation, publication, distribution, display, or sale, including publication, distribution, display, or sale by means of a website, of written materials, books, forms, computer software, or similar products, including forms assembled by means of branching or decision-tree software, if the products clearly and conspicuously state that the products are not a substitute for the advice of an attorney. This subsection shall apply to actions taken before, after, or on August 28, 2011.”; and’; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 001

Kelly 24

ABSENT WITH LEAVE: 007

Brattin	Hughes	Kander	McGeoghegan	Thomson
Webber	Mr Speaker			

VACANCIES: 004

Representative Burlison moved that **House Amendment No. 1 to House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 028

Asbury	Brown 50	Burlison	Conway 14	Curtman
Dieckhaus	Fisher	Fitzwater	Fraker	Franklin
Guernsey	Haefner	Hampton	Houghton	Keeney
Klippenstein	Koenig	Lair	Lant	McNary
Neth	Reiboldt	Sater	Scharnhorst	Schatz
Schoeller	Stream	Weter		

NOES: 120

Allen	Anders	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dugger	Ellinger	Elmer	Entlicher	Fallert
Flanigan	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kirkton	Korman	Kratky
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schieber	Schieffer
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	White	Wieland	Wright	Wyatt

PRESENT: 001

Kelly 24

ABSENT WITH LEAVE: 010

Barnes	Brattin	Diehl	Franz	Hughes
McGeoghegan	Nolte	Webber	Zerr	Mr Speaker

VACANCIES: 004

On motion of Representative Asbury, **House Amendment No. 7** was adopted.

Representative Molendorp offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Section 32.056, Page 2, Line 17, by inserting after all of said section and line the following:

**“34.376. 1. Sections 34.376 to 34.380 may be known as the "Transparency in Private Attorney Contracts Act".**

**2. As used in sections 34.376 to 34.380, the following terms shall mean:**

- (1) "Government attorney", an attorney employed by the state as an assistant attorney general;**
- (2) "Private attorney", any private attorney or law firm;**
- (3) "State", the state of Missouri, in any action instituted by the attorney general pursuant to section**

**27.060.**

**34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:**

- (1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general's office to handle the matter;**
- (2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;**
- (3) The geographic area where the attorney services are to be provided; and**
- (4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney's experience with similar issues or cases.**

**2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.**

**3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.**

**4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:**

- (1) The government attorneys shall retain complete control over the course and conduct of the case;**
- (2) A government attorney with supervisory authority shall oversee the litigation;**
- (3) The government attorneys shall retain veto power over any decisions made by outside counsel;**
- (4) A government attorney with supervisory authority for the case shall attend all settlement conferences;**

**and**

**(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.**

**5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.**

**6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.**

**7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working**

on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.

8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:

(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(b) The nature and status of the legal matter;

(c) The name of the parties to the legal matter;

(d) The amount of any recovery; and

(e) The amount of any contingency fee paid.

(2) Include copies of any written determinations made under subsections 1 and 2 of this section.

34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 8** was adopted.

Representative Hough offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 14, Section 303.025, Line 53, by inserting after all of said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, **except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

**5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.”; and**

Further amend said bill, Page 52, Section 516.140, Line 7, by inserting after all of said section and line the following:

**“537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

**2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.**

**3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Richardson offered **House Amendment No. 1 to House Amendment No. 9.**

*House Amendment No. 1  
to  
House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 60, Page 2, Line 10, by inserting after all of said line the following:

‘Further amend said bill, Page 21, Section 429.015, Line 62, by inserting after all of said section and line the following:

**“444.771. Notwithstanding any other provision of law to the contrary, the commission and the department shall not issue any permits under this chapter or under chapters 643 or 644, RSMo, to any person whose mine plan boundary is within 1,000 feet of any real property where an accredited school has been located for at least five years prior to such application for permits made pursuant to these provisions, except that the provisions of this section shall not apply to any request for an expansion to an existing mine and/or to any underground mining operation.”; and’; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Riddle moved the previous question.

## Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 017

Bernskoetter	Brown 116	Diehl	Ellinger	Elmer
Entlicher	Fraker	Hughes	Jones 89	Lasater
McGeoghegan	Molendorp	Nasheed	Schieber	Taylor
Webber	Mr Speaker			

VACANCIES: 004

On motion of Representative Richardson, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Riddle moved the previous question.



Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 116	Cierpiot	Diehl	Ellinger	Elmer
Fraker	Franklin	Gosen	Hughes	Jones 89
Lasater	McGeoghegan	Nasheed	Schad	Scharnhorst
Spreng	Taylor	Webber	Mr Speaker	

VACANCIES: 004

On motion of Representative Hough, **House Amendment No. 9, as amended**, was adopted.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Entlicher	Fisher
Fitzwater	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Brown 116	Diehl	Elmer	Flanigan
Fraker	Gosen	Hughes	Jones 89	Jones 117
Lasater	McGeoghegan	Nasheed	Schad	Scharnhorst
Taylor	Webber	Zerr	Mr Speaker	

VACANCIES: 004

On motion of Representative Cox, **HCS SCS SB 60, as amended**, was adopted.

On motion of Representative Cox, **HCS SCS SB 60, as amended**, was read the third time and passed by the following vote:

AYES: 112

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Still	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 035

Anders	Atkins	Carlson	Carter	Ellinger
Fallert	Hubbard	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	Marshall	May
McCaherty	McCann Beatty	McDonald	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Sifton
Smith 71	Spreng	Swearingen	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Elmer	Fraker	Hughes	Lasater
McGeoghegan	Nasheed	Schad	Scharnhorst	Taylor
Webber	Mr Speaker			

VACANCIES: 004

Representative Smith (150) declared the bill passed.

**HCS#2 SCS SB 162**, relating to agriculture, was taken up by Representative Guernsey.

Representative Loehner offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 16, Section 144.070, Line 80, by inserting after all of said section and line the following:

**“262.005. 1. Agriculture which provides food, energy, and security is the foundation and stabilizing force of Missouri's economy. To protect this vital sector of Missouri's economy, it shall be the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on livestock owners.**

**2. As used in this section, the following terms shall mean:**

**(1) "Generally accepted scientific principles", agricultural standards and practices established by the University of Missouri, and the most current industry standards and practices;**

**(2) "Humane manner", care of livestock regarding the livestock's health and environment in compliance with generally accepted scientific principles;**

**(3) "Livestock", horses, cattle, swine, sheep, goats, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild and raised in confinement for human consumption or animal husbandry, poultry or birds;**

**(4) "Undue economic burden", expenses incurred resulting from changes in agricultural practices deemed legal under state or local laws or ordinances in effect at the time this section was enacted.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

Representative Dugger offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 16, Section 144.070, Line 80, by inserting after all of said section and line the following:

**“252.040. 1. No wildlife shall be pursued, taken, killed, possessed or disposed of except in the manner, to the extent and at the time or times permitted by such rules and regulations; and any pursuit, taking, killing, possession or disposition thereof, except as permitted by such rules and regulations, are hereby prohibited. Any person violating this section shall be guilty of a misdemeanor except that any person violating any of the rules and regulations pertaining to record-keeping requirements imposed on licensed fur buyers and fur dealers shall be guilty of an infraction and shall be fined not less than ten dollars nor more than one hundred dollars.**

**2. After first notifying the department of conservation, wild elk may be destroyed by the land owner or lessor of land when such wild elk have caused any damage to agricultural property including, but not limited to, fences and crops.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burlison raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Holsman offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1  
to  
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 1, Line 12, by inserting immediately following the word “**conservation**” the following:

“**and allowing the department twenty-four hours to respond**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dugger
Elmer	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lant	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	Nance	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Sifton	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 030

Brown 85	Colona	Day	Denison	Dieckhaus
Diehl	Ellinger	Entlicher	Flanigan	Funderburk
Higdon	Hughes	Jones 117	Lair	Lichtenegger

McGeoghegan	McNary	Meadows	Molendorp	Nasheed
Neth	Nolte	Pollock	Sater	Schad
Schneider	Shively	Stream	Swearingen	Webber

VACANCIES: 004

Speaker Tilley resumed the Chair.

Representative Holsman moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Brattin offered **House Amendment No. 2 to House Amendment No. 2.**

*House Amendment No. 2*  
to  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 1, Line 12, by inserting after the word “**conservation**” the following:

“**and upon receiving the consent of the department of conservation**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McGhee	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 017

Bernskoetter	Cierpiot	Colona	Day	Dieckhaus
Franklin	Higdon	Hughes	Long	McGeoghegan
McNary	Molendorp	Phillips	Schad	Swearingen
Webb	Webber			

VACANCIES: 004

On motion of Representative Brattin, **House Amendment No. 2 to House Amendment No. 2** was adopted.

On motion of Representative Dugger, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 112

Allen	Aull	Bahr	Barnes	Berry
Black	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCann Beatty	McGhee	McManus
McNeil	Meadows	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Still
Stream	Swinger	Talboy	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 033

Anders	Asbury	Atkins	Brandom	Brattin
Carlson	Ellinger	Elmer	Haefner	Hinson
Hubbard	Kirkton	Kratky	Lasater	Marshall
May	McCaherty	McDonald	Montecillo	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Rizzo	Schatz	Schupp	Spreng	Taylor
Wallingford	Walton Gray	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Cierpiot	Colona	Day	Flanigan
Franklin	Higdon	Hughes	McGeoghegan	McNary
Schad	Swearingen	Webb	Webber	

VACANCIES: 004

### Representative Klippenstein offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 16, Section 144.070, Line 80, by inserting after all of said section and line the following:

**“262.815. 1. This section shall be known and may be cited as the "Missouri Farmland Trust Act". The purpose of this section is to allow individuals and entities to donate, gift, or otherwise convey farmland to the state department of agriculture for the purpose of preserving the land as farmland and to further provide beginning farmers with an opportunity to farm by allowing long-term low and variable cost leases, thereby making it affordable for the next generation of farmers to continue to produce food, fiber, and fuel.**

**2. There is hereby created the "Missouri Farmland Trust" which shall be implemented in a manner to accomplish the following objectives:**

- (1) Protect and preserve Missouri's farmland;**
- (2) Link new generations of prospective farmers with present farmers; and**
- (3) Promote best practices in environmental, livestock, and land stewardship.**

**3. (1) There is hereby created within the department of agriculture the "Missouri Farmland Trust Advisory Board" which shall be comprised of five members appointed by the director of the department of agriculture. Members shall serve without compensation but, subject to appropriations, may be reimbursed for actual and necessary expenses.**

**(2) The board shall make recommendations to the director on the appropriate uses of farmland in the trust, criteria to be used to select applicants for the program, and review and make recommendations regarding applications to lease farmland in the trust.**

**(3) Members shall serve five-year terms, with each term beginning July first and ending June thirtieth; except that, of the members initially appointed two shall be appointed for a term of three years, two shall be appointed for a term of four years, and one shall be appointed for a term of five years. Each member shall serve until his or her successor is appointed. Any vacancies occurring prior to the expiration of a term shall be filled by appointment for the remainder of such term. No member shall serve more than two consecutive terms.**

**4. The department of agriculture is authorized to accept or acquire by purchase, lease, donation, or agreement any agricultural lands, easements, real and personal property, or rights in lands, easements, or real and personal property, including but not limited to buildings, structures, improvements, equipment, or facilities subject to preservation and improvement. Such lands shall be properties of the Missouri farmland trust for purposes of this section and shall be governed by the provisions of this section and rules promulgated thereunder.**

**5. (1) There is hereby created in the state treasury the "Missouri Farmland Trust Fund", which shall consist of all gifts, bequests, donations, transfers, and moneys appropriated by the general assembly under this**



section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Upon appropriation, money in the fund shall be used for the administration of this section and may be used to make payments to counties for the value of land as payment in lieu of real and personal property taxes for privately owned land acquired after the effective date of this section in such amounts as determined by the department; except that, the amount determined shall not be less than the real property tax paid at the time of acquisition. The department of agriculture may require applicants who are awarded leases to pay the property taxes owed under this section for such property.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The department of agriculture is authorized to accept all moneys, appropriations, gifts, bequests, donations, or other contributions of moneys or other real or personal property to be expended or used for any of the purposes of this section. The department may improve, maintain, operate, and regulate any such lands, easements, or real or personal property to promote agriculture and the general welfare using moneys in the fund. Property acquired by the department under this section shall be used for agricultural purposes. The director shall establish by rule guidelines for leasing farmland to the trust to beginning farmers for a period not to exceed twenty years. All property acquired by the department under this section shall be farmed and maintained using the best environmental, conservation, and stewardship practices as outlined by the department. The department may charge an administrative fee for lease application processing under this section.

7. The department, in consultation with the Missouri farmland advisory board, shall promulgate rules to implement the provisions of this section, including but not limited to requirements for lessees, selection process for granting leases, and the terms of the lease, including requirements for applicants, renewal process, requirements for the maintenance of real and personal property by the lessee, and conditions for the termination of leases.

8. Any person or entity donating land to or leasing land from the department shall forever release the state of Missouri, the Missouri department of agriculture, the department's director, officers, employees, volunteers, agents, contractors, servants, heirs, successors, assigns, persons, firms, corporations, representatives, and other entities who are or who will be acting in concert or privity with or on behalf of the state from any and all actions, claims, or demands that he or she, family members, heirs, successors, assigns, agents, servants, employees, distributees, guardians, next-of-kin, spouse, and legal representatives now have or may have in the future for any injury, death, property damage related to:

(1) Participation in such activities;

(2) The negligence, intentional acts, or other acts, whether directly connected to such activities or not, and however caused; and

(3) The condition of the premises where such activities occur.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus

Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Wallingford	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 018

Bernskoetter	Cierpiot	Colona	Day	Diehl
Dugger	Flanigan	Franklin	Hughes	McGeoghegan
McNary	Parkinson	Phillips	Torpey	Webb
Webber	Wells	Wieland		

VACANCIES: 004

On motion of Representative Klippenstein, **House Amendment No. 3** was adopted.

Representative Loehner offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 2, Section 144.010, Line 21, by inserting immediately following the word “**purposes**” the following:

“**. The provision of this subdivision shall not apply to sales tax on a harvested animal**”; and

Further amend said bill, Page 7, Section 144.030, Lines 17 and 20, by deleting the words “[or], poultry, **or captive wildlife**” and inserting in lieu thereof the words “or poultry”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Silvey assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Bernskoetter	Berry	Colona	Conway 14
Day	Diehl	Dugger	Franklin	Hubbard
Hughes	McGeoghegan	Parkinson	Richardson	Sater
Spreng	Torpey	Webber		

VACANCIES: 004

On motion of Representative Loehner, **House Amendment No. 4** was adopted.

Representative Korman offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 1, Section A, Line 6, by inserting after all of said line and section the following:

“60.510. The functions, duties and responsibilities of the department of [natural resources] **agriculture** shall be as follows:

(1) To restore, maintain, and preserve the land survey monuments, section corners, and quarter section corners established by the United States public land survey within Missouri, together with all pertinent field notes, plats and documents; and also to restore, establish, maintain, and preserve other boundary markers considered by the department of [natural resources] **agriculture** to be of importance, or otherwise established by law;

(2) To design and cause to be placed at established public land survey corner sites, where practical, substantial monuments permanently indicating, with words and figures, the exact location involved, but if such monuments cannot be placed at the exact corner point, then witness corners of similar design shall be placed as near by as possible, with words and figures indicating the bearing and distance to the true corner;

(3) To establish, maintain, and provide safe storage facilities for a comprehensive system of recordation of information respecting all monuments established by the United States public land survey within this state, and such records as may be pertinent to the department of [natural resources] **agricultures'** establishment or maintenance of other land corners, Missouri state coordinate system stations and accessories, and monuments in general;

(4) To extend throughout this state a triangulation and leveling net of precision, whereby the Missouri state coordinate system, as established by section 60.400, may be made to cover to the necessary extent those areas of the state which do not now have enough geodetic control stations to permit the general use of the system by land surveyors and others;

(5) To collect and preserve information obtained from surveys made by those authorized to establish land monuments or land boundaries, and to assist in the proper recording of the same by the duly constituted county officials, or otherwise;

(6) To furnish, upon reasonable request and tender of the required fees therefor, certified copies of records created or maintained by the department of [natural resources] **agriculture** which, when certified by the state land surveyor or a designated assistant, shall be admissible in evidence in any court in this state, as the original record;

(7) To prescribe, and disseminate to those engaged in the business of land surveying, advisory regulations designed to assist in uniform and professional surveying methods and standards in this state; and

(8) To select and appoint a state land surveyor, who shall be the chief administrative officer of the [authority] **land survey program**, and who shall hold office at the pleasure of the [authority] **director of the department of agriculture**.

60.530. The state land surveyor shall, under guidance of the department of [natural resources] **agriculture**, carry out the routine functions and duties of the department of [natural resources] **agriculture**, as prescribed in sections [60.500] **60.510** to 60.610. He shall, whenever practical, cause all land surveys, except geodetic surveys, to be executed, under his direction by the registered county surveyor or a local registered land surveyor when no registered county surveyor exists. He shall perform such other work and acts as shall, in the judgment of the department of [natural resources] **agriculture**, be necessary and proper to carry out the objectives of sections [60.500] **60.510** to 60.610 and, within the limits of appropriations made therefor and subject to the approval of the department of [natural resources] **agriculture**, employ and fix the compensation of such additional employees as may be necessary to carry out the provisions of sections [60.500] **60.510** to 60.610.

60.540. The department of [natural resources] **agriculture** may acquire, in the name of the state of Missouri, lands or interests therein, where necessary, to establish permanent control stations; and may lease or purchase or acquire by negotiation or condemnation, where necessary, land for the establishment of an office of the department of [natural resources] **agriculture**. If condemnation is necessary, the attorney general shall bring the suit in the name of the state in the same manner as authorized by law for the acquisition of lands by the state transportation department.

60.550. The custody and ownership of the original United States public land survey corners and accessories, including all restoration and replacements thereof and all accessories, belonging to the state of Missouri is hereby transferred to the department of [natural resources] **agriculture**. The department of [natural resources] **agriculture** shall see that the markers are maintained, and the alteration, removal, disfiguration or destruction of any of the corners or accessories, without specific permission of the department of [natural resources] **agriculture**, is an act of destruction

of state property and is a misdemeanor. Any person convicted thereof shall be punished as provided by law. Each of the several prosecuting attorneys is specifically directed to prosecute for the violation of this section for any act of destruction which occurs in his **or her** county.

60.560. Upon request, the state attorney general shall advise the department of [natural resources] **agriculture** or the state land surveyor with respect to any legal matter, and shall represent the department of [natural resources] **agriculture or state land surveyor** in any proceeding in any court of the state in which the [authority] **department or state land surveyor** shall be a party.

60.580. The state land surveyor or any and all employees of the department of [natural resources] **agriculture** have the right to enter upon private property for the purpose of making surveys, or for searching for, locating, relocating, or remonumenting land monuments, leveling stations, or section corners. Should any of these persons necessarily damage property of the owner in making the surveys or searches or remonumentations, the department of [natural resources] **agriculture** may make reasonable payment for the damage from funds available for that purpose. However, department of [natural resources] **agriculture** employees are personally liable for any damage caused by their wantonness, willfulness, or negligence. All department of [natural resources] **agriculture** employees are immune from arrest for trespass in performing their legal duties as stated in sections [60.500] **60.510** to 60.610.

60.590. 1. On request of the department of [natural resources] **agriculture** or the state land surveyor, all city and county recorders of deeds, together with all departments, boards or agencies of state government, county, or city government, shall furnish to the department of [natural resources] **agriculture** or the state land surveyor certified copies of desired records which are in their custody. This service shall be free of cost when possible; otherwise, it shall be at actual cost of reproduction of the records. On the same basis of cost, the department of [natural resources] **agriculture** shall furnish records within its custody to other agencies or departments of state, county or city, certifying them.

2. The department of [natural resources] **agriculture** may produce, reproduce and sell maps, plats, reports, studies, and records, and shall fix the charge therefor. All income received shall be promptly deposited in the state treasury to the credit of the department of [natural resources document] **agriculture revolving** services fund.

60.595. 1. The "Department of [Natural Resources] **Agriculture Revolving Services Fund**" is hereby created. All funds received by the department of [natural resources] **agriculture** from the delivery of services and the sale or resale of maps, plats, reports, studies, records and other publications and documents by the department shall be credited to the fund. The director of the department shall administer the fund. The state treasurer is the custodian of the fund and [shall] **may** approve disbursements from the fund requested by the director of the department. When appropriated, moneys in the fund shall be used to purchase goods or services that will ultimately be used to reprint maps, publications or other documents requested by governmental agencies or members of the general public; to publish the maps, publications or other documents or to purchase maps, publications or other documents for resale; and to pay shipping charges, laboratory services, core library fees, workshops, conferences, interdivisional cooperative agreements, but for no other purpose.

2. An unencumbered balance in the fund at the end of the fiscal year not exceeding one million dollars is exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the general revenue fund.

3. The department of [natural resources] **agriculture** shall report all income to and expenditures from such fund on a quarterly basis to the house budget committee and the senate appropriations committee.

60.600. Every employee of the department of [natural resources] **agriculture** who is engaged in work required by law to be done by a registered land surveyor [will] **shall** be so registered. No employee of the department of [natural resources] **agriculture** shall engage in private land surveying or consultation while employed by the department of [natural resources] **agriculture**.

60.610. Whenever the department of [natural resources] **agriculture** deems it expedient, and when funds appropriated permit, the department of [natural resources] **agriculture** may enter into any contract with agencies of the United States, with agencies of other states, or with private persons, registered land surveyors or professional engineers, in order to plan and execute desired land surveys or geodetic surveys, or to plan and execute other projects which are within the scope and purpose of sections [60.500] **60.510** to 60.610.

60.620. 1. There is hereby created the "Land Survey Advisory Committee", within the department of [natural resources] **agriculture**. The committee shall consist of five members appointed by the director of the department of

[natural resources] **agriculture**. Members of the committee shall hold office for terms of three years, but of the original appointments, two members shall serve for one year, two members shall serve for two years, and one member shall serve for three years.

2. The advisory committee shall consist of persons who reside in this state and are not employed by the department of [natural resources] **agriculture**. Three members shall be registered land surveyors, one of which shall be a county surveyor. One member shall represent the real estate or land title industry.

3. The advisory committee shall elect a chairman annually. The committee shall meet semiannually and at other such times as called by the chairman of the committee and shall have a quorum when at least three members are present.

4. The advisory committee members shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

5. The advisory committee shall provide the director of the department of [natural resources] **agriculture** with advice and counsel on the planning and prioritization of the program and the design of regulations needed to carry out the functions, duties, and responsibilities of the department of [natural resources] **agriculture**.

6. The committee shall, at least annually, prepare a report, which shall be available to the general public, of the review by the committee of the land survey program, stating its findings, conclusions, and recommendations to the director.

60.653. 1. It shall be the duty of the recorder of deeds to maintain a copy of all survey plats delivered to his custody in an appropriate file medium capable of reproduction.

2. Survey plats shall be placed in the plat books or such other record books as have been previously established.

3. A duplicate of the recorded survey plat shall be provided to the land survey [division] **program** of the department of [natural resources] **agriculture** at an amount not to exceed the actual cost of the duplicate.

4. The recorder shall maintain an index of all survey plats, subdivision plats, and condominium plats by section, township, and range and by subdivision or condominium name.

5. Copies of survey plats shall be evidence in all courts of justice when properly certified under the hand and official seal of the recorder.

60.670. 1. As used in this section, the following terms shall mean:

(1) "Cadastral parcel mapping", an accurately delineated identification of all real property parcels. The cadastral map is based upon the USPLSS. For cadastral parcel maps the position of the legal framework is derived from the USPLSS, existing tax maps, and tax database legal descriptions, recorded deeds, recorded surveys, and recorded subdivision plats;

(2) "Digital cadastral parcel mapping", encompasses the concepts of automated mapping, graphic display and output, data analysis, and database management as pertains to cadastral parcel mapping. Digital cadastral parcel mapping systems consist of hardware, software, data, people, organizations, and institutional arrangements for collecting, storing, analyzing, and disseminating information about the location and areas of parcels and the USPLSS;

(3) "USPLSS" or "United States Public Land Survey System", a survey executed under the authority of the United States government as recorded on the official plats and field notes of the United States public land survey maintained by the land survey program of the department of [natural resources] **agriculture**;

(4) "Tax map", a document or map for taxation purposes representing the location, dimensions, and other relevant information pertaining to a parcel of land subject to property taxes.

2. The office of the state land surveyor established within the department of [natural resources] **agriculture** shall promulgate rules and regulations establishing minimum standards for digital cadastral parcel mapping. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

3. Any map designed and used to reflect legal property descriptions or boundaries for use in a digital cadastral mapping system shall comply with the rules promulgated under this section, unless the party requesting the map specifies otherwise in writing, the map was designed and in use prior to the promulgation of the rules, or the parties requesting and designing the map have already agreed to the terms of their contract on the effective date of the rules promulgation."; and

Further amend said bill, Page 16, Section 144.030, Line 80, by inserting after all of said section and line the following:

“261.023. 1. There is hereby created a department of agriculture to be headed by a director of the department of agriculture to be appointed by the governor, by and with the advice and consent of the senate. The director shall possess the qualifications presently provided by law for the position of commissioner of agriculture.

2. All powers, duties and functions now vested by law to the commissioner of the department of agriculture and the department of agriculture, chapter 261 and others, are transferred by type I transfer to the director of the department of agriculture and to the department of agriculture herein created.

3. The state horticultural society created by sections 262.010 and 262.020 is transferred by type I transfer to the department of agriculture.

4. All the powers, duties, and functions vested in the state milk board, chapter 196, are transferred to the department of agriculture by type III transfer. The appointed members of the board shall be nominated by the department director, and appointed by the governor with the advice and consent of the senate. The department of health and senior services shall retain the powers, duties and functions assigned by chapter 196.

5. All the powers, duties, functions and properties of the state fruit experiment station, chapter 262, are transferred by type I transfer to the Southwest Missouri State University and fruit experiment station board of trustees is abolished.

6. All the powers, duties and functions of the department of revenue relating to the inspection of motor fuel and special fuel distributors, chapters 323 and 414, are transferred by type I transfer to the department of agriculture and to the director of that department. The collection of the taxes provided in chapters 142 and 136, however, shall be made by the department of revenue.

**7. All the powers, duties, and functions of the land survey program of the department of natural resources are transferred to the department of agriculture by type I transfer. In no case shall any cost allocation plan charged to the land survey program be greater than the cost allocation plan charged to any other program within the department of agriculture.”; and**

Further amend said bill, Page 25, Section 411.280, Line 7, by inserting after all of said section and line the following:

“640.010. 1. There is hereby created a department of natural resources in charge of a director appointed by the governor, by and with the advice and consent of the senate. The director shall administer the programs assigned to the department relating to environmental control and the conservation and management of natural resources. The director shall coordinate and supervise all staff and other personnel assigned to the department. He shall faithfully cause to be executed all policies established by the boards and commissions assigned to the department, be subject to their decisions as to all substantive and procedural rules and his decisions shall be subject to appeal to the board or commission on request of the board or commission or by affected parties. The director shall recommend policies to the various boards and commissions assigned to the department to achieve effective and coordinated environmental control and natural resource conservation policies.

2. The director shall appoint directors of staff to service each of the policy making boards or commissions assigned to the department. Each director of staff shall be qualified by education, training and experience in the technical matters of the board to which he is assigned and his appointment shall be approved by the board to which he is assigned and he shall be removed or reassigned on their request in writing to the director of the department. All other employees of the department and of each board and commission assigned to the department shall be appointed by the director of the department in accord with chapter 36, and shall be assigned and may be reassigned as required by the director of the department in such a manner as to provide optimum service, efficiency and economy.

3. The air conservation commission, chapter 203 and others, the clean water commission, chapter 204 and others, are transferred by type II transfer to the department of natural resources. The governor shall appoint the members of these bodies in accord with the laws establishing them, with the advice and consent of the senate. The bodies hereby transferred shall retain all rulemaking and hearing powers allotted by law, as well as those of any bodies transferred to their jurisdiction. All the powers, duties and functions of the state environmental improvement authority, chapter 260 and others, are transferred by type III transfer to the air conservation commission. All the powers, duties and functions of the water resources board, chapter 256 and others, are transferred by type I transfer to the clean water commission and the board is abolished. No member of the clean water commission shall receive or shall have received, during the previous two years from the date of his appointment, a significant portion of his income directly or indirectly from permit

holders or applicants for a permit under the jurisdiction of the clean water commission. The state park board, chapter 253, is transferred to the department of natural resources by type I transfer.

4. All the powers, duties and functions of the state soil and water districts commission, chapter 278 and others, are transferred by a type II transfer to the department.

5. All the powers, duties and functions of the state geologist, chapter 256 and others, are transferred by type I transfer to the department of natural resources. [All the powers, duties and functions of the state land survey authority, chapter 60, are transferred to the department of natural resources by type I transfer and the authority is abolished.] All the powers, duties and functions of the state oil and gas council, chapter 259 and others are transferred to the department of natural resources by type II transfer. The director of the department shall appoint a state geologist who shall have the duties to supervise and coordinate the work formerly done by the departments or authorities abolished by this subsection, and shall provide staff services for the state oil and gas council.

6. All the powers, duties and functions of the land reclamation commission, chapter 444 and others, are transferred to the department of natural resources by type II transfer. All necessary personnel required by the commission shall be selected, employed and discharged by the commission. The director of the department shall not have the authority to abolish positions.

7. The functions performed by the division of health in relation to the maintenance of a safe quality of water dispensed to the public, sections 640.100 to 640.115, and others, and for licensing and regulating solid waste management systems and plans are transferred by type I transfer to the department of natural resources.

8. (1) The state interagency council for outdoor recreation, chapter 258, is transferred to the department of natural resources by type II transfer. The council shall consist of representatives of the following state agencies: department of agriculture; department of conservation; office of administration; department of natural resources; department of economic development; department of social services; department of transportation; and the University of Missouri.

(2) The council shall function as provided in chapter 258, except that the department of natural resources shall provide all staff services as required by the council notwithstanding the provisions of sections 258.030 and 258.040, and all personnel and property of the council are hereby transferred by type I transfer to the department of natural resources and the office of executive secretary to the council is abolished.

Section A. The provisions of sections 60.510, 60.530, 60.540, 60.550, 60.560, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 261.023, and 640.010 of section A of this Act shall become effective August 28, 2012.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Neth	Pollock	Redmon	Reiboldt
Richardson	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake



Silvey	Smith 150	Solon	Stream	Thomson
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 045

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 028

Bernskoetter	Brattin	Brown 50	Cierpiot	Day
Diehl	Flanigan	Franklin	Higdon	Holsman
Hubbard	Hughes	Lasater	McCaherty	McGeoghegan
McManus	Nolte	Oxford	Parkinson	Phillips
Riddle	Rowland	Spreng	Torpey	Wallingford
Webber	Zerr	Mr Speaker		

VACANCIES: 004

On motion of Representative Korman, **House Amendment No. 5** was adopted.

Representative Jones (117) offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 162, Page 24, Section 276.441, Line 12, by inserting immediately after said line the following:

“338.010. 1. The "practice of pharmacy" means the interpretation, implementation, and evaluation of medical prescription orders, including **any legend drugs under 21 U.S.C. Section 353**; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, **and veterinarians and their clients about legend drugs**, about the safe and effective use of drugs and devices; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his **or her** duties. This assistance in no way is intended to relieve the pharmacist from his **or her** responsibilities for compliance with this chapter and he **or she** will be responsible for the actions of the auxiliary personnel acting in his **or her** assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered

practitioner of medicine, dentistry, **or** podiatry, or veterinary medicine **only for use in animals**, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, **administering, prescribing,** or dispensing of his **or her** own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

**11. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).**

338.140. 1. The board of pharmacy shall have a common seal, and shall have power to adopt such rules and bylaws not inconsistent with law as may be necessary for the regulation of its proceedings and for the discharge of the duties imposed pursuant to sections 338.010 to 338.198, and shall have power to employ an attorney to conduct prosecutions or to assist in the conduct of prosecutions pursuant to sections 338.010 to 338.198.

2. The board shall keep a record of its proceedings.

3. The board of pharmacy shall make annually to the governor and, upon written request, to persons licensed pursuant to the provisions of this chapter a written report of its proceedings.

4. The board of pharmacy shall appoint an advisory committee composed of [five] **six** members, one of whom shall be a representative of pharmacy but who shall not be a member of the pharmacy board, three of whom shall be representatives of wholesale drug distributors as defined in section 338.330, [and] one of whom shall be a representative

of drug manufacturers, **and one of whom shall be a licensed veterinarian recommended to the board of pharmacy by the board of veterinary medicine.** The committee shall review and make recommendations to the board on the merit of all rules and regulations dealing with pharmacy distributors, wholesale drug distributors [and], drug manufacturers, **and veterinary legend drugs** which are proposed by the board.

5. A majority of the board shall constitute a quorum for the transaction of business.

6. Notwithstanding any other provisions of law to the contrary, the board may issue letters of reprimand, censure or warning to any holder of a license or registration required pursuant to this chapter for any violations that could result in disciplinary action as defined in section 338.055.

338.150. Any person authorized by the board of pharmacy is hereby given the right of entry and inspection upon all open premises purporting or appearing to be drug or chemical stores, apothecary shops, pharmacies or places of business for exposing for sale, or the dispensing or selling of drugs, pharmaceuticals, medicines, chemicals or poisons or for the compounding of physicians' **or veterinarians'** prescriptions.

338.210. 1. Pharmacy refers to any location where the practice of pharmacy occurs or such activities are offered or provided by a pharmacist or another acting under the supervision and authority of a pharmacist, including every premises or other place:

(1) Where the practice of pharmacy is offered or conducted;

(2) Where drugs, chemicals, medicines, **any legend drugs under 21 U.S.C. Section 353**, prescriptions, or poisons are compounded, prepared, dispensed or sold or offered for sale at retail;

(3) Where the words "pharmacist", "apothecary", "drugstore", "drugs", and any other symbols, words or phrases of similar meaning or understanding are used in any form to advertise retail products or services;

(4) Where patient records or other information is maintained for the purpose of engaging or offering to engage in the practice of pharmacy or to comply with any relevant laws regulating the acquisition, possession, handling, transfer, sale or destruction of drugs, chemicals, medicines, prescriptions or poisons.

2. All activity or conduct involving the practice of pharmacy as it relates to an identifiable prescription or drug order shall occur at the pharmacy location where such identifiable prescription or drug order is first presented by the patient or the patient's authorized agent for preparation or dispensing, unless otherwise expressly authorized by the board.

3. The requirements set forth in subsection 2 of this section shall not be construed to bar the complete transfer of an identifiable prescription or drug order pursuant to a verbal request by or the written consent of the patient or the patient's authorized agent.

4. The board is hereby authorized to enact rules waiving the requirements of subsection 2 of this section and establishing such terms and conditions as it deems necessary, whereby any activities related to the preparation, dispensing or recording of an identifiable prescription or drug order may be shared between separately licensed facilities.

5. If a violation of this chapter or other relevant law occurs in connection with or adjunct to the preparation or dispensing of a prescription or drug order, any permit holder or pharmacist-in-charge at any facility participating in the preparation, dispensing, or distribution of a prescription or drug order may be deemed liable for such violation.

6. Nothing in this section shall be construed to supersede the provisions of section 197.100.

338.220. 1. It shall be unlawful for any person, copartnership, association, corporation or any other business entity to open, establish, operate, or maintain any pharmacy as defined by statute without first obtaining a permit or license to do so from the Missouri board of pharmacy. A permit shall not be required for an individual licensed pharmacist to perform nondispensing activities outside of a pharmacy, as provided by the rules of the board. A permit shall not be required for an individual licensed pharmacist to administer drugs, vaccines, and biologicals by protocol, as permitted by law, outside of a pharmacy. The following classes of pharmacy permits or licenses are hereby established:

(1) Class A: Community/ambulatory;

(2) Class B: Hospital outpatient pharmacy;

(3) Class C: Long-term care;

(4) Class D: Nonsterile compounding;

(5) Class E: Radio pharmaceutical;

(6) Class F: Renal dialysis;

(7) Class G: Medical gas;

(8) Class H: Sterile product compounding;

(9) Class I: Consultant services;

(10) Class J: Shared service;

- (11) Class K: Internet;
- (12) Class L: Veterinary.

2. Application for such permit or license shall be made upon a form furnished to the applicant; shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration; and shall be accompanied by a permit or license fee. The permit or license issued shall be renewable upon payment of a renewal fee. Separate applications shall be made and separate permits or licenses required for each pharmacy opened, established, operated, or maintained by the same owner.

3. All permits, licenses or renewal fees collected pursuant to the provisions of sections 338.210 to 338.370 shall be deposited in the state treasury to the credit of the Missouri board of pharmacy fund, to be used by the Missouri board of pharmacy in the enforcement of the provisions of sections 338.210 to 338.370, when appropriated for that purpose by the general assembly.

4. Class L: veterinary permit shall not be construed to prohibit or interfere with any legally registered practitioner of veterinary medicine in the compounding, **administering, prescribing,** or dispensing of their own prescriptions, **or medicine, drug, or pharmaceutical product to be used for animals.** 5. [Notwithstanding any other law to the contrary] **Except for any legend drugs under 21 U.S.C. Section 353,** the provisions of this section shall not apply to the sale, dispensing, or filling of a pharmaceutical product or drug used for treating animals.

338.240. 1. Upon evidence satisfactory to the said Missouri board of pharmacy:

(1) That the pharmacy for which a permit, or renewal thereof, is sought, will be conducted in full compliance with sections 338.210 to 338.300, with existing laws, and with the rules and regulations as established hereunder by said board;

(2) That the equipment and facilities of such pharmacy are such that it can be operated in a manner not to endanger the public health or safety;

(3) That such pharmacy is equipped with proper pharmaceutical and sanitary appliances and kept in a clean, sanitary and orderly manner;

(4) That the management of said pharmacy is under the supervision of either a registered pharmacist, or an owner or employee of the owner, who has at his **or her** place of business a registered pharmacist employed for the purpose of compounding physician's **or veterinarian's** prescriptions in the event any such prescriptions are compounded or sold;

(5) That said pharmacy is operated in compliance with the rules and regulations legally prescribed with respect thereto by the Missouri board of pharmacy, a permit or renewal thereof shall be issued to such persons as the said board of pharmacy shall deem qualified to conduct such pharmacy.

**2. In lieu of a registered pharmacist as required by subdivision (4) of subsection 1 of this section, a pharmacy permit holder that only holds a class L veterinary permit and no other pharmacy permit, may designate a supervising registered pharmacist who shall be responsible for reviewing the activities and records of the class L pharmacy permit holder as established by the board by rule. The supervising registered pharmacist shall not be required to be physically present on site during the business operations of a class L pharmacy permit holder identified in subdivision (5) of subsection 1 of this section when noncontrolled legend drugs under 21 U.S.C. Section 353 are being dispensed for use in animals, but shall be specifically present on site when any noncontrolled drugs for use in animals are being compounded.**

338.315. It shall be unlawful for any pharmacist, pharmacy owner or person employed by a pharmacy to knowingly purchase or receive any legend drugs **under 21 U.S.C. Section 353** from other than a licensed or registered drug distributor or licensed pharmacy. Any person who violates the provisions of this section shall, upon conviction, be adjudged guilty of a class A misdemeanor. Any subsequent conviction shall constitute a class D felony.

338.330. As used in sections 338.300 to 338.370, the following terms mean:

(1) "Out-of-state wholesale drug distributor", a wholesale drug distributor with no physical facilities located in the state;

(2) "Pharmacy distributor", any licensed pharmacy, as defined in section 338.210, engaged in the delivery or distribution of legend drugs to any other licensed pharmacy where such delivery or distribution constitutes at least five percent of the total gross sales of such pharmacy;

(3) "**Legend drug**";

(a) **Any drug or biological product:**

- a. Subject to Section 503(b) of the Federal Food, Drug and Cosmetic Act, including finished dosage forms and active ingredients subject to such section;**
- b. Required under federal law to be labeled with one of the following statements prior to being dispensed or delivered:**
- (i) "Caution: Federal law prohibits dispensing without prescription";**
  - (ii) "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or**
  - (iii) "Rx only";**
- c. Required by any applicable federal or state law or regulation to be dispensed by prescription only or that is restricted to use or dispensed by practitioners only;**
- (b) The term "drug", "prescription drug", or "legend drug" shall not include:**
- a. An investigational new drug, as defined in 21 CFR 312.3(b), that is being utilized for the purposes of conducting a clinical trial or investigation of such drug or product that is governed by and being conducted under 21 CFR 312, et seq.;**
  - b. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed by and being conducted under 21 CFR 312, et seq.;**
  - c. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed or approved by an institutional review board subject to 21 CFR Part 56 or 45 CFR Part 46;**
- (4) "Wholesale drug distributor", anyone engaged in the delivery or distribution of legend drugs from any location and who is involved in the actual, constructive or attempted transfer of a drug or drug-related device in this state, other than to the ultimate consumer. This shall include, but not be limited to, drug wholesalers, repackagers and manufacturers which are engaged in the delivery or distribution of drugs in this state, with facilities located in this state or in any other state or jurisdiction. A wholesale drug distributor shall not include any common carrier or individual hired solely to transport legend drugs. Any locations where drugs are delivered on a consignment basis, as defined by the board, shall be exempt from licensure as a drug distributor, and those standards of practice required of a drug distributor but shall be open for inspection by board of pharmacy representatives as provided for in section 338.360."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Asbury	Bahr	Barnes	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr		

## 2296 *Journal of the House*

NOES: 045

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Nasheed	Newman	Nichols
Pace	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Aull	Bernskoetter	Cierpiot	Conway 14
Day	Franklin	Gatschenberger	Higdon	Holsman
Hubbard	Hughes	Lasater	McCaherty	McGeoghegan
McNary	Oxford	Parkinson	Pierson	Sater
Schatz	Spreng	Torpey	Webber	Weter
Mr Speaker				

VACANCIES: 004

On motion of Representative Jones (117), **House Amendment No. 6** was adopted.

On motion of Representative Guernsey, **HCS#2 SCS SB 162, as amended**, was adopted by the following vote:

AYES: 101

Asbury	Aull	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 037

Anders	Atkins	Carlson	Carter	Casey
Conway 27	Ellinger	Fallert	Harris	Hubbard
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray			

PRESENT: 001

Black

ABSENT WITH LEAVE: 020

Allen	Bernskoetter	Brown 50	Cierpiot	Colona
Day	Denison	Diehl	Franklin	Funderburk
Gatschenberger	Higdon	Hughes	Lasater	McGeoghegan
Parkinson	Redmon	Schad	Webber	Mr Speaker

VACANCIES: 004

On motion of Representative Guernsey, **HCS#2 SCS SB 162, as amended**, was read the third time and passed by the following vote:

AYES: 107

Asbury	Aull	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelly 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 037

Anders	Atkins	Carlson	Carter	Casey
Conway 27	Ellinger	Fallert	Harris	Hubbard
Jones 63	Kander	Kirkton	Kratky	Lampe

2298 *Journal of the House*

May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Talboy
Walton Gray	Webb			

PRESENT: 001

Black

ABSENT WITH LEAVE: 014

Allen	Bernskoetter	Brown 50	Cierpiot	Colona
Day	Hughes	Lasater	McGeoghegan	Parkinson
Schad	Swearingen	Webber	Mr Speaker	

VACANCIES: 004

Representative Silvey declared the bill passed.

**SS SB 238**, relating to diseases incurred by firefighters, was taken up by Representative Hinson.

Representative Stream offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND Senate Substitute for Senate Bill No. 238, Page 3, Section 87.006, Line 33, by inserting after all of said section and line the following:

**“170.310. 1. Each school district that operates a high school, and each charter school that contains grades 9 to 12, shall provide instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course in grades 9 to 12.**

**2. Instruction shall include hands-on practicing and skills testing to support cognitive learning. Instruction shall be through a program developed by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.**

**3. The teacher of the health education course shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.**

**4. Instruction as required under this section shall become a requirement for high school graduation for students graduating in the 2014-2015 school year and subsequent school years.**

**5. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 1**.



*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to Senate Substitute for Senate Bill No. 238, Page 1, Section 170.310, Line 4, by adding after the word "resuscitation" on said line the words "and physics."

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	McGhee
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 019

Bernskoetter	Brown 50	Day	Diehl	Higdon
Hughes	Jones 117	Lasater	Long	McCaherty
McGeoghegan	McNary	Molendorp	Nasheed	Scharnhorst
Talboy	Webber	Wells	Mr Speaker	

VACANCIES: 004

**House Amendment No. 1 to House Amendment No. 1** was withdrawn.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Diehl	Higdon	Holsman	Hughes
Jones 117	Lasater	Long	McGeoghegan	Molendorp
Nasheed	Newman	Pollock	Scharnhorst	Talboy
Webber	Mr Speaker			

VACANCIES: 004

On motion of Representative Stream, **House Amendment No. 1** was adopted.

Representative Leara offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute for Senate Bill No. 238, Page 3, Section 87.006, Line 33, by inserting after all of said line the following:

“87.120. The following words and phrases as used in sections 87.120 to 87.370, unless a different meaning is plainly required by the context, have the following meanings:

(1) "Accumulated contributions", the sum of all amounts deducted from the compensation of a member and credited to his or her individual account in the members' savings fund together with interest thereon;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of such mortality tables and interest rate as shall be adopted by the board of trustees;

(3) "Average final compensation", the average earnable compensation of the member during his or her last two years of service as a firefighter, or if the firefighter has less than two years of service, then the average earnable compensation of his or her entire period of service;

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit as provided by sections 87.120 to 87.370;

(5) "Benefit reserve", the present value of all payments to be made on account of any retirement allowance or benefit in lieu of a retirement allowance upon the basis of such mortality tables and interest rate as shall be adopted by the board of trustees;

(6) "Board of trustees", the board provided for in section 87.140 to administer the retirement system;

(7) "City", any city not within a county and adopting the retirement system provided by sections 87.120 to 87.370;

(8) "Creditable service", prior service plus membership service as provided in section 87.135;

(9) "DROP", the deferred retirement option plan provided in section 87.182;

(10) "Earnable compensation", the regular compensation which a member would earn during one year on the basis of the stated compensation for his or her rank or position;

(11) "Firefighter", any officer or employee of the fire department of the city employed by the city for the duty of fighting fires, but does not include anyone employed in a clerical or other capacity not involving fire-fighting duties. In case of doubt as to whether any person is a firefighter within the meaning of sections 87.120 to 87.370, the decision of the board of trustees shall be final;

(12) "Medical board", the board of physicians provided for in section 87.160;

(13) "Member", a member of the retirement system as defined by section 87.130;

(14) "Membership service", service as a firefighter rendered since last becoming a member;

(15) "Prior service", all service as a firefighter rendered prior to the date the system becomes operative which is creditable in accordance with the provisions of section 87.135;

(16) "Retirement allowance", annual payments for life which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon retirement or to a beneficiary;

(17) "Retirement system", the firefighter's retirement system of any city as defined in section 87.125.

**87.127. A retirement plan under sections 87.120 to 87.370 is intended to be a qualified governmental plan under the provisions of applicable federal law. The benefits and conditions of the plan shall be interpreted and the system shall be operated to ensure that the system meets the federal qualification requirements.**

87.205. 1. Upon retirement for accidental disability **before August 28, 2011**, a member shall receive seventy-five percent of the pay then provided by law for the highest step in the range of salary for the title or rank held by such member at the time of such retirement unless the member is permanently and totally incapacitated from performing any work, occupation or vocation of any kind whatsoever and is continuously confined to the member's home except for visits to obtain medical treatment, in which event the member may receive, in the discretion of the board of trustees, a retirement allowance in an amount not exceeding the member's rate of compensation as a firefighter in effect as of the date the allowance begins.

2. Anyone who has retired pursuant to the provisions of section 87.170 and has been reinstated pursuant to subsection 2 of section 87.130 who subsequently becomes disabled, as provided in section 87.200, shall receive a total benefit which is the higher of either the disability pension or the service pension.

**3. Upon retirement for accidental disability on or after August 28, 2011, based on conditions of the heart, lungs, or cancer or based on permanent and total disability which will prevent the member from obtaining employment elsewhere, as determined by the board of trustees based on medical evidence presented by the**

retirement system's physicians, a member shall receive, regardless of his or her number of years of credible service, seventy-five percent of the earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

4. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, a member shall receive a base pension equal to twenty-five percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

5. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, the member may elect to receive an education allowance in an amount not to exceed the tuition for a state resident at the University of Missouri-St. Louis. The accidentally disabled member shall enroll in a college, university, community college, or vocational or technical school at the first opportunity after the accidentally disabled member was retired and shall receive such educational allowance in the form of reimbursement upon proof of payment to such institution. The education allowance described in this subsection shall cease when the accidentally disabled member ceases to be a full-time student or if the accidentally disabled member is restored to active service as a firefighter, but in no event shall such education allowance be available for more than five years after the member is retired under section 87.200.

6. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, in addition to the base pension provided for in subsection 4 of this section and the education allowance provided for in subsection 5 of this section, members with twenty-five years or less of creditable service shall receive an additional accidental retirement pension equal to two and three-fourths percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of retirement for each year of credible service equal to or greater than ten years but not more than twenty-five years.

7. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, in addition to the base pension provided for in subsection 4 of this section and the additional accidental retirement pension provided for in subsection 6 of this section, for members with twenty-five years or less of creditable service, then during such time that the disabled member is a full-time student in a college, university, community college, or vocational or technical school and is receiving the educational allowance provided for in subsection 5 of this section, such member shall also receive a supplemental disability retirement pension in the amount necessary so that his or her total accidental disability retirement pension, excluding the education allowance, shall be equal to one hundred percent of the earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement. In no event shall such supplemental accidental disability pension be paid for a period more than five years after the member is retired under section 87.200.

8. Except as provided in subsection 3 of this section, upon retirement for accidental disability on or after August 28, 2011, in addition to the base pension provided for in subsection 4 of this section and the education allowance provided for in subsection 5 of this section, for members with more than twenty-five years of credible service, such member shall also receive an additional pension equal to fifty percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

9. Notwithstanding any other provisions in this section, upon retirement for accidental disability, other than as provided in subsection 3 of this section, on or after August 28, 2011, a member with more than twenty years of credible service but not more than twenty-five years of creditable service may waive the right to receive the education allowance provided for in subsection 5 of this section, the right to additional pension retirement allowance provided for in subsection 6 of this section, and the right to receive the supplemental disability retirement pension provided for in subsection 7 of this section and may elect to receive instead in addition to the accidental disability retirement base pension as provided for in subsection 4 of this section an additional pension from the date of such member's retirement equal to forty percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement. Any such election shall be made prior to such member's receipt of his or her first accidental disability pension payment.

87.207. The following allowances due under the provisions of sections 87.120 to 87.371 of any member who retired from service shall be increased annually, as approved by the board of trustees beginning with the first increase in the October following his or her retirement and subsequent increases in each October thereafter, at the rates designated:

- (1) With a retirement service allowance or ordinary disability allowance:
- (a) One and one-half percent per year, compounded each year, up to age sixty for those retiring with twenty to twenty-four years of service,
  - (b) Two and one-fourth percent per year, compounded each year, up to age sixty for those retiring with twenty-five to twenty-nine years of service,
  - (c) Three percent per year, compounded each year, up to age sixty for those retiring with thirty or more years of service,
  - (d) After age sixty, five percent per year for five years;
- (2) With an accidental disability allowance, three percent per year, compounded each year, up to age sixty, then five percent per year for five years. **Provided, however, for accidental disability on or after August 28, 2011, for reasons other than provided in subsection 3 of section 87.205, unless a member has more than twenty-five years of creditable service, the accidental disability allowance shall only increase at a rate of one percent per year, compounded each year, up to age sixty, then five percent per year for five years. For accidental disability on or after August 28, 2011, for reasons other than provided in subsection 3 of section 87.205, if a member has more than twenty-five years of creditable service, the accidental disability allowance shall only increase at a rate of two and one-fourth percent per year, compounded each year, up to age sixty, then five percent per year for five years.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson

## 2304 *Journal of the House*

Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Diehl	Dugger	Fraker	Funderburk
Higdon	Hughes	Jones 117	Lasater	Long
McGeoghegan	Molendorp	Nasheed	Scharnhorst	Webber
Mr Speaker				

VACANCIES: 004

On motion of Representative Leara, **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Lochner	Marshall
McCaherty	McGhee	McNary	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson

Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Diehl	Dugger	Hughes	Jones 117
Lasater	Long	McGeoghegan	Molendorp	Scharnhorst
Webber				

VACANCIES: 004

On motion of Representative Hinson, **SS SB 238, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Walton Gray
Webb	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Hughes	Jones 117	Lasater	Long
McGeoghegan	Meadows	Scharnhorst	Wallingford	Webber
Wells				

VACANCIES: 004

Representative Silvey declared the bill passed.

**HCS SB 325**, relating to professional registration, was taken up by Representative Smith (150).

Representative Wallingford offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 325, Page 8, Section 333.171, Line 7, by inserting after all of said line the following:

"335.036. 1. The board shall:

(1) Elect for a one-year term a president and a secretary, who shall also be treasurer, and the board may appoint, employ and fix the compensation of a legal counsel and such board personnel as defined in subdivision (4) of subsection 10 of section 324.001 as are necessary to administer the provisions of sections 335.011 to 335.096;

(2) Adopt and revise such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 335.011 to 335.096;

(3) Prescribe minimum standards for educational programs preparing persons for licensure pursuant to the provisions of sections 335.011 to 335.096;

(4) Provide for surveys of such programs every five years and in addition at such times as it may deem necessary;

(5) Designate as "approved" such programs as meet the requirements of sections 335.011 to 335.096 and the rules and regulations enacted pursuant to such sections; and the board shall annually publish a list of such programs;

(6) Deny or withdraw approval from educational programs for failure to meet prescribed minimum standards;

(7) Examine, license, and cause to be renewed the licenses of duly qualified applicants;

(8) Cause the prosecution of all persons violating provisions of sections 335.011 to 335.096, and may incur such necessary expenses therefor;

(9) Keep a record of all the proceedings; and make an annual report to the governor and to the director of the department of insurance, financial institutions and professional registration;

(10) Establish an impaired nurse program.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

3. All fees received by the board pursuant to the provisions of sections 335.011 to 335.096 shall be deposited in the state treasury and be placed to the credit of the state board of nursing fund. All administrative costs and expenses of the board shall be paid from appropriations made for those purposes. **The board is authorized to provide funding for the nursing education incentive program established in sections 335.200 to 335.203.**

4. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule, permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and



effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

Further amend said bill, Page 8, Section 335.099, Line 9, by inserting after all of said line the following:

"335.200. As used in sections 335.200 to [335.209] **335.203**, the following terms mean:

- (1) "Board", the [Missouri coordinating board for higher education] **state board of nursing**;
- (2) "**Department**", the **Missouri department of higher education**;
- (3) "Eligible [nursing program] **institution of higher education**", a **Missouri institution of higher education accredited by the higher learning commission of the north central association which offers a nursing education program [accredited under this chapter]**;
- (3) "Fund", the nurse training incentive fund, established in section 335.203;]
- (4) "[Incentive] Grant", a grant awarded to [a nurse education program] **an eligible institution of higher education** under the guidelines set forth in sections **335.200 to 335.203** [to 335.209];
- (5) "Nontraditional student", a person admitted to an eligible nursing program that is older than twenty-two years of age at the time he is admitted to the nursing program;
- (6) "Nurse", a person holding a license as a registered nurse, pursuant to this chapter; and
- (7) "Professional nursing education program", a program of education accredited by the state board of nursing, pursuant to this chapter, designed to prepare persons for licensure as registered professional nurses with an enrollment of no less than sixty-five percent of the enrollment approved by the state board of nursing].

335.203. [The "Nurse Training Incentive Fund" is hereby established in the state treasury. The fund shall be administered by the coordinating board for higher education. The board shall base its appropriation request on enrollment, graduation and licensure figures for the previous year. The board may accept funds from private, federal and other sources for the purposes of sections 335.200 to 335.209. All appropriations, private donations, and other funds provided to the board for the implementation of sections 335.200 to 335.209 shall be placed in the nurse training incentive fund. Notwithstanding the provisions of section 33.080 to the contrary, funds in the nurse training incentive fund shall not revert to the general revenue fund. Interest accruing to the fund shall be part of the fund. Grants provided pursuant to section 335.206 shall be made within the amounts appropriated therefor.] **1. There is hereby established the "Nursing Education Incentive Program" within the department of higher education.**

**2. Subject to appropriation, grants shall be awarded through the nursing education incentive program to eligible institutions of higher education based on criteria jointly determined by the board and the department. Grant award amounts shall not exceed one hundred fifty thousand dollars. No campus shall receive more than one grant per year.**

**3. To be considered for a grant, an eligible institution of higher education shall offer a program of nursing that meets the predetermined category and area of need as established by the board and the department under subsection 4 of this section.**

**4. The board and the department shall determine categories and areas of need for designating grants to eligible institutions of higher education. In establishing categories and areas of need, the board and department may consider criteria including, but not limited to:**

- (1) Data generated from licensure renewal data and the department of health and senior services; and
- (2) National nursing statistical data and trends that have identified nursing shortages.

**5. The department shall be the administrative agency responsible for implementation of the program established under sections 335.200 to 335.203, and shall promulgate reasonable rules for the exercise of its functions and the effectuation of the purposes of sections 335.200 to 335.203. The department shall, by rule, prescribe the form, time, and method of filing applications and shall supervise the processing of such applications.**

**6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void."; and**

Further amend said bill, Page 21, Section 516.098, Line 6, by inserting after all of said line the following:

"[335.206. 1. The nurse training incentive fund shall, upon appropriation, be used to provide incentive grants to eligible nursing programs which increase enrollment. Grants shall not be awarded to classes begun on or after July 1, 1996.

2. Grants shall be awarded to eligible nursing programs which increase enrollment pursuant to subsection 3 of this section. Eligible programs receiving grants provided under sections 335.200 to 335.209 shall monitor the enrollment of nontraditional students in their program and shall annually report to the board the number of nontraditional students enrolled therein. It shall be the intent of sections 335.200 to 335.209 to encourage the enrollment and graduation of nontraditional students in nursing education programs.

3. Incentive grants shall be awarded to professional nurse education programs, as follows:

(1) A grant of eight thousand dollars for each entering class of ten students by which the program increases its enrollment over the number of entering students admitted in the fall of 1989; and

(2) A grant of four hundred dollars for each student from each entering class cited in subdivision (1) of this section by which the program increases its number of graduates over the number of students graduated in the preceding year; or

(3) Beginning with the first graduating class of the classes which enter and are enrolled after August 28, 1990, a grant of four hundred dollars for each student by which the program increases its number of graduates over the number of graduates of the preceding year, if the program is not otherwise qualified to receive the grant provided pursuant to subdivision (1) of this section.]

[335.209. No rule or portion of a rule promulgated under the authority of sections 335.200 to 335.209 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HCS SB 325, as amended**, was adopted.

On motion of Representative Smith (150), **HCS SB 325, as amended**, was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Nance
Neth	Newman	Nichols	Nolte	Parkinson

Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 022

Atkins	Carlson	Carter	Colona	Ellinger
Hubbard	Hummel	Jones 63	Kander	Kirkton
Marshall	Montecillo	Oxford	Pace	Pierson
Rizzo	Schupp	Smith 71	Spreng	Still
Talboy	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Conway 14	Day	Dieckhaus	Franz
Frederick	Guernsey	Hughes	Lasater	Long
McGeoghegan	Nasheed	Scharnhorst	Webber	Mr Speaker

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp

## 2310 *Journal of the House*

Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 001

Berry

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 011

Conway 14	Day	Diehl	Frederick	Hughes
Lasater	McGeoghegan	McGhee	Scharnhorst	Webber
Mr Speaker				

VACANCIES: 004

**HCS SS SCS SB 351**, relating to adoption records, was taken up by Representative Barnes.

Representative Barnes offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 2, Section 453.121, Line 25, by deleting the number "**10**" and inserting in lieu thereof the number "**9**"; and

Further amend said bill, Page 2, Section 453.121, Line 28, by deleting the number "**10**" and inserting in lieu thereof the number "**9**"; and

Further amend said bill, Page 3, Section 453.121, Line 71, by inserting after the word "court" the phrase "**or if a biological parent is found to be deceased**"; and

Further amend said bill, Pages 3 and 4, Section 453.121, Lines 84 to 93, by deleting all of said lines and inserting in lieu thereof the following:

"8. [If the biological parent is deceased but previously had filed an affidavit with the court stating that identifying information shall be disclosed, the information shall be forwarded to and released by the court to the adopted adult. If the biological parent is deceased and, at any time prior to his death, the biological parent did not file an affidavit with the court stating that the identifying information shall be disclosed, the adopted adult may petition the court for an order releasing the identifying information. The court shall grant the petition upon a finding that disclosure of the information is necessary for health-related purposes.

9.] Any adopted adult whose adoption was finalized in this state or whose biological"; and

Further amend said bill, Page 4, Section 453.121, Line 100, by deleting the number "10." and inserting in lieu thereof the following:

"[10.] **9.**"; and

Further amend said bill, Page 4, Section 453.121, Line 118, by deleting the number "11." and inserting in lieu thereof the following:

"[11.] **10.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

## 2312 *Journal of the House*

ABSENT WITH LEAVE: 017

Day	Diehl	Gatschenberger	Guernsey	Hubbard
Hughes	McGeoghegan	Nasheed	Nolte	Phillips
Scharnhorst	Schatz	Spreng	Webber	Wells
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Barnes, **HCS SS SCS SB 351, as amended**, was adopted.

On motion of Representative Barnes, **HCS SS SCS SB 351, as amended**, was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Pierson	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 003

Colona	Ellinger	Marshall
--------	----------	----------

PRESENT: 000

ABSENT WITH LEAVE: 013

Brandom	Day	Diehl	Guernsey	Hughes
McGeoghegan	Nolte	Phillips	Pollock	Quinn
Schatz	Webber	Zerr		

VACANCIES: 004

Representative Silvey declared the bill passed.

**HCS SCS SB 356**, relating to agriculture, was taken up by Representative Loehner.

Representative Loehner offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 20, Section 262.005, Line 11, by inserting immediately after the number “(3)” the following:

**““Livestock”, horses, cattle, swine, sheep, goats, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild and raised in confinement for human consumption or animal husbandry, poultry or birds;**

**(4)”**; and

Further amend said bill, page and section, Line 12, by deleting all of said line and inserting in lieu thereof the following:

**“agricultural practices deemed legal under state or local laws or ordinances in effect at the time this section was enacted.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

Representative Cauthorn offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 21, Section 263.190, Line 40, by deleting all of said line and inserting in lieu thereof the following:

**“4. All sales of noxious weed species are prohibited.”**; and

Further amend said bill, Page 22, Section 263.241, Lines 1-14, by deleting all of said section and lines; and

Further amend said bill, Page 34, Section 263.232, Line 20, by inserting after all of said section and line the following:

“[263.241. The plant, purple loosestrife (*Lythrum salicaria*), and any hybrids thereof, is hereby designated a noxious weed. No person shall buy, sell, offer for sale, distribute or plant seeds, plants or parts of plants of purple loosestrife without a permit issued by the Missouri department of conservation. Such permits shall be issued only for experiments to control and eliminate nuisance

weeds. Any person who violates the provisions of this section shall be guilty of a class A misdemeanor.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 2** was adopted.

Representative Schad offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 5, Section 144.010, Line 21, by inserting immediately following the word "**purposes**" the following:

**". The provision of this subdivision shall not apply to sales tax on a harvested animal"; and**

Further amend said bill, Page 9, Section 144.030, Line 17, by deleting the words "[or], poultry, **or captive wildlife**" and inserting in lieu thereof the words "or poultry"; and

Further amend said bill, Page 10, Section 144.030, Line 20, by deleting the words "[or], poultry, **or captive wildlife**" and inserting in lieu thereof the words "or poultry"; and

Further amend said bill, Page 19, Section 144.527, Line 19, by inserting after all of said section and line:

"252.040. **1.** No wildlife shall be pursued, taken, killed, possessed or disposed of except in the manner, to the extent and at the time or times permitted by such rules and regulations; and any pursuit, taking, killing, possession or disposition thereof, except as permitted by such rules and regulations, are hereby prohibited. Any person violating this section shall be guilty of a misdemeanor except that any person violating any of the rules and regulations pertaining to record-keeping requirements imposed on licensed fur buyers and fur dealers shall be guilty of an infraction and shall be fined not less than ten dollars nor more than one hundred dollars.

**2. After first notifying the department of conservation, wild elk may be destroyed by the land owner or lessor of land when such wild elk have caused any damage to agricultural property including, but not limited to, fences and crops.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin offered **House Amendment No. 1 to House Amendment No. 3**.

*House Amendment No. 1*

*to*

*House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 1, Line 24, by inserting after the word "**conservation**" the following:

**"and upon receiving the consent of the department of conservation"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.



Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Korman
Lair	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Nolte	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Sater	Schad	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Wallingford
Wells	Weter	White	Wieland	Wyatt

NOES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Swearingen	Swinger	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 030

Bahr	Brown 116	Day	Diehl	Haefner
Hughes	Koenig	Leach	Loehner	May
McGeoghegan	McNary	Nasheed	Neth	Parkinson
Richardson	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Still	Talboy	Torpey
Webb	Webber	Wright	Zerr	Mr Speaker

VACANCIES: 004

Representative Brattin moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Anders	Atkins	Aull	Black	Brattin
Burlison	Carter	Colona	Davis	Ellinger
Funderburk	Gosen	Haefner	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Keeney
Kelly 24	Kirkton	Kratky	Lampe	Leach
Lichtenegger	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Rizzo	Sater	Schieber
Schupp	Shumake	Sifton	Smith 71	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Walton Gray	Weter	White	Wright	Mr Speaker

NOES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brown 50	Brown 85	Brown 116	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Loehner	Long	McNary
Meadows	Molendorp	Nance	Neth	Nolte
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rowland	Schad	Scharnhorst	Schieffer	Schoeller
Shively	Silvey	Smith 150	Solon	Swinger
Thomson	Torpey	Wallingford	Wells	Wieland
Wyatt	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brandom	Day	Diehl	Hughes	McGeoghegan
Parkinson	Richardson	Ruzicka	Schatz	Schneider
Webb	Webber			

VACANCIES: 004

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Pollock	Reiboldt	Riddle
Rowland	Sater	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Wells	Weter	White
Wieland	Wyatt	Zerr		

NOES: 042

Anders	Atkins	Aull	Black	Carlson
Carter	Colona	Conway 27	Harris	Hodges
Holsman	Hubbard	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 029

Berry	Brown 50	Casey	Day	Diehl
Ellinger	Fallert	Fraker	Guernsey	Hughes
Hummel	Leara	Marshall	McGeoghegan	Parkinson
Quinn	Redmon	Richardson	Rizzo	Ruzicka
Schatz	Schneider	Talboy	Torpey	Wallingford
Webb	Webber	Wright	Mr Speaker	

VACANCIES: 004

On motion of Representative Schad, **House Amendment No. 3** was adopted.

Representative Klippenstein offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, Page 20, Section 262.005, Line 12, by inserting after all of said section and line the following:

**“262.815. 1. This section shall be known and may be cited as the "Missouri Farmland Trust Act". The purpose of this section is to allow individuals and entities to donate, gift, or otherwise convey farmland to the state department of agriculture for the purpose of preserving the land as farmland and to further provide beginning farmers with an opportunity to farm by allowing long-term low and variable cost leases, thereby making it affordable for the next generation of farmers to continue to produce food, fiber, and fuel.**

**2. There is hereby created the "Missouri Farmland Trust" which shall be implemented in a manner to accomplish the following objectives:**

- (1) Protect and preserve Missouri's farmland;**
- (2) Link new generations of prospective farmers with present farmers; and**
- (3) Promote best practices in environmental, livestock, and land stewardship.**

**3. (1) There is hereby created within the department of agriculture the "Missouri Farmland Trust Advisory Board" which shall be comprised of five members appointed by the director of the department of agriculture. Members shall serve without compensation but, subject to appropriations, may be reimbursed for actual and necessary expenses.**

**(2) The board shall make recommendations to the director on the appropriate uses of farmland in the trust, criteria to be used to select applicants for the program, and review and make recommendations regarding applications to lease farmland in the trust.**

**(3) Members shall serve five-year terms, with each term beginning July first and ending June thirtieth; except that, of the members initially appointed two shall be appointed for a term of three years, two shall be appointed for a term of four years, and one shall be appointed for a term of five years. Each member shall serve until his or her successor is appointed. Any vacancies occurring prior to the expiration of a term shall be filled by appointment for the remainder of such term. No member shall serve more than two consecutive terms.**

**4. The department of agriculture is authorized to accept or acquire by purchase, lease, donation, or agreement any agricultural lands, easements, real and personal property, or rights in lands, easements, or real and personal property, including but not limited to buildings, structures, improvements, equipment, or facilities subject to preservation and improvement. Such lands shall be properties of the Missouri farmland trust for purposes of this section and shall be governed by the provisions of this section and rules promulgated thereunder.**

**5. (1) There is hereby created in the state treasury the "Missouri Farmland Trust Fund", which shall consist of all gifts, bequests, donations, transfers, and moneys appropriated by the general assembly under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Upon appropriation, money in the fund shall be used for the administration of this section and may be used to make payments to counties for the value of land as payment in lieu of real and personal property taxes for privately owned land acquired after the effective date of this section in such amounts as determined by the department; except that, the amount determined shall not be less than the real property tax paid at the time of acquisition. The department of agriculture may require applicants who are awarded leases to pay the property taxes owed under this section for such property.**

**(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

**6. The department of agriculture is authorized to accept all moneys, appropriations, gifts, bequests, donations, or other contributions of moneys or other real or personal property to be expended or used for any of the purposes of this section. The department may improve, maintain, operate, and regulate any such lands, easements, or real or personal property to promote agriculture and the general welfare using moneys in the fund. Property acquired by the department under this section shall be used for agricultural purposes. The director shall establish by rule guidelines for leasing farmland to the trust to beginning farmers for a period not to exceed twenty years. All property acquired by the department under this section shall be farmed and maintained using the best environmental, conservation, and stewardship practices as outlined by the department. The department may charge an administrative fee for lease application processing under this section.**

**7. The department, in consultation with the Missouri farmland advisory board, shall promulgate rules to implement the provisions of this section, including but not limited to requirements for lessees, selection process**

for granting leases, and the terms of the lease, including requirements for applicants, renewal process, requirements for the maintenance of real and personal property by the lessee, and conditions for the termination of leases.

8. Any person or entity donating land to or leasing land from the department shall forever release the state of Missouri, the Missouri department of agriculture, the department's director, officers, employees, volunteers, agents, contractors, servants, heirs, successors, assigns, persons, firms, corporations, representatives, and other entities who are or who will be acting in concert or privity with or on behalf of the state from any and all actions, claims, or demands that he or she, family members, heirs, successors, assigns, agents, servants, employees, distributees, guardians, next-of-kin, spouse, and legal representatives now have or may have in the future for any injury, death, property damage related to:

- (1) Participation in such activities;
- (2) The negligence, intentional acts, or other acts, whether directly connected to such activities or not, and however caused; and
- (3) The condition of the premises where such activities occur.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Klippenstein, **House Amendment No. 4** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Sater	Schad	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt				

## 2320 *Journal of the House*

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 013

Day	Diehl	Hughes	McGeoghegan	McGhee
Parkinson	Ruzicka	Scharnhorst	Schatz	Webb
Webber	Zerr	Mr Speaker		

VACANCIES: 004

On motion of Representative Loehner, **HCS SCS SB 356, as amended**, was adopted.

On motion of Representative Loehner, **HCS SCS SB 356, as amended**, was read the third time and passed by the following vote:

AYES: 108

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Shively	Shumake	Silvey	Smith 150
Solon	Stream	Swinger	Talboy	Thomson
Torpey	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 038

Anders	Atkins	Carlson	Carter	Casey
Conway 27	Ellinger	Fallert	Funderburk	Harris
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 013

Berry	Day	Diehl	Hughes	McGeoghegan
Nolte	Schatz	Schneider	Schoeller	Wallingford
Webb	Webber	Mr Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Spreng	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 020

Anders	Atkins	Berry	Carlson	Colona
Kirkton	Marshall	May	McDonald	McNeil
Montecillo	Nichols	Oxford	Pierson	Rizzo
Schupp	Smith 71	Still	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 012

Conway 27	Day	Diehl	Franz	Hughes
McGeoghegan	Nolte	Schatz	Schneider	Webb
Webber	Mr Speaker			

VACANCIES: 004

**HCS SS SB 360**, relating to rural community development, was taken up by Representative Wyatt.

Representative Kelly (24) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 17, Section 226.224, Line 17, by inserting after all of said section and line the following:

“305.300. **1.** The governing body of any county may create an airport authority to build or acquire and operate one or more airports within the boundaries of the county or an adjoining county. The authority shall be created by resolution of the governing body not sooner than ten days after public notice is posted at the courthouse announcing the intention of forming such a body.

**2. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants may create an airport authority within the boundaries of the city in the same manner as provided in sections 305.300 to 305.333.**

**3. The governing body of any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants, any county of the first classification with more than forty thousand seven hundred but fewer than forty thousand eight hundred inhabitants and any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants or any two of the counties may create an airport authority within the boundaries of the counties in the same manner as provided in sections 305.300 to 305.333.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1  
to  
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Line 19, by inserting immediately following the number “**305.333.**” on said line the following:

**“No tax shall be imposed by an authority created under this subsection in any county where such tax was not approved by the voters.”; and**



Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Burlison offered **House Amendment No. 2 to House Amendment No. 1**.

*House Amendment No. 2*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Lines 8-11, by deleting all of said lines; and

Further amend said amendment, page, Line 12, by deleting the number “3” and inserting the number “2”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Weter raised a point of order that **House Amendment No. 2 to House Amendment No. 1** is in the third degree.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Burlison, **House Amendment No. 2 to House Amendment No. 1** was adopted.

On motion of Representative Kelly (24), **House Amendment No. 1, as amended**, was adopted.

Representative Franklin offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Section A, Page 1, Line 4, by inserting the following after all of said line:

“67.1860. Sections 67.1860 to [67.1898] **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to [67.1898] **67.1894**, the following terms mean:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Board", the board of directors of a district;
- (3) "District", a law enforcement district organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**;
- (4) "**Registered voter**", **any voter registered within the boundaries of the district or proposed district**.

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification [without a charter form of government and a population of fifty thousand inhabitants or less].

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a] **and each** registered voter [resident] within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed [pursuant to] **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

**5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.**

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section**, each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the

board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

**If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.**

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to [67.1898] **67.1894** the district shall have the following general powers:

- (1) To contract with the [local] **county** sheriff's department for the provision of services;
- (2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;
- (3) To fix compensation of its employees and contractors;
- (4) To purchase any personal property necessary or convenient for its activities;
- (5) To collect and disburse funds for its activities; and
- (6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. [The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.]

67.1894. [1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board] **Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question.**

[67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.]

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES

☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.]

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

☐ YES

☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.]

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES

☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs

or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.]” and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 2** was adopted.

Representative Molendorp offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Bill 360, Page 1, Section A, Line 4, by inserting the following after all of said line:

“67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

(a) The district's real property, except for public rights-of-way for utilities;

- (b) The district's personal property, except in a city not within a county; or
  - (c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;
  - (12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;
  - (13) To loan money as provided in sections 67.1401 to 67.1571;
  - (14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;
  - (15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;
  - (16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:
    - (a) Pedestrian or shopping malls and plazas;
    - (b) Parks, lawns, trees, and any other landscape;
    - (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;
    - (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;
    - (e) Parking lots, garages, or other facilities;
    - (f) Lakes, dams, and waterways;
    - (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;
    - (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;
    - (i) Paintings, murals, display cases, sculptures, and fountains;
    - (j) Music, news, and child-care facilities; [and]
    - (k) **Any property, device, structure, or equipment necessary for the acquisition, installation, equipping, and improvement of any real or personal property used for the purpose of creating a solar photovoltaic project or a solar thermal energy project, whether such real or personal property is publicly or privately owned; and**
    - (l) Any other useful, necessary, or desired improvement;
  - (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;
  - (18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;
  - (19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;
  - (20) Within its boundaries, to lease space for sidewalk café tables and chairs;
  - (21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;
  - (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property, **including, but not limited to, real or personal property installed as part of a special energy improvement project;**
  - (23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;
  - (24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;
  - (25) To provide or support training programs for employees of businesses within the district;
  - (26) To provide refuse collection and disposal services within the district;
  - (27) To contract for or conduct economic, planning, marketing or other studies;
  - (28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and
  - (29) To carry out any other powers set forth in sections 67.1401 to 67.1571.
2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:
- (1) Within its blighted area, to contract with any private property owner to demolish [and], remove, renovate, reconstruct, **construct**, or rehabilitate any building [or], structure, **or improvement** owned by such private property owner; and



(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 3** was adopted.

Representative Largent offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 16, Section 137.016, Line 82, by inserting the following after all of said line:

“137.1018. 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100.

4. (1) As used in this subsection, the following terms mean:

(a) "Eligible expenses", expenses incurred in this state to manufacture, maintain, or improve a freight line company's qualified rolling stock;

(b) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall, subject to appropriation, be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) Subject to appropriation, the state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this subsection.

5. Pursuant to section 23.253 of the Missouri sunset act:

(1) [The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2008, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized.] The program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **expire on August 28, 2020**; and

[(3)] (2) This section shall terminate on September [first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset] **1, 2021.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Largent, **House Amendment No. 4** was adopted.

Representative Weter offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Pages 16-17, Section 226.224, Lines 1-17, by deleting all of said section and lines, and inserting in lieu thereof the following:

**"226.224. Notwithstanding any provision of the law to the contrary, the state highways and transportation commission may enter into binding highway infrastructure improvement agreements to reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the state highways and transportation commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The state highways and transportation commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues only if terms of the contract explicitly state such a condition. The contract shall further provide for a date or dates certain for repayment of funds and the commission may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule, or if repayment would jeopardize the receipt of federal highway moneys, only if terms of the contract state such a condition and the contract provides for a date or dates certain for repayment of funds.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 5** was adopted.

Representative Funderburk offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 16, Section 137.016, Line 82, by inserting after all of said line the following:

**"144.054. 1. As used in this section, the following terms mean:**

**(1) "Essential" refers to an activity necessary and indispensable to the process of manufacturing, without which the actual process of manufacturing could not take place;**

**(2) "Manufacturing, processing, compounding, mining, or producing", includes testing, installing, calibrating, maintaining, repairing, restoring, and all other activities of the manufacturer, processor, compounder, miner, or producer essential to manufacturing, processing, compounding, mining, or producing;**

(3) "Processing", any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

[(2)] (4) "Recovered materials", those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. **The exemptions granted in this subsection include chemicals, machinery, equipment, and other materials essential to the processes of repairing and maintaining manufacturing equipment. Activities deemed nonessential and thus not exempt under this section shall include, but are not limited to, transportation, delivery, human resources activities, accounting, and other activities that are not part of the manufacturing process.** The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 6** was adopted.

Representative Franz offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Section A, Page 1, Line 4, by inserting the following after all of said line:

“67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to Chapter 140 or, if applicable to that county, Chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 7** was adopted.

Representative Solon offered **House Amendment No. 8**.

Representative Brandom raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Nance offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Section 67.4520, Page 5, Line 51, by inserting the following after all of said line:

**“94.585. 1. The governing body of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one percent, and shall be imposed solely for the purpose of funding the construction, maintenance, operation, and equipping of a community center and retiring any bonds issued for such purposes. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax and issue bonds under this section. Such a proposal may include only the proposal to impose a sales tax or a proposal to issue bonds and to impose a sales tax to retire such bonds.**

**3. The ballot of submission shall contain, but need not be limited to the following language:**

**(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:**

**Shall the municipality of ..... (municipality's name) impose a sales tax of ..... (insert amount) for a period of twenty-five years for the purpose of funding the construction, maintenance, operation, and equipping of a community center which may include the retirement of debt under previously authorized bonded indebtedness?**

**(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:**

**Shall the municipality of ..... (municipality's name) issue bonds in the amount ..... of ..... (insert amount) for a period of twenty-five years to fund construction, maintenance, operation, and equipping of a community center and impose a sales tax of ..... (insert amount) to repay bonds?**

**If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax, except that any proposal submitted to issue bonds shall be approved by the constitutionally required percentage of the voters voting thereon to become effective. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by the requisite majority of the qualified voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.**

**4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.**

**5. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Community Center Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special fund which are not needed for meeting current obligations under any bond issued under this section or for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

9. No sales tax imposed under this section shall be terminated until all of any bonds issued under this section have been retired.

10. The sales tax imposed under this section shall be imposed for a period of twenty-five years, and may be extended upon the approval of the voters of the city in the same manner in which the sales tax was adopted.

11. The city shall establish a board consisting of seven members, one of which shall be the mayor of the city, to administer the provisions of this section with such powers and duties which shall be delegated by the governing body of the city.

12. No bonds issued under this section shall be refinanced for a term longer than the number of years remaining on the original terms of the bonds being refinanced without the approval of the voters of the city. Any proposal to refinance such bonds submitted to the voters shall include the number of years the bonds will be refinanced and the number of years the sales tax will be extended to repay such refinanced bonds.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 9** was adopted.

Representative Cookson offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than five thousand nine hundred but fewer than six thousand inhabitants may impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [or], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room, **RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state

general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room, **RV site, or campsite** and all other taxes imposed by law, and [fifty percent of] the proceeds of such tax shall be used [by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used] to fund the promotion, **operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the county) impose a tax on the charges for all sleeping rooms, **RV sites, and campsites** paid by the transient guests of hotels [and], motels, **lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in ..... (name of county) at a rate of ..... (insert rate of percent) percent for the [benefit of the county] **promotion, operation, and development of tourism?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cookson, **House Amendment No. 10** was adopted.

Representative Schneider offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 360, Page 16, Section 137.016, Line 82, by inserting after all of said line the following:

"137.082. 1. Notwithstanding the provisions of sections 137.075 and 137.080 to the contrary, a building or other structure classified as residential property pursuant to section 137.016 newly constructed and occupied on any parcel of real property shall be assessed and taxed on such assessed valuation as of the first day of the month following the date of occupancy for the proportionate part of the remaining year at the tax rates established for that year, in all taxing jurisdictions located in the county adopting this section as provided in subsection 8 of this section. Newly constructed residential property which has never been occupied shall not be assessed as improved real property until such occupancy or the first day of January of the [second] **fourth** year following the year in which construction of the improvements was completed. **The provisions of this subsection shall apply in those counties including any city not within a county in which the governing body has previously adopted or hereafter adopts the provisions of this subsection.**

2. The assessor may consider a property residentially occupied upon personal verification or when any two of the following conditions have been met:

- (1) An occupancy permit has been issued for the property;
- (2) A deed transferring ownership from one party to another has been filed with the recorder of deeds' office subsequent to the date of the first permanent utility service;
- (3) A utility company providing service in the county has verified a transfer of service for property from one party to another;
- (4) The person or persons occupying the newly constructed property has registered a change of address with any local, state or federal governmental office or agency.

3. In implementing the provisions of this section, the assessor may use occupancy permits, building permits, warranty deeds, utility connection documents, including telephone connections, or other official documents as may be necessary to discover the existence of newly constructed properties. No utility company shall refuse to provide verification monthly to the assessor of a utility connection to a newly occupied single family building or structure.

4. In the event that the assessment under subsections 1 and 2 of this section is not completed until after the deadline for filing appeals in a given tax year, the owner of the newly constructed property who is aggrieved by the

assessment of the property may appeal this assessment the following year to the county board of equalization in accordance with chapter 138 and may pay any taxes under protest in accordance with section 139.031; provided however, that such payment under protest shall not be required as a condition of appealing to the county board of equalization. The collector shall impound such protested taxes and shall not disburse such taxes until resolution of the appeal.

5. The increase in assessed valuation resulting from the implementation of the provisions of this section shall be considered new construction and improvements under the provisions of this chapter.

6. In counties which adopt the provisions of subsections 1 to 7 of this section, an amount not to exceed ten percent of all ad valorem property tax collections on newly constructed and occupied residential property allocable to each taxing authority within counties of the first classification having a population of nine hundred thousand or more, one-tenth of one percent of all ad valorem property tax collections allocable to each taxing authority within all other counties of the first classification and one-fifth of one percent of all ad valorem property tax collections allocable to each taxing authority within counties of the second, third and fourth classifications and any county of the first classification having a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants, in addition to the amount prescribed by section 137.720 shall be deposited into the assessment fund of the county for collection costs.

7. For purposes of figuring the tax due on such newly constructed residential property, the assessor or the board of equalization shall place the full amount of the assessed valuation on the tax book upon the first day of the month following occupancy. Such assessed valuation shall be taxed for each month of the year following such date at its new assessed valuation, and for each month of the year preceding such date at its previous valuation. The percentage derived from dividing the number of months at which the property is taxed at its new valuation by twelve shall be applied to the total assessed valuation of the new construction and improvements, and such product shall be included in the next year's base for the purposes of figuring the next year's tax levy rollback. The untaxed percentage shall be considered as new construction and improvements in the following year and shall be exempt from the rollback provisions.

8. Subsections 1 to 7 of this section shall be effective in those counties including any city not within a county in which the governing body of such county elects to adopt a proposal to implement the provisions of subsections 1 to 7 of this section. Such subsections shall become effective in such county on the first day of January of the year following such election.

9. In any county which adopts the provisions of subsections 1 to 7 of this section prior to the first day of June in any year pursuant to subsection 8 of this section, the assessor of such county shall, upon application of the property owner, remove on a pro rata basis from the tax book for the current year any residential real property improvements destroyed by a natural disaster if such property is unoccupied and uninhabitable due to such destruction. On or after the first day of July, the board of equalization shall perform such duties. Any person claiming such destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall have available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall, in addition to any other penalties provided by law, be assessed double the value of any property fraudulently listed. The list shall be filed by the assessor, after he has provided a copy of the list to the county collector and the board of equalization, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep them. If the assessor, subsequent to such destruction, considers such property occupied as provided in subsection 2 of this section, the assessor shall consider such property new construction and improvements and shall assess such property accordingly as provided in subsection 1 of this section. For the purposes of this section, the term "natural disaster" means any disaster due to natural causes such as tornado, fire, flood, or earthquake.

10. Any political subdivision may recover the loss of revenue caused by subsection 9 of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kander raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

Representative Silvey requested a parliamentary ruling.



The Parliamentary Committee ruled the point of order not well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 014

Carter	Cross	Day	Hough	Hughes
Lasater	McGeoghegan	Nasheed	Quinn	Reiboldt
Shumake	Spreng	Wallingford	Webber	

VACANCIES: 004

Representative Schneider moved that **House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 035

Brandom	Brattin	Brown 116	Burlison	Cookson
Cox	Crawford	Cross	Davis	Elmer
Fisher	Franz	Funderburk	Hinson	Korman
Kratky	Lair	Lant	Leach	McGhee
Nance	Nasheed	Nolte	Parkinson	Pollock
Richardson	Ruzicka	Sater	Schatz	Schneider
Schoeller	Stream	White	Wieland	Wright

NOES: 114

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brown 50	Brown 85	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Curtman	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Lampe
Largent	Lauer	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCann Beatty	McDonald
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Neth	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Schad
Scharnhorst	Schieber	Schieffer	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webb
Wells	Weter	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Holsman	Hughes	Lasater	McCaherty
McGeoghegan	Thomson	Wallingford	Webber	Mr Speaker

VACANCIES: 004

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Torpey	Wells	Weter	Wieland
Wyatt	Zerr			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Diehl	Hughes	Korman	Lasater
Long	McCaherty	McGeoghegan	McGhee	Redmon
Spreng	Thomson	Wallingford	Webber	White
Wright	Mr Speaker			

VACANCIES: 004

On motion of Representative Wyatt, **HCS SS SB 360, as amended**, was adopted.

On motion of Representative Wyatt, **HCS SS SB 360, as amended**, was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 006

Kirkton	Marshall	Oxford	Schieber	Schupp
Still				

PRESENT: 000

ABSENT WITH LEAVE: 011

Burlison	Day	Diehl	Flanigan	Hughes
Lasater	McGeoghegan	McNary	Schneider	Wallingford
Webber				

VACANCIES: 004

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 134

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swinger	Thomson
Torpey	Walton Gray	Webb	Wells	Weter
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 010

Anders	Atkins	Brattin	Gosen	Leach
Marshall	Oxford	Pierson	Schieber	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Colona	Day	Flanigan	Higdon
Hughes	Lasater	McGeoghegan	Schad	Swearingen
Talboy	Wallingford	Webber	White	Wright

VACANCIES: 004

## HOUSE BILL WITH SENATE AMENDMENTS

**SS SCS HCS HBs 116 & 316, as amended**, relating to collection of state moneys, was taken up by Representative Flanigan.

Representative Flanigan moved that the House refuse to adopt **SS SCS HCS HBs 116 & 316, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference and the conferees be allowed to exceed the differences.

Which motion was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 007

Carlson	Kirkton	Newman	Oxford	Schupp
Spreng	Still			

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 14	Day	Hughes	Lasater	Loehner
McGeoghegan	Pollock	Schad	Webber	

VACANCIES: 004

## RECESS

On motion of Representative Jones (89), the House recessed until 4:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

### THIRD READING OF SENATE BILLS

**SS SCS SB 70**, relating to the Missouri Family Trust, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, Page 1, In the Title, Line 3, by inserting after "RSMo," the following:

"and section 402.210 as truly agreed to and finally passed by senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after "RSMo," the following:

"and section 402.210 as truly agreed to and finally passed by senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session,"; and

Further amend said bill, Page 17, Section 402.210, Line 56, by inserting after all of said line the following:

"[402.210. 1. There is hereby created the "Missouri Family Trust Board of Trustees", which shall be a body corporate and an instrumentality of the state. The board of trustees shall consist of nine persons appointed by the governor with the advice and consent of the senate. The members' terms of office shall be three years and until their successors are appointed and qualified. The trustees shall be persons who are not prohibited from serving by sections 105.450 to 105.482 and who are not otherwise employed by the department of mental health. The board of trustees shall be composed of the following:

(1) Three members of the immediate family of persons who have a disability or are the recipients of services provided by the department in the treatment of mental illness. The advisory council for comprehensive psychiatric services, created pursuant to section 632.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for a term of one year, one for two years, and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council for comprehensive psychiatric services shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(2) Three members of the immediate family of persons who are recipients of services provided by the department in the habilitation of [the mentally retarded or developmentally disabled] **persons with intellectual disabilities or developmental disabilities**. The Missouri [advisory council on mental retardation and] developmental disabilities **council**, created pursuant to section 633.020, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri [advisory council on mental retardation and] developmental disabilities **council** shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(3) Three persons who are recognized for their expertise in general business matters and procedures. Of the three business people to be appointed by the governor, one shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the governor shall appoint one business person as trustee for a term of three years.

2. The trustees shall receive no compensation for their services. The trust shall reimburse the trustees for necessary expenses actually incurred in the performance of their duties.

3. As used in this section, the term "immediate family" includes spouse, parents, parents of spouse, children, spouses of children and siblings.

4. The board of trustees shall be subject to the provisions of sections 610.010 to 610.120.

5. The board of trustees shall annually prepare or cause to be prepared an accounting of the trust funds and shall transmit a copy of the accounting to the governor, the president pro tempore of the senate and the speaker of the house of representatives.

6. The board of trustees shall establish policies, procedures and other rules and regulations necessary to implement the provisions of sections 402.199 to 402.220.J"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Houghton offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, Page 1, Line 4 of the Title, by deleting the words "the Missouri family trust" and inserting in lieu thereof the words "contractual acts"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting after said line the following:

**"34.376. 1. Sections 34.376 to 34.380 may be known as the "Transparency in Private Attorney Contracts Act".**

**2. As used in sections 34.376 to 34.380, the following terms shall mean:**

- (1) "Government attorney", an attorney employed by the state as an assistant attorney general;**
- (2) "Private attorney", any private attorney or law firm;**
- (3) "State", the state of Missouri, in any action instituted by the attorney general under section 27.060.**

**34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest. Any written determination shall include specific findings for each of the following factors:**

- (1) Whether there exist sufficient and appropriate legal and financial resources within the attorney general's office to handle the matter;**
- (2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;**
- (3) The geographic area where the attorney services are to be provided; and**
- (4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney's experience with similar issues or cases.**

**2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request proposals from private attorneys to represent the department on a contingency fee basis, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing.**

**3. The state may not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of twenty-five percent of the net recovery to the state.**

**4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:**

- (1) The government attorneys shall retain complete control over the course and conduct of the case;**
  - (2) A government attorney with supervisory authority shall be personally involved in overseeing the litigation;**
  - (3) The government attorneys shall retain veto power over any decisions made by outside counsel;**
  - (4) A government attorney with supervisory authority for the case shall attend all settlement conferences;**
- and**

**(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the government attorneys and the state.**



5. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 4 of this section.

6. Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.

7. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall make all such records available for inspection and copying upon request in accordance with chapter 610. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one tenth of an hour and shall promptly provide these records to the attorney general, upon request.

8. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:

(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(b) The nature and status of the legal matter;

(c) The name of the parties to the legal matter;

(d) The amount of any recovery; and

(e) The amount of any contingency fee paid.

(2) Include copies of any written determinations made under subsections 1 and 2 of this section.

34.380. Nothing in sections 34.376 to 34.380 shall be construed to expand the authority of any state agency or state agent to enter into contracts where no such authority previously existed.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Carlson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

On motion of Representative Houghton, **House Amendment No. 2** was adopted.

On motion of Representative Franz, **SS SCS SB 70, as amended**, was read the third time and passed by the following vote:

AYES: 104

Anders	Asbury	Atkins	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dugger	Entlicher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Grisamore

2348 *Journal of the House*

Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	McCaherty	McNary	McNeil	Molendorp
Montecillo	Nance	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Redmon
Riddle	Rizzo	Ruzicka	Sater	Schieffer
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 055

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Brown 50	Brown 116	Carter	Casey
Curtman	Day	Dieckhaus	Diehl	Ellinger
Elmer	Fallert	Fisher	Flanigan	Funderburk
Gatschenberger	Holsman	Hoskins	Hughes	Koenig
Lichtenegger	Loehner	Long	Marshall	May
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
Meadows	Nasheed	Neth	Newman	Parkinson
Quinn	Reiboldt	Richardson	Rowland	Schad
Scharnhorst	Schatz	Schieber	Schneider	Sifton
Smith 150	Stream	Webb	Webber	Wyatt

VACANCIES: 004

Speaker Tilley declared the bill passed.

**HCS SB 180**, relating to state awareness observance, was taken up by Representative Torpey.

Representative Torpey moved that **HCS SB 180** be adopted.

Which motion was defeated.

On motion of Representative Torpey, **SB 180** was truly agreed to and finally passed by the following vote:

AYES: 137

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Allen	Barnes	Brown 50	Cookson	Diehl
Flanigan	Funderburk	Gatschenberger	Houghton	Hughes
Jones 117	McDonald	McGeoghegan	Meadows	Nasheed
Parkinson	Quinn	Scharnhorst	Schneider	Stream
Webb	Webber			

VACANCIES: 004

Speaker Tilley declared the bill passed.

**HCS SS SCS SB 254**, relating to intoxication-related traffic offenses, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Page 10, Section 577.023, Lines 110 to 177, by deleting all of said lines and inserting in lieu thereof the following:

“the jury outside of its hearing.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Pages 1-2, Section 302.309, Lines 12-26, by deleting all of said lines and inserting in lieu thereof the following:

**“(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:**

- (a) A business, occupation, or employment;**
  - (b) Seeking medical treatment for such operator;**
  - (c) Attending school or other institution of higher education;**
  - (d) Attending alcohol or drug treatment programs;**
  - (e) Seeking the required services of a certified ignition interlock device provider; or**
  - (f) Any other circumstance the court or director finds would create an undue hardship on the operator;**
- the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.**

**[(2)] (3) When any court of record having jurisdiction or the director of revenue finds that an operator convicted of violating the provisions of section 577.010 or 577.012 is required to operate a motor vehicle in connection with any of the following:**

- (a) [A business, occupation, or] Driving to or from the operator's places of employment;**
- (b) [Seeking medical treatment for such operator;**
- (c)] Attending school or other institution of higher education;**
- [(d)] (c) Attending alcohol or drug treatment programs; or**
- [(e)] (d) Seeking the required services of a certified ignition interlock device provider; [or**
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator;] the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.”; and**

Renumber subsequent subdivisions accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara assumed the Chair.

On motion of Representative Cox, **House Amendment No. 2** was adopted.

On motion of Representative Cox, **HCS SS SCS SB 254, as amended**, was adopted.

On motion of Representative Cox, **HCS SS SCS SB 254, as amended**, was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Colona

PRESENT: 000

ABSENT WITH LEAVE: 007

Carter	Elmer	Hughes	Loehner	McGeoghegan
Nasheed	Webber			

VACANCIES: 004

Representative Leara declared the bill passed.

**HCS#2 SCS SB 117**, relating to state and political subdivisions, was taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Section 32.420, Page 10, Line 3, by inserting the following at the end of said line:

**“This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

Representative Diehl offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 1, In the Title, Line 3, by inserting after the number "168.071," the number "215.020,"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "168.071," the number "215.020,"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after the number "205.205," the number "215.020,"; and

Further amend said bill, Page 40, Section 205.205, Line 67, by inserting after all of said line the following:

"215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

**6. The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2** was adopted.

Representative Jones (89) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 20, Section 70.730, Line 52, by inserting after all of said section the following:

"72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees.

Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 3** was adopted.

Representative Schoeller offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 22, Section 105.716, Line 40, by inserting after all of said line the following:

- “135.630. 1. As used in this section, the following terms mean:
- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
  - (2) "Director", the director of the department of social services;
  - (3) "Pregnancy resource center", a nonresidential facility located in this state:
    - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
    - (b) Where childbirths are not performed; and
    - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
    - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
    - (e) Which provides its services at no cost to its clients; and
    - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
    - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
  - (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and



in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset] **Pursuant to section 23.253 of the Missouri sunset act, the**

provisions of the program authorized under this section are hereby reauthorized and shall automatically sunset on August 28, 2015.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 4** was adopted.

Representative Fuhr offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 41, Section 250.140, Line 34, by inserting after all of said section and line the following:

**“311.728. There is hereby created in the state treasury the “Division of Alcohol and Tobacco Control Enforcement Fund”, which shall consist of money collected under subsection 2 of section 311.730. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this chapter. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

311.730. 1. All **inspection and gauging** fees collected by the director of revenue as provided for in this chapter[, including licenses, inspection and gauging fees,] shall be paid into the state treasury, to the credit of the ordinary state revenue fund.

2. All license fees shall be distributed equally between the ordinary state revenue fund and the alcohol and tobacco control enforcement fund established pursuant to section 311.728.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 5** was adopted.

Representative Fitzwater offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 27, Section 144.032, Line 4, by inserting after the number "**67.729**" the words "**or 205.205**"; and

Further amend said bill, Page 27, Section 144.032, Line 5, by deleting the number "**205.205**" and inserting in lieu thereof the number "**206.165**"; and

Further amend said bill, Page 39, Section 168.071, Line 114, by inserting after said line the following:

**“205.205. 1. The governing body of any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, and operates a hospital established under this chapter may, by resolution, abolish the property tax authorized to fund the county hospital under this chapter and impose a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the county hospital. The tax authorized in this section shall**

be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the county hospital, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county."; and

Further amend said bill, Page 39, Section 205.205, Line 1, by deleting "**205.205**" and inserting in lieu thereof the number "**206.165**"; and

Further amend said bill, Page 39, Section 205.205, Line 2, by deleting "**205.160 to 205.379**" and inserting in lieu thereof "**206.010 to 206.160**"; and

Further amend said bill, Page 51, Section B, Line 3, by deleting "**205.205**" and inserting in lieu thereof the number "**206.165**"; and

Further amend said bill, Page 51, Section B, Line 6, by deleting "205.205" and inserting in lieu thereof the number "206.165"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 6** was adopted.

Representative Franz offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Section 67.1303, Page 18, Line 124, by inserting the following after all of said line:

"67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861 **or, at the option of the county collector, and upon certification by the district for collection, each special assessment may be added to the annual real estate tax bill for the property and collected by the county collector in the same manner and procedure for collecting real estate taxes. Each special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to Chapter 140 or, if applicable to that county, Chapter 141.**

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.”; and

Further amend said bill, Page 24, Section 137.082, Line 86, by inserting after all of said section and line the following:

“140.410. In all cases where lands have been or may hereafter be sold for delinquent taxes, penalty, interest and costs due thereon, and a certificate of purchase has been or may hereafter be issued, it is hereby made the duty of such purchaser, his heirs or assigns, to cause **all subsequent taxes to be paid on the property purchased prior to the issuance of any collector’s deed, and the purchaser shall further cause** a deed to be executed and placed on record in the proper county **all** within two years from the date of said sale; provided, that on failure of said purchaser, his heirs or assigns so to do, then and in that case the amount due such purchaser shall cease to be a lien on said lands so purchased as herein provided. **Upon the purchaser’s forfeiture of all rights of the property acquired by the certificate of purchase issued, and including the nonpayment of all subsequent years’ taxes as described in this section, it shall be the responsibility of the collector to record the cancellation of the certificate of purchase in the office of the recorder of deeds of the county.** Certificates of purchase cannot be assigned to nonresidents or delinquent taxpayers. **However,** any person purchasing property at a delinquent land tax sale **who meets the requirements of this section, prior to receiving a collector’s deed,** shall pay to the collector the fee necessary for the recording of such [collector] **collector’s** deed to be issued. It shall be the responsibility of the collector to record the deed before delivering such deed to the purchaser of the property.”; and

Further amend said bill, Page 51, Section 2, Line 58, by inserting after all of said section and line the following:

“[140.660. The state tax commission shall prescribe the forms of all certificates, blanks and books required under the provisions of this law and shall, with the advice of the attorney general, decide all questions that arise in reference to the true construction or interpretation of this law, or any part thereof, with reference to the powers and duties of county or township tax officers, and the decision shall have force and effect until modified or annulled by the judgment or decree of a court of competent jurisdiction.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 7** was adopted.

Representative Higdon offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 20, Section 70.730, Line 52, by inserting after all of said section and line the following:

“94.900. 1. (1) The governing body of **the following cities may impose a tax as provided in this section:**  
(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants[, or];  
(b) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants[, or];

(c) Any city of the fourth classification with more than two thousand six hundred but fewer than two thousand seven hundred inhabitants and located in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants[, or];

(d) Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

**(e) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.**

**(2) The governing body of any city listed in subdivision (1) of this subsection** is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of ..... (city's name) impose a citywide sales tax of ..... (insert amount) for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue

of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.”; and

Further amend said bill, Page 51, Section 2, Line 58, by inserting after all of said section and line the following:

**“Section 3. 1. The governing body of any home rule city with more than eighty-four thousand five hundred but fewer than eighty-four thousand six hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of capital improvements for public safety for such city, including but not limited to expenditures for new construction and equipment, repair and maintenance of buildings and equipment, and for financing such capital improvements for public safety. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.**

**2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:**

**Shall the city of ..... (city's name) impose a citywide sales tax of ..... (insert amount) for the purpose of capital improvements for public safety of the city?**

☐ YES

☐ NO

**If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".**

**If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.**

**3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for capital improvements for public safety for such city for so long as the tax shall remain in effect.**

**4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for capital improvements for public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.**

**5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Capital Improvements for Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys**

deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 8** was adopted.

Representative Scharnhorst offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 32.028, Line 16, by inserting after all of said section and line the following:

“32.057. 1. Except as otherwise specifically provided by law, it shall be unlawful for the director of revenue, any officer, employee, agent or deputy or former director, officer, employee, agent or deputy of the department of revenue, any person engaged or retained by the department of revenue on an independent contract basis, any person to whom authorized or unauthorized disclosure is made by the department of revenue, or any person who lawfully or unlawfully inspects any report or return filed with the department of revenue or to whom a copy, an abstract or a portion of any report or return is furnished by the department of revenue to make known in any manner, to permit the inspection or use of or to divulge to anyone any information relative to any such report or return, any information obtained by an investigation conducted by the department in the discharge of official duty, or any information received by the director in cooperation with the United States or other states in the enforcement of the revenue laws of this state. Such confidential information is limited to information received by the department in connection with the administration of the tax laws of this state.

2. Nothing in this section shall be construed to prohibit:

(1) The disclosure of information, returns, reports, or facts shown thereby, as described in subsection 1 of this section, by any officer, clerk or other employee of the department of revenue charged with the custody of such information:

(a) To a taxpayer or the taxpayer's duly authorized representative under regulations which the director of revenue may prescribe;

(b) In any action or proceeding, civil, criminal or mixed, brought to enforce the revenue laws of this state;

(c) To the state auditor or the auditor's duly authorized employees as required by subsection 4 of this section;

(d) To any city officer designated by ordinance of a city within this state to collect a city earnings tax, upon written request of such officer, which request states that the request is made for the purpose of determining or enforcing compliance with such city earnings tax ordinance and provided that such information disclosed shall be limited to that sufficient to identify the taxpayer, and further provided that in no event shall any information be disclosed that will result in the department of revenue being denied such information by the United States or any other state. The city officer requesting the identity of taxpayers filing state returns but not paying city earnings tax shall furnish to the director of revenue a list of taxpayers paying such earnings tax, and the director shall compare the list submitted with the director's



records and return to such city official the name and address of any taxpayer who is a resident of such city who has filed a state tax return but who does not appear on the list furnished by such city. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information;

(e) To any employee of any county or other political subdivision imposing a sales tax which is administered by the state department of revenue whose office is authorized by the governing body of the county or other political subdivision to receive any and all records of the state director of revenue pertaining to the administration, collection and enforcement of its sales tax. The request for sales tax records and reports shall include a description of the type of report requested, the media form including electronic transfer, computer tape or disk, or printed form, and the frequency desired. The request shall be made by annual written application and shall be filed with the director of revenue. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information. Such city or county or any employee thereof shall be subject to the same standards for confidentiality as required for the department of revenue in using the information contained in the reports;

(f) To the director of the department of economic development or the director's duly authorized employees in discharging the director's official duties to certify taxpayers eligibility to claim state tax credits as prescribed by statutes;

(g) To any employee of any political subdivision, such records of the director of revenue pertaining to the administration, collection and enforcement of the tax imposed in chapter 149 as are necessary for ensuring compliance with any cigarette or tobacco tax imposed by such political subdivision. The request for such records shall be made in writing to the director of revenue, and shall include a description of the type of information requested and the desired frequency. The director of revenue may charge a fee to reimburse the department for costs reasonably incurred in providing such information;

**(h) To the public solely relating to the number of cigarettes sold annually by each tobacco product manufacturer, including but not limited to such information obtained by the department under sections 196.1020 to 196.1035;**

(2) The publication by the director of revenue or of the state auditor in the audit reports relating to the department of revenue of:

(a) Statistics, statements or explanations so classified as to prevent the identification of any taxpayer or of any particular reports or returns and the items thereof;

(b) The names and addresses without any additional information of persons who filed returns and of persons whose tax refund checks have been returned undelivered by the United States Post Office;

(3) The director of revenue from permitting the Secretary of the Treasury of the United States or the Secretary's delegates, the proper officer of any state of the United States imposing a tax equivalent to any of the taxes administered by the department of revenue of the state of Missouri or the appropriate representative of the multistate tax commission to inspect any return or report required by the respective tax provision of this state, or may furnish to such officer an abstract of the return or report or supply the officer with information contained in the return or disclosed by the report of any authorized investigation. Such permission, however, shall be granted on condition that the corresponding revenue statute of the United States or of such other state, as the case may be, grants substantially similar privileges to the director of revenue and on further condition that such corresponding statute gives confidential status to the material with which it is concerned;

(4) The disclosure of information, returns, reports, or facts shown thereby, by any person on behalf of the director of revenue, in any action or proceeding to which the director is a party or on behalf of any party to any action or proceeding pursuant to the revenue laws of this state when such information is directly involved in the action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such information as is pertinent to the action or proceeding and no more;

(5) The disclosure of information, returns, reports, or facts shown thereby, by any person to a state or federal prosecuting official, including, but not limited to, the state and federal attorneys general, or the official's designees involved in any criminal, quasi-criminal, or civil investigation, action or proceeding pursuant to the laws of this state or of the United States when such information is pertinent to an investigation, action or proceeding involving the administration of the revenue laws or duties of public office or employment connected therewith;

(6) Any school district from obtaining the aggregate amount of the financial institution tax paid pursuant to chapter 148 by financial institutions located partially or exclusively within the school district's boundaries, provided that the school district request such disclosure in writing to the department of revenue;

(7) The disclosure of records which identify all companies licensed by this state pursuant to the provisions of subsections 1 and 2 of section 149.035. The director of revenue may charge a fee to reimburse the department for the costs reasonably incurred in providing such records;

(8) The disclosure to the commissioner of administration pursuant to section 34.040 of a list of vendors and their affiliates who meet the conditions of section 144.635, but refuse to collect the use tax levied pursuant to chapter 144 on their sales delivered to this state;

(9) The disclosure to the public of any information, or facts shown thereby regarding the claiming of a state tax credit by a member of the Missouri general assembly or any statewide elected public official.

3. Any person violating any provision of subsection 1 or 2 of this section shall, upon conviction, be guilty of a class D felony.

4. The state auditor or the auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070 shall have the right to inspect any report or return filed with the department of revenue if such inspection is related to and for the purpose of auditing the department of revenue; except that, the state auditor or the auditor's duly authorized employees shall have no greater right of access to, use and publication of information, audit and related activities with respect to income tax information obtained by the department of revenue pursuant to chapter 143 or federal statute than specifically exists pursuant to the laws of the United States and of the income tax laws of the state of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**Representative Franz offered House Amendment No. 1 to House Amendment No. 9.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 32.028, Line 16, by inserting after all of said section the following:

“32.057. 1. Except as otherwise specifically provided by law, it shall be unlawful for the director of revenue, any officer, employee, agent or deputy or former director, officer, employee, agent or deputy of the department of revenue, any person engaged or retained by the department of revenue on an independent contract basis, any person to whom authorized or unauthorized disclosure is made by the department of revenue, or any person who lawfully or unlawfully inspects any report or return filed with the department of revenue or to whom a copy, an abstract or a portion of any report or return is furnished by the department of revenue to make known in any manner, to permit the inspection or use of or to divulge to anyone any information relative to any such report or return, any information obtained by an investigation conducted by the department in the discharge of official duty, or any information received by the director in cooperation with the United States or other states in the enforcement of the revenue laws of this state. Such confidential information is limited to information received by the department in connection with the administration of the tax laws of this state.

2. Nothing in this section shall be construed to prohibit:

(1) The disclosure of information, returns, reports, or facts shown thereby, as described in subsection 1 of this section, by any officer, clerk or other employee of the department of revenue charged with the custody of such information:

(a) To a taxpayer or the taxpayer's duly authorized representative under regulations which the director of revenue may prescribe;

(b) In any action or proceeding, civil, criminal or mixed, brought to enforce the revenue laws of this state;

(c) To the state auditor or the auditor's duly authorized employees as required by subsection 4 of this section;

(d) To any city officer designated by ordinance of a city within this state to collect a city earnings tax, upon written request of such officer, which request states that the request is made for the purpose of determining or enforcing compliance with such city earnings tax ordinance and provided that such information disclosed shall be limited to that sufficient to identify the taxpayer, and further provided that in no event shall any information be disclosed that will result in the department of revenue being denied such information by the United States or any other state. The city officer requesting the identity of taxpayers filing state returns but not paying city earnings tax shall furnish to the director of revenue a list of taxpayers paying such earnings tax, and the director shall compare the list submitted with the director's records and return to such city official the name and address of any taxpayer who is a resident of such city who has filed a state tax return but who does not appear on the list furnished by such city. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information;

(e) To any employee of any county or other political subdivision imposing a sales tax which is administered by the state department of revenue whose office is authorized by the governing body of the county or other political subdivision to receive any and all records of the state director of revenue pertaining to the administration, collection and enforcement of its sales tax. The request for sales tax records and reports shall include a description of the type of report requested, the media form including electronic transfer, computer tape or disk, or printed form, and the frequency desired. The request shall be made by annual written application and shall be filed with the director of revenue. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information. Such city or county or any employee thereof shall be subject to the same standards for confidentiality as required for the department of revenue in using the information contained in the reports;

(f) To the director of the department of economic development or the director's duly authorized employees in discharging the director's official duties to certify taxpayers eligibility to claim state tax credits as prescribed by statutes;

(g) To any employee of any political subdivision, such records of the director of revenue pertaining to the administration, collection and enforcement of the tax imposed in chapter 149 as are necessary for ensuring compliance with any cigarette or tobacco tax imposed by such political subdivision. The request for such records shall be made in writing to the director of revenue, and shall include a description of the type of information requested and the desired frequency. The director of revenue may charge a fee to reimburse the department for costs reasonably incurred in providing such information;

**(h) To the public solely relating to the units sold each year by each tobacco product manufacturer;**

(2) The publication by the director of revenue or of the state auditor in the audit reports relating to the department of revenue of:

(a) Statistics, statements or explanations so classified as to prevent the identification of any taxpayer or of any particular reports or returns and the items thereof;

(b) The names and addresses without any additional information of persons who filed returns and of persons whose tax refund checks have been returned undelivered by the United States Post Office;

(3) The director of revenue from permitting the Secretary of the Treasury of the United States or the Secretary's delegates, the proper officer of any state of the United States imposing a tax equivalent to any of the taxes administered by the department of revenue of the state of Missouri or the appropriate representative of the multistate tax commission to inspect any return or report required by the respective tax provision of this state, or may furnish to such officer an abstract of the return or report or supply the officer with information contained in the return or disclosed by the report of any authorized investigation. Such permission, however, shall be granted on condition that the corresponding revenue statute of the United States or of such other state, as the case may be, grants substantially similar privileges to the director of revenue and on further condition that such corresponding statute gives confidential status to the material with which it is concerned;

(4) The disclosure of information, returns, reports, or facts shown thereby, by any person on behalf of the director of revenue, in any action or proceeding to which the director is a party or on behalf of any party to any action or proceeding pursuant to the revenue laws of this state when such information is directly involved in the action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such information as is pertinent to the action or proceeding and no more;

(5) The disclosure of information, returns, reports, or facts shown thereby, by any person to a state or federal prosecuting official, including, but not limited to, the state and federal attorneys general, or the official's designees involved in any criminal, quasi-criminal, or civil investigation, action or proceeding pursuant to the laws of this state or of the United States when such information is pertinent to an investigation, action or proceeding involving the administration of the revenue laws or duties of public office or employment connected therewith;

(6) Any school district from obtaining the aggregate amount of the financial institution tax paid pursuant to chapter 148 by financial institutions located partially or exclusively within the school district's boundaries, provided that the school district request such disclosure in writing to the department of revenue;

(7) The disclosure of records which identify all companies licensed by this state pursuant to the provisions of subsections 1 and 2 of section 149.035. The director of revenue may charge a fee to reimburse the department for the costs reasonably incurred in providing such records;

(8) The disclosure to the commissioner of administration pursuant to section 34.040 of a list of vendors and their affiliates who meet the conditions of section 144.635, but refuse to collect the use tax levied pursuant to chapter 144 on their sales delivered to this state;

(9) The disclosure to the public of any information, or facts shown thereby regarding the claiming of a state tax credit by a member of the Missouri general assembly or any statewide elected public official.

3. Any person violating any provision of subsection 1 or 2 of this section shall, upon conviction, be guilty of a class D felony.

4. The state auditor or the auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070 shall have the right to inspect any report or return filed with the department of revenue if such inspection is related to and for the purpose of auditing the department of revenue; except that, the state auditor or the auditor's duly authorized employees shall have no greater right of access to, use and publication of information, audit and related activities with respect to income tax information obtained by the department of revenue pursuant to chapter 143 or federal statute than specifically exists pursuant to the laws of the United States and of the income tax laws of the state of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 046

Anders	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nasheed
Newman	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Atkins	Carter	Diehl	Funderburk
Grisamore	Guernsey	Hinson	McGeoghegan	Nichols
Richardson	Schad	Schneider	Spreng	Taylor
Webb	Webber	Mr Speaker		

VACANCIES: 004

Representative Scharnhorst moved that **House Amendment No. 9, as amended**, be adopted.

Which motion was defeated.

Representative Nance offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Section 70.730, Page 20, Line 52, by inserting the following after all of said line:

**“94.585. 1. The governing body of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one percent, and shall be imposed solely for the purpose of funding the construction, maintenance, operation, and equipping of a community center and retiring any bonds issued for such purposes. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax and issue bonds under this section. Such a proposal may include only the proposal to impose a sales tax or a proposal to issue bonds and to impose a sales tax to retire such bonds.**

**3. The ballot of submission shall contain, but need not be limited to the following language:**

**(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:**

**Shall the municipality of ..... (municipality's name) impose a sales tax of ..... (insert amount) for a period of twenty-five years for the purpose of funding the construction, maintenance, operation, and equipping of a community center which may include the retirement of debt under previously authorized bonded indebtedness?**

**(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:**

**Shall the municipality of ..... (municipality's name) issue bonds in the amount ..... of ..... (insert amount) for a period of twenty-five years to fund construction, maintenance, operation, and equipping of a community center and impose a sales tax of ..... (insert amount) to repay bonds?**

**If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax, except that any proposal submitted to issue bonds shall be approved by the constitutionally required percentage of the voters voting thereon to become effective. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by the requisite majority of the qualified voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.**

**4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.**

5. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Community Center Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special fund which are not needed for meeting current obligations under any bond issued under this section or for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. Except as provided in subsection 9 of this section, if a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

9. No sales tax imposed under this section shall be terminated until all of any bonds issued under this section have been retired.

10. The sales tax imposed under this section shall be imposed for a period of twenty-five years, and may be extended upon the approval of the voters of the city in the same manner in which the sales tax was adopted.

11. The city shall establish a board consisting of seven members, one of which shall be the mayor of the city, to administer the provisions of this section with such powers and duties which shall be delegated by the governing body of the city.

12. No bonds issued under this section shall be refinanced for a term longer than the number of years remaining on the original terms of the bonds being refinanced without the approval of the voters of the city. Any proposal to refinance such bonds submitted to the voters shall include the number of years the bonds will be refinanced and the number of years the sales tax will be extended to repay such refinanced bonds.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 10** was adopted.

Representative Nolte offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 24, Section 137.082, Line 86, by inserting after all of said section and line the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

- (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;
- (2) Livestock, twelve percent;
- (3) Farm machinery, twelve percent;
- (4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;
- (5) Poultry, twelve percent; and
- (6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

- (1) For real property in subclass (1), nineteen percent;
- (2) For real property in subclass (2), twelve percent; and
- (3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is real estate as defined in subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection



11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

**17. (1) As used in this subsection, the following terms mean:**

**(a) "Disabled", totally and permanently disabled or blind and receiving federal Social Security disability benefits, federal supplemental security income benefits, veterans administration benefits, state blind pension under sections 209.010 to 209.160, state aid to blind persons under section 209.240, or state supplemental payments under section 208.030;**

**(b) "Maximum upper limit", in the calendar year 2012, the federal adjusted gross income sum of seventy-two thousand three hundred eighty dollars. In each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined under section 17, article X, of the Missouri Constitution;**

**(c) "Principal residence", real property owned and occupied by or held in trust for a qualified taxpayer, or owned and occupied jointly by or held in trust for any individuals, any of whom is a qualified taxpayer;**

**(d) "Qualified taxpayer", any individual who:**

**a. Owns and occupies a principal residence;**

**b. Is sixty-five years of age or older, or is disabled;**

**c. Had a federal adjusted gross income not exceeding the maximum upper limit in the year before becoming qualified under this subsection.**

**(2) Notwithstanding any other provision of law to the contrary, for all property assessments conducted after December 31, 2011, the assessed valuation of a principal residence shall not increase by a percentage greater than the cost-of-living increase in Social Security benefits in the previous year, except as otherwise provided in this subsection, in any assessment conducted after the qualified taxpayer has reached sixty-five years of age or has become disabled.**

**(3) This subsection shall not apply to any increase in the assessed valuation of a principal residence due to an improvement made on the principal residence, unless the improvement was made solely for increased accessibility for individuals with physical disabilities.**

(4) This subsection shall not apply to any increase in the assessed valuation of a principal residence after the conveyance of the principal residence to another individual who is not a qualified taxpayer. The assessed valuation of such principal residence shall be the assessed valuation as provided in subsections 1 to 16 of this section in the next annual assessment.

(5) Upon reaching sixty-five years of age, information regarding the age and income of qualified taxpayers that own and occupy a principal residence in this state shall be provided to the county assessor by affidavit by the owner of the real property before the next assessment is conducted to be eligible for assessment under this subsection. Any qualified taxpayer who is disabled or becomes disabled before the next assessment is conducted shall provide by affidavit proof of disability to the county assessor to claim assessment under this subsection. All qualified taxpayers claiming assessment under this subsection shall annually file such affidavit before the next assessment is conducted to be eligible for assessment under this subsection. Such affidavit shall clearly contain an acceptable standard of proof to reasonably determine whether the person submitting the affidavit is a qualified taxpayer. The state tax commission shall develop and make available to assessors a form for such affidavit and a method for assessors to determine the proper percentage of increase for such property owned by a qualified taxpayer that files such affidavit.

(6) The state tax commission may promulgate rules to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

(7) Under section 23.253 of the Missouri sunset act:

(a) The provisions of the new program authorized under this subsection shall automatically sunset on December thirty-first six years after the effective date of this subsection unless reauthorized by an act of the general assembly; and

(b) If such program is reauthorized, the program authorized under this subsection shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this subsection; and

(c) This subsection shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this subsection is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 11** was adopted.

Representative Schoeller offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 20, Section 70.730, Line 52, by inserting after all of said section and line the following:

“71.220. 1. The various cities, towns and villages in this state, whether organized under special charter or under the general laws of the state, are hereby authorized and empowered to, by ordinance, cause all persons who have been convicted and sentenced by the court having jurisdiction, for violation of ordinance of such city, town or village, whether the punishment be by fine or imprisonment, or by both, to be put to work and perform labor on the public streets, highways and alleys or other public works or buildings of such city, town or village, for such purposes as such city, town or village may deem necessary. And the marshal, constable, street commissioner, or other proper officer of such city, town or village, shall have power and be authorized and required to have or cause all such prisoners as may be directed by the mayor, or other chief officer of such city, town or village, to work out the full number of days for which they may have been sentenced, at breaking rock, or at working upon such public streets, highways or alleys or other public works or buildings of such city, town or village as may have been designated. And if the punishment is by fine, and the fine be not paid, then for [every ten dollars of such judgment] **a portion of such judgment that is equal to the greater of the actual daily cost of incarcerating the prisoner or the amount the municipality is reimbursed by the state for**

**incarcerating the prisoner**, the prisoner shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge, or other official, assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.”; and

Further amend said bill, Page 49, Section 447.708, Line 224, by inserting after all of said section and line the following:

“488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2014.

**5. Any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants may charge an additional five dollars if approved by the county commission.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 12** was adopted.

Representative McCaherty offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 32.028, Line 16, by inserting after all of said section and line the following:

**“32.029. 1. This section shall be known and may be cited as the "Paperless Documents and Forms Act".**

**2. Beginning no later than January 1, 2012, the department of revenue shall, by January 1, 2018, develop and implement a method by which all documents and forms provided to the public by the department, as well as any records, reports, returns, or other documents required by the department, relating to taxes imposed under chapters 142, 143, 144, and 149, and fees imposed under sections 260.262 and 260.273, are available in an electronic format online and are capable of electronic submission to the department. This section shall not be construed to prohibit the submission of paper forms to the department or to require the department to allow electronic filing of a form that requires a notary or authorization by a third party in order to be effective, or when any other document associated with the form, either expressly or by implication, requires a third party to notarize, authorize, or issue the document. Notwithstanding any other provision of law to the contrary, no electronic form shall be invalid solely because a paper version of the form has been incorporated or otherwise referenced in a rule.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 13** was adopted.

Representative Thomson offered **House Amendment No. 14.**

*House Amendment No. 14*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 51, Section 2, Line 58, by inserting after all of said section and line the following:

“[163.037. In any school year after the 2009-10 school year, if there is a twenty-five percent decrease in the statewide percentage of average daily attendance attributable to summer school compared to the percentage of average daily attendance attributable to summer school in the 2005-06 school year, then for the subsequent school year, weighted average daily attendance, as such term is defined in section 163.011, shall include the addition of the product of twenty-five hundredth times the average daily attendance for summer school.]”; and

Further amend said bill, Page 51, Section B, Line 2, by inserting immediately after the word “revenue” the following:

“, and to provide adequate funding to school districts, the repeal of section 163.037,”; and

Further amend said bill, page, and section, Line 5, by inserting immediately after the first occurrence of the word “and” the following:

“the repeal of section 163.037,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 14** was adopted.

Representative Weter offered **House Amendment No. 15.**

*House Amendment No. 15*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 18, Section 67.1303, Line 124, by inserting after all of said line the following:

**“67.4500. As used in sections 67.4500 to 67.4520, the following terms shall mean:**

(1) **"Authority", any county drinking water supply lake authority created by sections 67.4500 to 67.4520;**  
(2) **"Conservation storage level", the target elevation established for a drinking water supply lake at the time of design and construction of such lake;**

(3) **"Costs", the sum total of all reasonable or necessary expenses incidental to the acquisition, construction, expansion, repair, alteration, and improvement of the project, including without limitation the following: the expense of studies and surveys; the cost of all lands, properties, rights, easements, and franchises acquired; land title and mortgage guaranty policies; architectural and engineering services; legal, organizational marketing, or other special services; provisions for working capital; reserves for principal and interest; and all other necessary and incidental expenses, including interest during construction on bonds issued to finance the project and for a period subsequent to the estimated date of completion of the project;**

(4) **"Project", recreation and tourist facilities and services, including, but not limited to, lakes, parks, recreation centers, restaurants, hunting and fishing reserves, historic sites and attractions, and any other facilities that the authority may desire to undertake, including the related infrastructure buildings and the usual and convenient facilities appertaining to any undertakings, and any extensions or improvements of any facilities, and the acquisition of any property necessary therefore, all as may be related to the development of a water supply source, recreational and tourist accommodations, and facilities;**

(5) **"Water commission", a water commission owning a reservoir formed under sections 393.700 to 393.770;**

(6) "Watershed", the area that contributes or may contribute to the surface water of any lake as determined by the authority.

67.4505. 1. Any county of the third classification with a township form of government and with more than seven thousand two hundred but fewer than seven thousand three hundred inhabitants or any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants may establish a county drinking water supply lake authority, which shall be a body corporate and politic and a political subdivision of this state.

2. The authority may exercise the powers provided to it under section 67.4520 over the reservoir area encompassing any drinking water supply lake of one thousand five hundred acres or more, as measured at its conservation storage level, and within the lake's watershed.

3. It shall be the purpose of each authority to promote the general welfare and a safe drinking water supply through the construction, operation, and maintenance of a drinking water supply lake.

4. The income of the authority and all property at any time owned by the authority shall be exempt from all taxation or any assessments whatsoever to the state or of any political subdivision, municipality, or other governmental agency thereof.

5. No county in which an authority is organized shall be held liable in connection with the construction, operation, or maintenance of any project or program undertaken under sections 67.4500 to 67.4520, including any actions taken by the authority in connection with such project or program.

67.4510. A county drinking water supply lake authority shall consist of at least six but not more than thirty members, appointed as follows:

(1) Members of the water commission shall appoint all members to the authority, one-third of the initial members for a six-year term, one-third for a four-year term, and the remaining one-third for a two-year term, until a successor is appointed; provided that, if there is an odd number of members, the last person appointed shall serve a two-year term. Upon the expiration of each term, a successor shall be appointed for a six-year term;

(2) No person shall be appointed to serve on the authority unless he or she is a registered voter in the state for more than five years, a resident in the county where the water commission is located for more than five years, and over the age of twenty-five years. If any member moves outside such county, the seat shall be deemed vacant and a new member shall be appointed by the county commission to complete the unexpired term.

67.4515. 1. The water commission shall by resolution establish a date and time for the initial meeting of the authority.

2. At the initial meeting, and annually thereafter, the authority shall elect one of its members as chairman and one as vice chairman, and appoint a secretary and a treasurer who may be a member of the authority. If not a member of the authority, the secretary or treasurer shall receive compensation that shall be fixed from time to time by action of the authority. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority may designate the secretary to act in lieu of the executive director. The secretary shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may from time to time deem proper and necessary.

3. Each member of the authority shall execute a surety bond in the penal sum of fifty thousand dollars or, in lieu thereof, the chairman of the authority shall execute a blanket bond covering each member and the employees or other officers of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in the state as surety, and to be approved by the attorney general and filed in the office of the secretary of state. The cost of each such bond shall be paid by the authority.

4. No authority member shall participate in any deliberations or decisions concerning issues where the authority member has a direct financial interest in contracts, property, supplies, services, facilities, or equipment purchased, sold, or leased by the authority. Authority members shall additionally be subject to the limitations regarding the conduct of public officials as provided in chapter 105.

**67.4520. 1. The authority may:**

- (1) Acquire, own, construct, lease, and maintain recreational or water quality projects;**
- (2) Acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated thereon and in personal property necessary to fulfill the purposes of the authority;**
- (3) Contract and be contracted with, and to sue and be sued;**
- (4) Accept gifts, grants, loans, or contributions from the federal government, the state of Missouri, political subdivisions, municipalities, foundations, other public or private agencies, individuals, partnerships, or corporations;**
- (5) Employ such managerial, engineering, legal, technical, clerical, accounting, advertising, stenographic, and other assistance as it may deem advisable. The authority may also contract with independent contractors for any of the foregoing assistance;**
- (6) Disburse funds for its lawful activities and fix salaries and wages of its employees;**
- (7) Fix rates, fees, and charges for the use of any projects and property owned, leased, operated, or managed by the authority;**
- (8) Adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business may be transacted; however, said bylaws, rules, and regulations shall not exceed the powers granted to the authority by sections 67.4500 to 67.4520;**
- (9) Either jointly with a similar body, or separately, recommend to the proper departments of the government of the United States, or any state or subdivision thereof, or to any other body, the carrying out of any public improvement;**
- (10) Provide for membership in any official, industrial, commercial, or trade association, or any other organization concerned with such purposes, for receptions of officials or others as may contribute to the advancement of the authority and development therein, and for such other public relations activities as will promote the same, and such activities shall be considered a public purpose;**
- (11) Cooperate with municipalities and other political subdivisions as provided in chapter 70;**
- (12) Enter into any agreement with any other state, agency, authority, commission, municipality, person, corporation, or the United States, to effect any of the provisions contained in sections 67.4500 to 67.4520;**
- (13) Sell and supply water and construct, own, and operate infrastructure projects in areas within its jurisdiction, including but not limited to roads, bridges, water and sewer systems, and other infrastructure improvements;**
- (14) Issue revenue bonds in the same manner as provided under section 67.789; and**
- (15) Adopt tax increment financing within its boundaries in the same manner as provided under section 67.790.**

**2. The state or any political subdivision or municipal corporation thereof may in its discretion, with or without consideration, transfer or cause to be transferred to the authority or may place in its possession or control, by deed, lease, or other contract or agreement, either for a limited period or in fee, any property wherever situated.**

**3. The state or any political subdivision may appropriate, allocate, and expend such funds of the state or political subdivision for the benefit of the authority as are reasonable and necessary to carry out the provisions of sections 67.4500 to 67.4520.**

**4. The authority shall have the authority to exercise all zoning and planning powers that are granted to cities, towns, and villages under chapter 89, except that the authority shall not exercise such powers inside the corporate limits of any city, town, or village which has adopted a city plan under the laws of this state before August 28, 2011.”; and**

Further amend said bill, Page 22, Section 105.716, Line 40, by inserting after all of said section and line the following:

“135.950. The following terms, whenever used in sections 135.950 to 135.970 mean:

- (1) "Average wage", the new payroll divided by the number of new jobs;**
- (2) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use. **The term "blighted area" shall also include any area which produces or generates or has the potential to produce or generate electrical energy from a renewable****

energy resource, and which, by reason of obsolescence, decadence, blight, dilapidation, deteriorating or inadequate site improvements, substandard conditions, the predominance or defective or inadequate street layout, unsanitary or unsafe conditions, improper subdivision or obsolete platting, or the existence of conditions which endanger the life or property by fire or other means, or any combination of such factors, is underutilized, unutilized, or diminishes the economic usefulness of the land, improvements, or lock and dam site within such area for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;

(3) "Board", an enhanced enterprise zone board established pursuant to section 135.957;

(4) "Commencement of commercial operations" shall be deemed to occur during the first taxable year for which the new business facility is first put into use by the taxpayer in the enhanced business enterprise in which the taxpayer intends to use the new business facility;

(5) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, such taxpayer shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(6) "Department", the department of economic development;

(7) "Director", the director of the department of economic development;

(8) "Employee", a person employed by the enhanced business enterprise that is scheduled to work an average of at least one thousand hours per year, and such person at all times has health insurance offered to him or her, which is partially paid for by the employer;

(9) "Enhanced business enterprise", an industry or one of a cluster of industries that is either:

(a) Identified by the department as critical to the state's economic security and growth; or

(b) Will have an impact on industry cluster development, as identified by the governing authority in its application for designation of an enhanced enterprise zone and approved by the department; but excluding gambling establishments (NAICS industry group 7132), retail trade (NAICS sectors 44 and 45), educational services (NAICS sector 61), religious organizations (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking places (NAICS subsector 722), however, notwithstanding provisions of this section to the contrary, headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied. Service industries may be eligible only if a majority of its annual revenues will be derived from out of the state;

(10) "Existing business facility", any facility in this state which was employed by the taxpayer claiming the credit in the operation of an enhanced business enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(11) "Facility", any building used as an enhanced business enterprise located within an enhanced enterprise zone, including the land on which the facility is located and all machinery, equipment, and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(12) "Facility base employment", the greater of the number of employees located at the facility on the date of the notice of intent, or for the twelve-month period prior to the date of the notice of intent, the average number of employees located at the facility, or in the event the project facility has not been in operation for a full twelve-month period, the average number of employees for the number of months the facility has been in operation prior to the date of the notice of intent;

(13) "Facility base payroll", the total amount of taxable wages paid by the enhanced business enterprise to employees of the enhanced business enterprise located at the facility in the twelve months prior to the notice of intent, not including the payroll of owners of the enhanced business enterprise unless the enhanced business enterprise is participating in an employee stock ownership plan. For the purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on the consumer price index or other comparable measure, as determined by the department;

(14) "Governing authority", the body holding primary legislative authority over a county or incorporated municipality;

(15) "Megaproject", any manufacturing or assembling facility, approved by the department for construction and operation within an enhanced enterprise zone, which satisfies the following:

(a) The new capital investment is projected to exceed three hundred million dollars over a period of eight years from the date of approval by the department;

(b) The number of new jobs is projected to exceed one thousand over a period of eight years beginning on the date of approval by the department;

(c) The average wage of new jobs to be created shall exceed the county average wage;

(d) The taxpayer shall offer health insurance to all new jobs and pay at least eighty percent of such insurance premiums; and

(e) An acceptable plan of repayment, to the state, of the tax credits provided for the megaproject has been provided by the taxpayer;

(16) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(17) "New business facility", a facility that **does not produce or generate electrical energy from a renewable energy resource and** satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of an enhanced business enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of an enhanced business enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of an enhanced business enterprise, the portion employed by the taxpayer in the operation of an enhanced business enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), and (d) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 2004. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 2004, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 2004;

(c) If such facility was acquired by the taxpayer from another taxpayer and such facility was employed immediately prior to the acquisition by another taxpayer in the operation of an enhanced business enterprise, the operation of the same or a substantially similar enhanced business enterprise is not continued by the taxpayer at such facility; and

(d) Such facility is not a replacement business facility, as defined in subdivision (25) of this section;

(18) "New business facility employee", an employee of the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.967 is claimed, except that truck drivers and rail and barge vehicle operators and other operators of rolling stock for hire shall not constitute new business facility employees;

(19) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by 135.967 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles, aircraft and other rolling stock for hire, track, switches, barges, bridges, tunnels, and rail yards and spurs shall not constitute new business facility investments. The total value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(20) "New job", the number of employees located at the facility that exceeds the facility base employment less any decrease in the number of the employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(21) "Notice of intent", a form developed by the department which is completed by the enhanced business enterprise and submitted to the department which states the enhanced business enterprise's intent to hire new jobs and request benefits under such program;



(22) "Related facility", a facility operated by the enhanced business enterprise or a related company in this state that is directly related to the operation of the project facility;

(23) "Related facility base employment", the greater of:

(a) The number of employees located at all related facilities on the date of the notice of intent; or  
(b) For the twelve-month period prior to the date of the notice of intent, the average number of employees located at all related facilities of the enhanced business enterprise or a related company located in this state;

(24) "Related taxpayer":

(a) A corporation, partnership, trust, or association controlled by the taxpayer;  
(b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or  
(c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. "Control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) **"Renewable energy generation zone", an area which has been found, by a resolution or ordinance adopted by the governing authority having jurisdiction of such area, to be a blighted area and which contains land, improvements, or a lock and dam site which is unutilized or underutilized for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;**

(26) **"Renewable energy resource", shall include:**

(a) **Wind;**  
(b) **Solar thermal sources or photovoltaic cells and panels;**  
(c) **Dedicated crops grown for energy production;**  
(d) **Cellulosic agricultural residues;**  
(e) **Plant residues;**  
(f) **Methane from landfills, agricultural operations, or wastewater treatment;**  
(g) **Thermal depolymerization or pyrolysis for converting waste material to energy;**  
(h) **Clean and untreated wood such as pallets;**  
(i) **Hydroelectric power, which shall include electrical energy produced or generated by hydroelectric power generating equipment, as such term is defined in section 137.010;**  
(j) **Fuel cells using hydrogen produced by one or more of the renewable resources provided in paragraphs (a) to (i) of this subdivision; or**  
(k) **Any other sources of energy, not including nuclear energy, that are certified as renewable by rule by the department of natural resources;**

(27) "Replacement business facility", a facility otherwise described in subdivision (17) of this section, hereafter referred to in this subdivision as "new facility", which replaces another facility, hereafter referred to in this subdivision as "old facility", located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year for which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of an enhanced business enterprise and the taxpayer continues the operation of the same or substantially similar enhanced business enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subdivision (19) of this section, in the new facility during the tax period for which the credits allowed in section 135.967 are claimed exceed one million dollars and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two;

[(26)] (28) "Same or substantially similar enhanced business enterprise", an enhanced business enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed, or conducted in the same or similar manner as in another enhanced business enterprise.

135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

- (1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and
- (2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

- (a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

- (b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

- (3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

- (4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

- (a) The state of Missouri over the previous twelve months; or

- (b) The county or city not within a county over the previous twelve months.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

- (1) The potential to create sustainable jobs in a targeted industry; or

- (2) A demonstrated impact on local industry cluster development.

**5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.**

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution **or ordinance** by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. **Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions.** In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027.

137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) **"Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;**

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

[(3)] (4) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, **hydroelectric power generating equipment**, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, water, and sewage;

[(4)] (5) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the following terms mean:

(1) "Agricultural and horticultural property", all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the Nation Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution. **Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;**

(2) "Residential property", all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, and manufactured home parks, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, "transient housing" means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly, for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

2. Pursuant to article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to article X, subsection 2 of section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

- (1) Immediate prior use, if any, of such property;
- (2) Location of such property;

(3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;

(4) Other legal restrictions on the use of such property;

(5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;

(6) Size of such property;

(7) Access of such property to public thoroughfares; and

(8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution.

**7. No property tax classification changes resulting from this section shall have the effect of eliminating employer obligations under chapter 287.”; and**

Further amend said bill, Page 40, Section 205.205, Line 67, by inserting after all of said section and line the following:

**“226.224. Notwithstanding any provision of the law to the contrary, the state highways and transportation commission may enter into binding highway infrastructure improvement agreements to reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission’s reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the state highways and transportation commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The state highways and transportation commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues only if terms of the contract explicitly state such a condition. The contract shall further provide for a date or dates certain for repayment of funds and the commission may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule, or if repayment would jeopardize the receipt of federal highway moneys, only if terms of the contract state such a condition and the contract provides for a date or dates certain for repayment of funds.”; and**

Further amend said bill, Page 49, Section 447.708, Line 224, by inserting after all of said section and line the following:

**“620.2300. 1. As used in this section, the following terms shall mean;**

**(1) "Department", the Missouri department of economic development;**

**(2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**

**(3) "Commission", the Missouri public service commission;**

**(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**

**(5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;**

**(6) "Major source", the same meaning as is provided under 40 CFR 70.2;**

(7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

(8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:

- (a) The area consists of at least fifty contiguous acres;
- (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;
- (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;
- (d) The development plan for the area includes a biomass facility; and
- (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;

(9) "Project", a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;

(10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

- (1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;
- (2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or
- (3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier.”; and

Further amend said bill, Page 51, Section B, Line 2, by inserting immediately after the word “revenue” the following:

“and because of the need to ensure the creation of jobs through the utilization of alternative energy sources”; and

Further amend said bill, page and section, Lines 3 and 6, by deleting “and 205.205” and inserting in lieu thereof the following:

“, 205.205, and 620.2300”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 15** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Entlicher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
McCaherty	McGhee	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 047

Anders	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 025

Atkins	Barnes	Burlison	Cauthorn	Diehl
Elmer	Fisher	Franz	Fuhr	Funderburk
Gosen	Long	McGeoghegan	McManus	McNary
Nasheed	Neth	Richardson	Scharnhorst	Schneider
Spreng	Taylor	Wallingford	Webber	Mr Speaker

VACANCIES: 004

On motion of Representative Flanigan, **HCS#2 SCS SB 117, as amended**, was adopted.

On motion of Representative Flanigan, **HCS#2 SCS SB 117, as amended**, was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 015

Asbury	Cierpiot	Kander	Kirkton	Largent
Marshall	May	Molendorp	Newman	Oxford
Schieber	Schupp	Spreng	Torpey	Walton Gray

PRESENT: 001

McCann Beatty

ABSENT WITH LEAVE: 007

Atkins	Fisher	Franz	Hughes	McGeoghegan
Taylor	Webber			

VACANCIES: 004

Representative Leara declared the bill passed.



The emergency clause was adopted by the following vote:

AYES: 132

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCahtery	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Pace	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Still	Stream	Swinger
Talboy	Thomson	Torpey	Wallingford	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 011

Anders	Carlson	Marshall	May	Newman
Pierson	Schieber	Schupp	Spreng	Swearingen
Walton Gray				

PRESENT: 002

McCann Beatty	Oxford
---------------	--------

ABSENT WITH LEAVE: 014

Berry	Cauthorn	Cierpiot	Cross	Denison
Diehl	Fisher	Funderburk	Hughes	Lasater
McGeoghegan	Taylor	Webber	Mr Speaker	

VACANCIES: 004

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HB 89**, entitled:

An act to repeal sections 247.060, 253.090, 386.850, 444.773, 621.250, 643.020, 643.040, 643.050, 643.060, 643.079, 643.080, 643.130, 643.191, 643.225, 643.232, 643.237, 643.240, 643.242, 643.245, 643.250, 643.253, 643.260, 644.036, 644.051, 644.054, 644.071, 701.033, and 701.332, RSMo, and to enact in lieu thereof forty new sections relating to natural resources, with penalty provisions and an emergency clause for certain sections.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

*Senate Substitute Amendment No. 1  
for  
Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Pages 20-21, Section 537.292, by striking all of said section from the bill; and

Further amend said bill, Page 78, Section 1, Line 21 of said page, by striking the following:

"304.120,"; and

Further amend said line, by striking the following:

"537.292,"; and

Further amend said bill, Page 79, Section 1, Line 1 of said page, by striking the following:

"304.120,"; and

Further amend Line 2 of said page, by striking the following:

"537.292,"; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Page 10, Section 247.060, Line 6 of said page, by inserting after the word "election" the following:

**", or if not a voter or resident of said district, shall have received service from the district at his or her primary place of residence one whole year immediately prior to his or her election".**

*Senate Amendment No. 3*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 89, Page 21, Section 537.292, Line 16 of said page, by inserting after all of said line the following:

**"620.2300. 1. As used in this section, the following terms shall mean;  
(1) "Department", the Missouri department of economic development;**

(2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;

(3) "Commission", the Missouri public service commission;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;

(6) "Major source", the same meaning as is provided under 40 C.F.R. 70.2;

(7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

(8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:

(a) The area consists of at least fifty contiguous acres;

(b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;

(c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;

(d) The development plan for the area includes a biomass facility; and

(e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;

(9) "Project", a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;

(10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;

(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or

(3) **Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier.**"; and

Further amend said bill, Page 80, Section B, Line 39 of said page, by inserting immediately after "444.771," the following:

"620.2300,"; and

Further amend said bill and section, Page 81, Line 5 of said page, by inserting immediately after "444.771," the following:

"620.2300,"; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 116 & 316** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conferees on **SS SCS HCS HBs 116 & 316, as amended**, be allowed to exceed the differences and that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HCS HBs 116 & 316, as amended**. Senators: Purgason, Schmitt, Lager, Callahan and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 151**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 183**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 184**, entitled:

An act to repeal sections 233.280, 537.620, and 537.635, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215**, entitled:

An act to repeal sections 50.535, 302.181, 407.500, 407.505, 571.020, 571.030, 571.101, 571.107, 571.111, and 571.117, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with penalty provisions and a contingent effective date for certain sections.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 294, 123, 125, 113, 271 & 215, Page 19, Section 571.085, Lines 13-14 of said page, by striking the following:

", as administered by the United States Secretary of the Treasury,"; and

Further amend Section 571.087, Lines 21-22 of said page, by striking the following:

", as administered by the United States Secretary of the Treasury,".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 300, 334 & 387**, entitled:

An act to amend chapter 167, RSMo, by adding thereto one new section relating to student athlete brain injuries.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 300, 334 & 387, Page 2, Section 167.765, Line 39, by inserting after all of said line the following:

**"167.775. 1. Any statewide athletic organization with a public school district as a member shall be required to publish an annual report relating to the impact of concussions and head injuries on student athletes which details efforts that may be made to minimize damages from injuries sustained by students participating in school sports. The annual report shall be distributed to the joint committee on education, the house committee on elementary and secondary education or any other education committee designated by the speaker of the house of representatives, and the senate committee on education or any other education committee designated by the president pro tem of the senate. The first report required under this section shall be completed and distributed no later than January 31, 2012. Such report shall be made available to school districts and to parents of students.**

**2. Notwithstanding any other law, no public school shall be a member of any statewide athletic organization failing to comply with the provisions of subsection 1 of this section.";** and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 430**, entitled:

An act to repeal sections 21.795, 70.441, 144.030, 226.095, 226.520, 227.107, 301.010, 301.147, 301.225, 301.559, 301.560, 301.562, 302.181, 302.291, 302.309, 302.341, 302.700, 304.120, 304.180, 304.200, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, 390.280, 558.021, 571.101, and 577.023, RSMo, and to enact in lieu thereof forty-three new sections relating to transportation, with penalty provisions, a contingent effective dates for certain sections, and effective dates for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 11 and Senate Amendment No. 12.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Pages 79-83, Section 302.181, by striking all of said section from the bill; and

Further amend said bill, Pages 83 to 87, Section 302.291, by striking all of said section from the bill; and

Further amend said bill, Pages 137 to 146, Section 571.101, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 116, Section 304.180, Line 12 of said page, by striking the following:

"the Arkansas state line" and inserting in lieu thereof the following:

**"U.S. Highway 36".**

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 18, Section 144.030, Line 13 of said page, by striking said line and inserting in lieu thereof the following:

"trailers used by [common] carriers [, as defined in section"; and

Further amend Line 14 of said page, by inserting after "390.020,]" the following:

**"who have received federal authority to haul for hire".**

*Senate Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 118, Section 304.200, Line 11, by inserting immediately after said line the following:

**"304.289. The timing of any traffic-control signal shall conform to regulations promulgated by the Department of Transportation. The department of transportation shall establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard.";** and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 28, Section 144.030, Line 20, by inserting after all of said line the following:

"136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

**6. Any person acting as agent of the department of revenue for the collection of sales and use tax when required under sections 144.070 and 144.440 shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax under section 144.140 to offset the actual cost incurred by such person, on behalf of the department of revenue, in the collection of such taxes in accordance with the provisions of Article IV Section 30(b) of the Missouri Constitution.**

7. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

[7.] 8. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 155, Section C, Lines 2-13, by striking all of said section from the bill.

*Senate Amendment No. 9*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 87, Section 302.291, Line 12, by inserting after all of said line the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. . . . . 2 points  
(except any violation of municipal stop sign ordinance where no accident is involved. . . . . 1 point)

(2) Speeding In violation of a state law. . . . . 3 points  
In violation of a county or municipal ordinance. . . . . 2 points

(3) Leaving the scene of an accident in violation of section 577.060. . . . . 12 points  
In violation of any county or municipal ordinance. . . . . 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. . . . . 4 points  
In violation of a county or municipal ordinance. . . . . 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction. . . . . 2 points

(b) For the second conviction. . . . . 4 points

(c) For the third conviction. . . . . 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges. . . . . 12 points

(7) Obtaining a license by misrepresentation. . . . . 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. . . . . 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined:  
driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. . . . . 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight

In violation of state law. . . . . 8 points

In violation of a county or municipal ordinance or federal law or regulation. . . . . 8 points

(11) Any felony involving the use of a motor vehicle. . . . . 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle. . . . . 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. . . . . 4 points

(14) Endangerment of a highway worker in violation of section 304.585. . . . . 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585. . . . . 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. . . . . 4 points

**(17) Endangerment of an emergency responder in violation of section 304.894. . . . . 4 points**

**(18) Aggravated endangerment of an emergency responder in violation of section 304.894. . 12 points**

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation



but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill, Page 118, Section 304.200, Line 11, by inserting after all of said line the following:

**"304.890. As used in sections 304.890 to 304.894, the following terms shall mean:**

**(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;**

**(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:**

**(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or**

**(b) An emergency vehicle displaying active emergency lights or signals;**

**(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.**

**304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.**

**2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.**

3. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

**304.894. 1.** A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

- (1) Exceeding the posted speed limit by fifteen miles per hour or more;
- (2) Passing in violation of subsection 3 of section 304.892;
- (3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;
- (4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;
- (5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;
- (6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or
- (7) Committing any of the following offenses for which points may be assessed under section 302.302:
  - (a) Leaving the scene of an accident in violation of section 577.060;
  - (b) Careless and imprudent driving in violation of subsection 4 of section 304.016;
  - (c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;
  - (d) Operating with a suspended or revoked license;
  - (e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;
  - (f) Any felony involving the use of a motor vehicle.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 11*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 118, Section 304.200, Line 11, by inserting after all of said line the following:

**"304.920. 1. A county, city, town, village, municipality, state agency, or other political subdivision shall only employ the use of automated speed enforcement systems to enforce speeding violations in a school zone, construction zone, work zone, or a MoDOT-Designated Travel Safe Zone as defined in section 304.590.**

**2. As used in this section, the term "automated speed enforcement system" means a device with one or more motor vehicle sensors, including, but not limited to, photographic devices, radar devices, laser devices, or other electrical or mechanical devices, designed to record the speed of a motor vehicle and to obtain a clear photograph or other recorded image of the motor vehicle and the motor vehicle's license plate, which automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded image of a motor vehicle at the time it is used or operated in violation of the posted speed limit."; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 12*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, Page 76, Section 301.562, Line 26 of said page, by inserting after all of said line the following:

**"301.3084. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight[, after an annual contribution of an emblem-use authorization fee to the Friends of the Missouri Women's Council. Any contribution to the Friends of the Missouri Women's Council pursuant to this section, except reasonable administrative costs, shall be designated for the sole purpose of providing breast cancer services, including but not limited to screening, treatment, staging, and follow-up services. The Friends of the Missouri Women's Council hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any person may annually apply for the use of the emblem]. Upon making a twenty-five dollar annual contribution to the breast cancer awareness fund, established in this section, the vehicle owner may apply for a "Breast Cancer Awareness" license plate. If the contribution is made directly to the state treasurer, the state treasurer shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the "Breast Cancer Awareness" license plate. If the contribution is made directly to the director of revenue, the director shall note the contribution and the owner may then apply for the "Breast Cancer Awareness" plate. The applicant for such plate must pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of "Breast Cancer Awareness" plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

**2. [Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Friends of the Missouri Women's Council, the organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized] The "Breast Cancer Awareness" license plate [which] shall bear a graphic design depicting the breast cancer awareness pink ribbon symbol [with the words "Breast Cancer Awareness" forming an oval around the symbol,] and shall bear the words ["MISSOURI WOMEN'S COUNCIL"] "BREAST CANCER AWARENESS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.**

**3. A vehicle owner, who was previously issued a plate with a breast cancer awareness emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by**

this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

**4. There is hereby created in the state treasury the "Breast Cancer Awareness Fund" which shall consist of all gifts, donations, transfers, and moneys appropriated by the general assembly, and bequests to the fund. The fund shall be administered by the department of health and senior services.**

**5. The state treasurer or the director of revenue shall deposit the twenty-five dollar annual contribution in the breast cancer awareness fund. Funds deposited pursuant to subsection 1 of this section shall be used to support breast cancer awareness activities conducted by the department of health and senior services.**

**6. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 431**, entitled:

An act to repeal sections 210.112, 210.498, and 210.565, RSMo, and to enact in lieu thereof six new sections relating to foster care and adoption promotion.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 458**, entitled:

An act to repeal sections 263.190, 263.200, 263.205, 263.220, 263.230, 263.232, 263.240, 263.241, 263.450, 268.121, 276.401, 276.416, 276.421, 276.436, 276.441, 276.446, and 411.280, RSMo, and to enact in lieu thereof twelve new sections relating to agriculture, with penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

*Senate Amendment No. 1*

AMEND Senate Substitute for House Bill No. 458, Page 24, Section 411.280, Line 6 of said page, by inserting after all of said line the following:

**"442.014. 1. This act shall be known and may be cited as the "Private Landowner Protection Act".**

**2. As used in this section, unless the context otherwise requires, the following terms mean:**

**(1) "Conservation easement", a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property;**

**(2) "Holder", any of the following:**

**(a) A governmental body empowered to hold an interest in real property under the laws of this state or the United States;**

**(b) A charitable corporation, charitable association, or charitable trust, the purposes, powers, or intent of which include retaining or protecting the natural, scenic, or open-space values of real property, assuring the availability of real property for agricultural, forest, recreational, or open-space use, protecting natural resources,**

**maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property; or**

**(c) An individual or other private entity;**

**(3) "Third-party right of enforcement", a right expressly provided in a conservation easement to enforce any of its items granted to a designated governmental body, charitable corporation, charitable association, charitable trust, individual, or any other private entity which, although eligible to be a holder, is not a holder.**

**3. (1) Except as otherwise provided in this section, a conservation easement may be created, conveyed, recorded, assigned, released, modified, terminated, or otherwise altered or affected in the same manner as other easements. No right or duty in favor of or against a holder and no right in favor of a person having a third-party right of enforcement arises under a conservation easement before its acceptance by the holder and a recordation of the acceptance. Except as provided in subdivision (2) of this subsection, a conservation easement is unlimited in duration unless the instrument creating it provides otherwise.**

**(2) An interest in real property in existence at the time a conservation easement is created is not impaired by it unless the owner of the interest is a party to the conservation easement or consents to it.**

**4. (1) An action affecting a conservation easement may be brought by an owner of an interest in real property burdened by the easement; a holder of the easement, a person having a third-party right of enforcement; or a person authorized by other law.**

**(2) This section does not affect the power of a court to modify or terminate a conservation easement in accordance with the principles of law and equity.**

**5. A conservation easement is valid even though:**

**(1) It is not appurtenant to an interest in real property;**

**(2) It can be or has been assigned to another holder;**

**(3) It is not of a character that has been recognized traditionally at common law;**

**(4) It imposes a negative burden that would prevent a landowner from performing acts on the land he or she would otherwise be privileged to perform absent the agreed-upon easement;**

**(5) It imposes affirmative obligations upon the owner of an interest in the burdened property or upon the holder;**

**(6) The benefit does not touch or concern real property; or**

**(7) There is no privity of estate or of contract.**

**6. Nothing in this section shall affect the ability of any public utility, municipal utility, joint municipal utility commission, rural electric cooperative, telephone cooperative, or public water supply district to acquire an easement, either through negotiation with an owner of an interest in real property or by condemnation, to lay or construct plants or facilities for the transmission or distribution of electricity, natural gas, telecommunications service, water, or the carriage of sewage along or across a conservation easement.**

**7. This section applies to any interest created after its effective date which complies with this section, whether designated as a conservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise. This section applies to any interest created before its effective date if it would have been enforceable had it been created after its effective date unless retroactive application contravenes the constitution or laws of this state or the United States. This section does not alter the terms of any interest created before its effective date, or impose any additional burden or obligation on any grantor or grantee of such interest, or on their successors or assigns. This section does not invalidate any interest, whether designated as a conservation or preservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise, that is enforceable under other laws of this state."; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for House Bill No. 458, Page 1, Section A, Line 7 of said page, by inserting after all of said line the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution

or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying

agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, **and any freight charges on any exempt item.** As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon **and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes,** and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;



(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 470 & 429**, entitled:

An act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to the nonresident entertainers tax.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 470 & 429, Page 3, Section 143.183, Line 20, by striking the opening bracket "[" on said line; and

Further amend Line 22, by striking the closing bracket "]""; and

Further amend Line 26, by striking the opening bracket "[" and closing bracket "]" on said line; and

Further amend Page 4, Line 9, by striking the opening bracket "[" on said line; and

Further amend Line 11, by striking the closing bracket "]""; and

Further amend Line 15, by striking the opening bracket "[" on said line; and

Further amend Line 16, by striking the closing bracket "]""; and

Further amend Line 25, by striking the opening bracket "[" on said line; and

Further amend Line 27, by striking the closing bracket "]""; and

Further amend Page 5, Line 3, by striking the opening bracket "[" on said line; and

Further amend Line 4, by striking the closing bracket "]""; and

Further amend Line 14, by striking the opening bracket "[" on said line; and

Further amend Line 16, by striking the closing bracket "]""; and

Further amend Line 20, by striking the opening bracket "[" on said line; and

Further amend Line 21, by striking the closing bracket "]""; and

Further amend Page 6, Line 21, by striking the opening bracket "[" on said line; and

Further amend Line 23, by striking the closing bracket "]""; and

Further amend Line 27, by striking the opening bracket "[" on said line; and

Further amend Line 28, by striking the closing bracket "]; and

Further amend Page 7, Line 9, by striking the opening bracket "[" on said line; and

Further amend Line 19, by striking the closing bracket "].

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 664**, entitled:

An act to repeal sections 87.005, 87.006, 87.205, and 87.207, RSMo, and to enact in lieu thereof five new sections relating to firemen's retirement.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 675**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on **SCS HB 737**: Senators Lager, Munzlinger, Pearce, Callahan and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1008**, entitled:

An act to amend chapter 226, RSMo, by adding thereto one new section relating to highway infrastructure improvement agreements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 60, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SB 118, as amended**, and has taken up and passed **HCS SS SB 118, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 135, as amended**, and has taken up and passed **CCS HCS SS SB 135**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 173, as amended**, and has taken up and passed **CCS HCS SB 173**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference committee on **HCS SB 220, as amended**, and has adopted **HCS SB 220, as amended**, and taken up and passed **HCS SB 220**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 226, as amended**, and has taken up and passed **CCS HCS SS SB 226**.

Speaker Tilley resumed the Chair.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**SS SCS HCS HBs 116 & 316**: Representatives Flanigan, Diehl, Jones (117), Kelly (24) and Talboy

### **BILL CARRYING REQUEST MESSAGE**

**HCS SCS SB 60, as amended**, relating to judicial procedures, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SCS SB 60, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **THIRD READING OF SENATE BILL**

**HCS SCS SB 17**, relating to cord blood banking, was taken up by Representative Sater.

Representative Sater offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 191.758, Line 7, by inserting after all of said line the following:

**"191.1100. 1. Sections 191.1100 to 191.1112 shall be known and may be cited as the "Volunteer Health Services Act".**

**2. As used in sections 191.1100 to 191.1112, the following terms shall mean:**

**(1) "Health care provider", any physician, surgeon, dentist, nurse, optometrist, mental health professional, or other practitioner of a health care discipline, the professional practice of which requires licensure or certification under state law or under comparable laws of another state, territory, district, or possession of the United States;**

(2) "Licensed health care provider", any health care provider holding a current license or certificate issued under:

- (a) Missouri state law;
- (b) Comparable laws of another state, territory, district, or possession of the United States;
- (3) "Regularly practice", to practice more than sixty days within any ninety-day period;
- (4) "Sponsoring organization", any organization that organizes or arranges for the voluntary provision of health care services and registers with the department of health and senior services as a sponsoring organization in accordance with section 191.1106, and charges clients on a sliding scale based on income;
- (5) "Voluntary provision of health care services", the providing of professional health care services by a health care provider without charge to a recipient of the services or a third party.

191.1102. 1. Notwithstanding any provision of law to the contrary, no additional license or certificate otherwise required by state law is necessary for the voluntary provision of health care services by any person who:

- (1) Is a licensed health care provider;
- (2) Lawfully practices under an exception to the licensure or certification requirements of any state, territory, district, or possession of the United States; provided that the person does not and will not regularly practice in the state of Missouri.

2. The provisions of subsection 1 of this section shall not apply to:

- (1) Any person whose license or certificate is suspended or revoked under disciplinary proceedings in any jurisdiction; or
- (2) A licensed health care provider who renders services outside the scope of practice authorized by the provider's licensure, certification, or exception to such licensure or certification.

191.1104. With regard to a person who voluntarily provides health care services and who is covered by the provisions of subsection 1 of section 191.1102, all requirements regarding display of a license or certificate shall be satisfied by the presentation for inspection, upon request, of a photocopy of the applicable license, certificate, or statement of exemption.

191.1106. 1. Before providing volunteer medical services in this state, a sponsoring organization shall register with the department of health and senior services by submitting a registration fee of fifty dollars and filing a registration form. The registration fee shall not apply to any sponsoring organization when providing volunteer health care services in cases of natural or manmade disasters. Such registration form shall contain:

- (1) The name of the sponsoring organization;
- (2) The name of the principal individual or individuals who are the officer's or organization's officials responsible for the operation of the sponsoring organization;
- (3) The address, including street, city, zip code, and county, of the sponsoring organization's principal office address and the same address information for each principal or official listed in subdivision (2) of this subsection;
- (4) Telephone numbers for the principal office of the sponsoring agency and each principal or official listed in subdivision (2) of this subsection; and
- (5) Such additional information as the department shall require.

Upon any change in the information required under this subsection, the sponsoring organization shall notify the department in writing of such change within thirty days of its occurrence.

2. The sponsoring organization shall file a quarterly voluntary services report with the department during the current quarter that lists all licensed health care providers who provided voluntary health care services during the preceding quarter. The sponsoring organization shall maintain on file for five years following the date of service additional information, including the date, place, and type of services provided.

3. Each sponsoring organization shall maintain a list of health care providers associated with its provision of voluntary health services. For each such health care provider, the organization shall maintain a copy of a current license, certificate, or statement of exemption from licensure or certification, or in the event that the health care provider is currently licensed in the state of Missouri, a copy of the health care provider's license verification obtained from a state-sponsored website, if available.

4. The sponsoring organization shall maintain such records for a period of at least five years following the provision of health care services and shall furnish such records upon request to any regulatory board of any healing arts profession established under state law.

5. Compliance with subsections 1 and 2 of this section shall be prima facie evidence that the sponsoring organization has exercised due care in its selection of health care providers.

6. The department may revoke the registration of any sponsoring organization that fails to comply with the requirements of this section.

191.1108. No contract of professional liability insurance covering a health care provider in this state, issued or renewed on or after August 28, 2011, shall exclude coverage to any provider who engages in the voluntary provision of health care services; provided that the sponsoring organization and the health care provider comply with the requirements of sections 191.1100 to 191.1112.

191.1110. 1. (1) No person who is licensed, certified, or authorized by the board of any of the professions of the healing arts and who engages in the voluntary provision of health care services within the limits of the person's license, certificate, or authorization to any patient of a sponsoring organization shall be liable for any civil damages for any act or omission resulting from the rendering of such services, unless the act or omission was the result of such person's gross negligence or willful misconduct.

(2) The volunteer licensee who is providing free care shall not receive compensation of any type, directly or indirectly, or any benefits of any type whatsoever, or any consideration of any nature, from any person for the free care. Nor shall such service be a part of the provider's training or assignment.

(3) The volunteer licensee shall be acting within the scope of such license, certification, or authority.

(4) A health care licensee providing free health care shall not engage in activities at a clinic, or at the health care licensee's office, if the activities are performed on behalf of the sponsoring organization, unless such activities are authorized by the appropriate authorities to be performed at the clinic or office and the clinic or office is in compliance with all applicable regulations.

2. For purposes of this section, any commissioned or contract medical officer or dentist serving on active duty in the United States Armed Forces and assigned to duty as a practicing, commissioned, or contract medical officer or dentist at any military hospital or medical facility owned and operated by the United States government shall be deemed to be licensed.

191.1112. 1. For purposes of this section, the following terms shall mean:

(1) "Crisis intervention", a session at which crisis response services are rendered by a critical incident stress management team member or qualified mental health professional during or after a crisis or disaster;

(2) "Crisis response services", consultation, risk assessment, referral, and crisis intervention services provided by a critical incident stress management team or qualified mental health professional or paraprofessional trained within the Federal Emergency Management Agency (FEMA) Crisis Counseling Program or in psychological first aid to individuals affected by crisis or disaster;

(3) "Critical incident stress management team member" or "team member", an individual specially trained to provide crisis response services as a member of an organized community or local crisis response team that holds membership in a registered critical incident stress management team;

(4) "Registered team", a team formally registered with a recognized training agency. For purposes of this section, a recognized training agency shall include the International Critical Incident Stress Foundation, the National Organization for Victim Assistance, the National Red Cross, the Missouri department of mental health, and other such organizations;

(5) "Training session", a session providing crisis response training by a qualified trained trainer utilizing the standards established by the accrediting agencies set out in subdivision (4) of this subsection;

(6) "Volunteer", a person who serves and receives no remuneration for services except reimbursement for actual expenses.

2. (1) Any volunteer crisis response team member who participates in a crisis intervention shall not be liable in tort for any personal injuries or infliction of emotional distress of any participant to the crisis intervention that is caused by the act or omission of a crisis response team member during the course of a crisis intervention.

(2) Subdivision (1) of this subsection shall not apply unless the intervention or training is conducted within generally accepted protocols of a registered team, as defined by a nationally recognized accrediting agency.

3. The tort immunity in subsection 2 of this section shall not apply if:

(1) The team member acted with actual malice or willful intent to injure the subject;

(2) The team member acted outside the scope of assigned duties;

(3) The team member acted without team coordination and dispatch;

- (4) The action involved the commission of a crime;
- (5) The action involved sexual harassment, or sexual or physical abuse;
- (6) The actions involved any form of moral turpitude or moral misconduct within the normally accepted community standards; or
- (7) If damages resulted from gross negligence of the team member.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

Representative Sater offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said line the following:

**"170.310. 1. Each school district that operates a high school, and each charter school that contains grades 9 to 12, shall provide instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course in grades 9 to 12.**

**2. Instruction shall include hands-on practicing and skills testing to support cognitive learning. Instruction shall be through a program developed by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.**

**3. The teacher of the health education course shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.**

**4. Instruction as required under this section shall become a requirement for high school graduation for students graduating in the 2014-2015 school year and subsequent school years.**

**5. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 2** was adopted.

Representative Frederick offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section 191.758, Page 2, Line 7, by inserting after all of said section and line the following:

**"197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections 197.010 to [197.120] 197.162, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to**

such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

197.080. **1.** The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

**2. The department shall review and revise its regulations governing hospital licensure and enforcement as to promote hospital and regulatory efficiencies and eliminate duplicative regulation and inspections by or on behalf of state and federal agencies. The hospital licensure regulations adopted under this section shall incorporate standards which shall include, but not be limited to, the following:**

**(1) Each citation or finding of a regulatory deficiency shall refer to the specific written and publicly available standard and associated written interpretative guidance that are the basis of the citation or finding;**

**(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the federal Centers for Medicare and Medicaid Services' Conditions of Participation for hospitals and associated interpretive guidance;**

**(3) The department shall establish and publish a process and standards for complaint investigation, including but not limited to:**

**(a) A process and standards for determining which complaints warrant an onsite investigation based on a preliminary review of available information from the complainant and the hospital. The process and standards shall, at a minimum, provide for a departmental determination independent of any recommendation for investigation by or in consultation with the federal Centers for Medicare and Medicaid Services (CMS). For purposes of evaluating such process and standards, the number and nature of complaints filed and the recommended actions by the department and, as appropriate, CMS shall be disclosed upon request to hospitals, so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;**

**(b) The scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a threat of immediate jeopardy of safety is observed or identified during such investigation;**

**(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;**

**(4) Subject to appropriations, the department shall designate adequate and sufficient resources to the annual inspection of hospitals necessary for licensure, including but not limited to resources for consultation services and collaboration with hospital personnel to facilitate improvements;**

**(5) Hospitals and hospital personnel shall have the opportunity to participate in:**

**(a) Training sessions provided to state licensure surveyors, which shall be provided at least annually subject to appropriations. Hospitals and hospital personnel shall assume all costs associated with their participation in training sessions and use of curriculum materials; and**

**(b) Training of surveyors assigned to inspection of hospitals to the fullest extent possible, including the training of surveyors previously designated as a surveyor specific, which resulted in the exclusion of all hospital personnel from such training sessions;**

**(6) The regulations shall establish specific time lines for state hospital officials to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations. Such time lines shall be identical to, to the extent practicable, to the time lines established for the federal hospital certification and enforcement system in CMS's State Operations Manual, as amended.**

**3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**



197.100. 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall annually inspect each licensed hospital [and] **but shall accept in lieu of an annual inspection reports of hospital inspections from other governmental and recognized accrediting organizations as authorized by this section. Recognizing accrediting organizations shall be those that have deemed status conferred by the Centers for Medicare and Medicaid Services (CMS) to take the place of direct CMS oversight and enforcement. The department shall make any other inspections and investigations as it deems necessary for good cause shown; provided that, the scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a documented threat of immediate jeopardy of safety is observed or identified during the investigation.** The department of health and senior services shall accept reports of hospital inspections from governmental agencies and recognized accrediting organizations [in whole or in part] for licensure purposes if[:

- (1) The inspection is comparable to an inspection performed by the department of health and senior services;
- (2) The hospital meets minimum licensure standards; and

(3)] **the accreditation inspection was conducted within [one year of the date of license renewal] the term of accreditation authorized by the Centers for Medicare and Medicaid Services in granting deemed status to the recognized accrediting organization.** The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety related matters so long as any new standards shall apply only to new construction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 3** was adopted.

Representative Brattin offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section A, Page 1, Line 2, by inserting after all of said section and line the following:

**“191.334. 1. This section shall be known and may be cited as "Chloe's Law".**

**2. By January 1, 2012, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include pulse oximetry screening prior to discharge of the newborn from the health care facility.**

**3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 4** was adopted.

Representative Molendorp offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section 191.758, Page 2, Line 7, by inserting after all of said section and line the following:

**“191.774. 1. No person shall smoke or otherwise use tobacco products in any area of a state correctional center or the grounds thereof. Any person who violates the provisions of this section is guilty of an infraction. 2. The provisions of this section shall become effective July 1, 2013.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schupp offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1*

*to*

*House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Line 4, by inserting after the word **“thereof”** the words **“and any public place within the state”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Elmer
Entlicher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McGhee	Molendorp
Nance	Neth	Nolte	Phillips	Pollock
Redmon	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Parkinson	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Smith 150	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brown 116	Carlson	Conway 14	Day
Dieckhaus	Diehl	Fisher	Flanigan	Funderburk
Grisamore	Higdon	Hubbard	Hughes	Lair
Leara	McCaherty	McGeoghegan	McNary	Nasheed
Reiboldt	Richardson	Schneider	Spreng	Talboy
Webber				

VACANCIES: 004

Representative Schupp moved that **House Amendment No. 1 to House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 036

Atkins	Aull	Carlson	Carter	Colona
Conway 27	Denison	Ellinger	Fallert	Hampton
Harris	Hummel	Kander	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Schieffer	Schupp	Shively
Solon	Still	Swearingen	Swinger	Torpey
Walton Gray				

NOES: 097

Anders	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Parkinson
Pollock	Redmon	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Sifton	Silvey	Smith 150
Stream	Taylor	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

## 2414 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brown 50	Casey	Cookson	Day
Diehl	Fisher	Fitzwater	Flanigan	Funderburk
Higdon	Hughes	Leara	McGeoghegan	McNary
Nolte	Phillips	Reiboldt	Richardson	Schneider
Shumake	Smith 71	Spreng	Talboy	Thomson
Webber				

VACANCIES: 004

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Phillips
Pollock	Redmon	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 048

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Loehner	May	McCann Beatty	McDonald
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 025

Aull	Bernskoetter	Brown 50	Conway 14	Cox
Day	Diehl	Fisher	Flanigan	Funderburk
Hinson	Hughes	Leara	McGeoghegan	McNary
Meadows	Neth	Nolte	Parkinson	Reiboldt
Richardson	Schneider	Talboy	Thomson	Webber

VACANCIES: 004

Representative Molendorp moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Wells offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

[7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 6** was adopted.

Representative Wyatt offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Section 191.758, Page 2, Line 7, by inserting after all of said section and line the following:

**"197.705. 1. Except as otherwise provided in subsection 2 of this section, all hospitals [and health care facilities,] and ambulatory surgical centers as defined in sections 197.020 and [197.305] 197.500, shall require all personnel providing services in such facilities to wear identification badges while acting within the scope of their employment. The identification badges of all personnel shall prominently display the licensure status of such personnel and shall include the following:**

**(1) A recent photograph of the employee, the employee's first name, the employee's title, and the name of the health care facility or organization;**

**(2) The title of the employee shall be as large as possible in block type and shall occupy a tall strip as close as practicable to the top or bottom edge of the badge;**

**(3) Titles shall be as follows:**

**(a) A medical doctor as defined in section 334.021 shall have the title "Physician";**

**(b) Any nurse as defined in section 335.016 may have the title "Advanced Practice Registered Nurse", "Certified Nurse Midwife", "Certified Nurse Practitioner", "Certified Registered Nurse Anesthetist", "Licensed Practical Nurse", "Registered Nurse", or "Clinical Nurse Specialist" as applicable for such nurse's level of nursing, licensure, and certification; and**

**(c) All other titles shall be determined by rule by the department of health and senior services.**

**Nothing in this section shall prohibit a health care provider from placing the provider's additional specialty or designation after the provider's name on the badge.**

**2. Personnel shall not be required to wear an identification badge while delivering direct care to a consumer if not clinically feasible.**

**3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**4. Nothing in this section shall require the immediate replacement of identification badges worn by personnel currently employed on or before August 28, 2011. Such identification badges shall be replaced within a reasonable time after August 28, 2011, such as at a regularly scheduled interval of reissuance; except that, all identification badges worn by personnel of hospitals and health care facilities shall comply with this section within ten years from August 28, 2011."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Barnes	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Entlicher	Fisher	Fitzwater	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Mr Speaker

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 026

Bahr	Bernskoetter	Conway 14	Day	Elmer
Flanigan	Fraker	Franklin	Franz	Funderburk
Grisamore	Haefner	Hughes	Kratky	Leara
McGeoghegan	Nasheed	Newman	Nolte	Parkinson
Phillips	Schatz	Schneider	Webber	Wright
Zerr				

VACANCIES: 004

On motion of Representative Wyatt, **House Amendment No. 7** was adopted.

Representative Cross offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

**“191.250. 1. As used in this section, the following terms shall mean:**

**(1) "Tanning device", any equipment that emits electromagnetic radiation with wavelengths in the air between two hundred and four hundred nanometers used for tanning of the skin, including but not limited to a sunlamp, tanning booth or tanning bed;**

**(2) "Tanning facility", any location, place, area, structure, or business which provides persons access to any tanning device for a fee, membership dues, or any other form of compensation.**

**2. Prior to any person less than eighteen years of age using a tanning device in a tanning facility, a parent or guardian of such person shall appear in person at the tanning facility and sign a written statement acknowledging that the parent or guardian has read and understands the warnings given by the tanning facility and consents to the person's use of a tanning device at the tanning facility.**

**3. The department of health and senior services shall, by rule, develop a standard consent form to be used by all tanning facilities operating in this state. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**4. Any person who violates the provisions of this section is guilty of a class C misdemeanor. Any tanning facility that violates the provisions of this section shall be subject to a fine of one thousand dollars for each violation. Every use of a tanning device in a tanning facility in violation of this section is a separate offense.**

**5. The enforcement of the provisions of this section shall be provided by existing personnel and resources of law enforcement and the department of health and senior services.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fitzwater	Fraker
Franklin	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker



NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Meadows	Montecillo	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Conway 14	Day	Diehl	Fisher
Flanigan	Franz	Frederick	Funderburk	Grisamore
Hubbard	Hughes	Jones 117	Leara	McGeoghegan
Molendorp	Nasheed	Parkinson	Pollock	Schieffer
Webber				

VACANCIES: 004

Representative Cross moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Aull	Barnes	Brandom	Brown 116	Cross
Diehl	Ellinger	Frederick	Gatschenberger	Hampton
Hinson	Jones 63	Jones 89	Kander	Kirkton
Korman	Lampe	Lant	Lauer	Long
May	McCaherty	McDonald	McGhee	McNeil
Montecillo	Nance	Newman	Nolte	Oxford
Pace	Pierson	Reiboldt	Richardson	Schatz
Schneider	Shumake	Smith 71	Still	Swinger
Wallingford	Walton Gray	Webb	Weter	Wieland

NOES: 103

Anders	Asbury	Atkins	Bahr	Bernskoetter
Berry	Black	Brattin	Brown 50	Brown 85
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Largent	Lasater	Leach
Lichtenegger	Loehner	Marshall	McCann Beatty	McManus
McNary	Meadows	Molendorp	Neth	Nichols

## 2420 *Journal of the House*

Parkinson	Phillips	Pollock	Quinn	Redmon
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 150	Solon
Spreng	Stream	Swearingen	Talboy	Taylor
Thomson	Torpey	Wells	White	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Day	Flanigan	Franz	Funderburk
Hughes	Leara	McGeoghegan	Nasheed	Schieffer
Webber				

VACANCIES: 004

On motion of Representative Sater, **HCS SCS SB 17, as amended**, was adopted.

On motion of Representative Sater, **HCS SCS SB 17, as amended**, was read the third time and passed by the following vote:

AYES: 140

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Curtman Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 016

Allen	Day	Elmer	Flanigan	Franz
Funderburk	Hughes	Jones 117	Leach	Leara
McGeoghegan	McGhee	Nasheed	Nolte	Schieffer
Webber				

VACANCIES: 004

Speaker Tilley declared the bill passed.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SS HB 458, as amended**, relating to the Missouri Farmland Trust Act, was taken up by Representative Loehner.

Representative Loehner moved that the House refuse to adopt **SS HB 458, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

**SS SCS HCS HB 430, as amended**, relating to transportation, was taken up by Representative Burlison.

Representative Burlison moved that the House refuse to adopt **SS SCS HCS HB 430, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference thereon, and that the conferees be allowed to exceed the differences relating to Senate Amendment No. 10.

Which motion was adopted.

### THIRD READING OF SENATE BILLS

**SCS SBs 26 & 106**, relating to special license plates, was taken up by Representative Elmer.

Representative Jones (89) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill Nos. 26 & 106, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall

serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Denison offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND Senate Committee Substitute for Senate Bill Nos. 26 & 106, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, **window stickers**, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary, the director of revenue shall establish a system of registration of all fleet vehicles owned or purchased by a fleet owner registered pursuant to this section. The director of revenue shall prescribe the forms for such fleet registration and the forms and procedures for the registration updates prescribed in this section. Any owner of ten or more motor vehicles which must be registered in accordance with this chapter may register as a fleet owner. All registered fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar year or biennial basis pursuant to this section in lieu of the registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an identification number to each registered owner of fleet vehicles.

2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered during April each year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be payable not later than the last day of April of each year, with two years' fees due for biennially-registered vehicles. Notwithstanding the provisions of section 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval issued no more than one hundred twenty days prior to the date of application. The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee. When biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection.

4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee beyond the regular registration fee, owners of fleet vehicles may apply for fleet license plates bearing a company name or logo. All fleet license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab **or window sticker**. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued. The director of revenue shall promulgate rules and regulations establishing the procedure for application and issuance of fleet vehicle license plates.

5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390, if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of Missouri.

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words

"SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) **Beginning January 1, 2012**, the director of revenue shall issue annually or biennially a [tab or set of tabs] **window sticker, to be placed on the front windshield of the motor vehicle**, as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. **Notwithstanding the provisions of this section, motorcycles and trailers shall be issued license plate tabs in lieu of window stickers.** Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs **or window sticker** to ensure that the tab or tabs **or the window sticker** positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs **or window stickers** shall be produced in each license bureau office.

(2) [The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate] **The window sticker shall be placed on the inside front window in an area prescribed by the director of revenue. Tabs issued to motorcycles and trailers shall be affixed and displayed in the designated area of the license plate.**

(3) A tab or [set of tabs] **window sticker** issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs **or window sticker** shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways

and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. [No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.] **Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates **and window sticker** shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. **A window sticker shall not be required during the thirty-day time frame.** As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.



3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a replacement window sticker**, if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

301.160. Upon approval of the application for registration of a motor vehicle or trailer and when the required fee has been paid to the department of revenue, the department shall forward or deliver to the applicant the registration receipt and the number of license plates prescribed for the vehicle or trailer by section 301.130, or renewal tabs **or window stickers** if appropriate. The attachment to the motor vehicle or trailer specified in the application of current license plates shall be prima facie evidence that the fees have been paid for such license.

301.290. 1. Correctional enterprises of the department of corrections shall purchase, erect and maintain all of the machinery and equipment necessary for the manufacture of the license plates [and], tabs, **and window stickers** issued by the director of revenue, and of signs used by the state transportation department. [Beginning on January 1, 2011, correctional enterprises shall no longer erect and maintain tabs for the department of revenue.]

2. The director of revenue shall procure all plates issued by [him] **the director**, and the state transportation department shall procure all signs used by it from correctional enterprises, unless an emergency arises and correctional enterprises cannot furnish the plates, tabs, **window stickers**, or signs.

3. Correctional enterprises shall furnish the plates and signs at such a price as will not exceed the price at which such plates and signs may be obtained upon the open market, but in no event shall such price be less than the cost of manufacture, including labor and materials.

4. All moneys derived from the sale of the plates, tabs, **window stickers**, and signs shall be paid into the state treasury to the credit of the working capital revolving fund as provided in section 217.595.

301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate of ownership, number plate, tab [or set of tabs] **or window sticker** issued by the director of revenue, the lawful holder thereof shall, within five days, file with the director of revenue, an affidavit showing such fact, and shall, on the payment of a fee of eight dollars and fifty cents, obtain a duplicate or replacement of such plate, certificate, tab [or set of tabs] **or window sticker**. Any duplicate certificate issued for any "motor vehicle primarily for business use", as defined in section 301.010, shall be issued only to the owner of record.

2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of registration, the director of revenue shall issue to the lawful owner a duplicate or replacement thereof upon payment of a fee of eight dollars and fifty cents.

3. Vehicle owners who elect not to transfer or renew multiyear plates shall be charged a fee equal to that charged for a lost plate in addition to the registration fee prescribed by law at the time the new plate or plates are issued.

4. Notwithstanding subsection 1 of this section, a new or used motor vehicle dealer may obtain a duplicate or replacement title in the owner's name if the owner's title has been lost, stolen, mutilated, or destroyed and is not available for assignment. In order to obtain the duplicate or replacement title from the department of revenue, the licensed dealer shall procure a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf. The application to the department of revenue for the duplicate or replacement title shall be accompanied by the executed power of attorney, or a copy thereof, and the application shall contain the appropriate mailing address of the dealer. The director of the department of revenue is authorized to make all necessary rules and regulations for the administration of this subsection, and shall design all necessary forms required by this subsection. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

301.301. 1. Any person replacing a stolen license plate tab **or window sticker** issued on or after January 1, 2009, may receive at no cost up to two [sets of two] license plate tabs **or window stickers** per year when the application for the replacement tab **or sticker** is accompanied with a police report that is corresponding with the stolen license plate tab **or window sticker**.

2. Any person replacing a stolen license plate tab issued prior to January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.

301.302. A citation shall not be issued to any person stopped by law enforcement for a missing license plate tab or [tabs] **window sticker** if such person indicates that the tab or [tabs have] **window sticker has** been stolen and a check on such person's vehicle registration reveals that the vehicle is properly registered. A law enforcement officer may issue a warning under these circumstances. In the event a citation is improperly issued to a person for a missing [tabs] **tab or window sticker** when the requirements of this section are met, any court costs shall be waived."; and

Further amend said bill, Page 4, Section 301.4006, Line 54, by inserting after all of said section and line the following:

"Section B. Section A of this act shall become effective January 1, 2012."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 2** was adopted.

Representative Kander offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND Senate Committee Substitute for Senate Bill Nos. 26 & 106, Page 1, Section 301.477, Line 2, by inserting after the word “**badge**” the following:

“, **combat action ribbon, or combat action medal**”; and

Further amend said bill, page and section, Line 8, by inserting after the word “**badge**” the following:

“, **combat action ribbon, or combat action medal**”; and

Further amend said bill, page and section, Line 17, by inserting after the word “**badge**” the following:

“, **combat action ribbon, or combat action medal**”; and

Further amend said bill, Page 2, Section 301.477, Line 19, by deleting the word “**badge**”; and

Further amend said bill, page and section, Line 34, by inserting after the word “**badges**” the following:

“, **combat action ribbons, or combat action medals**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

## 2430 *Journal of the House*

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Diehl	Fisher	Funderburk	Hughes
Leara	McGeoghegan	Nasheed	Richardson	Schieffer
Webber	Mr Speaker			

VACANCIES: 004

On motion of Representative Kander, **House Amendment No. 3** was adopted.

On motion of Representative Elmer, **SCS SBs 26 & 106, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng

Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Diehl	Fitzwater	Funderburk	Jones 117
Leara	McGeoghegan	McNary	Schieffer	Webber
Mr Speaker				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**SB 36**, relating to certain civil air patrol members, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **SB 36** was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Weter	White
Wieland	Wright	Wyatt	Zerr	

## 2432 *Journal of the House*

NOES: 003

Brown 85	Fuhr	Hinson
----------	------	--------

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Dieckhaus	Ellinger	Fisher	Flanigan
Frederick	Hubbard	Jones 63	Kelly 24	McGeoghegan
McNary	Nasheed	Nolte	Schieffer	Webber
Wells	Mr Speaker			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Brown 85	Fuhr	Kirkton	McNeil	Schad
----------	------	---------	--------	-------

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Fisher	Flanigan	Hubbard	McGeoghegan
McNary	Nasheed	Schieffer	Smith 150	Webber

VACANCIES: 004

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 32**.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND House Concurrent Resolution No. 32, Page 1134, Line 9, by inserting immediately after the word "Senate" as it appears the second time on said line, the following:

"and the Minority Leader of the Senate".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS HCR 39**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 42**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 430, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Stouffer, Wasson, Richard, McKenna and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 661**, entitled:

An act to repeal sections 425.010, 425.020, 425.025, 425.027, and 425.040, RSMo, and to enact in lieu thereof six new sections relating to debt adjusters, with an existing penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 60, as amended**: Senators Keaveny, Justus, Rupp, Schaefer and Lamping.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SCS SB 117, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 & HA 2 to SS SB 238**, and requests the House to recede from its position and take up and pass **SS SB 238**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 325, as amended**, and has taken up and passed **HCS SB 325, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 356, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

### **BILLS CARRYING REQUEST MESSAGES**

**HCS SCS SB 356, as amended**, relating to agriculture, was taken up by Representative Loehner.

Representative Loehner moved that the House refuse to recede from its position on **HCS SCS SB 356, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS#2 SCS SB 117, as amended**, relating to state and political subdivisions, was taken up by Representative Flanigan.

Representative Flanigan moved that the House refuse to recede from its position on **HCS#2 SCS SB 117, as amended**, and grant the Senate a conference.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough



Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McNeil	Meadows	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 007

Day	Hughes	McGeoghegan	McManus	Schieffer
Webber	Zerr			

VACANCIES: 004

Representative Flanigan again moved that the House refuse to recede from its position on **HCS#2 SCS SB 117, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Tilley resumed the Chair.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

**HCS SCS SB 60:** Representatives Cox, Elmer, Barnes, Kelly (24) and Carlson

**HCS#2 SCS SB 117:** Representatives Flanigan, Keeney, Fitzwater, Hummel and Kelly (24)

**HCS SCS SB 356:** Representatives Loehner, Schad, Wright, Holsman and Harris

Speaker Pro Tem Schoeller resumed the Chair.

## COMMITTEE REPORTS

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was returned **SCS SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

**HCS#2 SCS SB 100** - Fiscal Review (Fiscal Note)

---

## SUPPLEMENTAL CALENDAR

MAY 11, 2011

## SENATE BILLS FOR THIRD READING

HCS#2 SCS SB 100 - Zerr (Fiscal Review 5-11-11)

---

## CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 173

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 173, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7 and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 173, as amended;
2. The Senate recede from its position on Senate Bill No. 173;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 173, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon  
/s/ Bill Stouffer  
/s/ Scott Rupp  
/s/ Victor Callahan  
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Mike Cierpiot  
/s/ Thomas Long  
/s/ Jason Smith  
/s/ Joe Fallert  
/s/ Ron Casey

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE BILL NO. 226**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 226, with House Amendment Nos. 1, 2, 3 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 226, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Bill No. 226;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 226 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler  
/s/ Bob Dixon  
/s/ Mike Parson  
/s/ Victor Callahan  
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Ward Franz  
/s/ Mike Bernskoetter  
/s/ Lincoln Hough  
/s/ Scott Sifton  
/s/ Jill Schupp

**CONFERENCE COMMITTEE REPORT NO. 2  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 250**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 250, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 250, as amended;
2. The Senate recede from its position on Senate Bill No. 250;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 250 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Kehoe  
/s/ Jack Goodman  
/s/ Kevin Engler  
/s/ Victor Callahan  
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Rodney Schad  
/s/ Mike Cierpiot  
/s/ Galen Higdon  
/s/ Mike Colona  
/s/ Jay Swearingen

**ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, May 12, 2011.

**COMMITTEE MEETINGS**

**CONFERENCE COMMITTEE**

Thursday, May 12, 2011, 8:30 AM Bingham Gallery.  
HCS SB 284

**CONFERENCE COMMITTEE**

Thursday, May 12, 2011, 8:30 AM Senate Committee Room 2.  
HCS SS SB 29, as amended

**FISCAL REVIEW**

Thursday, May 12, 2011, 8:00 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
Any bills referred to the committee.

#### FISCAL REVIEW

Friday, May 13, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

#### RULES

Thursday, May 12, 2011, 8:15 AM South Gallery.

Public hearing will be held: HR 3196

Executive session will be held: HR 3196

Executive session may be held on any matter referred to the committee.

### HOUSE CALENDAR

SEVENTY-FIRST DAY, THURSDAY, MAY 12, 2011

#### HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

#### HOUSE BILLS FOR PERFECTION

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)

- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

#### **SENATE BILLS FOR THIRD READING**

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SB 243, E.C. - Dieckhaus
- 3 SS SCS SB 65 - Jones (89)
- 4 HCS SB 90 - Burlison
- 5 HCS SB 48, E.C. - Pollock
- 6 HCS SS#2 SCS SB 62 - Sater
- 7 HCS SB 77 - Denison
- 8 SCS SB 81 - Frederick
- 9 SCS SB 54 - Kelly (24)
- 10 HCS SCS SB 177 - Sater
- 11 HCS SCS SB 213 - Barnes
- 12 HCS SCS SB 230, E.C. - Ruzicka
- 13 HCS#2 SCS SB 100, (Fiscal Review 5-11-11) - Zerr

#### **SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

- SCR 11, (4-21-11, Page 1431) - Franklin

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 2 SCS HCS HB 250 - Cox
- 3 SCS HCS HB 38 - Pace
- 4 SS SCS HCS HB 161 - Cox
- 5 SCS HB 1008 - Long
- 6 SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended - Riddle
- 7 SS SCS HCS HBs 470 & 429, as amended - Funderburk
- 8 SS#2 SCS HCS HB 89, as amended, E.C. - Pollock

- 9 SS SCS HCS HB 431 - Franz
- 10 SS SCS HB 184 - Dugger
- 11 SS SCS HCS HB 664 - Leara
- 12 SCS HCS HBs 300, 334 & 387, as amended - Gatschenberger

#### **BILLS CARRYING REQUEST MESSAGES**

- 1 SS HB 458, as amended, (request Senate recede/grant conference) - Loehner
- 2 SS SB 238, HA 1, HA 2 (request House recede/take up and pass bill) - Hinson

#### **BILLS IN CONFERENCE**

- 1 CCR HCS SS#2 SCS SB 8, as amended - Fisher
- 2 CCR HCS SB 173, as amended - Cierpiot
- 3 CCR HCS SB 282, as amended - Dugger
- 4 CCR HCS SS SB 135, as amended, E.C. - Jones (89)
- 5 CCR SCS HB 142, as amended - Gatschenberger
- 6 CCR SCS HB 101, as amended - Loehner
- 7 HCS SB 145, as amended - Gatschenberger
- 8 HCS SB 61, as amended - Nasheed
- 9 HCS SB 322, as amended - Kelly (24)
- 10 CCR HCS SS SB 226, as amended - Franz
- 11 CCR HCS SB 59, as amended - Diehl
- 12 HCS SCS SB 29, as amended - Jones (117)
- 13 CCR#2 HCS SB 250, as amended - Schad
- 14 HCS SB 284, as amended, E.C. - Sater
- 15 HCS SCS SB 270, as amended - Dugger
- 16 SCS HB 737 - Redmon
- 17 SS SCS HCS HBs 116 & 316, as amended, E.C. - Flanigan
- 18 HCS SCS SB 60, as amended - Cox
- 19 HCS SCS SB 356, as amended, E.C. - Loehner
- 20 HCS#2 SCS SB 117, as amended, E.C. - Flanigan
- 21 SS SCS HCS HB 430, as amended - Burlison

#### **VETOED HOUSE BILLS**

SS SCS HB 209 - Guernsey

#### **SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 7, (3-17-11, Page 700) - Jones (89)
- 2 SCR 12, (5-3-11, Page 1782) - Higdon

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SEVENTY-FIRST DAY, THURSDAY, MAY 12, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The Lord is my shepherd. (Psalm 23:1)*

O God, Whose strength sustains us in our work, Whose hand supports us in our weariness, and Whose presence gives us security in the time of trouble, grant unto us the renewing power of Your Holy Spirit as we wait upon You in prayer. Lead us into green pastures, beside still waters, and along paths of righteousness in which our souls are restored. When we walk through the valley of the shadow of death, may we feel Your presence near and in the assurance of Your wisdom find deliverance in the midst of our distresses.

Fill our hearts with such a faith in You that, by night and by day, at all times, and in all seasons we may commit ourselves and those near and dear to us to Your never-failing compassion and to Your never-faltering mercy. Thus, may Your goodness and Your mercy follow us all the days of our lives, and in spirit may we dwell in Your house forevermore. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ryan Summa.

The Journal of the seventieth day was approved as printed.

## SPECIAL RECOGNITION

Phyllis Hughes, Administrative Assistant, House Appropriations, was introduced by Representative Bernskoetter and presented a resolution acknowledging her retirement after 31 years of service to the Missouri House of Representatives.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3371 through House Resolution No. 3462



## COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 100** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

### THIRD READING OF SENATE BILL

**HCS SB 48**, relating to utilities, was taken up by Representative Pollock.

Representative Pollock offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 48, Page 19, Section 414.570, Line 36, by inserting after all of said line the following:

- "620.2300. 1. As used in this section, the following terms shall mean;**
- (1) "Department", the Missouri department of economic development;**
  - (2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**
  - (3) "Commission", the Missouri public service commission;**
  - (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**
  - (5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;**
  - (6) "Major source", the same meaning as is provided under 40 C.F.R. 70.2;**
  - (7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;**
  - (8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:**
    - (a) The area consists of at least fifty contiguous acres;**
    - (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States environmental protection agency;**
    - (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;**
    - (d) The development plan for the area includes a biomass facility; and**
    - (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;**
  - (9) "Project", a clean fields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;**

(10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;

(11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;

(12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.

2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.

3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:

(1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;

(2) Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or

(3) Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier."; and

Further amend said bill, Page 20, Section B, Line 3, by inserting after the word "decisions" the following:

"and the need to ensure the creation of jobs through the utilization of alternative energy sources"; and

Further amend said bill, Page 20, Section B, Line 4, by inserting after the number "386.540" the following:

"and the enactment of section 620.2300"; and

Further amend said bill, Page 20, Section B, Line 7, by inserting after the number "386.540" the following:

"and the enactment of section 620.2300"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Pollock offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 48, Pages 14-15, Section 393.1000, Lines 1-47, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 15-16, Section 393.1003, Lines 1-25, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 2** was adopted.

Representative Riddle offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 48, Pages 1-3, Section 247.060, Lines 1- 82, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 3** was adopted.

Representative Smith (150) offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 48, Page 5, Section 386.420, Line 33, by adding the phrase "that is not classified as price-cap or competitive company" immediately following the words "public utility"; and

Further amend Section 386.520, Page 9, Line 57, by adding the phrase "for public utilities that are not classified as price-cap or competitive companies" immediately following the words "new rates or charges".

On motion of Representative Smith (150), **House Amendment No. 4** was adopted.

Representative Hinson offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 48, Page 1, In the Title, Line 4, by inserting after "RSMo," the following:

"section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session and section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after "RSMo," the following:

"section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session and section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 683, ninety-fifth general assembly, first regular session"; and

Further amend said bill, Page 19, Section 414.570, Line 36, by inserting after all of said section and line the following:

“565.081. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the first degree is a class A felony.

[565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. Assault of a law enforcement officer, corrections officer, emergency personnel, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony.]

565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, **highway worker in a construction zone or work zone, utility worker**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence.

565.083. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer;

(2) Such person purposely places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer without the consent of the law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker**, or probation and parole officer in the third degree is a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 5** was adopted.

Representative Jones (89) offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 48, Page 1, Section A, Line 6, by inserting after all of said line the following:

“72.401. 1. If a commission has been established pursuant to [section] **sections 72.400 to 72.423** in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a

member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to [105.498] **105.496** and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review. Such a boundary adjustment is not prohibited by the existence of an established unincorporated area.

**9. Notwithstanding any provisions of law to the contrary, any voluntary annexation approved by ordinance of any municipality that is a service provider for both water and sewer service within the municipality shall be effective as provided in such annexation ordinance and shall not be subject to boundary commission review. Such an annexation is not prohibited by the existence of an established unincorporated area.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Jones (89), **House Amendment No. 6** was adopted.

Representative Solon offered **House Amendment No. 7**.

Representative Kander raised a point of order that **House Amendment No. 7** was not timely distributed.

Representative Lampe raised an additional point of order that **House Amendment No. 7** is not germane to the bill.

The Chair ruled the first point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp

Nance	Neth	Nolte	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 045

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McNeil	Meadows
Montecillo	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brown 50	Brown 116	Flanigan	Franz
Hodges	Hubbard	Hughes	Leara	McGeoghegan
McManus	Parkinson	Ruzicka	Sater	Schneider
Spreng	Webb	Webber		

VACANCIES: 004

On motion of Representative Pollock, **HCS SB 48, as amended**, was adopted.

On motion of Representative Pollock, **HCS SB 48, as amended**, was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefer	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McNary	McNeil



## 2451 *Journal of the House*

Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Brown 116	Flanigan	Franz	Hodges
Hughes	Leara	McGeoghegan	McManus	Nasheed
Pace	Parkinson	Sater	Webber	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen

Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Brattin	Marshall
---------	----------

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 116	Flanigan	Franz	Gatschenberger	Hodges
Hughes	McGeoghegan	McManus	Parkinson	Sater
Webb	Webber			

VACANCIES: 004

**HCS SB 77**, relating to roadway signs, was taken up by Representative Denison.

On motion of Representative Denison, **HCS SB 77** was adopted.

On motion of Representative Denison, **HCS SB 77** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger

2453 *Journal of the House*

Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Atkins	Brattin	Brown 85	Brown 116	Diehl
Dugger	Hughes	Loehner	McGeoghegan	McManus
Parkinson	Richardson	Sater	Walton Gray	Webber
Mr Speaker				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**SCS SB 54**, relating to protection from sexual offenders, was taken up by Representative Kelly (24).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24

Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Diehl	Flanigan	Hughes	Jones 117
McGeoghegan	Sater	Smith 150	Webber	Zerr
Mr Speaker				

VACANCIES: 004

On motion of Representative Kelly (24), **SCS SB 54** was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 116

Hughes

McGeoghegan

Sater

Webber

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**SS SCS HCS SB 430:** Representatives Burlison, Schoeller, Denison, Ellinger and Jones (63)

### **THIRD READING OF SENATE BILL**

**SS SCS SB 65**, relating to late-term abortions, was taken up by Representative Jones (89).

Representative Oxford offered **House Amendment No. 1**.

Representative Long raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka

Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 037

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Ellinger	Hodges	Holsman
Hubbard	Hughes	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swinger	Talboy
Taylor	Webb			

PRESENT: 012

Black	Casey	Conway 27	Fallert	Harris
Hummel	Kratky	McManus	Meadows	Quinn
Schieffer	Shively			

ABSENT WITH LEAVE: 009

Bernskoetter	McGeoghegan	McNary	Nasheed	Sater
Schneider	Swearingen	Walton Gray	Webber	

VACANCIES: 004

On motion of Representative Jones (89), **SS SCS SB 65** was truly agreed to and finally passed by the following vote:

AYES: 121

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McManus
McNary	Meadows	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swinger

## 2457 *Journal of the House*

Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 033

Atkins	Carlson	Carter	Colona	Ellinger
Hubbard	Hughes	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McDonald
McNeil	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 001

Holsman

ABSENT WITH LEAVE: 004

McGeoghegan	Nasheed	Sater	Webber
-------------	---------	-------	--------

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS HCR 23**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has third read and passed **HCR 37**, entitled:

Relating to the recognition of every third week in June as Diabetic Peripheral Neuropathy Week.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 223 & 231**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 484**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 667**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 & HA 2 to SS SCS SB 70**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SCS SB 117, as amended**: Senators Engler, Crowell, Schmitt, Justus and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 356, as amended**: Senators Munzlinger, Parson, Brown, Callahan and Justus.

### **BILL CARRYING REQUEST MESSAGE**

**SS SCS SB 70, with House Amendment No. 1 and House Amendment No. 2**, relating to the Missouri Family Trust Act, was taken up by Representative Franz.

Representative Franz moved that the House refuse to recede from its position on **House Amendment No. 1 and House Amendment No. 2** to **SS SCS SB 70** and grant the Senate a conference.

Which motion was adopted.

### **THIRD READING OF SENATE BILL**

**SCS SB 81**, relating to fine arts education, was taken up by Representative Frederick.

Representative Funderburk offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 81, Page 1, Section A, Line 2, by inserting after said line the following:

“143.183. 1. As used in this section, the following terms mean:

(1) "Nonresident entertainer", a person residing or registered as a corporation outside this state who, for compensation, performs any vocal, instrumental, musical, comedy, dramatic, dance or other performance in this state before a live audience and any other person traveling with and performing services on behalf of a nonresident entertainer, including a nonresident entertainer who is paid compensation for providing entertainment as an independent contractor, a partnership that is paid compensation for entertainment provided by nonresident entertainers, a corporation that is paid compensation for entertainment provided by nonresident entertainers, or any other entity that is paid compensation for entertainment provided by nonresident entertainers;

(2) "Nonresident member of a professional athletic team", a professional athletic team member who resides outside this state, including any active player, any player on the disabled list if such player is in uniform on the day of the game at the site of the game, and any other person traveling with and performing services on behalf of a professional athletic team;

(3) "Personal service income" includes exhibition and regular season salaries and wages, guaranteed payments, strike benefits, deferred payments, severance pay, bonuses, and any other type of compensation paid to the nonresident entertainer or nonresident member of a professional athletic team, but does not include prizes, bonuses or incentive money received from competition in a livestock, equine or rodeo performance, exhibition or show;

(4) "Professional athletic team" includes, but is not limited to, any professional baseball, basketball, football, soccer and hockey team.



2. Any person, venue, or entity who pays compensation to a nonresident entertainer shall deduct and withhold from such compensation as a prepayment of tax an amount equal to two percent of the total compensation if the amount of compensation is in excess of three hundred dollars paid to the nonresident entertainer.

3. Any person, venue, or entity required to deduct and withhold tax pursuant to subsection 2 of this section shall, for each calendar quarter, on or before the last day of the month following the close of such calendar quarter, remit the taxes withheld in such form or return as prescribed by the director of revenue and pay over to the director of revenue or to a depository designated by the director of revenue the taxes so required to be deducted and withheld.

4. Any person, venue, or entity subject to this section shall be considered an employer for purposes of section 143.191, and shall be subject to all penalties, interest, and additions to tax provided in this chapter for failure to comply with this section.

5. Notwithstanding other provisions of this chapter to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but none after December 31, 2015, shall annually estimate the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, sixty percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri arts council trust fund, and shall be transferred from the general revenue fund to the Missouri arts council trust fund established in section 185.100 and any amount transferred shall be in addition to such agency's budget base for each fiscal year. The director shall by rule establish the method of determining the portion of personal service income of such persons that is allocable to Missouri.

6. Notwithstanding the provisions of sections 186.050 to 186.067 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri humanities council trust fund, and shall be transferred from the general revenue fund to the Missouri humanities council trust fund established in section 186.055 and any amount transferred shall be in addition to such agency's budget base for each fiscal year.

7. Notwithstanding other provisions of section 182.812 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri state library networking fund, and shall be transferred from the general revenue fund to the secretary of state for distribution to public libraries for acquisition of library materials as established in section 182.812 and any amount transferred shall be in addition to such agency's budget base for each fiscal year.

8. Notwithstanding other provisions of section 185.200 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to the Missouri public television broadcasting corporation special fund, and shall be transferred from the general revenue fund to the Missouri public television broadcasting corporation special fund, and any amount transferred shall be in addition to such agency's budget base for each fiscal year; provided, however, that twenty-five percent of such allocation shall be used for grants to public radio stations which were qualified by the corporation for public broadcasting as of November 1, 1996. Such grants shall be distributed to each of such public radio stations in this state after receipt of the station's certification of operating and programming expenses for the prior fiscal year. Certification shall consist of the most recent fiscal year financial statement submitted by a station to the corporation for public broadcasting. The grants shall be divided into two categories, an annual basic service grant and an operating grant. The basic service grant shall be equal to thirty-five percent of the total amount and shall be divided equally among the public radio stations receiving grants. The remaining amount shall be distributed as an operating grant to the stations on the basis of the proportion that the total operating expenses of the individual station in the prior fiscal year bears to the aggregate total of operating expenses for the same fiscal year for all Missouri public radio stations which are receiving grants.

9. Notwithstanding other provisions of section 253.402 to the contrary, the commissioner of administration, for all taxable years beginning on or after January 1, 1999, but for none after December 31, 2015, shall estimate annually the amount of state income tax revenues collected pursuant to this chapter which are received from nonresident members of professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each subsequent fiscal year for a period of sixteen years, ten percent of the annual estimate of taxes generated from the nonresident entertainer and professional athletic team income tax shall be allocated annually to [the Missouri department of natural resources Missouri historic preservation revolving fund, and shall be transferred from the general revenue fund to the Missouri department of natural resources Missouri historic preservation revolving fund established in section 253.402 and any amount transferred shall be in addition to such agency's budget base for each fiscal year] **historically black colleges and universities (HBCU), to be allocated based on the student enrollment in each university and to be used solely for youth sport safety in each university's athletic facility, including physical safety and therapy.** As authorized pursuant to subsection 2 of section 30.953, it is the intention and desire of the general assembly that the state treasurer convey, to the Missouri investment trust on January 1, 1999, up to one hundred percent of the balances of the Missouri arts council trust fund established pursuant to section 185.100 and the Missouri humanities council trust fund established pursuant to section 186.055. The funds shall be reconveyed to the state treasurer by the investment trust as follows: the Missouri arts council trust fund, no earlier than January 2, 2009; and the Missouri humanities council trust fund, no earlier than January 2, 2009.

**10. This section shall not be construed to apply to any person who makes a presentation for professional or technical education purposes or to apply to any presentation that is part of a seminar, conference, convention, school, or similar program format designed to provide professional or technical education.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Guernsey assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 043

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Fallert
Harris	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McDonald	McManus	McNeil	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 116	Colona	Conway 14	Diehl	Dugger
Ellinger	Grisamore	Hodges	Kelley 126	Kratky
McCaherty	McGeoghegan	Meadows	Quinn	Sater
Schieber	Spreng	Swinger	Webber	Mr Speaker

VACANCIES: 004

On motion of Representative Funderburk, **House Amendment No. 1** was adopted.

Representative Aull offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND Senate Committee Substitute for Senate Bill No. 81, Page 2, Section 162.1195, Line 24, by inserting after all of said section and line the following:

“[163.037. In any school year after the 2009-10 school year, if there is a twenty-five percent decrease in the statewide percentage of average daily attendance attributable to summer school compared to the percentage of average daily attendance attributable to summer school in the 2005-06 school year, then for the subsequent school year, weighted average daily attendance, as such term is defined in section 163.011, shall include the addition of the product of twenty-five hundredth times the average daily attendance for summer school.]

Section B. Because of the need to provide adequate funding to school districts, the repeal of section 163.037 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal of section 163.037 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rowland offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 81, Page 1, Line 2, by inserting after all of said line the following:

“165.011. 1. The following funds are created for the accounting of all school moneys: teachers' fund, incidental fund, capital projects fund and debt service fund. The treasurer of the school district shall open an account for each fund specified in this section, and all moneys received from the county school fund and all moneys derived from taxation for teachers' wages shall be placed to the credit of the teachers' fund. All tuition fees, state moneys received under section 163.031, and all other moneys received from the state except as herein provided shall be placed to the credit of the teachers' and incidental funds at the discretion of the district board of education, except as provided in subsection 6 of section 163.031. Money received from other districts for transportation and money derived from taxation for incidental expenses shall be credited to the incidental fund. All money derived from taxation or received from any other source for the erection of buildings or additions thereto and the remodeling or reconstruction of buildings and the furnishing thereof, for the payment of lease-purchase obligations, for the purchase of real estate, or from sale of real estate, schoolhouses or other buildings of any kind, or school furniture, from insurance, from sale of bonds other than refunding bonds shall be placed to the credit of the capital projects fund. All moneys derived from the sale or lease of sites, buildings, facilities, furnishings, and equipment by a school district as authorized under section 177.088 shall be credited to the capital projects fund. Money derived from taxation for the retirement of bonds and the payment of interest thereon shall be credited to the debt service fund, which shall be maintained as a separate bank account. Receipts from delinquent taxes shall be allocated to the several funds on the same basis as receipts from current taxes, except that where the previous years' obligations of the district would be affected by such distribution, the delinquent taxes shall be distributed according to the tax levies made for the years in which the obligations were incurred. All refunds received shall be placed to the credit of the fund from which the original expenditures were made. Money donated to the school districts shall be placed to the credit of the fund where it can be expended to meet the purpose for which it was donated and accepted. Money received from any other source whatsoever shall be placed to the credit of the fund or funds designated by the board.

2. The school board may transfer any portion of the unrestricted balance remaining in the incidental fund to the teachers' fund. Any district that uses an incidental fund transfer to pay for more than twenty-five percent of the annual certificated compensation obligation of the district and has an incidental fund balance on June thirtieth in any year in excess of fifty percent of the combined incidental teachers' fund expenditures for the fiscal year just ended shall be required to transfer the excess from the incidental fund to the teachers' fund. If a balance remains in the debt service fund, after the total outstanding indebtedness for which the fund was levied is paid, the board may transfer the unexpended balance to the capital projects fund. If a balance remains in the bond proceeds after completion of the project for which the bonds were issued, the balance shall be transferred from the incidental or capital projects fund to the debt service fund. After making all placements of interest otherwise provided by law, a school district may transfer from the capital projects fund to the incidental fund the interest earned from undesignated balances in the capital projects fund. A school district may borrow from one of the following funds: teachers' fund, incidental fund, or capital projects fund, as necessary to meet obligations in another of those funds; provided that the full amount is repaid to the lending fund within the same fiscal year.

3. Tuition shall be paid from either the teachers' or incidental funds. Employee benefits for certificated staff shall be paid from the teachers' fund.

4. Other provisions of law to the contrary notwithstanding, the school board of a school district that meets the provisions of subsection 6 of section 163.031 may transfer from the incidental fund to the capital projects fund the sum of:

(1) The amount to be expended for transportation equipment that is considered an allowable cost under state board of education rules for transportation reimbursements during the current year; plus

(2) Any amount necessary to satisfy obligations of the capital projects fund for state-approved area vocational-technical schools; plus

(3) Current year obligations for lease-purchase obligations entered into prior to January 1, 1997; plus

(4) The amount necessary to repay costs of one or more guaranteed energy savings performance contracts to renovate buildings in the school district, provided that the contract is only for energy conservation measures as defined in section 640.651 and provided that the contract specifies that no payment or total of payments shall be required from

the school district until at least an equal total amount of energy and energy-related operating savings and payments from the vendor pursuant to the contract have been realized by the school district; plus

(5) An amount not to exceed the greater of:

(a) One hundred sixty-two thousand three hundred twenty- six dollars; or

(b) Seven percent of the state adequacy target multiplied by the district's weighted average daily attendance, provided that transfer amounts in excess of current year obligations of the capital projects fund authorized under this subdivision may be transferred only by a resolution of the school board approved by a majority of the board members in office when the resolution is voted on and identifying the specific capital projects to be funded directly by the district by the transferred funds and an estimated expenditure date.

5. Beginning in the 2006-07 school year, a district meeting the provisions of subsection 6 of section 163.031 and not making the transfer under subdivision (5) of subsection 4 of this section, nor making payments or expenditures related to obligations made under section 177.088 may transfer from the incidental fund to the debt service fund or the capital projects fund the greater of:

(1) The state aid received in the 2005-06 school year as a result of no more than eighteen cents of the sum of the debt service and capital projects levy used in the foundation formula and placed in the respective debt service or capital projects fund, whichever fund had the designated tax levy; or

(2) Five percent of the state adequacy target multiplied by the district's weighted average daily attendance.

6. Beginning in the 2006-07 school year, the department of elementary and secondary education shall deduct from a school district's state aid calculated pursuant to section 163.031 an amount equal to the amount of any transfer of funds from the incidental fund to the capital projects fund or debt service fund performed during the previous year in violation of this section; except that the state aid shall be deducted over no more than five school years following the school year of an unlawful transfer based on a plan from the district approved by the commissioner of elementary and secondary education.

7. A school district may transfer unrestricted funds from the capital projects fund to the incidental fund in any year [in which that year's June thirtieth combined incidental and teachers' funds unrestricted balance compared to the combined incidental and teachers' funds expenditures would be less than ten percent without such transfer] **to avoid becoming financially stressed as defined in subsection 1 of section 161.520. If on June thirtieth of any fiscal year the sum of unrestricted balances in a school district's incidental fund and teacher's fund is less than twenty percent of the sum of the school district's expenditures from those funds for the fiscal year ending on that June thirtieth, the school district may, during the next succeeding fiscal year, transfer to its incidental fund an amount up to and including the amount of the unrestricted balance in its capital projects fund on that June thirtieth. For purposes of this subsection, in addition to any other restrictions that may apply to funds in the school district's capital projects fund, any funds that are derived from the proceeds of one or more general obligation bond issues shall be considered restricted funds and shall not be transferred to the school district's incidental fund.**"; and

Further amend said amendment by deleting the opening quotation mark on Line 4 of said amendment; and

Further amend said amendment and page, Lines 11 and 13, by inserting after the numeral "163.037" the following:

"and the repeal and reenactment of 165.011"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Aull, **House Amendment No. 2, as amended**, was adopted.

Representative Shumake offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND Senate Committee Substitute for Senate Bill No. 81, Page 2, Section 162.1195, Line 24, by inserting after all of said section and line the following:

**“170.340. Books of a religious nature may be used in the classroom as part of instruction in elective courses in literature and history, so long as such books are not used in a manner so as to violate the establishment clause of the United States Constitution.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1*

*to*

*House Amendment No. 3*

AMEND House Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 81, Page 1, Line 4, by inserting after the word "**nature**", the words "**, including but not limited to the Torah, Koran, Bible,**".

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn

## 2465 *Journal of the House*

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Brown 116	Diehl	Dugger	Franklin
Funderburk	Klippenstein	Lasater	Leara	McGeoghegan
Meadows	Pollock	Sater	Webber	Mr Speaker

VACANCIES: 004

Representative Oxford moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Anders	Atkins	Aull	Black	Brown 85
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Montecillo	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb		

NOES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lauer	Leach	Lichtenegger
Long	Marshall	McCahtery	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Funderburk	Lasater	Leara	Loehner
McGeoghegan	Meadows	Sater	Taylor	Webber

VACANCIES: 004

On motion of Representative Shumake, **House Amendment No. 3** was adopted.

Representative Neth offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND Senate Committee Substitute for Senate Bill No. 81, Page 2, Section 162.1195, Line 24, by inserting immediately after said line the following:

**“170.045. 1. Any public school may offer one or more courses in ballroom dance. Ballroom dance shall be treated as a qualified physical education activity and as a fine arts activity for academic credit granting and receiving purposes when ballroom dance is offered by a public school.**

**2. Any student enrolled in a public school in this state that offers a ballroom dance course or courses may earn academic credit for such course by completing the course with a passing grade.**

**3. Academic credit received for taking a ballroom dance course shall be counted toward satisfaction of any physical education or fine arts requirements of the public school, including any entrance requirements of any public institution of higher education.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt



## 2467 *Journal of the House*

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Hubbard
Hughes	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McManus	McNeil	Montecillo	Nasheed	Newman
Nichols	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 016

Diehl	Fitzwater	Gatschenberger	Holsman	Hummel
Jones 117	Lasater	Leara	McGeoghegan	Meadows
Oxford	Richardson	Sater	Webber	Zerr
Mr Speaker				

VACANCIES: 004

Representative Neth moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Frederick, **SCS SB 81, as amended**, was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo

Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Lasater	Leara	McGeoghegan	Meadows	Richardson
Sater	Webber	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Davis
Denison	Dieckhaus	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 008

Bahr	Brattin	Cookson	Curtman	Gatschenberger
Koenig	Leach	Marshall		

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 50	Day	Diehl	Elmer	Flanigan
Lasater	McGeoghegan	McGhee	Meadows	Richardson
Sater	Webber	Mr Speaker		

VACANCIES: 004

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 213**, entitled:

An act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HB 458, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Brown, Munzlinger, Schaefer, Callahan and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 48, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS SB 70 with HA 1 and HA 2**: Senators Schaefer, Brown, Richard, Keaveny and Green.

## BILL CARRYING REQUEST MESSAGE

**HCS SB 48, as amended**, relating to utilities, was taken up by Representative Pollock.

Representative Pollock moved that the House refuse to recede from its position on **HCS SB 48, as amended**, and grant the Senate a conference.

Which motion was adopted.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 48, as amended**: Senators Wright-Jones, Green, Lager, Schaefer and Dixon.

### HOUSE BILL WITH SENATE AMENDMENTS

**SS SCS HCS HB 664**, relating to firefighter benefits, was taken up by Representative Leara.

On motion of Representative Leara, **SS SCS HCS HB 664** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

## 2471 *Journal of the House*

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Carter	Diehl	Ellinger	Grisamore
Hughes	Jones 63	Loehner	McGeoghegan	McNary
Parkinson	Pollock	Sater	Webb	Webber

VACANCIES: 004

On motion of Representative Leara, **SS SCS HCS HB 664** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Day	Diehl	Ellinger	Grisamore
Hughes	Jones 63	Loehner	McGeoghegan	McNary
Nasheed	Pollock	Sater	Webb	Webber

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF SENATE BILL

**HCS SCS SB 177**, relating to health care, was taken up by Representative Frederick.

Representative Frederick offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 14, Section 192.300, Line 30, by inserting after all of said section and line the following:

“197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections 197.010 to [197.120] **197.162**, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

**2. The department shall review and revise its regulations governing hospital licensure and enforcement as to promote hospital and regulatory efficiencies and eliminate duplicative regulation and inspections by or on behalf of state and federal agencies. The hospital licensure regulations adopted under this section shall incorporate standards which shall include, but not be limited to, the following:**

**(1) Each citation or finding of a regulatory deficiency shall refer to the specific written and publicly available standard and associated written interpretative guidance that are the basis of the citation or finding;**

**(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the federal Centers for Medicare and Medicaid Services' Conditions of Participation for hospitals and associated interpretive guidance;**

**(3) The department shall establish and publish a process and standards for complaint investigation, including but not limited to:**

**(a) A process and standards for determining which complaints warrant an onsite investigation based on a preliminary review of available information from the complainant and the hospital. The process and standards shall, at a minimum, provide for a departmental determination independent of any recommendation for investigation by or in consultation with the federal Centers for Medicare and Medicaid Services (CMS). For purposes of evaluating such process and standards, the number and nature of complaints filed and the recommended actions by the department and, as appropriate, CMS shall be disclosed upon request to hospitals, so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;**

**(b) The scope of a departmental investigation of a complaint shall be limited to the specific regulatory standard or standards raised by the complaint, unless a threat of immediate jeopardy of safety is observed or identified during such investigation;**

**(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;**

**(4) Subject to appropriations, the department shall designate adequate and sufficient resources to the annual inspection of hospitals necessary for licensure, including but not limited to resources for consultation services and collaboration with hospital personnel to facilitate improvements;**

(5) Hospitals and hospital personnel shall have the opportunity to participate in:

(a) Training sessions provided to state licensure surveyors, which shall be provided at least annually subject to appropriations. Hospitals and hospital personnel shall assume all costs associated with their participation in training sessions and use of curriculum materials; and

(b) Training of surveyors assigned to inspection of hospitals to the fullest extent possible, including the training of surveyors previously designated as a surveyor specific, which resulted in the exclusion of all hospital personnel from such training sessions;

(6) The regulations shall establish specific time lines for state hospital officials to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations. Such time lines shall be identical to, to the extent practicable, to the time lines established for the federal hospital certification and enforcement system in CMS's State Operations Manual, as amended.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

197.080. The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Wells offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 9, Section 144.030, Line 279, by inserting after all of said line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or

children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

[7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 2** was adopted.

Representative Molendorp offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 630.167, Page 19, Line 110, by inserting after all of said section and line the following:

**"Section 1. The MO HealthNet division shall not require a health insurance issuer, as defined in section 376.450, to exceed the requirements of sections 354.603 and 354.606 related to network adequacy."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 3** was adopted.

Representative Kelly (24) offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 144.030, Page 9, Line 279, by inserting after all of said section and line the following:

**"190.839. Sections 190.800 to 190.839 shall expire on September 30, [2011] 2015."**; and



Further amend said bill, Section 192.300, Page 14, Line 30, by inserting after all of said section and line the following:

“198.439. Sections 198.401 to 198.436 shall expire on September 30, [2011] **2015.**”; and

Further amend said bill, Section 208.247, Page 15, Line 26, by inserting after all of said section and line the following:

“208.437. 1. A Medicaid managed care organization reimbursement allowance period as provided in sections 208.431 to 208.437 shall be from the first day of July to the thirtieth day of June. The department shall notify each Medicaid managed care organization with a balance due on the thirtieth day of June of each year the amount of such balance due. If any managed care organization fails to pay its managed care organization reimbursement allowance within thirty days of such notice, the reimbursement allowance shall be delinquent. The reimbursement allowance may remain unpaid during an appeal.

2. Except as otherwise provided in this section, if any reimbursement allowance imposed under the provisions of sections 208.431 to 208.437 is unpaid and delinquent, the department of social services may compel the payment of such reimbursement allowance in the circuit court having jurisdiction in the county where the main offices of the Medicaid managed care organization are located. In addition, the director of the department of social services or the director's designee may cancel or refuse to issue, extend or reinstate a Medicaid contract agreement to any Medicaid managed care organization which fails to pay such delinquent reimbursement allowance required by sections 208.431 to 208.437 unless under appeal.

3. Except as otherwise provided in this section, failure to pay a delinquent reimbursement allowance imposed under sections 208.431 to 208.437 shall be grounds for denial, suspension or revocation of a license granted by the department of insurance, financial institutions and professional registration. The director of the department of insurance, financial institutions and professional registration may deny, suspend or revoke the license of a Medicaid managed care organization with a contract under 42 U.S.C. Section 1396b(m) which fails to pay a managed care organization's delinquent reimbursement allowance unless under appeal.

4. Nothing in sections 208.431 to 208.437 shall be deemed to effect or in any way limit the tax-exempt or nonprofit status of any Medicaid managed care organization with a contract under 42 U.S.C. Section 1396b(m) granted by state law.

5. Sections 208.431 to 208.437 shall expire on September 30, [2011] **2015.**

208.480. Notwithstanding the provisions of section 208.471 to the contrary, sections 208.453 to 208.480 shall expire on September 30, [2011] **2015.**

338.550. 1. The pharmacy tax required by sections 338.500 to 338.550 shall expire ninety days after any one or more of the following conditions are met:

(1) The aggregate dispensing fee as appropriated by the general assembly paid to pharmacists per prescription is less than the fiscal year 2003 dispensing fees reimbursement amount; or

(2) The formula used to calculate the reimbursement as appropriated by the general assembly for products dispensed by pharmacies is changed resulting in lower reimbursement to the pharmacist in the aggregate than provided in fiscal year 2003; or

(3) September 30, [2011] **2015.**

The director of the department of social services shall notify the revisor of statutes of the expiration date as provided in this subsection. The provisions of sections 338.500 to 338.550 shall not apply to pharmacies domiciled or headquartered outside this state which are engaged in prescription drug sales that are delivered directly to patients within this state via common carrier, mail or a carrier service.

2. Sections 338.500 to 338.550 shall expire on September 30, [2011] **2015.**”; and

Further amend said bill, Section 630.630.167, Page 19, Line 110, by inserting after all of said section and line the following:

“633.401. 1. For purposes of this section, the following terms mean:

(1) "Engaging in the business of providing health benefit services", accepting payment for health benefit services;

(2) "Intermediate care facility for the mentally retarded", a private or department of mental health facility which admits persons who are mentally retarded or developmentally disabled for residential habilitation and other services pursuant to chapter 630. Such term shall include habilitation centers and private or public intermediate care facilities for the mentally retarded that have been certified to meet the conditions of participation under 42 CFR, Section 483, Subpart 1;

(3) "Net operating revenues from providing services of intermediate care facilities for the mentally retarded" shall include, without limitation, all moneys received on account of such services pursuant to rates of reimbursement established and paid by the department of social services, but shall not include charitable contributions, grants, donations, bequests and income from nonservice related fund-raising activities and government deficit financing, contractual allowance, discounts or bad debt;

(4) "Services of intermediate care facilities for the mentally retarded" has the same meaning as the term used in Title 42 United States Code, Section 1396b(w)(7)(A)(iv), as amended, and as such qualifies as a class of health care services recognized in federal Public Law 102-234, the Medicaid Voluntary Contribution and Provider Specific Tax Amendment of 1991.

2. Beginning July 1, 2008, each provider of services of intermediate care facilities for the mentally retarded shall, in addition to all other fees and taxes now required or paid, pay assessments on their net operating revenues for the privilege of engaging in the business of providing services of the intermediate care facilities for the mentally retarded or developmentally disabled in this state.

3. Each facility's assessment shall be based on a formula set forth in rules and regulations promulgated by the department of mental health.

4. For purposes of determining rates of payment under the medical assistance program for providers of services of intermediate care facilities for the mentally retarded, the assessment imposed pursuant to this section on net operating revenues shall be a reimbursable cost to be reflected as timely as practicable in rates of payment applicable within the assessment period, contingent, for payments by governmental agencies, on all federal approvals necessary by federal law and regulation for federal financial participation in payments made for beneficiaries eligible for medical assistance under Title XIX of the federal Social Security Act.

5. Assessments shall be submitted by or on behalf of each provider of services of intermediate care facilities for the mentally retarded on a monthly basis to the director of the department of mental health or his or her designee and shall be made payable to the director of the department of revenue.

6. In the alternative, a provider may direct that the director of the department of social services offset, from the amount of any payment to be made by the state to the provider, the amount of the assessment payment owed for any month.

7. Assessment payments shall be deposited in the state treasury to the credit of the "Intermediate Care Facility Mentally Retarded Reimbursement Allowance Fund", which is hereby created in the state treasury. All investment earnings of this fund shall be credited to the fund. Notwithstanding the provisions of section 33.080 to the contrary, any unexpended balance in the intermediate care facility mentally retarded reimbursement allowance fund at the end of the biennium shall not revert to the general revenue fund but shall accumulate from year to year. The state treasurer shall maintain records that show the amount of money in the fund at any time and the amount of any investment earnings on that amount.

8. Each provider of services of intermediate care facilities for the mentally retarded shall keep such records as may be necessary to determine the amount of the assessment for which it is liable under this section. On or before the forty-fifth day after the end of each month commencing July 1, 2008, each provider of services of intermediate care facilities for the mentally retarded shall submit to the department of social services a report on a cash basis that reflects such information as is necessary to determine the amount of the assessment payable for that month.

9. Every provider of services of intermediate care facilities for the mentally retarded shall submit a certified annual report of net operating revenues from the furnishing of services of intermediate care facilities for the mentally retarded. The reports shall be in such form as may be prescribed by rule by the director of the department of mental health. Final payments of the assessment for each year shall be due for all providers of services of intermediate care facilities for the mentally retarded upon the due date for submission of the certified annual report.

10. The director of the department of mental health shall prescribe by rule the form and content of any document required to be filed pursuant to the provisions of this section.

11. Upon receipt of notification from the director of the department of mental health of a provider's delinquency in paying assessments required under this section, the director of the department of social services shall withhold, and shall remit to the director of the department of revenue, an assessment amount estimated by the director of the department of mental health from any payment to be made by the state to the provider.

12. In the event a provider objects to the estimate described in subsection 11 of this section, or any other decision of the department of mental health related to this section, the provider of services may request a hearing. If a hearing is requested, the director of the department of mental health shall provide the provider of services an opportunity to be heard and to present evidence bearing on the amount due for an assessment or other issue related to this section within thirty days after collection of an amount due or receipt of a request for a hearing, whichever is later. The director shall issue a final decision within forty-five days of the completion of the hearing. After reconsideration of the assessment determination and a final decision by the director of the department of mental health, an intermediate care facility for the mentally retarded provider's appeal of the director's final decision shall be to the administrative hearing commission in accordance with sections 208.156 and 621.055.

13. Notwithstanding any other provision of law to the contrary, appeals regarding this assessment shall be to the circuit court of Cole County or the circuit court in the county in which the facility is located. The circuit court shall hear the matter as the court of original jurisdiction.

14. Nothing in this section shall be deemed to affect or in any way limit the tax-exempt or nonprofit status of any intermediate care facility for the mentally retarded granted by state law.

15. The director of the department of mental health shall promulgate rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

16. The provisions of this section shall expire on September 30, [2011] **2015**.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 4** was adopted.

Representative Riddle offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section A, Page 1, Line 4, by inserting the following after all of said line:

“135.647. 1. As used in this section, the following terms shall mean:

- (1) "Local food pantry", any food pantry that is:
  - (a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and
  - (b) Distributing emergency food supplies to Missouri low-income people who would otherwise not have access to food supplies in the area in which the taxpayer claiming the tax credit under this section resides;
- (2) "Taxpayer", an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2007, any taxpayer who donates cash or food, unless such food is donated after the food's expiration date, to any local food pantry shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of the donations made to the extent such amounts that have been subtracted from federal adjusted gross income or federal taxable income are added back in the determination of Missouri adjusted gross income or Missouri taxable income before the credit can be claimed. Each taxpayer claiming a tax credit under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the tax credit

claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year that the credit is claimed, and shall not exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's three subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law.

3. The cumulative amount of tax credits under this section which may be allocated to all taxpayers contributing to a local food pantry in any one fiscal year shall not exceed two million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

4. Any local food pantry may accept or reject any donation of food made under this section for any reason. For purposes of this section, any donations of food accepted by a local food pantry shall be valued at fair market value, or at wholesale value if the taxpayer making the donation of food is a retail grocery store, food broker, wholesaler, or restaurant.

5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. [Under section 23.253 of the Missouri sunset act:]

(1) [The provisions of the new program authorized under this section shall automatically sunset four years after August 28, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized.] the program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **expire on August 28, 2015;** and

[(3)] (2) This section shall terminate on September [first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.] **1, 2016.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 5** was adopted.

Representative Jones (117) offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

"215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

5. **The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

6. **The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (117) moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Jones (63) offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 208.247, Page 15, Line 26, by inserting after all of said section and line the following:

"208.798. [1. The provisions of sections 208.550 to 208.568 shall terminate following notice to the revisor of statutes by the Missouri RX plan advisory commission that the Medicare Prescription Drug, Improvement and Modernization Act of 2003 has been fully implemented.

2.] Pursuant to section 23.253 of the Missouri sunset act, the provisions of the new program authorized under sections 208.780 to 208.798 shall automatically sunset August 28, [2011] **2016**, unless reauthorized by an act of the general assembly.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (63), **House Amendment No. 7** was adopted.

Representative Nance offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 192.300, Page 14, Line 30, by inserting after all of said section and line the following:

**"208.184. 1. For the renewal of a child's eligibility for MO HealthNet benefits under this chapter or the state children's health insurance program benefits under sections 208.631 to 208.659, the department of social services shall provide a prepopulated form completed by the department based on all information available to the department and notice to the parent or caretaker relative of the child that eligibility of the child will be renewed and continued based on such information unless the department is provided other information from such parent or caretaker relative. Nothing in this subsection shall be construed as preventing the state from verifying, through electronic and other means, the information so provided.**

**2. If there are no changes in information, such as income or family composition, relating to eligibility of the child for the benefits listed in subsection 1 of this section, the parent or caretaker relative of the child shall send back the prepopulated form referenced in subsection 1 of this section with a signature to verify the information on the form is accurate. If the information on the form is not accurate, the parent or caretaker**

relative shall be required to provide updated information and a signature to verify the new information is accurate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 8** was adopted.

**HCS SCS SB 177, as amended**, was laid over.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

**SS HB 458:** Representatives Loehner, Klippenstein, Entlicher, Aull and Shively

**HCS SB 48:** Representatives Pollock, Smith (150), Schad, Hummel and Webb

**SS SCS SB 70:** Representatives Franz, Houghton, Gosen, Oxford and Carlson

### **CONFERENCE COMMITTEE CHANGE**

The Speaker submitted the following conference committee change on **SS SCS HCS HB 430:** Representative Schupp replaces Representative Ellinger.

### **THIRD READING OF SENATE BILL**

**HCS SCS SB 177, as amended**, relating to health care, was again taken up by Representative Frederick.

Representative Allen offered **House Amendment No. 9**.

#### *House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 208.247, Page 15, Line 26, by inserting after all of said section and line the following:

“354.618. 1. A health carrier shall be required to offer as an additional health plan, an open referral health plan whenever it markets a gatekeeper group plan as an exclusive or full replacement health plan offering to a group contract holder:

(1) In the case of group health plans offered to employers of fifty or fewer employees, the decision to accept or reject the additional open referral plan offering shall be made by the group contract holder. For health plans marketed to employers of over fifty employees, the decision to accept or reject shall be made by the employee;

(2) Contracts currently in existence shall offer the additional open referral health plan at the next annual renewal after August 28, 1997; however, multiyear group contracts need not comply until the expiration of their current multiyear term unless the group contract holder elects to comply before that time;

(3) If an employer provides more than one health plan to its employees and at least one is an open referral plan, then all health benefit plans offered by such employer shall be exempt from the requirements of this section.

2. For the purposes of this act, the following terms shall mean:

(1) "Open referral plan", a plan in which the enrollee is allowed to obtain treatment for covered benefits without a referral from a primary care physician from any person licensed to provide such treatment;

(2) "Gatekeeper group plan", a plan in which the enrollee is required to obtain a referral from a primary care professional in order to access specialty care.

3. Any health benefit plan provided pursuant to the Medicaid program shall be exempt from the requirements of this section.

4. A health carrier shall have a procedure by which a female enrollee may seek the health care services of an obstetrician/gynecologist at least once a year without first obtaining prior approval from the enrollee's primary care provider if the benefits are covered under the enrollee's health benefit plan, and the obstetrician/gynecologist is a member of the health carrier's network. In no event shall a health carrier be required to permit an enrollee to have health care services delivered by a nonparticipating obstetrician/gynecologist. An obstetrician/gynecologist who delivers health care services directly to an enrollee shall report such visit and health care services provided to the enrollee's primary care provider. A health carrier may require an enrollee to obtain a referral from the primary care physician, if such enrollee requires more than one annual visit with an obstetrician/gynecologist.

[5. Except for good cause, a health carrier shall be prohibited either directly, or indirectly through intermediaries, from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among persons duly licensed to provide such services. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336 or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334.]

[6] 5. Nothing contained in this section shall be construed as to require a health carrier to pay for health care services not provided for in the terms of a health benefit plan.

[7] 6. Any health carrier, which is sponsored by a federally qualified health center and is presently in existence and which has been in existence for less than three years shall be exempt from this section for a period not to exceed two years from August 28, 1997.

[8] 7. A health carrier shall not be required to offer the direct access rider for a group contract holder's health benefit plan if the health benefit plan is being provided pursuant to the terms of a collective bargaining agreement with a labor union, in accordance with federal law and the labor union has declined such option on behalf of its members.

[9] 8. Nothing in this act shall be construed to preempt the employer's right to select the health care provider pursuant to section 287.140 in a case where an employee incurs a work-related injury covered by the provisions of chapter 287.

[10] 9. Nothing contained in this act shall apply to certified managed care organizations while providing medical treatment to injured employees entitled to receive health benefits under chapter 287 pursuant to contractual arrangements with employers, or their insurers, under section 287.135.

**354.619. 1. Except for good cause, a health carrier shall be prohibited either directly, or indirectly through intermediaries, from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among person duly licensed to provide such services. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336, or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334.**

**2. A health carrier shall not directly or indirectly through intermediaries refuse to select an eye care provider for the network solely on the grounds that:**

**(1) Not all eye care providers in a group practice agree to participate in the health carrier's provider network; or**

**(2) The provider is not a retailer of frames or corrective lenses or both.**

**3. If optometric services are being provided in connection to a treatment plan for corrective surgery, then the health carrier shall not directly or indirectly through intermediaries refuse to select an eye care provider for the network, refuse to refer an enrollee for health services provided within the scope of an eye care provider's license or reimburse for covered services in a discriminatory manner.**

**4. A health carrier may not require a licensed optometrist who provides basic medical eye care to participate solely through an intermediary if that health carrier permits ophthalmologist to contract directly with the health carrier.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Allen, **House Amendment No. 9** was adopted.

Representative Molendorp offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 208.247, Page 15, Line 26, by inserting after all of said section and lines the following:

**“376.1226. 1. No contract between a health carrier or health benefit plan and a dentist for the provision of dental services under a dental plan shall require that the dentist provide dental services to insureds in the dental plan at a fee established by the health carrier or health benefit plan if such dental services are not covered services under the dental plan.**

**2. For purposes of this section, the following terms shall mean:**

- (1) "Covered services", services reimbursable by a health carrier or health benefit plan under an applicable dental plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;**
- (2) "Dental plan", any policy or contract of insurance which provides for coverage of dental services;**
- (3) "Health benefit plan", the same meaning as such term is defined in section 376.1350;**
- (4) "Health carrier", the same meaning as such term is defined in section 376.1350.**

**376.1227. 1. No contract between a health carrier or health benefit plan and an optometrist for the provision of optometric services under a vision plan shall require that the optometrist provide optometric services to insureds in the vision plan at a fee established by the health carrier or health benefit plan if such optometric services are not covered services under the vision plan.**

**2. For purposes of this section, the following terms shall mean:**

- (1) "Covered services", services reimbursable by a health carrier or health benefit plan under an applicable vision plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;**
- (2) "Health benefit plan", the same meaning as such term is defined in section 376.1350;**
- (3) "Health carrier", the same meaning as such term is defined in section 376.1350;**
- (4) "Vision plan", any policy or contract of insurance which provides for coverage of vision care services.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 10** was adopted.

Representative Leara offered **House Amendment No. 11.**

**House Amendment No. 11** was withdrawn.

Representative Thomson offered **House Amendment No. 12.**

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 14, Section 192.300, Line 30, by inserting after all of said section and line the following:

**“197.800. 1. Except as provided in subsection 3 of this section and subject to obtaining an employee's consent, a hospital licensed under this chapter shall annually administer or make available to be administered immunizations against the influenza virus to employees who have direct contact with a patient of the hospital. The hospital shall administer or make the immunizations available during the period beginning September first and ending March first of the following year.**



2. A hospital shall conduct the immunization required under this section in accordance with recommendations established by the Advisory Committee on Immunization Practices of the United States Centers for Disease Control and Prevention that are in effect at the time the hospital conducts the immunizations.

3. A hospital is not required to provide or make available to the hospital's employees an annual immunization against the influenza virus if the department of health and senior services determines that the necessary vaccine is not in adequate supply. A hospital shall not require an employee to receive an immunization under this section if:

(1) The hospital has written documentation from the employee's physician or other health care provider indicating the date and place that the individual received an immunization required under this section and determines that no additional immunization is required;

(2) The immunization is medically contraindicated for the employee;

(3) Receiving the immunization is against the employee's religious beliefs; or

(4) The employee declines in writing the immunization after receiving education on the risks and benefits of an immunization against the influenza.

4. The department of health and senior services shall promulgate rules to develop the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 12** was adopted.

Representative Schad offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

**"376.1257. 1. Any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance amount for a prescribed orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan.**

**2. A health carrier shall not achieve compliance with the provisions of this section by imposing an increase in co-payment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.**

**3. Nothing in this section shall be interpreted to prohibit a health carrier from requiring prior authorization or imposing other appropriate utilization controls in approving coverage for any chemotherapy.**

**4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.**

**5. As used in this section, the terms "health benefit plan" and "health carrier" shall have the same meanings ascribed to such terms in section 376.1350.**

**6. Coverage under this section shall be limited to Federal Drug Administration approved indications and National Comprehensive Cancer Network recommendations.**

**7. Coverage under this section may be administered by a specialty pharmacy network."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 13** was adopted.

Representative Scharnhorst offered **House Amendment No. 14**.

**House Amendment No. 14** was withdrawn.

Representative Grisamore offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

“210.101. 1. There is hereby established the "Missouri Children's Services Commission", which shall be composed of the following members:

(1) The director or [deputy director of the department of labor and industrial relations and the director or deputy director of each state agency, department, division, or other entity which provides services or programs for children, including, but not limited to, the department of mental health, the department of elementary and secondary education, the department of social services, the department of public safety and the department of health and senior services] **the director's designee of the following departments: labor and industrial relations, corrections, elementary and secondary education, higher education, health and senior services, mental health, public safety, and social services;**

(2) One judge of a **family or** juvenile court, who shall be appointed by the chief justice of the supreme court;

(3) [One judge of a family court, who shall be appointed by the chief justice of the supreme court;

(4) Four] **Two** members, [two] **one** from each political party, of the house of representatives, who shall be appointed by the speaker of the house of representatives;

[(5) Four] **(4) Two** members, [two] **one** from each political party, of the senate, who shall be appointed by the president pro tempore of the senate;

**(5) Five at-large members who shall be appointed by the governor with the advice and consent of the senate, with one member representing each of the following: pediatricians, family physicians, hospital administrators, children's advocacy organizations, and parents of minor children.**

All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri children's services commission under this subsection. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

2. All meetings of the Missouri children's services commission shall be open to the public and shall, for all purposes, be deemed open public meetings under the provisions of sections 610.010 to 610.030. The Missouri children's services commission shall meet no less than once every two months[, and shall hold its first meeting no later than sixty days after September 28, 1983]. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.

3. The Missouri children's services commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.

4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary-reporter, and such other officers as it deems necessary.

5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.

6. The officers of the commission may hire an executive director. Funding for the executive director may be provided from the Missouri children's services commission fund or other sources provided by law.

7. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

210.102. 1. It shall be the duty of the Missouri children's services commission to:

(1) Make recommendations which will encourage greater interagency coordination, cooperation, more effective utilization of existing resources and less duplication of effort in activities of state agencies which affect the legal rights and well-being of children in Missouri;

(2) Develop an integrated state plan for the care provided to children in this state through state programs;

(3) Develop a plan to improve the quality of children's programs statewide. Such plan shall include, but not be limited to:

(a) Methods for promoting geographic availability and financial accessibility for all children and families in need of such services;

(b) Program recommendations for children's services which include child development, education, supervision, health and social services;

**(c) Goals with measurable outcomes for state agencies with respect to children's services;**

**(d) Policy recommendations to the governor and general assembly;**

(4) Design and implement evaluation of the activities of the commission in fulfilling the duties as set out in this section;

(5) Report annually to the governor with five copies each to the house of representatives and senate about its activities including, but not limited to the following:

(a) A general description of the activities pertaining to children of each state agency having a member on the commission;

(b) A general description of the plans and goals, as they affect children, of each state agency having a member on the commission;

(c) Recommendations for statutory and appropriation initiatives to implement the integrated state plan;

(d) A report from the commission regarding the state of children in Missouri.

2. There is hereby established within the children's services commission the "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic, and shall include but not be limited to the following members:

(1) A representative from the governor's office;

(2) A representative from each of the following departments: health and senior services, mental health, social services, and elementary and secondary education;

(3) A representative of the judiciary;

(4) A representative of the family and community trust board (FACT);

(5) A representative from the head start program;

(6) Nine members appointed by the governor with the advice and consent of the senate who are representatives of the groups, such as business, philanthropy, civic groups, faith-based organizations, parent groups, advocacy organizations, early childhood service providers, and other stakeholders. The coordinating board may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers. The coordinating board shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and such other officers as it deems necessary. Members of the board shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the board.

3. The coordinating board for early childhood shall have the power to:

(1) Develop a comprehensive statewide long-range strategic plan for a cohesive early childhood system;

(2) Confer with public and private entities for the purpose of promoting and improving the development of children from birth through age five of this state;

(3) Identify legislative recommendations to improve services for children from birth through age five;

(4) Promote coordination of existing services and programs across public and private entities;

(5) Promote research-based approaches to services and ongoing program evaluation;

(6) Identify service gaps and advise public and private entities on methods to close such gaps;

(7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the coordinating board for early childhood fund from any source, public or private, and enter into contracts or other transactions with any federal or state agency, any private organizations, or any other source in furtherance of the purpose of subsections 2 and 3 of this section, and take any and all actions necessary to avail itself of such aid and cooperation;

(8) Direct disbursements from the coordinating board for early childhood fund as provided in this section;

(9) Administer the coordinating board for early childhood fund and invest any portion of the moneys not required for immediate disbursement in obligations of the United States or any agency or instrumentality of the United States, in obligations of the state of Missouri and its political subdivisions, in certificates of deposit and time deposits,

or other obligations of banks and savings and loan associations, or in such other obligations as may be prescribed by the board;

(10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal property or any interests therein, wherever situated;

(11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its property or any interest therein, wherever situated;

(12) Employ and fix the compensation of an executive director and such other agents or employees as it considers necessary;

(13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the manner in which its business may be transacted;

(14) Adopt and use an official seal;

(15) Assess or charge fees as the board determines to be reasonable to carry out its purposes;

(16) Make all expenditures which are incident and necessary to carry out its purposes;

(17) Sue and be sued in its official name;

(18) Take such action, enter into such agreements, and exercise all functions necessary or appropriate to carry out the duties and purposes set forth in this section.

4. There is hereby created the "Coordinating Board for Early Childhood Fund" which shall consist of the following:

(1) Any moneys appropriated by the general assembly for use by the board in carrying out the powers set out in subsections 2 and 3 of this section;

(2) Any moneys received from grants or which are given, donated, or contributed to the fund from any source;

(3) Any moneys received as fees authorized under subsections 2 and 3 of this section;

(4) Any moneys received as interest on deposits or as income on approved investments of the fund;

(5) Any moneys obtained from any other available source. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the coordinating board for early childhood fund at the end of the biennium shall not revert to the credit of the general revenue fund.

**210.105. 1. The general assembly finds and declares:**

**(1) Premature or preterm birth is the leading cause of infant death in Missouri. Premature infants are more than fifteen times as likely as other infants to die in the first year of life;**

**(2) Infants born preterm are more than twice as likely as full-term infants to have major birth defects;**

**(3) Birth defects are the second leading cause of infant death in Missouri;**

**(4) Missouri ranks thirty-third in the nation in the rate of infant mortality, with a statewide rate of seven and four-tenths deaths per one thousand live births;**

**(5) Between 2004 and 2008, prematurity conditions accounted for six and one-half deaths per one thousand live births in Missouri;**

**(6) Approximately eight babies, twelve and three-tenths percent born in Missouri, are born prematurely, or more than ten thousand babies born prior to thirty-seven weeks gestation annually;**

**(7) In 2006, the Institute of Medicine's Preterm Birth report found that annual United States costs associated with prematurity totaled twenty-six and one-half billion dollars or an average of fifty-one thousand six hundred dollars per premature infant, more than tenfold greater than the three thousand three hundred twenty-five dollar average medical costs of a full-term infant;**

**(8) The average length of hospital stay in 2005 was nearly nine times as long for a preterm infant, or thirteen days, compared with an average one and one-half day stay for an infant born at term;**

**(9) Preterm babies have an increased risk of short-term and long-term medical and developmental problems, such as intellectual disabilities, blindness, chronic lung disease and cerebral palsy, in comparison to full-term infants. Children born prematurely are also more likely to be enrolled in special education classes compared to children born at term;**

**(10) Approximately seventy percent of premature births occur in the late preterm period between thirty-four weeks and thirty-six weeks gestation;**

**(11) Standard practices of clinicians during the late preterm period vary across the state;**

**(12) Smoking, a modifiable risk factor, is the leading behavioral contributor to prematurity and in 2006, seventeen and six-tenths percent of Missouri pregnant women smoked. Smoking-attributable neonatal health care costs for Medicaid are approximately seven hundred thirty-eight dollars per pregnant smoker;**

**(13) Smoking during pregnancy is linked to some birth defects and the sudden infant death syndrome, the third leading cause of infant mortality;**

- (14) Women who receive prenatal care are more likely to have access to:
  - (a) Health services that identify problems early;
  - (b) Managements for developing and existing problems; and
  - (c) Education, counseling, and referral to reduce risky behaviors, including but not limited to substance abuse and poor nutrition; and
- (15) Effective neonatal care improves the health of both mothers and infants.
- 2. There is hereby created the "Missouri Task Force on Prematurity and Infant Mortality" within the children's services commission to consist of the following twenty-three members:
  - (1) The following six members of the general assembly:
    - (a) Three members of the house of representatives, with two members to be appointed by the speaker of the house and one member to be appointed by the minority leader of the house;
    - (b) Three members of the senate, with two members to be appointed by the president pro tem of the senate and one member to be appointed by the minority leader of the senate;
  - (2) The director of the department of health and senior services, or the director's designee;
  - (3) The director of the department of social services, or the director's designee;
  - (4) The director of the department of insurance, financial institutions and professional registration, or the director's designee;
  - (5) One member representing the March of Dimes, Greater Missouri Chapter;
  - (6) One member representing the American College of Obstetrics and Gynecology;
  - (7) One member representing the American Academy of Pediatrics;
  - (8) One member representing the American Academy of Family Physicians;
  - (9) One member representing the American Board of Perinatal Medicine who is a practicing perinatologist;
  - (10) One member representing the Association of Women's Health, Obstetric and Neonatal Nurses;
  - (11) One member representing the Missouri Hospital Association;
  - (12) One member representing the Missouri hospital members of the National Association of Children's Hospitals and Related Institutions (NACHRI);
  - (13) One member representing the American Board of Perinatal Medicine who is a practicing neonatologist;
  - (14) Two consumer representatives who are parents of individuals born prematurely, including one parent of an individual under the age of eighteen;
  - (15) Two members representing insurance providers in the state of Missouri; and
  - (16) One member representing the Mother and Child Health Coalition of Kansas City, Missouri.

Members of the task force, other than the legislative members and directors of state agencies, shall be appointed by the governor with the advice and consent of the senate by September 15, 2011.

- 3. Members of the task force shall serve at the pleasure of the appointing authority.
- 4. A majority of a quorum from among the task force membership shall elect co-chairs of the task force.
- 5. A majority vote of a quorum of the task force is required for any action.
- 6. The chairperson of the children's services commission shall convene the initial meeting of the task force by no later than October 15, 2011. The task force shall meet at least quarterly; except that the task force shall meet at least twice prior to the end of calendar year 2011. Meetings may be held by telephone or video conference at the discretion of the co-chairs.
- 7. Members shall serve on the commission without compensation, but may, subject to appropriation, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.
- 8. The goal of the task force is to measurably reduce Missouri's preterm birth and infant mortality rates through advocacy of evidence-based approaches facilitated through proposals for legislation, regulation, and public policy change.
- 9. The task force shall:
  - (1) Collaborate with and make recommendations to the general assembly;
  - (2) Review appropriate and relevant evidence-based research regarding the causes and effects of prematurity and birth defects in Missouri;
  - (3) Examine existing public and private entities currently associated with the prevention and treatment of prematurity and infant mortality in Missouri;
  - (4) Develop strategies to reduce prematurity and infant mortality, including but not limited to:

- (a) Smoking cessation programs specifically targeting pregnant women;
  - (b) Standards for care for premature infants born less than thirty-seven weeks gestational age, including recommendations to improve hospital discharge and follow-up care procedures;
  - (c) Identify gaps in public reporting measures and possible effects of such measures on prematurity rates;
  - (d) Coordinate and execute an information and communications program among the appropriate professional communities on the causes and effects of premature births; and
  - (e) Identify evidence-based strategies to reduce the number of later preterm infants delivered in Missouri; and
  - (5) Issue findings and propose to the appropriate public and private organizations goals, objectives, strategies, and tactics designed to reduce prematurity and infant mortality in Missouri, including drafting legislation on public policy for consideration during the next appropriate session of the general assembly.
10. (1) On or before March 1, 2012, the task force shall submit a report on the current state of prematurity in Missouri to the governor and general assembly.
- (2) On or before January 15, 2013, the task force shall submit its final recommendations, including any recommendations for legislation necessary for implementation, to the governor and general assembly.
- (3) On or before January 15, 2015, the task force shall submit a final report evaluating the impact of the implementation of the recommendations from the report required under subdivision (2) of this subsection.
11. The task force shall expire on January 31, 2015, or upon submission of a final report under subdivision (3) of subsection 10 of this section, whichever is earlier.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**Representative Stream offered House Substitute Amendment No. 1 for House Amendment No. 15.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 15*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

“210.101. 1. There is hereby established the "Missouri Children's Services Commission", which shall be composed of the following members:

(1) The director or [deputy director of the department of labor and industrial relations and the director or deputy director of each state agency, department, division, or other entity which provides services or programs for children, including, but not limited to, the department of mental health, the department of elementary and secondary education, the department of social services, the department of public safety and the department of health and senior services] **the director's designee of the following departments: labor and industrial relations, corrections, elementary and secondary education, higher education, health and senior services, mental health, public safety, and social services;**

(2) One judge of a **family or** juvenile court, who shall be appointed by the chief justice of the supreme court;

(3) [One judge of a family court, who shall be appointed by the chief justice of the supreme court;

(4) Four] **Two** members, [two] **one** from each political party, of the house of representatives, who shall be appointed by the speaker of the house of representatives;

[(5) Four] **(4) Two** members, [two] **one** from each political party, of the senate, who shall be appointed by the president pro tempore of the senate;

**(5) Five at-large members who shall be appointed by the governor with the advice and consent of the senate, with one member representing each of the following: pediatricians, family physicians, hospital administrators, children's advocacy organizations, and parents of minor children.**

All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri children's services commission under this subsection. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

2. All meetings of the Missouri children's services commission shall be open to the public and shall, for all purposes, be deemed open public meetings under the provisions of sections 610.010 to 610.030. The Missouri children's services commission shall meet no less than once every two months[, and shall hold its first meeting no later than sixty days after September 28, 1983]. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.

3. The Missouri children's services commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.

4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary-reporter, and such other officers as it deems necessary.

5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.

6. The officers of the commission may hire an executive director. Funding for the executive director may be provided from the Missouri children's services commission fund or other sources provided by law.

7. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

210.102. 1. It shall be the duty of the Missouri children's services commission to:

(1) Make recommendations which will encourage greater interagency coordination, cooperation, more effective utilization of existing resources and less duplication of effort in activities of state agencies which affect the legal rights and well-being of children in Missouri;

(2) Develop an integrated state plan for the care provided to children in this state through state programs;

(3) Develop a plan to improve the quality of children's programs statewide. Such plan shall include, but not be limited to:

(a) Methods for promoting geographic availability and financial accessibility for all children and families in need of such services;

(b) Program recommendations for children's services which include child development, education, supervision, health and social services;

**(c) Goals with measurable outcomes for state agencies with respect to children's services;**

**(d) Policy recommendations to the governor and general assembly;**

(4) Design and implement evaluation of the activities of the commission in fulfilling the duties as set out in this section;

(5) Report annually to the governor with five copies each to the house of representatives and senate about its activities including, but not limited to the following:

(a) A general description of the activities pertaining to children of each state agency having a member on the commission;

(b) A general description of the plans and goals, as they affect children, of each state agency having a member on the commission;

(c) Recommendations for statutory and appropriation initiatives to implement the integrated state plan;

(d) A report from the commission regarding the state of children in Missouri.

2. There is hereby established within the children's services commission the "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic, and shall include but not be limited to the following members:

(1) A representative from the governor's office;

(2) A representative from each of the following departments: health and senior services, mental health, social services, and elementary and secondary education;

(3) A representative of the judiciary;

(4) A representative of the family and community trust board (FACT);

(5) A representative from the head start program;

(6) Nine members appointed by the governor with the advice and consent of the senate who are representatives of the groups, such as business, philanthropy, civic groups, faith-based organizations, parent groups, advocacy organizations, early childhood service providers, and other stakeholders. The coordinating board may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers. The coordinating board shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and such

other officers as it deems necessary. Members of the board shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the board.

3. The coordinating board for early childhood shall have the power to:

- (1) Develop a comprehensive statewide long-range strategic plan for a cohesive early childhood system;
- (2) Confer with public and private entities for the purpose of promoting and improving the development of children from birth through age five of this state;
- (3) Identify legislative recommendations to improve services for children from birth through age five;
- (4) Promote coordination of existing services and programs across public and private entities;
- (5) Promote research-based approaches to services and ongoing program evaluation;
- (6) Identify service gaps and advise public and private entities on methods to close such gaps;
- (7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the coordinating board for early childhood fund from any source, public or private, and enter into contracts or other transactions with any federal or state agency, any private organizations, or any other source in furtherance of the purpose of subsections 2 and 3 of this section, and take any and all actions necessary to avail itself of such aid and cooperation;
- (8) Direct disbursements from the coordinating board for early childhood fund as provided in this section;
- (9) Administer the coordinating board for early childhood fund and invest any portion of the moneys not required for immediate disbursement in obligations of the United States or any agency or instrumentality of the United States, in obligations of the state of Missouri and its political subdivisions, in certificates of deposit and time deposits, or other obligations of banks and savings and loan associations, or in such other obligations as may be prescribed by the board;
- (10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal property or any interests therein, wherever situated;
- (11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its property or any interest therein, wherever situated;
- (12) Employ and fix the compensation of an executive director and such other agents or employees as it considers necessary;
- (13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the manner in which its business may be transacted;
- (14) Adopt and use an official seal;
- (15) Assess or charge fees as the board determines to be reasonable to carry out its purposes;
- (16) Make all expenditures which are incident and necessary to carry out its purposes;
- (17) Sue and be sued in its official name;
- (18) Take such action, enter into such agreements, and exercise all functions necessary or appropriate to carry out the duties and purposes set forth in this section.

4. There is hereby created the "Coordinating Board for Early Childhood Fund" which shall consist of the following:

- (1) Any moneys appropriated by the general assembly for use by the board in carrying out the powers set out in subsections 2 and 3 of this section;
- (2) Any moneys received from grants or which are given, donated, or contributed to the fund from any source;
- (3) Any moneys received as fees authorized under subsections 2 and 3 of this section;
- (4) Any moneys received as interest on deposits or as income on approved investments of the fund;
- (5) Any moneys obtained from any other available source. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the coordinating board for early childhood fund at the end of the biennium shall not revert to the credit of the general revenue fund.

**210.105. 1. There is hereby created the "Missouri Task Force on Prematurity and Infant Mortality" within the children's services commission to consist of the following eighteen members:**

- (1) The following six members of the general assembly:**
  - (a) Three members of the house of representatives, with two members to be appointed by the speaker of the house and one member to be appointed by the minority leader of the house;**
  - (b) Three members of the senate, with two members to be appointed by the president pro tem of the senate and one member to be appointed by the minority leader of the senate;**
- (2) The director of the department of health and senior services, or the director's designee;**
- (3) The director of the department of social services, or the director's designee;**
- (4) The director of the department of insurance, financial institutions and professional registration, or the director's designee;**



- (5) One member representing a not-for-profit organization specializing in prematurity and infant mortality;
- (6) Two members who shall be either a physician or nurse practitioner specializing in obstetrics and gynecology, family medicine, pediatrics or perinatology;
- (7) Two consumer representatives who are parents of individuals born prematurely, including one parent of an individual under the age of eighteen;
- (8) Two members representing insurance providers in the state;
- (9) One small business advocate; and
- (10) One member of the small business regulatory fairness board.

Members of the task force, other than the legislative members and directors of state agencies, shall be appointed by the governor with the advice and consent of the senate by September 15, 2011.

2. A majority of a quorum from among the task force membership shall elect a chair and vice-chair of the task force.

3. A majority vote of a quorum of the task force is required for any action.

4. The chairperson of the children's services commission shall convene the initial meeting of the task force by no later than October 15, 2011. The task force shall meet at least quarterly; except that the task force shall meet at least twice prior to the end of 2011. Meetings may be held by telephone or video conference at the discretion of the chair.

5. Members shall serve on the commission without compensation, but may, subject to appropriation, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.

6. The goal of the task force is to seek evidence-based and cost-effective approaches to reduce Missouri's preterm birth and infant mortality rates.

7. The task force shall:

- (1) Submit findings to the general assembly;
- (2) Review appropriate and relevant evidence-based research regarding the causes and effects of prematurity and birth defects in Missouri;
- (3) Examine existing public and private entities currently associated with the prevention and treatment of prematurity and infant mortality in Missouri;
- (4) Develop cost-effective strategies to reduce prematurity and infant mortality; and
- (5) Issue findings and propose to the appropriate public and private organizations goals, objectives, strategies, and tactics designed to reduce prematurity and infant mortality in Missouri, including drafting legislation on public policy for consideration during the next appropriate session of the general assembly.

8. On or before December 31, 2013, the task force shall submit a report on their findings to the governor and general assembly. The report shall include any dissenting opinions in addition to any majority opinions.

9. The task force shall expire on January 1, 2015, or upon submission of a report under subsection 8 of this section, whichever is earlier."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Substitute Amendment No. 1 for House Amendment No. 15** was adopted.

Representative Lichtenegger offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 15, Section 208.247, Line 26, by inserting after all of said section and line the following:

**"376.1231. Reimbursement amounts and copays paid by health carriers for any particular health care service or procedure rendered by a physical therapist within the scope of practice, as defined in chapter 334, shall be in the same amounts as reimbursements paid by health carriers to any other licensed physical therapist**

**performing the same or similar procedures. Such uniform reimbursement requirement shall apply regardless of the setting or venue in which the applicable health care services or procedures are rendered."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Ellinger	Largent	McGeoghegan	Nasheed
Sater	Webber			

VACANCIES: 004

On motion of Representative Lichtenegger, **House Amendment No. 16** was adopted.

Representative Wyatt offered **House Amendment No. 17.**

*House Amendment No. 17*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Page 14, Section 192.300, Line 30, by inserting after all of said section and line the following:

**“197.705. 1. Except as otherwise provided in subsection 2 of this section, all hospitals [and health care facilities,] and ambulatory surgical centers as defined in sections 197.020 and [197.305] 197.200, shall require all personnel providing services in such facilities to wear identification badges while acting within the scope of their employment. The identification badges of all personnel shall prominently display the licensure status of such personnel and shall include the following:**

**(1) A recent photograph of the employee, the employee's first name, the employee's title, and the name of the health care facility or organization;**

**(2) The title of the employee shall be as large as possible in block type and shall occupy a tall strip as close as practicable to the top or bottom edge of the badge;**

**(3) Titles shall be as follows:**

**(a) A medical doctor as defined in section 334.021 shall have the title "Physician";**

**(b) Any nurse as defined in section 335.016 may have the title "Advanced Practice Registered Nurse", "Certified Nurse Midwife", "Certified Nurse Practitioner", "Certified Registered Nurse Anesthetist", "Licensed Practical Nurse", "Registered Nurse", or "Clinical Nurse Specialist" as applicable for such nurse's level of nursing, licensure, and certification; and**

**(c) All other titles shall be determined by rule by the department of health and senior services.**

**Nothing in this section shall prohibit a health care provider from placing the provider's additional specialty or designation after the provider's name on the badge.**

**2. Personnel shall not be required to wear an identification badge while delivering direct care to a consumer if not clinically feasible.**

**3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**4. Nothing in this section shall require the immediate replacement of identification badges worn by personnel currently employed on or before August 28, 2011. Such identification badges shall be replaced within a reasonable time after August 28, 2011, such as at a regularly scheduled interval of reissuance; except that, all identification badges worn by personnel of hospitals and ambulatory surgical centers shall comply with this section within ten years from August 28, 2011.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz

Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McManus	McNeil	Meadows	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Cierpiot	Dieckhaus	Ellinger	Fuhr
McGeoghegan	Nasheed	Sater	Schupp	Webb
Webber				

VACANCIES: 004

On motion of Representative Wyatt, **House Amendment No. 17** was adopted.

Representative Frederick offered **House Amendment No. 18**.

*House Amendment No. 18*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 144.030, Page 9, Line 279, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Copying, in an amount not more than [seventeen] **twenty-one** dollars and [five] **thirty-six** cents plus [forty] **fifty** cents per page for the cost of supplies and labor **plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or**

(b) **If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less;**

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's Internet website by February first of each year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 18** was adopted.

Representative Fitzwater offered **House Amendment No. 19**.

*House Amendment No. 19*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, Section 144.030, Page 9, Line 279, by inserting after all of said section and line the following:

“144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729 **or 205.205, or any hospital district imposing a sales tax under the provisions of section 206.165,** may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city [or], county, **or hospital district** sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.”; and

Further amend said bill, Section 192.300, Page 14, Line 30, by inserting after all of said section and line the following:

**“205.205. 1. The governing body of any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, and operates a hospital established under this chapter may, by resolution, abolish the property tax authorized to fund the county hospital under this chapter and impose a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent,**

and shall be imposed solely for the purpose of funding the county hospital. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the county hospital, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

206.165. 1. The governing body of any hospital district established under sections 206.010 to 206.160 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed

solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.”; and

Further amend said bill, Page 19, Section 630.167, Line 110, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to adequately fund certain hospital districts in this state, the repeal and reenactment of section 144.032 and the enactment of section 206.165 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 144.032 and the enactment of section 206.165 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Colona	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000



## 2499 *Journal of the House*

ABSENT WITH LEAVE: 011

Brattin	Casey	Diehl	Ellinger	McGeoghegan
McManus	McNary	Nolte	Sater	Schneider
Webber				

VACANCIES: 004

On motion of Representative Fitzwater, **House Amendment No. 19** was adopted.

On motion of Representative Frederick, **HCS SCS SB 177, as amended**, was adopted.

On motion of Representative Frederick, **HCS SCS SB 177, as amended**, was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Kander

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 008

Diehl	Ellinger	McGeoghegan	McNary	Nolte
Sater	Schneider	Webber		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

### THIRD READING OF SENATE BILL

**HCS SCS SB 213**, relating to guardianship, was taken up by Representative Barnes.

Representative Richardson offered **House Amendment No. 1**.

Representative Barnes raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Jones (117) offered **House Amendment No. 2**.

Representative Colona raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka

## 2501 *Journal of the House*

Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 017

Dieckhaus	Diehl	Ellinger	Flanigan	Frederick
Hubbard	Hughes	McGeoghegan	McNary	Nasheed
Nolte	Richardson	Sater	Schneider	Spreng
Webber	Mr Speaker			

VACANCIES: 004

On motion of Representative Barnes, **HCS SCS SB 213** was adopted.

On motion of Representative Barnes, **HCS SCS SB 213** was read the third time and passed by the following vote:

AYES: 147

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman

Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Dieckhaus	Ellinger	Hughes	McGeoghegan
McNary	Nolte	Richardson	Sater	Schneider
Webber	Mr Speaker			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 265**, entitled:

An act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 436.405, 436.412, 436.445, 436.450, 436.455, and 436.456, RSMo, and to enact in lieu thereof fourteen new sections relating to professional registration.

With Senate Amendment No. 1.

### *Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 265, Page 1, Section Title, Line 6 of the Title, by striking "professional registration" and inserting in lieu thereof the following:

"licensure of certain professions"; and

Further amend said bill, Page 2, Section 324.014, Line 7, by inserting after all of said line the following:

"324.043. 1. Except as provided in this section, no disciplinary proceeding against any person or entity licensed, registered, or certified to practice a profession within the division of professional registration shall be initiated unless such action is commenced within three years of the date upon which the licensing, registering, or certifying agency received notice of an alleged violation of an applicable statute or regulation.

2. For the purpose of this section, notice shall be limited to:

(1) A written complaint;  
(2) Notice of final disposition of a malpractice claim, including exhaustion of all extraordinary remedies and appeals;

(3) Notice of exhaustion of all extraordinary remedies and appeals of a conviction based upon a criminal statute of this state, any other state, or the federal government;

(4) Notice of exhaustion of all extraordinary remedies and appeals in a disciplinary action by a hospital, state licensing, registering or certifying agency, or an agency of the federal government.

3. For the purposes of this section, an action is commenced when a complaint is filed by the agency with the administrative hearing commission, any other appropriate agency, or in a court; or when a complaint is filed by the agency's legal counsel with the agency in respect to an automatic revocation or a probation violation.

4. Disciplinary proceedings based upon repeated negligence shall be exempt from all limitations set forth in this section.

5. Disciplinary proceedings based upon a complaint involving sexual misconduct shall be exempt from all limitations set forth in this section.

6. Any time limitation provided in this section shall be tolled:

(1) During any time the accused licensee, registrant, or certificant is practicing exclusively outside the state of Missouri or residing outside the state of Missouri and not practicing in Missouri;

(2) As to an individual complainant, during the time when such complainant is less than eighteen years of age;

(3) During any time the accused licensee, registrant, or certificant maintains legal action against the agency;

or

(4) When a settlement agreement is offered to the accused licensee, registrant, or certificant, in an attempt to settle such disciplinary matter without formal proceeding pursuant to section 621.045 until the accused licensee, registrant, or certificant rejects or accepts the settlement agreement.

7. The licensing agency may, in its discretion, toll any time limitation when the accused **applicant**, licensee, registrant, or certificant enters into and participates in a treatment program for chemical dependency or mental impairment.

**324.045. 1. Notwithstanding any provision of chapter 536, in any proceeding initiated by the division of professional registration or any board, committee, commission, or office within the division of professional registration to determine the appropriate level of discipline or additional discipline, if any, against a licensee of the board, committee, commission, or office within the division, if the licensee against whom the proceeding has been initiated upon a properly pled writing filed to initiate the contested case and upon proper notice fails to plead or otherwise defend against the proceeding, the board, commission, committee, or office within the division shall enter a default decision against the licensee without further proceedings. The terms of the default decision shall not exceed the terms of discipline authorized by law for the division, board, commission, or committee. The division, office, board, commission, or committee shall provide the licensee notice of the default decision in writing.**

**2. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and**

Further amend said bill, Page 13, Section 333.171, Line 19, by inserting after all of said line the following:

**"334.001. 1. Notwithstanding any other provision of law to the contrary, the following information is an open record and shall be released upon request of any person and may be published on the board's website:**

**(1) The name of a licensee or applicant;**

**(2) The licensee's business address;**

**(3) Registration type;**

**(4) Currency of the license, certificate, or registration;**

**(5) Professional schools attended;**

**(6) Degrees and certifications, including certification by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule;**

**(7) To the extent provided to the board after August 28, 2011, discipline by another state or administrative agency;**

**(8) Limitations on practice placed by a court of competent jurisdiction;**

**(9) Any final discipline by the board, including the content of the settlement agreement or order issued;**

**and**

(10) Whether a discipline case brought by the board is pending in the administrative hearing commission or any court.

2. All other information pertaining to a licensee or applicant not specifically denominated an open record in subsection 1 of this section is a closed record and confidential.

3. The board shall disclose confidential information without charge or fee upon written request of the licensee or applicant if the information is less than five years old. If the information requested is more than five years old, the board may charge a fee equivalent to the fee specified by regulation.

4. At its discretion, the board may disclose confidential information, without the consent of the licensee or applicant, to a licensee or applicant for a license in order to further a board investigation or to facilitate settlement negotiations with the board, in the course of voluntary exchange of information with another state's licensing authority, pursuant to a court order, or to other administrative or law enforcement agencies acting within the scope of their statutory authority.

5. Information obtained from a federal administrative or law enforcement agency shall be disclosed only after the board has obtained written consent to the disclosure from the federal administrative or law enforcement agency.

6. The board is entitled to the attorney/client privilege and work product privilege to the same extent as any other person.

334.040. 1. Except as provided in section 334.260, all persons desiring to practice as physicians and surgeons in this state shall be examined as to their fitness to engage in such practice by the board. All persons applying for examination shall file a completed application with the board [at least eighty days before the date set for examination upon blanks] **upon forms** furnished by the board.

2. The examination shall be sufficient to test the applicant's fitness to practice as a physician and surgeon. The examination shall be conducted in such a manner as to conceal the identity of the applicant until all examinations have been scored. In all such examinations an average score of not less than seventy-five percent is required to pass; provided, however, that the board may require applicants to take the Federation Licensing Examination, also known as FLEX, or the United States Medical Licensing Examination (USMLE). If the FLEX examination is required, a weighted average score of no less than seventy-five [percent] is required to pass. **Scores from one test administration of the FLEX shall not be combined or averaged with scores from other test administrations to achieve a passing score.** The passing score of the United States Medical Licensing Examination shall be determined by the board through rule and regulation. The board shall not issue a permanent license as a physician and surgeon or allow the Missouri state board examination to be administered to any applicant who has failed to achieve a passing score within three attempts on licensing examinations administered in one or more states or territories of the United States, the District of Columbia or Canada. The steps one, two and three of the United States Medical Licensing Examination shall be taken within a seven-year period with no more than three attempts on any step of the examination; however, the board may grant an extension of the seven-year period if the applicant has obtained a MD/PhD degree in a program accredited by the [liaison committee on medical education] **Liaison Committee on Medical Education (LCME)** and a regional university accrediting body or a DO/PhD degree accredited by the **American Osteopathic Association and a regional university accrediting body**. The board may waive the provisions of this section if the applicant is licensed to practice as a physician and surgeon in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia and no license issued to the applicant has been disciplined in any state or territory of the United States or the District of Columbia. Prior to waiving the provisions of this section, the board may require the applicant to achieve a passing score on one of the following:

(1) The American Specialty Board's certifying examination in the physician's field of specialization;

(2) Part II of the FLEX; or

(3) The Federation portion of the State Medical Board's Special Purpose Examination (SPEX)] **and the applicant is certified in the applicant's area of specialty by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule.**

3. If the board waives the provisions of this section, then the license issued to the applicant may be limited or restricted to the applicant's board specialty. [Scores from one test administration shall not be combined or averaged with scores from other test administrations to achieve a passing score.] The board shall not be permitted to favor any particular school or system of healing.

4. **If an applicant has not actively engaged in the practice of clinical medicine or held a teaching or faculty position in a medical or osteopathic school approved by the American Medical Association, the Liaison Committee on Medical Education, or the American Osteopathic Association for any two years in the three year**

period immediately preceding the filing of his or her application for licensure, the board may require successful completion of another examination, continuing medical education, or further training before issuing a permanent license. The board shall adopt rules to prescribe the form and manner of such reexamination, continuing medical education, and training.

334.070. 1. Upon due application therefor and upon submission by such person of evidence satisfactory to the board that he **or she** is licensed to practice in this state, and upon the payment of fees required to be paid by this chapter, the board shall issue to [him] **such person** a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his **or her** office address [and residence address], the expiration date, and the date and number of the license to practice.

2. [Every person shall, upon receiving such certificate, cause it to be conspicuously displayed at all times in every office maintained by him in the state. If he maintains more than one office in this state, the board shall without additional fee issue to him duplicate certificates of registration for each office so maintained.] If any registrant shall change the location of his **or her** office during the period for which any certificate of registration has been issued, [he] **the registrant** shall, within fifteen days thereafter, notify the board of such change [and it shall issue to him without additional fee a new registration certificate showing the new location].

334.090. 1. Each applicant for registration under this chapter shall accompany the application for registration with a registration fee to be paid to the [director of revenue] **board**. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; but whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule and regulation, the delinquent fee may be waived by the board. Whenever any new license is granted to any person under the provisions of this chapter, the board shall, upon application therefor, issue to such licensee a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to section 536.021. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

**334.099. 1. The board may initiate a contested hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances:**

**(1) The board shall serve notice pursuant to section 536.067 of the contested hearing at least fifteen days prior to the hearing. Such notice shall include a statement of the reasons the board believes there is reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances;**

**(2) For purposes of this section and prior to any contested hearing, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to the licensee or applicant without the licensee's or applicant's consent, upon issuance of a subpoena by the board. These data and records shall be admissible without further authentication by either board or licensee at any hearing held pursuant to this section;**

**(3) After a contested hearing before the board, and upon a showing of reasonable cause to believe that a licensee or applicant is unable to practice his or her profession with reasonable skill and safety to the public by reason of medical or osteopathic incompetency, mental, or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances the board may require a licensee or applicant to submit to an examination. The board shall maintain a list of facilities approved to perform such examinations. The licensee or applicant may propose a facility not previously approved to the board and the board may accept such facility as an approved facility for such licensee or applicant by a majority vote;**

**(4) For purposes of this subsection, every licensee or applicant is deemed to have consented to an examination upon a showing of reasonable cause. The applicant or licensee shall be deemed to have waived all objections to the admissibility of testimony by the provider of the examination and to the admissibility of examination reports on the grounds that the provider of the examination's testimony or the examination is confidential or privileged;**

**(5) Written notice of the order for an examination shall be sent to the applicant or licensee by registered mail, addressed to the licensee or applicant at the licensee's or applicant's last known address on file with the**

board, or shall be personally served on the applicant or licensee. The order shall state the cause for the examination, how to obtain information about approved facilities, and a time limit for obtaining the examination. The licensee or applicant shall cause a report of the examination to be sent to the board;

(6) The licensee or applicant shall sign all necessary releases for the board to obtain and use the examination during a hearing and to disclose the recommendations of the examination as part of a disciplinary order;

(7) After receiving the report of the examination ordered in subdivision (3) of this subsection, the board may hold a contested hearing to determine if by clear and convincing evidence the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or due to the excessive use or abuse of alcohol or controlled substances. If the board finds that the licensee or applicant is unable to practice with reasonable skill or safety to the public by reasons of medical or osteopathic incompetency, reason of mental or physical incapacity, or excessive use or abuse of controlled substances, the board shall, after a hearing, enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of section 334.100; and

(8) The provisions of chapter 536 for a contested case, except those provisions or amendments which are in conflict with this section, shall apply to and govern the proceedings contained in this subsection and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence under chapter 536 relevant to the allegations.

2. Failure to submit to the examination when directed shall be cause for the revocation of the license of the licensee or denial of the application. No license may be reinstated or application granted until such time as the examination is completed and delivered to the board or the board withdraws its order.

3. Neither the record of proceedings nor the orders entered by the board shall be used against a licensee or applicant in any other proceeding, except for a proceeding in which the board or its members are a party or in a proceeding involving any state or federal agency.

4. A licensee or applicant whose right to practice has been affected under this section shall, at reasonable intervals not to exceed twelve months, be afforded an opportunity to demonstrate that he or she can resume the competent practice of his or her profession or should be granted a license. The board may hear such motion more often upon good cause shown.

5. The board shall promulgate rules and regulations to carry out the provisions of this section.

6. For purposes of this section, "examination" means a skills, multidisciplinary, or substance abuse evaluation.

334.100. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense [an



essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination **including failing to establish a valid physician-patient relationship pursuant to section 334.108**, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

(i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;

(j) **Being listed on any state or federal sexual offender registry;**

(k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

[(k)] (l) Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;

[(l)] (m) Failure of any applicant or licensee[, other than the licensee subject to the investigation,] to cooperate with the board during any investigation;

[(m)] (n) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

[(n)] (o) Failure to timely pay license renewal fees specified in this chapter;

[(o)] (p) Violating a probation agreement, **order, or other settlement agreement** with this board or any other licensing agency;

[(p)] (q) Failing to inform the board of the physician's current residence and business address;

[(q)] (r) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;

(s) **Any other conduct that is unethical or unprofessional involving a minor;**

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter **or chapter 324**, or of any lawful rule or regulation adopted pursuant to this chapter **or chapter 324**;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, **including but not limited to any provision of chapter 195**, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;

(15) **Knowingly making a false statement, orally or in writing to the board;**

(16) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

[(16)] (17) Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

[(17)] (18) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the federal Medicare program;

[(18)] (19) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

[(19)] (20) Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

[(20)] (21) Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

[(21)] (22) Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly

from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

[(22)] **(23)** A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

[(23)] **(24) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;**

**(25) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;**

**(26)** Revocation, suspension, limitation, **probation**, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, **or voluntary termination of a controlled substance authority while under investigation;**

[(24)] **(27)** For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center[;

(25) Being unable to practice as a physician and surgeon or with a specialty with reasonable skill and safety to patients by reasons of medical or osteopathic incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physician to submit to a reexamination for the purpose of establishing his or her competency to practice as a physician or surgeon or with a specialty conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physician's or surgeon's professional conduct, or to submit to a mental or physical examination or combination thereof by at least three physicians, one selected by the physician compelled to take the examination, one selected by the board, and one selected by the two physicians so selected who are graduates of a professional school approved and accredited as reputable by the association which has approved and accredited as reputable the professional school from which the licensee graduated. However, if the physician is a graduate of a medical school not accredited by the American Medical Association or American Osteopathic Association, then each party shall choose any physician who is a graduate of a medical school accredited by the American Medical Association or the American Osteopathic Association;

(b) For the purpose of this subdivision, every physician licensed pursuant to this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board and further to have waived all objections to the admissibility of the examining physician's testimony or examination reports on the ground that the examining physician's testimony or examination is privileged;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physician or applicant without the physician's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physician, by registered mail, addressed to the physician at the physician's last known address. Failure of a physician to designate an examining physician to the board or failure to submit to the examination when directed shall constitute an admission of the allegations against the physician, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physician's control. A physician whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physician can resume the competent practice as a physician and surgeon with reasonable skill and safety to patients;

(e) In any proceeding pursuant to this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physician in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 4 of this section].

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient.

334.102. 1. [Upon receipt of information that the holder of any certificate of registration or authority, permit or license issued pursuant to this chapter may present a clear and present danger to the public health and safety, the executive secretary or director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending and/or restricting the holder of a certificate of registration or authority, permit or license if it believes:

(1) The licensee's acts, conduct or condition may have violated subsection 2 of section 334.100; and

(2) A licensee is practicing, attempting or intending to practice in Missouri; and

(3) Either a licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice, or another state, territory, federal agency or country has issued an order suspending or restricting the holder of a license or other right to practice a profession regulated by this chapter, or the licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.100; and

(4) The acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

(a) Shall be based on the sworn testimony or affidavits presented to the board;

(b) May be issued without notice and hearing to the licensee;

(c) Shall include the facts which lead the board to conclude that the acts, conduct or condition of the licensee constitute a clear and present danger to the public health and safety; and

(2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.

(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed pursuant to this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3.

5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that either adopts, terminates or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the administrative hearing commission pursuant to section 621.110 and subsection 3 of section 334.100.

8. In cases where the board initiates summary suspension or restriction proceedings against a physician licensed pursuant to this chapter, and said petition is subsequently denied by the administrative hearing commission, in addition to any award made pursuant to sections 536.085 and 536.087, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.

9. Notwithstanding the provisions of this chapter or chapter 610 or chapter 621 to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.] **The board may apply to the administrative hearing commission for an emergency suspension or restriction of a licensee for the following causes:**

(1) **Engaging in sexual conduct, as defined in section 566.010, with a patient who is not the licensee's spouse, regardless of whether the patient consented;**

(2) **Engaging in sexual misconduct with a minor or person the licensee believes to be a minor. "Sexual misconduct" means any conduct of a sexual nature which would be illegal under state or federal law;**

(3) **Possession of a controlled substance in violation of chapter 195 or any state or federal law, rule, or regulation, excluding record keeping violations;**

(4) **Use of a controlled substance without a valid prescription;**

(5) **The licensee is adjudicated incapacitated or disabled by a court of competent jurisdiction;**

(6) **Habitual intoxication or dependence upon alcohol or controlled substances or failure to comply with a treatment or aftercare program entered into pursuant to a board order, settlement agreement, or as part of the licensee's professional health program;**

(7) **A report from a board approved facility or a professional health program stating the licensee is not fit to practice. For purposes of this section, a licensee is deemed to have waived all objections to the admissibility of testimony from the provider of the examination and admissibility of the examination reports. The licensee shall sign all necessary releases for the board to obtain and use the examination during a hearing; or**

(8) **Any conduct for which the board may discipline that constitutes a serious danger to the health, safety, or welfare of a patient or the public.**

2. The board shall submit existing affidavits and existing certified court records together with a complaint alleging the facts in support of the board's request for an emergency suspension or restriction to the administrative hearing commission and shall supply the administrative hearing commission with the last home or business addresses on file with the board for the licensee. Within one business day of the filing of the complaint, the administrative hearing commission shall return a service packet to the board. The service packet shall include the board's complaint and any affidavits or records the board intends to rely on that have been filed with the administrative hearing commission. The service packet may contain other information in the discretion

of the administrative hearing commission. Within twenty-four hours of receiving the packet, the board shall either personally serve the licensee or leave a copy of the service packet at all of the licensee's current addresses on file with the board. Prior to the hearing, the licensee may file affidavits and certified court records for consideration by the administrative hearing commission.

3. Within five days of the board's filing of the complaint, the administrative hearing commission shall review the information submitted by the board and the licensee and shall determine based on that information if probable cause exists pursuant to subsection 1 of this section and shall issue its findings of fact and conclusions of law. If the administrative hearing commission finds that there is probable cause, the administrative hearing commission shall enter the order requested by the board. The order shall be effective upon personal service or by leaving a copy at all of the licensee's current addresses on file with the board.

4. The administrative hearing commission shall hold a hearing within forty-five days of the board's filing of the complaint to determine if cause for discipline exists. The administrative hearing commission may grant a request for a continuance, but shall in any event, hold the hearing within one hundred twenty days of the board's initial filing. The board shall be granted leave to amend its complaint if it is more than thirty days prior to the hearing. If less than thirty days, the board may be granted leave to amend if public safety requires.

(1) If no cause for discipline exists, the administrative hearing commission shall issue findings of fact, conclusions of law, and an order terminating the emergency suspension or restriction.

(2) If cause for discipline exists, the administrative hearing commission shall issue findings of fact and conclusions of law and order the emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing before the board. The board shall hold a hearing following the certification of the record by the administrative hearing commission and may impose any discipline otherwise authorized by state law.

6. Any action under this section shall be in addition to and not in lieu of any discipline otherwise in the board's power to impose and may be brought concurrently with other actions.

7. If the administrative hearing commission does not find probable cause and does not grant the emergency suspension or restriction, the board shall remove all reference to such emergency suspension or restriction from its public records. Records relating to the suspension or restriction shall be maintained in the board's files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written request of the licensee.

8. (1) The board may initiate a hearing before the board, for discipline of any licensee's license or certificate upon receipt of one of the following:

(a) Certified court records of a finding of guilt or plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or of the United States for any offense involving the qualifications, functions, or duties of any profession licensed or regulated under this chapter, for any offense involving fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(b) Evidence of final disciplinary action against the licensee's license, certification or registration issued by any other state, by any other agency or entity of this state or any other state or the United States or its territories, or any other country;

(c) Evidence of certified court records finding the licensee has been judged incapacitated or disabled under Missouri law or under the laws of any other state or of the United States or its territories.

(2) The board shall provide the licensee not less than ten days notice of any hearing held pursuant to chapter 536.

(3) Upon a finding that cause exists to discipline a licensee's license the board may impose any discipline otherwise available when disciplining licensees of that same profession.

9. A final decision of the administrative hearing commission or the board shall be subject to judicial review pursuant to chapter 536.

334.103. 1. A license issued under this chapter by the Missouri State Board of Registration for the Healing Arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense[, an essential element of which is] **involving** fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts.

The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.

**334.108. 1. Prior to prescribing any drug, controlled substance, or other treatment through the internet, a physician shall establish a valid physician-patient relationship. This relationship shall include:**

**(1) Obtaining a reliable medical history and performing a physical examination of the patient, adequate to establish the diagnosis for which the drug is being prescribed and to identify underlying conditions or contraindications to the treatment recommended or provided;**

**(2) Having sufficient dialogue with the patient regarding treatment options and the risks and benefits of treatment or treatments;**

**(3) If appropriate, following up with the patient to assess the therapeutic outcome;**

**(4) Maintaining a contemporaneous medical record that is readily available to the patient and, subject to the patient's consent, to the patient's other health care professionals; and**

**(5) Including the electronic prescription information as part of the patient's medical record.**

**2. The requirements of subsection 1 of this section may be satisfied by the prescribing physician's designee when treatment is provided in:**

**(1) A hospital as defined in section 197.020;**

**(2) A hospice program as defined in section 197.250;**

**(3) Home health services provided by a home health agency as defined in section 197.400;**

**(4) Accordance with a collaborative practice agreement as defined in section 334.104;**

**(5) Conjunction with a physician assistant licensed pursuant to section 334.738;**

**(6) Consultation with another physician who has an ongoing physician-patient relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications; or**

**(7) On-call or cross-coverage situations.**

**334.715. 1. The board may refuse to issue or renew any license [any applicant or may suspend, revoke, or refuse to renew the license of any licensee for any one or any combination of the causes provided in section 334.100, or if the applicant or licensee] required under sections 334.700 to 334.725 for one or any combination of causes listed in subsection 2 of this section or any cause listed in section 334.100. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided in chapter 621. As an alternative to a refusal to issue or renew any certificate, registration, or authority, the board may, in its discretion, issue a license which is subject to reprimand, probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes listed in subsection 2 of this section or section 334.100. The board's order of reprimand, probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered waived.**

**2. The board may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against any holder of a certificate of registration or authority, permit, or license required by sections 334.700 to 334.725 or any person who has failed to renew or has surrendered the person's certification of registration or license for any one or any combination of the following causes:**

**(1) Violated or conspired to violate any provision of sections 334.700 to 334.725 or any provision of any rule promulgated pursuant to sections 334.700 to 334.725; or**

**(2) Has been found guilty of unethical conduct as defined in the ethical standards of the National Athletic Trainers Association or the National Athletic Trainers Association Board of Certification, or its successor agency, as adopted and published by the committee and the board and filed with the secretary of state; or**

**(3) Any cause listed in section 334.100.**

[2. Upon receipt of a written application made in the form and manner prescribed by the board, the board may reinstate any license which has expired, been suspended or been revoked or may issue any license which has been denied; provided, that no application for reinstatement or issuance of license or licensure shall be considered until at least six months have elapsed from the date of denial, expiration, suspension, or revocation when the license to be reinstated or issued was denied issuance or renewal or was suspended or revoked for one of the causes listed in subsection 1 of this section.]

**3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:**

- (1) Warn, censure, or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years; or**
- (2) Suspend the person's license, certificate, or permit for a period not to exceed three years; or**
- (3) Administer a public or private reprimand; or**
- (4) Deny the person's application for a license; or**
- (5) Permanently withhold issuance of a license or require the person to submit to the care, counseling, or treatment of physicians designated by the board at the expense of the individual to be examined; or**
- (6) Require the person to attend such continuing education courses and pass such examinations as the board may direct.**

**4. In any order of revocation, the board may provide that the person shall not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll such time period.**

**5. Before restoring to good standing a license, certificate, or permit issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing education courses and pass such examinations as the board may direct."; and**

Further amend said bill, Page 22, Section 436.456, Line 1, by inserting after all of said line the following:

"536.063. In any contested case:

(1) The contested case shall be commenced by the filing of a writing by which the party or agency instituting the proceeding seeks such action as by law can be taken by the agency only after opportunity for hearing, or seeks a hearing for the purpose of obtaining a decision reviewable upon the record of the proceedings and evidence at such hearing, or upon such record and additional evidence, either by a court or by another agency. Answering, intervening and amendatory writings and motions may be filed in any case and shall be filed where required by rule of the agency, except that no answering instrument shall be required unless the notice of institution of the case states such requirement. Entries of appearance shall be permitted[.];

(2) Any writing filed whereby affirmative relief is sought shall state what relief is sought or proposed and the reason for granting it, and shall not consist merely of statements or charges phrased in the language of a statute or rule; provided, however, that this subdivision shall not apply when the writing is a notice of appeal as authorized by law[.];

(3) Reasonable opportunity shall be given for the preparation and presentation of evidence bearing on any issue raised or decided or relief sought or granted. Where issues are tried without objection or by consent, such issues shall be deemed to have been properly before the agency. Any formality of procedure may be waived by mutual consent[.];

(4) Every writing seeking relief or answering any other writing, and any motion shall state the name and address of the attorney, if any, filing it; otherwise the name and address of the party filing it[.];

(5) By rule the agency may require any party filing such a writing to furnish, in addition to the original of such writing, the number of copies required for the agency's own use and the number of copies necessary to enable the agency to comply with the provisions of this subdivision hereinafter set forth. The agency shall, without charge therefor, mail one copy of each such writing, as promptly as possible after it is filed, to every party or his **or her** attorney who has filed a writing or who has entered his **or her** appearance in the case, and who has not theretofore been furnished with a copy of such writing and shall have requested copies of the writings; provided that in any case where the parties are so numerous that the requirements of this subdivision would be unduly onerous, the agency may in lieu thereof (a) notify all parties of the fact of the filing of such writing, and (b) permit any party to copy such writing[.];

**(6) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under section 536.067 upon a properly pled writing filed to initiate the contested**



case under this chapter, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.

536.067. In any contested case:

(1) The agency shall promptly mail a notice of institution of the case to all necessary parties, if any, and to all persons designated by the moving party and to any other persons to whom the agency may determine that notice should be given. The agency or its clerk or secretary shall keep a permanent record of the persons to whom such notice was sent and of the addresses to which sent and the time when sent. Where a contested case would affect the rights, privileges or duties of a large number of persons whose interests are sufficiently similar that they may be considered as a class, notice may in a proper case be given to a reasonable number thereof as representatives of such class. In any case where the name or address of any proper or designated party or person is not known to the agency, and where notice by publication is permitted by law, then notice by publication may be given in accordance with any rule or regulation of the agency or if there is no such rule or regulation, then, in a proper case, the agency may by a special order fix the time and manner of such publication[.];

(2) The notice of institution of the case to be mailed as provided in this section shall state in substance:

(a) The caption and number of the case;

(b) That a writing seeking relief has been filed in such case, the date it was filed, and the name of the party filing the same;

(c) A brief statement of the matter involved in the case unless a copy of the writing accompanies said notice;

(d) Whether an answer to the writing is required, and if so the date when it must be filed;

(e) That a copy of the writing may be obtained from the agency, giving the address to which application for such a copy may be made. This may be omitted if the notice is accompanied by a copy of such writing;

(f) The location in the Code of State Regulations of any rules of the agency regarding discovery or a statement that the agency shall send a copy of such rules on request;

(3) Unless the notice of hearing hereinafter provided for shall have been included in the notice of institution of the case, the agency shall, as promptly as possible after the time and place of hearing have been determined, mail a notice of hearing to the moving party and to all persons and parties to whom a notice of institution of the case was required to be or was mailed, and also to any other persons who may thereafter have become or have been made parties to the proceeding. The notice of hearing shall state:

(a) The caption and number of the case;

(b) The time and place of hearing;

(4) No hearing in a contested case shall be had, except by consent, until a notice of hearing shall have been given substantially as provided in this section, and such notice shall in every case be given a reasonable time before the hearing. Such reasonable time shall be at least ten days except in cases where the public morals, health, safety or interest may make a shorter time reasonable; provided that when a longer time than ten days is prescribed by statute, no time shorter than that so prescribed shall be deemed reasonable;

**(5) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the holder of a license, registration, permit, or certificate of authority without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

536.070. In any contested case:

(1) Oral evidence shall be taken only on oath or affirmation[.];

(2) Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not the subject of the direct

examination, to impeach any witness regardless of which party first called him **or her** to testify, and to rebut the evidence against him[.] **or her**;

(3) A party who does not testify in his **or her** own behalf may be called and examined as if under cross-examination[.];

(4) Each agency shall cause all proceedings in hearings before it to be suitably recorded and preserved. A copy of the transcript of such a proceeding shall be made available to any interested person upon the payment of a fee which shall in no case exceed the reasonable cost of preparation and supply[.];

(5) Records and documents of the agency which are to be considered in the case shall be offered in evidence so as to become a part of the record, the same as any other evidence, but the records and documents may be considered as a part of the record by reference thereto when so offered[.];

(6) Agencies shall take official notice of all matters of which the courts take judicial notice. They may also take official notice of technical or scientific facts, not judicially cognizable, within their competence, if they notify the parties, either during a hearing or in writing before a hearing, or before findings are made after hearing, of the facts of which they propose to take such notice and give the parties reasonable opportunity to contest such facts or otherwise show that it would not be proper for the agency to take such notice of them[.];

(7) Evidence to which an objection is sustained shall, at the request of the party seeking to introduce the same, or at the instance of the agency, nevertheless be heard and preserved in the record, together with any cross-examination with respect thereto and any rebuttal thereof, unless it is wholly irrelevant, repetitious, privileged, or unduly long[.];

(8) Any evidence received without objection which has probative value shall be considered by the agency along with the other evidence in the case. The rules of privilege shall be effective to the same extent that they are now or may hereafter be in civil actions. Irrelevant and unduly repetitious evidence shall be excluded[.];

(9) Copies of writings, documents and records shall be admissible without proof that the originals thereof cannot be produced, if it shall appear by testimony or otherwise that the copy offered is a true copy of the original, but the agency may, nevertheless, if it believes the interests of justice so require, sustain any objection to such evidence which would be sustained were the proffered evidence offered in a civil action in the circuit court, but if it does sustain such an objection, it shall give the party offering such evidence reasonable opportunity and, if necessary, opportunity at a later date, to establish by evidence the facts sought to be proved by the evidence to which such objection is sustained[.];

(10) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of an act, transaction, occurrence or event, shall be admissible as evidence of the act, transaction, occurrence or event, if it shall appear that it was made in the regular course of any business, and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect the weight of such evidence, but such showing shall not affect its admissibility. The term "business" shall include business, profession, occupation and calling of every kind[.];

(11) The results of statistical examinations or studies, or of audits, compilations of figures, or surveys, involving interviews with many persons, or examination of many records, or of long or complicated accounts, or of a large number of figures, or involving the ascertainment of many related facts, shall be admissible as evidence of such results, if it shall appear that such examination, study, audit, compilation of figures, or survey was made by or under the supervision of a witness, who is present at the hearing, who testifies to the accuracy of such results, and who is subject to cross-examination, and if it shall further appear by evidence adduced that the witness making or under whose supervision such examination, study, audit, compilation of figures, or survey was made was basically qualified to make it. All the circumstances relating to the making of such an examination, study, audit, compilation of figures or survey, including the nature and extent of the qualifications of the maker, may be shown to affect the weight of such evidence but such showing shall not affect its admissibility[.];

(12) Any party or the agency desiring to introduce an affidavit in evidence at a hearing in a contested case may serve on all other parties (including, in a proper case, the agency) copies of such affidavit in the manner hereinafter provided, at any time before the hearing, or at such later time as may be stipulated. Not later than seven days after such service, or at such later time as may be stipulated, any other party (or, in a proper case, the agency) may serve on the party or the agency who served such affidavit an objection to the use of the affidavit or some designated portion or portions thereof on the ground that it is in the form of an affidavit; provided, however, that if such affidavit shall have been served less than eight days before the hearing such objection may be served at any time before the hearing or may be made orally at the hearing. If such objection is so served, the affidavit or the part thereof to which objection was made, may not be used except in ways that would have been permissible in the absence of this subdivision; provided, however, that such objection may be waived by the party or the agency making the same. Failure to serve an objection as aforesaid, based on the ground aforesaid, shall constitute a waiver of all objections to the introduction of such

affidavit, or of the parts thereof with respect to which no such objection was so served, on the ground that it is in the form of an affidavit, or that it constitutes or contains hearsay evidence, or that it is not, or contains matters which are not, the best evidence, but any and all other objections may be made at the hearing. Nothing herein contained shall prevent the cross-examination of the affiant if he **or she** is present in obedience to a subpoena or otherwise and if he **or she** is present, he **or she** may be called for cross-examination during the case of the party who introduced the affidavit in evidence. If the affidavit is admissible in part only it shall be admitted as to such part, without the necessity of preparing a new affidavit. The manner of service of such affidavit and of such objection shall be by delivering or mailing copies thereof to the attorneys of record of the parties being served, if any, otherwise, to such parties, and service shall be deemed complete upon mailing; provided, however, that when the parties are so numerous as to make service of copies of the affidavit on all of them unduly onerous, the agency may make an order specifying on what parties service of copies of such affidavit shall be made, and in that case a copy of such affidavit shall be filed with the agency and kept available for inspection and copying. Nothing in this subdivision shall prevent any use of affidavits that would be proper in the absence of this subdivision.

621.045. 1. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in those cases when, under the law, a license issued by any of the following agencies may be revoked or suspended or when the licensee may be placed on probation or when an agency refuses to permit an applicant to be examined upon his **or her** qualifications or refuses to issue or renew a license of an applicant who has passed an examination for licensure or who possesses the qualifications for licensure without examination:

Missouri State Board of Accountancy  
 Missouri State Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects  
 Board of Barber Examiners  
 Board of Cosmetology  
 Board of Chiropody and Podiatry  
 Board of Chiropractic Examiners  
 Missouri Dental Board  
 Board of Embalmers and Funeral Directors  
 Board of Registration for the Healing Arts  
 Board of Nursing  
 Board of Optometry  
 Board of Pharmacy  
 Missouri Real Estate Commission  
 Missouri Veterinary Medical Board  
 Supervisor of Liquor Control  
 Department of Health and Senior Services  
 Department of Insurance, Financial Institutions and Professional Registration  
 Department of Mental Health  
 Board of Private Investigator Examiners.

2. If in the future there are created by law any new or additional administrative agencies which have the power to issue, revoke, suspend, or place on probation any license, then those agencies are under the provisions of this law.

3. The administrative hearing commission is authorized to conduct hearings and make findings of fact and conclusions of law in those cases brought by the Missouri state board for architects, professional engineers, professional land surveyors and landscape architects against unlicensed persons under section 327.076.

4. Notwithstanding any other provision of this section to the contrary, after August 28, 1995, in order to encourage settlement of disputes between any agency described in subsection 1 or 2 of this section and its licensees, any such agency shall:

(1) Provide the licensee with a written description of the specific conduct for which discipline is sought and a citation to the law and rules allegedly violated, together with copies of any documents which are the basis thereof and the agency's initial settlement offer, or file a contested case against the licensee;

(2) If no contested case has been filed against the licensee, allow the licensee at least sixty days, from the date of mailing, to consider the agency's initial settlement offer and to contact the agency to discuss the terms of such settlement offer;

(3) If no contested case has been filed against the licensee, advise the licensee that the licensee may, either at the time the settlement agreement is signed by all parties, or within fifteen days thereafter, submit the agreement to the

administrative hearing commission for determination that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee; and

(4) In any contact under this subsection by the agency or its counsel with a licensee who is not represented by counsel, advise the licensee that the licensee has the right to consult an attorney at the licensee's own expense.

5. If the licensee desires review by the administrative hearing commission under subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming final, the licensee may rescind and withdraw from the settlement and any admissions of fact or law in the agreement shall be deemed withdrawn and not admissible for any purposes under the law against the licensee. Any settlement submitted to the administrative hearing commission shall not be effective and final unless and until findings of fact and conclusions of law are entered by the administrative hearing commission that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee.

**6. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under sections 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

621.100. 1. Upon receipt of a written complaint from an agency named in section 621.045 in a case relating to a holder of a license granted by such agency, or upon receipt of such complaint from the attorney general, the administrative hearing commission shall cause a copy of said complaint to be served upon such licensee in person, **or by leaving a copy of the complaint at the licensee's dwelling house or usual place of abode or last address given to the agency by the licensee with some person residing or present therein over the age of fifteen**, or by certified mail, together with a notice of the place of and the date upon which the hearing on said complaint will be held. If service cannot be accomplished [in person or by certified mail] **as described in this section**, notice by publication as described in subsection 3 of section 506.160 shall be allowed; any commissioner is authorized to act as a court or judge would in that section, and any employee of the commission is authorized to act as a clerk would in that section. In any case initiated upon complaint of the attorney general, the agency which issued the license shall be given notice of such complaint and the date upon which the hearing will be held by delivery of a copy of such complaint and notice to the office of such agency or by certified mail. Such agency may intervene and may retain the services of legal counsel to represent it in such case.

**2. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section and section 536.067 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.**

**3. In any case initiated under this section, the custodian of the records of an agency may prepare a sworn affidavit stating truthfully pertinent information regarding the license status of the licensee charged in the complaint, including only: the name of the licensee; his or her license number; its designated date of expiration; the date of his or her original Missouri licensure; the particular profession, practice or privilege licensed; and the status of his or her license as current and active or otherwise. This affidavit shall be received as substantial and competent evidence of the facts stated therein notwithstanding any objection as to the form, manner of presentment or admissibility of this evidence, and shall create a rebuttable presumption of the veracity of the statements therein; provided, however, that the procedures specified in section 536.070 shall apply to the introduction of this affidavit in any case where the status of this license constitutes a material issue of fact in the proof of the cause charged in the complaint.**

621.110. Upon a finding in any cause charged by the complaint for which the license may be suspended or revoked as provided in the statutes and regulations relating to the profession or vocation of the licensee **and within one hundred twenty days of the date the case became ready for decision**, the commission shall deliver or transmit by mail to the agency which issued the license the record and a transcript of the proceedings before the commission together with the commission's findings of fact and conclusions of law. The commission may make recommendations as to appropriate disciplinary action but any such recommendations shall not be binding upon the agency. A copy of the findings of fact, conclusions of law and the commission's recommendations, if any, shall be delivered or transmitted by mail to the licensee if the licensee's whereabouts are known, and to any attorney who represented the licensee. Within thirty days after receipt of the record of the proceedings before the commission and the findings of fact, conclusions of law, and recommendations, if any, of the commission, the agency shall set the matter for hearing upon the issue of appropriate disciplinary action and shall notify the licensee of the time and place of the hearing, provided that such hearing may be waived by consent of the agency and licensee where the commission has made recommendations as to appropriate disciplinary action. In case of such waiver by the agency and licensee, the recommendations of the commission shall become the order of the agency. The licensee may appear at said hearing and be represented by counsel. The agency may receive evidence relevant to said issue from the licensee or any other source. After such hearing the agency may order any disciplinary measure it deems appropriate and which is authorized by law. In any case where the commission fails to find any cause charged by the complaint for which the license may be suspended or revoked, the commission shall dismiss the complaint, and so notify all parties."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conferees on **SS for SCS for HCS for HB 430, as amended**, are allowed to exceed the differences by adding sections 226.540 & 226.541 regarding the regulation of outdoor advertising.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 464**, entitled:

An act to repeal sections 8.650, 8.900, 21.475, 21.780, 26.600, 26.603, 26.605, 26.607, 26.609, 26.611, 26.614, 32.250, 32.260, 105.1006, 105.1010, 105.1012, 162.1000, 162.1060, 166.200, 166.201, 166.203, 166.205, 166.207, 166.209, 166.212, 166.215, 166.218, 166.220, 166.222, 166.225, 166.228, 166.231, 166.233, 166.235, 166.237, 166.240, 166.242, 190.176, 192.350, 192.352, 192.355, 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, 199.051, 208.175, 208.195, 208.275, 208.530, 208.533, 208.535, 208.792, 208.955, 210.101, 210.102, 210.496, 260.372, 260.705, 260.720, 260.725, 260.735, 286.001, 286.005, 286.200, 286.205, 286.210, 302.136, 304.028, 320.094, 320.205, 324.600, 324.603, 324.606, 324.609, 324.612, 324.615, 324.618, 324.621, 324.624, 324.627, 324.630, 324.635, 324.1100, 324.1102, 324.1103, 324.1104, 324.1106, 324.1108, 324.1110, 324.1112, 324.1114, 324.1116, 324.1118, 324.1120, 324.1122, 324.1124, 324.1128, 324.1130, 324.1132, 324.1134, 324.1136, 324.1138, 324.1144, 344.060, 344.105, 344.108, 361.070, 361.092, 361.093, 361.094, 361.095, 361.096, 361.097, 361.098, 361.105, 362.040, 362.111, 362.325, 369.014, 369.024, 369.144, 369.159, 369.294, 369.299, 369.304, 369.309, 369.314, 369.319, 369.329, 371.060, 371.090, 371.240, 536.310, 620.638, 620.641, 620.644, 620.647, 620.650, 620.653, 630.900, 630.910, 630.915, 632.020, 660.010, and 701.302, RSMo, section 362.105 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 362.105 as enacted by senate committee substitute for house committee substitute for house bill no. 221 merged with house substitute for senate committee substitute for senate bill no. 346, ninety-second general assembly, first regular session, and to enact in lieu thereof one hundred nine new sections relating to repealing and revising certain state boards, councils, committees, and commissions, with existing penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Pages 27-33, Section 208.955, by striking all of said section and inserting in lieu thereof the following:

“208.955. 1. There is hereby established in the department of social services the “MO HealthNet Oversight Committee”, which shall be appointed by January 1, 2008, and shall consist of [eighteen] **nineteen** members as follows:

(1) Two members of the house of representatives, one from each party, appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives;

(2) Two members of the Senate, one from each party, appointed by the president pro tem of the senate and the minority floor leader of the senate;

(3) One consumer representative **who has no financial interest in the health care industry and who has not been an employee of the state within the last five years;**

(4) Two primary care physicians, licensed under chapter 334, [recommended by any Missouri organization or association that represents a significant number of physicians licensed in this state,] who care for participants, not from the same geographic area, **chosen in the same manner as described in section 334.120;**

(5) Two physicians, licensed under chapter 334, who care for participants but who are not primary care physicians and are not from the same geographic area, [recommended by any Missouri organization or association that represents a significant number of physicians licensed in this state] **chosen in the same manner as described in section 334.120;**

(6) One representative of the state hospital association;

(7) [One] **Two** nonphysician health care [professional] **professionals, the first nonphysician health care professional licensed under chapter 335 and the second nonphysician health care professional licensed under chapter 337,** who [cares] **care** for participants[, recommended by the director of the department of insurance, financial institutions and professional registration];

(8) One dentist, who cares for participants[. The dentist shall be recommended by any Missouri organization or association that represents a significant number of dentists licensed in this state], **chosen in the same manner as described in section 332.021;**

(9) Two patient advocates **who have no financial interest in the health care industry and who have not been employees of the state within the last five years;**

(10) One public member **who has no financial interest in the health care industry and who has not been an employee of the state within the last five years;** and

(11) The directors of the department of social services, the department of mental health, the department of health and senior services, or the respective directors' designees, who shall serve as ex-officio members of the committee.

2. The members of the oversight committee, other than the members from the general assembly and ex-officio members, shall be appointed by the governor with the advice and consent of the senate. A chair of the oversight committee shall be selected by the members of the oversight committee. Of the members first appointed to the oversight committee by the governor, eight members shall serve a term of two years, seven members shall serve a term of one year, and thereafter, members shall serve a term of two years. Members shall continue to serve until their successor is duly appointed and qualified. Any vacancy on the oversight committee shall be filled in the same manner as the original appointment. Members shall serve on the oversight committee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of social services for that purpose. The department of social services shall provide technical, actuarial, and administrative support services as required by the oversight committee. The oversight committee shall:

(1) Meet on at least four occasions annually, including at least four before the end of December of the first year the committee is established. Meetings can be held by telephone or video conference at the discretion of the committee;

(2) Review the participant and provider satisfaction reports and the reports of health outcomes, social and behavioral outcomes, use of evidence-based medicine and best practices as required of the health improvement plans and the department of social services under section 208.950;

(3) Review the results from other states of the relative success or failure of various models of health delivery attempted;

(4) Review the results of studies comparing health plans conducted under section 208.950;

(5) Review the data from health risk assessments collected and reported under section 208.950;

(6) Review the results of the public process input collected under section 208.950;

(7) Advise and approve proposed design and implementation proposals for new health improvement plans submitted by the department, as well as make recommendations and suggest modifications when necessary;

(8) Determine how best to analyze and present the data reviewed under section 208.950 so that the health outcomes, participant and provider satisfaction, results from other states, health plan comparisons, financial impact of the various health improvement plans and models of care, study of provider access, and results of public input can be used by consumers, health care providers, and public officials;

(9) Present significant findings of the analysis required in subdivision (8) of this subsection in a report to the general assembly and governor, at least annually, beginning January 1, 2009;

(10) Review the budget forecast issued by the legislative budget office, and the report required under subsection (22) of subsection 1 of section 208.151, and after study:

(a) Consider ways to maximize the federal drawdown of funds;

(b) Study the demographics of the state and of the MO HealthNet population, and how those demographics are changing;

(c) Consider what steps are needed to prepare for the increasing numbers of participants as a result of the baby boom following World War II;

(11) Conduct a study to determine whether an office of inspector general shall be established. Such office would be responsible for oversight, auditing, investigation, and performance review to provide increased accountability, integrity, and oversight of state medical assistance programs, to assist in improving agency and program operations, and to deter and identify fraud, abuse, and illegal acts. The committee shall review the experience of all states that have created a similar office to determine the impact of creating a similar office in this state; and

(12) Perform other tasks as necessary, including but not limited to making recommendations to the division concerning the promulgation of rules and emergency rules so that quality of care, provider availability, and participant satisfaction can be assured.

3. By July 1, 2011, the oversight committee shall issue findings to the general assembly on the success and failure of health improvement plans and shall recommend whether or not any health improvement plans should be discontinued.

4. The oversight committee shall designate a subcommittee devoted to advising the department on the development of a comprehensive entry point system for long-term care that shall:

(1) Offer Missourians an array of choices including community-based, in-home, residential and institutional services;

(2) Provide information and assistance about the array of long-term care services to Missourians;

(3) Create a delivery system that is easy to understand and access through multiple points, which shall include but shall not be limited to providers of services;

(4) Create a delivery system that is efficient, reduces duplication, and streamlines access to multiple funding sources and programs;

(5) Strengthen the long-term care quality assurance and quality improvement system;

(6) Establish a long-term care system that seeks to achieve timely access to and payment for care, foster quality and excellence in service delivery, and promote innovative and cost-effective strategies; and

(7) Study one-stop shopping for seniors as established in section 208.612.

5. The subcommittee shall include the following members:

(1) The lieutenant governor or his or her designee, who shall serve as the subcommittee chair;

(2) One member from a Missouri area agency on aging, designated by the governor;

(3) One member representing the in-home care profession, designated by the governor;

(4) One member representing residential care facilities, predominantly serving MO HealthNet participants, designated by the governor;

(5) One member representing assisted living facilities or continuing care retirement communities, predominantly serving MO HealthNet participants, designated by the governor;

(6) One member representing skilled nursing facilities, predominantly serving MO HealthNet participants, designated by the governor;

(7) One member from the office of the state ombudsman for long-term care facility residents, designated by the governor;

(8) One member representing Missouri centers for independent living, designated by the governor;

(9) One consumer representative with expertise in services for seniors or [the disabled] **persons with a disability**, designated by the governor;

(10) One member with expertise in Alzheimer's disease or related dementia;

(11) One member from a county developmental disability board, designated by the governor;

(12) One member representing the hospice care profession, designated by the governor;

(13) One member representing the home health care profession, designated by the governor;

- (14) One member representing the adult day care profession, designated by the governor;
- (15) One member gerontologist, designated by the governor;
- (16) Two members representing the aged, blind, and disabled population, not of the same geographic area or demographic group designated by the governor;
- (17) The directors of the departments of social services, mental health, and health and senior services, or their designees; and
- (18) One member of the house of representatives and one member of the senate serving on the oversight committee, designated by the oversight committee chair.

Members shall serve on the subcommittee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of health and senior services for that purpose. The department of health and senior services shall provide technical and administrative support services as required by the committee.

6. By October 1, 2008, the comprehensive entry point system subcommittee shall submit its report to the governor and general assembly containing recommendations for the implementation of the comprehensive entry point system, offering suggested legislative or administrative proposals deemed necessary by the subcommittee to minimize conflict of interests for successful implementation of the system. Such report shall contain, but not be limited to, recommendations for implementation of the following consistent with the provisions of section 208.950:

(1) A complete statewide universal information and assistance system that is integrated into the web-based electronic patient health record that can be accessible by phone, in-person, via MO HealthNet providers and via the Internet that connects consumers to services or providers and is used to establish consumers' needs for services. Through the system, consumers shall be able to independently choose from a full range of home, community-based, and facility-based health and social services as well as access appropriate services to meet individual needs and preferences from the provider of the consumer's choice;

(2) A mechanism for developing a plan of service or care via the web-based electronic patient health record to authorize appropriate services;

(3) A preadmission screening mechanism for MO HealthNet participants for nursing home care;

(4) A case management or care coordination system to be available as needed; and

(5) An electronic system or database to coordinate and monitor the services provided which are integrated into the web-based electronic patient health record.

7. Starting July 1, 2009, and for three years thereafter, the subcommittee shall provide to the governor, lieutenant governor and the general assembly a yearly report that provides an update on progress made by the subcommittee toward implementing the comprehensive entry point system.

8. The provisions of section 23.253 shall not apply to sections 208.950 to 208.955.”; and

Further amend said bill, Page 64, Section 324.1144, Line 6 of said page, by inserting after all of said line the following:

“332.021. 1. “The Missouri Dental Board” shall consist of seven members including five registered and currently licensed dentists, one registered and currently licensed dental hygienist with voting authority as limited in subsection 4 of this section, and one voting public member. Any currently valid certificate of registration or currently valid specialist's certificate issued by the Missouri dental board as constituted pursuant to prior law shall be a valid certificate of registration or a valid specialist's certificate, as the case may be, upon October 13, 1969, and such certificates shall be valid so long as the holders thereof comply with the provisions of this chapter.

2. Any person other than the public member appointed to the board as hereinafter provided shall be a dentist or a dental hygienist who is registered and currently licensed in Missouri, is a United States citizen, has been a resident of this state for one year immediately preceding his or her appointment, has practiced dentistry or dental hygiene for at least five consecutive years immediately preceding his or her appointment, shall have graduated from an accredited dental school or dental hygiene school, and at the time of his or her appointment or during his or her tenure on the board has or shall have no connection with or interest in, directly or indirectly, any dental college, dental hygiene school, university, school, department, or other institution of learning wherein dentistry or dental hygiene is taught, or with any dental laboratory or other business enterprise directly related to the practice of dentistry or dental hygiene.

3. The governor shall appoint members to the board by and with the advice and consent of the senate when a vacancy thereon occurs either by the expiration of a term or otherwise; provided, however, that any board member shall serve until his or her successor is appointed and has qualified. Each appointee, except where appointed to fill an unexpired term, shall be appointed for a term of five years. The president of the Missouri Dental Association in office at the time shall, at least ninety days prior to the expiration of the term of a board member other than the dental hygienist



or public member, or as soon as feasible after a vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five dentists qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri Dental Association shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

4. The public member shall be at the time of his or her appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. **The list of dentists submitted to the governor shall include the names submitted to the director of the division of professional registration by the president of the Missouri Dental Association. This list shall be a public record available for inspection and copying under chapter 610.** Lists of dental hygienists submitted to the governor may include names submitted to the director of the division of professional registration by the president of the Missouri Dental Hygienists' Association. The duties of the dental hygienist member shall not include participation in the determination for or the issuance of a certificate of registration or a license to practice as a dentist. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

5. The board shall have a seal which shall be in circular form and which shall impress the word "SEAL" in the center and around said word the words "Missouri Dental Board". The seal shall be affixed to such instruments as hereinafter provided and to any other instruments as the board shall direct.

6. The board may sue and be sued as the Missouri dental board, and its members need not be named as parties. Members of the board shall not be personally liable, either jointly or severally, for any act or acts committed in the performance of their official duties as board members; nor shall any board member be personally liable for any court costs which accrue in any action by or against the board.

334.120. 1. There is hereby created and established a board to be known as "The State Board of Registration for the Healing Arts" for the purpose of registering, licensing and supervising all physicians and surgeons, and midwives in this state. The board shall consist of nine members, including one voting public member, to be appointed by the governor by and with the advice and consent of the senate, at least five of whom shall be graduates of professional schools accredited by the Liaison Committee on Medical Education or recognized by the Educational Commission for Foreign Medical Graduates, and at least two of whom shall be graduates of professional schools approved and accredited as reputable by the American Osteopathic Association, and all of whom, except the public member, shall be duly licensed and registered as physicians and surgeons pursuant to the laws of this state. Each member must be a citizen of the United States and must have been a resident of this state for a period of at least one year next preceding his or her appointment and shall have been actively engaged in the lawful and ethical practice of the profession of physician and surgeon for at least five years next preceding his or her appointment. Not more than four members shall be affiliated with the same political party. All members shall be appointed for a term of four years. Each member of the board shall receive as compensation an amount set by the board not to exceed fifty dollars for each day devoted to the affairs of the board, and shall be entitled to reimbursement of his or her expenses necessarily incurred in the discharge of his or her official duties. The president of the Missouri State Medical Association, for all medical physician appointments, or the president of the Missouri Association of Osteopathic Physicians and Surgeons, for all osteopathic physician appointments, in office at the time shall, at least ninety days prior to the expiration of the term of the respective board member, other than the public member, or as soon as feasible after the appropriate vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five physicians and surgeons qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri State Medical Association or the Missouri Association of Osteopathic Physicians and Surgeons, as appropriate, shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

2. The public member shall be at the time of his or her appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter.

All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. **The list of medical physicians or osteopathic physicians submitted to the governor shall include the names submitted to the director of the division of professional registration by the president of the Missouri State Medical Association or the Missouri Association of Osteopathic Physicians and Surgeons, respectively. This list shall be a public record available for inspection and copying under chapter 610.** The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 38, Section 210.496, Lines 1-21, by striking all of said section from the bill; and

Further amend said bill, Page 132, Section 208.530, Lines 1-13, by striking all of said section from the bill; and

Further amend said bill, Pages 132-133, Section 208.533, by striking all of said section from the bill; and

Further amend said bill, Pages 133-135, Section 208.535, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1*

*to*

*Senate Amendment No. 3*

AMEND Senate Amendment No. 3 to Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 3, Line 20, by striking the words "drafting legislation" and inserting in lieu thereof the following:

**"recommendations".**

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 34, Section 210.101, Lines 22-26, by striking all of said lines; and

Further amend said bill, Page 35 to 38, Section 210.102, by striking said section from the bill; and

Further amend said bill, Section 210.102, Page 38, Line 113, by inserting after all of said line the following:

**"210.105. 1. There is hereby created the "Missouri Task Force on Prematurity and Infant Mortality" within the children's services commission to consist of the following eighteen members:**

**(1) The following six members of the general assembly:**

**(a) Three members of the house of representatives, with two members to be appointed by the speaker of the house and one member to be appointed by the minority leader of the house;**

**(b) Three members of the senate, with two members to be appointed by the president pro tem of the senate and one member to be appointed by the minority leader of the senate;**

**(2) The director of the department of health and senior services, or the director's designee;**

**(3) The director of the department of social services, or the director's designee;**

**(4) The director of the department of insurance, financial institutions and professional registration, or the director's designee;**

**(5) One member representing a not-for-profit organization specializing in prematurity and infant mortality;**

- (6) Two members who shall be either a physician or nurse practitioner specializing in obstetrics and gynecology, family medicine, pediatrics or perinatology;
- (7) Two consumer representatives who are parents of individuals born prematurely, including one parent of an individual under the age of eighteen;
- (8) Two members representing insurance providers in the state;
- (9) One small business advocate; and
- (10) One member of the small business regulatory fairness board.

Members of the task force, other than the legislative members and directors of state agencies, shall be appointed by the governor with the advice and consent of the senate by September 15, 2011.

2. A majority of a quorum from among the task force membership shall elect a chair and vice-chair of the task force.

3. A majority vote of a quorum of the task force is required for any action.

4. The chairperson of the children's services commission shall convene the initial meeting of the task force by no later than October 15, 2011. The task force shall meet at least quarterly; except that the task force shall meet at least twice prior to the end of 2011. Meetings may be held by telephone or video conference at the discretion of the chair.

5. Members shall serve on the commission without compensation, but may, subject to appropriation, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.

6. The goal of the task force is to seek evidence-based and cost-effective approaches to reduce Missouri's preterm birth and infant mortality rates.

7. The task force shall:

- (1) Submit findings to the general assembly;
- (2) Review appropriate and relevant evidence-based research regarding the causes and effects of prematurity and birth defects in Missouri;
- (3) Examine existing public and private entities currently associated with the prevention and treatment of prematurity and infant mortality in Missouri;
- (4) Develop cost-effective strategies to reduce prematurity and infant mortality; and
- (5) Issue findings and propose to the appropriate public and private organizations goals, objectives, strategies, and tactics designed to reduce prematurity and infant mortality in Missouri, including drafting legislation on public policy for consideration during the next appropriate session of the general assembly.

8. On or before December 31, 2013, the task force shall submit a report on their findings to the governor and general assembly. The report shall include any dissenting opinions in addition to any majority opinions.

9. The task force shall expire on January 1, 2015, or upon submission of a report under subsection 8 of this section, whichever is earlier."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 151, Section 324.635, Line 5, by inserting after all of said line the following:

"[324.1140. 1. The board of private investigator examiners shall license persons who are qualified to train private investigators.

2. Persons wishing to become licensed trainers shall make application to the board of private investigator examiners on a form prescribed by the board and accompanied by a fee determined by the board. The application shall contain a statement of the plan of operation of the training offered by the applicant and the materials and aids to be used and any other information required by the board.

3. A license shall be granted to a trainer if the board finds that the applicant:

- (1) Has sufficient knowledge of private investigator business in order to train private investigators sufficiently;
- (2) Has supplied all required information to the board; and
- (3) Has paid the required fee.

4. The license issued under this section shall be valid for two years and shall be renewable biennially upon application and payment of the renewal fee established by the board. An application for renewal of license shall be mailed to every person to whom a license was issued or renewed during the current licensing period. The applicant shall complete the application and return it to the board by the renewal date with a renewal fee in an amount to be set by the board and with evidence of continuing education under section 324.1122. Any licensee who practices during the time the license has expired shall be considered engaging in prohibited acts under section 324.1104 and shall be subject to the penalties provided for the violation of the provisions of sections 324.1100 to 324.1148. If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired certificate or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the board, and present evidence in the form prescribed by the board of having completed the continuing education requirements for renewal specified in section 324.1122. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee. If a person has failed to renew the person's license within two years of its expiration, the license shall be void.]"; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 46, Section 320.094, Line 78, by striking the word "shall"; and

Further amend Line 79, by striking "be a person with expertise in fire prevention" and inserting in lieu thereof the following:

**"who provides fire safety appliances or equipment".**

*Senate Amendment No. 6*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 98, Section 536.310, Line 25, by inserting after the word "appropriations," the following:

**"by a majority vote of the board,"**; and

Further amend Line 27, by striking all of said line and inserting in lieu thereof the following:

**"employee with total salaries funded from the department of economic development appropriations up to one hundred fifty thousand dollars adjusted annually for inflation for professional positions to:"**; and

Further amend said bill and section, Page 99, Line 53, by striking the word "and" as it appears the second time on said line; and

Further amend Line 54, by inserting immediately after the word "costs" the following:

**"; and**

**(6) Expenses and equipment for the one and one half full time equivalent employee of the board.**

**5. A majority vote of the board members shall be required for the hiring, retention, and termination of board employees. All duties of board employees shall be dedicated solely to the support of and for the furtherance of the purpose and mission of the board"; and**

Further amend said bill, Pages 99-100, Section 536.312, Lines 1-13, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 464, Page 6, Section 37.745, Line 3, by inserting after all of said line the following:

**“90.101. 1. Notwithstanding any law to the contrary, the board of commissioners of Tower Grove Park shall have the authority to adjust the size of its membership, provided that any such adjustment shall be approved by a majority vote of the board members.**

**2. Notwithstanding any law to the contrary, in case of any vacancy occurring in the membership of the board of commissioners of Tower Grove Park from death, resignation, or disqualification to act, the vacancy shall be filled by appointment from the remaining members of the board, or a majority of them, for the balance of the term then vacant, and all vacancies caused by the expiration of the term of office shall be filled by appointment from the judges of the supreme court of the state of Missouri, or a majority of them or if said judges are unable or unwilling to so act, which shall be presumed by their failure to act within thirty days following delivery to the court of a slate of appointees, by the majority vote of the remaining board members.”; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, as amended, HA 3 SCS SB 81**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 284, as amended**, and has taken up and passed **CCS HCS SB 284**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate request the House grant further conference on **HCS SCS SB 356, as amended**.

### **BILLS IN CONFERENCE**

**CCR SCS HB 142, as amended**, relating to auditors, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **CCR SCS HB 142, as amended**, was adopted by the following vote:

AYES: 134

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Diehl	Elmer
Entlicher	Fallert	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton

Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McManus	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 010

Brattin	Brown 85	Curtman	Dugger	Fuhr
Koenig	Lasater	Marshall	Schieber	Smith 150

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Dieckhaus	Ellinger	Fisher	Hughes
Jones 117	McGeoghegan	McGhee	McNary	Pollock
Sater	Schad	Scharnhorst	Schneider	Webber

VACANCIES: 004

On motion of Representative Gatschenberger, **CCS SCS HB 142** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed

## 2529 *Journal of the House*

Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 011

Brattin	Brown 85	Dugger	Fuhr	Haefner
Koenig	Lasater	Marshall	Schieber	Smith 150
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 010

Dieckhaus	Ellinger	Fisher	Hughes	Jones 117
McGeoghegan	Pollock	Sater	Scharnhorst	Webber

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

Representative Silvey assumed the Chair.

**CCR SCS HB 101, as amended**, relating to liquor and wine tasting, was taken up by Representative Loehner.

On motion of Representative Loehner, **CCR SCS HB 101, as amended**, was adopted by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Elmer	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McDonald	McGhee

McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Sifton	Silvey
Smith 71	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 005

Davis	Entlicher	McCaherty	Schatz	Smith 150
-------	-----------	-----------	--------	-----------

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 013

Dieckhaus	Diehl	Dugger	Ellinger	Fuhr
Hughes	Jones 117	McGeoghegan	Parkinson	Sater
Webber	Wells	Mr Speaker		

VACANCIES: 004

On motion of Representative Loehner, **CCS SCS HB 101** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Cross
Curtman	Day	Denison	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 71	Solon
Spreng	Stream	Swearingen	Swinger	Talboy



2531 *Journal of the House*

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 007

Brattin	Crawford	Davis	Entlicher	McCaherty
Schatz	Smith 150			

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 019

Bernskoetter	Dieckhaus	Diehl	Dugger	Ellinger
Fuhr	Hough	Hughes	Jones 117	Lampe
McGeoghegan	Nance	Nasheed	Rowland	Sater
Still	Webber	Wells	Mr Speaker	

VACANCIES: 004

Representative Silvey declared the bill passed.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 506**, entitled:

An act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to property tax levy revisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 506, Page 12, Section 137.073, Line 380, by inserting immediately after said line the following:

"238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:

- (1) "Board", the board of directors of a district;
- (2) "Commission", the Missouri highways and transportation commission;
- (3) "District", a transportation development district organized under sections 238.200 to 238.275;
- (4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;

- (5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or other mass transit and any similar or related improvement or infrastructure.

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Qualified electors", "qualified voters" or "voters":

(a) Within a proposed or established district, except for a district proposed under subsection 1 of section 238.207, any persons residing therein who have registered to vote pursuant to chapter 115; or

(b) Within a district proposed or established under [subsection 1] **subsections 1 or 5** of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, the owners of record of all real property located in the district, who shall receive one vote per acre, provided that if a registered voter subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 506, Page 12, Section 137.073, Line 380, by inserting after all of said line the following:

"137.082. 1. Notwithstanding the provisions of sections 137.075 and 137.080 to the contrary, a building or other structure classified as residential property pursuant to section 137.016 newly constructed and occupied on any parcel of real property shall be assessed and taxed on such assessed valuation as of the first day of the month following the date of occupancy for the proportionate part of the remaining year at the tax rates established for that year, in all taxing jurisdictions located in the county adopting this section as provided in subsection 8 of this section. Newly constructed residential property which has never been occupied shall not be assessed as improved real property until such occupancy or the first day of January of the [second] **fourth** year following the year in which construction of the improvements was completed. **The provisions of this subsection shall apply in those counties including any city not within a county in which the governing body has previously adopted or hereafter adopts the provisions of this subsection.**

2. The assessor may consider a property residentially occupied upon personal verification or when any two of the following conditions have been met:

- (1) An occupancy permit has been issued for the property;
- (2) A deed transferring ownership from one party to another has been filed with the recorder of deeds' office subsequent to the date of the first permanent utility service;
- (3) A utility company providing service in the county has verified a transfer of service for property from one party to another;
- (4) The person or persons occupying the newly constructed property has registered a change of address with any local, state or federal governmental office or agency.

3. In implementing the provisions of this section, the assessor may use occupancy permits, building permits, warranty deeds, utility connection documents, including telephone connections, or other official documents as may be necessary to discover the existence of newly constructed properties. No utility company shall refuse to provide verification monthly to the assessor of a utility connection to a newly occupied single family building or structure.

4. In the event that the assessment under subsections 1 and 2 of this section is not completed until after the deadline for filing appeals in a given tax year, the owner of the newly constructed property who is aggrieved by the assessment of the property may appeal this assessment the following year to the county board of equalization in accordance with chapter 138 and may pay any taxes under protest in accordance with section 139.031; provided however, that such payment under protest shall not be required as a condition of appealing to the county board of equalization. The collector shall impound such protested taxes and shall not disburse such taxes until resolution of the appeal.

5. The increase in assessed valuation resulting from the implementation of the provisions of this section shall be considered new construction and improvements under the provisions of this chapter.

6. In counties which adopt the provisions of subsections 1 to 7 of this section, an amount not to exceed ten percent of all ad valorem property tax collections on newly constructed and occupied residential property allocable to each taxing authority within counties of the first classification having a population of nine hundred thousand or more, one-tenth of one percent of all ad valorem property tax collections allocable to each taxing authority within all other counties of the first classification and one-fifth of one percent of all ad valorem property tax collections allocable to each taxing authority within counties of the second, third and fourth classifications and any county of the first classification having a population of at least eighty- two thousand inhabitants, but less than eighty-two thousand one hundred

inhabitants, in addition to the amount prescribed by section 137.720 shall be deposited into the assessment fund of the county for collection costs.

7. For purposes of figuring the tax due on such newly constructed residential property, the assessor or the board of equalization shall place the full amount of the assessed valuation on the tax book upon the first day of the month following occupancy. Such assessed valuation shall be taxed for each month of the year following such date at its new assessed valuation, and for each month of the year preceding such date at its previous valuation. The percentage derived from dividing the number of months at which the property is taxed at its new valuation by twelve shall be applied to the total assessed valuation of the new construction and improvements, and such product shall be included in the next year's base for the purposes of figuring the next year's tax levy rollback. The untaxed percentage shall be considered as new construction and improvements in the following year and shall be exempt from the rollback provisions.

8. Subsections 1 to 7 of this section shall be effective in those counties including any city not within a county in which the governing body of such county elects to adopt a proposal to implement the provisions of subsections 1 to 7 of this section. Such subsections shall become effective in such county on the first day of January of the year following such election.

9. In any county which adopts the provisions of subsections 1 to 7 of this section prior to the first day of June in any year pursuant to subsection 8 of this section, the assessor of such county shall, upon application of the property owner, remove on a pro rata basis from the tax book for the current year any residential real property improvements destroyed by a natural disaster if such property is unoccupied and uninhabitable due to such destruction. On or after the first day of July, the board of equalization shall perform such duties. Any person claiming such destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall have available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall, in addition to any other penalties provided by law, be assessed double the value of any property fraudulently listed. The list shall be filed by the assessor, after he has provided a copy of the list to the county collector and the board of equalization, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep them. If the assessor, subsequent to such destruction, considers such property occupied as provided in subsection 2 of this section, the assessor shall consider such property new construction and improvements and shall assess such property accordingly as provided in subsection 1 of this section. For the purposes of this section, the term "natural disaster" means any disaster due to natural causes such as tornado, fire, flood, or earthquake.

10. Any political subdivision may recover the loss of revenue caused by subsection 9 of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

### **BILL CARRYING REQUEST MESSAGE**

**SCS SB 81, with House Amendment No. 1, House Amendment No. 2, as amended, and House Amendment No. 3**, relating to fine arts education, was taken up by Representative Frederick.

Representative Frederick moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, as amended, and House Amendment No. 3** to **SCS SB 81** and grant the Senate a conference thereon.

Which motion was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**SCS SB 81:** Representatives Frederick, Funderburk, Stream, Carter and Aull

Representative Silvey resumed the Chair.

## THIRD READING OF SENATE CONCURRENT RESOLUTION

**SCR 11**, relating to Diabetic Peripheral Neuropathy Week, was taken up by Representative Franklin.

On motion of Representative Franklin, **SCR 11** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

## 2535 *Journal of the House*

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Conway 14	Day	Dieckhaus	Diehl	Ellinger
Hughes	Jones 117	Leara	McGeoghegan	Nasheed
Sater	Webber	Mr Speaker		

VACANCIES: 004

Representative Silvey declared the bill passed.

### SENATE CONCURRENT RESOLUTIONS

**SCR 7**, relating to the state auditor's report, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **SCR 7** was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Dieckhaus	Diehl	Ellinger	Jones 117
McGeoghegan	Molendorp	Sater	Webber	Zerr
Mr Speaker				

VACANCIES: 004

**SCR 12**, relating to atrial fibrillation, was taken up by Representative Higdon.

On motion of Representative Higdon, **SCR 12** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Berry	Day	Denison	Dieckhaus	Diehl
Ellinger	Jones 117	McCaherty	McGeoghegan	Neth
Sater	Webber	Zerr	Mr Speaker	

VACANCIES: 004

## HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HCS HB 161**, relating to transient guest taxes, was taken up by Representative Cox.

Representative Jones (89) assumed the Chair.

On motion of Representative Cox, **SS SCS HCS HB 161** was adopted by the following vote:

AYES: 101

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Black	Brandom	Brown 50	Brown 116
Carter	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Denison
Dieckhaus	Diehl	Elmer	Fallert	Fitzwater
Fraker	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Hampton	Higdon	Hinson
Holsman	Hoskins	Hough	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Korman	Kratky	Lair	Lampe	Lant
Largent	Leara	Loehner	Long	May
McCann Beatty	McDonald	McGhee	McNary	McNeil
Molendorp	Montecillo	Nance	Newman	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schneider
Sifton	Solon	Spreng	Still	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Weter	Wieland	Wright
Zerr				

NOES: 049

Asbury	Bahr	Berry	Brattin	Brown 85
Burlison	Carlson	Casey	Conway 14	Curtman
Davis	Dugger	Entlicher	Franklin	Guernsey
Haefner	Harris	Hodges	Houghton	Klippenstein
Koenig	Lasater	Lauer	Leach	Lichtenegger
Marshall	McCaherty	McManus	Meadows	Nasheed
Neth	Nichols	Nolte	Quinn	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Swearingen
Taylor	Wells	White	Wyatt	

PRESENT: 001

Fuhr

ABSENT WITH LEAVE: 008

Day	Ellinger	Fisher	Flanigan	McGeoghegan
Sater	Webber	Mr Speaker		

VACANCIES: 004

On motion of Representative Cox, **SS SCS HCS HB 161** was truly agreed to and finally passed by the following vote:

AYES: 092

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Black	Brandom	Brown 50	Brown 116
Carter	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Denison	Dieckhaus	Diehl
Fallert	Fisher	Fitzwater	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Hampton	Higdon	Holsman	Hoskins	Hough
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Korman	Kratky	Lair	Lampe
Lant	Largent	Long	May	McCann Beatty
McDonald	McGhee	McNary	McNeil	Molendorp
Montecillo	Nance	Newman	Oxford	Pace
Parkinson	Pierson	Pollock	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schneider	Sifton	Spreng	Still	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Weter	Wieland	Wright
Zerr	Mr Speaker			

NOES: 059

Asbury	Bahr	Berry	Brattin	Brown 85
Burlison	Carlson	Casey	Conway 14	Crawford
Cross	Curtman	Davis	Dugger	Elmer
Entlicher	Franklin	Guernsey	Haefner	Harris
Hinson	Hodges	Houghton	Hubbard	Klippenstein
Koenig	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McManus
Meadows	Nasheed	Neth	Nichols	Nolte
Phillips	Quinn	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Swearingen
Taylor	Wells	White	Wyatt	

PRESENT: 000



2539 *Journal of the House*

ABSENT WITH LEAVE: 008

Day	Ellinger	Flanigan	Fuhr	McGeoghegan
Redmon	Sater	Webber		

VACANCIES: 004

Representative Jones (89) declared the bill passed.

**SCS HB 1008**, relating to highway infrastructure improvements, was taken up by Representative Long.

On motion of Representative Long, **SCS HB 1008** was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 003

Lasater	Marshall	Schieber
---------	----------	----------

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Conway 14	Day	Diehl	Ellinger
Entlicher	Fisher	Holsman	Hough	Jones 117
Leara	McGeoghegan	McNary	Nasheed	Richardson
Sater	Swearingen	Webber	Zerr	

VACANCIES: 004

On motion of Representative Long, **SCS HB 1008** was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 003

Lasater	Marshall	Schieber
---------	----------	----------

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Conway 14	Day	Ellinger	Fisher
Grisamore	Holsman	Hough	Jones 117	Leara
McGeoghegan	Nolte	Sater	Webber	Zerr

VACANCIES: 004

Representative Jones (89) declared the bill passed.

**SS SCS HCS HBs 470 & 429, as amended**, relating to nonresident entertainer income tax, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **SS SCS HCS HBs 470 & 429, as amended**, was adopted by the following vote:

AYES: 120

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Nasheed	Pace	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 022

Carlson	Conway 27	Dugger	Fallert	Harris
Hodges	Hughes	Kirkton	Kratky	Marshall
May	Meadows	Nance	Newman	Nichols
Oxford	Phillips	Pierson	Quinn	Schupp
Shively	Spreng			

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Ellinger	Flanigan	Hinson	Hough
Jones 117	Lasater	Leara	McGeoghegan	Neth
Nolte	Sater	Schneider	Still	Webber
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Funderburk, **SS SCS HCS SBs 470 & 429, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Nasheed	Nichols	Pace
Parkinson	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 017

Carlson	Conway 27	Dugger	Fallert	Harris
Hodges	Kirkton	Kratky	Marshall	May
Meadows	Nance	Newman	Quinn	Schupp
Shively	Spreng			

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Denison	Ellinger	Flanigan	Fraker
Jones 117	Lasater	Leara	McGeoghegan	Neth
Nolte	Oxford	Sater	Schneider	Webber
Zerr				

VACANCIES: 004

Representative Jones (89) declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 344**, entitled:

An act to repeal section 275.360, RSMo, and to enact in lieu thereof two new sections relating to farming.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 177, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 254, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

### BILLS CARRYING REQUEST MESSAGES

**HCS SB 177, as amended**, relating to health care, was taken up by Representative Frederick.

Representative Frederick moved that the House refuse to recede from its position on **HCS SB 177, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SS SCS SB 254, as amended**, relating to intoxication-traffic related offenses, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SS SCS SB 254, as amended**, and grant the Senate a conference.

Which motion was adopted.

### BILL IN CONFERENCE

**HCS SCS SB 356, as amended**, relating to agriculture, was taken up by Representative Loehner.

Representative Loehner moved that the House grant the Senate further conference.

Representative Silvey moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Entlicher	Fitzwater	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 046

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 026

Bernskoetter	Day	Diehl	Ellinger	Elmer
Fisher	Flanigan	Fraker	Frederick	Higdon
Holsman	Hubbard	Jones 117	Klippenstein	Leara
Long	McGeoghegan	Nasheed	Neth	Sater
Schieffer	Schneider	Shumake	Spreng	Webber
Zerr				

VACANCIES: 004

Representative Loehner again moved that the House grant the Senate further conference.

Which motion was adopted.

**HOUSE BILL WITH SENATE AMENDMENTS**

**SS#2 SCS HCS HB 89, as amended**, relating to funding for natural resources, was taken up by Representative Pollock.

Representative Silvey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Silvey
Smith 150	Solon	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 047

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 019

Day	Dieckhaus	Diehl	Ellinger	Flanigan
Fraker	Franklin	Higdon	Hughes	Leara
McGeoghegan	Nasheed	Phillips	Sater	Schieber
Schieffer	Shumake	Stream	Webber	

VACANCIES: 004

On motion of Representative Pollock, **SS#2 SCS HCS HB 89, as amended**, was adopted.

On motion of Representative Pollock, **SS#2 SCS HCS HB 89, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 003

Atkins	Schupp	Walton Gray
--------	--------	-------------

PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Dieckhaus	Diehl	Ellinger	Flanigan
Fraker	Hughes	Leara	McCann Beatty	McGeoghegan
Sater	Schieffer	Shumake	Webber	Wright

VACANCIES: 004

Representative Jones (89) declared the bill passed.



The emergency clause was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Long	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 001

Marshall

PRESENT: 002

Quinn                      Smith 71

ABSENT WITH LEAVE: 018

Cookson	Day	Dieckhaus	Diehl	Ellinger
Flanigan	Fraker	Grisamore	Holsman	Hughes
Leara	Loehner	McGeoghegan	Sater	Schieffer
Shumake	Wallingford	Zerr		

VACANCIES: 004

Speaker Tilley assumed the Chair.

## APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

**HCS SCS SB 177:** Representatives Frederick, Allen, Wells, Carter and Colona  
**HCS SS SCS SB 254:** Representatives Cox, Elmer, Barnes, Colona and Carlson

## RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**HCS SCS SB 356:** Representatives Loehner, Schad, Wright, Holsman and Harris

Representative Jones (89) resumed the Chair.

## HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HCS HB 431**, relating to foster care and adoption, was taken up by Representative Franz.

On motion of Representative Franz, **SS SCS HCS HB 431** was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McNary	McNeil	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Swearingen	Swinger	Talboy

## 2549 *Journal of the House*

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Day	Diehl	Ellinger	Flanigan	Hinson
Hughes	Jones 117	Leara	Loehner	McGeoghegan
McManus	Meadows	Parkinson	Richardson	Sater
Schieffer	Schneider	Shumake	Stream	Zerr
Mr Speaker				

VACANCIES: 004

On motion of Representative Franz, **SS SCS HCS HB 431** was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Day	Diehl	Ellinger	Flanigan	Hinson
Hughes	Leara	Loehner	McGeoghegan	McGhee
Nasheed	Parkinson	Pollock	Richardson	Sater
Schieffer	Schneider	Zerr		

VACANCIES: 004

Representative Jones (89) declared the bill passed.

**SS SCS HB 184**, relating to commissioners of road districts, was taken up by Representative Dugger.

On motion of Representative Dugger, **SS SCS HB 184** was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

## 2551 *Journal of the House*

ABSENT WITH LEAVE: 018

Conway 14	Day	Diehl	Ellinger	Flanigan
Fuhr	Holsman	Hughes	Lair	Leara
McGeoghegan	Parkinson	Pollock	Richardson	Sater
Schieffer	Schneider	Webb		

VACANCIES: 004

On motion of Representative Dugger, **SS SCS HB 184** was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Conway 14	Day	Ellinger	Flanigan	Guernsey
Holsman	Hughes	Jones 63	Jones 89	Lair
Leara	McGeoghegan	Molendorp	Parkinson	Richardson
Sater	Scharnhorst	Schieffer	Schneider	

VACANCIES: 004

Representative Jones (89) declared the bill passed.

**SCS HCS HBs 300, 334 & 387, as amended**, relating to youth sports brain injuries, was taken up by Representative Gatschenberger.

Representative Smith (150) assumed the Chair.

Representative Silvey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	

NOES: 046

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 001

Kelly 24

## 2553 *Journal of the House*

ABSENT WITH LEAVE: 018

Conway 14	Day	Ellinger	Flanigan	Franklin
Franz	Funderburk	Hampton	Hughes	Leara
McGeoghegan	Molendorp	Nasheed	Parkinson	Sater
Schieffer	Wright	Mr Speaker		

VACANCIES: 004

On motion of Representative Gatschenberger, **SCS HCS HBs 300, 334 & 387, as amended**, was adopted by the following vote:

AYES: 133

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Nance
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 008

Asbury	Burlison	Curtman	Guernsey	Kelly 24
Koenig	Neth	Smith 71		

PRESENT: 000

ABSENT WITH LEAVE: 018

Conway 14	Day	Ellinger	Fisher	Flanigan
Franklin	Funderburk	Hampton	Hughes	Leara
McGeoghegan	Molendorp	Nasheed	Parkinson	Sater
Schieffer	Schoeller	Spreng		

VACANCIES: 004

On motion of Representative Gatschenberger, **SCS HCS HBs 300, 334 & 387, as amended**,  
was truly agreed to and finally passed by the following vote:

AYES: 134

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 008

Asbury	Burlison	Curtman	Guernsey	Kelly 24
Koenig	Neth	Smith 71		

PRESENT: 000

ABSENT WITH LEAVE: 017

Conway 14	Day	Ellinger	Fisher	Flanigan
Franklin	Funderburk	Hughes	Leara	McGeoghegan
Nasheed	Parkinson	Pollock	Sater	Scharnhorst
Schieffer	Still			

VACANCIES: 004

Representative Smith (150) declared the bill passed.



# **BILL IN CONFERENCE**

**CCR HCS SB 59, as amended**, relating to judicial procedures, was taken up by Representative Diehl.

On motion of Representative Diehl, **CCR HCS SB 59, as amended**, was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

May

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Denison	Ellinger	Fisher	Flanigan
Funderburk	Hughes	Leara	McGeoghegan	Nasheed
Sater	Scharnhorst	Schieffer	Webb	

VACANCIES: 004

On motion of Representative Diehl, **CCS HCS SB 59** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

May

PRESENT: 000

ABSENT WITH LEAVE: 016

Bernskoetter	Day	Denison	Ellinger	Fisher
Flanigan	Funderburk	Hough	Hughes	Leara
McGeoghegan	Nasheed	Sater	Scharnhorst	Schieffer
Webb				

VACANCIES: 004

Representative Smith (150) declared the bill passed.

**HOUSE BILLS WITH SENATE AMENDMENTS**

**SCS HB 661**, relating to debt adjusters, was taken up by Representative Wells.

On motion of Representative Wells, **SCS HB 661** was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Neth	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Kirkton	McNeil	Newman	Spreng
---------	--------	--------	--------

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Denison	Diehl	Ellinger	Fisher
Flanigan	Funderburk	Hughes	Leara	May
McGeoghegan	Nasheed	Nolte	Sater	Scharnhorst
Schieffer	Webb			

VACANCIES: 004

On motion of Representative Wells, **SCS HB 661** was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 005

Kirkton	May	McNeil	Newman	Spreng
---------	-----	--------	--------	--------

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Denison	Diehl	Ellinger	Fisher
Fitzwater	Flanigan	Funderburk	Hughes	Leara
McGeoghegan	Nasheed	Sater	Scharnhorst	Schieffer
Webb				

VACANCIES: 004

Representative Smith (150) declared the bill passed.

**HCR 32, with Senate Amendment No. 1**, relating to state employee wages, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Still

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Day	Denison	Diehl	Ellinger
Fisher	Franklin	Funderburk	Hughes	McGeoghegan
Molendorp	Nance	Nasheed	Nolte	Sater
Scharnhorst	Schieffer			

VACANCIES: 004

On motion of Representative Bernskoetter, **HCR 32, as amended**, was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Neth	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 003

Kirkton	Newman	Still
---------	--------	-------

PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Denison	Ellinger	Fisher	Funderburk
Guernsey	Hough	Hughes	McGeoghegan	Molendorp
Nasheed	Nolte	Sater	Scharnhorst	Schieffer

VACANCIES: 004

**SS SCS HB 213**, relating to abortion, was taken up by Representative Jones (89).

Representative Tilley moved the previous question.

# Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 034

Atkins	Aull	Brown 50	Carlson	Carter
Colona	Conway 27	Holsman	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 012

Black	Casey	Fallert	Harris	Hodges
Hummel	Kratky	McManus	Meadows	Quinn
Shively	Swinger			

ABSENT WITH LEAVE: 014

Anders	Day	Denison	Ellinger	Elmer
Entlicher	Hubbard	Hughes	McGeoghegan	Nasheed
Sater	Scharnhorst	Schieffer	Spreng	

VACANCIES: 004

On motion of Representative Jones (89), **SS SCS HB 213** was adopted by the following vote:

AYES: 116

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 032

Atkins	Brown 50	Carlson	Carter	Colona
Jones 63	Kander	Kelly 24	Kirkton	Lampe
May	McCann Beatty	McDonald	McNeil	Montecillo
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 001

Holsman

ABSENT WITH LEAVE: 010

Day	Denison	Ellinger	Elmer	Hubbard
Hughes	McGeoghegan	Nasheed	Sater	Schieffer

VACANCIES: 004



On motion of Representative Jones (89), **SS SCS HB 213** was truly agreed to and finally passed by the following vote:

AYES: 117

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 030

Atkins	Carlson	Colona	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 001

Holsman

ABSENT WITH LEAVE: 011

Carter	Day	Denison	Ellinger	Hubbard
Hughes	McGeoghegan	Nasheed	Parkinson	Sater
Schieffer				

VACANCIES: 004

Representative Smith (150) declared the bill passed.

**SCS HCS HB 506, as amended**, relating to revision of prior tax levies, was taken up by Representative Fuhr.

On motion of Representative Fuhr, **SCS HCS HB 506, as amended**, was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Carter	Conway 14	Day	Denison	Ellinger
Fisher	Flanigan	Grisamore	Guernsey	Holsman
Hughes	Jones 117	Loehner	McGeoghegan	Nance
Nasheed	Nolte	Richardson	Sater	Schad
Schieffer	Schneider			

VACANCIES: 004

On motion of Representative Fuhr, **SCS HCS HB 506, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cox	Crawford
Cross	Davis	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Conway 14	Cookson	Curtman	Day	Denison
Ellinger	Fisher	Flanigan	Grisamore	Hughes
Loehner	McGeoghegan	Nasheed	Nolte	Richardson
Sater	Schad	Schieffer		

VACANCIES: 004

Representative Smith (150) declared the bill passed.

**SCS HCS HB 344**, relating to the Farm-to-Table Advisory Board, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **SCS HCS HB 344** was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Cierpiot	Conway 14	Day	Denison	Ellinger
Funderburk	Holsman	Hughes	Jones 89	Loehner
McGeoghegan	Nasheed	Nolte	Ruzicka	Sater
Schad	Schieffer			

VACANCIES: 004

On motion of Representative Guernsey, **SCS HCS HB 344** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Conway 14	Day	Denison	Diehl	Ellinger
Funderburk	Holsman	Hughes	Jones 63	Loehner
McGeoghegan	Nasheed	Nolte	Sater	Schad
Schieffer				

VACANCIES: 004

Representative Smith (150) declared the bill passed.

**SCS HCS HB 464, as amended**, relating to boards, commissions, and committees, was taken up by Representative McNary.

On motion of Representative McNary, **SCS HCS HB 464, as amended**, was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 002

Pierson Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 016

Colona	Cox	Day	Denison	Ellinger
Fisher	Funderburk	Hughes	Jones 63	Loehner
McGeoghegan	Nasheed	Sater	Schad	Schieffer
Taylor				

VACANCIES: 004

Speaker Tilley resumed the Chair.

On motion of Representative McNary, **SCS HCS HB 464, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McGhee	McNeil	Molendorp	Montecillo
Nance	Neth	Nichols	Oxford	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Pierson                      Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 025

Brattin	Cox	Day	Denison	Ellinger
Elmer	Fisher	Frederick	Hughes	Jones 63
Kelly 24	Loehner	McDonald	McGeoghegan	McManus
McNary	Meadows	Nasheed	Newman	Nolte
Sater	Schad	Schieffer	Talboy	Taylor

VACANCIES: 004

Speaker Tilley declared the bill passed.

**SS SCS HCS HB 265, as amended**, relating to professional licenses, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **SS SCS HCS HB 265, as amended**, was adopted by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	Wieland	Wright	Zerr
Mr Speaker				

NOES: 006

Entlicher	Franklin	Frederick	McNeil	White
Wyatt				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 016

Cox	Day	Dieckhaus	Ellinger	Elmer
Funderburk	Holsman	Hughes	Jones 63	McGeoghegan
Nasheed	Parkinson	Richardson	Sater	Schatz
Schieffer				

VACANCIES: 004



On motion of Representative Smith (150), **SS SCS HCS HB 265, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 127

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Denison
Diehl	Dugger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	Wieland	Wright
Zerr	Mr Speaker			

NOES: 016

Anders	Asbury	Bahr	Conway 14	Davis
Entlicher	Franklin	Frederick	Guernsey	Kirkton
Klippenstein	Lasater	Marshall	McNeil	White
Wyatt				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 015

Colona	Day	Dieckhaus	Ellinger	Fuhr
Funderburk	Holsman	Hughes	Jones 63	McGeoghegan
Nasheed	Nolte	Richardson	Sater	Schieffer

VACANCIES: 004

Speaker Tilley declared the bill passed.

**SCS HCS HB 38**, relating to notification of jail escapees, was taken up by Representative Pace.

On motion of Representative Pace, **SCS HCS HB 38** was adopted by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McDonald	McGhee
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schatz
Schieber	Schoeller	Schupp	Shively	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Brandom	Brown 50	Brown 116	Cox	Day
Dieckhaus	Ellinger	Elmer	Fisher	Franklin
Funderburk	Holsman	Hughes	Jones 63	McCaherty
McGeoghegan	McManus	McNary	Nasheed	Sater
Schad	Schieffer	Schneider	Shumake	Talboy

VACANCIES: 004

On motion of Representative Pace, **SCS HCS HB 38** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Atkins	Brown 116	Curtman	Day	Ellinger
Frederick	Funderburk	Hughes	McGeoghegan	McNary
Nasheed	Nolte	Sater	Schieffer	Schneider

VACANCIES: 004

Speaker Tilley declared the bill passed.

**BILL IN CONFERENCE**

**CCR HCS SB 173, as amended**, relating to transportation and infrastructure, was taken up by Representative Cierpiot.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Cierpiot, **CCR HCS SB 173, as amended**, was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGhee	McNeil	Molendorp	Montecillo	Nance
Neth	Newman	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Marshall

PRESENT: 001

Oxford

2575 *Journal of the House*

ABSENT WITH LEAVE: 018

Brown 116	Day	Ellinger	Fitzwater	Funderburk
Grisamore	Hughes	Jones 117	McGeoghegan	McManus
McNary	Meadows	Nasheed	Nichols	Redmon
Sater	Schieffer	Schneider		

VACANCIES: 004

On motion of Representative Cierpiot, **CCS HCS SB 173** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGhee	McNeil	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 015

Brown 116	Day	Ellinger	Funderburk	Guernsey
Holsman	Hughes	Jones 117	McGeoghegan	McManus
McNary	Meadows	Nasheed	Sater	Schieffer

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 101, as amended**, and has taken up and passed **CCS SCS HB 101**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 552**, entitled:

An act to repeal section 208.152, RSMo, and to enact in lieu thereof two new sections relating to the standard of care for the treatment of persons with bleeding disorders.

With Senate Amendment No. 1.

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 552, Page 7, Section 208.152, Line 227, by striking the words "**In-home assessments conducted**" and inserting in lieu thereof the following:

**"Assessments conducted in the participant's home"**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate request the House to grant further conference on **HCS for SS No. 2 for SCS for SB 8** and that the conferees be allowed to exceed the differences by removing all language relating to occupational disease.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **HCS for SB 61, as amended**, and requests the House recede from its position on **HCS for SB 61, as amended**, and take up and pass **SB 61**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS SB 81, with HA 1, HA 2, as amended, HA 3**: Senators Pearce, Kehoe, Brown, Callahan and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 177, as amended**: Senators Brown, Schaaf, Schaefer, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SB 250, as amended**, and has taken up and passed **CCS#2 HCS SB 250**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 254, as amended**: Senators Stouffer, Kehoe, Engler, McKenna and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 351, as amended**, and has taken up and passed **HCS SS SCS SB 351, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 356, as amended**: Senators Munzlinger, Parson, Brown, Callahan and Justus.

### **BILL IN CONFERENCE**

**CCR HCS SS#2 SCS SB 8, as amended**, relating to workers' compensation, was taken up by Representative Fisher.

Representative Fisher moved that the House grant further conference on **HCS SS#2 SCS SB 8, as amended**, and the conferees be allowed to exceed the differences by removing all language relating to occupational diseases.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger

Loehner	Long	Marshall	McCaherty	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McDonald	McManus
McNeil	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brown 116	Curtman	Day	Ellinger
Frederick	Funderburk	Grisamore	Holsman	Hughes
Jones 117	McGeoghegan	McGhee	McNary	Nasheed
Sater	Schieffer	Wells		

VACANCIES: 004

Representative Fisher again moved that the House grant further conference on **HCS SS#2 SCS SB 8, as amended**, and the conferees be allowed to exceed the differences by removing all language relating to occupational diseases.

Which motion was adopted.

### RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**HCS SS#2 SCS SB 8:** Representatives Fisher, Nolte, Richardson, Meadows and McManus



## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS HB 142, as amended**, and has taken up and passed **CCS SCS HB 142**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 412**, entitled:

An act to repeal sections 338.055 and 338.330, RSMo, and to enact in lieu thereof two new sections relating to the authority of the board of pharmacy, with an emergency clause for a certain section.

With Senate Amendment No. 1 and Senate Amendment No. 2.

### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 412, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"338.010. 1. The "practice of pharmacy" means the interpretation, implementation, and evaluation of medical prescription orders, including **any legend drugs under 21 U.S.C. Section 353**; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, **and veterinarians and their clients about legend drugs**, about the safe and effective use of drugs and devices; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his **or her** duties. This assistance in no way is intended to relieve the pharmacist from his **or her** responsibilities for compliance with this chapter and he **or she** will be responsible for the actions of the auxiliary personnel acting in his **or her** assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, **or** podiatry, or veterinary medicine **only for use in animals**, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, **administering, prescribing**, or dispensing of his **or her** own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order."; and

Further amend said bill, Page 4, Section 338.055, Line 115, by inserting immediately after said line the following:

"338.140. 1. The board of pharmacy shall have a common seal, and shall have power to adopt such rules and bylaws not inconsistent with law as may be necessary for the regulation of its proceedings and for the discharge of the duties imposed pursuant to sections 338.010 to 338.198, and shall have power to employ an attorney to conduct prosecutions or to assist in the conduct of prosecutions pursuant to sections 338.010 to 338.198.

2. The board shall keep a record of its proceedings.

3. The board of pharmacy shall make annually to the governor and, upon written request, to persons licensed pursuant to the provisions of this chapter a written report of its proceedings.

4. The board of pharmacy shall appoint an advisory committee composed of [five] **six** members, one of whom shall be a representative of pharmacy but who shall not be a member of the pharmacy board, three of whom shall be representatives of wholesale drug distributors as defined in section 338.330, [and] one of whom shall be a representative of drug manufacturers, **and one of whom shall be a licensed veterinarian recommended to the board of pharmacy by the board of veterinary medicine.** The committee shall review and make recommendations to the board on the merit of all rules and regulations dealing with pharmacy distributors, wholesale drug distributors [and], drug manufacturers, **and veterinary legend drugs** which are proposed by the board.

5. A majority of the board shall constitute a quorum for the transaction of business.

6. Notwithstanding any other provisions of law to the contrary, the board may issue letters of reprimand, censure or warning to any holder of a license or registration required pursuant to this chapter for any violations that could result in disciplinary action as defined in section 338.055.

338.150. Any person authorized by the board of pharmacy is hereby given the right of entry and inspection upon all open premises purporting or appearing to be drug or chemical stores, apothecary shops, pharmacies or places of business for exposing for sale, or the dispensing or selling of drugs, pharmaceuticals, medicines, chemicals or poisons or for the compounding of physicians' **or veterinarians'** prescriptions.

338.210. 1. Pharmacy refers to any location where the practice of pharmacy occurs or such activities are offered or provided by a pharmacist or another acting under the supervision and authority of a pharmacist, including every premises or other place:

(1) Where the practice of pharmacy is offered or conducted;

(2) Where drugs, chemicals, medicines, **any legend drugs under 21 U.S.C. Section 353**, prescriptions, or poisons are compounded, prepared, dispensed or sold or offered for sale at retail;

(3) Where the words "pharmacist", "apothecary", "drugstore", "drugs", and any other symbols, words or phrases of similar meaning or understanding are used in any form to advertise retail products or services;

(4) Where patient records or other information is maintained for the purpose of engaging or offering to engage in the practice of pharmacy or to comply with any relevant laws regulating the acquisition, possession, handling, transfer, sale or destruction of drugs, chemicals, medicines, prescriptions or poisons.

2. All activity or conduct involving the practice of pharmacy as it relates to an identifiable prescription or drug order shall occur at the pharmacy location where such identifiable prescription or drug order is first presented by the patient or the patient's authorized agent for preparation or dispensing, unless otherwise expressly authorized by the board.

3. The requirements set forth in subsection 2 of this section shall not be construed to bar the complete transfer of an identifiable prescription or drug order pursuant to a verbal request by or the written consent of the patient or the patient's authorized agent.

4. The board is hereby authorized to enact rules waiving the requirements of subsection 2 of this section and establishing such terms and conditions as it deems necessary, whereby any activities related to the preparation, dispensing or recording of an identifiable prescription or drug order may be shared between separately licensed facilities.

5. If a violation of this chapter or other relevant law occurs in connection with or adjunct to the preparation or dispensing of a prescription or drug order, any permit holder or pharmacist-in-charge at any facility participating in the preparation, dispensing, or distribution of a prescription or drug order may be deemed liable for such violation.

6. Nothing in this section shall be construed to supersede the provisions of section 197.100.

338.220. 1. It shall be unlawful for any person, copartnership, association, corporation or any other business entity to open, establish, operate, or maintain any pharmacy as defined by statute without first obtaining a permit or license to do so from the Missouri board of pharmacy. A permit shall not be required for an individual licensed pharmacist to perform nondispensing activities outside of a pharmacy, as provided by the rules of the board. A permit shall not be required for an individual licensed pharmacist to administer drugs, vaccines, and biologicals by protocol, as permitted by law, outside of a pharmacy. The following classes of pharmacy permits or licenses are hereby established:

- (1) Class A: Community/ambulatory;
- (2) Class B: Hospital outpatient pharmacy;
- (3) Class C: Long-term care;
- (4) Class D: Nonsterile compounding;
- (5) Class E: Radio pharmaceutical;
- (6) Class F: Renal dialysis;
- (7) Class G: Medical gas;
- (8) Class H: Sterile product compounding;
- (9) Class I: Consultant services;
- (10) Class J: Shared service;
- (11) Class K: Internet;
- (12) Class L: Veterinary.

2. Application for such permit or license shall be made upon a form furnished to the applicant; shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration; and shall be accompanied by a permit or license fee. The permit or license issued shall be renewable upon payment of a renewal fee. Separate applications shall be made and separate permits or licenses required for each pharmacy opened, established, operated, or maintained by the same owner.

3. All permits, licenses or renewal fees collected pursuant to the provisions of sections 338.210 to 338.370 shall be deposited in the state treasury to the credit of the Missouri board of pharmacy fund, to be used by the Missouri board of pharmacy in the enforcement of the provisions of sections 338.210 to 338.370, when appropriated for that purpose by the general assembly.

4. Class L: veterinary permit shall not be construed to prohibit or interfere with any legally registered practitioner of veterinary medicine in the compounding, **administering, prescribing, or dispensing of their own prescriptions, medicine, drug, or pharmaceutical product to be used for animals.**

5. [Notwithstanding any other law to the contrary] **Except for any legend drugs under 21 U.S.C. Section 353**, the provisions of this section shall not apply to the sale, dispensing, or filling of a pharmaceutical product or drug used for treating animals.

338.240. 1. Upon evidence satisfactory to the said Missouri board of pharmacy:

(1) That the pharmacy for which a permit, or renewal thereof, is sought, will be conducted in full compliance with sections 338.210 to 338.300, with existing laws, and with the rules and regulations as established hereunder by said board;

(2) That the equipment and facilities of such pharmacy are such that it can be operated in a manner not to endanger the public health or safety;

(3) That such pharmacy is equipped with proper pharmaceutical and sanitary appliances and kept in a clean, sanitary and orderly manner;

(4) That the management of said pharmacy is under the supervision of either a registered pharmacist, or an owner or employee of the owner, who has at his **or her** place of business a registered pharmacist employed for the purpose of compounding physician's **or veterinarian's** prescriptions in the event any such prescriptions are compounded or sold;

(5) That said pharmacy is operated in compliance with the rules and regulations legally prescribed with respect thereto by the Missouri board of pharmacy, a permit or renewal thereof shall be issued to such persons as the said board of pharmacy shall deem qualified to conduct such pharmacy.

**2. In lieu of a registered pharmacist as required by subdivision (4) of subsection 1 of this section, a pharmacy permit holder that only holds a class L veterinary permit and no other pharmacy permit, may designate a supervising registered pharmacist who shall be responsible for reviewing the activities and records of the class L pharmacy permit holder as established by the board by rule. The supervising registered pharmacist shall not be required to be physically present on site during the business operations of a class L pharmacy permit holder identified in subdivision (5) of subsection 1 of this section when noncontrolled legend drugs under 21 U.S.C. Section 353 are being dispensed for use in animals, but shall be specifically present on site when any noncontrolled drugs for use in animals are being compounded.";** and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 412, Page 1, Section Title, Line 3, by striking the words "the authority of the board of"; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said line the following:

"208.798. [1. The provisions of sections 208.550 to 208.568 shall terminate following notice to the revisor of statutes by the Missouri RX plan advisory commission that the Medicare Prescription Drug, Improvement and Modernization Act of 2003 has been fully implemented.

2. Pursuant to section 23.253 of the Missouri sunset act, the provisions of the new program authorized under sections 208.780 to 208.798 shall automatically sunset August 28, 2011, unless reauthorized by an act of the general assembly] **The provisions of sections 208.780 to 208.798 shall terminate on August 28, 2014.";** and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS SS#2 SCS SB 8, as amended**: Senators Goodman, Crowell, Pearce, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS#2 SB 97, as amended**, and has taken up and passed **HCS#2 SB 97, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 132, as amended**, and has taken up and passed **HCS SS SCS SB 132, as amended**.

Emergency clause adopted.

### COMMITTEE REPORT

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 3196**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### HOUSE RESOLUTION NO. 3196

WHEREAS, Section 21.155, RSMo, provides that the House of Representatives may, by resolution, continue in employment such number of efficient employees after any adjournment of a regular session or sine die adjournment of the General Assembly as may be necessary for operation of the House; and

WHEREAS, the House of Representatives will have need for secretarial, administrative, and research, budget, and support staff after the adjournment of the House on May 13, 2011; and

WHEREAS, employees of the House of Representatives are designated and funded through appropriations, including those employees who may be needed for veto, special, or extraordinary sessions of the House:

NOW THEREFORE BE IT RESOLVED that the Missouri House of Representatives, Ninety-sixth General Assembly, may employ for the period between May 13, 2011, and January 4, 2012, such employees as are necessary to perform the duties of the House, not to exceed that amount authorized pursuant to appropriation. Such employees shall include necessary secretarial, administrative, and research, budget, and support staff personnel appointed by the Speaker whose terms of employment are established by the Committee on Administration and Accounts.

### RECESS

On motion of Representative Jones (89), the House stood in recess until such time as all conference committee reports are distributed and all conference committees are dissolved with taking no action, or 3:00 a.m., Friday, May 13<sup>th</sup>, 2011, whichever comes first, then stand adjourned until 10:00 a.m., Friday, May 13<sup>th</sup>, 2011.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 430**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, with Senate Amendment Nos. 1, 2, 3, 4, 7, 8, 9, 11, and 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 430;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Eric Burlison  
/s/ Shane Schoeller  
/s/ Charlie Denison  
/s/ Jill Schupp  
/s/ Tishaura Jones

FOR THE SENATE:

/s/ Bill Stouffer  
/s/ Jay Wasson  
/s/ Ron Richard  
/s/ Ryan McKenna  
/s/ Jolie Justus

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
HOUSE BILL NO. 458**

The Conference Committee appointed on Senate Substitute for House Bill No. 458, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 458, as amended;

2. That the House recede from its position on House Bill No. 458;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 458, be Third Read and Finally Passed.

**FOR THE HOUSE:**

/s/ Tom Loehner  
/s/ Glen Klippenstein  
/a/ Sue Entlicher  
/s/ Joe Aull  
/s/ Tom Shively

**FOR THE SENATE:**

/s/ Dan Brown  
/s/ Brian Munzlinger  
/s/ Kurt Schaefer  
/s/ Victor Callahan  
/s/ Jolie Justus

**CONFERENCE COMMITTEE REPORT NO. 2  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE NO. 2  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 8**

The Conference Committee appointed on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, as amended;
2. The Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 8, be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Jack Goodman  
/s/ Jason G. Crowell  
/s/ David Pearce  
/s/ Victor Callahan  
/s/ Timothy P. Green

**FOR THE HOUSE:**

/s/ Barney Fisher  
/s/ Jerry Nolte  
/s/ Todd Richardson  
/s/ Tim Meadows  
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 48**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 48, with House Amendment Nos. 1, 2, 3, 4, 5, & 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 48, as amended;
2. The Senate recede from its position on Senate Bill No. 48;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 48 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Robin Wright-Jones  
/s/ Timothy Green  
/s/ Brad Lager  
/s/ Kurt U. Schaefer  
/s/ Bob Dixon

FOR THE HOUSE:

/s/ Darrell Pollock  
/s/ Jason Smith  
/s/ Rodney Schad  
/s/ Jacob Hummel  
/s/ Steve Webb

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 70**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 70, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 70;



3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 70 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Dan Brown  
/s/ Ron Richard  
/s/ Joseph Keaveny  
/s/ Timothy Green

FOR THE HOUSE:

/s/ Ward Franz  
/s/ Jay Houghton  
/s/ Don Gosen  
/s/ Jeanette Mott Oxford  
/s/ Susan Carlson

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 81**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 81, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 81, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 81;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 81 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce  
/s/ Dan Brown  
/s/ Victor Callahan  
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Keith Frederick  
/s/ Doug Funderburk  
/s/ Rick Stream  
/s/ Joe Aull

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE NO. 2  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 117**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, & 15, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 117;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler  
/s/ Jason Crowell  
/s/ Eric Schmitt  
/s/ Jolie Justus  
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Shelley Keeney  
/s/ Paul Fitzwater  
/s/ Jacob Hummel  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 145**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 145, with House Amendment Nos. 1, 2 & 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment Nos. 5, 6, 7, 8, 9 & 10, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11, as amended, House Amendment Nos. 12, 13, 14, 15, 16, 17, 18 & 19, House Amendment No. 1 to House Amendment No. 20, House Amendment No. 20, as amended, House Amendment Nos. 21, 22 & 23, House Amendment No. 1 to House Amendment No. 24, House Amendment No. 24 as amended, House Amendment Nos. 25 & 26, House Amendment No. 1 to House Amendment No. 27, House Amendment No. 27, as amended, and House Amendment Nos. 28 and 29, begs leave to report that

we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 145, as amended;
2. The Senate recede from its position on Senate Bill No. 145;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 145 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Tom Dempsey  
/s/ Dan Brown  
/s/ Scott Rupp  
/s/ Victor Callahan  
/s/ Timothy Green

FOR THE HOUSE:

/s/ Chuck Gatschenberger  
/s/ Vicki Schneider  
/s/ John Diehl  
/s/ Jacob Hummel  
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 177**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, with House Amendment Nos. 1, 2, 3, 4, 5, 7, 8, 9, 10, 12 and 13, House Substitute Amendment No. 1 for House Amendment No. 15, and House Amendment Nos. 16, 17, 18 and 19, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 177;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 177 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown  
/s/ Rob Schaaf  
/s/ Kurt Schaefer  
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Keith Frederick  
/s/ Sue Allen  
/s/ Don Wells

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 254**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 254;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 254 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Stouffer  
/s/ Mike Kehoe  
/s/ Kevin Engler  
/s/ Ryan McKenna  
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Stanley Cox  
/s/ Kevin Elmer  
/s/ Jay Barnes  
/s/ Mike Colona  
/s/ Susan Carlson

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 270**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 270;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus  
/s/ Kevin Engler  
/s/ Jane Cunningham

FOR THE HOUSE:

/s/ Tony Dugger  
/s/ Don Wells  
/s/ Jason Smith  
/s/ Pat Conway  
/s/ Stacey Newman

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 284**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 284, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 284, as amended;
2. The Senate recede from its position on Senate Bill No. 284;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 284 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jay Wasson  
/s/ Mike Parson  
/s/ Ron Richard  
/s/ Victor Callahan  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ David Sater  
/s/ Jason Smith  
/s/ Ray Weter  
/s/ Tishaura Jones  
/s/ Terry Swinger

**CONFERENCE COMMITTEE REPORT NO. 2  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 356**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, with House Amendments Nos. 1, 2, 3, & 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 356;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 356, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger  
/s/ Mike Parson  
/s/ Dan Brown  
/s/ Victor Callahan  
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Tom Loehner  
/s/ Billy Pat Wright  
/s/ Jason Holsman  
/s/ Ben Harris

**ADJOURNMENT**

Pursuant to the motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, May 13, 2011.

## **COMMITTEE MEETING**

### **FISCAL REVIEW**

Friday, May 13, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

Any bills referred to the committee.

## **HOUSE CALENDAR**

SEVENTY-SECOND DAY, FRIDAY, MAY 13, 2011

### **HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 14 - Cox
- 2 HCS HJR 8, as amended - Koenig
- 3 HJR 15 - Ruzicka

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 329 - Diehl
- 2 HCS HB 131, as amended - Cox
- 3 HCS HB 100 - Loehner
- 4 HB 490 - Diehl
- 5 HCS HB 401 - Diehl
- 6 HB 655 - Lampe
- 7 HCS HB 657 - Allen
- 8 HCS HB 121 - Dugger
- 9 HCS HBs 303 & 239 - Davis
- 10 HCS HB 643 - May
- 11 HB 491 - Diehl
- 12 HB 364 - Parkinson
- 13 HCS HB 742 - Wyatt
- 14 HCS HB 212 - Thomson
- 15 HCS HB 613, as amended - Holsman
- 16 HB 686 - Richardson
- 17 HCS HB 688 - Pollock
- 18 HCS HB 716 - Wyatt
- 19 HB 741 - Bernskoetter
- 20 HCS HB 811 - Talboy
- 21 HCS HB 893 - Richardson
- 22 HB 924 - Nolte
- 23 HB 200 - Kelley (126)
- 24 HCS HB 446 - Thomson
- 25 HB 720 - Parkinson
- 26 HB 740 - Funderburk

### **HOUSE BILLS FOR THIRD READING**

- 1 HB 305, with E.C. pending - Gatschenberger
- 2 HB 466 - Schoeller

### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 38, (4-12-11, Page 1236) - Cierpiot
- 2 HCR 28, (4-7-11, Pages 1171-1172) - Nolte
- 3 HCR 41, (4-22-11, Pages 1595-1596) - Parkinson
- 4 HCR 48, (4-21-11, Pages 1429-1430) - Schatz
- 5 HCR 53, (5-3-11, Pages 1792-1793) - Rowland

### **SENATE BILLS FOR THIRD READING**

- 1 HCS SB 207, as amended - Pollock
- 2 HCS SB 243, E.C. - Dieckhaus
- 3 HCS SB 90 - Burlison
- 4 HCS SS#2 SCS SB 62 - Sater
- 5 HCS SCS SB 230, E.C. - Ruzicka
- 6 HCS#2 SCS SB 100 - Zerr

### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 HCS HB 108, SCA 1 and SA 1 - Smith (150)
- 2 SCS HCS HB 250 - Cox
- 3 SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended - Riddle
- 4 SCS HCS HB 552, as amended - Molendorp
- 5 SCS HCS HB 412, as amended, E.C. - Smith (150)

### **BILLS CARRYING REQUEST MESSAGES**

- 1 SS SB 238, HA 1, HA 2 (request House recede/take up and pass bill) - Hinson
- 2 HCS SB 61, as amended (request House recede/take up and pass bill) - Nasheed

### **BILLS IN CONFERENCE**

- 1 CCR#2 HCS SS#2 SCS SB 8, as amended - Fisher
- 2 CCR HCS SB 282, as amended - Dugger
- 3 CCR HCS SS SB 135, as amended, E.C. - Jones (89)
- 4 CCR HCS SB 145, as amended - Gatschenberger
- 5 HCS SB 322, as amended - Kelly (24)
- 6 CCR HCS SS SB 226, as amended - Franz
- 7 HCS SCS SB 29, as amended - Jones (117)
- 8 CCR#2 HCS SB 250, as amended - Schad
- 9 CCR HCS SB 284, as amended, E.C. - Smith (150)
- 10 CCR HCS SCS SB 270, as amended - Dugger



- 11 SCS HB 737 - Redmon
- 12 SS SCS HCS HBs 116 & 316, as amended, E.C. - Flanigan
- 13 HCS SCS SB 60, as amended - Cox
- 14 CCR#2 HCS SCS SB 356, as amended, E.C. - Loehner
- 15 CCR HCS#2 SCS SB 117, as amended, E.C. - Flanigan
- 16 CCR SS SCS HCS HB 430, as amended - Burlison
- 17 CCR SS SCS SB 70, HA 1, HA2 - Franz
- 18 CCR SS HB 458, as amended - Loehner
- 19 CCR HCS SB 48, as amended, E.C. - Pollock
- 20 CCR SCS SB 81, HA 1, HA 2 as amended, HA 3, E.C. - Frederick
- 21 CCR HCS SCS SB 177, as amended - Frederick
- 22 CCR HCS SS SCS SB 254, as amended - Cox

### **VETOED HOUSE BILLS**

SS SCS HB 209 - Guernsey

### **HOUSE RESOLUTIONS**

HR 3196, (5-12-11) - McGhee

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SEVENTY-SECOND DAY, FRIDAY, MAY 13, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Let us come before His presence with thanksgiving. (Psalm 95:2)*

Let Your presence be revealed to us, our Father, as in this quiet moment of prayer we wait upon You.

Strengthen us by Your spirit that no trouble may overcome us, no difficulty may overwhelm us, and no duty may overtax us, but may we now and always be equal to every experience, ready for every responsibility, and adequate for every activity. Help us to be more positive in our thinking, to look increasingly on the bright side of life, to be awake to the good everywhere present, and to be ever grateful for Your gifts to us and for the love which surrounds us all our lives.

On this last day of session, help us to live our faith, to rejoice in Your presence, to maintain an attitude of good will toward all Your children, to learn to forget ourselves, and serve our state and our people faithfully and well. Take Your rightful place in our hearts - for in You alone is peace and joy and life. And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Margaux Harris.

The Journal of the seventy-first day was approved as corrected.

## **SPECIAL RECOGNITION**

Holly Foster and Myra Roskopf Wolf were introduced by Representatives Largent and Kirkton and presented with a resolution.

Tad Mayfield was introduced by Representative Jones (89) and presented with a resolution.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 3463 through House Resolution No. 3487

**BILL IN CONFERENCE**

**SCS HB 737**, relating to assessment and levy of property tax, was taken up by Representative Redmon.

Representative Redmon moved that the House conference committee on **SCS HB 737** be dissolved and the House take up and adopt **SCS HB 737**.

Which motion was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Diehl	Ellinger	Funderburk	Jones 63
McManus	Parkinson	Sater	Spreng	Swearingen
Walton Gray	Webb	Zerr	Mr Speaker	

VACANCIES: 004

On motion of Representative Redmon, **SCS HB 737** was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Diehl	Ellinger	Funderburk	Gatschenberger
Nasheed	Nolte	Parkinson	Sater	Walton Gray
Zerr	Mr Speaker			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**HOUSE BILL WITH SENATE AMENDMENTS**

**SCS HCS HB 250**, relating to water well regulations, was taken up by Representative Cox.

Representative Cox moved that the House request the Senate to recede from its position on **SCS HCS HB 250** and take up and pass **HCS HB 250**.

Which motion was adopted.

**BILLS IN CONFERENCE**

**CCR SS SCS HCS HB 430, as amended**, relating to transportation, was taken up by Representative Burlison.

On motion of Representative Burlison, **CCR SS SCS HCS HB 430, as amended**, was adopted by the following vote:

AYES: 143

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 003

Allen	Brown 85	Fuhr
-------	----------	------

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 012

Diehl	Ellinger	Fisher	Flanigan	Franz
Hughes	Nasheed	Redmon	Sater	Walton Gray
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Burlison, **CCS SS SCS HCS HB 430** was read the third time and passed by the following vote:

AYES: 145

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 003

Allen	Brown 85	Fuhr
-------	----------	------

PRESENT: 001

Johnson

## 2601 *Journal of the House*

ABSENT WITH LEAVE: 010

Diehl	Ellinger	Fisher	Flanigan	Franklin
Redmon	Sater	Scharnhorst	Walton Gray	Zerr

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**CCR SS HB 458, as amended**, relating to the Missouri Farmland Trust Act, was taken up by Representative Loehner.

On motion of Representative Loehner, **CCR SS HB 458, as amended**, was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Curtman	Dieckhaus	Diehl	Ellinger	Flanigan
Guernsey	Hughes	McGhee	Redmon	Sater
Walton Gray	Webber	Wright	Zerr	Mr Speaker

VACANCIES: 004

On motion of Representative Loehner, **CCS SS HB 458** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Curtman	Dieckhaus	Diehl	Ellinger	Flanigan
Guernsey	Hughes	Lichtenegger	McGhee	Redmon
Sater	Walton Gray	Zerr	Mr Speaker	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.



**BILL CARRYING REQUEST MESSAGE**

**SS SB 238, with House Amendment No. 1 and House Amendment No. 2**, relating to diseases incurred by firefighters, was taken up by Representative Hinson.

Representative Hinson moved that the House recede from its position on **House Amendment No. 1 and House Amendment No. 2** and truly agree to and finally pass **SS SB 238**.

Which motion was adopted by the following vote:

AYES: 146

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Dieckhaus	Diehl	Ellinger	Elmer
Flanigan	Funderburk	Hughes	Lasater	Nolte
Redmon	Sater	Walton Gray		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

### HOUSE RESOLUTION

**HR 3196**, relating to house employees, was taken up by Representative McGhee.

On motion of Representative McGhee, **HR 3196** was adopted.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 697**, entitled:

An act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof eight new sections relating to the expiration of certain state programs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 48, as amended**, and has taken up and passed **CCS HCS SB 48**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS SB 70, as amended**, and has taken up and passed **CCS SS SCS SB 70**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 77** and has taken up and passed **HCS SB 77**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS SB 81, as amended**, and has taken up and passed **CCS SCS SB 81**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS#2 SCS SB 117, as amended**, and has taken up and passed **CCS HCS#2 SCS SB 117**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 213** and has taken up and passed **HCS SCS SB 213**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SCS SB 356, as amended**, and has taken up and passed **CCS#2 HCS SCS SB 356**.

Emergency clause adopted.

## BILLS IN CONFERENCE

**CCR HCS SB 282, as amended**, relating to elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **CCR HCS SB 282, as amended**, was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 150	Solon	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 009

Atkins	Carlson	Hughes	McGeoghegan	Oxford
Sifton	Smith 71	Spreng	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 011

Ellinger	Flanigan	Funderburk	Hough	Kelly 24
Lasater	Richardson	Sater	Schneider	Wallingford
Walton Gray				

VACANCIES: 004

On motion of Representative Dugger, **CCS HCS SB 282** was truly agreed to and finally passed by the following vote:

AYES: 137

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 011

Anders	Atkins	Carlson	Hughes	McGeoghegan
Oxford	Pace	Pierson	Smith 71	Spreng
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Ellinger	Fisher	Flanigan	Franklin	Funderburk
Largent	Lasater	Sater	Schneider	Wallingford
Walton Gray				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**CCR HCS SS SB 135, as amended**, relating to environmental protections, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **CCR HCS SS SB 135, as amended**, was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 004

Kirkton	McNeil	Oxford	Spreng
---------	--------	--------	--------

PRESENT: 000

ABSENT WITH LEAVE: 014

Burlison	Dieckhaus	Ellinger	Fisher	Flanigan
Funderburk	Kelly 24	Largent	Lasater	Long
Sater	Schneider	Walton Gray	Mr Speaker	

VACANCIES: 004

On motion of Representative Jones (89), **CCS HCS SS SB 135** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 007

Kirkton	McNeil	Newman	Oxford	Pierson
Spreng	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 010

Burlison	Ellinger	Fisher	Flanigan	Funderburk
Largent	Lasater	Sater	Walton Gray	Mr Speaker

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Marshall

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 009

Brown 50	Ellinger	Fisher	Flanigan	Funderburk
Lasater	Sater	Scharnhorst	Walton Gray	

VACANCIES: 004

**CCR HCS SS SB 226, as amended**, relating to emergency services, was taken up by Representative Franz.

On motion of Representative Franz, **CCR HCS SS SB 226, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schoeffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 002

Hughes	Oxford
--------	--------

PRESENT: 000

ABSENT WITH LEAVE: 012

Dieckhaus	Diehl	Ellinger	Flanigan	Funderburk
Lasater	Sater	Scharnhorst	Schneider	Walton Gray
Webber	Zerr			

VACANCIES: 004



On motion of Representative Franz, **CCS HCS SS SB 226** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 014

Diehl	Ellinger	Fisher	Flanigan	Funderburk
Hughes	Lasater	Sater	Scharnhorst	Schneider
Walton Gray	Webber	Zerr	Mr Speaker	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**CCR#2 HCS SB 250, as amended**, relating to sexual offenders, was taken up by Representative Schad.

On motion of Representative Schad, **CCR#2 HCS SB 250, as amended**, was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Diehl	Ellinger	Flanigan	Frederick	Funderburk
Lampe	Lasater	McCaherty	Nasheed	Sater
Scharnhorst	Schneider	Walton Gray	Webber	Zerr
Mr Speaker				

VACANCIES: 004

On motion of Representative Schad, **CCS#2 HCS SB 250** was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Conway 27	Ellinger	Flanigan	Funderburk
Hughes	Lasater	Sater	Silvey	Walton Gray

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**CCR#2 HCS SCS SB 356, as amended**, relating to agriculture, was taken up by Representative Loehner.

Representative Smith (150) assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Elmer	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Thomson	Torpey	Wallingford
Weter	White	Wieland	Wright	Wyatt

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 024

Brown 50	Dieckhaus	Diehl	Dugger	Ellinger
Entlicher	Fisher	Flanigan	Franklin	Funderburk
Grisamore	Jones 117	Lair	Lasater	Parkinson
Pollock	Sater	Scharnhorst	Spreng	Stream
Walton Gray	Wells	Zerr	Mr Speaker	

VACANCIES: 004

On motion of Representative Loehner, **CCR#2 HCS SCS SB 356, as amended**, was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Dieckhaus	Diehl	Ellinger	Flanigan
Funderburk	Grisamore	Lair	Lasater	Parkinson
Sater	Schad	Scharnhorst	Spreng	Walton Gray
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Loehner, **CCS#2 HCS SCS SB 356** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fallert
Fisher	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Dieckhaus	Diehl	Ellinger	Fitzwater
Flanigan	Funderburk	Lasater	Sater	Schad
Scharnhorst	Silvey	Walton Gray	Zerr	Mr Speaker

VACANCIES: 004

Representative Smith (150) declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Dieckhaus	Diehl	Ellinger	Funderburk	Hughes
Lasater	Molendorp	Redmon	Sater	Schad
Scharnhorst	Walton Gray	Webb	Zerr	Mr Speaker

VACANCIES: 004

**CCR HCS SB 284, as amended**, relating to pharmacy, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **CCR HCS SB 284, as amended**, was adopted by the following vote:

AYES: 134

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franz	Frederick	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Allen	Brown 50	Day	Dieckhaus	Diehl
Ellinger	Flanigan	Franklin	Funderburk	Gatschenberger
Houghton	Hughes	Jones 117	Lasater	Newman
Nichols	Pierson	Redmon	Ruzicka	Sater
Scharnhorst	Walton Gray	Webb	Zerr	Mr Speaker

VACANCIES: 004



On motion of Representative Smith (150), **CCS HCS SB 284** was truly agreed to and finally passed by the following vote:

AYES: 136

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Allen	Brown 50	Day	Denison	Dieckhaus
Diehl	Ellinger	Flanigan	Fraker	Franklin
Funderburk	Higdon	Hughes	Jones 117	Lasater
Nasheed	Redmon	Sater	Scharnhorst	Walton Gray
Webb	Zerr	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Allen	Brown 50	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Flanigan	Franklin
Funderburk	Holsman	Hughes	Jones 117	Lasater
Nolte	Redmon	Sater	Scharnhorst	Walton Gray
Webb	Zerr	Mr Speaker		

VACANCIES: 004

**CCR HCS SB 48, as amended**, relating to utilities, was taken up by Representative Pollock.

On motion of Representative Pollock, **CCR HCS SB 48, as amended**, was adopted by the following vote:

AYES: 133

Anders	Asbury	Atkins	Aull	Bahr
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Barnes	Bernskoetter	Berry	Brown 50
Cross	Diehl	Ellinger	Fisher	Flanigan
Franklin	Funderburk	Hodges	Hughes	Jones 117
Lant	Lasater	Long	Nolte	Redmon
Sater	Scharnhorst	Walton Gray	Webb	Zerr
Mr Speaker				

VACANCIES: 004

On motion of Representative Pollock, **CCS HCS SB 48** was truly agreed to and finally passed by the following vote:

AYES: 138

Anders	Asbury	Atkins	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Aull	Barnes	Carlson	Diehl
Ellinger	Flanigan	Franklin	Funderburk	Hughes
Lasater	Nolte	Pierson	Redmon	Sater
Scharnhorst	Swearingen	Walton Gray	Webb	Zerr
Mr Speaker				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 003

Fuhr	Marshall	Swearingen
------	----------	------------

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Barnes	Diehl	Ellinger	Flanigan
Funderburk	Hughes	Lasater	Nasheed	Nolte
Redmon	Sater	Scharnhorst	Walton Gray	Webb
Zerr	Mr Speaker			

VACANCIES: 004

**CCR SS SCS SB 70, with House Amendment No. 1 and House Amendment No. 2,** relating to the Missouri Family Trust, was taken up by Representative Franz.

On motion of Representative Franz, **CCR SS SCS SB 70, with House Amendment No. 1 and House Amendment No. 2,** was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinon	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Diehl	Ellinger	Flanigan	Funderburk	Hubbard
Hughes	Lasater	Nolte	Redmon	Reiboldt
Sater	Scharnhorst	Talboy	Walton Gray	Webb
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Franz, **CCS SS SCS SB 70** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Black	Davis	Diehl	Ellinger	Flanigan
Funderburk	Hughes	Jones 117	Kelly 24	Lasater
Nolte	Redmon	Sater	Walton Gray	Webb
Zerr	Mr Speaker			

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

# HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HCS HB 412, as amended**, relating to wholesale drug distributors, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **SCS HCS HB 412, as amended**, was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Diehl	Ellinger	Elmer	Flanigan	Funderburk
Lasater	Nolte	Redmon	Sater	Schad
Walton Gray	Webb	Webber	Wyatt	Zerr
Mr Speaker				

VACANCIES: 004



On motion of Representative Smith (150), **SCS HCS HB 412, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Diehl	Ellinger	Flanigan	Funderburk
Jones 89	Lasater	McDonald	Nolte	Redmon
Sater	Schad	Schieffer	Walton Gray	Webb
Webber	Zerr	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Conway 14	Diehl	Ellinger	Flanigan
Funderburk	Lasater	Loehner	Nolte	Redmon
Rowland	Sater	Talboy	Walton Gray	Webb
Webber	Zerr	Mr Speaker		

VACANCIES: 004

**SCS HCS HB 552, as amended**, relating to bleeding disorder therapies, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **SCS HCS HB 552, as amended**, was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 002

Marshall	Taylor
----------	--------

ABSENT WITH LEAVE: 015

Diehl	Ellinger	Funderburk	Grisamore	Hughes
Lasater	Leara	Nolte	Redmon	Richardson
Sater	Walton Gray	Webb	Zerr	Mr Speaker

VACANCIES: 004

On motion of Representative Molendorp, **SCS HCS HB 552, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 016

Ellinger	Flanigan	Funderburk	Hubbard	Hughes
Koenig	Lasater	Nasheed	Nolte	Richardson
Ruzicka	Sater	Spreng	Taylor	Walton Gray
Webb				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 430, as amended**, and has taken up and passed **CCS SS SCS HCS HB 430**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SS#2 SCS SB 8, as amended**, and has taken up and passed **CCS#2 HCS SS#2 SCS SB 8**.

## RECESS

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

## BILL IN CONFERENCE

**CCR HCS#2 SCS SB 117, as amended**, relating to state and political subdivisions, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **CCR HCS#2 SCS SB 117, as amended**, was adopted by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Long	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream

Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 004

Carlson	Marshall	May	Oxford
---------	----------	-----	--------

PRESENT: 000

ABSENT WITH LEAVE: 025

Black	Brown 116	Carter	Cross	Curtman
Ellinger	Elmer	Frederick	Funderburk	Grisamore
Guernsey	Hough	Hughes	Lasater	Loehner
McCaherty	Nasheed	Pollock	Sater	Scharnhorst
Schneider	Shumake	Walton Gray	Webb	Wright

VACANCIES: 004

On motion of Representative Flanigan, **CCS HCS#2 SCS SB 117** was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Davis	Day
Denison	Dieckhaus	Dugger	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Long	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr			

## 2633 *Journal of the House*

NOES: 004

Carlson	Marshall	May	Oxford
---------	----------	-----	--------

PRESENT: 000

ABSENT WITH LEAVE: 023

Black	Brown 116	Carter	Cross	Curtman
Diehl	Ellinger	Elmer	Funderburk	Grisamore
Guernsey	Hughes	Lasater	Loehner	McCaherty
Nasheed	Sater	Schneider	Shumake	Walton Gray
Webb	Wells	Mr Speaker		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Guernsey	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 006

Carlson	Marshall	May	Oxford	Smith 71
Swearingen				

PRESENT: 000

ABSENT WITH LEAVE: 021

Black	Brown 116	Carter	Cross	Diehl
Ellinger	Elmer	Frederick	Funderburk	Grisamore
Haefner	Hughes	Lasater	McCaherty	Nasheed
Sater	Schneider	Walton Gray	Webb	Wells
Mr Speaker				

VACANCIES: 004

## PERFECTION OF HOUSE BILLS

**HB 741**, relating to loans for energy efficiency, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **HB 741** was ordered perfected and printed.

**HB 200**, relating to actions and damages against jails, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HB 200** was ordered perfected and printed.

## HOUSE CONCURRENT RESOLUTIONS

**HCR 48**, relating to Pea Ridge Mine, was taken up by Representative Schatz.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt				



## 2635 *Journal of the House*

NOES: 046

Anders	Atkins	Aull	Brown 50	Carlson
Casey	Colona	Conway 27	Fallert	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Taylor
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 022

Black	Brown 116	Carter	Conway 14	Denison
Diehl	Dugger	Ellinger	Fuhr	Funderburk
Grisamore	Hughes	Lasater	Neth	Sater
Spreng	Talboy	Walton Gray	Webb	Wells
Zerr	Mr Speaker			

VACANCIES: 004

On motion of Representative Schatz, **HCR 48** was adopted by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Weter	White
Wieland	Wright	Wyatt		

NOES: 007

Flanigan	Kirkton	May	Newman	Nichols
Oxford	Schupp			

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 018

Black	Brown 116	Denison	Diehl	Dugger
Ellinger	Fuhr	Funderburk	Hughes	Lasater
Loehner	Sater	Spreng	Walton Gray	Webb
Wells	Zerr	Mr Speaker		

VACANCIES: 004

**HCR 53**, relating to fuel costs, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCR 53** was adopted.

### BILL IN CONFERENCE

**CCR SCS SB 81, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3**, relating to fine arts education, was taken up by Representative Frederick.

On motion of Representative Frederick, **CCR SCS SB 81, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3** was adopted by the following vote:

AYES: 127

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Brandom	Brown 50
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Crawford
Cross	Davis	Day	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber

## 2637 *Journal of the House*

Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Weter	White	Wieland
Wyatt	Mr Speaker			

NOES: 010

Brattin	Carter	Curtman	Funderburk	Gatschenberger
Hubbard	Jones 89	Koenig	Montecillo	Scharnhorst

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Black	Brown 116	Conway 14	Cox
Denison	Diehl	Ellinger	Fraker	Holsman
Hughes	Lasater	Leara	Marshall	Nasheed
Nolte	Sater	Walton Gray	Webb	Wells
Wright	Zerr			

VACANCIES: 004

On motion of Representative Frederick, **CCS SCS SB 81** was truly agreed to and finally passed by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Brandom	Brown 50	Brown 85
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Cross	Davis	Day	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 009

Bahr	Brattin	Curtman	Gatschenberger	Hubbard
Jones 89	Koenig	Montecillo	Scharnhorst	

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Black	Brown 116	Cox	Denison
Diehl	Ellinger	Funderburk	Hughes	Lasater
Leara	Sater	Walton Gray	Webb	Webber
Zerr				

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Brandom	Brattin	Brown 50
Brown 85	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Crawford	Curtman	Davis	Day	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swinger	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 010

Berry	Cookson	Gatschenberger	Gosen	Hubbard
Jones 89	Marshall	Parkinson	Scharnhorst	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Black	Brown 116	Cox	Cross
Denison	Diehl	Ellinger	Funderburk	Hughes
Lasater	Leara	McDonald	Sater	Swearingen
Walton Gray	Webb	Zerr	Mr Speaker	

VACANCIES: 004

### THIRD READING OF SENATE BILL

**HCS SS#2 SCS SB 62**, relating to health care, was taken up by Representative Frederick.

Representative Stream offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 62, Section 190.389, Page 1, Line 1, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 198.439, Page 2, Line 1, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 208.437, Page 3, Line 26, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 208.480, Page 3, Line 2, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 338.550, Page 3, Lines 9 and 16, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill, Section 633.401, Page 6, Line 94, by deleting the year “**2016**” and inserting in lieu thereof the year “**2015**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 1** was adopted.

Representative Silvey offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 62, Section 338.550, Page 3, Line 16, by inserting after all of said section and line the following:

**“376.1190. 1. Health carriers shall permit individuals to learn the amount of cost-sharing, including deductibles, copayments, and coinsurance, under the individual's health benefit plan or coverage that the individual would be responsible for paying with respect to the furnishing of a specific item or service by a participating provider in a timely manner upon the request of the individual. At a minimum, such information shall be made available to such individual through an internet website and such other means for individuals without access to the internet. As used in this section, the terms "health carrier" and "health benefit plans" shall have the same meanings assigned to them in section 376.1350.**

2. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, hospitalization-surgical care policy, short-term major medical policy of six months or less duration, or any other supplemental policy.

3. Any health care benefit mandate proposed after August 28, 2011, shall be subject to review by the oversight division of the joint committee on legislative research. The oversight division shall perform an actuarial analysis of the cost impact to private and public payers of any new or revised mandated health care benefit proposed by the General Assembly after August 28, 2011 and a recommendation shall be delivered to the Speaker and the President Pro Tem prior to mandate being enacted.

4. The provisions of this section shall become effective on January 1, 2014.”; and

Further amend said bill, Section 633.401, Page 6, Line 94, by inserting after all of said section and line the following:

“Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 62, Page 1, Section 376.1190, Line 22, by deleting the words "this section" on said line and adding in lieu thereof the words:

"subsections 1 & 2."

On motion of Representative Kelly (24), **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Silvey, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Frederick, **HCS SS#2 SCS SB 62, as amended**, was adopted.

On motion of Representative Frederick, **HCS SS#2 SCS SB 62, as amended**, was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges

2641 *Journal of the House*

Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Leach

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Black	Brown 116	Cox	Diehl
Ellinger	Fisher	Funderburk	Hughes	Lasater
Leara	Pollock	Sater	Walton Gray	Webb

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

**HOUSE BILL WITH SENATE AMENDMENTS**

**SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended**, relating to firearms, was taken up by Representative Riddle.

Representative Parkinson moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner

Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 045

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Webber

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Black	Conway 27	Diehl	Ellinger
Hughes	Lasater	Nasheed	Reiboldt	Sater
Taylor	Walton Gray	Webb		

VACANCIES: 004

**On motion of Representative Riddle, SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended, was adopted by the following vote:**

AYES: 125

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McGhee



## 2643 *Journal of the House*

McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 025

Atkins	Brown 50	Carlson	Carter	Colona
Hummel	Jones 63	Kirkton	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 009

Aull	Black	Ellinger	Hughes	Lasater
Nasheed	Sater	Walton Gray	Webb	

VACANCIES: 004

On motion of Representative Riddle, **SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream

Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 025

Atkins	Carlson	Carter	Colona	Hummel
Jones 63	Kirkton	Kratky	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 009

Aull	Black	Ellinger	Hughes	Lasater
Nasheed	Sater	Walton Gray	Webb	

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HB 111**, entitled:

An act to repeal sections 144.032, 302.020, 302.321, 303.025, 311.325, 351.340, 452.340, 475.060, 475.061, 475.115, 477.650, 484.350, 523.040, 544.455, 544.470, 557.011, 566.086, 566.147, 568.040, 570.080, 578.150, and 589.040, RSMo, and to enact in lieu thereof fifty-three new sections relating to the judiciary, with penalty provisions, and an emergency clause for certain sections.

With Senate Amendment No. 1 and Senate Amendment No. 2.

### *Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 28, Section 452.340, Line 22 of said page, by striking the word "shall" and inserting in lieu thereof the word "**may**".

### *Senate Amendment No. 2*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 111, Page 26, Section 452.340, Lines 24-25 of said page, by striking said lines and inserting in lieu thereof the following:

**"comments for completion of the child support guidelines and a subsequent form developed".**

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **SCS HCS HB 250** and has taken up and passed **HCS HB 250**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HB 458, as amended**, and has taken up and passed **CCS SS HB 458**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 555**, entitled:

An act to repeal sections 8.241, 178.900, 189.010, 189.065, 192.005, 198.012, 205.968, 208.151, 208.275, 208.955, 210.101, 210.496, 210.900, 211.031, 211.202, 211.203, 211.206, 211.207, 211.447, 301.143, 332.021, 334.120, 453.070, 475.121, 475.355, 476.537, 552.015, 552.020, 552.030, 552.040, 630.003, 630.005, 630.010, 630.053, 630.095, 630.097, 630.120, 630.165, 630.167, 630.183, 630.192, 630.210, 630.335, 630.405, 630.425, 630.510, 630.605, 630.610, 630.635, 630.705, 630.715, 630.735, 632.005, 632.105, 632.110, 632.115, 632.120, 632.370, 632.380, 633.005, 633.010, 633.020, 633.029, 633.030, 633.045, 633.050, 633.110, 633.115, 633.120, 633.125, 633.130, 633.135, 633.140, 633.145, 633.150, 633.155, 633.160, 633.180, 633.185, 633.190, 633.210, 633.300, 633.303, and 633.309, RSMo, and to enact in lieu thereof eighty-seven new sections relating to health care policies, with existing penalty provisions.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 555, Pages 24-25, Section 208.184, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS#2 SCS SB 62, as amended**, and has taken up and passed **HCS SS#2 SCS SB 62, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 & HA 3 to SCS SB 323**, and requests the House to recede from its position and take up and pass **SCS SB 323**.

**BILL CARRYING REQUEST MESSAGE**

**SCS SB 323, with House Amendment No. 1 and House Amendment No. 3**, relating to comparative audits of state agencies, was taken up by Representative Allen.

Representative Allen moved that the House refuse to recede from its position on **House Amendment No. 1 and House Amendment No. 3 to SCS SB 323** and request the Senate to concur in **House Amendment No. 1 and House Amendment No. 3** and take up and pass **SCS SB 323, as amended**.

Which motion was adopted.

Speaker Tilley assumed the Chair.

### THIRD READING OF SENATE BILL

**HCS#2 SCS SB 100**, relating to economic incentives and taxation, was taken up by Representative Zerr.

Representative Diehl offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 100, Pages 1-2, Section 32.028, by striking all of said section from the bill and inserting in lieu thereof the following:

“32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**, payable to the state as provided by law.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

**32.058. For all years beginning after January 1, 2012, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail.”; and**

Further amend said bill, Pages 10-12, Section 32.385, by striking all of said section from the bill and inserting in lieu thereof the following:

“32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the state will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official" means a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716;

(2) "State agency" means any department, division, board, commission, office, or other agency of the state of Missouri;

(3) "Nontax liability due the state" means a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(4) "Person" means an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund" means an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "Vendor payment" means any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension;

(7) "Offset agreement" is the agreement authorized by this section.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection offset as provided under the offset agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state."; and

Further amend said bill, Sections 32.420, 32.430, 32.440, 32.450, 32.460, Pages 12-14, by striking all of said sections from the bill and inserting in lieu thereof the following:

**“32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general pursuant to section 27.060 or any other statute.**

**2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor has no further administrative appeal of the amount of the debt. Methods and procedures for referral must follow internal guidelines prepared by the department.**

**3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure governs the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.**

**4. The state agency shall send notice to the debtor by United States regular mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.**

**32.430. 1. The department may establish policies and procedures to use the collection remedy afforded under section 143.902 in filing a lien with the county recorder of deeds and the filing of a certificate of lien with the circuit court. The department may also use collection remedies afforded under any chapter for collection of any state debt referred to the department. Debtors shall have all rights afforded under sections 32.410 to 32.470 to notice and to challenge the department's collection. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions pursuant to section 143.902 or 143.910 for a debt refereed by a state agency or to prosecute an action pursuant to subsection 10 of section 104.910.**

**2. Venue for any suit filed in aid of collection of a state debt referred to the department shall be in Cole County. If a judgment or a lien was filed with a circuit clerk prior to the date the debt was referred to the department, the venue shall be the county in which the judgment or lien was filed.**

**3. The department is authorized to employ department staff and attorneys, and at the department's discretion, the attorney general and prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.**

**32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.**

**2. The cost of collection shall only be waived when:**

**(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;**

**(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or**

**(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.**

**3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt under the department's internal guidelines. Collection costs collected by the department under this section shall be deposited in the general revenue fund.**

**32.450. The department may compromise state debt referred to the department in accordance with section 32.378.**

**32.460. 1. The department and the referring state agency shall follow all federal and state laws regarding the confidentiality of information and records regarding the debtor including the disclosure of the debtor's Social Security number, which state agencies, including the judiciary, are authorized to provide to the department in assistance of collection of the state debt referred. Each specific state agency's confidentiality laws shall apply to the employees of the state agency and to the department.**

**2. The department and the referring state agency are authorized to exchange such information as is necessary for the successful collection of the state debt referred in accordance with section 610.032. The judiciary is hereby authorized to exchange such information with the department as is necessary for the successful collection of the state debt referred.”; and**

Further amend said bill, Pages 18-19, Sections 105.716, by deleting all of said section and inserting in lieu thereof the following:

“105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

**5. Notwithstanding any other provision of law to the contrary, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. Payments of no less than ten thousand dollars from the fund for property damage claims shall not require a no tax due statement from the department. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, any funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.”; and**

Further amend said bill, Pages 40-41, Section 144.083, by striking all of said sections from the bill and inserting in lieu thereof the following:

“144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections

143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under [sections 144.010 to 144.510 or sections 143.191 to 143.261] **section 32.088** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business [where goods are sold at retail]. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, **and until December 31, 2011**, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.”; and

Further amend said bill, Pages 46 through 49, Section 168.071, by deleting all of said section and inserting in lieu thereof the following:

“168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; [or]

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract; **or**

(6) **Beginning January 1, 2012, the government entity issuing a valid certificate of license to teach in Missouri under section 168.011 shall at least one time each year provide the name and Social Security number of each certificate holder or applicant for certificate of a license to teach in Missouri to the director of revenue. The director of revenue shall at least one time each year check the status of each certificate holder or applicant for certificate of a license to teach in Missouri against a database developed by the director to determine if all state income tax returns have been filed and all state income taxes owed have been paid. If such certificate holder or applicant for certificate of a license to teach in Missouri is delinquent on any state taxes, or has failed to file state income tax returns in the last three years, the director shall then send notice to the certificate holder or applicant for certificate of a license to teach in Missouri and the department of elementary and secondary education. In the case of such delinquency or failure to file, the certificate holder's license shall be suspended within ninety days after notice of such delinquency or failure to file, and the applicant for certificate's license shall not be issued unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have**



**been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the government entity issuing the certificate of license to teach that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the certificate holder or applicant for certificate that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.**

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

- (1) Any dangerous felony as defined in section 556.061 or murder in the first degree;
- (2) Any of the following sexual offenses: rape; statutory rape in the first degree; statutory rape in the second degree; sexual assault; forcible sodomy; statutory sodomy in the first degree; statutory sodomy in the second degree; child molestation in the first degree; child molestation in the second degree; deviate sexual assault; sexual misconduct involving a child; sexual misconduct in the first degree; sexual abuse; enticement of a child; or attempting to entice a child;
- (3) Any of the following offenses against the family and related offenses: incest; abandonment of child in the first degree; abandonment of child in the second degree; endangering the welfare of a child in the first degree; abuse of a child; child used in a sexual performance; promoting sexual performance by a child; or trafficking in children; and
- (4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree; promoting obscenity in the second degree when the penalty is enhanced to a class D felony; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography in the first degree; possession of child pornography in the second degree; furnishing child pornography to a minor; furnishing pornographic materials to minors; or coercing acceptance of obscene material.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.”; and

Further amend said bill, Pages 51 and 52, Section 215.020, by deleting all of said section and inserting in lieu thereof the following:

“215.020. 1. There is hereby created and established as a governmental instrumentality of the state of Missouri the "Missouri Housing Development Commission" which shall constitute a body corporate and politic.

2. The commission shall consist of the governor, lieutenant governor, the state treasurer, the state attorney general, and six members to be selected by the governor, with the advice and consent of the senate. The persons to be selected by the governor shall be individuals knowledgeable in the areas of housing, finance or construction. Not more than four of the members appointed by the governor shall be from the same political party. The members of the commission appointed by the governor shall serve the following terms: Two shall serve two years, two shall serve three years, and two shall serve four years, respectively. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the governor, with the advice and consent of the senate, shall appoint a new member to fill the unexpired term. Members are eligible for reappointment.

3. Six members of the commission shall constitute a quorum. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. No action shall be taken by the commission except upon the affirmative vote of at least six of the members of the commission.

4. Each member of the commission appointed by the governor is entitled to compensation of fifty dollars per diem plus his reasonable and necessary expenses actually incurred in discharging his duties under sections 215.010 to 215.250.

**5. The department staff shall report to an executive director who shall be appointed by the governor and such executive director shall implement only those policies which are presented by the executive director and approved by the commission.**

**6. The employment of the executive director, including the executive director serving in such capacity on the effective date of this section, shall be subject to the advice and consent of the senate in the same manner as an appointment subject to the provisions of article IV, section 51 of the Missouri Constitution and shall be for a term of three years subject to reappointment for additional terms. Each additional term shall be subject to the advice and consent of the senate.**

**7. The operating budget of the commission shall be subject to annual appropriations.”; and**

Further amend said bill by amending the title, enacting clause, and intersection references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 100, In the Title, Page 1, Lines 6, by deleting all of said line and inserting in lieu thereof the following:

“lieu thereof sixty-two new sections relating to the collection and distribution of state money,”; and

Further amend said bill, Section 32.115, Pages 6-9, Lines 1-118, by striking all of said section from the bill and inserting in lieu thereof the following:

“32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;
- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

- (a) An area that is not part of a standard metropolitan statistical area;
- (b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or
- (c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal

income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

**6. Notwithstanding any provision of law to the contrary, no new projects shall be approved under the development tax credit program created pursuant to sections 32.100 to 32.125 after August 28, 2011. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to issue tax credits for any project approved prior to August 28, 2011, or the ability of any taxpayer to redeem any such tax credits.”; and**

Further amend said bill, Section 32.460, Page 14, Line 7, by inserting the following after all of said line:

**“67.2050. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:**

- (1) "Facility", a location composed of real estate, buildings, fixtures, machinery, and equipment;**
- (2) "Municipality", any county, city, incorporated town, or village of the state;**
- (3) "NAICS", the 2007 edition of the North American Industry Classification System developed under the direction and guidance of the federal Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;**

(4) "Technology business facility", a facility purchased, constructed, extended, or improved under this section, provided that such business facility is engaged in:

- (a) Wired telecommunications carriers (NAICS 517110); or
- (b) Data processing, hosting, and related services (NAICS 518210); or
- (c) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility;
- (5) "Technology business facility project" or "project", the purchase, construction, extension, and improvement of technology business facilities, whether of the facility as a whole or of any one or more of the facility's components of real estate, buildings, fixtures, machinery, and equipment.

2. The governing body of any municipality may:

- (1) Carry out technology business facility projects for economic development under this section;
- (2) Accept grants from the federal and state governments for technology business facility project purposes, and may enter into such agreements as are not contrary to the laws of this state and which may be required as a condition of grants by the federal government or its agencies; and
- (3) Receive gifts and donations from private sources to be used for technology business facility project purposes.

3. The governing body of the municipality may enter into loan agreements, sell, lease, or mortgage to private persons, partnerships, or corporations any one or more of the components of a facility received, purchased, constructed, or extended by the municipality for development of a technology business facility project. The loan agreement, installment sale agreement, lease, or other such document shall contain such other terms as are agreed upon between the municipality and the obligor, provided that such terms shall be consistent with this section. When, in the judgment of the governing body of the municipality, the technology business facility project will result in economic benefits to the municipality, the governing body may lawfully enter into an agreement that includes nominal monetary consideration to the municipality in exchange for the use of one or more components of the facility.

4. Transactions involving the lease or rental of any components of a project under this section shall be specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745.

5. Leasehold interests granted and held under this section shall not be subject to property taxes.

6. Any payments in lieu of taxes expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.

7. The county assessor shall include the current assessed value of all property within the affected taxing entities in the aggregate valuation of assessed property entered upon the assessor's book and verified under section 137.245, and such value shall be used for the purpose of the debt limitation on local government under section 26(b), article VI, Constitution of Missouri.

8. The governing body of any municipality may sell or otherwise dispose of the property, buildings, or plants acquired under this section to private persons or corporations for technology business facility project purposes upon approval by the governing body. The terms and method of the sale or other disposal shall be established by the governing body so as to reasonably protect the economic well-being of the municipality and to promote the development of technology business facility projects. A private person or corporation that initially transfers property to the municipality for the purposes of a technology business facility project and does not charge a purchase price to the municipality shall retain the right, upon request to the municipality, to have the municipality retransfer the donated property to the person or corporation at no cost.

9. The provisions of this section shall not be construed to allow political subdivisions to provide telecommunications services or telecommunications facilities to the extent that they are prohibited from doing so by section 392.410."; and

Further amend said bill, Section 67.3000, Pages 14 -18, by striking all of said section from the bill and inserting in lieu thereof the following:

**"67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

- (1) "Active Member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;
- (2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;
- (3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;
- (4) "Department", the Missouri department of economic development;
- (5) "Director", the director of revenue;
- (6) "Eligible costs", shall include:
  - (a) Costs necessary for conducting the sporting event;
  - (b) Costs relating to the preparations necessary for the conduct of the sporting event; and
  - (c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

Eligible costs shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event, and direct payments to a for-profit site selection organization;

- (7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;
- (8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;
- (9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;
- (10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;
- (11) "Local organizing committee", a nonprofit corporation or its successor in interest that:
  - (a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection as the site of one or more sporting events; or
  - (b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;
- (12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;
- (13) "Sporting event" or "sporting events", an amateur sporting event that is competitively bid;
- (14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;
- (15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;
- (16) "Taxpayer", any of the following individuals or entities who make an eligible donation to a provider:
  - (a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed in chapter 143;
  - (b) A corporation subject to the annual corporation franchise tax imposed in chapter 147;
  - (c) An insurance company paying an annual tax on its gross premium receipts in this state;
  - (d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed in chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars for every admission ticket sold to such event. Tax credits authorized by this section may be claimed against taxes imposed by chapters 143 and 148 and shall be claimed within one year of the close of the taxable year for which the credits were issued. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under subsection 4 of this section exceed three million dollars in any fiscal year.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor will subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2011. Support contracts shall not be certified by the department after August 28, 2017, provided that the support contracts may be certified prior to August 28, 2017, for sporting events that will be held after such date.

9. The department may promulgate rules, statements of policy, procedures, forms, and guidelines as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

**67.3005.** 1. For all taxable years beginning on or after January 1, 2011, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148 excluding withholding tax imposed by sections 143.191 to 143.265 in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee may submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the provider has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received by the provider; and

**(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.**

**If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.**

**3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.**

**4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.**

**5. Under section 23.253 of the Missouri sunset act:**

**(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2011, unless reauthorized by an act of the general assembly; and**

**(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and**

**(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and**

Further amend said bill, Section 67.3005, Page 10, Line 12, by inserting after said line the following:

“99.1205. 1. This section shall be known and may be cited as the "Distressed Areas Land Assemblage Tax Credit Act".

2. As used in this section, the following terms mean:

(1) "Acquisition costs", the purchase price for the eligible parcel, costs of environmental assessments, closing costs, real estate brokerage fees, reasonable demolition costs of vacant structures, and reasonable maintenance costs incurred to maintain an acquired eligible parcel for a period of five years after the acquisition of such eligible parcel. Acquisition costs shall not include costs for title insurance and survey, attorney's fees, relocation costs, fines, or bills from a municipality;

(2) "Applicant", any person, firm, partnership, trust, limited liability company, or corporation which has:

(a) Incurred, within an eligible project area, acquisition costs for the acquisition of land sufficient to satisfy the requirements under subdivision (8) of this subsection; and

(b) Been appointed or selected, pursuant to a redevelopment agreement by a municipal authority, as a redeveloper or similar designation, under an economic incentive law, to redevelop an urban renewal area or a redevelopment area that includes all of an eligible project area or whose redevelopment plan or redevelopment area, which encompasses all of an eligible project area, has been approved or adopted under an economic incentive law. In addition to being designated the redeveloper, the applicant shall have been designated to receive economic incentives only after the municipal authority has considered the amount of the tax credits in adopting such economic incentives as provided in subsection 8 of this section. The redevelopment agreement shall provide that:

a. The funds generated through the use or sale of the tax credits issued under this section shall be used to redevelop the eligible project area;

b. No more than seventy-five percent of the urban renewal area identified in the urban renewal plan or the redevelopment area identified in the redevelopment plan may be redeveloped by the applicant; and

c. The remainder of the urban renewal area or the redevelopment area shall be redeveloped by co-redevelopers or redevelopers to whom the applicant has assigned its redevelopment rights and obligations under the urban renewal plan or the redevelopment plan;

(3) "Certificate", a tax credit certificate issued under this section;

(4) "Condemnation proceedings", any action taken by, or on behalf of, an applicant to initiate an action in a court of competent jurisdiction to use the power of eminent domain to acquire a parcel within the eligible project area. Condemnation proceedings shall include any and all actions taken after the submission of a notice of intended acquisition



to an owner of a parcel within the eligible project area by a municipal authority or any other person or entity under section 523.250;

- (5) "Department", the Missouri department of economic development;
- (6) "Economic incentive laws", any provision of Missouri law pursuant to which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land. Economic incentive laws include, but are not limited to, the land clearance for redevelopment authority law under sections 99.300 to 99.660, the real property tax increment allocation redevelopment act under sections 99.800 to 99.865, the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.1060, and the downtown revitalization preservation program under sections 99.1080 to 99.1092;
- (7) "Eligible parcel", a parcel:
  - (a) Which is located within an eligible project area;
  - (b) Which is to be redeveloped;
  - (c) On which the applicant has not commenced construction prior to November 28, 2007;
  - (d) Which has been acquired without the commencement of any condemnation proceedings with respect to such parcel brought by or on behalf of the applicant. Any parcel acquired by the applicant from a municipal authority shall not constitute an eligible parcel; and
  - (e) On which all outstanding taxes, fines, and bills levied by municipal governments that were levied by the municipality during the time period that the applicant held title to the eligible parcel have been paid in full;
- (8) "Eligible project area", an area which shall have satisfied the following requirements:
  - (a) The eligible project area shall consist of at least seventy-five acres and may include parcels within its boundaries that do not constitute an eligible parcel;
  - (b) At least eighty percent of the eligible project area shall be located within a Missouri qualified census tract area, as designated by the United States Department of Housing and Urban Development under 26 U.S.C. Section 42, or within a distressed community as that term is defined in section 135.530;
  - (c) The eligible parcels acquired by the applicant within the eligible project area shall total at least fifty acres, which may consist of contiguous and noncontiguous parcels;
  - (d) The average number of parcels per acre in an eligible project area shall be four or more;
  - (e) Less than five percent of the acreage within the boundaries of the eligible project area shall consist of owner-occupied residences which the applicant has identified for acquisition under the urban renewal plan or the redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section on the date of the approval or adoption of such plan;
- (9) "Interest costs", interest, loan fees, and closing costs. Interest costs shall not include attorney's fees;
- (10) "Maintenance costs", costs of boarding up and securing vacant structures, costs of removing trash, and costs of cutting grass and weeds;
- (11) "Municipal authority", any city, town, village, county, public body corporate and politic, political subdivision, or land trust of this state established and authorized to own land within the state;
- (12) "Municipality", any city, town, village, or county;
- (13) "Parcel", a single lot or tract of land, and the improvements thereon, owned by, or recorded as the property of, one or more persons or entities;
- (14) "Redeveloped", the process of undertaking and carrying out a redevelopment plan or urban renewal plan pursuant to which the conditions which provided the basis for an eligible project area to be included in a redevelopment plan or urban renewal plan are to be reduced or eliminated by redevelopment or rehabilitation; and
- (15) "Redevelopment agreement", the redevelopment agreement or similar agreement into which the applicant entered with a municipal authority and which is the agreement for the implementation of the urban renewal plan or redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section; and such appointment or selection shall have been approved by an ordinance of the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, in which the eligible project area is located. The redevelopment agreement shall include a time line for redevelopment of the eligible project area. The redevelopment agreement shall state that the named developer shall be subject to the provisions of chapter 290.

3. Any applicant shall be entitled to a tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, in an amount equal to fifty percent of the acquisition costs, and one hundred percent of the interest costs incurred for a period of five years after the acquisition of an eligible parcel. No tax credits shall be issued under this section until after January 1, 2008.

4. If the amount of such tax credit exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148 for the succeeding six years, or until the full credit is used, whichever occurs first. The applicant shall not be entitled to a tax credit for taxes imposed under sections 143.191 to 143.265. Applicants entitled to receive such tax credits may transfer, sell, or assign the tax credits. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

5. A purchaser, transferee, or assignee of the tax credits authorized under this section may use acquired tax credits to offset up to one hundred percent of the tax liabilities otherwise imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265. A seller, transferor, or assignor shall perfect such transfer by notifying the department in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department to administer and carry out the provisions of this section.

6. To claim tax credits authorized under this section, an applicant shall submit to the department an application for a certificate. An applicant shall identify the boundaries of the eligible project area in the application. The department shall verify that the applicant has submitted a valid application in the form and format required by the department. The department shall verify that the municipal authority held the requisite hearings and gave the requisite notices for such hearings in accordance with the applicable economic incentive act, and municipal ordinances. On an annual basis, an applicant may file for the tax credit for the acquisition costs, and for the tax credit for the interest costs, subject to the limitations of this section. If an applicant applying for the tax credit meets the criteria required under this section, the department shall issue a certificate in the appropriate amount. If an applicant receives a tax credit for maintenance costs as a part of the applicant's acquisition costs, the department shall post on its Internet website the amount and type of maintenance costs and a description of the redevelopment project for which the applicant received a tax credit within thirty days after the department issues the certificate to the applicant.

7. The total aggregate amount of tax credits authorized under this section shall not exceed [ninety-five] **ninety** million dollars. [At no time shall] **For all years ending on or before December 31, 2011,** the annual amount of the tax credits issued under this section **shall not** exceed twenty million dollars. **For all years beginning on or after January 1, 2012, the annual amount of the tax credits issued under this section shall not exceed fifteen million dollars.** If the tax credits that are to be issued under this section exceed, in any year, the [twenty million dollar] **applicable annual dollar** limitation, the department shall either:

(1) Issue tax credits to the applicant in the amount of [twenty million dollars,] **the applicable annual dollar limitation**, if there is only one applicant entitled to receive tax credits in that year; or

(2) Issue the tax credits on a pro rata basis to all applicants entitled to receive tax credits in that year. Any amount of tax credits, which an applicant is, or applicants are, entitled to receive on an annual basis and are not issued due to the [twenty million dollar] **the applicable annual dollar** limitation, shall be carried forward for the benefit of the applicant or applicants to subsequent years. No tax credits provided under this section shall be authorized after August 28, 2013. Any tax credits which have been authorized on or before August 28, 2013, but not issued, may be issued, subject to the limitations provided under this subsection, until all such authorized tax credits have been issued.

8. Upon issuance of any tax credits pursuant to this section, the department shall report to the municipal authority the applicant's name and address, the parcel numbers of the eligible parcels for which the tax credits were issued, the itemized acquisition costs and interest costs for which tax credits were issued, and the total value of the tax credits issued. The municipal authority and the state shall not consider the amount of the tax credits as an applicant's cost, but shall include the tax credits in any sources and uses and cost benefit analysis reviewed or created for the purpose of awarding other economic incentives. The amount of the tax credits shall not be considered an applicant's cost in the evaluation of the amount of any award of any other economic incentives, but shall be considered in measuring the reasonableness of the rate of return to the applicant with respect to such award of other economic incentives. The municipal authority shall provide the report to any relevant commission, board, or entity responsible for the evaluation and recommendation or approval of other economic incentives to assist in the redevelopment of the eligible project area. Tax credits authorized under this section shall constitute redevelopment tax credits, as such term is defined under section 135.800, and shall be subject to all provisions applicable to redevelopment tax credits provided under sections 135.800 to 135.830.

9. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held

unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.”; and

Further amend said bill, Section 105.716, Page 19, Line 40, by inserting the following after all of said line:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) ["Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4)] "Homestead", the dwelling in Missouri owned [or rented] by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

[(5)] (4) "Income", Missouri adjusted gross income as defined in section 143.121 less two thousand dollars, or in the case of a homestead owned and occupied, for the entire year, by the claimant, less four thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

[(6)] (5) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part[;

(7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year]."; and

Further amend said bill, Sections 135.025, 135.030, 135.352, 135.484, 135.630, and 135.647, Pages 19-26, by striking all of said sections from the bill and inserting in lieu thereof the following:

"135.025. 1. The property taxes accrued [and rent constituting property taxes accrued] on each return shall be totaled. This total, up to [seven hundred fifty dollars in rent constituting property taxes actually paid or] eleven hundred dollars in actual property tax paid, shall be used in determining the property tax credit. The director of revenue shall prescribe regulations providing for allocations where part of a claimant's homestead is rented to another or used for nondwelling purposes or where a homestead is owned [or rented] or used as a dwelling for part of a year.

2. (1) **The director of the department of revenue shall calculate the amount of property tax credit that was attributable to renters in fiscal year 2011. Beginning with the budget request for fiscal year 2013, the director shall annually request that amount be transferred from the general revenue fund to the Missouri senior services protection fund. The money in such fund shall be appropriated for the Missouri Rx plan under section 208.782, services for seniors through the area agencies on aging, and other programs for low-income seniors.**

(2) **There is hereby created in the state treasury the "Missouri Senior Services Protection Fund", which shall consist of all gifts, donations, transfers, moneys appropriated to the fund by the general assembly, and bequests to the fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the purposes provided in this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

135.030. 1. As used in this section:

(1) The term "maximum upper limit" shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of twenty-five thousand dollars. For all calendar years beginning on or after January 1, 2008, the maximum upper limit shall be the sum of twenty-seven thousand five hundred dollars. In the case of a homestead owned and occupied for the entire year by the claimant, the maximum upper limit shall be the sum of thirty thousand dollars;

(2) The term "minimum base" shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of thirteen thousand dollars. For all calendar years beginning on or after January 1, 2008, the minimum base shall be the sum of fourteen thousand three hundred dollars.

2. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:	The percent is:
Not over the minimum base	0 percent with credit not to exceed \$1,100 in actual property tax [or rent equivalent] paid [up to \$750]
Over the minimum base but not over the maximum upper limit	1/16 percent accumulative per \$300 from 0 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term "accumulative" means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

3. Notwithstanding subsection 4 of section 32.057, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of the claimant's potential eligibility, where the department determines such potential eligibility exists.

135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall[, subject to the limitations provided under the provisions of subsection 3 of this section,] be allowed a state tax credit, [whether or not allowed a federal tax credit,] to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects [placed in service after January 1, 1997, the] **authorized on or after July 1, 2011, one hundred million dollars in** Missouri low-income housing tax [credit available to a project shall be such amount as the commission shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the] **credits shall be awarded during each fiscal year to projects which are awarded** federal low-income housing tax [credit for a qualified Missouri project, for a federal tax period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period] **credits by the commission and such Missouri low-income housing tax credits shall be claimed over a period of time which shall correspond to the time during which the federal low-income housing tax credits awarded for such qualified Missouri projects are claimed. Tax credits authorized after July 1, 2011, for projects financed through tax-exempt bond issuance shall not be subject to the limitations provided under this section. Provisions of the subsection to the contrary, in no evident shall more than one hundred million dollars be awarded in tax credits under this subsection."**; and

3. **For fiscal year 2011, no more than six million dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt bond issuance. Beginning July 1, 2012, until June 30, 2017 no more than twenty million dollars in low-income housing tax credits shall be awarded during each fiscal year for projects financed through tax-exempt bond issuance and such Missouri low-income housing tax credits shall be claimed over a period of time which shall correspond to the time during which the federal low-income housing tax credits awarded for such qualified Missouri projects are claimed.**

4. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years. **For projects authorized on or after July 1, 2011, any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's two previous taxable years or carried forward to any of the taxpayer's five subsequent taxable years.**

5. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

6. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of

the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

7. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

**8. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2021. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2021, or a taxpayer's ability to redeem such tax credits.**

135.484. 1. Beginning January 1, 2000, tax credits shall be allowed pursuant to section 135.481 in an amount not to exceed sixteen million dollars per year. Of this total amount of tax credits in any given year, eight million dollars shall be set aside for projects in areas described in subdivision (6) of section 135.478 and eight million dollars for projects in areas described in subdivision (10) of section 135.478. The maximum tax credit for a project consisting of multiple-unit qualifying residences in a distressed community shall not exceed three million dollars.

2. Any amount of credit which exceeds the tax liability of a taxpayer for the tax year in which the credit is first claimed may be carried back to any of the taxpayer's three prior tax years and carried forward to any of the taxpayer's five subsequent tax years. A certificate of tax credit issued to a taxpayer by the department may be assigned, transferred, sold or otherwise conveyed. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit and the value of the credit.

3. The tax credits allowed pursuant to sections 135.475 to 135.487 may not be claimed in addition to any other state tax credits, with the exception of the historic structures rehabilitation tax credit authorized pursuant to sections 253.545 to 253.559, which insofar as sections 135.475 to 135.487 are concerned may be claimed only in conjunction with the tax credit allowed pursuant to subsection 4 of section 135.481. In order for a taxpayer eligible for the historic structures rehabilitation tax credit to claim the tax credit allowed pursuant to subsection 4 of section 135.481, the taxpayer must comply with the requirements of sections 253.545 to 253.559, and in such cases, the amount of the tax credit pursuant to subsection 4 of section 135.481 shall be limited to the lesser of twenty percent of the taxpayer's eligible costs or forty thousand dollars.

**4. Notwithstanding any provision of law to the contrary, no tax credits provided under sections 135.475 to 135.487 shall be authorized on or after August 28, 2011. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2011, or a taxpayer's ability to redeem such tax credits.**

135.487. 1. To obtain any credit allowed pursuant to sections 135.475 to 135.487, a taxpayer shall submit to the department, for preliminary approval, an application for tax credit. The director shall, upon final approval of an application and presentation of acceptable proof of substantial completion of construction, issue the taxpayer a certificate of tax credit. The director shall issue all credits allowed pursuant to sections 135.475 to 135.487 in the order the applications are received. In the case of a taxpayer other than an owner-occupant, the director shall not delay the issuance of a tax credit pursuant to sections 135.475 to 135.487 until the sale of a residence at market rate for owner-occupancy. A taxpayer[, taxpayer] other than an owner-occupant who receives a certificate of tax credit pursuant to sections 135.475 to 135.487 shall, within thirty days of the date of the sale of a residence, furnish to the director satisfactory proof that such residence was sold at market rate for owner-occupancy. If the director reasonably determines that a residence was not in good faith intended for long-term owner occupancy, the director make revoke any tax credits issued and seek recovery of any tax credits issued pursuant to section 620.017.

2. The department may cooperate with a municipality or a county in which a project is located to help identify the location of the project, the type and eligibility of the project, the estimated cost of the project and the completion date of the project.

3. The department may promulgate such rules or regulations or issue administrative guidelines as are necessary to administer the provisions of sections 135.475 to 135.487. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

4. The department shall conduct annually a comprehensive program evaluation illustrating where the tax credits allowed pursuant to sections 135.475 to 135.487 are being utilized, explaining the economic impact of such program and making recommendations on appropriate program modifications to ensure the program's success.

**5. Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2011. The provisions of this subsection shall not be construed to limit or in**

**any way impair the department's ability to issue tax credits authorized prior to August 28, 2011, or a taxpayer's ability to redeem such tax credits.**

135.630. 1. As used in this section, the following terms mean:

- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
  - (2) "Director", the director of the department of social services;
  - (3) "Pregnancy resource center", a nonresidential facility located in this state:
    - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
    - (b) Where childbirths are not performed; and
    - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
    - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
    - (e) Which provides its services at no cost to its clients; and
    - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
    - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
  - (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;
  - (5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.
2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.
  3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.
  4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.
  5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.
  6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.
  7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some

percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10. [Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, The program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset] **Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2016. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2016, or a taxpayer's ability to redeem such tax credits.**

135.647. 1. As used in this section, the following terms shall mean:

- (1) "Local food pantry", any food pantry that is:
  - (a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and
  - (b) Distributing emergency food supplies to Missouri low-income people who would otherwise not have access to food supplies in the area in which the taxpayer claiming the tax credit under this section resides;
- (2) "Taxpayer", an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2007, any taxpayer who donates cash or food, unless such food is donated after the food's expiration date, to any local food pantry shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of the donations made to the extent such amounts that have been subtracted from federal adjusted gross income or federal taxable income are added back in the determination of Missouri adjusted gross income or Missouri taxable income before the credit can be claimed. Each taxpayer claiming a tax credit under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year that the credit is claimed, and shall not exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's three subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law.

3. The cumulative amount of tax credits under this section which may be allocated to all taxpayers contributing to a local food pantry in any one fiscal year shall not exceed two million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

4. Any local food pantry may accept or reject any donation of food made under this section for any reason. For purposes of this section, any donations of food accepted by a local food pantry shall be valued at fair market value, or at wholesale value if the taxpayer making the donation of food is a retail grocery store, food broker, wholesaler, or restaurant.



5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. [Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after August 28, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, The program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset] **Notwithstanding any provision of law to the contrary, no tax credits provided under this section shall be authorized on or after August 28, 2016. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to August 28, 2016, or a taxpayer's ability to redeem such tax credits.**"; and

Further amend said bill, Sections 135.1500, 135.1503, 135.1505, 135.1507, 135.1509, 135.1511, 135.1513, 135.1515, 135.1517, 135.1519, and 135.1521, Pages 30-37, by striking all of said sections from the bill and inserting in lieu thereof the following:

**"135.1500. 1. Sections 135.1500 to 135.1519, shall be known and may be cited as the "Aerotropolis Trade Incentive and Tax Credit Act".**

**2. As used in sections 135.1500 to 135.1519, unless the context clearly requires otherwise, the following terms shall mean:**

(1) **"Air export tax credit", the tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, to be issued by the department to a claiming freight forwarder for the shipment of air cargo on a qualifying outbound flight;**

(2) **"Airport", an airport which is owned and operated by a city not within a county;**

(3) **"Cargo activity", all of the inbound cargo activity and outbound cargo activity into and from an eligible facility;**

(4) **"Certificate of compliance", a certificate submitted with any application for a tax credit or tax incentive specified in section 135.1513, that shall certify that all requisite requirements for the issuance of such tax credits and tax incentives have been satisfied for such eligible facility and shall provide evidence of such satisfaction;**

(5) **"Certificate of occupancy", the certificate or permit issued by a municipality that permits the commercial use or occupancy of a building or structure;**

(6) **"Chargeable kilo", the shipment of a kilo of freight, as measured by the greater of:**

(a) **Actual weight; or**

(b) **A dimensional weight, as determined by the conversion factors promulgated by the International Air Transport Association, on a qualifying outbound flight or a qualifying inbound flight;**

(7) **"Claiming freight forwarder", the freight forwarder designated as the "agent" on the airway bill for the qualifying outbound flight for which such air export tax credit is sought;**

(8) **"Department", the Missouri department of economic development;**

(9) **"Direct all cargo aircraft flight", a flight that flies directly to its destination without stopping, except to receive fuel and maintenance;**

(10) **"Economic incentive laws", any provision of Missouri law under which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land;**

(11) **"Eligible costs", the following costs associated with the development and construction of an eligible facility:**

(a) **Costs and expenses of construction of the eligible facility, including fixtures and equipment; and**

(b) **Demolition costs of vacant structures.**

**Eligible costs shall not include costs of site improvements or costs of environmental remediation;**

(12) "Eligible facility", a qualifying gateway facility, qualifying cold-chain facility, or qualifying assembly and manufacturing facility;

(13) "Eligibility period", the time period, not to exceed seven fiscal years, during which an owner of an eligible facility may receive benefits under section 135.1513. Such time period shall begin to run twelve months after the date on which the certificate of occupancy is issued for each eligible facility, and shall continue for the next subsequent seven fiscal years;

(14) "Fiscal year", the twelve consecutive month time period beginning on the date, which is twelve months after the date on which the certificate of occupancy is issued for an eligible facility, and ending on the last day of the twelfth month thereafter, with each subsequent fiscal year beginning on the anniversary of the date, which is twelve months after the date of the issuance of such certificate of occupancy, and ending on the last day of the twelfth month thereafter;

(15) "Freight forwarder", a person that assumes responsibility in the ordinary course of its business for the transportation of cargo from the place of receipt to the place of destination, including the utilization of a qualifying outbound flight;

(16) "Full-time employee", an employee who is located at an eligible facility and is scheduled to work an average of at least thirty-five hours per week for a twelve-month period;

(17) "Gateway zone", an area within this state designated under the provisions of sections 135.1500 to 135.1519, which shall be within:

(a) A site of at least one hundred contiguous acres located within fifty miles of an airport; provided, however, such one hundred acres need not be contiguous if the acreage is located within a larger designated urban renewal area or redevelopment area under economic incentive laws;

(b) An area within the boundaries of an airport; or

(c) Any area owned or managed by the port authority of a county or a city not within a county;

(18) "Inbound cargo activity", the receipt of materials, components, goods, and products at an eligible facility from another destination through any mode of multimodal commerce. The term "inbound cargo activity" shall not include road transportation from the airport to the eligible facility;

(19) "Level one air cargo activity", where:

(a) At least twenty percent of the total outbound cargo activity of an eligible facility consists of chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; or

(b) At least twenty percent of the total inbound cargo activity of an eligible facility consists of chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility; or

(c) At least twenty percent of the total cargo activity of an eligible facility consists of:

a. Chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; and

b. Chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility;

(20) "Level two air cargo activity", where:

(a) At least ten percent of the total outbound cargo activity of an eligible facility consists of chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; or

(b) At least ten percent of the total inbound cargo activity of an eligible facility consists of chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility; or

(c) At least ten percent of the total cargo activity of an eligible facility consists of:

a. Chargeable kilos shipped from such facility, on a qualifying outbound flight by the owner of, or any tenant in, such facility; and

b. Chargeable kilos shipped on a qualifying inbound flight to the owner of, or any tenant in, an eligible facility, whether or not the inbound shipment is stored at any time within such facility;

(21) "Multimodal commerce", modes of commerce for the shipment of materials, components, goods, or products, including road transportation, railroad transportation, water transportation, or aircraft transportation;

(22) "Municipality", any city, town, village, or county;

(23) "New building", a new structure or building for which a certificate of occupancy was issued on or after July 1, 2011 for commercial activity, including fixtures and equipment;

(24) "New job", a person who was not employed at the eligible facility as a full-time employee on or prior to the date of the issuance of the certificate of occupancy for the eligible facility. No job that was created prior to the date of the issuance of the certificate of occupancy for the eligible facility shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the eligible facility is still considered to be located at an eligible facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, and one hundred percent of the employee's income from such employment is Missouri income;

(25) "Outbound cargo activity", the shipment of materials, components, goods, and products from an eligible facility to another destination through any mode of multimodal commerce. The term "outbound cargo activity" shall not include road transportation to the airport from the eligible facility;

(26) "Perishable freight", agricultural products, including seeds, garden products, live animals, and processed meat products such as pork and beef;

(27) "Qualifying applicant", an owner of, or tenant in, an eligible facility;

(28) "Qualifying assembly and manufacturing facility", a new building located within a gateway zone that is equipped for manufacturing or assembly and in which the receipt of production materials or components or the shipment of finished goods or products, or both, involves at least two modes of multimodal commerce;

(29) "Qualifying cargo activity", meeting or exceeding the requirements for level one air cargo activity or level two air cargo activity;

(30) "Qualifying cold-chain facility", a new building located within a gateway zone which has within it equipment for maintaining necessary temperatures for the processing, packaging, or distribution of temperature-sensitive products, provided that at least eighty percent of the usable square footage of such facility is refrigerated;

(31) "Qualifying gateway facility", a new building located within a gateway zone in which qualifying cargo activity occurs, provided that no more than twenty percent of the usable space within the qualifying gateway facility is devoted to office or retail use;

(32) "Qualifying inbound flight", an all cargo aircraft flight originating from an international destination to the airport;

(33) "Qualifying outbound flight", a direct all cargo aircraft flight from the airport to an international destination; and

(34) "Tenant in an eligible facility", a tenant or subtenant who is operating within an eligible facility and is a tenant or subtenant of the owners of an eligible facility, or a licensee who is operating within an eligible facility and is a licensee of such owner, tenant, or subtenant.

135.1503. 1. Any executive officer of a county or the mayor of any city not within a county desiring to designate a gateway zone shall cause the governing body of such county or city not within a county to hold a public hearing for the purpose of obtaining the opinion and suggestions of those persons who will be affected by such designation. The county or the city not within a county shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by such designation at least twenty days prior to the date of the hearing but not more than thirty days prior to such hearing. Such notice shall state the time, location, date, and purpose of the hearing.

2. Following conclusion of the public hearing required by this section, the executive officer of any county or the mayor of any city not within a county shall notify the department in writing of the designation of the gateway zone. Such notification shall include evidence that the requisite public hearing has been conducted, a legal description of the area of the gateway zone, the street location, if available, the acreage of the gateway zone, a survey of the gateway zone, a plan for the utilization and marketing of the gateway zone, and confirmation that zoning has been obtained for the gateway zone or any portion thereof which zoning is consistent with the uses of property as contemplated under sections 135.1500 to 135.1519.

3. The department shall have a period of sixty calendar days to verify that such gateway zone satisfies the requirements under section 135.1500. If the department does not notify the executive officer of the county, or the mayor of any city not within a county, designating the gateway zone, of its verification that the requirements are satisfied, or the department does not notify such executive officer or such mayor of its denial and provide a detailed description of the reason for the denial of such verification within such sixty day time period, then the requirements under section 135.1500 shall be deemed to have been satisfied.

4. If the department provides such executive officer or mayor with a detailed description of a reason for its denial within such sixty day time period, such executive officer or mayor may submit a revised notification. Any such revised notification shall be subject to the provisions of subsection 3 of this section.

135.1505. 1. There shall be an annual special assessment levied on any eligible facility, which receives benefits under sections 135.1500 to 135.1519, at the rate of twenty cents per rentable square foot of such facility; provided however, any special assessments levied on such eligible facilities located within the boundaries of the airport shall be remitted to the airport. The county collector of revenue of the county in which a gateway zone is located, or the collector of revenue for the city in which a gateway zone is located if the gateway zone is located in a city not within a county, shall annually levy the special assessments in the same manner as real property taxes are collected.

2. On or before the first day of February of each year and after deducting the reasonable and actual cost of such collection not to exceed one percent of the total amount collected, the county or city collector of revenue, who has collected the special assessments, shall remit to the entities identified in subsection 3 of this section the percentages of special assessments set forth in such subsection. Such county or city collector of revenue shall collect the special assessments prior to the fifteenth day of January of each year. Upon receipt of such money, the entities, identified in subsection 3 of this section, shall execute a receipt therefor, which the entities shall forward or deliver to the county or city collector of revenue.

3. After the payment of any fees related to the collection of the special assessments and the remittance of any special assessments identified for remittance under subsection 1 of this section to the airport, the remaining revenues collected from the special assessments shall be utilized as follows:

(a) Fifty percent of such revenues shall be annually transferred to the airport. The proceeds of the net special assessments shall be placed in a special fund for marketing and promotion of the airport and shall not be comingled with any other funds of the airport;

(b) The remaining fifty percent of such revenues shall be annually transferred to a tax exempt regional or county economic development association or associations, selected by the executive officer of any county, or the mayor of a city not within a county, which contains a gateway zone for the marketing and promotion of the gateway zone. Such county or city shall enter into an agreement or agreements with such tax exempt economic development association or associations for the marketing and promotion of the gateway zone and shall review and approve the annual budget of such association or associations for such marketing and promotion. Such tax exempt regional or county economic development association or associations shall not comingle any of such revenues with any other funds of the association or associations.

4. The airport and such tax exempt regional or county economic development association or associations shall be subject to periodic audits by the state auditor to be paid in accordance with section 29.230. The airport shall report, and such executive officer or mayor shall cause the tax exempt regional or county economic development association performing such marketing and promotion to report, to the department the status of the gateway zone and the use of revenues generated through the levying of special assessments under this section.

135.1507. 1. For all taxable years beginning on or after January 1, 2011, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of cargo on a qualifying outbound flight in an amount equal to thirty cents per chargeable kilo.

2. For all taxable years beginning on or after January 1, 2011, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of perishable freight on a qualifying outbound flight in an amount equal to thirty-five cents per chargeable kilo.

3. No claiming freight forwarder shall receive air export tax credits under both subsections 1 and 2 of this section for a single shipment on a qualifying outbound flight.

4. The department shall index the amount of the air export tax credits to adjust each year depending upon fluctuations in the cost of fuel for over-the-road transportation.

135.1509. 1. To receive benefits provided under section 135.1507, a claiming freight forwarder shall file an application with the department within one hundred twenty calendar days of the date that the shipment for which air export tax credits are being sought was transported on the qualifying outbound flight. The documentation to be presented by the claiming freight forwarder in such an application shall consist of the master airway bill for the shipment on the qualifying outbound flight for which the claiming freight forwarder is seeking air export tax credits. All master airway bills shall specify an origin located within the United States of America for the shipments to qualify for air export tax credits. The department shall establish procedures to allow claiming freight forwarders that file applications for air export tax credits to receive such tax credits within ten business days of the date of the filing of the application for air export tax credits relating to the qualifying outbound flight. No application shall be approved for any continuing direct all cargo aircraft flights from the airport to an international destination conducted by a carrier, which conducted such flights on a scheduled basis

prior to May 1, 2011, and which continuing flights after May 1, 2011, would otherwise have constituted qualifying outbound flights.

2. If the annual cap on the issuance of air export tax credits provided under section 135.1511, is met in a given year, then the amount of such tax credits which have been authorized, but remain unissued, shall be carried forward and issued in the subsequent year.

3. No tax credits provided under this section shall be authorized after August 28, 2019. Any tax credits authorized on or before August 28, 2019, but not issued prior to such date may be issued until all such authorized tax credits have been issued.

**135.1511.** The total aggregate amount for air export tax credits authorized under section 135.1507 shall not exceed sixty million dollars. The amount of the air export tax credits issued under section 135.1507 shall not exceed:

(1) Three million six hundred thousand dollars for the taxable year beginning on or after January 1, 2011, but ending on or before December 31, 2011;

(2) Four million eight hundred thousand dollars for the taxable year beginning on or after January 1, 2012, but ending on or before December 31, 2012; and

(3) The greater of one million two hundred thousand dollars per weekly qualifying outbound flight or three million six hundred thousand dollars for all taxable years beginning on or after January 1, 2013.

The department shall annually determine the number of weekly qualifying outbound flights, which shall be the average number of such flights per week during the month of September of the previous year.

**135.1513.** 1. For all taxable years beginning on or after January 1, 2013, qualifying applicants shall be entitled to the following benefits:

(1) The owner of any eligible facility with level one air cargo activity shall be entitled, during the eligibility period, to receive tax credits against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, equal to six percent of the eligible costs for such facility for each year that such facility meets or exceeds level one air cargo activity volumes, provided that the owner can demonstrate that at least ten new jobs are projected to be created at the facility by no later than the end of the eligibility period. The total amount of tax credits issued for any such facility shall not exceed thirty percent of such facility's eligible costs. No tax credits provided under this subdivision shall be issued prior to January 1, 2013;

(2) The owner of any qualifying gateway facility with level two air cargo activity, a qualifying assembly and manufacturing facility, or a qualifying cold-chain facility shall be entitled, during the eligibility period, to receive tax credits against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, equal to four percent of the eligible costs for such facility for each year that such facility satisfies the requirements of sections 135.1500 to 135.1519, provided that the owner can demonstrate that at least ten new jobs are projected to be created at the facility by no later than the end of the eligibility period. The total amount of tax credits issued for such facility shall not exceed twenty percent of such facility's eligible costs. No tax credits provided under this subdivision shall be issued prior to January 1, 2013; and

(3) Any tenant of an eligible facility and any individuals employed by such tenants shall be exempt from the earnings tax imposed by a city not within a county pursuant to sections 92.110 to 92.200 for each fiscal year during the eligibility period if such facility satisfies the requirements of sections 135.1500 to 135.1519.

2. If an eligible facility receives a certificate of occupancy prior to the sunset of the program, the owners of an eligible facility may apply for benefits provided under this section for the term of the eligibility period notwithstanding the sunset of the program prior to the end of the term of the eligibility period for such facility.

**135.1515.** 1. In order for an owner of an eligible facility to receive benefits provided under section 135.1513 for any fiscal year during the eligibility period, the eligible facility shall satisfy all applicable requirements provided under sections 135.1500 to 135.1519 for each such fiscal year by December thirty-first of the calendar year in which an application is filed under subsection 2 of this section.

2. Owners of an eligible facility seeking benefits provided under section 135.1513 shall file applications for such benefits, accompanied by a certificate of compliance, on or before December thirty-first of each year. If such facility, relating to which such owners are applying for such tax credits satisfies the applicable requirements provided under sections 135.1500 to 135.1519, the department shall grant such benefits on or before July fifteenth of the next calendar year following such time period.

3. If the annual cap for any of such tax credits provided under section 135.1517 is met in a year, then the amount of such tax credits authorized, but unissued, shall be carried forward and issued in the subsequent year.

4. No tax credits provided under this section shall be authorized after August 28, 2020. Any tax credits authorized on or before August 28, 2020, but not issued prior to such date may be issued until all such authorized tax credits have been issued.

5. No owner of an eligible facility shall be entitled to receive benefits provided under section 135.1513 unless a certificate of occupancy has been issued for the eligible facility prior to August 28, 2020. An owner of an eligible facility for which a certificate of occupancy has been issued prior to August 28, 2020, may be granted benefits under this section.

135.1517. The total aggregate amount for all of the tax credits authorized under subdivisions (1) and (2) of subsection 1 of section 135.1513 shall not exceed three hundred million dollars. The annual amount of the tax credits issued under subdivisions (1) and (2) of subsection 1 of section 135.1513 shall not exceed:

(1) Two million dollars for the taxable year beginning on or after January 1, 2013, and ending on or before December 31, 2013;

(2) Fifteen million dollars for the taxable year beginning on or after January 1, 2014, and ending on or before December 31, 2014;

(3) Sixteen million dollars for the taxable year beginning on or after January 1, 2015, and ending on or before December 31, 2015;

(4) Twenty million dollars for all taxable years beginning on or after January 1, 2016, but ending on or before December 31, 2019;

(5) Thirty million dollars for all taxable years beginning on or after January 1, 2020, but ending on or before December 31, 2025; and

(6) Seven million dollars for the taxable year beginning on or after January 1, 2026, and ending on or before December 31, 2026.

135.1519. If the amount of any tax credit authorized under sections 135.1500 to 135.1519 exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148, except sections 143.191 to 143.265, for the succeeding six years, or until the full credit is used, whichever occurs first. Tax credits authorized under the provisions of sections 135.1500 to 135.1519 may be transferred, sold, or otherwise assigned. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or under an executed agreement among the partners, members, or owners documenting an alternate distribution method.

135.1521. 1. The department may promulgate rules to implement the provisions of sections 135.1500 to 135.1519. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and to annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

2. The provisions of the new programs authorized under sections 135.1500 to 135.1519 shall automatically sunset eight years after August 28, 2011, unless reauthorized by an act of the general assembly. If such program is reauthorized, the program authorized under this section shall automatically sunset six years after the effective date of the reauthorization of this section. This section shall terminate on September first of the calendar year immediately following the calendar year in which the programs authorized under sections 135.1500 to 135.1519 sunset.”; and

Further amend said bill, Section 144.810, Pages 41-46, by striking all of said section from the bill and inserting in lieu thereof the following:

**“144.810. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:**

**(1) "Commencement of commercial operations", shall be deemed to occur during the first calendar year for which the data storage center is first available for use by the operating taxpayer, or first capable of being used by the operating taxpayer, as a data storage center;**

**(2) "Constructing taxpayer", where more than one taxpayer is responsible for a project, a taxpayer responsible for the construction of the facility, as opposed to a taxpayer responsible for the equipping and ongoing operations of the facility;**

**(3) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;**

**(4) "Data storage center" or "facility", a facility constructed, extended, improved, or operating under this section, provided that such business facility is engaged primarily in:**

**(a) Data processing, hosting, and related services (NAICS 518210); or**

**(b) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility;**

**(5) "Existing facility", a data storage center in this state as it existed prior to August 28, 2011, as determined by the department;**

**(6) "Expanding facility" or "expanding data storage center", an existing facility or replacement facility that expands its operations in this state on or after August 28, 2011, and has net new investment related to the expansion of operations in this state of at least five million dollars during a period of up to twelve consecutive months and results in the creation of at least five new jobs during a period of up to twenty-four consecutive months from the date of conditional approval for an exemption under this section, if the average wage of the new jobs equals or exceeds one hundred and fifty percent of the county average wage. An expanding facility shall continue to be an expanding facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;**

**(7) "Expanding facility project" or "expanding data storage center project", the construction, extension, improvement, equipping, and operation of an expanding facility;**

**(8) "Investment" shall include the value of real and depreciable personal property, acquired as part of the new or expanding facility project which is used in the operation of the facility following conditional approval of an exemption under this section;**

**(9) "NAICS", the 2007 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;**

**(10) "New facility" or "new data storage center", a facility in this state meeting the following requirements:**

**(a) The facility is acquired by, or leased to, an operating taxpayer on or after August 28, 2011. A facility shall be deemed to have been acquired by, or leased to, an operating taxpayer on or after August 28, 2011, if the transfer of title to an operating taxpayer, the transfer of possession under a binding contract to transfer title to an operating taxpayer, or the commencement of the term of the lease to an operating taxpayer occurs on or after August 28, 2011, or, if the facility is constructed, erected, or installed by or on behalf of an operating taxpayer, such construction, erection, or installation is commenced on or after August 28, 2011;**

**(b) If such facility was acquired by an operating or constructing taxpayer from another person or persons on or after August 28, 2011, and such facility was employed prior to August 28, 2011, by any other person or persons in the operation of a data storage center the facility shall not be considered a new facility;**

**(c) Such facility is not an expanding or replacement facility, as defined in this section;**

**(d) The new facility project investment is at least thirty-seven million dollars during a period of up to thirty-six consecutive months from the date of the conditional approval for an exemption under this section. Where more than one taxpayer is responsible for a project, the investment requirement may be met by an operating taxpayer, a constructing taxpayer, or a combination of constructing taxpayers and operating taxpayers;**

(e) At least thirty new jobs are created at the new facility during a period of up to thirty six consecutive months from the date of conditional approval for an exemption under this section if the average wage of the new jobs equals or exceeds one hundred fifty percent of the county average wage; and

(f) A new facility shall continue to be a new facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;

(11) "New data storage center project" or "new facility project", the construction, extension, improvement, equipping, and operation of a new facility;

(12) "New job" in the case of a new data center project, the total number of full-time employees located at a new data storage center for a period of up to thirty-six consecutive months from the date of conditional approval for an exemption under this section. In the case of an expanding data storage center project, the total number of full-time employees located at the expanding data storage center that exceeds the greater of the number of full-time employees located at the project facility on the date of the submission of a project plan under this section or for the twelve-month period prior to the date of the submission of a project plan, the average number of full-time employees located at the expanding data storage center facility. In the event the expanding data storage center facility has not been in operation for a full twelve-month period at the time of the submission of a project plan, the average number of full-time employees for the number of months the expanding data storage center facility has been in operation prior to the date of the submission of the project plan;

(13) "Operating taxpayer", where more than one taxpayer is responsible for a project, a taxpayer responsible for the equipping and ongoing operations of the facility, as opposed to a taxpayer responsible for the purchasing or construction of the facility;

(14) "Project taxpayers", each constructing taxpayer and each operating taxpayer for a data storage center project;

(15) "Replacement facility", a facility in this state otherwise described in subdivision (7) of this subsection, but which replaces another facility located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating within one year prior to the commencement of commercial operations at the new facility;

(16) "Taxpayer", the purchaser of tangible personal property or a service that is subject to state or local sales or use tax and from whom state or local sales or use tax is owed. Taxpayer shall not mean the seller charged by law with collecting the sales tax from the purchaser.

2. Beginning August 28, 2011, in addition to the exemptions granted under chapter 144, project taxpayers for a new data storage center project shall be entitled, for a project period not to exceed fifteen years from the date of conditional approval under this section and subject to the requirements of subsection 3 of this section, to an exemption of one hundred percent of the state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235, limited to the net fiscal benefit of the state calculated over a ten year period, on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in a new data storage center;

(2) All machinery, equipment, and computers used in any new data storage center; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing any new data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development using the Regional Economic Modeling, Inc. dataset or comparable data.

3. Any data storage center project seeking a tax exemption under subsection 2 of this section shall submit a project plan to the department of economic development, which shall identify each known constructing taxpayer and known operating taxpayer for the project and include any additional information the department of economic development may require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 2 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for a new facility. The department of economic development shall convey such conditional approval to the department of revenue and the identified project taxpayers. After a conditionally approved new facility has met the requirements in subsection 1 of this section for a new facility and the execution of the agreement specified in subsection 6 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the new facility to the department of revenue as being eligible for the



exemption dating retroactively to the first day of the thirty-six month period. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of the thirty-six month period, shall issue a refund of taxes paid but eligible for exemption under subsection 2 of this section to each operating taxpayer and each constructing taxpayer and issue a certificate of exemption to each new project taxpayer for ongoing exemptions under subsection 2 of this section.

4. Beginning August 28, 2011, in addition to the exemptions granted under chapter 144, upon approval by the department of economic development, project taxpayers for expanding data center projects may, for a period not to exceed ten years, be specifically exempted from state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235 on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in an expanding data storage center which, on an annual basis, exceeds the amount of electrical energy, gas, water, and other utilities including telecommunication and internet services used in the existing facility or the replaced facility prior to the expansion, provided that any substantial renovation, as defined in section 8.800, at an expanding facility shall meet applicable provisions of the International Energy Conservation Code 2009 or most recent version thereof. For purposes of this subdivision only, amount shall be measured in kilowatt hours, gallons, cubic feet, or other measures applicable to a utility service as opposed to in dollars, to account for increases in utility rates;

(2) All machinery, equipment, and computers used in any expanding data storage center, the cost of which, on an annual basis, exceeds the average of the previous three years' expenditures on machinery, equipment, and computers at the existing facility or the replaced facility prior to the expansion. Existing facilities or replaced facilities in existence for less than three years shall have the average expenditures calculated based upon the applicable time of existence; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing, repairing, or remodeling any expanding data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development.

5. Any data storage center project seeking a tax exemption under subsection 4 of this section shall submit a project plan to the department of economic development, which shall identify each known constructing taxpayer and each known operating taxpayer for the project and include any additional information the department of economic development may reasonably require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 4 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for an expanding facility project and the execution of the agreement specified in subsection 6 of this section. The department of economic development shall convey such conditional approval to the department of revenue and the identified project taxpayers. After a conditional approved facility has met the requirements in subsection 1 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the project to the department of revenue as being eligible for the exemption dating retroactively to the first day of the thirty-six month period. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of the thirty-six month period, shall issue a refund of taxes paid but eligible for exemption under subsection 4 of this section to any applicable project taxpayer and issue a certificate of exemption to any applicable project taxpayer for ongoing exemptions under subsection 4 of this section.

6. (1) The exemptions in subsections 2 and 4 of this section shall be tied to the new or expanding facility project. A certificate of exemption in the hands of a taxpayer that is no longer an operating or constructing taxpayer of the new or expanding facility project shall be invalid as of the date the taxpayer was no longer an operating or constructing taxpayer of the new or expanding facility project. New certificates of exemption shall be issued to successor constructing taxpayers and operating taxpayers at such new or expanding facility projects. The right to the exemption by successor taxpayers shall exist without regard to subsequent levels of investment in the new or expanding facility by successor taxpayers.

(2) As a condition of receiving an exemption under subsection 2 or 4 of this section, the project taxpayers shall enter into an agreement with the department of economic development providing for repayment penalties in the event the data storage center project fails to comply with any of the requirements of this section.

(3) The department of revenue shall credit any amounts remitted by the project taxpayers under this subsection to the fund to which the sales and use taxes exempted would have otherwise been credited.

7. The department of economic development and the department of revenue shall cooperate in conducting random audits to ensure that the intent of this section is followed.

8. The department of economic development and the department of revenue shall jointly prescribe such rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend said bill, Sections 196.1109 and 196.1115, Pages 49-51, by striking all of said sections from the bill and inserting in lieu thereof the following:

“196.1109. All moneys that are appropriated by the general assembly from the life sciences research trust fund shall be appropriated to the life sciences research board to increase the capacity for quality of life sciences research at public and private not-for-profit institutions in the state of Missouri and to thereby:

(1) Improve the quantity and quality of life sciences research at public and private not-for-profit institutions, including but not limited to basic research (including the discovery of new knowledge), translational research (including translating knowledge into a usable form), and clinical research (including the literal application of a therapy or intervention to determine its efficacy), including but not limited to health research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary, and infectious disease, and plant sciences, including but not limited to nutrition and food safety; and

(2) Enhance technology transfer and technology commercialization derived from research at public and private not-for-profit institutions within the centers for excellence. For purposes of sections 196.1100 to 196.1130, "technology transfer and technology commercialization" includes stages of the regular business cycle occurring after research and development of a life science technology, including but not limited to reduction to practice, proof of concept, and achieving federal Food and Drug Administration, United States Department of Agriculture, or other regulatory requirements in addition to the definition in section 348.251. Funds received by the board may be used for purposes authorized in sections 196.1100 to 196.1130 and shall be subject to the restrictions of sections 196.1100 to 196.1130, including but not limited to the costs of personnel, supplies, equipment, and renovation or construction of physical facilities; provided that in any single fiscal year no more than [ten] **thirty** percent of the moneys appropriated shall be used for the construction of physical facilities and further provided that in any fiscal year **up to** eighty percent of the moneys shall be appropriated to build research capacity at public and private not-for-profit institutions and **at least** twenty percent **and no more than fifty percent** of the moneys shall be appropriated for grants to public or private not-for-profit institutions to promote life science technology transfer and technology commercialization. Of the moneys appropriated to build research capacity, twenty percent of the moneys shall be appropriated to promote the development of research of tobacco-related illnesses.

196.1115. 1. The moneys appropriated to the life sciences research board that are not distributed by the board in any fiscal year to a center for excellence or a center for excellence endorsed program pursuant to section 196.1112, if any, shall be held in reserve by the board or shall be awarded on the basis of peer review panel recommendations for capacity building initiatives proposed by public and private not-for-profit academic, research, or health care institutions or organizations, or individuals engaged in competitive research in targeted fields consistent with the provisions of sections 196.1100 to 196.1130.

2. The life sciences research board may, in view of the limitations expressed in section 196.1130:

(1) Award and enter into grants or contracts relating to increasing Missouri's research capacity at public or private not-for-profit institutions;

(2) Make provision for peer review panels to recommend and review research projects;

(3) Contract for [administrative and] support services;

(4) Lease or acquire facilities and equipment;

(5) Employ administrative staff; and

(6) Receive, retain, hold, invest, disburse or administer any moneys that it receives from appropriations or from any other source.

3. **The Missouri technology corporation, established under section 348.251, shall serve as the administrative agent for the life sciences research board.**

4. The life sciences research board shall utilize as much of the moneys as reasonably possible for building capacity at public and private not-for-profit institutions to do research rather than for administrative expenses. The board shall not in any fiscal year expend more than two percent of the total moneys appropriated to it and of the moneys that it has in reserve or has received from other sources for its own administrative expenses **for appropriations over twenty million dollars; three percent for appropriations less than twenty million dollars but more than fifteen million dollars; four percent for appropriations less than fifteen million dollars but more than ten million dollars; five percent for appropriations less than ten million dollars;** provided, however, that the general assembly by appropriation from the life sciences research trust fund may authorize a limited amount of additional moneys to be expended for administrative costs.”; and

Further amend said bill, Sections 253.545, 253.550, 253.557, 253.559, 348.250, 348.251, 348.256, Pages 52-66, by striking all of said sections from the bill and inserting in lieu thereof the following:

“253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) "Certified historic structure", a property located in Missouri and listed individually on the National Register of Historic Places;

(2) "Deed in lieu of foreclosure or voluntary conveyance", a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) **"Department", the department of economic development;**

(4) "Eligible property", property located in Missouri and offered or used for residential or business purposes;

[(4)] (5) "Leasehold interest", a lease in an eligible property for a term of not less than thirty years;

[(5)] (6) "Principal", a managing partner, general partner, or president of a taxpayer;

[(6)] (7) "Structure in a certified historic district", a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

[(7)] (8) "Taxpayer", any person, firm, partnership, trust, estate, limited liability company, or corporation;

(9) **"Total basis in the property", the cost, or fair market value, of the property at the time of acquisition, or as otherwise defined in the Internal Revenue Code of 1986, as amended. Cost includes the cash paid, the fair market value of services rendered, and the fair market value of property traded in exchange for the property. Certain closing costs may also be added to the basis of property. Such closing costs include commissions paid by the purchaser, legal fees, recording fees, and state transfer taxes on real estate;**

(10) **"Total costs and expenses of rehabilitation", all reasonable costs and expenses related to the rehabilitation of eligible property that is a certified historic structure or a structure in a certified historic district, including but not limited to qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section. Taxpayers may incur qualifying expenses included in the total costs and expenses of rehabilitation at their own risk up to one year before the date of submission of a preliminary application under section 253.559. Such reasonable costs and expenses shall include, but not be limited to, rehabilitation work in progress and accrued developer fees if an agreement or other contractual document provides for payment of such accrued developer fees within twelve years of project completion. If a taxpayer defaults on the payments of the developer fees, the applicant will be liable to the state for the portion of tax credits attributable to the amount of the unpaid developer fees over the twelve year period. In determining the total costs and expenses of rehabilitation the department shall accept such costs and expenses as certified by a licensed certified public accountant that is not an affiliate of the applicant, so long as such cost and expense certification is the same as being used to determine qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, or, if not eligible for federal historic preservation tax credits, then same as would be used if the project were eligible and using such certification to determine qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended; provided that the cost and expense certification will be subject to an audit by the department after the issuance of the tax credits. If there is a final disallowance of more than 10%, the applicant will be subject to a civil penalty equal to 110% of the tax credits attributable to the amount of the cost and expenses in excess of the final disallowance.**

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district[, may,] **shall**, subject to the provisions of this section

and section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred [after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder,] provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2011**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of [subsection 3 of] section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before June 30, 2011**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

5. **For each fiscal year beginning on or after July 1, 2011, the department shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed eighty-five million dollars, increased by any amount of tax credits for which approval shall be rescinded or carried forward under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits or for projects under subsection 7 (1) provided that no more than ten million dollars shall be authorized in any fiscal year for such projects.**

6. For all applications for tax credits approved on or after July 1, 2011, no more than two hundred fifty thousand dollars in tax credits may be issued for the total costs and expenses of rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district. For purposes of this subsection, "eligible property" shall not include any property with a purchase price in excess of four hundred thousand dollars.

7. For each fiscal year beginning on or after July 1, 2011, in addition to applications for tax credits authorized by the department subject to the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the department shall also approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 for the following projects which, in the aggregate, shall not exceed the difference between one hundred forty million dollars and the maximum amount of tax credits for which applications may be approved under subsection 5 of this section:

(1) Any preliminary application for tax credits for a project which is authorized to receive federal low-income housing tax credits;

(2) Any preliminary application for tax credits for a project which:

(a) On or before July 1, 2011, has received an approved Part I from the Secretary of the United States Department of the Interior or is a certified historic structure; and

(b) Has had costs and expenses incurred by a taxpayer for an eligible property on or before July 1, 2011, including but not limited to acquisition costs, exceeding the lesser of fifteen percent of the total project costs or three million dollars, and for which such taxpayer's interest, including all rehabilitation work in progress, was acquired by any bank, financial institution, or political subdivision by deed or foreclosure or any subsequent transferee;

(3) Any preliminary application for tax credits for a project which, on or before July 1, 2011, has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. **Notwithstanding the foregoing, for all tax credits authorized under the provisions of sections 253.545 to 253.559 on or after July 1, 2011, if the total amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to the preceding year and carried forward for credit against the taxes imposed under chapters 143 and 148, except for sections 143.191 to 143.265 for the succeeding five years, or until the full credit is used, whichever occurs first.** Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] **to 253.559.** Taxpayers eligible for such tax credits may transfer, sell or assign the credits **to any other taxpayer, including but not limited to a not-for-profit entity.** Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners, **including but not limited to any not-for-profit entity that is a partner, member, or owner,** respectively pro rata or pursuant to an executed agreement among [the] **such** partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department [of economic development]. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked, with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each **preliminary** application shall be reviewed by the department [of economic development] for approval. In order to receive approval, [an] **a preliminary** application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated **or actual** project start date, and the estimated project completion date; **and**

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district[; and

(5) Any other information which the department of economic development may reasonably require to review the project for approval].

Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department [of economic development] shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department [of economic development] deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits.

4. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the applicant identified in such application shall notify the department of such change within ninety days of such change.**

5. In the event that the department [of economic development] grants approval for tax credits equal to the total amount available under [subsection] **subsections 2 to 7** of section 253.550, or sufficient that when totaled with all other approvals, the amount available under [subsection] **subsections 2 to 7** of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department [of economic development] that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department [of economic development] and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation, **if rehabilitation has not previously begun**, within two years of the date of issuance of the letter from the department [of economic development] granting the approval for tax credits. "[Commencement of] **Commence** rehabilitation" shall mean that [as of the date in which] actual physical work, **as** contemplated by the architectural plans submitted with the application, has begun, **and that** the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. **Taxpayers may commence rehabilitation and incur qualifying expenses at their own risk before the property qualifies as a certified historic structure. Upon final review by the department under this section, including the necessary determination of the total costs and expenses of rehabilitation, the taxpayer shall receive tax credits for all qualifying expenses.** If the department [of economic development] determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the total amount of tax credits, provided under [subsection] **subsections 2 to 7** of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department [of economic development] and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final [approval] **review** and issuance of tax credits from the department [of economic development] which, in consultation with the department of natural resources, shall determine **(I)** the final amount of [eligible rehabilitation costs and expenses] **the total costs and expenses of rehabilitation based solely on a certification of such total costs and expenses of rehabilitation prepared in a manner prescribed by the department and submitted with the final**

**application submitted under this section** and (ii) whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. For financial institutions credits authorized pursuant to sections 253.550 to 253.561 shall be deemed to be economic development credits for purposes of section 148.064. The [approval] **review** of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department [of economic development]. The department [of economic development] shall inform a taxpayer of final [approval] **determination** by letter and shall issue, to the taxpayer, tax credit certificates. The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed.

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that **total** costs and expenses of rehabilitation [of] **for** the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the [amount of eligible rehabilitation] **total** costs and expenses **of rehabilitation** incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be **automatically approved**, subject **only to availability of tax credits and** all provisions regarding priority provided under subsection 1 of this section.

9. The department [of economic development] shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

10. (1) Taxpayers or duly authorized representatives may appeal any official decision, including all preliminary or final approvals and denials of approvals, made by the department or the department of natural resources with regard to an application submitted under sections 253.550 to 253.559 to an independent third-party appeals officer designated by the department. Such appeals under this section shall constitute an administrative review of the decision appealed from and shall not be conducted as an adjudicative proceeding.

(2) Appeals shall be submitted to the designated appeals officer in writing within thirty days of receipt by the taxpayer or the taxpayer's duly authorized representative of the decision that is the subject of the appeal, and shall include all information the appellant wishes the appeals officer to consider in deciding the appeal.

(3) Upon receipt of an appeal, the appeals officer shall notify the department or the department of natural resources that an appeal is pending, identify the decision being appealed, and forward a copy of the information submitted by the appellant. The department or the department of natural resources may submit a written response to the appeal.

(4) The appellant shall be entitled to one meeting with the appeals officer to discuss the appeal, but the appeals officer may schedule additional meetings at the officer's discretion. The department or the department of natural resources may appear at all meetings.

(5) The appeals officer shall consider the record of the decision in question, any further written submissions by the appellant and the department or the department of natural resources, and other available information, and shall deliver a written decision to all parties as promptly as circumstances permit.

11. Notwithstanding any provision of law to the contrary, no tax credits provided under sections 253.545 to 253.559 shall be authorized on or after August 28, 2021. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to such date, or a taxpayer's ability to redeem such tax credits.

**348.250.** Sections 348.250 to 348.275 shall be known and may be cited as the "Missouri Science and Innovation Reinvestment Act".

348.251. 1. As used in sections 348.251 to 348.266, the following terms mean:

(1) "Applicable percentage", six percent for the fiscal year beginning July 1, 2012, and the next fourteen consecutive fiscal years; five percent for the immediately subsequent five fiscal years; and four percent for the immediately subsequent five fiscal years;

(2) "Applied research", any activity that seeks to utilize, synthesize, or apply existing knowledge, information, or resources to the resolution of a specific problem, question, or issue of science and innovation, including but not limited to translational research;

(3) "Base year", fiscal year ending June 30, 2010;

(4) "Base year gross wages", gross wages paid by science and innovation companies to science and innovation employees during fiscal year ending June 30, 2010;

(5) "Basic research", any original investigation for the advancement of scientific or technical knowledge of science and innovation;

(6) "Commercialization", any of the full spectrum of activities required for a new technology, product, or process to be developed from the basic research or conceptual stage through applied research or development to the marketplace, including without limitation, the steps leading up to and including licensing, sales, and service;

(7) "Corporation", the Missouri technology corporation established under this section;

(8) "Fields of applicable expertise", any of the following fields: science and innovation research, development, or commercialization, including basic research and applied research; corporate finance, venture capital, and private equity related to science and innovation; the business and management of science and innovation companies; education related to science and innovation; or civic or corporate leadership in areas related to science and innovation;

(9) "Inherent conflict of interest", a fundamental or systematic conflict of interest that prevents a person from serving as a disinterested director of the corporation and from routinely performing his or her duties as a director of the corporation;

(10) "NAICS industry groups" or "NAICS codes", the North American Industry Classification System developed under the auspices of the United States Office of Management and Budget and adopted in 1997, as may be amended, revised, or replaced by similar classification systems for similar uses from time to time;

(11) "Science and innovation", the use of compositions and methods in research, development, and manufacturing processes for such diverse areas as agriculture-biotechnology, animal health, biochemistry, bioinformatics, energy, environment, forestry, homeland security, information technology, medical devices, medical diagnostics, medical instruments, medical therapeutics, microbiology, nanotechnology, pharmaceuticals, plant biology, and veterinary medicine, including future developments in such areas;

(12) "Science and innovation company", a corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, person, group, or other entity that is:

(a) Engaged in the research, development, commercialization, or business of science and innovation in the state, including, without limitation, research, development, or production directed toward developing or providing science and innovation products, processes, or services for specific commercial or public purposes, including hospitals, nonprofit research institutions, incubators, accelerators, and universities currently located or involved in the research, development, commercialization, or business of science and innovation in the state; or

(b) Identified by the following NAICS industry groups or NAICS codes or any amended or successor code sections covering such areas of research, development, and commercial endeavors: 3251; 3253; 3254; 3391; 51121; 54138; 54171; 62231; 111191; 111421; 111920; 111998; 311119; 311211; 311221; 311222; 311223; 325193; 325199; 325221; 325222; 325611; 325612; 325613; 325311; 325312; 325314; 325320; 325411; 325412; 325414; 333298; 334510; 334516; 334517; 339111; 339112; 339113; 339114; 339115; 339116; 424910; 541710; 621511; and 621512.

Each of the above listed four-digit and five-digit codes shall include all six-digit codes in such four-digit and five-digit industry; however, each six-digit code shall stand alone and not indicate the inclusion of other omitted six-digit codes that also are subsets of the pertinent four-digit or five-digit industry to which the included six-digit code belongs;

(13) "Science and innovation employee", any employee, officer, or director of a science and innovation company who is a state income taxpayer and any employee of a university who is associated with or supports the research, development, commercialization, or business of science and technology in the state and is obligated to pay state income tax to the state;

(14) "Technology application", the introduction and adaptation of refined management practices in fields such as scheduling, inventory management, marketing, product development, and training in order to improve the quality, productivity and profitability of an existing firm. Technology application shall be considered a component of business modernization;

[(2) "Technology commercialization", the process of moving investment-grade technology from a business, university or laboratory into the marketplace for application;

(3)] (15) "Technology development", strategically focused research directed at developing investment-grade technologies which are important for market competitiveness.

2. The governor may, on behalf of the state and in accordance with chapter 355, RSMo, establish a private not-for-profit corporation named the "Missouri Technology Corporation", to carry out the provisions of sections 348.251



to 348.266. As used in sections [348.251 to 348.266] **348.250 to 348.275** the word "corporation" means the Missouri technology corporation authorized by this section. Before certification by the governor, the corporation shall conduct a public hearing for the purpose of giving all interested parties an opportunity to review and comment [upon] **on** the articles of incorporation, bylaws and [method] **methods** of operation of the corporation. Notice of the hearing shall be given at least fourteen days prior to the hearing.

348.256. **1.** The articles of incorporation [and], bylaws, **and methods of operation** of the Missouri technology corporation shall [provide that:] **be consistent with the provisions of sections 348.250 to 348.275.**

[(1)] **2.** The purposes of the corporation are to contribute to the strengthening of the economy of the state through the development of science and [technology] **innovation**, to promote the modernization of Missouri businesses by supporting the transfer of science, technology and quality improvement methods to the workplace[, and]; to enhance the productivity and modernization of Missouri businesses by providing leadership in the establishment of methods of technology application, technology commercialization and technology development; **to make Missouri businesses, institutions, and universities more competitive and increase their likelihood of success; to support and enhance local and regional strategies and initiatives that capitalize on the unique science and innovation assets across the state; to make Missouri a highly desirable state in which to conduct, facilitate, support, fund, and perform science and innovation research, development, and commercialization; to facilitate and effect the creation, attraction, retention, growth, and enhancement of both existing and new science and innovation companies in the state; to make Missouri a national and international leader in economic activity based on science and innovation; to enhance workforce development; to create and retain quality jobs; to advance scientific knowledge; and to improve the quality of life for the citizens of the state of Missouri in both urban and rural communities.**

[(2)] **3.** The board of directors of the corporation [is] **shall be** composed of fifteen persons. The governor shall annually appoint one of its members, who must be from the private sector, as [chairman] **chairperson**. The board shall consist of the following members:

- [(a)] **(1)** The director of the department of economic development, or the director's designee;
- [(b)] **(2)** The president of the University of Missouri system, or the president's designee;
- [(c)] **(3)** A member of the state senate, appointed by the president pro tem of the senate;
- [(d)] **(4)** A member of the house of representatives, appointed by the speaker of the house;
- [(e)] **(5)** Eleven members appointed by the governor, [two of which shall be from the public sector and nine members from the private sector who shall include, but shall not be limited to, individuals who represent technology-based businesses and industrial interests;

**(f) with the advice and consent of the senate, who are recognized for outstanding knowledge, leadership, and expertise in one or more of the fields of applicable expertise.**

Each of the directors of the corporation who is appointed by the governor shall serve for a term of four years and until a successor is duly appointed[; except that, of the directors serving on the corporation as of August 28, 1995, three directors shall be designated by the governor to serve a term of four years, three directors shall be designated to serve a term of three years, three directors shall be designated to serve a term of two years, and two directors shall be designated to serve a term of one year. Each director shall continue to serve until a successor is duly appointed by the governor;

**(3)** The corporation may receive money from any source, may borrow money, may enter into contracts, and may expend money for any activities appropriate to its purpose;

**(4)** The corporation may appoint staff and do all other things necessary or incidental to carrying out the functions listed in section 348.261;

**(5)].**

**4.** Any changes in the articles of incorporation or bylaws must be approved by the governor[;].

[(6)] The corporation shall submit an annual report to the governor and to the Missouri general assembly. The report shall be due on the first day of November for each year and shall include detailed information on the structure, operation and financial status of the corporation. The corporation shall conduct an annual public hearing to receive comments from interested parties regarding the report, and notice of the hearing shall be given at least fourteen days prior to the hearing; and

**(7)] 5.** **At the discretion of the state auditor**, the corporation is subject to an [annual] audit [by the state auditor] and [that] the corporation shall bear the full cost of the audit.

**6. Each of the directors of the corporation provided for in subdivisions (1) and (2) of subsection 3 of this section shall remain a director until the designating individual specified in such subdivisions designates a replacement by sending a written communication to the governor and the chairperson of the board of the**

corporation; provided however, that if the director of economic development or the president of the University of Missouri system designates himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the director of economic development or as the president of the University of Missouri system. Each of the directors of the corporation provided for in subdivisions (3) and (4) of subsection 3 of this section shall remain a director until the appointing member of the general assembly specified in such subdivisions appoints a replacement by sending a written communication to the governor and the chairperson of the corporation board; provided however, that if the speaker of the house or the president pro tem of the senate appoints himself or herself to the corporation board, such person's service as a corporation director shall cease immediately when that person no longer serves as the speaker of the house or the president pro tem of the senate.

7. Each of the eleven members of the board appointed by the governor shall:

(1) Hold office for the term of appointment and until the governor duly appoints his or her successor; provided that if a vacancy is created by the death, permanent disability, resignation, or removal of a director, such vacancy shall become immediately effective;

(2) Be eligible for reappointment, but members of the board shall not be eligible to serve more than two consecutive four-year terms and shall not be reappointed to the board until they have not served on the board for a period of at least four interim years;

(3) Not have a known inherent conflict of interest at the time of appointment; and

(4) Not have served in an elected office or a cabinet position in state government for a period of two years prior to appointment, unless otherwise provided in this section.

8. Any member of the board may be removed by affirmative vote of eleven members of the board for malfeasance or misfeasance in office, regularly failing to attend meetings, failure to comply with the corporation's conflicts of interest policy, conviction of a felony, or for any cause that renders the member incapable of or unfit to discharge the duties of a director of the corporation.

9. The board shall meet at least four times per year and at such other times as it deems appropriate, or upon call by the president or the chairperson, or upon written request of a majority of the directors of the board. Unless otherwise restricted by Missouri law, the directors may participate in a meeting of the board by means of telephone conference or other electronic communications equipment whereby all persons participating in the meeting can communicate clearly with each other, and participation in a meeting in such manner will constitute presence in person at such meeting.

10. A majority of the total voting membership of the board shall constitute a quorum for meetings. The board may act by a majority of those at any meeting where a quorum is present, except upon such issues as the board may determine shall require a vote of more members of the board for approval or as required by law. All resolutions and orders of the board shall be recorded and authenticated by the signature of the secretary or any assistant secretary of the board.

11. Members of the board shall serve without compensation. Members of the board attending meetings of the board, or attending committee or advisory meetings thereof, shall be paid mileage and all other applicable expenses, provided that such expenses are reasonable, consistent with policies established from time to time by the board, and not otherwise inconsistent with law.

12. The board may adopt, repeal, and amend such articles of incorporation, bylaws, and methods of operation that are not contrary to law or inconsistent with sections 348.250 to 348.275, as it deems expedient for its own governance and for the governance and management of the corporation and its committees and advisory boards; provided that any changes in the articles of incorporation or bylaws approved by the board must also be approved by the governor.

13. A president shall direct and supervise the administrative affairs and the general management of the corporation. The president shall be a person of national prominence that has expertise and credibility in one or more of the fields of applicable expertise with a demonstrated track record of success in leading a mission-driven organization. The president's salary and other terms and conditions of employment shall be set by the board. The board may negotiate and enter into an employment agreement with the president of the corporation, which may provide for compensation, allowances, benefits, and expenses. The president of the corporation shall not be eligible to serve as a member of the board until two years after the end of his or her employment with the corporation. The president of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

14. The corporation may employ such employees as it may require and upon such terms and conditions as it may establish that are consistent with state and federal law. The corporation may establish personnel,

payroll, benefit, and other such systems as authorized by the board, and provide death and disability benefits. Corporation employees, including the president, shall be considered state employees for the purposes of membership in the Missouri state employees' retirement system and the Missouri consolidated health care plan. Compensation paid by the corporation shall constitute pay from a department for purposes of accruing benefits under the Missouri state employees' retirement system. The corporation may also adopt, in accordance with requirements of the federal Internal Revenue Code of 1986, as amended, a defined contribution plan sponsored by the corporation with respect to employees, including the president, employed by the corporation. Nothing in sections 348.250 to 348.275 shall be construed as placing any officer or employee of the corporation or member of the board in the classified or the unclassified service of the state of Missouri under Missouri laws and regulations governing civil service. No employee of the corporation shall be eligible to serve as a member of the board until two years immediately following the end of his or her employment with the corporation. All employees of the corporation shall be bound by, and agree to obey, the corporation's conflicts of interest policy, including annually completing and submitting to the board a disclosure and compliance certificate in accordance with such conflicts of interest policy.

15. No later than the first day of January each year, the corporation shall submit an annual report to the governor and to the Missouri general assembly which the corporation may contract with a third party to prepare and which shall include:

(1) A complete and detailed description of the operating and financial conditions of the corporation during the prior fiscal year;

(2) Complete and detailed information about the distributions from the Missouri science and innovation reinvestment fund and from any income of the corporation;

(3) Information about the growth of science and innovation research and industry in the state;

(4) Information regarding financial or performance audits performed in such year, including any recommendations with reference to additional legislation or other action that may be necessary to carry out the purposes of the corporation; and

(5) Whether or not the corporation made any distribution during the prior fiscal year to a research project or other project for which a report shall be filed under subsection 4 of section 38(d) of article III of the Constitution of the State of Missouri. If such a distribution was made, the corporation shall disclose in the annual report the amount of the distribution, the recipient of the distribution, and the project description.

16. The corporation shall keep its books and records in accordance with generally accepted accounting procedures. Within four months following the end of each fiscal year, the corporation shall cause a firm of independent certified public accountants of national repute to conduct and deliver to the board an audit of the financial statements of the corporation and an opinion thereon, to be conducted in accordance with generally accepted audit standards, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

17. Within four months following the end of every odd numbered fiscal year, beginning with fiscal year 2016, the corporation shall cause an independent firm of national repute that has expertise in science and innovation research and industry to conduct and deliver to the board an evaluation of the performance of the corporation for the prior two fiscal years, including detailed recommendations for improving the performance of the corporation, provided, however, that this section shall be inapplicable if the board of directors of the corporation determines that insufficient funds have been appropriated to pay for the costs of compliance with these requirements.

18. The corporation shall provide the state auditor a copy of the financial and performance evaluations prepared under subsections 16 and 17 of this section.

19. The corporation shall have perpetual existence until an act of law expressly dissolves the corporation; provided that no such law shall take effect so long as the corporation has obligations or bonds outstanding unless adequate provision has been made for the payment or retirement of such debts or obligations. Upon any such dissolution of the corporation, all property, funds, and assets thereof shall be vested in the state.

20. Except as provided under section 348.266, the state hereby pledges to, and agrees with, recipients of corporation funding or beneficiaries of corporation programs under sections 348.250 to 348.275 that the state shall not limit or alter the rights vested in the corporation under sections 348.250 to 348.275 to fulfill the terms of any agreements made or obligations incurred by the corporation with or to such third parties, or in any way impair the rights and remedies of such third parties until the obligations of the corporation and the state are fully met and discharged in accordance with sections 348.250 to 348.275.

21. The corporation shall be exempt from:

- (1) Any general ad valorem taxes upon any property of the corporation acquired and used for its public purposes;
- (2) Any taxes or assessments upon any projects or upon any operations of the corporation or the income therefrom;
- (3) Any taxes or assessments upon any project or any property or local obligation acquired or used by the corporation under the provisions of sections 348.250 to 348.275, or upon income therefrom.

Purchases by the corporation to be used for its public purposes shall not be subject to sales or use tax under chapter 144. The exemptions hereby granted shall not extend to persons or entities conducting business on the corporations' property for which payment of state and local taxes would otherwise be required.

22. No funds of the corporation shall be distributed to its employees or members of the board; except that, the corporation may make reasonable payments for expenses incurred on its behalf relating to any of its lawful purposes and the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to, or for, its benefit relating to any of its lawful purposes, including to pay its employees reasonable compensation.

23. The corporation shall adopt and maintain a conflicts of interest policy to protect the corporation's interests by requiring disclosure by an interested party, appropriate recusal by such person, and appropriate action by the interested party or the board where a conflict of interest may exist or arise between the corporation and a director, officer, employee, or agent of the corporation.”; and

Further amend said bill, 348.265 and 348.269, Pages 72-73, by striking all of said sections from the bill and inserting in lieu thereof the following:

“348.265. 1. As soon as practicable after August 28, 2011, the director of the department of economic development, with the assistance of the director of the department of revenue, shall establish the base year gross wages and report the amount of the base year gross wages to the president and board of the corporation, the governor, and the general assembly. Within one hundred eighty days after the end of each fiscal year beginning with the fiscal year ending June 30, 2011, and for each subsequent fiscal year prior to the end of the last funding year, the director of economic development, with the assistance of the director of the department of revenue, shall determine and report to the president and board of the corporation, governor, and general assembly the amount by which aggregate science and innovation employees' gross wages for the fiscal year exceeds the base year gross wages. The director of economic development and the director of the department of revenue may consider any verifiable evidence, including but not limited to the NAICS codes assigned or recorded by the United States Department of Labor for companies with employees in the state, when determining which organizations should be classified as science and innovation companies.

2. Notwithstanding section 23.250 to the contrary, for each of the twenty-five funding years, beginning July 1, 2012, subject to appropriation, the director of revenue shall transfer to the Missouri science and innovation reinvestment fund an amount not to exceed an amount equal to the product of the applicable percentage multiplied by an amount equal to the increase in aggregate science and innovation employees' gross wages for the prior fiscal year, over the base year gross wages. The director of revenue may make estimated payments to the Missouri science and innovation reinvestment fund more frequently based on estimates provided by the director of revenue and reconciled annually.

3. Local political subdivisions may contribute to the Missouri science and innovation reinvestment fund through a grant, contract, or loan by dedicating a portion of any sales tax or property tax increase resulting from increases in science and innovation company economic activity occurring after August 28, 2011, or other such taxes or fees as such local political subdivisions may establish.

4. Funding generated by the provisions of this section shall be expended by the corporation to further its purposes as specified in section 348.256.

5. Upon enactment of this section, the corporation shall prepare a strategic plan for the use of the funding to be generated by the provisions of this section, and may consult with science and innovation partners, including, but not limited to the research alliance of Missouri, as established in section 348.257; the life sciences research board established in section 196.1103; and the innovation centers or centers for advanced technology, as established in section 348.272. The corporation shall make a draft strategic plan available for public comment prior to publication of the final strategic plan.

**348.269. 1. Nothing contained in sections 348.250 to 348.275 shall be construed as a restriction or limitation upon any powers that the corporation might otherwise have under chapter 355, and the provisions of sections 348.250 to 348.275 are cumulative to such powers.**

**2. Nothing in sections 348.250 to 348.275 shall be construed as allowing the board to sell the corporation or substantially all of the assets of the corporation, or to merge the corporation with another institution, without prior authorization by the general assembly.**

**3. Notwithstanding the provisions of section 23.253 to the contrary, the provisions of sections 348.250 to 348.275 shall not sunset.**

**4. The provisions of sections 348.250 to 348.275 shall not terminate before the satisfaction of all outstanding obligations, notes, and bonds provided for under sections 348.250 to 348.275.**

**5. If any provision of this Act or the application thereof is held invalid, the invalidity shall not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable. Insofar as the provisions of sections 348.250 to 348.275 are inconsistent with the provisions of any other law, general, specific or local, the provisions of sections 348.250 to 348.275 shall be controlling.”; and**

Further amend said bill, Sections 447.708, 620.1878, 620.1881, 620.1900, and 620.2300, Pages 75-98, by striking all of said sections and inserting in lieu thereof the following:

“447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month

period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, **backfill of areas where contaminated soil excavation occurs**, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality

which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 to [6] 5 of section 135.250. The director of the department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership. The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

**12. For each fiscal year beginning on or after July 1, 2011, the total amount of tax credits authorized under the provisions of sections 447.700 to 447.718 shall not exceed forty million dollars. No more than a total of ten million dollars in tax credits authorized under the provisions of sections 447.700 to 447.718 shall be authorized in any fiscal year for projects which receive benefits under the provisions of section 99.1205.**

620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

- (1) "Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;
- (2) "Average wage", the new payroll divided by the number of new jobs;
- (3) "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the approval;
- (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;
- (5) "Department", the Missouri department of economic development;
- (6) "Director", the director of the department of economic development;
- (7) "Employee", a person employed by a qualified company;



(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) "High-impact project", a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

(11) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(12) **"New capital investment", shall include funds spent by the qualified company at the project facility after the approval of the notice of intent for real or personal property, and may include the present value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after approval of the notice of intent;**

(13) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

[(13)] (14) "New investment", the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;

[(14)] (15) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

[(15)] (16) "New payroll", the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;

[(16)] (17) "Notice of intent", a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company's intent to hire new jobs and request benefits under this program;

[(17)] (18) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

[(18)] (19) "Program", the Missouri quality jobs program provided in sections 620.1875 to 620.1890;

[(19)] (20) "Project facility", the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within fifteen miles of each other or within the same county such that their purpose and operations are interrelated;

[(20)] (21) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

[(21)] (22) "Project facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(22)] (23) "Project period", the time period that the benefits are provided to a qualified company;

[(23)] (24) **"Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;**

(25) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.1875 to 620.1890, the term "qualified company" shall not include:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Retail trade establishments (NAICS sectors 44 and 45);
- (c) Food and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;
- (f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy between January 1, 2009, and December 31, 2009, may be a qualified company provided that such company:
  - a. Certifies to the department that it plans to reorganize and not to liquidate; and
  - b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;
- (g) Educational services (NAICS sector 61);
- (h) Religious organizations (NAICS industry group 8131);
- (i) Public administration (NAICS sector 92);
- (j) Ethanol distillation or production; or
- (k) Biodiesel production. Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

[(24)] (26) "Qualified renewable energy sources" shall not be construed to include ethanol distillation or production or biodiesel production; however, it shall include:

- (a) Open-looped biomass;
- (b) Close-looped biomass;
- (c) Solar;
- (d) Wind;
- (e) Geothermal; and
- (f) Hydropower;

[(25)] (27) "Related company" means:

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
- (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

[(26)] (28) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;

[(27)] (29) "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

[(28)] (30) "Related facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(29)] (31) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

[(30)] (32) "Small and expanding business project", a qualified company that within two years of the date of the approval creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty new jobs if the project facility is not located in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(31)] (33) "Tax credits", tax credits issued by the department to offset the state income taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

[(32)] (34) "Technology business project", a qualified company that within two years of the date of the approval creates a minimum of ten new jobs involved in the operations of a company:

(a) Which is a technology company, as determined by a regulation promulgated by the department under the provisions of section 620.1884 or classified by NAICS codes;

(b) Which owns or leases a facility which produces electricity derived from qualified renewable energy sources, or produces fuel for the generation of electricity from qualified renewable energy sources, but does not include any company that has received the alcohol mixture credit, alcohol credit, or small ethanol producer credit pursuant to 26 U.S.C. Section 40 of the tax code in the previous tax year;

(c) Which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices; or

(d) Which is a clinical molecular diagnostic laboratory focused on detecting and monitoring infections in immunocompromised patient populations;

[(33)] (35) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under [subdivision (19) of] section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level

applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this [subdivision] **subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision [(33)] **(35)** of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development;

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, 2013;

**(5) (a) Job retention projects: In lieu of the benefits provided under subdivision (4) of this subsection and in exchange for the consideration provided by the tax revenues and other economic stimuli that will be generated by the retention of jobs and the making of new capital investment in this state, a qualified company may be eligible to receive the benefits described in this subdivision if the department determines that there is a significant probability that the qualified company would relocate to another state in the absence of the benefits authorized under this subdivision.**

**(b) A qualified company meeting the requirements of this subdivision may be authorized to retain an amount not to exceed one hundred percent of the withholding tax from full-time jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, for a period of ten years if the average wage of the retained jobs equals or exceeds ninety percent of the county average wage. In order to receive benefits under this subdivision, a qualified company shall enter into written agreement with the department containing detailed performance requirements and repayment penalties in event of nonperformance. The amount of benefits awarded to a qualified company under this subdivision and subdivision (6) of this subsection shall not exceed the projected net fiscal benefit and shall not exceed the least amount necessary to obtain the qualified company's commitment to retain the necessary number of jobs and make the required new capital investment.**

**(c) In order to be eligible to receive benefits under this subdivision, the qualified company shall meet each of the following conditions:**

**a. The qualified company shall agree to retain, for a period of ten years from the date of approval, at least one hundred and twenty-five retained jobs; and**

**b. The qualified company shall agree to make a new capital investment at the project facility within three years of the approval in an amount at least three times the amount of the benefits, available under this subdivision, which are offered to the qualified company by the department.**

**(d) In awarding benefits under this subdivision, the department shall consider the following factors:**

**a. The significance of the qualified company's need for program benefits;**

b. The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

c. The overall size and quality of the proposed project, including the number of new jobs, new capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

d. The financial stability and creditworthiness of the qualified company;

e. The level of economic distress in the area;

f. An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and

g. The percent of local incentives committed;

(e) Upon approval of a notice of intent to request benefits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of retained jobs, payroll, and new capital investment for each year during the project period;

b. Clawback provisions, as may be required by the department; and

c. Any other provisions the department may require.

(f) In no event shall the total amount of benefits available to all qualified companies under this subdivision exceed:

a. Three million dollars for the fiscal year beginning on or after July 1, 2011, and ending on or before June 30, 2012;

b. Four million dollars for the fiscal year beginning on or after July 1, 2012, and ending on or before June 30, 2013;

c. Five million dollars for the fiscal year beginning on or after July 1, 2013, and ending on or before June 30, 2014; and

d. Six million dollars for all fiscal years beginning on or after July 1, 2014.

(6) (a) The department may award a qualified company meeting the requirements of subdivision (5) of this subsection tax credits in an amount not to exceed eighty percent of the amount the qualified company may otherwise be eligible to retain for a period of five years under subdivision (5) of this subsection.

(b) In addition to satisfying each of the requirements of subdivision (5) of this subsection, a qualified company requesting tax credits under this subdivision shall provide to the department, prior to approval, evidence of commitments for the financing of any applicable new capital investment. The new capital investment shall be made at the project facility within two years of the date of approval.

(c) Upon approval of a notice of intent to request tax credits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of jobs, payroll, and new capital investment for each year during the project period;

b. The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval;

c. Penalties, including the recapture of tax credits awarded under this subdivision, for failure to satisfy the requirements provided under this subdivision and subdivision (5) of this subsection; and

d. Any other provisions the department may require.

(d) No later than October 1, 2011, and the first day of October each year thereafter, the department shall provide to the budget committee of the house of representatives and the appropriations committee of the senate a request for an appropriation for the tax credits authorized under this subdivision. Appropriations made under the provisions of this subdivision shall provide the amount of tax credits which may be authorized during the fiscal year immediately following the fiscal year in which such appropriation is made. Appropriations provided under this subdivision shall only be made in the annual appropriation bill relating to public debt.

(e) No tax credits shall be authorized under the provisions of this subdivision, unless an appropriation is made under the provisions of paragraph (d) of this subdivision. In any fiscal year for which an appropriation is made under the provisions of paragraph (d) of this subdivision, no more than the amount of tax credits so appropriated shall be authorized. There is hereby created in the state treasury the "Missouri Quality Jobs Retention Tax Credit Program Fund", which shall consist of money appropriated under this subsection. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this subdivision. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in

**the fund for tax credits which have been authorized but not yet redeemed at the end of the fiscal year shall not revert to the credit of the general revenue fund. Any moneys remaining in the fund at the end of the fiscal year for any tax credits which remain unauthorized at the end of the fiscal year shall revert to the credit of the general revenue fund. Provisions of section 32.057 to the contrary notwithstanding, the department of revenue shall notify the director of the department upon redemption of each tax credit authorized under the provisions of this subdivision. Upon such notification, an amount equal to the tax credits redeemed shall be transferred from the fund created in this subdivision to the general revenue fund. In the event the department determines that any tax credit authorized under this subsection is precluded from being redeemed due to contractual agreement entered into by the department and the tax credit applicant or is otherwise precluded by law from being redeemed, an amount equal to such tax credit shall be transferred from the fund created in this subdivision to the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the general revenue fund at the end of each fiscal year.**

(7) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially

filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.



**620.2300. 1. As used in this section, the following terms shall mean:**

- (1) "Department", the Missouri department of economic development;**
- (2) "Biomass facility", a biomass renewable energy facility or biomass fuel production facility that will not be a major source for air quality permitting purposes;**
- (3) "Commission", the Missouri public service commission;**
- (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any project that is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**
- (5) "Full-time employee", an employee of the project facility that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the employer offers health insurance and pays at least fifty percent of such insurance premiums;**
- (6) "Major source", the same meaning as is provided under 40 CFR 70.2;**
- (7) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. An employee that spends less than fifty percent of the employee's work time at the project facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;**
- (8) "Park", an area consisting of a parcel or tract of land, or any combination of parcels or contiguous land that meet all of the following requirements:**
  - (a) The area consists of at least fifty contiguous acres;**
  - (b) The property within the area is subject to remediation under a clean up program supervised by the Missouri department of natural resources or United States Environmental Protection Agency;**
  - (c) The area contains a manufacturing facility that is closed, undergoing closure, idle, underutilized, or curtailed and that at one time employed at least two hundred employees;**
  - (d) The development plan for the area includes a biomass facility; and**
  - (e) Property located within the area will be used for the development of renewable energy and the demonstration of industrial on-site energy generation;**
- (9) "Project", a cleanfields renewable energy demonstration project located within a park that will result in the creation of at least fifty new jobs and the retention of at least fifty existing jobs;**
- (10) "Project application", an application submitted to the department, by an owner of all or a portion of a park, on a form provided by the department, requesting benefits provided under this section;**
- (11) "Project facility", a biomass facility at which the new jobs will be located. A project facility may include separate buildings that are located within fifty miles of each other or within the same county such that their purpose and operations are interrelated;**
- (12) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the project application or for the twelve-month period prior to the date of the project application, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the project application.**

**2. The owner of a park seeking to establish a project shall submit a project application to the department for certification of such project. The department shall review all project applications received under this section and, in consultation with the department of natural resources, verify satisfaction of the requirements of this section. If the department approves a project application, the department shall forward such application and approval to the commission.**

**3. Notwithstanding provisions of section 393.1030 to the contrary, upon receipt of an application and approval from the department, the commission shall assign double credit to any electric power, renewable energy, renewable energy credits, or any successor credit generated from:**

- (1) Renewable energy resources purchased from the biomass facility located in the park by an electric power supplier;**

(2) **Electric power generated off-site by utilizing biomass fuel sold by the biomass facility located at the park; or**

(3) **Electric power generated off-site by renewable energy resources utilizing storage equipment manufactured at the park that increases the quantity of electricity delivered to the electric power supplier.”; and**

Further amend said bill, Section 1, Page 98, Line 3, by inserting the following after all of said line:

“[348.253. 1. The Missouri technology corporation may contract with not-for-profit organizations to carry out the provisions of sections 348.251 to 348.275. By entering into such contracts, the corporation shall attempt to achieve the following objectives:

(1) The establishment of a research alliance which shall advance technology development, as defined in subdivision (3) of section 348.251. The corporation, in this capacity, shall have the authority to contract directly with centers for advanced technology, as established by section 348.272, and other not-for-profit entities. In proceeding with this objective, the corporation and centers for advanced technology shall utilize the results of targeted industry studies commissioned by the department of economic development;

(2) Technology commercialization, as defined in subdivision (2) of section 348.251;

(3) The establishment of a finance corporation to assist in the implementation of section 348.261; and

(4) The enhancement of technology application, as defined in subdivision (1) of section 348.251.

2. Any contract signed between the corporation and any not-for-profit organization, including innovation centers as defined in section 348.271, shall require that the not-for-profit organization must provide at least one-hundred-percent match for any funding received from the corporation through the technology investment fund, as established in section 348.264.]”; and

Further amend said bill, Section B, Page 98, Line 9, by inserting the following after all of said line:

“Section C. As provided in section 1.140, the provisions of every section in this act are severable. If any provision of any section in this act is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of the act are valid unless the court finds the valid provisions of the act are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed the legislature would have enacted the valid provisions without the void one; or unless the court finds that the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Webber offered **House Amendment No. 1 to House Amendment No. 2.**

Representative Jones (89) raised a point of order that **House Amendment No. 1 to House Amendment No. 2** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Diehl offered **House Amendment No. 2 to House Amendment No. 2.**

*House Amendment No. 2*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 100, Page 20, Line 22, by deleting the word, “**evident**”; and inserting the word, “**event**”; and

Further amend said amendment, Page 48, Line 35, by deleting the number, “**eighty-five**” and inserting in lieu thereof the number, “**ninety-five**”; and

Further amend said amendment, Page 49, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the words, “**carried forward under the provisions of section 253.559.**”; and

Further amend said amendment, Page 49, Lines 21-22, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2 to House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Hough	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Long	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 035

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Harris	Jones 63
Kander	Kirkton	Kratky	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Webber

PRESENT: 006

Fallert	Hummel	Meadows	Quinn	Shively
Swinger				

ABSENT WITH LEAVE: 026

Aull	Black	Cierpiot	Cookson	Cross
Ellinger	Fitzwater	Funderburk	Holsman	Houghton
Hughes	Kelly 24	Lasater	Loehner	Marshall
Nasheed	Pollock	Riddle	Sater	Schieffer
Schneider	Taylor	Torpey	Wallingford	Walton Gray
Webb				

VACANCIES: 004

On motion of Representative Talboy, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Zerr, **HCS#2 SCS SB 100, as amended**, was adopted.

On motion of Representative Zerr, **HCS#2 SCS SB 100, as amended**, was read the third time and passed by the following vote:

AYES: 110

Asbury	Barnes	Bernskoetter	Berry	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Elmer	Entlicher	Fallert	Fisher	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieffer	Schoeller	Sifton
Silvey	Smith 150	Solon	Still	Stream
Swearingen	Talboy	Thomson	Torpey	Webber
Weter	White	Wright	Zerr	Mr Speaker

NOES: 035

Atkins	Bahr	Brattin	Carter	Curtman
Dugger	Fitzwater	Franklin	Harris	Hodges
Hummel	Jones 63	Kirkton	Koenig	Leach
Marshall	May	McManus	Nichols	Oxford

## 2703 *Journal of the House*

Pace	Pierson	Quinn	Schieber	Schupp
Shively	Shumake	Smith 71	Spreng	Swinger
Taylor	Wallingford	Wells	Wieland	Wyatt

PRESENT: 002

Allen	Anders
-------	--------

ABSENT WITH LEAVE: 012

Aull	Black	Ellinger	Holsman	Hughes
Lasater	Nasheed	Pollock	Sater	Schneider
Walton Gray	Webb			

VACANCIES: 004

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 118

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieffer	Schneider	Schoeller
Schupp	Shumake	Sifton	Silvey	Smith 150
Solon	Still	Stream	Talboy	Thomson
Torpey	Webber	Wells	Weter	White
Wright	Zerr	Mr Speaker		

NOES: 029

Atkins	Brattin	Carter	Casey	Fitzwater
Harris	Hodges	Jones 63	Kirkton	Leach
Marshall	May	McDonald	McManus	Nichols
Oxford	Pace	Pierson	Quinn	Schieber
Shively	Smith 71	Spreng	Swearingen	Swinger
Taylor	Wallingford	Wieland	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Black	Colona	Ellinger	Holsman
Hughes	Lasater	Nasheed	Pollock	Sater
Walton Gray	Webb			

VACANCIES: 004

Representative Silvey assumed the Chair.

## HOUSE BILLS WITH SENATE AMENDMENTS

**SS#2 SCS HCS HB 111, as amended**, relating to judicial procedures, was taken up by Representative Cox.

Speaker Tilley resumed the Chair.

On motion of Representative Cox, **SS#2 SCS HCS HB 111, as amended**, was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

## 2705 *Journal of the House*

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Aull	Black	Diehl	Ellinger	Funderburk
Haefner	Holsman	Hughes	Lasater	Nasheed
Oxford	Sater	Schneider	Spreng	Walton Gray
Webb				

VACANCIES: 004

On motion of Representative Cox, **SS#2 SCS HCS HB 111, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Taylor

PRESENT: 000

ABSENT WITH LEAVE: 019

Aull	Black	Brown 50	Carter	Denison
Diehl	Ellinger	Funderburk	Hughes	Lasater

Lichtenegger	Nasheed	Pierson	Sater	Schneider
Spreng	Walton Gray	Webb	Webber	

VACANCIES: 004

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Cauthorn
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Nance	Neth	Newman	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Swinger	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Conway 27	Marshall	Smith 71	Swearingen
-----------	----------	----------	------------

PRESENT: 000

ABSENT WITH LEAVE: 032

Aull	Black	Brown 50	Carter	Casey
Cierpiot	Diehl	Ellinger	Funderburk	Grisamore
Holsman	Hughes	Jones 63	Jones 117	Kirkton
Lasater	May	McGeoghegan	Montecillo	Nasheed
Nichols	Oxford	Quinn	Sater	Scharnhorst
Schneider	Schupp	Spreng	Talboy	Taylor
Walton Gray	Webb			

VACANCIES: 004



**SS SCS HCS HB 555, as amended**, relating to individuals with disabilities, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **SS SCS HCS HB 555, as amended**, was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Jones 117

PRESENT: 000

ABSENT WITH LEAVE: 014

Aull	Black	Diehl	Ellinger	Funderburk
Hughes	Lasater	Nasheed	Oxford	Sater
Schneider	Spreng	Walton Gray	Webb	

VACANCIES: 004

On motion of Representative Grisamore, **SS SCS HCS HB 555, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Black	Diehl	Ellinger	Funderburk
Hughes	Lasater	Nasheed	Sater	Schneider
Walton Gray	Webb			

VACANCIES: 004

Speaker Tilley declared the bill passed.

## BENEDICTION

The Benediction was given by Msgr. Robert A. Kurwicky.

Almighty and ever loving God, we humbly stand before You tonight as this session of the Missouri House of Representatives has come to its peaceful conclusion for the year. We express as a chamber our gratitude to You for Your graces, favors, and mercies granted unto us, our staffs, our families and our state.

We acknowledge also our thanks for all the lessons learned, both on and off the floor, of how government works and serves. For the friendships formed, we ask Your blessings; for the relationships broken, we beg for healing.

Finally, fill us with a sense of satisfaction, comfort for the tasks accomplished, and blessings and safety as we travel home. And the House says, "Amen!"

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 8:00 a.m., Thursday, May 26, 2011.

## CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Seventy-first Day, Thursday, May 12, 2011, Page 2455, Line 11, by deleting "**SB**" and inserting in lieu thereof "**HB**".

# AFFIDAVIT

I, State Representative Michael Brown, District 50, hereby state and affirm that my vote as recorded on Page 2242 of the Journal of the House for Tuesday, May 10, 2011, to third read and pass House Committee Substitute for Senate Substitute for Senate Bill No. 202, as amended, was incorrectly recorded as Aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2011.

/s/ Michael Brown  
State Representative

State of Missouri )  
 ) ss.  
County of Cole )

Subscribed and sworn to before me this 13th day of May in the year 2011.

/s/ Patricia G. Pleus  
Notary Public

# JOURNAL OF THE HOUSE

First Regular Session, 96th GENERAL ASSEMBLY

---

SEVENTY-THIRD DAY, THURSDAY, MAY 26, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## SIGNING OF HOUSE CONCURRENT RESOLUTION

All other business of the House was suspended while **HCR 37** was read at length and, there being no objections, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCR 37** was delivered to the Governor by the Chief Clerk of the House.

## SIGNING OF HOUSE JOINT RESOLUTION

All other business of the House was suspended while **HJR 2** was read at length and, there being no objections, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HJR 2** was delivered to the Secretary of State by the Chief Clerk of the House.

## SIGNING OF HOUSE BILLS

All other business of the House was suspended while **CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, CCS SCS HCS HB 13, SCS HCS HB 17, SCS HCS HB 18, SCS HCS HB 21, SCS HCS HB 22, SCS HCS HB 38, SS SCS HCS HB 45, HB 68, HCS HB 70, SS SCS HCS HBs 73 & 47, HCS HB 83, SS#2 SCS HCS HB 89, CCS SCS HB 101, HB 109, SS#2 SCS HCS HB 111, HCS HB 136, SS SCS HB 137, CCS SCS HB 142, SCS HB 149, HB 151, SS SCS HCS HB 161, HB 183, SS SCS HB 184, SCS HB 186, HB 190, HCS HB 197, HB 199, HB 204, SS HCS HB 213, SCS HCS HB 214, HB 217, HCS HB 220, HCS HBs 223 & 231, HB 229, HCS HB 250, SCS HB 256, HB 260, SS SCS HCS HB 265, SCS HB 270, SS SCS HB 282, SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, SCS HCS HBs 300, 334 & 387, SCS HB 307 and**

**HB 812, HCS HB 315, SS HCS HB 338, SS HB 339, HB 340, SCS HCS HB 344, SCS HB 388, HCS HB 407, SCS HCS HB 412, HB 423, CCS SS SCS HCS HB 430, SS SCS HCS HB 431, CCS SS HB 458, SCS HCS HB 464, HCS HB 465, SS SCS HCS HBs 470 & 429, HB 484, HB 499, SCS HCS HB 506, HB 550, SCS HCS HB 552, SS SCS HCS HB 555, SCS HCS HB 578, SCS HB 591, SS SCS HCS HB 604, SCS HCS HB 631, SCS HCS HB 641, SS#2 HB 648, SCS HB 661, SS SCS HCS HB 664, HB 667, HB 675, SCS HB 737, SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 and HB 813 and SCS HB 1008** were read at length and, there being no objections, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, CCS SCS HCS HB 13, SCS HCS HB 17, SCS HCS HB 18, SCS HCS HB 21, SCS HCS HB 22, SCS HCS HB 38, SS SCS HCS HB 45, HB 68, HCS HB 70, SS SCS HCS HBs 73 & 47, HCS HB 83, SS#2 SCS HCS HB 89, CCS SCS HB 101, HB 109, SS#2 SCS HCS HB 111, HCS HB 136, SS SCS HB 137, CCS SCS HB 142, SCS HB 149, HB 151, SS SCS HCS HB 161, HB 183, SS SCS HB 184, SCS HB 186, HB 190, HCS HB 197, HB 199, HB 204, SS HCS HB 213, SCS HCS HB 214, HB 217, HCS HB 220, HCS HBs 223 & 231, HB 229, HCS HB 250, SCS HB 256, HB 260, SS SCS HCS HB 265, SCS HB 270, SS SCS HB 282, SS#2 SCS HCS HBs 294, 123, 125, 113, 271 & 215, SCS HCS HBs 300, 334 & 387, SCS HB 307 and HB 812, HCS HB 315, SS HCS HB 338, SS HB 339, HB 340, SCS HCS HB 344, SCS HB 388, HCS HB 407, SCS HCS HB 412, HB 423, CCS SS SCS HCS HB 430, SS SCS HCS HB 431, CCS SS HB 458, SCS HCS HB 464, HCS HB 465, SS SCS HCS HBs 470 & 429, HB 484, HB 499, SCS HCS HB 506, HB 550, SCS HCS HB 552, SS SCS HCS HB 555, SCS HCS HB 578, SCS HB 591, SS SCS HCS HB 604, SCS HCS HB 631, SCS HCS HB 641, SS#2 HB 648, SCS HB 661, SS SCS HCS HB 664, HB 667, HB 675, SCS HB 737, SCS HB 798, HB 141, HB 153, HCS HB 363, HB 415 and HB 813 and SCS HB 1008** were delivered to the Governor by the Chief Clerk of the House.

#### **SIGNING OF SENATE CONCURRENT RESOLUTION**

All other business of the House was suspended while **SCR 11** was read at length and, there being no objections, was signed by the Speaker to the end that the same may become law.

#### **SIGNING OF SENATE JOINT RESOLUTION**

All other business of the House was suspended while **HCS#2 SJR 2** was read at length and, there being no objections, was signed by the Speaker to the end that the same may become law.

#### **SIGNING OF SENATE BILLS**

All other business of the House was suspended while **HCS#2 SB 3, SB 36, SB 38, CCS HCS SB 48, SCS SB 54, SS SB 55, HCS SCS SB 57, CCS HCS SB 59, HCS SS#2 SCS SB 62, SS SCS SB 65, SCS SB 68, CCS SS SCS SB 70, HCS SB 77, CCS SCS SB 81, SB 83, HCS#2 SB 96, HCS#2 SB 97, SB 101, CCS HCS#2 SCS SB 117, HCS SS SB 118, HCS SS SCS SB 132, CCS**

**HCS SS SB 135, HCS SCS SB 163, SB 165, CCS HCS SB 173, SB 180, HCS SCS SB 213, HCS SB 220, CCS HCS SS SB 226, SB 237, SS SB 238, CCS#2 HCS SB 250, CCS HCS SB 282, CCS HCS SB 284, SS SB 306, SS#2 SCS SB 320, HCS SB 325, HCS SS SCS SB 351, CCS#2 HCS SCS SB 356 and HCS SCS SB 366** were read at length and, there being no objections, were signed by the Speaker to the end that the same may become law.

### **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 3102** - Judiciary

### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 22** - General Laws

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 216** - General Laws  
**HB 275** - General Laws  
**HB 325** - General Laws  
**HB 844** - General Laws  
**HB 957** - General Laws  
**HB 988** - General Laws

### **REFERRAL OF SENATE JOINT RESOLUTION**

The following Senate Joint Resolution was referred to the Committee indicated:

**SJR 12** - General Laws

### **MESSAGES FROM THE SENATE**

The following messages, reflecting actions taken prior to the 6:00 p.m. adjournment, Friday, May 13, 2011, were received from the Senate through the Secretary of the Senate.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 187** and has taken up and passed **HCS SB 187**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 270, as amended**: Senators Kraus, Engler, Cunningham, Justus and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 284, as amended**: Senators Wasson, Parson, Richard, Callahan and Curls.

The following members' presence was noted: Day, Dugger, Fisher, Gosen, Klippenstein, Rowland and Wells.

### **ADJOURNMENT**

On motion of Speaker Tilley, the House of Representatives, 96<sup>th</sup> General Assembly, First Regular Session, adjourned pursuant to the Constitution.

STEVEN TILLEY  
Speaker of the House

D. ADAM CRUMBLISS  
Chief Clerk of the House

# Journal of the House

NINETY-SIXTH GENERAL ASSEMBLY  
of the  
STATE OF MISSOURI  
FIRST EXTRAORDINARY SESSION

---

FIRST DAY, Tuesday, September 6, 2011

Representative Flanigan in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*There is one God and Father of all, who is above all, and through all and in all. (Ephesians 4:6)*

Almighty God, our Heavenly Creator, we pause in the midst of pressing duties and commanding needs to open our hearts in prayer unto You - Who is the source of goodness and love and truth - that the light of Your spirit may shine upon our pathway and illumine the way to righteousness, to justice and to peace.

Keep our hearts clean, our spirits courageous, and our minds clear as we face the tasks of this day. Lead us and all people to that realm where goodwill shall reign and truth shall rule and freedom shall regulate the actions of humanity.

Before this altar of prayer we dedicate ourselves anew to You and we pledge our loyalty to our state and to the well-being of our citizens.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## MESSAGE FROM THE GOVERNOR

The following Proclamation was received from His Excellency, Governor Jeremiah W. (Jay) Nixon.

### PROCLAMATION

WHEREAS, prudently designed economic development programs accelerate Missouri's economic growth through the creation of a vibrant business climate that attracts new employers to Missouri and encourages existing businesses to expand; and

WHEREAS, the Missouri Science and Innovation Reinvestment Act, Compete Missouri Initiative, data storage centers, recruitment of significant amateur sporting events and the creation of an international export hub to facilitate the expansion of Missouri exports are critical programs that capture Missouri's bold vision and competitive spirit and will spur economic expansion in all corners of this state; and



## 2 *Journal of the House*

WHEREAS, economic development programs must include transparency, accountability and return on investment and be implemented in a fiscally prudent manner; and

WHEREAS, economic incentives and tax credit programs must be regularly reviewed to ensure those programs are effective in addressing their purpose and provide appropriate return on investment; and

WHEREAS, implementation of tax credit reform will inject accountability, transparency and result in taxpayer funds being spent in a fiscally effective manner; and

WHEREAS, legislation to modernize Department of Revenue collection measures and a period of tax amnesty will benefit citizens of the State of Missouri and have a positive impact on general revenue; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, passed during the First Regular Session of the Ninety-Sixth General Assembly, would have moved Missouri's Presidential Primary to March, 2012; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 was vetoed due to the inclusion of objectionable provisions unrelated to the moving of the date for the Presidential Primary; and

WHEREAS, a March, 2012 Presidential Primary will allow Missouri to remain a crucial state during the presidential nomination process; and

WHEREAS, the First Regular Session of the Ninety-Sixth General Assembly considered but failed to pass legislation that would have transferred supervision and control over the St. Louis Metropolitan Police Department to the City of St. Louis; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, the need for economic development legislation, tax credit reform, tax amnesty legislation, enhancement of Department of Revenue collection measures, moving the date of the 2012 Presidential Primary and transitioning the St. Louis Metropolitan Police Department to local control are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW THEREFORE, on the extraordinary occasions that exist in the state of Missouri:

I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m., Central Daylight Time, on September 6, 2011; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

- To enact legislation implementing comprehensive reforms to existing tax credit programs that produces substantial savings to the state treasury through the elimination of programs, imposition or lowering of caps, establishment of program sunsets and other reforms that create efficiencies and safeguard the taxpayers' money. This matter is restricted and nothing in this Proclamation should be construed to authorize the enactment of legislation amending the five year limitation on interest costs eligible for issuance of tax credits under section 99.1205.3, RSMo.

- To enact legislation that incentivizes the development of an international air cargo hub at Lambert-St. Louis International Airport through creation of an air export tax credit for freight forwarders not to exceed a total of sixty million dollars over eight years and a real estate development tax credit not to exceed a total of three hundred million dollars over sixteen years for eligible facilities located in "gateway zones," the qualification for which will be confirmed and verified by the Department of Economic Development, and additional accountability, oversight and participation protections.
- To enact the Missouri Science and Innovation Reinvestment Act authorizing the Missouri Technology Corporation to provide grants, loans and investments in science and innovation businesses through use of funding generated by capturing a portion of any new growth in income tax revenue generated by employees working at such new and existing science and innovation businesses in Missouri.
- To enact the Compete Missouri Initiative which streamlines and updates Missouri's training programs to reflect business and workforce needs; consolidates Missouri's business development incentives into a single program with consistent definitions and processes; provides performance-based benefits with broader accessibility for small businesses and businesses in rural areas; provides additional benefits for targeted industries identified by business leaders in Missouri's Strategic Initiative for Economic Growth; provides business retention incentives for companies retaining more than 125 jobs annually; and authorizes establishment of a closing fund for competitive recruitment and retention projects.
- To enact legislation creating incentives for the construction and development of high-tech data centers that allows a high-tech data center making a minimum capital investment of thirty-seven million dollars and creating at least thirty new jobs to be exempt from certain state and local sales taxes on utilities, machinery and equipment used in the operation of the data center and on personal property and materials used in the construction of the data center, with the overall amount of the exemption limited to the positive fiscal impact to taxpayers resulting from the project.
- To enact legislation authorizing tax credits available for sports commissions, convention and visitors bureaus, certain nonprofit organizations, counties, and municipalities to offset expenses incurred in attracting amateur sporting events to the state in an amount not to exceed three million dollars annually; and to authorize a revenue-neutral contribution tax credit for donations to local sports organizations for the purposes of attracting amateur sporting events to the state in an amount not to exceed ten million dollars annually.
- To enact legislation creating administrative efficiencies and improving the Department of Revenue's ability to collect moneys owed to the State by authorizing the Department of Revenue to: 1) collect, upon referral, debts owed to other state agencies; 2) reduce its expenses associated with providing required notices; 3) recover its collection and administrative costs by retaining one percent of the amount of any local sales or use tax collected by the Department; 4) enter into a reciprocal collection and offset of indebtedness agreement with the federal government; 5) issue orders directly to debtors' employers or other sources of income to facilitate the execution of administrative judgments; and 6) issue statements indicating that no taxes or fees, for which the Department is responsible for collecting, are due, as a prerequisite for payment of certain claims or judgments from the state legal expense fund.
- To enact legislation authorizing the Department of Revenue to grant amnesty to taxpayers from the assessment or payment of penalties, additions to tax, and interest with respect to unpaid income tax and sales tax due and owing that the taxpayer voluntarily reports and pays in full between August 1, 2012 and September 30, 2012.
- To enact legislation authorizing an orderly transition in the governance of the St. Louis Metropolitan Police Department from a board of police commissioners to the City of St. Louis through a process that provides for equitable employment treatment for commissioned and civilian personnel.
- To enact legislation moving Missouri's Presidential Primary to the first Tuesday after the first Monday in March of each presidential election year.

4      *Journal of the House*

- To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require advice and consent of the Senate.

Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 22nd day of August, 2011.

/s/ Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

/s/ Robin Carnahan  
Secretary of State

## **INTRODUCTION OF HOUSE BILL - APPROPRIATIONS**

The following House Bill was read the first time and copies ordered printed:

**HB 6**, introduced by Representative Silvey, to appropriate money for the purpose of matching Federal Emergency Management Agency expenditures due to natural disasters in the state of Missouri in 2011 for the period ending June 30, 2012.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1**, introduced by Representatives Nasheed and Tilley, relating to the St. Louis police force.

**HB 2**, introduced by Representatives Flanigan, Allen and Kelly (24), relating to collection of state money.

**HB 3**, introduced by Representative Dugger, relating to the presidential primary election.

**HB 4**, introduced by Representative Tilley, relating to collection of state money.

**HB 5**, introduced by Representatives White, Davis, Crawford, Flanigan, Schoeller, Lant and Wieland, relating to property tax assessment reduction due to natural disasters.

**HB 7**, introduced by Representative Silvey, relating to a joint committee on disaster funding.

The following members' presence was noted: Asbury, Barnes, Berry, Brown (116), Davis, Day, Dugger, Fisher, Grisamore, Higdon, Hubbard, Kelly (24), Korman, Kratky, Lair, Lant, Lasater, Lauer, Leach, Loehner, Montecillo, Nasheed, Rizzo, Scharnhorst, Schieffer, Silvey, Taylor, White and Wieland.

## **ADJOURNMENT**

On motion of Representative Flanigan, the House adjourned until 10:00 a.m., Wednesday, September 7, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Thursday, September 8, 2011, 2:00 PM House Hearing Room 7.

Departmental updates.

### **FISCAL REVIEW**

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

**CORRECTED**

### **INTERIM COMMITTEE ON DISASTER RECOVERY**

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Thursday, September 8, 2011, 2:00 PM House Hearing Room 3.

Discussion of Syncare.

### **JOINT COMMITTEE ON EDUCATION**

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

**JOINT COMMITTEE ON URBAN AGRICULTURE**

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,  
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Thursday, September 8, 2011, 4:00 PM House Hearing Room 6.

Executive session may be held on any or all bills referred to this committee.

**HOUSE CALENDAR**

SECOND DAY, WEDNESDAY, SEPTEMBER 7, 2011

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

HB 6

**HOUSE BILLS FOR SECOND READING**

1      HB 1 through HB 5

2      HB 7

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

SECOND DAY, WEDNESDAY, SEPTEMBER 7, 2011

The House met pursuant to adjournment.

Representative Jones (117) in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*God is our refuge and strength, a very present help in trouble, therefore we will not fear. (Psalm 46:1)*

Eternal God, our Father, Who is the refuge and strength of Your people in every age and Whose creative spirit is ever calling us to new frontiers of thought and action, we pause in Your presence as we greet the coming of another day. In Your strength we would be made strong, with Your wisdom we would be made wise, and by Your grace we would be made good.

We are grateful for this day of opportunity and challenge. By clarity of thought, by a sincerity of spirit, by a genuineness of motive, and by a goodness of life, may we show ourselves ready for the responsibilities we face this hour.

Kindle in our hearts and in the hearts of all Your children a real love for peace, and may the rule of Your spirit increase in the minds of people until justice and goodwill shall be established upon this planet.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## SECOND READING OF HOUSE BILL - APPROPRIATIONS

**HB 6** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1** through **HB 5** and **HB 7** were read the second time.

## MESSAGE FROM THE GOVERNOR

September 6, 2011

TO THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE NINETY-SIXTH GENERAL ASSEMBLY OF  
THE STATE OF MISSOURI:

I am enclosing a Special Message to all members of the General Assembly. Please read the enclosed message during the Special Session.

Sincerely,

/s/ Jeremiah W. (Jay) Nixon  
Governor

---

SPECIAL MESSAGE

WHEREAS, by my Proclamation dated August 22, 2011, I convened the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

WHEREAS, Senate Committee Substitute for Senate Bill No. 54, relating to protecting children from sexual offenders, was passed during the First Regular Session of the Ninety-Sixth General Assembly; and

WHEREAS, significant confusion and concern has been raised regarding provisions contained in Senate Committee Substitute for Senate Bill No. 54 that limit electronic communications between teachers and students; and

WHEREAS, it is important that teachers and school district staff have the ability to appropriately communicate with their students without fear and uncertainty as to the application of the legal restrictions contained in Senate Committee Substitute for Senate Bill No. 54; and

WHEREAS, the State of Missouri has been affected by numerous natural disasters during 2011; and

WHEREAS, these natural disasters have destroyed numerous businesses in Joplin and elsewhere across this state; and

WHEREAS, counties are currently authorized to provide property tax relief for residential property destroyed by a natural disaster; and

WHEREAS, counties are not authorized under current law to provide similar property tax relief to commercial property destroyed by a natural disaster, thereby imposing a significant financial hardship to businesses attempting to rebuild and recover in the aftermath of a disaster; and

WHEREAS, affording counties the authority to extend property tax relief to commercial property destroyed by a natural disaster will provide much needed assistance to those business owners affected by disasters; and

WHEREAS, the need to repeal certain provisions contained in Senate Committee Substitute for Senate Bill No. 54 passed during the First Regular Session of the Ninety-Sixth General Assembly relating to electronic communications between teachers and students and to enact property tax relief for commercial property destroyed by a natural disaster are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do hereby amend the matters specifically designated and limited for consideration by the General Assembly in my August 22, 2011 Proclamation to add to those matters the following additional specifically designated and limited matters. The additional specifically designated and limited matters on which the action of the General Assembly is deemed necessary are as follows:

- To enact legislation repealing subsections 162.069.1 through 162.069.4, RSMo. This matter is limited to the repeal of subsections 162.069.1 through 162.069.4, RSMo, and should not be construed to allow or permit amendments to those subsections or to otherwise enact revised or new language in place thereof.
- To enact legislation establishing a mechanism for commercial property to be removed on a pro rata basis from the tax book if such commercial property is destroyed by a natural disaster and is unusable for commercial activity due to such destruction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 6<sup>th</sup> day of September, 2011.

/s/ Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

/s/ Robin Carnahan  
Secretary of State

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1** - Urban Issues  
**HB 2** - Ways and Means  
**HB 3** - Elections  
**HB 5** - Ways and Means  
**HB 6** - Budget  
**HB 7** - Budget

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

#### **SENATE RESOLUTION NO. 1**

BE IT RESOLVED by the Senate of the Ninety-sixth General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

The following members' presence was noted: Asbury, Barnes, Berry, Black, Brandom, Brown (85), Brown (116), Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Crawford, Cross, Curtman, Davis, Day, Dugger, Elmer, Fisher, Fuhr, Gatschenberger, Gosen, Grisamore, Higdon, Holsman, Hubbard, Kelly (24), Koenig, Korman, Lair, Lant, Lasater, Lauer, Leach, Montecillo, Nasheed, Neth, Reiboldt, Riddle, Rizzo, Schad, Scharnhorst, Schieber, Schieffer, Silvey, Solon, Spreng, Taylor, Torpey, Wells, White and Wieland.

### **ADJOURNMENT**

On motion of Representative Jones (117), the House adjourned until 10:00 a.m., Thursday, September 8, 2011.



## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Thursday, September 8, 2011, 1:00 PM House Hearing Room 7.

Departmental updates. (Note time change from previous hearing notice.)

**CORRECTED**

### **BUDGET**

Thursday, September 8, 2011, 11:30 AM House Hearing Room 3.

Public hearing will be held: HB 6, HB 7

Executive session will be held: HB 6, HB 7

Extraordinary session House Bills: HB 6, HB 7

### **ELECTIONS**

Thursday, September 8, 2011, 3:00 PM House Hearing Room 1.

Public hearing will be held: HB 3

Executive session will be held: HB 3

### **FISCAL REVIEW**

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

**CORRECTED**

### **INTERIM COMMITTEE ON DISASTER RECOVERY**

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Thursday, September 8, 2011, 2:00 PM House Hearing Room 3.

Discussion of Syncare.

### **JOINT COMMITTEE ON EDUCATION**

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

**JOINT COMMITTEE ON URBAN AGRICULTURE**

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,  
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Thursday, September 8, 2011, 4:00 PM House Hearing Room 6.

Executive session may be held on any or all bills referred to this committee.

**URBAN ISSUES**

Thursday, September 8, 2011, 11:00 AM House Hearing Room 6.

Public hearing will be held: HB 1

Executive session will be held: HB 1

**WAYS AND MEANS**

Thursday, September 8, 2011, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 2, HB 5

Executive session will be held: HB 2, HB 5

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

THIRD DAY, THURSDAY, SEPTEMBER 8, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicky, Chaplain.

*Let us love one another: for love is of God; and everyone that loveth is born of God, and knoweth God.  
(1 John 4:7)*

O God, Who has guided our ancestors to build on these shores a nation of the people, by the people, and for the people and Who did give them faith to believe that they may become one in spirit with liberty and justice for all, move You within our hearts that we may live according to Your holy will and that we may be open to the leading of Your gracious spirit.

Remove from our minds all bitterness and all contempt for one another, that departing from all that divides us we may, by Your grace, arrive at a new unity of spirit that being one with You we may be one with our fellow Missourians.

May our spirit be the spirit of goodwill, may our security be the security of goodwill, and may our strength be the strength of goodwill where each may live for all and all may care for each.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## COMMITTEE REPORTS

**Committee on Budget**, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Urban Issues**, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 8**, introduced by Representatives Flanigan, White, Davis, Lant and Reiboldt, relating to tax increment financing.

**HB 9**, introduced by Representative Carlson, relating to cigarette taxation.

The following members' presence was noted: Allen, Asbury, Atkins, Barnes, Bernskoetter, Berry, Black, Brandom, Brattin, Brown (50), Brown (85), Brown (116), Carter, Casey, Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Curtman, Davis, Day, Denison, Dieckhaus, Diehl, Dugger, Ellinger, Elmer, Entlicher, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franklin, Frederick, Fuhr, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Hampton, Harris, Higdon, Hodges, Holsman, Hoskins, Hough, Hubbard, Hummel, Jones (89), Jones (117), Kander, Kelley (126), Kelly (24), Klippenstein, Koenig, Korman, Kratky, Lair, Lampe, Lant, Largent, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, Marshall, McCaherty, McCann Beatty, McDonald, McGhee, McManus, McNary, McNeil, Meadows, Montecillo, Nance, Nasheed, Neth, Newman, Oxford, Phillips, Pierson, Pollock, Quinn, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Schad, Scharnhorst, Schatz, Schieber, Schoeller, Shively, Shumake, Silvey, Smith (71), Solon, Spreng, Still, Taylor, Thomson, Torpey, Wallingford, Webber, Wells, White, Wieland, Wright and Wyatt.

## **ADJOURNMENT**

On motion of Speaker Tilley, the House adjourned until 10:00 a.m., Friday, September 9, 2011.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Second Day, Wednesday, September 7, 2011, Page 9, Line 26, by inserting after the name "Day," the name "Dieckhaus"; and after the name "Fisher," the name "Flanigan."

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

### **FISCAL REVIEW**

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

### **CORRECTED**

### **INTERIM COMMITTEE ON 911 ACCESS**

Tuesday, September 13, 2011, 10:00 AM House Hearing Room 3.

### **INTERIM COMMITTEE ON DISASTER RECOVERY**

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

### **JOINT COMMITTEE ON EDUCATION**

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

### **JOINT COMMITTEE ON URBAN AGRICULTURE**

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,  
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

**HOUSE CALENDAR**

FOURTH DAY, FRIDAY, SEPTEMBER 9, 2011

**HOUSE BILLS FOR SECOND READING**

HB 8 and HB 9

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

HB 6 - Silvey

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1 - Nasheed
- 2 HB 2 - Flanigan
- 3 HCS HB 3 - Dugger
- 4 HCS HB 5 - White
- 5 HB 7 - Silvey

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

FOURTH DAY, FRIDAY, SEPTEMBER 9, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*I will say of the Lord, He is my refuge and my fortress: my God, in Him will I trust. (Psalm 91:2)*

Eternal God, Who is the Creator of the world and the everlasting sustainer of our spirits, without Whom no one is wise, no one is good - we pause in Your presence to invoke Your blessing upon us and to offer unto You the devotion of our hearts on this 9/11 memorial weekend.

Bless us as we debate this day, and may we be given wisdom to make sound decisions, strength to walk in the way of justice and freedom for all, and goodwill to motivate all we say and do.

Bless our state and make us now and always people mindful of Your favor, eager to do Your will, willing to obey Your commandments, and ready to live in Your spirit of love.

Bless our Missouri House of Representatives. Strengthen their families and all their loved ones - separated from one another as they are; and, as some journey through the valley of uncertainties, let them feel Your strengthening presence and Your comforting spirit.

May we as the representatives of this state match this devotion by a deep dedication of our own spirits to the welfare of our beloved Missouri and our nation as we remember the innocent victims of 9/11.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act an Honorary Page for the Day, to serve without compensation: Edie Bauer.

The Journal of the first day was approved as printed.

The Journal of the second day was approved as printed.

The Journal of the third day was approved as printed.

## HOUSE RESOLUTION

Representative Jones (117), et al., offered House Resolution No. 4466.



**SECOND READING OF HOUSE BILLS**

**HB 8** and **HB 9** were read the second time.

**MOTION**

Representative Jones (89) moved that Rule 41 be suspended.

Which motion was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Burlison	Hubbard	Hughes	Jones 63	Kirkton
Korman	McGhee	Pollock	Schneider	

VACANCIES: 004

**PERFECTION OF HOUSE BILL - APPROPRIATIONS**

**HB 6**, relating to appropriations, was taken up by Representative Silvey.

Representative Lampe offered **House Amendment No. 1**.

Representative Scharnhorst raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Silvey, **HB 6** was ordered perfected and printed.

**PERFECTION OF HOUSE BILLS**

**HB 7**, relating to a joint committee on disaster funding, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 7** was ordered perfected and printed.

**HB 1**, relating to the St. Louis City police force, was taken up by Representative Nasheed.

Representative Nasheed offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1, Page 4, Section 84.346, Line 70, by deleting the number “**86.364**” and inserting in lieu thereof the following:

“**86.366**” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nasheed, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 1, Page 3, Section 84.346, Line 22, by deleting the word “**initially**”; and

Further amend said bill, Page 5, Section 84.347, Line 27, by inserting after the word “**all**” the following:

“**local and municipal**”; and

Further amend said bill, page and section, Lines 30 to 32, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 2** was adopted.

On motion of Representative Nasheed, **HB 1, as amended**, was ordered perfected and printed.

**HCS HB 3**, relating to the presidential elections, was taken up by Representative Dugger.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Dugger, **HCS HB 3** was adopted.

On motion of Representative Dugger, **HCS HB 3** was ordered perfected and printed.

**HCS HB 5**, relating to property tax assessment reductions, was taken up by Representative White.

Representative Flanigan offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 5, Page 1, Lines 2 and 3 in the title, by deleting the words, "property tax assessment reduction due to natural disasters" and inserting in lieu thereof the words, "tax changes for areas affected by natural disasters"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) "**Disaster area**", a **blighted area located within a municipality for which public and individual assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., for an emergency proclaimed by the governor under section 44.100 due to a natural disaster of major proportions and the blighted area has sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency, provided that the municipality adopts an ordinance approving the redevelopment project within one year after the occurrence of the natural disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding

personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)] (6) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

[(6)] (7) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)] (8) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] (9) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] (11) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] (12) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (13) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (14) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (15) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)] (16) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)] (17) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)] (19) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)] (20) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is:

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met; **or**

(b) **Predominantly within a disaster area;**

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible; **provided that, in the case of a disaster area, such information regarding financial feasibility may be provided by the municipality;**

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 **or** 13 of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated

account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or



(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

**15. Beginning January 1, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 21 of this section to the department of economic development supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.**

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after January 1, 2011, appropriations from the state disaster recovery revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas predominantly within disaster areas.

21. The initial appropriation of up to fifty percent of the state disaster recovery revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(e) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(f) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(g) The estimated redevelopment project costs;

(h) The anticipated sources of funds to pay such redevelopment project costs;

(i) Evidence of the commitments to finance such redevelopment project costs;

(j) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(k) The anticipated type and terms of the obligations to be issued;

(l) The most recent equalized assessed valuation of the property within the redevelopment project area;

(m) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;

(n) The general land uses to apply in the redevelopment area;

(o) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;

(p) The total number of full-time equivalent positions in the redevelopment area;

(q) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;

(r) A list of other community and economic benefits to result from the redevelopment project;

(s) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;

(t) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(u) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(v) A market study for the redevelopment area;

(w) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined

in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be both a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area and a portion of the estimate of the state income tax withheld by the employer on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;

(4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 19 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;
- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include **the following**:

(a) **For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845**, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; **or**

**(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;**

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include **the following:**

**(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; or**

**(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area;**

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects.

Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

On motion of Representative White, **HCS HB 5, as amended**, was adopted.

On motion of Representative White, **HCS HB 5, as amended**, was ordered perfected and printed.

**HB 2**, relating to the collection of state moneys, was taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 2, Page 5, Section 32.383, Line 5, by deleting the date, “**June 30, 2012**” and inserting in lieu thereof the date, “**February 29, 2012**”; and

Further amend said bill, Page 8, Section 32.385, Line 40, by deleting the word, “**setoff**” and inserting in lieu thereof the word, “**offset**”; and

Further amend said bill, Page 9, Section 32.385, Lines 79-80, by deleting the words, “**set off**” and inserting in lieu thereof the word, “**offset**”; and

Further amend said bill, page, section, Line 82, by deleting the word, “**the**”; and

Further amend said bill, Page 10, Section 32.430, Line 6, by deleting the number, “**143.910**” and inserting in lieu thereof the number, “**140.910**”; and

Further amend said bill, page, section, Line 7, by deleting the number, “**104.910**” and inserting in lieu thereof the number, “**140.910**”; and

Further amend said bill, Page 14, Section 140.910, Line 64, by deleting the word, “**surcharges**” and inserting in lieu thereof the word, “**charges**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

Representative Flanigan offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 2, Page 11, Section 32.460, Line 7, by inserting after all of said line the following:

“99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) **"Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., for an emergency proclaimed by the governor under section 44.100 due to a natural disaster of major proportions and the blighted area has sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency, provided that the municipality adopts an ordinance approving the redevelopment project within one year after the occurrence of the natural disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)] (6) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

[(6)] (7) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)] (8) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with



agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] (9) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] (11) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] (12) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (13) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (14) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (15) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)] (16) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
- (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (j) Payments in lieu of taxes;

[(16)] (17) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) "Taxing districts", any political subdivision of this state having the power to levy taxes;  
 [(18)] (19) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and  
 [(19)] (20) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is:  
 (a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met; **or**

(b) **Predominantly within a disaster area;**

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible; **provided that, in the case of a disaster area, such information regarding financial feasibility may be provided by the municipality;**

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds

shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 **or** 13 of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest

where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior

to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

- (a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;
- (b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;
- (c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;
- (d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;
- (e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1** of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;
- (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and
- (g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;
- (h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;
- (i) The street address of the development site;
- (j) The three-digit North American Industry Classification System number or numbers characterizing the development project;
- (k) The estimated development project costs;
- (l) The anticipated sources of funds to pay such development project costs;
- (m) Evidence of the commitments to finance such development project costs;
- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
- (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

**15. Beginning January 1, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the**

businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 21 of this section to the department of economic development supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after January 1, 2011, appropriations from the state disaster recovery revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas predominantly within disaster areas.

21. The initial appropriation of up to fifty percent of the state disaster recovery revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(e) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(f) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;



- (g) The estimated redevelopment project costs;
  - (h) The anticipated sources of funds to pay such redevelopment project costs;
  - (i) Evidence of the commitments to finance such redevelopment project costs;
  - (j) The anticipated type and term of the sources of funds to pay such redevelopment project costs;
  - (k) The anticipated type and terms of the obligations to be issued;
  - (l) The most recent equalized assessed valuation of the property within the redevelopment project area;
  - (m) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;
  - (n) The general land uses to apply in the redevelopment area;
  - (o) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;
  - (p) The total number of full-time equivalent positions in the redevelopment area;
  - (q) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;
  - (r) A list of other community and economic benefits to result from the redevelopment project;
  - (s) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;
  - (t) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
  - (u) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
  - (v) A market study for the redevelopment area;
  - (w) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;
- (3) The appropriation shall be both a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area and a portion of the estimate of the state income tax withheld by the employer on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;
- (4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.
22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the

general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 19 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;
- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area;

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received

and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects.

Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 2** was adopted.

Representative Kelly (24) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Bill No. 2, Page 5, Section 32.087, Line 125, by inserting immediately after all of said line the following:

**“32.088. 1. Beginning January 1, 2012, the possession of a statement from the department of revenue stating no tax is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under sections 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupational license or any state license required for conducting any business. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.**

**2. Beginning January 1, 2012, in lieu of subsection 1 of this section, the director may enter into an agreement with any state agency responsible for issuing any state license for conducting any business, requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each**

applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under sections 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.”; and

Further amend said bill, Page 15, Section 140.910, Line 94, by inserting after immediately after all of said line the following:

“144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under [ sections 144.010 to 144.510 or sections 143.191 to 143.261 ] **section 32.088** shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business [where goods are sold at retail]. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, **and until December 31, 2011**, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 3** was adopted.

On motion of Representative Flanigan, **HB 2, as amended**, was ordered perfected and printed.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2** - Fiscal Review (Fiscal Note)

**HCS HB 5** - Fiscal Review (Fiscal Note)

## **RECESS**

On motion of Representative Scharnhorst, the House recessed until 1:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

## **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 2** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 5** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

---

## **SUPPLEMENTAL CALENDAR**

**SEPTEMBER 9, 2011**

## **HOUSE BILL FOR THIRD READING -APPROPRIATIONS**

HB 6 - Silvey

## **HOUSE BILLS FOR THIRD READING**

- 1      HB 7 - Silvey
  - 2      HB 1 - Nasheed
  - 3      HCS HB 3 - Dugger
  - 4      HCS HB 5, E.C. - White
  - 5      HB 2 - Flanigan
-

**THIRD READING OF HOUSE BILL - APPROPRIATIONS**

**HB 6**, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 6** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Sifton	Silvey	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 022

Bahr	Carlson	Colona	Hummel	Kander
Koenig	Kratky	Lasater	Leach	Marshall
McGeoghegan	McManus	Newman	Pace	Pierson
Quinn	Schieffer	Schupp	Shively	Smith 71
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 010

Burlison	Curtman	Hubbard	Hughes	Jones 63
Kirkton	Korman	McDonald	Pollock	Wright

VACANCIES: 004

Speaker Tilley declared the bill passed.

**THIRD READING OF HOUSE BILLS**

**HB 7**, relating to a joint committee on disaster funding, was taken up by Representative Silvey.

On motion of Representative Silvey, **HB 7** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McGeoghegan	McGhee	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Oxford
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 022

Bahr	Brattin	Carlson	Curtman	Hummel
Kander	Koenig	Lasater	Leach	Marshall
McManus	Newman	Pace	Pierson	Pollock
Quinn	Schieffer	Schupp	Shively	Smith 71
Still	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 008

Burlison	Hubbard	Hughes	Jones 63	Kirkton
Korman	McDonald	Walton Gray		

VACANCIES: 004

Speaker Tilley declared the bill passed.

**HB 1**, relating to the St. Louis City police force, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 1** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Funderburk	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Hummel
Johnson	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lauer	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nasheed	Newman	Nichols
Nolte	Oxford	Pace	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 027

Berry	Brattin	Brown 85	Conway 14	Curtman
Davis	Flanigan	Fuhr	Haefner	Hinson
Houghton	Jones 89	Lasater	Leach	Leara
Marshall	McDonald	McGeoghegan	Nance	Neth
Parkinson	Phillips	Riddle	Scharnhorst	Schieber
White	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 009

Burlison	Gatschenberger	Hubbard	Hughes	Jones 63
Kirkton	Korman	Schneider	Walton Gray	

VACANCIES: 004

Speaker Tilley declared the bill passed.

**HCS HB 3**, relating to presidential elections, was taken up by Representative Dugger.



On motion of Representative Dugger, **HCS HB 3** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Atkins                      Kelly 24

PRESENT: 000

ABSENT WITH LEAVE: 010

Burlison	Gosen	Hubbard	Hughes	Jones 63
Kirkton	Korman	Pace	Schneider	Walton Gray

VACANCIES: 004

Speaker Tilley declared the bill passed.

**HCS HB 5**, relating to property tax assessment reductions, was taken up by Representative White.

On motion of Representative White, **HCS HB 5** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 009

Burlison	Diehl	Hubbard	Hughes	Jones 63
Kirkton	Korman	Schneider	Walton Gray	

VACANCIES: 004

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 008

Burlison	Diehl	Hubbard	Hughes	Jones 63
Kirkton	Korman	Walton Gray		

VACANCIES: 004

**HB 2**, relating to the collection of state moneys, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 2** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Burlison	Diehl	Hubbard	Hughes	Jones 63
Kirkton	Korman	Pollock	Walton Gray	

VACANCIES: 004

Speaker Tilley declared the bill passed.

## **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 4** - Economic Development

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, September 13, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

### **INTERIM COMMITTEE ON 911 ACCESS**

Tuesday, September 13, 2011, 10:00 AM House Hearing Room 3.

### **INTERIM COMMITTEE ON DISASTER RECOVERY**

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public

### **JOINT COMMITTEE ON EDUCATION**

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

### **JOINT COMMITTEE ON URBAN AGRICULTURE**

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,  
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

FIFTH DAY, TUESDAY, SEPTEMBER 13, 2011

The House met pursuant to adjournment.

Representative Richardson in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Trust in the Lord and do good. (Psalm 37:3)*

O God, our eternal source of wisdom, power, and love, Who is above us and within us, Who keeps the planets in their courses and yet is mindful of the faint whispers of our human hearts, before You we pause in reverence and awe, contemplating the grandeur of Your being, the greatness of Your power, and the glory of Your love.

Keep us restless until we find our rest in You, keep us dissatisfied until we find our satisfaction in You, keep us in weakness until we find our strength in You.

Into our lives come appeals for causes, some of which are good and some of which are not good. We pray that by Your spirit we may be led to make wise choices that our reactions may be good and for the good of all. Help us to keep our minds and hearts responsive to You, that Your grace may find an outlet in our lives and that we may be channels for Your spirit to establish justice between people, goodwill within homes, and peace in our state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Allen, Asbury, Bahr, Barnes, Berry, Black, Bandom, Brown (85), Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Crawford, Cross, Davis, Day, Dieckhaus, Diehl, Dugger, Fallert, Fisher, Fitzwater, Flanigan, Franklin, Franz, Fuhr, Gosen, Grisamore, Guernsey, Harris, Higdon, Hinson, Holsman, Hough, Johnson, Jones (89), Kelley (126), Klippenstein, Korman, Lair, Lant, Largent, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, McDonald, McNeil, Montecillo, Nasheed, Nichols, Quinn, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Scharnhorst, Schieffer, Shively, Silvey, Spreng, Taylor, Thomson, Wallingford, Wells, White, Wieland and Wright.

## ADJOURNMENT

On motion of Representative Richardson, the House adjourned until 10:00 a.m., Wednesday, September 14, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Thursday, September 15, 2011, 8:30 AM House Hearing Room 7.

Department updates, continued.

### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, September 14, 2011, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Discussion of veterans homes.

### **JOINT COMMITTEE ON EDUCATION**

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

SIXTH DAY, WEDNESDAY, SEPTEMBER 14, 2011

The House met pursuant to adjournment.

Representative Cierpiot in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*My grace is sufficient for thee: for my strength is made perfect in weakness. (II Corinthians 12:9)*

Eternal and Almighty God, the light of all that is true, the strength of all that is good, and the glory of all that is beautiful, at the beginning of another day we would lift our minds and hearts unto You in prayer, seeking strength and wisdom and love sufficient for our needs.

Help us to walk in the light, to share our strength, and to build upon love that we may be ready for all our responsibilities and equal to every experience. May we always think clearly, speak confidently, and act courageously, and may the world of today be a better world than the world of yesterday because of our devotion and our work.

We pray that Your spirit may enter the hearts of all our people, that they and we may be delivered from all malice and all hatred, and may be led to do justly, to love mercy, and to walk humbly with You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## RECESS

On motion of Representative Cierpiot, the House recessed until 5:00 p.m.

The hour of recess having expired, the House was called to order by Representative Jones (89).

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1**, entitled:

An act to repeal section 162.069, RSMo, and to enact in lieu thereof one new section relating to communications between school district employees and students.

In which the concurrence of the House is respectfully requested.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 7**, entitled:

An act to repeal sections 196.1109, 196.1115, 348.251, 348.253, 348.256, 348.261, 348.262, 348.263, 348.264, 348.271, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to science and innovation, with a contingent effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 8**, entitled:

An act to repeal sections 32.115, 100.286, 100.297, 135.090, 135.313, 135.326, 135.327, 135.350, 135.352, 135.460, 135.478, 135.484, 135.490, 135.535, 135.550, 135.562, 135.575, 135.600, 135.630, 135.647, 135.679, 135.680, 135.700, 135.815, 135.825, 135.1150, 143.119, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 208.770, 253.550, 253.557, 253.559, 348.430, 348.432, 348.434, 348.500, 348.505, 447.708, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.495, and 660.055, RSMo, and to enact in lieu thereof fifty-five new sections relating to taxation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, September 15, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Thursday, September 15, 2011, 8:30 AM House Hearing Room 7.  
Department updates, continued.

### **ELEMENTARY AND SECONDARY EDUCATION**

Monday, September 19, 2011, 1:00 PM House Hearing Room 6.

### **JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION**

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

**HOUSE CALENDAR**

SEVENTH DAY, THURSDAY, SEPTEMBER 15, 2011

**SENATE BILLS FOR SECOND READING**

- 1      SCS SB 1
- 2      SS SCS SB 7
- 3      SS SCS SB 8

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

SEVENTH DAY, THURSDAY, SEPTEMBER 15, 2011

The House met pursuant to adjournment.

Representative Dieckhaus in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Behold, God is my salvation, I will trust and not be afraid. (Isaiah 12:2)*

Almighty God, Lord of all hearts, Whom to know is life eternal, Whom to love is life glorified and Whom to serve is life filled to the full, in spirit and in truth we bow before this altar of prayer offering unto You once again the devotion of our hearts. We have an opportunity to forward Your spirit of goodwill among our citizens.

Strengthen us, O God, and renew a right and a good spirit within us - that this day may witness a renewed purpose to struggle for the right in church, city, state and county that poverty and violence and misunderstanding may disappear, and that justice and peace and understanding may appear in our state and in our own hearts.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matthew Cook and Adam Vonder Haar.

## SECOND READING OF SENATE BILLS

SCS SB 1, SS SCS SB 7 and SS SCS SB 8 were read the second time.

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**SCS SB 1** - Elementary and Secondary Education

**SS SCS SB 7** - Economic Development

**SS SCS SB 8** - Economic Development

The following members' presence was noted: Allen, Anders, Atkins, Barnes, Berry, Brandom, Carter, Colona, Conway (14), Conway (27), Cookson, Cross, Curtman, Denison, Dugger, Ellinger, Entlicher, Fisher, Fitzwater, Flanigan, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Hampton, Harris, Higdon, Hodges, Hubbard, Jones (89), Kelley (126), Koenig, Korman, Kratky, Lair, Lant, Leach, Lichtenegger, Loehner, May, McGeoghegan, Montecillo, Oxford, Pace, Pollock, Quinn, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieffer, Schoeller, Silvey, Smith (71), Solon, Spreng, Taylor, Thomson, Wallingford, Walton Gray, Wells, Wright and Zerr.

### **ADJOURNMENT**

On motion of Representative Dieckhaus, the House adjourned until 10:00 a.m., Monday, September 19, 2011.

### **COMMITTEE MEETINGS**

#### **ECONOMIC DEVELOPMENT**

Monday, September 19, 2011, 4:00 PM House Hearing Room 7.

Public hearing will be held: SS SCS SB 8, SS SCS SB 7

Executive session may be held on any matter referred to the committee.

#### **ELEMENTARY AND SECONDARY EDUCATION**

Monday, September 19, 2011, 1:00 PM House Hearing Room 6.

Public hearing will be held: SCS SB 1

Executive session will be held: SCS SB 1

Executive session may be held on any matter referred to the committee.

#### **AMENDED**

#### **JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION**

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

EIGHTH DAY, MONDAY, SEPTEMBER 19, 2011

The House met pursuant to adjournment.

Representative Day in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## COMMITTEE REPORT

**Committee on Elementary and Secondary Education**, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following members' presence was noted: Aull, Barnes, Berry, Brandom, Brown (50), Burlison, Curtman, Dieckhaus, Diehl, Fisher, Fitzwater, Flanigan, Fraker, Hough, Hubbard, Johnson, Jones (117), Kelley (126), Kelly (24), Korman, Kratky, Lair, Lampe, Lauer, Leara, Loehner, Long, McDonald, McGeoghegan, McGhee, McNary, McNeil, Meadows, Montecillo, Neth, Redmon, Riddle, Rizzo, Schad, Scharnhorst, Schieber, Schieffer, Schneider, Shively, Shumake, Smith (71), Solon, Stream, Swearingen, Thomson, Wallingford, Webber and Zerr.

## ADJOURNMENT

On motion of Representative Day, the House adjourned until 10:00 a.m., Tuesday, September 20, 2011.

## **COMMITTEE MEETINGS**

### **ECONOMIC DEVELOPMENT**

Tuesday, September 20, 2011, 1:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

### **JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION**

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

### **RULES - RULES PURSUANT TO RULE 25(32)(F)**

Tuesday, September 20, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to this committee.

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

NINTH DAY, TUESDAY, SEPTEMBER 20, 2011

The House met pursuant to adjournment.

Representative Fraker in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Unto Thee O Lord, do I lift up my soul. (Psalm 25:1)*

O Spirit of the Living God, Whose still, small voice still summons us to turn aside from the feverish ways of foolish people, drop Your still dews of quietness, until our strivings cease; take from our souls the strain and stress, and let our ordered lives confess the beauty of Your peace.

In this mood we come this day and bow our hearts at this altar of prayer. May we be led into green pastures, beside still waters, and find restoration of spirit and renewal of our faith in You. Even though we walk through the valley of the shadow of death we will fear no evil for You are with us, strengthening us and supporting us.

Bless the members of this House that they may have wisdom and faith and courage for the experiences of this day, and may they never fail.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Asbury, Barnes, Berry, Black, Brandom, Brown (50), Brown (85), Colona, Conway (27), Cross, Day, Dieckhaus, Diehl, Fisher, Fitzwater, Flanigan, Franz, Gosen, Grisamore, Guernsey, Harris, Higdon, Holsman, Hubbard, Kelly (126), Kelly (24), Kratky, Lair, Lant, Lauer, Leach, Loehner, Long, McDonald, McGeoghegan, McGhee, Montecillo, Redmon, Riddle, Rizzo, Scharnhorst, Schieber, Schieffer, Schneider, Shively, Smith (71), Swearingen, Talboy, Thomson, Wallingford and Zerr.

## ADJOURNMENT

On motion of Representative Fraker, the House adjourned until 10:00 a.m., Wednesday, September 21, 2011.

## **COMMITTEE MEETINGS**

### **ECONOMIC DEVELOPMENT**

Wednesday, September 21, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

### **EXECUTIVE SESSION**

### **FISCAL REVIEW**

Friday, September 23, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

### **JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION**

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

### **RULES - RULES PURSUANT TO RULE 25(32)(F)**

Wednesday, September 21, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to this committee.



# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

TENTH DAY, WEDNESDAY, SEPTEMBER 21, 2011

The House met pursuant to adjournment.

Representative Zerr in the Chair.

Prayer by Representative Billy Pat Wright.

In a letter of instruction to his young ministerial disciple, Paul tells Timothy "tough times are the way;" times in which men will be lovers of self, filled with sin and will be opposed to the truth (*II Timothy 3:1-9*). He says that "evil men and imposters" will deceive others while being deceived (*3:13*). But Paul reminds Timothy to recall how he, Paul, served and taught others and exhorts him to "continue in the things you have learned." And become convinced of the sacred writings which are able to give you wisdom.

*II Timothy 3:16* reads - All scripture is inspired by God and is profitable for teaching, for reproof, for correction, for training in righteousness. Let us all in the House be reminded of our commitment to our constituents and pray for God's wisdom during this Special Session.

In Christ's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Barnes, Berry, Black, Brandom, Brown (50), Brown (85), Carter, Colona, Conway (14), Conway (27), Cross, Day, Denison, Dieckhaus, Diehl, Fisher, Fitzwater, Flanigan, Fraker, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Harris, Higdon, Holsman, Hough, Hubbard, Jones (89), Kelley (126), Koenig, Kratky, Lair, Lant, Lauer, Leach, Leara, Long, McGeoghegan, McGhee, Montecillo, Pollock, Redmon, Rizzo, Scharnhorst, Schieber, Schieffer, Spreng, Talboy, Taylor, Thomson, Torpey, Wallingford and Wells.

## ADJOURNMENT

On motion of Representative Zerr, the House adjourned until 10:00 a.m., Thursday, September 22, 2011.

## COMMITTEE MEETINGS

### ECONOMIC DEVELOPMENT

Thursday, September 22, 2011, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Friday, September 23, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, September 22, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to this committee.

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

ELEVENTH DAY, THURSDAY, SEPTEMBER 22, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Great is our Lord and of great power: His understanding is infinite. (Psalm 147:5)*

O God, Who reveals Yourself in numberless ways, deepen within us this day the sense of Your presence as we wait upon You in prayer. Strengthen us by Your Spirit that no danger may overwhelm us, no difficulty may overcome us, no distress may overburden us, and no discouragement may cause us to turn aside from walking with You.

May Your grace sustain us in our labor, Your hand uphold us when we fall, Your joy make our hearts glad, and Your presence give us courage to face the experiences of this hour unashamed and unafraid. Help us to grow in strength, in understanding, in never-ending goodwill; and may we ever commit our lives to goals great enough for our citizens.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## COMMITTEE REPORTS

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SCS SB 7**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 4466** - Rules

## **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**HCS SS SCS SB 7** - Fiscal Review (Fiscal Note)

---

## **SUPPLEMENTAL CALENDAR**

**SEPTEMBER 22, 2011**

### **SENATE BILLS FOR THIRD READING**

- 1 SCS SB 1 - Kelly (24)
- 2 HCS SS SCS SB 7, (Fiscal Review 9-22-11) - Tilley

---

The following members' presence was noted: Allen, Asbury, Bahr, Barnes, Bernskoetter, Black, Brandom, Brown (85), Cauthorn, Colona, Conway (14), Conway (27), Cox, Crawford, Cross, Day, Denison, Dieckhaus, Dugger, Entlicher, Fisher, Flanigan, Fraker, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Harris, Higdon, Holsman, Hough, Hubbard, Hummel, Jones (89), Jones (117), Kelley (126), Kelly (24), Klippenstein, Koenig, Kratky, Lair, Lant, Largent, Lasater, Lauer, Leach, Leara, Lichtenegger, Loehner, Long, McGeoghegan, McGhee, Montecillo, Nance, Nasheed, Pollock, Quinn, Redmon, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieber, Schneider, Schoeller, Schupp, Silvey, Smith (150), Solon, Spreng, Still, Stream, Swearingen, Talboy, Thomson, Torpey, Wallingford, Webber, Wells, White, Wieland, Wright, Wyatt and Zerr.

## **ADJOURNMENT**

On motion of Speaker Tilley, the House adjourned until 9:00 a.m., Friday, September 23, 2011.

## **COMMITTEE MEETINGS**

### **FISCAL REVIEW**

Friday, September 23, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

### **JOINT COMMITTEE ON URBAN AGRICULTURE**

Tuesday, September 27, 2011, 5:30 PM,

Bradford Research and Extension Center, 4968 Rangeline Road, Columbia, Missouri 65201-8973.

Executive session may be held on any matter referred to the committee.

Informational hearing.

### **JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION**

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

## **HOUSE CALENDAR**

TWELFTH DAY, FRIDAY, SEPTEMBER 23, 2011

### **SENATE BILLS FOR THIRD READING**

- 1 SCS SB 1 - Kelly (24)
- 2 HCS SS SCS SB 7, (Fiscal Review 9-22-11) - Tilley

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

TWELFTH DAY, FRIDAY, SEPTEMBER 23, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*O give thanks unto the Lord, for He is good: for His mercy endureth forever. (Psalm 107:1)*

Eternal God, Who is the source of wisdom and beauty and goodness, Whose spirit ever seeks to arise within our hearts and in the hearts of people everywhere - make Yourself and Your will clearly known to us as we bow in prayer before You. We are thankful that You are everywhere - that no condition and no distance can ever separate us from You and from Your love. We thank You that Your mercies never fail and Your loving kindness never ceases.

We are grateful for our lives which are in Your hands and for Your continuous goodness which blesses us all our days. Help us to be worthy of Your gifts and to use them for Your glory and for the welfare of our state. Grant that each one of us may do our part to bring about an order of society in which there will be no injustice, no bitterness of spirit, and one in which each person may come to the fullness of life and love for which they were created.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journals of the fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh day were approved as printed.

## COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 7** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF SENATE BILLS

**SCS SB 1**, relating to teacher and student communications, was taken up by Representative Kelly (24).

Representative Jones (89) moved the previous question.

## Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 042

Anders	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Holsman	Hubbard	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McGeoghegan	McNeil	Meadows	Montecillo
Nasheed	Newman	Nichols	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 018

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McDonald
McManus	Neth	Oxford	Pace	Sater
Smith 71	Walton Gray	Webb		

VACANCIES: 004

On motion of Representative Kelly (24), **SCS SB 1** was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McGeoghegan	McGhee	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Newman	Nichols	Nolte	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 002

Barnes Colona

PRESENT: 000

ABSENT WITH LEAVE: 018

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McDonald
McManus	Neth	Oxford	Pace	Sater
Smith 71	Walton Gray	Webb		

VACANCIES: 004

Speaker Tilley declared the bill passed.

**HCS SS SCS SB 7**, relating to science and innovation reinvestment, was taken up by Representative Zerr.

Representative Asbury offered **House Amendment No. 1**.



*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 7, Page 19, Section 348.271, Line 26, by inserting after all of said line the following:

"348.275. 1. **Public funds utilized under the provisions of sections 348.250 to 348.275 shall not be expended, paid, or granted to or on behalf of an existing or proposed research project that involves abortion services, human cloning, or prohibited human research as defined in section 196.1127.**

2. The department of economic development may draft and promulgate rules and regulations consistent with the provisions of sections 348.251 to 348.272 as are necessary or useful to carry out the provisions of those sections.

[2.]3. No rule or portion of a rule promulgated under the authority of sections 348.251 to 348.272 shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided in this section.

[3.]4. Upon filing any proposed rule with the secretary of state, the department shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

[4.]5. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the department may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

[5.]6. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

[6.]7. If the committee disapproves any rule or portion thereof, the department shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

[7.]8. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

[8.]9. Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Parkinson assumed the Chair.

Speaker Tilley resumed the Chair.

Representative Asbury moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Asbury	Bahr	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Casey
Cauthorn	Conway 14	Cox	Crawford	Cross
Curtman	Davis	Dugger	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Frederick	Fuhr
Grisamore	Hampton	Harris	Houghton	Hummel
Keeney	Kelley 126	Koenig	Korman	Kratky
Lasater	Lauer	Leach	Loehner	Marshall
McCaherty	Meadows	Nance	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Smith 150	Solon	Swinger	Thomson	Wallingford
Wells	Wieland	Wyatt		

NOES: 074

Allen	Anders	Aull	Barnes	Brown 50
Carlson	Carter	Cierpiot	Colona	Conway 27
Day	Denison	Dieckhaus	Diehl	Ellinger
Elmer	Fisher	Flanigan	Franz	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Higdon
Hinson	Holsman	Hoskins	Hough	Hubbard
Jones 89	Jones 117	Kander	Kelly 24	Kirkton
Klippenstein	Lair	Lampe	Lant	Leara
Lichtenegger	Long	May	McDonald	McGeoghegan
McGhee	McNary	McNeil	Molendorp	Montecillo
Nasheed	Newman	Nichols	Pierson	Richardson
Rizzo	Scharnhorst	Schneider	Schupp	Sifton
Silvey	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Torpey	Webber	Weter
White	Wright	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 017

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McManus
Neth	Oxford	Pace	Sater	Smith 71
Walton Gray	Webb			

VACANCIES: 004

Representative Zerr moved that **HCS SS SCS SB 7** be adopted.

Which motion was defeated.

On motion of Representative Zerr, **SS SCS SB 7** was truly agreed to and finally passed by the following vote:

AYES: 094

Allen	Anders	Aull	Barnes	Berry
Brandom	Brown 50	Carlson	Carter	Cauthorn
Cierpiot	Colona	Conway 27	Cross	Denison
Dieckhaus	Diehl	Ellinger	Elmer	Fisher
Flanigan	Fraker	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Jones 89	Jones 117	Kander	Keeney
Kelly 24	Kirkton	Klippenstein	Kratky	Lair
Lampe	Lant	Lauer	Leara	Lichtenegger
Long	May	McCaherty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Nasheed	Newman	Nichols	Nolte
Parkinson	Pierson	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Scharnhorst	Schneider
Schoeller	Schupp	Sifton	Silvey	Solon
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Webber	Weter
White	Wright	Zerr	Mr Speaker	

NOES: 048

Asbury	Bahr	Bernskoetter	Black	Brattin
Brown 85	Burlison	Casey	Conway 14	Cox
Crawford	Curtman	Davis	Day	Dugger
Entlicher	Fallert	Fitzwater	Franklin	Fuhr
Grisamore	Hampton	Harris	Hummel	Kelley 126
Koenig	Korman	Lasater	Leach	Loehner
Marshall	Nance	Phillips	Pollock	Quinn
Riddle	Schad	Schatz	Schieber	Schieffer
Shively	Shumake	Smith 150	Swinger	Wallingford
Wells	Wieland	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 017

Atkins	Brown 116	Cookson	Hodges	Hughes
Johnson	Jones 63	Largent	McCann Beatty	McManus
Neth	Oxford	Pace	Sater	Smith 71
Walton Gray	Webb			

VACANCIES: 004

Speaker Tilley declared the bill passed.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House stood in recess until such time that **SCS SB 1** and **SS SCS SB 7** are signed by the Speaker or 12:30 p.m., whichever comes first, and then stand adjourned until 10:00 a.m., Thursday, September 29, 2011.

## **COMMITTEE MEETINGS**

### **JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Annual accountability presentation by MoDOT Director Kevin Keith.

### **JOINT COMMITTEE ON URBAN AGRICULTURE**

Tuesday, September 27, 2011, 5:30 PM,

Bradford Research and Extension Center, 4968 Rangeline Road, Columbia, Missouri 65201-8973.

Executive session may be held on any matter referred to the committee.

Informational hearing.

### **JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION**

Wednesday, September 28, 2011, 1:00 PM House Hearing Room 3.

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

THIRTEENTH DAY, THURSDAY, SEPTEMBER 29, 2011

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Open Thou mine eyes, that I may behold wondrous things out of Thy law. (Psalm 119:18)*

Eternal God, Who led our ancestors through the wilderness into the promised land, we thank You for Your providential care from that day to this. You guided them with a pillow of cloud by day and a pillar of fire by night, and caused them to dwell in the secret place of the Most High. As You did bestow upon them the blessing of Your law, as You did pour out upon them the gifts of Your spirit, as You did lead them in the way of Your commandments - so teach us to follow in their footsteps that we, like them, may seek after truth, strive to deal justly, to love mercy and to walk humbly and reverently with You.

Grant, O Lord, that we may love Your law and live Your life that the benediction of Your peace and the blessing of Your presence may rest upon us and upon our state now and always. And we pause for a moment of silent prayer for the repose of the soul of our former member, Representative Ed Robb of Boone County, whose funeral is today.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Barnes, Grisamore, Harris, Jones (63), Jones (89), Kelly (24), Koenig, Leach, Loehner, McGeoghegan, Montecillo, Redmon, Schieffer, Still and Talboy.

## ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 10:00 A.M., Monday, October 3, 2011.

## COMMITTEE MEETINGS

### JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Annual Accountability Presentation by MoDOT Director Kevin Keith.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, October 4, 2011, 5:30 PM Maplewood-Richmond Heights High School Auditorium,  
7539 Manchester Road, Maplewood, Missouri 63143.

Executive session may be held on any matter referred to the committee.

Informational hearing.

# **JOURNAL OF THE HOUSE**

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

FOURTEENTH DAY, MONDAY, OCTOBER 3, 2011

The House met pursuant to adjournment.

Representative Day in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Barnes, Fisher, Harris, Kelly (24), Loehner, Montecillo, Silvey and Walton Gray.

## **ADJOURNMENT**

On motion of Representative Day, the House adjourned until 10:00 a.m., Tuesday, October 4, 2011.

## **COMMITTEE MEETINGS**

### **ECONOMIC DEVELOPMENT**

Wednesday, October 5, 2011, 2:00 PM House Hearing Room 3.

Executive session will be held: SS SCS SB 8

Executive session may be held on any matter referred to the committee.

### **INTERIM COMMITTEE ON CRIMINAL JUSTICE**

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

### **INTERIM COMMITTEE ON CRIMINAL JUSTICE**

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

### **JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, October 4, 2011, 5:30 PM,

Maplewood-Richmond Heights High School Auditorium,  
7539 Manchester Road, Maplewood, Missouri 63143.

Informational hearing.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, October 5, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to the committee.



# **JOURNAL OF THE HOUSE**

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

FIFTEENTH DAY, TUESDAY, OCTOBER 4, 2011

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Allen, Barnes, Berry, Black, Conway (27), Day, Dieckhaus, Fisher, Fuhr, Gatschenberger, Guernsey, Harris, Higdon, Holsman, Hubbard, Jones (117), Kelly (24), Koenig, Korman, Lant, Leach, Loehner, Montecillo, Scharnhorst, Silvey, Solon and Wells.

## **ADJOURNMENT**

On motion of Representative Flanigan, the House adjourned until 10:00 a.m., Wednesday, October 5, 2011.

## **COMMITTEE MEETINGS**

### **ECONOMIC DEVELOPMENT**

Wednesday, October 5, 2011, 2:00 PM House Hearing Room 3.

Executive session will be held: SS SCS SB 8

Executive session may be held on any matter referred to the committee.

### **FISCAL REVIEW**

Thursday, October 6, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

### **INTERIM COMMITTEE ON CRIMINAL JUSTICE**

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

### **INTERIM COMMITTEE ON CRIMINAL JUSTICE**

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

RULES

Wednesday, October 5, 2011, 5:15 PM House Hearing Room 6.

Public hearing will be held: HR 4466

Executive session will be held: HR 4466

Executive session may be held on any matter referred to the committee.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Wednesday, October 5, 2011, 5:00 PM House Hearing Room 6.

Executive session will be held on any or all bills referred to the committee.

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

SIXTEENTH DAY, WEDNESDAY, OCTOBER 5, 2011

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

Prayer by Representative Sheila Solon.

Grant us, Lord, not to be anxious about earthly things, but to love things heavenly; and even now, while we are placed among things that are passing away, to hold fast to those that shall endure; through Jesus Christ our Lord, Who lives and reigns with You and the Holy Spirit, one God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

## COMMITTEE REPORTS

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 4466**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

## HOUSE RESOLUTION NO. 4466

WHEREAS, Missouri has a proud history of supporting our military and strengthening our nation; and

WHEREAS, Missouri has provided strategic air support to the nation's military since World War II; and

WHEREAS, Missouri is the home of the Air Force Global Strike Command and our military men and women are at the forefront of United States national air defense; and

WHEREAS, our military personnel and their families deserve the peace of mind that they have an unparalleled multi-role fighter to keep them safe, protect our nation, and secure peace around the world; and

WHEREAS, the F-35 is critical to the modernization of our military because it will replace aging and obsolete aircraft and secure United States air superiority for the next generation; and

WHEREAS, thousands of hard working, highly educated Missourians contribute to the success of Whiteman Air Force Base and the Marine Corp Mobilization Command; and

WHEREAS, these Missourians depend on the economic impact of our military bases to support their jobs and thriving communities; and

WHEREAS, the F-35 generates more than five hundred high technology, high paying jobs for Missouri; and

WHEREAS, the global F-35 Joint Strike Fighter program already provides sustained economic impact to Missouri and its citizens of over thirty-five million dollars annually; and

WHEREAS, the United States Congress is currently reviewing its commitment to the F-35 program and its full funding; and

WHEREAS, the United States and its global partners have invested in the development of the F-35 for more than a decade; and

WHEREAS, our military is currently testing the aircraft and we are on the verge of realizing the return on this long-term investment; and

WHEREAS, to slow production would increase the marginal cost of each aircraft and curb the strategic security and economic benefits of the program:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby urge the United States Congress to recognize the importance of the F-35 to the State of Missouri, our military, and our national security, and support high production and full funding of the F-35 Joint Strike Fighter program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

*House Committee Amendment No. 1*

AMEND House Resolution No. 4466, Page 1, Lines 7-8, by deleting all of said lines.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**HCS SS SCS SB 8** - Fiscal Review (Fiscal Note)

**SUPPLEMENTAL CALENDAR**

**OCTOBER 5, 2011**

**SENATE BILL FOR THIRD READING**

HCS SS SCS SB 8, (Fiscal Review 10-5-11) E.C. - Tilley

**HOUSE RESOLUTION**

HR 4466, HCA 1 (10-5-11) - Jones (117)

---

The following members' presence was noted: Allen, Bahr, Barnes, Berry, Black, Brandom, Brown (50), Brown (85), Brown (116), Carlson, Carter, Conway (14), Conway (27), Cox, Crawford, Cross, Day, Denison, Dieckhaus, Diehl, Dugger, Elmer, Fisher, Fraker, Franz, Fuhr, Funderburk, Gatschenberger, Gosen, Guernsey, Harris, Higdon, Holsman, Hough, Hubbard, Jones (117), Kelley (126), Kelly (24), Koenig, Kratky, Lant, Largent, Lasater, Lauer, Leach, Leara, Loehner, Long, McCann Beatty, McDonald, McGeoghegan, McGhee, Montecillo, Nasheed, Pollock, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schieber, Schieffer, Schoeller, Silvey, Smith (71), Smith (150), Stream, Swearingen, Talboy, Thomson, Wallingford, Webber, Wells, Weter, White, Wieland, Wright and Zerr.

**ADJOURNMENT**

On motion of Representative Flanigan, the House adjourned until 9:00 a.m., Thursday, October 6, 2011.

**COMMITTEE MEETINGS**

**FISCAL REVIEW**

Thursday, October 6, 2011, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

**INTERIM COMMITTEE ON CRIMINAL JUSTICE**

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

**INTERIM COMMITTEE ON CRIMINAL JUSTICE**

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT  
Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.  
Annual accountability presentation by MoDOT Director Kevin Keith.

**HOUSE CALENDAR**

SIXTEENTH DAY, THURSDAY, OCTOBER 6, 2011

**SENATE BILLS FOR THIRD READING**

HCS SS SCS SB 8, (Fiscal Review 10-5-11), E.C. - Tilley

**HOUSE RESOLUTIONS**

HR 4466, HCA 1 (10-5-11) - Jones (117)

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

SEVENTEENTH DAY, THURSDAY, OCTOBER 6, 2011

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Reverend Ken Wilson, Pastor and Previous Missionary, North American Mission Board, Southern Baptist Convention.

Dear Heavenly Father, I thank You for allowing me this privilege to talk with You today in front of these representatives. I ask that You would lead them and guide them today in this session. Also, guide them in their everyday walk and conduct. Thank You for our great nation and great state. May Your blessings be upon us in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journals of the twelfth, thirteenth, fourteenth, fifteenth and sixteenth days were approved as printed.

## COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 8** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCS SB 1** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Representative Bahr offered an objection to **SS SCS SB 7**, which was appended to the bill.

## LETTER OF OBJECTION

September 23, 2011

Mr. Speaker:

My honor and duty to my sworn oath to support and defend the Missouri state Constitution compels me to raise a constitutional objection to Senate Substitute for Senate Committee Substitute for Senate Bill Seven. It is my opinion that the bill is unconstitutional for the following reasons:

1. SS/SCS for Senate Bill No. 7 violates Article I, Section 2 of the Missouri Constitution by denying equal protection under the laws of Missouri through its treatment of Missouri businesses and other taxpayers differently based on the geographic region and industries they serve.

2. SS/SCS for Senate Bill No. 7 further violates Article I, Section 2 of the Missouri Constitution by providing a competitive advantage to some citizens through state supplied subsidies for the development of new enterprises at the expense of citizens who have already made investments in competing projects. The result is state sponsored diminution of their property and the state's failure to "give security" to the "gains of their own industry".

3. SS/SCS for Senate Bill No. 7 further violates Article I, Section 2 of the Missouri Constitution by providing preferential and unequal treatment to some citizens, who would receive state supplied subsidies for the development of new enterprises, over other citizens who might otherwise seek development of new enterprises in competition with them in an open and free marketplace.

4. SS/SCS for Senate Bill No. 7 violates Article III, Section 36 of the Missouri Constitution, because it has the effect of "divert[ing]" money from the treasury independent of the appropriation process.

5. SS/SCS for Senate Bill No. 7 violates Article III, Section 38(a) of the Missouri Constitution, which states that "The general assembly shall have no power to grant public money or property, or lend or authorize the lending of public credit, to any private person, association or corporation..."

The potential for public benefit does not remediate the fatal flaws in this bill, for as the Missouri Supreme Court pointed out in 1987, "Accordingly, in our application of Article III, Section 38(a) of the Missouri Constitution, we have held grants with a primarily private effect to be unconstitutional, despite the possible beneficial impact upon the economy of the locality and of the state." *Curchin v. Missouri Indus. Development Bd.*, 722 SW 2d 930 (Mo: Supreme Court 1987)

6. SS/SCS for Senate Bill No. 7 violates Missouri Constitution's Article III, Section 40 prohibition of "special laws" in several ways, notably those in Section 40(30) which forbids the General Assembly from passing a local or special law where a general law can be made.

Article I, Section 2 of the Missouri Constitution provides guidance for all that the state would task itself with – it defines the role of Missouri government, what it calls its "principal office". That section was brought forward from our 1875 constitution and it was explained eloquently when introduced to the body of delegates during the 1875 Constitutional Convention:

"It [in the Bill of Rights] is then declared that the main office of government is the security of life, liberty and property - the protection of those things - not protection in the sense in which capital is employed in thousands of industries in order to render bloated one or two in some favored locality - not protection in that sense, but equal protection to all, so that every man may sit secure under the shadow of his own vine and fig tree, and have none to make him afraid." Debates of the Missouri Constitutional Convention, 1875 – Volume I, P. 430 at 24 (emph. added)

As a duly elected Representative of the great state of Missouri, I have taken an oath to support and defend the Constitution from which these principles emanate. While I have a responsibility to consider guidance from the Courts, I also have a personal responsibility to understand our Constitution and apply my understanding in the execution of my



duties. In the present instance, both the preponderance of guidance from the courts and my understanding are in agreement.

Accordingly, I conclude that Senate Substitute for Senate Committee Substitute for Senate Bill Seven is unconstitutional for the above-stated reasons and should not be agreed to or passed by this body and in the event it is finally passed by both houses of the legislature, should not be signed by the governor.

Respectfully,

/s/ Rep. Kurt M. Bahr  
District 19

All other business of the House was suspended while **SS SCS SB 7** was read at length and was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller assumed the Chair.

### THIRD READING OF SENATE BILL

**HCS SS SCS SB 8**, relating to tax credits, was taken up by Representative Tilley.

**HCS SS SCS SB 8** was laid over.

Representative Grisamore assumed the Chair.

### HOUSE RESOLUTION

**HR 4466, with House Committee Amendment No. 1**, relating to the F-35 Joint Strike Fighter Program was taken up by Representative Jones (117).

On motion of Representative Jones (117), **House Committee Amendment No. 1** was adopted.

On motion of Representative Jones (117), **HR 4466, as amended**, was adopted by the following vote:

AYES: 127

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lasater

Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nichols	Nolte	Pace	Phillips
Pollock	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 007

Carlson	May	Montecillo	Newman	Parkinson
Pierson	Swearingen			

PRESENT: 014

Colona	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	McCann Beatty	McNeil	Oxford	Schupp
Spreng	Talboy	Taylor	Walton Gray	

ABSENT WITH LEAVE: 011

Cookson	Funderburk	Higdon	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Quinn	Redmon
Webb				

VACANCIES: 004

Speaker Pro Tem Schoeller resumed the Chair.

### THIRD READING OF SENATE BILL

**HCS SS SCS SB 8**, relating to tax credits, was again taken up by Representative Tilley.

Representative Bahr offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 25, Section 135.352, Line 48, by inserting after all of said line the following:

**“10. The provisions of the tax credit program authorized under sections 135.350 to 135.352 shall sunset automatically on July 1, 2018, unless reauthorized by an act of the general assembly.”; and**

Further amend said bill, Page 64, Section 253.559, Line 135, by inserting after all of said line the following:

**“11. The provisions of the tax credit program authorized under sections 253.545 to 253.559 shall sunset automatically on July 1, 2018, unless reauthorized by an act of the general assembly.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bahr moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 017

Asbury	Bahr	Brattin	Burlison	Cox
Curtman	Fitzwater	Franz	Gatschenberger	Guernsey
Keeney	Koenig	Leach	McNary	Nolte
Parkinson	Pollock			

NOES: 131

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lampe	Lant	Largent	Lasater
Lauer	Leara	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Newman	Nichols
Oxford	Pace	Phillips	Pierson	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 011

Conway 14	Cookson	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Quinn	Redmon
Webb				

VACANCIES: 004

Representative Silvey offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 25, Section 135.352, Line 48, by inserting the following after all of said line:

**“10. Notwithstanding provisions of law to the contrary, during the calendar year beginning January 1, 2016, and every fourth calendar year thereafter, the general assembly may, by concurrent resolution adopted during regular session, prohibit the approval of qualified Missouri projects for tax credits provided under sections 253.545 to 253.559. Such resolution shall not take effect prior to the first day of the fiscal year following the fiscal year in which such resolution was adopted. The prohibition contained in such resolution shall not in any way impair the department of economic development’s ability to issue tax credits for projects approved prior to the effective date of such resolution, or a taxpayer’s ability to redeem such tax credits.”; and**

Further amend said bill, Page 64, Section 253.559, Line 135, by inserting the following after all of said line:

**“11. Notwithstanding provisions of law to the contrary, during the calendar year beginning January 1, 2016, and every fourth calendar year thereafter, the general assembly may, by concurrent resolution adopted during regular session, prohibit the approval of qualified Missouri projects for tax credits provided under sections 135.350 to 135.363. Such resolution shall not take effect prior to the first day of the fiscal year following the fiscal year in which such resolution was adopted. The prohibition contained in such resolution shall not in any way impair the commission's ability to issue tax credits for projects approved prior to the effective date of such resolution, or a taxpayer's ability to redeem such tax credits.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 2** was adopted.

Representative Sater offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 38, Section 135.1180, Line 43, by inserting at the end of said line the following:

**"The cumulative amount of tax credits under this section which may be allocated to all taxpayers making eligible donations in any one fiscal year shall not exceed five million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 3** was adopted.

Representative Koenig offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 98, Section 620.1878, Line 409, by inserting after all of said section the following:

**“Section 1. The amount of tax imposed on the taxable income of a corporation in section 143.071 shall be reduced to five and one half percent of Missouri taxable income beginning January 1, 2012.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin offered **House Amendment No. 1 to House Amendment No. 4.**

Representative Webber raised a point of order that **House Amendment No. 1 to House Amendment No. 4** goes beyond the scope of the underlying bill.

**House Amendment No. 1 to House Amendment No. 4** was withdrawn.

Representative Jones (89) assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Koenig	Korman
Lant	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty

95      *Journal of the House*

McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 016

Conway 14	Cookson	Funderburk	Hughes	Jones 117
Klippenstein	Lair	Lichtenegger	McGhee	Nasheed
Quinn	Redmon	Richardson	Scharnhorst	Schneider
Webb				

VACANCIES: 004

On motion of Representative Koenig, **House Amendment No. 4** was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lant	Largent	Lasater
Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber
Weter				

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Funderburk	Hughes	Klippenstein	Lair
Lichtenegger	McGhee	Nasheed	Quinn	Redmon
Richardson	Scharnhorst	Webb		

VACANCIES: 004

## Representative White offered **House Amendment No. 5.**

### *House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1521, Line 9, by inserting the following after all of said line:

**"137.081. 1. As used in this section, the following terms mean:**

- (1) "Certificate of occupancy", the certificate, permit, or equivalent document issued by the county that permits the commercial use or occupancy of a building or structure used for commercial purposes;**
- (2) "Commercial real property", any real property assessed as utility, industrial, commercial, railroad and other real property by the assessor for property tax purposes under section 137.016;**
- (3) "Commercial real property improvement", any buildings, structures, fixtures, and similar edifice as described in subdivision (3) of section 137.010 which are on and a part of commercial real property;**
- (4) "Natural disaster", any disaster due to natural causes such as tornado, fire, flood, or earthquake;**
- (5) "County", any county or city not within a county.**

**2. If a property owner makes an application under this section, any commercial real property improvement destroyed by a natural disaster shall be removed on a pro rata basis from the tax book for the current year if such property improvement is unusable due to such destruction. If such application is made before the first day of July, the county assessor shall carry out the duties of subsections 2 and 3 of this section. If such application is made on or after July first, the county board of equalization shall carry out the duties of subsections 2 and 3 of this section. In counties that are not of the first classification, if the destruction occurs after the adjournment of the county board of equalization, the county commission shall perform such duties.**

**3. Upon issuance of a certificate of occupancy for the improvement to a property removed from the tax book under subsection 2 of this section by the county, the property shall be assessed and taxed on such assessed valuation as of the first day of the month for the proportionate part of the remaining year at the tax rates established for that year in all taxing jurisdictions located in the county adopting this section. If the property is located within a county that does not issue a certificate of occupancy, upon the determination of the assessor that the improvement is suitable for use or occupancy for commercial purposes, the property shall be assessed and taxed on such assessed valuation as of the first day of the month for the proportionate part of the remaining year at the tax rates established for that year in all taxing jurisdictions located in the county adopting this section.**

**4. Any person claiming destroyed property shall provide a list of such destroyed property to the county assessor. The assessor shall make available a supply of appropriate forms on which the claim shall be made. The assessor may verify all such destroyed property listed to ensure that the person made a correct statement. Any person who completes such a list and, with intent to defraud, includes property on the list that was not destroyed by a natural disaster shall be assessed double the value of any property fraudulently listed, in addition to any other penalties provided by law. The list shall be filed by the assessor, after the assessor has provided a copy of the list to the county collector and the board of equalization or county commission, in the office of the county clerk who, after entering the filing thereof, shall preserve and safely keep it.**

**5. Any political subdivision may recover all loss of revenue resulting from the provisions of this section by adjusting the rate of taxation, to the extent previously authorized by the voters of such political subdivision, for the tax year immediately following the year of such destruction in an amount not to exceed the loss of revenue caused by this section.**

**6. For any tax year, including 2011, this section shall become effective immediately upon the adoption of this section by the governing body of such county and shall apply to such tax year and shall remain effective until the end of the tax year in which the governing body of such county votes to repeal the provisions of this**

**section. Any improvement that was removed from the tax book under the provisions of this section prior to the time of repeal by the governing body of such county shall be assessed and taxed at such time as the requirements of subsection 3 of this section have been satisfied.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative White, **House Amendment No. 5** was adopted.

Representative Schieffer offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 34, Section 135.647, Lines 56 through 58, by removing said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 6**.

*House Amendment No. 1*

*to*

*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 3, by inserting after all of said line the following:

“Further amend said bill, Page 32, Section 135.630, Lines 91 through 93, by deleting all of said lines”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock assumed the Chair.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 6** was adopted by the following vote:

AYES: 111

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Kratky
Lant	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty



McGhee	McManus	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Reiboldt	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 034

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Holsman	Hubbard	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McNeil	Montecillo	Newman
Nichols	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 013

Cookson	Dieckhaus	Franz	Funderburk	Hughes
Klippenstein	Lair	Lichtenegger	Nasheed	Quinn
Redmon	Richardson	Webb		

VACANCIES: 004

On motion of Representative Schieffer, **House Amendment No. 6, as amended**, was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Korman	Kratky	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace

Parkinson	Phillips	Pierson	Pollock	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Cookson	Day	Funderburk	Hughes	Klippenstein
Koenig	Lair	Lichtenegger	McNary	Nasheed
Quinn	Redmon	Richardson	Schatz	Webb

VACANCIES: 004

### Representative Solon offered **House Amendment No. 7.**

#### *House Amendment No. 7*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 12, Section 99.1205, Line 6, by deleting the words “**or any portion thereof, engineering costs, attorney's fees, architectural and planning costs,**”; and

Further amend said bill, Page 12, Section 99.1205, Line 9, by removing the brackets around the words “attorney fees”; and

Further amend said bill, Page 12, Section 99.1205, Line 38, by inserting an opening bracket “[“ before the following: “(4) "Condemnation proceedings"”; and

Further amend said bill, Page 13, Section 99.1205, Line 43, by inserting a closing bracket “]” after the following: “section 523.250””; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Webber offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

**House Substitute Amendment No. 1 for House Amendment No. 7** was withdrawn.

Representative Cox offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Lines 8-12, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Solon, **House Amendment No. 7, as amended**, was adopted.

Representative Bandom offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 87, Section 620.1878, Line 165, by deleting the word “twenty” and inserting in lieu thereof the words “[twenty] **ten**”; and

Further amend said bill, Page 87, Section 620.1878, Line 166, by deleting the word “forty” and inserting in lieu thereof the words “[forty] **twenty**”; and

Further amend said bill, Page 87, Section 620.1878, Line 167, by inserting after the word “area” the words “, **two new jobs in an enhanced enterprise zone**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider offered **House Amendment No. 1 to House Amendment No. 8.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 6, by deleting the number, “**twenty**” and inserting in lieu thereof the number, “**ten**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Bandom, **House Amendment No. 8, as amended**, was adopted.

Representative Long offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8 Page 5, Section 67.2050, Line 5 of said page, by inserting after the word “state,” the following:

“or any utilities board thereof;”; and

Further amend said section and page, Line 17 of said page, by inserting after the word “purchase,” the following:

“lease, sale,”; and

Further amend said section and page, Line 30 of said page, by inserting after the word “may” the following:

“notwithstanding any limiting, restricting or inconsistent ordinance or charter provision of the Municipality”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 9** was adopted.

Representative Zerr offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Sections 252.545 through 253.559, Pages 56 - 64, by striking all of said sections from the bill and inserting in lieu thereof the following:

“253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) "Certified historic structure", a property located in Missouri and listed individually on the National Register of Historic Places;

(2) "Deed in lieu of foreclosure or voluntary conveyance", a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) "Eligible property", property located in Missouri and offered or used for residential or business purposes;

(4) "Leasehold interest", a lease in an eligible property for a term of not less than thirty years;

(5) "Principal", a managing partner, general partner, or president of a taxpayer;

(6) "Structure in a certified historic district", a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

(7) "Taxpayer", any person, firm, partnership, trust, estate, limited liability company, or corporation;

(8) "**Total costs and expenses of rehabilitation**", **all costs and expenses related to the rehabilitation of eligible property that is a certified historic structure or a structure in a certified historic district including, but not limited to, qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section. Such costs and expenses shall include, but not be limited to, rehabilitation work in progress and accrued developer fees. Provided however, that accrued developer fees shall only be considered "total costs and expenses of rehabilitation" if an agreement or other contractual document provides for the payment of such fees within no more than six years of completion of the rehabilitation.**

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, may, subject to the provisions of this section and

section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2011**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before June 30, 2011**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

**5. For each fiscal year beginning on or after July 1, 2011, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed eighty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.**

**6. For all applications for tax credits approved on or after July 1, 2011, no more than one hundred and twenty-five thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.**

**7. In lieu of the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall apply to:**

(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2011; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2011:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed the lesser of fifteen percent of the total project costs or three million dollars; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

8. For each fiscal year beginning on or after July 1, 2011, the department of economic development shall not approve applications for projects to receive less than two hundred seventy-five thousand dollars in tax credits which, in the aggregate, exceed ten million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations on tax credit authorization provided under the provisions of this subsection, shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2011; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2011:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed five percent of the total project costs; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. **For all tax credits authorized under the provisions of sections 253.545 to 253.559 on or after July 1, 2011, if the total amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to the preceding year and carried forward for credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265 for the succeeding five years, or until the full credit is used, whichever occurs first.** Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] to 253.559. **Any taxpayer that receives state tax credits under the provisions of sections 135.350 to 135.363 for a project that is not financed through tax exempt bonds issuance shall be ineligible for the state tax credits authorized under sections 253.545 to 253.559 for the same project.** Taxpayers eligible for such tax credits may transfer, sell or assign the credits to **any other taxpayer including, but not limited to, a not-for-profit entity.** Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners **including, but not limited to, any not-for-profit entity that is a partner, member, or owner,** respectively pro rata or pursuant to an executed agreement among [the] **such** partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department of economic development. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked,

with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each application shall be reviewed by the department of economic development for approval. In order to receive approval, an application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated project start date, and the estimated project completion date;

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district; and

(5) Any other information which the department of economic development may reasonably require to review the project for approval. Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department of economic development shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department of economic development deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits.

4. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the taxpayer contained in such application shall notify the department of such change.**

5. In the event that the department of economic development grants approval for tax credits equal to the **applicable** total amount available under subsection 2, **5, or 8** of section 253.550, or sufficient that when totaled with all other approvals, the **applicable** amount available under subsection 2, **5, or 8** of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department of economic development that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department of economic development and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation within two years of the date of issuance of the letter from the department of economic development granting the approval for tax credits. "Commencement of rehabilitation" shall mean that as of the date in which actual physical work, contemplated by the architectural plans submitted with the application, has begun, the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. If the department of

economic development determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the **applicable** total amount of tax credits, provided under subsection 2, **5, or 8** of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department of economic development and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final approval and issuance of tax credits from the department of economic development [which,]. **Such application for final approval and issuance of tax credits shall include a cost and expense certification, prepared by a licensed certified public accountant that is not an affiliate of the applicant, certifying the total costs and expenses of rehabilitation and the total amount of tax credits for which such taxpayer is eligible under sections 253.550 to 253.559. Cost and expense certifications required under this section shall separately state any accrued developer fees. No later than forty-five calendar days following receipt of a taxpayer's application for final approval and issuance of tax credits, the department of economic development shall determine, in consultation with the department of natural resources, [shall determine the final amount of eligible rehabilitation costs and expenses and] whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. If the completed rehabilitation meets such standards, the department of economic development shall, within forty-five calendar days following the receipt of the taxpayer's application for final approval and tax credit issuance, inform such taxpayer of its initial determination by letter and issue such taxpayer an initial tax credit issuance. A taxpayer receiving an initial tax credit issuance shall receive tax credit certificates in an amount equal the lesser of seventy-five percent of the total amount of tax credits for which the taxpayer is eligible under sections 253.550 to 253.559, as certified in the cost and expense certification, or the amount of tax credits approved for such project under subsection 3 of this section. Within one hundred and fifty calendar days following receipt of a taxpayer's application for final approval and tax credit issuance, the department shall determine the final amount of eligible rehabilitation costs and expenses. For a taxpayer receiving an initial tax credit issuance, no later than one hundred and fifty calendar days following receipt of such taxpayer's application for final approval and tax credit issuance, the department shall notify such taxpayer of its final determination by letter and issue such taxpayer tax credit certificates in an amount equal to the lesser of the remaining amount of tax credits for which such taxpayer is eligible to receive under sections 253.550 to 253.559, as determined by the department, or the remaining amount of tax credits for which such taxpayer was approved under subsection 3 of this section, but not issued under the initial tax credit issuance. If the department of economic development determines that the amount of tax credits issued to a taxpayer in the initial tax credit issuance is in excess of the total amount of tax credits such taxpayer is eligible to receive under sections 253.550 to 253.559, the department shall notify such taxpayer and such taxpayer shall repay the state an amount equal to such excess. For financial institutions credits authorized pursuant to sections 253.550 to [253.561] **253.559** shall be deemed to be economic development credits for purposes of section 148.064. The approval of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. [The department of economic development shall inform a taxpayer of final approval by letter and shall issue, to the taxpayer, tax credit certificates.] The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed. **Taxpayers which receive tax credit certificates under sections 253.550 to 253.559, attributable to accrued developer fees shall, within six years of completion of rehabilitation, submit an additional cost and expense certification verifying the total amount of developer fees actually accrued and paid. To the extent the amount of developer fees contained in a taxpayer's cost and expense certification included with such taxpayers application for final approval and tax credit issuance exceeds the amount of developer fees actually accrued and paid, as evidenced by the additional cost and expense certification, such taxpayer shall repay to the state an amount equal to twenty-five percent of such excess.****

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that costs and expenses of rehabilitation of the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the amount of eligible rehabilitation costs and expenses incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount



provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be subject to all provisions regarding priority provided under subsection 1 of this section.

9. The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

**10. (1) Taxpayers or duly authorized representatives may appeal any official decision, including all preliminary or final approvals and denials of approvals, made by the department or the department of natural resources with regard to an application submitted under sections 253.550 to 253.559 to an independent third-party appeals officer designated by the department. Such appeals under this section shall constitute an administrative review of the decision appealed from and shall not be conducted as an adjudicative proceeding.**

**(2) Appeals shall be submitted to the designated appeals officer in writing within thirty days of receipt by the taxpayer or the taxpayer's duly authorized representative of the decision that is the subject of the appeal, and shall include all information the appellant wishes the appeals officer to consider in deciding the appeal.**

**(3) Upon receipt of an appeal, the appeals officer shall notify the department or the department of natural resources that an appeal is pending, identify the decision being appealed, and forward a copy of the information submitted by the appellant. The department or the department of natural resources may submit a written response to the appeal.**

**(4) The appellant shall be entitled to one meeting with the appeals officer to discuss the appeal, but the appeals officer may schedule additional meetings at the officer's discretion. The department or the department of natural resources may appear at all meetings.**

**(5) The appeals officer shall consider the record of the decision in question, any further written submissions by the appellant and the department or the department of natural resources, and other available information, and shall deliver a written decision to all parties as promptly as circumstances permit.**

**11. By no later than January 1, 2012, the department shall propose rules to implement the provisions of sections 253.550 to 253.559. Prior to proposing such rules, the department shall conduct a stakeholder process designed to solicit input from interested parties. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated herein shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara offered **House Amendment No. 1 to House Amendment No. 10.**

*House Amendment No. 1*

*to*

*House Amendment No. 10*

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 1, Line 2, by deleting “252.545” and inserting in lieu thereof “253.545”; and

Further amend said amendment, Page 2, Lines 25-26, by deleting “**June 30, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said amendment, Page 3, Lines 14, 23, and 25, by deleting “**July 1, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said amendment, Page 4, Lines 5, 7, and 21, by deleting “**July 1, 2011**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Zerr, **House Amendment No. 10, as amended**, was adopted.

Representative Oxford offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1521, by inserting after said section, the following:

“143.171. 1. For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2011**, an individual taxpayer shall be allowed a deduction for his federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2011**, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year.

**4. The proceeds derived from this section of HCS SS SCS SB 8 shall be used for the purpose of providing funds for the construction of state buildings, facilities, and projects for purposes other than higher education and for rebuilding buildings of institutions of higher education including no less than fifteen percent of the proceeds to be allocated to public community colleges, providing additions thereto or additional buildings where necessary, for land acquisition, for construction or purchase of buildings, and for planning, furnishing, equipping and landscaping such improvements and buildings. No more than thirty percent of the proceeds shall be allocated for the construction of state buildings, facilities, and projects for purposes other than higher education.”; and**

Further amend title and enacting clause accordingly.

Representative Oxford moved that **House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 032

Anders	Atkins	Aull	Black	Carlson
Carter	Colona	Ellinger	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McDonald	McGeoghegan	McNeil	Newman

Nichols	Oxford	Pace	Pierson	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

NOES: 111

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Koenig	Korman
Kratky	Largent	Lasater	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Nance	Neth	Parkinson	Phillips
Pollock	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 016

Cookson	Funderburk	Hughes	Klippenstein	Lair
Lant	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Scharnhorst	Schneider	Webb
Webber				

VACANCIES: 004

Representative Korman offered **House Amendment No. 12.**

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 15, Section 99.1205, Line 119, by removing the brackets around the words, “for a period of five years”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) offered **House Substitute Amendment No. 1 for House Amendment No. 12.**

*House Substitute Amendment No. 1*  
for  
*House Amendment No. 12*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 8, Page 42, Section 135.1321, Line 9, by inserting after all of said section and line the following:

**"144.059. 1. As used in this section, the term "'Made in USA' product" means any new product that supports a claim to be made in the United States under the policy on "Made in USA" claims enforced by the Federal Trade Commission, and that is not already exempt from state sales taxes under any provision of state law.**

**2. In each year beginning on or after January 1, 2012, but ending on or before December 31, 2013, there is hereby specifically exempted from state sales tax law all retail sales of any "Made in USA" product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a "Made in USA" product.**

**3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.**

**4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision's local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.**

**5. This section shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.**

**6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Phillips
Pollock	Reiboldt	Riddle	Rowland	Ruzicka

Sater	Schad	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 019

Cookson	Crawford	Funderburk	Grisamore	Hughes
Jones 117	Klippenstein	Lair	Lichtenegger	Nasheed
Nolte	Parkinson	Quinn	Redmon	Richardson
Scharnhorst	Schneider	Webb	Mr Speaker	

VACANCIES: 004

On motion of Representative Smith (150), **House Substitute Amendment No. 1 for House Amendment No. 12** was adopted.

Representative Kelly (24) offered **House Amendment No. 13**.

Representative Elmer raised a point of order that **House Amendment No. 13** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen

Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lant	Largent	Lasater	Lauer
Leach	Leara	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 014

Cookson	Crawford	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Webb	Mr Speaker	

VACANCIES: 004

On motion of Representative Tilley, **HCS SS SCS SB 8, as amended**, was adopted.

On motion of Representative Tilley, **HCS SS SCS SB 8, as amended**, was read the third time and passed by the following vote:

AYES: 098

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cross	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gosen	Haefner	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 63	Jones 89	Jones 117	Kander
Kelly 24	Koenig	Korman	Kratky	Lampe
Lant	Lauer	Leara	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee

McManus	McNary	McNeil	Meadows	Neth
Nichols	Phillips	Pierson	Reiboldt	Riddle
Rizzo	Ruzicka	Sater	Scharnhorst	Schatz
Schieffer	Schoeller	Schupp	Shively	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Webber	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Anders	Asbury	Bahr	Brattin	Brown 85
Burlison	Conway 14	Cox	Curtman	Davis
Day	Dugger	Entlicher	Fuhr	Gatschenberger
Grisamore	Guernsey	Hampton	Harris	Hodges
Johnson	Keeney	Kelley 126	Kirkton	Largent
Lasater	Leach	Marshall	May	Molendorp
Montecillo	Nance	Newman	Oxford	Pace
Parkinson	Pollock	Rowland	Schad	Schieber
Schneider	Shumake	Swinger	Taylor	Wallingford
Walton Gray	Wells	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Crawford	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Webb		

VACANCIES: 004

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 103

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cross	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gosen	Guernsey	Haefner	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Jones 63	Jones 89
Jones 117	Kander	Kelly 24	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lauer
Leara	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Neth	Nichols	Phillips
Pierson	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieffer
Schoeller	Schupp	Shively	Sifton	Silvey

Smith 71	Smith 150	Solon	Spreng	Still
Stream	Swearingen	Talboy	Thomson	Torpey
Walton Gray	Webber	Weter	White	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 043

Anders	Asbury	Bahr	Brattin	Brown 85
Burlison	Conway 14	Cox	Curtman	Davis
Day	Dugger	Entlicher	Fuhr	Gatschenberger
Grisamore	Hampton	Hodges	Johnson	Keeney
Kelley 126	Kirkton	Lasater	Leach	Marshall
May	Molendorp	Montecillo	Nance	Newman
Oxford	Pace	Parkinson	Pollock	Schad
Schieber	Schneider	Shumake	Swinger	Taylor
Wallingford	Wells	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Crawford	Funderburk	Hughes	Klippenstein
Lair	Lichtenegger	Nasheed	Nolte	Quinn
Redmon	Richardson	Webb		

VACANCIES: 004

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 1**, introduced by Representatives Silvey, Tilley, Diehl, Zerr, Schoeller, Jones (89), Riddle, Holsman, Ellinger, Talboy, Kelly (24), Rizzo, Carter, Hummel, Jones (63), Bahr, Berry, Lampe, Hodges, McManus, Schieber, Haefner, Stream, Flanigan, Neth, Colona, Smith (150) and Keeney, relating to the general assembly.

## ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, October 7, 2011.

## COMMITTEE MEETINGS

### INTERIM COMMITTEE ON CRIMINAL JUSTICE

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.  
Testimony on Sexual Offender Registry.

### INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.  
Testimony on Sexual Offender Registry.



JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT  
Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.  
Annual accountability presentation by MoDOT Director Kevin Keith.

**HOUSE CALENDAR**

EIGHTEENTH DAY, FRIDAY, OCTOBER 7, 2011

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 1

# **JOURNAL OF THE HOUSE**

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

EIGHTEENTH DAY, FRIDAY, OCTOBER 7, 2011

The House met pursuant to adjournment.

Representative Barnes in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 1** was read the second time.

## **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

### **HJR 1 - Rules**

The following members' presence was noted: Grisamore, Guernsey, Hampton, Harris, Hubbard, Kratky, Loehner, Montecillo, Scharnhorst, Smith (71), Spreng, Wallingford and Webber.

## **ADJOURNMENT**

On motion of Representative Barnes, the House adjourned until 10:00 a.m., Wednesday, October 12, 2011.

## **COMMITTEE MEETINGS**

### **INTERIM COMMITTEE ON CRIMINAL JUSTICE**

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.  
Testimony on Sexual Offender Registry.

### **INTERIM COMMITTEE ON CRIMINAL JUSTICE**

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.  
Testimony on Sexual Offender Registry.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

RULES

Wednesday, October 12, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HJR 1

Executive session will be held: HJR 1

# **JOURNAL OF THE HOUSE**

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

NINETEENTH DAY, WEDNESDAY, OCTOBER 12, 2011

The House met pursuant to adjournment.

Representative Leach in the Chair.

Prayer by Representative Phillips.

Heavenly Father, thank You for Your blessing on this legislative body.

May You continue to lead our decision making for our state and may all we do bring glory to You. In Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

## **HOUSE RESOLUTION**

Representative Funderburk offered House Resolution No. 4672.

## **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

### **HR 4672 - Rules**

The following members' presence was noted: Berry, Fisher, Gosen, Grisamore, Harris, Hubbard, Korman, Kratky, Lant, Montecillo, Pollock, Rowland, Solon and Wallingford.

## **ADJOURNMENT**

On motion of Representative Leach, the House adjourned until 10:00 a.m., Wednesday, October 19, 2011.

## **COMMITTEE MEETINGS**

### **INTERIM COMMITTEE ON CRIMINAL JUSTICE**

Tuesday, October 18, 2011, 10:00 AM House Hearing Room 7.  
Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON CRIMINAL JUSTICE

Wednesday, October 19, 2011, 10:00 AM House Hearing Room 7.

Testimony on Sexual Offender Registry.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 21, 2011, 2:00 PM Epworth Children & Family Services, Drop-In Center for Older Youth, 6900 Delmar, University City.

Public hearing and discussion of child care & any family-related topics.

Committee members touring facility at 6900 Delmar, University City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.

Public hearing and discussion of foster & adoption care and any family-related topics.

Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Friday, November 4, 2011, 1:00 PM Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.

Public hearing and discussion of education and any family-related topics.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

RULES

Wednesday, October 19, 2011, 5:00 PM House Hearing Room 6.

Public hearing will be held: HR 4672, HJR 1

Executive session will be held: HR 4672, HJR 1

Executive session may be held on any matter referred to the committee.

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

TWENTIETH DAY, WEDNESDAY, OCTOBER 19, 2011

The House met pursuant to adjournment.

Representative Cierpiot in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*David encouraged himself in the Lord his God. (1 Samuel 30:6)*

Almighty God, Whose spirit is within all of Your creation, Whose love never fails, and Whose presence is with us all our days, make us more aware of You, more responsive to Your call, more obedient to Your will, and more ready to help our fellow men and women.

Grant unto us a greater honesty of purpose, a more generous attitude toward others, and a most genuine faith in You - which will help us live unashamed before You and those who love us. When we are tempted, give us strength to overcome our temptations; when we begin to give way to discouragement, help us to find our encouragement in You; when we fail and would give up, grant us courage to try again.

May the light of truth illumine our way, may the love of life illumine our hearts, and may the life of love illumine our relationships with one another.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

**HB 10**, introduced by Representatives Schoeller and Dugger, relating to statewide presidential primaries.

## MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 8, as amended**, and requests the House to recede from its position and take up and pass **SS SCS SB 8**.

The following members' presence was noted: Barnes, Berry, Black, Colona, Conway (14), Conway (27), Crawford, Day, Denison, Dugger, Ellinger, Entlicher, Fisher, Franz, Fuhr, Gatschenberger, Guernsey, Harris, Higdon, Hinson, Hubbard, Kelly (24), Klippenstein, Kratky, Lant, Lasater, Leara, Loehner, Marshall, McDonald, Montecillo, Pollock, Quinn, Reiboldt, Rizzo, Rowland, Schad, Scharnhorst, Silvey, Smith (71), Solon, Talboy, Taylor, Torpey, Wallingford, Weter and Wright.

### **ADJOURNMENT**

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Thursday, October 20, 2011.

### **COMMITTEE MEETINGS**

#### **FISCAL REVIEW**

Thursday, October 20, 2011, 9:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

All bills referred to the committee.

#### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Friday, October 21, 2011, 2:00 PM,

Epworth Children & Family Services, Drop-In Center for Older Youth,  
6900 Delmar, University City.

Public hearing and discussion of child care & any family-related topics.

Committee members touring facility at 6900 Delmar, University City.

#### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.

Public hearing and discussion of foster & adoption care and any family-related topics.

Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

#### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Friday, November 4, 2011, 1:00 PM,

Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.

Public hearing and discussion of education and any family-related topics.

#### **JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.

Annual accountability presentation by MoDOT Director Kevin Keith.

#### **JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION**

Thursday, October 27, 2011, 1:00 PM,

Kauffman Foundation Conference Center, 4801 Rockhill Road, Kansas City MO 64110

Meeting is in: Troost Room.

There will be a public hearing.

**RULES**

Thursday, October 20, 2011, 8:45 AM House Hearing Room 6.

Public hearing will be held: HJR 1, HR 4672

Executive session will be held: HJR 1, HR 4672

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

TWENTY-FIRST DAY, THURSDAY, OCTOBER 20, 2011

**HOUSE BILLS FOR SECOND READING**

HB 10

**BILLS CARRYING REQUEST MESSAGES**

HCS SS SCS SB 8, as amended (request House recede/take up and pass bill) - Tilley



# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

TWENTY-FIRST DAY, THURSDAY, OCTOBER 20, 2011

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Thou wilt keep him in perfect peace, whose mind is stayed on Thee: because he trusteth in Thee. (Isaiah 26:3)*

O God, our Father, Who is the creator of the world, the sustainer of life everywhere, and the companion of our way - touch our lives with spirit-hand as we come to You in this our morning prayer. Facing the tasks of this new day we pray for wisdom to make wise choices, for strength to stand firm for what is good and just for all, and for courage to walk confidently in the way of Your commandments.

We do not just pray for release from burdens, but for renewed strength to carry them; not for an escape from problems, but for an increased power to meet them and to solve them; not for less work, but for greater faith to do our work without worry.

We pray for all who are working in the cause of justice and peace in our state and in our nation. May the peace of Your presence abide in all our hearts.

We finally say "Go Cardinals!" And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journals of the seventeenth, eighteenth, nineteenth, and twentieth days were approved as printed.

## SECOND READING OF HOUSE BILL

**HB 10** was read the second time.

## COMMITTEE REPORTS

**Committee on Rules**, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 4672**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 4672

WHEREAS, Missouri has an extensive history of supporting our military and strengthening our nation; and

WHEREAS, our military personnel and their families receive peace of mind that they have the F/A-18E/F Super Hornet, which is the most capable, next-generation, multi-role strike fighter in combat today, ensuring their safety, protecting our nation, and securing peace around the world; and

WHEREAS, the F/A-18E/F Super Hornet is the most capable, multi-role strike fighter in production today and will continue to provide air superiority to the United States and its allies for the next generation; and

WHEREAS, over 24,000 retirees and over 15,000 hardworking employees in Missouri contribute to the success of programs like F/A-18E/F; and

WHEREAS, in 2010, \$764 million of materials were purchased from 969 Missouri suppliers for programs such as the F/A-18E/F, further contributing to the sustainability of Missouri jobs and substantial economic impact in Missouri; and

WHEREAS, the United States invested into a multi-year procurement of F/A-18E/F Super Hornet aircraft in 2010, which will continue through 2014 and will save the taxpayers over \$818 million; and

WHEREAS, every F/A-18E/F aircraft has been delivered to our military on time and at cost, providing the only capable and affordable multi-strike fighter today; and

WHEREAS, limiting the production of the F/A-18E/F program would increase costs of the only affordable multi-strike fighter flying in combat today, effectuating adverse economic impact to Missouri:

NOW, THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby urge the United States Congress to recognize the importance of the F/A-18E/F Super Hornet program to the State of Missouri, our military, and our national security, and to support the continued production and full funding of the F/A-18E/F program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 1**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

---

**SUPPLEMENTAL CALENDAR  
OCTOBER 20, 2011**

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 1 - Silvey

**HOUSE RESOLUTION**

HR 4672 - Funderburk

---

## BILLS CARRYING REQUEST MESSAGES

**HCS SS SCS SB 8, as amended**, relating to tax credits, was taken up by Representative Tilley.

Representative Tilley moved that the House refuse to recede from its position on **HCS SS SCS SB 8, as amended**, and request the Senate to grant the House a conference.

Which motion was adopted.

## MOTION

Representative Jones (89) moved that Rule 41 be suspended.

Which motion was adopted by the following vote:

AYES: 120

Allen	Anders	Aull	Bahr	Barnes
Berry	Black	Brown 85	Brown 116	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Hampton	Harris	Higdon	Hinson
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Talboy
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 009

Atkins	Carlson	Conway 27	Kratky	Pierson
Schupp	Swinger	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 030

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Grisamore	Haefner	Hodges

Holsman	Hoskins	Hubbard	Hughes	Jones 63
Lair	Lampe	Lichtenegger	Marshall	Meadows
Nasheed	Neth	Newman	Riddle	Ruzicka
Sater	Swearingen	Thomson	Webb	Zerr

VACANCIES: 004

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

**HCS SS SCS SB 8:** Representatives Tilley, Diehl, Zerr, Kelly (24) and Webber

### PERFECTION OF HOUSE JOINT RESOLUTION

**HCS HJR 1**, relating to legislative review of tax credits, was taken up by Representative Silvey.

Representative Oxford offered **House Amendment No. 1**.

Representative Scharnhorst raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Silvey, **HCS HJR 1** was adopted by the following vote:

AYES: 101

Allen	Anders	Aull	Barnes	Black
Brown 85	Brown 116	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Korman	Lant
Largent	Lauer	Leara	Loehner	Long
McCaherty	McGeoghegan	McGhee	McManus	McNary
Molendorp	Montecillo	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Schad	Scharnhorst	Schatz
Schieffer	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Still	Stream
Talboy	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 025

Atkins	Bahr	Berry	Carlson	Kirkton
Koenig	Kratky	Lasater	Leach	May
McCann Beatty	McDonald	McNeil	Nance	Nichols
Oxford	Pace	Pierson	Schieber	Schupp
Smith 71	Spreng	Swinger	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 033

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Day	Franz	Grisamore
Haefner	Hodges	Holsman	Hoskins	Hubbard
Hughes	Jones 63	Lair	Lampe	Lichtenegger
Marshall	Meadows	Nasheed	Neth	Newman
Riddle	Ruzicka	Sater	Schneider	Swearingen
Thomson	Webb	Zerr		

VACANCIES: 004

On motion of Representative Silvey, **HCS HJR 1** was ordered perfected and printed.

## HOUSE RESOLUTION

**HR 4672**, relating to the Super Hornet aircraft program, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HR 4672** was adopted by the following vote:

AYES: 125

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lant	Largent	Lasater
Lauer	Leach	Leara	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Nance	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still

Stream	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 033

Asbury	Bernskoetter	Brandom	Brattin	Brown 50
Burlison	Cookson	Day	Grisamore	Haefner
Hodges	Holsman	Hoskins	Hubbard	Hughes
Jones 63	Lair	Lampe	Lichtenegger	Loehner
Marshall	Meadows	Nasheed	Neth	Newman
Riddle	Ruzicka	Sater	Schad	Swearingen
Thomson	Webb	Zerr		

VACANCIES: 004

## **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HCS HJR 1** - Fiscal Review (Fiscal Note)

## **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 10** - Rules

## **COMMITTEE REPORT**

**Committee on Fiscal Review**, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 1** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 11:00 a.m., Thursday, October 27, 2011.

## **COMMITTEE MEETINGS**

### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Friday, October 21, 2011, 2:00 PM,  
Epworth Children and Family Services, Drop-In Center for Older Youth,  
6900 Delmar, University City.  
Public hearing and discussion of child care and any family related topics.  
Committee members touring facility at 6900 Delmar, University City.

### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.  
Public hearing and discussion of foster and adoption care and any family-related topics.  
Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Friday, November 4, 2011, 1:00 PM,  
Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.  
Public hearing and discussion of education and any family-related topics.

### **JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.  
Annual accountability presentation by MoDOT Director Kevin Keith.

### **JOINT INTERIM COMMITTEE ON SCHOOL ACCREDITATION**

Thursday, October 27, 2011, 1:00 PM,  
Kauffman Foundation Conference Center, 4801 Rockhill Road, Kansas City MO 64110.  
Meeting is in: Troost Room.  
There will be public hearing.

## **HOUSE CALENDAR**

TWENTY-SECOND DAY, THURSDAY, OCTOBER 27, 2011

### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 1 - Silvey

### **BILLS CARRYING REQUEST MESSAGES**

HCS SS SCS SB 8, as amended (House refuses to recede/request conference) - Tilley

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

---

TWENTY-SECOND DAY, THURSDAY, OCTOBER 27, 2011

The House met pursuant to adjournment.

Representative Grisamore in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Be strong and of a good courage; be not afraid, neither be thou dismayed; for the Lord thy God is with thee whithersoever thou goest. (Joshua 1:9)*

O God of all goodness and grace, bless us as we lift our spirits unto You in prayer. Make us increasingly aware of Your presence as in this moment we close our eyes and open our hearts unto You. Help us to meet our experiences this day with a singing faith, a strong courage, and a steadfast love.

When disappointments come, when discouragements would shut us in and threaten to shut us out, when the clouds of distress hover over us, give us strength to launch out into the duties of each day - not understanding all that is happening - but in the midst of it all remaining steady and serene, masters of ourselves and servants of Yours.

Give us such a confidence in Your sustaining grace that no weakness of our own may cause us to lose faith and no shortcoming may make us give way to undue anxiety. In all things, by all ways, through all experiences keep us faithful that our consciences may be clear, our hearts clean, and our spirits confident.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was led by Kennedy, Sydney and Kellen Merrell, children of Kristen Merrell, Missouri's 2011 Teacher of the Year, Lee's Summit R-7, Lee's Summit, Missouri.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kennedy Merrell, Sydney Merrell and Kellen Merrell.

The following members' presence was noted: Barnes, Colona, Conway (27), Day, Franklin, Fuhr, Harris, Kelley (126), Kelly (24), Kratky, Montecillo, Rizzo, Schad, Scharnhorst, Schupp, Talboy, Taylor, and Wallingford.

## ADJOURNMENT

On motion of Representative Grisamore, the House adjourned.



### **COMMITTEE MEETINGS**

#### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Friday, October 28, 2011, 2:00 PM Robert Mohart Center, 3200 Wayne, Kansas City.  
Public hearing and discussion of foster & adoption care and any family-related topics.  
Committee members touring Operation Breakthrough, 3039 Troost Ave, Kansas City.

#### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Friday, November 4, 2011, 1:00 PM,  
Three Rivers Community College, Tinnin Bldg., 2080 Three Rivers Blvd., Poplar Bluff.  
Public hearing and discussion of education and any family-related topics.

#### **JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Wednesday, November 16, 2011, 10:00 AM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
Annual accountability presentation by MoDOT Director Kevin Keith.  
Highway namings.

**AMENDED**

# JOURNAL OF THE HOUSE

## VETO SESSION

First Regular Session, 96th GENERAL ASSEMBLY

---

WEDNESDAY, SEPTEMBER 14, 2011

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*Give ear to my prayer, O God; and hide not Thyself from my supplication. (Psalm 55:1)*

Our Ancient God, Whose love is from everlasting to everlasting and Whose truth endures forever, we pause in Your presence with bowed heads, lifting our spirits to You - unto Whom all hearts are open, all desires known, and from Whom no secrets are hid. Cleanse the thoughts of our hearts by the inspiration of Your Holy Spirit that we may love You more perfectly, do Your will more confidently, and serve You and our state more faithfully.

We come disturbed by the troubles of our time, burdened by the weight of worry, and distressed by our inability to see clearly what we ought to do. We pray for our nation, for our state and for ourselves that we may increase the spirit of goodwill and thus be a part of the solution and not a part of the problem that confronts us. Give us the courage to carry on knowing that in You we find strength for each task.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Louisa Cassity Curchin.

## SPECIAL RECOGNITION

Keith Sappington, former Director of Operations, was introduced by Speaker Tilley and presented with a resolution honoring his 35 years of dedicated service to the Missouri House of Representatives.

Mr. Sappington addressed the House.

Speaker Pro Tem Schoeller assumed the Chair.

The New Bloomfield Wildcats Boys Baseball Team was introduced by Representative Riddle and recognized for attaining the 2011 State Championship.

Participants in the 2011 session of the American Legion Boys State of Missouri Legislature were introduced by Representative Colona and presented with resolutions.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 4494 through House Resolution No. 4506

**HOUSE RESOLUTION**Representative Jones (89) offered **House Resolution No. 1**, which was read.**HOUSE RESOLUTION NO. 1**

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2011 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Jones (89), **House Resolution No. 1** was adopted by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Hughes

Jones 63

Meadows

VACANCIES: 004

## MESSAGES FROM THE GOVERNOR

### EXECUTIVE OFFICE

June 10, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2011 and ending June 30, 2012; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 10.215

I hereby veto \$30,000 General Revenue Fund for Boone County Legal Fees. These funds are unable to be expended because they do not qualify under Section 56.700, RSMo.

For distribution through the Office of Administration to counties pursuant to Section 56.700, RSMo by \$30,000 from \$162,550 to \$132,550 General Revenue Fund.

From \$900,916 to \$870,916 in total from General Revenue Fund.

From \$900,916 to \$870,916 in total for the section.

On June 10, 2011, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----

July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 184**, entitled:

"AN ACT"

To repeal sections 233.280, 537.620, and 537.635, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

I disapprove of **Senate Substitute for Senate Committee Substitute for House Bill No. 184**. My reasons for disapproval are as follows:

**Senate Substitute for Senate Committee Substitute for House Bill No. 184** allows public entity risk associations, significantly reliant on taxpayer dollars, to "close meetings, records and votes as authorized in chapter 610 to the extent that such meetings, records and votes pertain to actuarial analysis, loss history, claims, data, reports and similar information relating to the determination of member rates and contributions." Chapter 610 does not provide for closure of meetings, records and votes for the purposes stated. **Senate Substitute for Senate Committee Substitute for House Bill No. 184**, therefore, creates a new exception to chapter 610, diminishing government transparency, contrary to the public policy of this state. The closure of these meetings, records and votes effectively places a significant portion of the operations of these public entity risk associations beyond public scrutiny. Further, the closure of this information may limit the members of these entities from obtaining information needed to make informed decisions about their membership.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for Senate Committee Substitute for House Bill No. 184** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----  
May 2, 2011

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
96<sup>TH</sup> GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 209** entitled:

"AN ACT"

To repeal sections 67.402, 226.720, and 537.296, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions, with penalty provisions.

I disapprove of **Senate Substitute for Senate Committee Substitute for House Bill No. 209**. My reasons for disapproval are as follows:

**Senate Substitute for Senate Committee Substitute for House Bill No. 209** is flawed because certain of its provisions apply to nuisances not related to crop or animal production, and because it prohibits recovery of punitive damages in nuisance actions emanating from property used for crop or animal production.

**Senate Substitute for Senate Committee Substitute for House Bill No. 209** is overbroad because it goes beyond its purported intent of addressing only agricultural nuisances. Section 537.296.3 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** converts a second temporary nuisance claim to a claim for permanent nuisance, but importantly, does not contain language limiting its application to nuisances emanating from crop or animal production. By contrast, the exclusive damages provision of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** and the “good faith” abatement provision of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** are expressly limited to “crop or animal production.” By its own terms, therefore, the two lawsuit limitation in Section 537.296.3 applies to all types of nuisances and not just those relating to crop or animal production. Application of this provision beyond the purported intent of the bill, and the unintended consequences of this application, necessitates my disapproval.

Similarly, Section 537.296.5 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** makes substantive changes to standing requirements, but again does not contain language limiting it to nuisances emanating from crop or animal production. The omission of language limiting this provision to crop or animal production has the presumably unintended effect of making all manner of nuisances – those involving blasting, vehicle exhaust, noise, dust, or leaking gas tanks or oil lines, to name just a few – subject to the standing provision of this bill and making changes to nuisance law not contemplated by either the proponents or opponents of **Senate Substitute for Senate Committee Substitute for House Bill No. 209**.

Finally, **Senate Substitute for Senate Committee Substitute for House Bill No. 209** unacceptably prohibits punitive damages in a nuisance action arising out of crop or animal production. Under Missouri law, punitive damages are recoverable in a temporary nuisance action, i.e., where the nuisance is capable of abatement, and in a permanent nuisance action, i.e., where the nuisance cannot be abated. These damages are currently recoverable for agricultural and non-agricultural nuisances. Section 537.296.2 of **Senate Substitute for Senate Committee Substitute for House Bill No. 209** changes Missouri law to provide that the “exclusive damages” awardable in temporary and permanent nuisance actions emanating from crop or animal production are the reduction in fair rental value or fair market value, plus compensatory damages arising from a medical condition caused by the nuisance. This exclusivity provision does not contain an exception for punitive damages. On its face, therefore, **Senate Substitute for Senate Committee Substitute for House Bill No. 209** turns back decades of Missouri common law by prohibiting the recovery of punitive damages in an agricultural nuisance action. The recovery of punitive damages is an important tool to incent the abatement of noxious activity, and must continue to be available to persons aggrieved by a nuisance arising out of crop or animal production.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for Senate Committee Substitute for House Bill No. 209** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----  
July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 256**, entitled:

"AN ACT"

To repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

I disapprove of **Senate Committee Substitute for House Bill No. 256**. My reasons for disapproval are as follows:

**Senate Committee Substitute for House Bill No. 256** is identical to Senate Bill No. 165 which I approved on July 8, 2011. As a result, the extension of the sunset provision contained in **Senate Committee Substitute for House Bill No. 256** will become law without the necessity of approving this duplicative legislation.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Bill No. 256** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----  
July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430**, entitled:

"AN ACT"

To repeal sections 21.795, 70.441, 226.540, 227.107, 301.010, 301.147, 301.225, 301.559, 301.560, 301.562, 301.3084, 302.302, 302.309, 302.341, 302.700, 304.120, 304.180, 304.200, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, 390.280, and 577.023, RSMo, and to enact in lieu thereof forty-two new sections relating to transportation, with penalty provisions, a contingent effective date for certain sections, and an effective date for a certain section.

I disapprove of **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430**. My reasons for disapproval are as follows:

This bill would severely restrict the authority of local communities to regulate billboards. By invalidating any local billboard regulation that is contrary to "customary usage" or one that prohibits billboards in certain areas, this bill would limit local government efforts to preserve community character and promote community values. Local control of billboards ensures that billboards are placed in areas that complement local economic development and local community values. It is unfortunately all too common for a poorly located billboard to define an area in a manner anathema to the morals and values of the local community. Local elected officials can make the best decisions about the location and placement of billboards within their communities in ways that preserve local character and promote business.

In accordance with the above stated reasons for disapproval, I am returning **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 430** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

Wednesday, September 14, 2011 7

July 5, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 465** entitled:

"AN ACT"

To repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions.

I disapprove of **House Committee Substitute for House Bill No. 465**. My reasons for disapproval are as follows:

**House Committee Substitute for House Bill No. 465**, relating to credit unions, amends the same provisions of Chapter 370, RSMo, as Senate Substitute for Senate Bill No. 306. However, although the two bills are substantively similar, their language is not identical. Approval of both bills would create an ambiguity as to the process for appointing the director of the division of credit unions. In order to avoid the unnecessary confusion occasioned by the approval of nearly duplicative legislation, I am disapproving **House Committee Substitute for House Bill No. 465**. My approval of Senate Substitute for Senate Bill No. 306 on July 5, 2011, will result in the enactment of all of the substantive components of **House Committee Substitute for House Bill No. 465**.

In accordance with the above stated reasons for disapproval, I am returning **House Committee Substitute for House Bill No. 465** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

-----  
July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Bill No. 484**, entitled:

"AN ACT"

To amend chapter 226, RSMo, by adding thereto one new section relating to the Missouri state transit assistance program.

I disapprove of **House Bill No. 484**. My reasons for disapproval are as follows:

**House Bill No. 484** is entirely contained in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 173 which I approved on July 7, 2011. As a result, the provision contained in **House Bill No. 484** will become law without the necessity of approving this duplicative legislation.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 484** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor



July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 1008**, entitled:

"AN ACT"

To amend chapter 226, RSMo, by adding thereto one new section relating to highway infrastructure improvement agreements.

I disapprove of **Senate Committee Substitute for House Bill No. 1008**. My reasons for disapproval are as follows:

**Senate Committee Substitute for House Bill No. 1008** authorizes the State Highways and Transportation Commission to enter into agreements with third parties to finance state road and bridge construction projects. While not the stated purpose of this provision, this could allow a private entity to finance all or a part of such project, and in the agreement set forth that it be constituted as a toll road with tolls to be used to repay such private entity. At this juncture, without a full and fair public debate on this issue, the statutory authorization of toll roads would be inappropriate.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Bill No. 1008** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

## HOUSE BILLS VETOED FROM THE FIRST REGULAR SESSION

The Speaker read the following House Bills vetoed from the First Regular Session: **CCS SCS HCS HB 10, SS SCS HB 184, SS SCS HB 209, SCS HB 256, CCS SS SCS HCS HB 430, HCS HB 465, HB 484 and SCS HB 1008**.

## HOUSE RESOLUTION

Representative Jones (89) offered **House Resolution No. 2**, which was read.

### HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS SCS HCS HB 10, SS SCS HB 184, SS SCS HB 209, SCS HB 256, CCS SS SCS HCS HB 430, HCS HB 465, HB 484 and SCS HB 1008** when the bills were called by the Speaker.

On motion of Representative Jones (89), **House Resolution No. 2** was adopted.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

### SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 3**.

### SENATE RESOLUTION NO. 3

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of House Committee Substitute No. 2 for Senate Bill No. 3; House Committee Substitute for Senate Substitute for Senate Bill No. 118; House Committee Substitute for Senate Committee Substitute for Senate Bill No. 163; House Committee Substitute for Senate Bill No. 220 and Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 when the bills were so called by the President.

## ADJOURNMENT

On motion of Representative Jones (89), the Veto Session of the Ninety-sixth General Assembly, First Regular Session, adjourned sine die pursuant to the Constitution.

STEVEN TILLEY  
Speaker of the House

D. ADAM CRUMBLISS  
Chief Clerk of the House